

SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT

MINUTES/PROCEEDINGS

Regular Board Meeting
Board of Directors
Wednesday, November 19, 1986
District Board Room
425 South Main Street
Los Angeles

Directors Present:

Jan Hall, President	Nick Patsaouras
Carmen A. Estrada, Vice-President	Jay B. Price
John F. Day	Charles H. Storing
Nate Holden (arrived 1:54 p.m.)	Gordana Swanson
Marvin L. Holen	

Directors Absent:

Norman H. Emerson
Leonard Panish

1. Certificates of Merit were presented by Director Swanson to:
 - a. Andrea Roland, Information Operator-of-the-Month;
 - b. Joe Williams, Maintenance Employee-of-the-Month; and
 - c. George Zeranko, Operator-of-the-Month.

Lech Gazinski, September Maintenance Employee of the Month, also received a Certificate of Merit.

2. Gayel Pitchford, Director of Personnel, presented Employee Suggestion Awards to Mike Ortega, Gerald Gladney, Carlos Favela, and Salvador Bustos.

3. Operators Robert L. Felder and Leonardo S. Mineses received awards for Outstanding Community Service.

4. Report of the President

President Hall announced that a special meeting of the Committee of the Whole will be held on November 22 to receive the findings and recommendations of the Safety Review Panel.

President Hall also announced that she had represented the District at the Ground breaking Ceremony of the Century Freeway Light Rail Line. Currently, there are 42 miles of rail transit under construction in Los Angeles County. The District is expected to be the operator of all of these miles.

5. Report of the General Manager

Mr. Dyer encouraged Board members to attend the Californians for Better Transportation meeting to be held in Sacramento on December 3, 1986. State transportation fund for mass transit, and federal and state legislation are among the items to be addressed at this meeting.

The General Manager also urged the Board to attend the CAPOTS Annual Meeting, scheduled to be held on November 20-21 in San Diego, and noted that the agenda would cover such topics as mass transit program efforts and funding. In addition, the Department of Motor Vehicles presentation on licensing and certification of operators, as well as absenteeism and other discussions would be of special interest to the Board.

On Thursday, November 20, from 11:30 a.m.-2:00 p.m., the Los Angeles Chamber of Commerce would host a meeting for prime and sub-contractors at its seminar on Metro Rail and Light Rail.

6. Director Special Items

Director Estrada, Chairman of the Subcommittee on Benefit Assessment, summarized the subcommittee's recommendations on the appeals process which address questions and concerns raised by the Directors, the media and affected property owners. The Subcommittee recommends that the intent of the process is to encourage individuals who have some concern about the assessment to go to staff. There is no charge if agreement is reached at this early stage. If any appeal is to be considered, then there will be a charge that is required by law. Appeals will be heard by an hearing officer and the District has decided to use retired superior court judges or appellate court judges who have no connection with the District. This hearing officer would hear the appeal and make a decision based on the testimony and evidence submitted. At the next level, there are two options: 1) come directly to the Board of Directors, 2) voluntarily agree to have the appeal heard by a panel of three (3) justices. This level of appeal hearing would be at no cost to the appellant; the District will bear the entire cost. At the Appeals Panel level, the panel will have the entire record and would ask the appellant to file a brief which will not bring forth any new information, but will try to describe the issues to be considered by the appeals panel. This process will also allow for a fifteen minute presentation by the appellant. If there is still dissatisfaction, then the appellant could come before the Board of Directors. Once the Board of Directors has rendered a decision based on the evidence before them, the appellant still have the legal right to go into a court of law.

Director Estrada concluded her statement by offering the recommendation of the subcommittee as a motion, which motion was seconded.

Director Holen commented that the District has the opportunity to appeal at any of the steps enumerated by the subcommittee and that this process was designed to be as close to the judicial system as possible.

On a call for the question, the motion was unanimously approved, and the President indicated that the appeals procedure will be put in place for the Benefit Assessment Districts.

Director Estrada then raised her concern about the absence of written guidelines regarding the contacting of Board members in the Benefit Assessment Appeals Process. She referenced the District's Code of Ethics or Conflict of Interest Policy which is in place. The Benefit Assessment Appeals process is the first instance where the Board of Directors is the final appellate body and it is very important that any inquiry of an individual Board member by an appellant to be referred to staff. The General Counsel also commented that the role of the Board is very sensitive since the Board will make the ultimate decision regarding assessment.

President Hall requested that this information be put in writing and distributed to all Board members. She also asked that the District's Conflict of Interest Policy be given to anyone who files a Benefit Assessment appeal.

