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Transportation Commission  
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Los Angeles, CA 90017  
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Southern California  
Rapid Transit District  
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MINUTES/PROCEEDINGS

Joint SCRTD/LACTC Board Meeting

December 4, 1991

Board of Supervisors' Hearing Room  
Hall of Administration  
500 West Temple Street - 3rd Floor  
Los Angeles, CA

1. Called to order at 9:17 A.M.
2. Approved Minutes of September 11, 1991 Joint Meeting.
3. Transportation Reorganization Plan

Commissioner Bradley moved approval of the LACTC/SCRTD reorganization plan (draft copies of motion were distributed) which was seconded by Commissioner Hahn. (See Attachment 1)

After some discussion among the Directors and Commissioners, it was decided that each agency should give a short presentation, beginning with Neil Peterson.

Mr. Peterson explained that subcommittees from each agency met jointly and heard from consultants. The committees met almost weekly during the last couple of months to come up with the proposal being presented today. The proposal envisions a unified single policy board, but does not spell out the specific composition of the new agency other than by mandating an operating unit. Other units are discretionary. The Policy Board would be empowered to appoint a chief executive officer responsible to the policy board, and the heads of any subsidiary organizations.

A 90-day period after the legislation takes effect will be allowed to appoint members to the single Board, followed by a 60-day transition period for the existing Boards of RTD and LACTC. Both agencies will be legally in existence for a period of 6 months following enactment of the legislation.

In response to query from Director Swanson as to who the architects of the motion were, Mr. Peterson named the members of the LACTC subcommittee, i.e., Ray Grabinski, Jacki Bacharach, Ray Remy, Marv Holen, James Tolbert, Judy Hathaway-Francis and Jane Ellison, as well as Sharon Neely and her staff.

Director Storing expressed the opinion that many of the past problems between the agencies stemmed from not having specifics spelled out in the legislation.

RTD General Manager, Alan Pegg, began his presentation by stating that the RTD preferred an organizational structure where the transit authority would appoint the officers of the three subdivisions (specified in the legislation) and the primary officers as it deems necessary. He went on to say that this single agency approach would reduce institutional conflicts and create a structure which would be accountable to the people of this county.

After some discussion, it was decided that public comment should be heard before a vote on the motion.

Bob Bartlett, Mayor of Monrovia, representing the League of California Cities, spoke against the proposed makeup of the Transit Authority Board as the cities would be losing three representatives.

J. Walsh, a member of the public, spoke suggesting caution in reorganization and commenting that the 30-year plan is in limbo.

Joint Board Members agreed to vote item by item on the reorganization motion.

Director/Commissioner Alatorre moved Item 1; Commissioner Judy Hathaway-Francis seconded.

Director Swanson made a substitute motion, seconded by Director Storing, that the legislature be requested to define the boundaries and responsibilities of RTD and LACTC and that the two Boards continue to meet quarterly.

The substitute motion failed on the following Roll Call vote:

For the LACTC:

Ayes: None  
Noes: Bradley, Molina, Hahn, Dana, Antonovich, Alatorre,  
Grabinski, Tolbert, Hathaway-Francis, Bacharach  
Absent: Edelman

For the RTD:

Ayes: Storing, Swanson  
Noes: Molina, Hahn, Dana, Antonovich, Alatorre, Tolbert,  
Braude, Raggio,  
Absent: Edelman

On a call for the question, the principle of a Single Policy Board was approved on a voice vote with Directors Storing and Swanson objecting.

Director/Commissioner Alatorre moved and Commissioner Hathaway-Francis seconded Item 2.A. of the Resolution which passed on a unanimous voice vote.

Item 2.B. was moved, seconded, discussed and passed on a unanimous voice vote.

Director/Commissioner Alatorre offered a substitute motion on Item 2.C., seconded by Director Tolbert, that to provide for the smooth transition, the SCRTD and LACTC shall remain in existence as legal entities no longer than one year or until the authority deems them to be abolished. The substitute motion failed on the following Roll Call vote:

LACTC:

Ayes: Molina, Edelman, Alatorre, Tolbert, Hathaway-Francis  
Noes: Bradley, Hahn, Dana, Antonovich, Grabinski,  
Bacharach  
Absent: None

SCRTD:

Ayes: Edelman, Alatorre, Tolbert, Braude, Raggio, Storing,  
Swanson, Molina  
Noes: Hahn, Dana, Antonovich,  
Absent: None

Item 2.C. as originally presented passed on the following Roll Call vote:

LACTC:

Ayes: Bradley, Molina, Hahn, Dana, Antonovich, Alatorre  
Grabinski, Tolbert, Hathaway-Francis, Bacharach  
Noes: Edelman  
Absent: None

SCRTD:

Ayes: Molina, Hahn, Dana, Antonovich, Alatorre, Tolbert,  
Braude, Raggio, Storing  
Noes: Edelman, Swanson  
Absent: None

Commissioner Grabinski suggested the possibility of continuing by looking first at the items everyone agrees on and then coming back to those that require debate.

