

SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT

Minutes of Special Meeting of  
the Board of Directors of the District

June 2, 1977

On notice duly given, the Board of Directors of the Southern California Rapid Transit District met at a special meeting in the District Board Room, 425 South Main Street, Los Angeles, California, at 10:10 a. m. on June 2, 1977, at which time President Marvin L. Holen called the meeting to order.

Directors present:

George W. Brewster	Thomas G. Neusom
Byron E. Cook (10:30 a. m.)	Jay B. Price
Marvin L. Holen	Ruth E. Richter
Gerald B. Leonard	Charles H. Storing
Mike Lewis	

Directors absent:

Donald Gibbs  
George Takei

Staff present:

Jack R. Gilstrap, General Manager  
George W. Heinle, Manager of Operations  
Jack Stubbs, Asst. General Manager for Administration  
Richard T. Powers, General Counsel  
George L. McDonald, Manager of Planning & Marketing  
Joe B. Scatchard, Controller-Treasurer-Auditor  
John S. Wilkens, Manager of Employee Relations  
Robert Williams, Manager of Customer Relations  
Michael Olivas, Deputy Admin. -Equal Employment Opportunities  
Richard K. Kissick, Secretary

Also present were members of the news media and the public.

Resolution  
No. assigned

Consideration of Labor Protective Agreements for Section 5 Applications in Connection with the 13 (c) Provisions of the Urban Mass Transportation Act of 1964, as Amended - Tabled

President Holen announced that today was the last day on which the 120-day notice could be given to terminate the Labor Protective Agreements for Section 5 applications in connection with the 13 (c) provisions of the UMTA Act of 1964, as amended. He further stated that if the Board adopted a resolution to terminate, notice would be immediately sent to the three unions; however, if no termination resolution was adopted there was no action necessary by the Board.

Director Lewis moved to terminate the agreements, which motion was seconded.

Director Price moved to table, which motion was seconded, carried as noted below, and the following resolution adopted:

R-77-222

RESOLVED, that consideration to terminate Labor Protective Agreements for Section 5 applications in connection with the 13 (c) provisions of the Urban Mass Transportation Act of 1964, as amended, be and the same is hereby tabled.

Ayes: Brewster, Holen, Leonard, Neusom,  
Price, Richter  
Noes: Lewis, Storing  
Abstain: None  
Absent: Cook, Gibbs, Takei

Later in the meeting, President Holen announced that he had been advised by the General Counsel that Roberts Rules of Order provided that a motion to table an item on which an

Resolution  
No. assigned

immediate decision was necessary was improper, but further that the Board had not adopted the procedures under Roberts Rules and, therefore, operated under its own rules and the District Law. President Holen thereupon announced that it was his decision that the motion had been properly made and would stand.

Revision of MBE Goals for Bids to be Received for Reconstruction of Divisions 3 and 5

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Mr. Black reviewed the report dated June 1 indicating that both the majority and minority contractor associations had agreed to revisions of the MBE goals for bids to be received for the reconstruction work at Divisions 3 and 5, and further recommending that the MBE policy adopted by the Board on May 10 remain in effect with changes, if any, to be considered within 60 days after the bid award on Division 3.

Director Neusom suggested participation by members of the Board in any negotiations following the bid awards for Divisions 3 and 5 which could result in recommendations to change the policies adopted on May 10.

Director Neusom thereupon moved approval of the staff recommendation, which motion was seconded.

Director Lewis felt the formulas recommended for Divisions 3 and 5 did not agree with the formula adopted by

Resolution  
No. assigned

the Board on May 10, and Mr. Black stated that reconsideration of the formulas was due to a difference in opinion between the majority and minority contractors. Mr. Lewis felt that more delays would result from reconsidering the policy each time a bid goes out, but Director Price felt the recommendation could at least get the Divisions 3 and 5 projects under way, and that reconsideration would only be given if the parties agreed to a change in the formula. Director Storing felt we should adhere to the original policy adopted on May 10.

(Director Cook entered the meeting at 10:30 a.m.)

Mr. Gilstrap stated that if it was the Board's decision, we could go forward under the formula adopted on May 10 subject to UMTA concurrence.