On another subject, Director Holen, because of the need for him to leave this meeting and chair a CORE Forum meeting, requested that Agenda Item No. 17 be held over until the next regular meeting of the Board.

In conclusion, Director Day thanked the members of the Board for their recognition of his recent marriage.

EQUIPMENT & OPERATIONS COMMITTEE (Items 7-8)

7. Received and filed Risk Management Department Quarterly Report on the PL/PD and Workers' Compensation Claims Program.

UNANIMOUS

8. Adopted the statement of roles and responsibilities for Equipment and Operations Committee.

UNANIMOUS

EQUIPMENT & OPERATIONS COMMITTEE (Cont'd.)

8A. Lift-U-Inc. Retrofit Project Status Report

Approved the addition of this item to the agenda.

Received and filed the Status Report on the Lift-U-Inc. Retrofit Project dated November 17, 1986.

UNANIMOUS

Mr. Bolte, West Coast Coordinator and Regional Director for the Association of the Handicapped, addressed the Board on this item. Mr. Bolte said his association would appreciate the District's efforts to facilitate lifts on its vehicles.

ADVANCE PLANNING (Items 9 and 11)

9. The Advance Planning Committee's recommendation to approve support of the LACTC/City/County Bus Service Continuation Demonstration project, with the provision that the District concur in the expenditure of operating funds required for the purpose of maintaining the integrity of the regional transportation system was presented in the form of a motion and seconded.

A motion was then made to split the question, which was seconded and failed on a Roll Call vote as noted:

Ayes: Estrada, Patsaouras, Swanson, Hall
Noes: Day, Price, Storing
Abstain: None
Absent: Emerson, Holden, Holen, Panish

A Roll Call vote was then taken on the original motion, which motion failed as noted below:

Ayes: Day, Price, Storing, Swanson
Noes: Estrada, Patsaouras, Hall
Abstain: None
Absent: Emerson, Holden, Holen, Panish

After discussion, Director Patsaouras, representing the prevailing side in the above vote, made a motion to lay the item on the table until the December 11, 1986 Board Meeting, which was seconded and carried with Director Day voting against the motion.

ADVANCE PLANNING (Cont'd.)

11. Adopted the statement of roles and responsibilities for Advance Planning Committee.

UNANIMOUS

MARKETING & CUSTOMER INFORMATION COMMITTEE (Items 12-13)

12. Received and filed report dated on November 13, 1986 on Summer Youth Employment Program, 1986.

UNANIMOUS

13. Adopted the statement of roles and responsibilities for Marketing and Customer Information Committee.

UNANIMOUS

FINANCE & JOINT DEVELOPMENT COMMITTEE (Items 10, 14-16)

10. Approved amendment to the Fee Schedule and Procedures for appealing Southern California Rapid Transit District Benefit Assessments.

Mr. Harold Winard, Mr. Sam Rubinfeld and Mr. Bryan Allen all appeared before the Board speaking to this issue.

UNANIMOUS

FINANCE & JOINT DEVELOPMENT COMMITTEE (cont'd.)

14. Received and filed monthly report of District investments - October, 1986.

UNANIMOUS

15. Adopted Board resolution indicating that any employees' Deferred Compensation Plan funds used to repay Metro Rail Revenue Anticipation Notes would be returned to the Deferred Compensation Plan Account.

UNANIMOUS

16. Adopted the statement of roles and responsibilities for Finance and Joint Development Committee.

UNANIMOUS

RAPID TRANSIT COMMITTEE (Items 17-19)

17. Consider approval of the use of a barrier-free fare collection system for the MOS-1 Segment of Metro Rail.

At the chairman's request, this item was held over until the next regular meeting of the Board.

RAPID TRANSIT COMMITTEE (Cont'd.)

18. Approved Requisition No. 6-8100-264 and authorized the General Manager to amend Contract No. 3504 (Amendment No. 2) to implement the Annual Work Program (AWP) with the District insurance administrators for the period December 1, 1986 through October 31, 1987 at a total cost of \$5,995,000; form of contract amendment subject to approval of the General Counsel.

This contract is funded in part under UMTA Grant No. CA-03-0130.

UNANIMOUS

19. Adopted the statement of roles and responsibilities for the Rapid Transit Committee.

UNANIMOUS

PERSONNEL COMMITTEE (Items 20-24)

20. Approved the District's Equal Employment Opportunity Program.

UNANIMOUS

PERSONNEL COMMITTEE (Cont'd.)