On individual motions duly made and seconded Items 2.D through 2.I were approved unchanged on unanimous voice votes.

Commissioner Bacharach moved Item J and Commissioner Grabinski seconded.

Commissioner/Director Edelman offered the following substitute motion which was seconded by Commissioner/Director Dana and failed on a Roll Call vote: That the Board shall select the executive officer, the heads of organizational sub-units and such other officers of the County Metropolitan Transit Authority as the Authority deems necessary.

LACTC:

Ayes: Edelman, Alatorre  
Noes: Bradley, Molina, Hahn, Dana, Antonovich, Grabinski,  
Tolbert, Hathaway-Francis, Bacharach  
Absent: None

There was a short discussion as to whether it was necessary to call the Roll for RTD. Chairman Storing asked who wanted to be recorded in favor of this substitute motion. Those responding were:

Ayes: Swanson, Storing, Edelman

A second substitute motion was put forward by Commissioner Hathaway-Francis, seconded by Commissioner Bacharach, as follows: "Provide for the appointment of a Chief Executive Officer of the Authority and reserve to the authority the right to appoint or approve the heads of organizational sub-units and such other officers as the Authority deems necessary".

Commissioner/Director Molina suggested and Commissioner Hathaway-Francis agreed to the following addition to her substitute motion following the words "the heads of organizational sub-units":

"a General Counsel, a Board Secretary, a Chief Financial Officer, a General Manager, an Inspector General".

The substitute motion as amended was approved on a unanimous voice vote.

Item 2K was moved, seconded and approved on a unanimous voice vote.

Item 3 was passed over temporarily.

Item 4 was moved, seconded and approved on a unanimous voice vote.

Item 5 was unanimously approved on a voice vote after being amended to read "Direct staffs of LACTC and SCRTD" to prepare...

Item 6 was moved, seconded, and unanimously approved on a voice vote.

Item 7 was moved and seconded for discussion. Supervisor Molina requested that in the interest of accountability and clarification, the three subsidiary organizational units be defined. Commissioner/Director Bradley spoke against that degree of specificity and in favor of allowing the Authority as much flexibility as possible without having to go back to the Legislature to have a law changed.

Commissioner Hathaway-Francis offered the following substitute motion, seconded by Commissioner Bacharach: "Continue to refine the roles, responsibilities and structure of such organizational units as operation, construction, planning and program on an as-needed basis, subsidiaries, boards and/or committees of a single policy board."

Director Raggio called attention to Item 2.E. which was previously approved and contained the language now being requested, and stated that Item 7 is redundant and will tend to confuse the issue.

Commissioner/Director Bradley then made a motion to table Item 7, which was passed on a unanimous voice vote.

Item 3 was moved and seconded. Director Swanson indicated she would vote against the motion because of the representation issue. Commissioners Bacharach and Hathaway-Francis indicated they would vote in favor of the motion, but reserved the right to change their votes once the League takes a position.

Commissioner/Director Edelman made a substitute motion which was seconded by Director Swanson, to continue with the same 5-3-3 representation. The substitute motion failed on the following Roll Call vote:

LACTC:

Ayes: Molina, Edelman,  
Noes: Bradley, Dana, Antonovich, Grabinski, Tolbert,  
Hathaway-Francis, Bacharach  
Absent: Hahn, Alatorre

RTD:

Ayes: Molina, Edelman  
Noes: Braude, Raggio, Storing, Swanson, Bradley, Dana,  
Antonovich  
Absent: Hahn, Alatorre

Commissioner/Director Antonovich called for the question. Commissioner/Director Bradley indicated for clarification purposes that it was the intent of the motion to include alternates in accordance with PUC Section 130051.

Item 3 carried on a voice vote with Director Swanson, Commissioner/Director Edelman and Commissioner/Director Molina objecting.

Commissioner/Director Molina then made a substitute motion to revisit Item 2.E and remove the word "discretionary". The motion was seconded by Commissioner Tolbert and passed by mutual consent.

4. Public Comment was received from:

S. Leonard who spoke in favor of using the old GM plant as a regional transportation center.

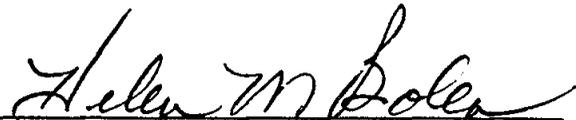
Commissioner/Director Hahn called this a historical day for the people of Los Angeles County and offered special thanks to Mayor Bradley for his courage and faith, and called him a man of vision.

J. Walsh would like to see all LACTC funding suspended pending the outcome of a grand jury investigation. He also complained that the files regarding the Metro Rail tunnel fire remain closed to the public one year after the fact, and closed by complimenting Chairman Storing on his handling of the meeting.

Commissioner Grabinski praised Commissioner/Director Hahn for allowing us to get to this point and also the work done by the staffs.