The question was called for on Director Neusom's motion, carried as noted below, and the following resolution adopted:

R-77-223

RESOLVED, that Resolution No. R-77-187 adopted May 10, 1977, be and the same is hereby amended in that the Minority Business Enterprise utilization goal for bids to be received for the Phase II reconstruction at Division 5 is changed from seven percent (7%) to twelve and one-half percent (12-1/2%);

RESOLVED FURTHER, that Resolution No. R-77-189 adopted May 10, 1977, be and the same is hereby amended in that the Minority Business Enterprise utilization goal for bids to be received for the Phase II reconstruction at Division 3 is changed from five percent (5%) to ten percent (10%), excluding interior cleaning equipment;

Resolution  
No. assigned

R-77-223  
(continued)

RESOLVED FURTHER, that the MBE utilization goals established above are for the respective projects only, and the staff is directed to meet within 60 days with both the general and minority contractor associations after award of the above contracts to review and recommend changes, if any, in the Minority Business Enterprise Utilization policy adopted under Resolution No. R-77-185 on May 10, 1977, with any recommended changes to be based upon the conditions resulting from the bids received for the aforementioned projects;

RESOLVED FURTHER, that the MBE policy adopted under the aforementioned Resolution No. R-77-185 continue in effect and that any change as a result of the abovementioned industry/staff meeting be limited to the formula for calculating the goal.

Ayes: Brewster, Cook, Holen, Leonard, Neusom,  
Price, Richter  
Noes: Lewis, Storing  
Abstain: None  
Absent: Gibbs, Takei

Rescision of Resolution No. R-77-194 and Authorization to File  
Application for UMTA Section 5 Funds for Fiscal Year 1978

Mr. Stubbs briefly reviewed the report dated June 1 recommending that Resolution No. R-77-194 adopted May 10 be rescinded and another resolution be adopted authorizing the filing of an application for \$49,100,000 in UMTA Section 5 funds for the fiscal year 1978, instead of the previously authorized \$45,000,000.

On motion of Director Leonard, seconded and carried as noted below, the following resolutions were adopted:

Ayes: Brewster, Cook, Holen, Leonard, Lewis,  
Neusom, Price, Richter, Storing  
Noes: None  
Abstain: None  
Absent: Gibbs, Takei

Resolution  
No. assigned

R-77-224

RESOLVED, that Resolution No. R-77-194 adopted May 10, 1977 be and the same is hereby rescinded in its entirety.

R-77-225

Resolution authorizing the filing of an application with the Department of Transportation, United States of America, for a grant under the Urban Mass Transportation Act of 1964, as Amended.

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs;

WHEREAS, it is required by the U. S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as Amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act in 1964 and the U. S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Southern California Rapid Transit District:

Resolution  
No. assigned

R-77-225  
(continued)

1. That the General Manager is authorized to execute and file an application on behalf of the Southern California Rapid Transit District with the U. S. Department of Transportation to aid in the financing of District operations for the period July 1, 1977 through June 30, 1978. The net operating costs estimated up to an amount of \$98,200,000 are proposed to be financed 50% by a Federal Operating Grant of up to \$49,100,000 under Section 5 of the Urban Mass Transportation Act of 1964, as Amended, and the remaining 50% or \$49,100,000, by the District from funds available by the Transportation Development Act of 1971, State of California Stats. 1971, Chap. 1400.
2. That the General Manager is authorized to execute and file with such application an assurance or any other document required by the U. S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That the General Manager is authorized to furnish such additional information as the U. S. Department of Transportation may require in connection with the application or the project.
4. That the General Manager is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.
5. That the General Manager is authorized to execute all other necessary documents and contracts in connection with said grant application filed with the U. S. Department of Transportation, Urban Mass Transportation Administration.

Resolution  
No. assigned

Following adoption of the above resolutions, Mr. Stubbs advised that the application for the Section 5 funds had not yet been approved by the SCAG Executive Committee or the Los Angeles County Transportation Commission.

Authorization to File Claim with SCAG for Fiscal Year 1978  
SB-325 Funds

Mr. Scatchard reviewed the report dated May 27 recommending authorization to file a claim with SCAG for FY 1978 SB-325 funds in the amount of \$61,496,000, and stated it represented the correct amount providing there were no additional funds allocated during the year by the Los Angeles County Transportation Commission.

On motion of Director Leonard, seconded and carried as noted below, the following resolution was adopted:

R-77-226

RESOLVED, that the General Manager is authorized to file a claim with the Southern California Association of Governments for Fiscal Year 1978 Local Transportation Funds for Los Angeles County operations in the amount of \$61,496,000, and to file such additional claims in Fiscal Year 1978 for Local Transportation Funds as are available to the District under the terms of the Transportation Development Act of 1971, as amended.

Ayes: Brewster, Cook, Holen, Leonard, Lewis,  
Neusom, Price, Richter, Storing  
Noes: None  
Abstain: None  
Absent: Gibbs, Takei



Resolution  
No. assigned

The meeting was adjourned at 10:50 a. m.



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Secretary