21. Approved dental insurance coverage for Non-Contract, Teamster and PORAC employees and authorized the General Manager to:
- a. Renew dental insurance contract with Blue Cross of California under Requisition No. 6-0990-55;
 - b. Renew dental insurance contract with Safeguard Dental Plans, Inc., under Requisition No. 6-0990-56;
 - c. Enter into a contract with Travelers Insurance to provide indemnity dental insurance benefits as proposed, under Requisition No. 6-0990-57; and
 - d. Not renew the dental insurance contract with Allstate Life Insurance Company;

form of contracts subject to approval of the General Counsel.

UNANIMOUS

22. Authorized the General Manager to execute a contract with TACS, Sherman Oaks, under RFP No. 86-19 covering consulting services to design a Management System Requirement Document for the Equal Opportunity Department at a total cost of \$30,705; form of contract subject to approval of the General Counsel.

UNANIMOUS

23. Authorized the General Manager to establish one non-contract position of Assistant Administrative Analyst within the Equipment Maintenance Department.

UNANIMOUS

PERSONNEL COMMITTEE (Cont'd.)

24. Adopted the statement of roles and responsibilities for Personnel Committee.

UNANIMOUS

FACILITIES & CONSTRUCTION COMMITTEE (Items 25-27)

25. Adopted the statement of roles and responsibilities for Facilities and Construction Committee.

UNANIMOUS

26. Authorized the General Manager to execute an amendment to an existing lease with Neoplan, and to enter into a lease with Woodland Financial Corporation covering a portion of Location 24 as outlined in the report dated November 13, 1986, form of documents subject to approval of the General Counsel.

UNANIMOUS

27. Approved Requisition No. 6-8300-184 and authorized the General Manager to amend an existing contract with William J. Yang and Associates, Burbank, to include modifications to the design of the Division 12 (Long Beach) fuel storage tanks replacement project, increasing the total contract price from \$23,570 to \$27,670; form of contract amendment subject to approval of the General Counsel.

UNANIMOUS

PRIVATE SECTOR RELATIONS COMMITTEE

28. Adopted the statement of roles and responsibilities for Private Sector Relations Committee.

UNANIMOUS

GOVERNMENT RELATIONS COMMITTEE

29. Adopted the statement of roles and responsibilities for Government Relations Committee.

UNANIMOUS

LOCAL GOVERNMENT AFFAIRS COMMITTEE

30. Adopted the statement of roles and responsibilities for Local Government Affairs Committee.

UNANIMOUS

AD HOC COMMITTEE ON ACCESSIBLE TRANSPORTATION

31. Adopted the statement of roles and responsibilities for Ad Hoc Committee on Accessible Transportation.

UNANIMOUS

CONSENT CALENDAR (Items 32-34)

32. Authorized the General Manager to execute a contract with JCA Software, Irvine, under RFP No. 86-30 covering procurement of archiving and report management software for a firm fixed price of \$44,550; form of contract subject to approval of the General Counsel.

This procurement is funded in part under UMTA Grant No. 03-0259.

UNANIMOUS

33. Received and filed Report Calendar - November 7 through 13, 1986.

UNANIMOUS

34. Received and filed status report on Board requests.

UNANIMOUS

GENERAL ITEMS

35. New Business

Director Holden commented that earlier today he had raised his concerns about the Operations Department and with the adoption of the roles and responsibilities for the Equipment and Operations Committee, he expressed his hopes that some of the problems in this area would be solved.

Director Patsouras brought up the subject of the salary increase given to the General Manager at the November 13, 1986 Board Meeting. The Board, in its motion, did not address the effective date of the increase. Director Patsouras made a motion that the salary increase be effective as of September 1, 1986, which motion was seconded and unanimously carried.

General Manager Dyer distributed to the members of the Board a memorandum which captures the amendments to the Benefit Assessment Appeals procedure discussed earlier in the meeting by Director Estrada. Discussion ensued concerning the Board's earlier adoption of the amendment to the procedure, and upon advise of Counsel, this item was added to the agenda and the written document was dated November 19, 1986, on motion of Director Estrada, offered as the amendment to the Benefit Assessment District Appeals Procedure. This motion was seconded. Director Holden indicated he could not support the motion if the public had not had access to the document. Following discussion concerning the timeliness of the action and the fact that there was a large audience in attendance when this issue was discussed earlier in the meeting, the President called for the vote, with the motion being unanimously approved. For the record, Director Holden indicated he had no objection to the motion.

Greg Roberts appeared before the Board speaking on transit-related matters.

The meeting adjourned at 2:25 p.m.


District Secretary