5. Next Meeting scheduled for March 4, 1992.

6. Adjourned at 11:41 A.M.

  
Helen M. Bolen  
District Secretary

## MOTION

**LACTC/SCRTD REORGANIZATION**

I move that the LACTC and SCRTD Board of Directors approve the recommendations contained in LACTC Chairman Grabinski's memo, as set forth in full below and with additions as noted in boldface type:

1. Approve the principle of a Single Policy Board.
2. Approve the following other principles of reorganization:
  - A. Create the Los Angeles County Metropolitan Transportation Authority which shall be the single governing policy board of the SCRTD and the LACTC.
  - B. The appointing authorities shall have 90 days to appoint members to the Authority. The Board of Directors of the SCRTD and the governing body of the LACTC shall remain in existence during this period, and during an additional 90 days while the new Authority is meeting to discuss organizational issues. The Authority may delegate duties to these boards during the second 90-day period.
  - C. To provide for a smooth transition, SCRTD and the LACTC shall remain in existence as legal entities for nine months after the effective date of the legislation. After nine months, the Authority becomes the successor to the SCRTD and the LACTC.
  - D. Mandatory creation of an operating organizational unit for former SCRTD bus and rail operations. This operating organizational unit will be subject to all statutes providing for the protection of labor unions.
  - E. Allow for the discretionary creation of organizational units such as an organizational unit to assume the construction responsibilities for all exclusive public mass transit guideway construction projects in Los Angeles County and a transportation planning and program organizational unit which would include responsibilities for street and highways activities.

- F. Provide that the Authority shall, at a minimum, reserve to itself exclusively, all of the following powers and responsibilities:
- Set overall goals and objectives;
  - Adopt aggregate budget for all organizational units;
  - Add included municipal operators;
  - Approve final rail corridor selections;
  - Approve final labor contracts;
  - Adopt Subcommittee/Organizational Sub-Unit/Subsidiary structure;
  - Select a Chief Executive Officer for the Los Angeles County Metropolitan Transportation Authority;
  - Appoint Committee/Subsidiary Board members;
  - Delegate Committee/Organizational Sub-Unit/Subsidiary Board Authorities/Responsibilities; and
  - Conducting hearings and setting of fares.
- G. Allows for delegation by the Authority of powers and responsibilities to organizational units, including, but not limited to, the following:
- The power of eminent domain;
  - Approval of contracts where such approval is not reserved exclusively to the Authority; and
  - Hearing and resolving bid protests.
- H. Provide that the creation of the Authority shall not increase or decrease the rights or obligations of labor unions with respect to existing collective bargaining agreements and 13(c) agreements.
- I. Provide that the Authority shall not be restricted by the terms of any collective bargaining agreement or any other agreement with a labor union entered into by the SCRTD except when the Authority is acting pursuant to the statutory rights and powers of the SCRTD.

- J. Provide for the appointment of a Chief Executive Officer of the Authority and for the right to appoint or approve the heads of organizational sub-units and such other officers as the Authority deems necessary.
- K. Provide for retention of provisions similar to those contained in SB1 relating to the preservation of the funding shares for the municipal operators, and requiring a two-thirds approval of the Authority to change the funding formula.
3. Establish the composition of the Single Policy Board, as follows:
- The 5 members of the Los Angeles County Board of Supervisors. In the event that the number of members of the Los Angeles County Board of Supervisors is increased, the Authority shall within 60 days of said increase submit a plan to the Legislature revising the composition of the Authority.
  - 4 City of Los Angeles (Mayor, one city council member and two citizens appointed by the Mayor).
  - 4 members (Mayor or City Council Members of Cities) appointed by the city selection committee selected to represent the four areas of the county (see attached map). The representatives of each area will be voted on by the cities in that area with each city having a vote in proportion to their population, similar to the existing RTD corridor selection process. They will serve four-year staggered terms with no term limitation. In the North County/San Fernando Valley area (Area #1 in the map), the voting representative will alternate annually during the four-year term between a representative of the cities in North County and a representative of the cities in the San Fernando Valley.
  - If the City of Los Angeles' population should fall below 35% of the incorporated population of the county at some point in the future, one representative would be added to the non-City of Los Angeles representatives, and one subtracted from the City of Los Angeles representatives.
  - 1 Ex-officio member appointed by the Governor.

4. Approve the following policy regarding employee transition issues:

The Authority shall make all reasonable efforts to fill vacant positions from existing employees of the LACTC and SCRTD. All reductions in staffing levels resulting from reorganization shall to the extent practicable be accomplished through attrition. In the event layoffs become necessary, employees shall be given 6 months notice of separation or provided continued payment of salary and benefits for a period of 6 months after layoff.

5. Direct staff to prepare technical changes to the attached draft legislation, as are necessary to implement this motion, for submittal to an author/co-sponsors.
6. Transmit the plan to the State Legislature (Chairmen of the Transportation Committees for the State Assembly and Senate.)
7. Continue to refine the roles, responsibilities and structure of the organizational units, subsidiaries, boards and/or committees of a Single Policy Board.

