

SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT

MINUTES/PROCEEDINGS

Special Board Meeting
Board of Directors
District Board Room
425 South Main Street
Los Angeles

January 7, 1988 - 1:00 p.m.

Called to order by President Hall

Directors Present:

Jan Hall
Carmen A. Estrada
John F. Day
Joseph S. Dunning
Marvin L. Holen

Erwin N. Jones
Nick Patsaouras
Jay B. Price
Charles H. Storing
Kenneth R. Thomas

Director Absent:

Gordana Swanson

1. Presentation of plaque to Vicki Varga by John A. Dyer on behalf of the American Public Transit Association for her participation on the 1987 APTA Bus Roadeo Subcommittee.
2. Twelve winning operators from the Riders' Choice Program were introduced and given plaques. The winners are: Division 1, Edward Henderson; Division 3, Enrique Orgega; Division 5, Robert Wilson; Division 7 Theodore Williams; Division 8, Les Vance; Division 9 Charles Johnson; Division 10, Sharron Thompson; Division 12, Darrell Gibson; Division 15, Bruce Erlenmeyer; Division 16, Mike Lucas; Division 18, William Lindsey, and the Grand Prize Winner from Division 6, Rick Cadelli.

3. Report of the President

President Hall announced that SB 1034 will be considered by the Senate Transportation Committee in Sacramento on January 11. She encouraged Board members to contact their Senators regarding this bill.

4. Report of the General Manager

General Manager Dyer reported that the Metro Rail funding was included in the appropriations bill approved by Congress on December 22. The District will receive \$142 million, which includes \$45 million for MOS-2.

The General Manager reported that the environmental process on the next segment of the Metro Rail Project has resulted in a modification to the alignment that staff will bring to the Board at their next meeting. Currently, the Board has accepted Alternative No. 4 as the Locally Preferred Alternative. The staff recommendation needs to be considered as a mitigation measure. This modification is expected to cost somewhat less than Alternative No. 4; a full analysis is being completed. The inclusion of this alignment modification would require the holding of a second public hearing. The General Manager concluded that it is important that the Board take into consideration every possible option available. Director Patsaouras requested that either the Hollywood/Highland or the Hollywood Bowl station options remain open.

5. Director Special Items

Director Day informed the Board of APTA's Elderly & Disabled Task Force Meeting on January 25 in Florida and his planned attendance. President Hall thanked Director Day for his willingness to serve on the Task Force.

5A. Director Day opened the discussion on the subject of the scope of responsibilities, jurisdiction, resources, and structure of the reporting requirements and procedures of the Inspector General. He referenced the September 3, 1987 discussion and an opinion on this subject which had been prepared by the General Counsel, indicating his belief that a number of motions could be entertained by the Board without violating the conditions contained in the referenced opinion paper.

On the subject of jurisdiction, Director Day made a motion that it is the desire of the Board of Directors to proscribe the nature of the functions to be performed by the Inspector General. To this end, the General Manager is to prepare a report to the Board of Directors describing the nature of the functions to be performed by the Inspector General, which report is to be considered for review and approval by the Board at a subsequent meeting of the Board. The motion was seconded and discussion followed.

During the discussion, Director Holen commented that the General Manager had suggested the Office of Inspector General be formulated on the pattern of the federal government, however, the Board asked for a broader function. He concluded he would support the intent of the motion, which is not to put limitations on the jurisdiction.

Director Jones expressed his concern about the preparation of the report. He stated the Inspector General is free to choose the areas or subjects he will study. Director Estrada also asked that the report be general enough not to include things that are confidential in nature.

Director Day indicated his belief that the General Manager will also provide the rationale for the recommendations in the area of primary jurisdiction and responsibilities. Director Holen also asked that the Inspector General not be precluded from looking at any department or area of the District with regard to fraud, etc.

Director Dunning suggested the motion be amended to indicate that the General Manager's report be considered for review and approval by the Board. Director Day accepted the modification to the motion.

Following additional discussion on the motion, it was mentioned that the document to be prepared by the General Manager will contain the suggestions made by the Board for consideration and amendment, if desired. The motion was voted on and unanimously passed, with 10 Directors present.

On the subject of the Budget of the Inspector General, Director Day made a motion that the District budget, when presented to the Board for approval, will clearly state the budget of the Inspector General Department and it will be the responsibility of the Board to specifically approve the Inspector General departmental budget. This motion was seconded, with Director Holen mentioning that this motion is a re-emphasis of the current procedure. The motion carried unanimously, with 10 Directors present.

With regard to contracting, Director Day made a motion that the Inspector General's department will channel all requests for contracts and procurements through the Office of Contracts, Procurement and Materiel, with those requests to be given whatever priority the Inspector General deems necessary. Director Holen seconded the motion for purposes of discussion. President Hall inquired if the intent was to give the Inspector General the right to first priority regardless of other issues the District might be working on. Director Day indicated that disputes on priority issues, if not settled among the departments, would have to be resolved by the General Manager. President Hall voiced her concern that the motion does not cover the intent just expressed by Director Day. With the concurrence of Director Day, the motion was amended to include the language regarding the resolution of dispute by the General Manager.

Director Price urged that the Inspector General be given the ability to carry out the mandate the Board and the General Manager has given him. Director Day responded that the Inspector General has that ability; he does not have to advise any other department as to the subject or purpose of any audit. Director Holen stated his opposition to the idea that any Inspector General request for contract or procurement should go through the regular channels. He urged the General Manager to create a device to allow the Inspector General more autonomy.

General Manager Dyer suggested that the report requested by the Board could be done rather quickly and could cover all the areas being proposed for resolution by Director Day. He pledged that the report would be ready for consideration at the January 28 meeting.

Director Day indicated that the General Manager's suggestion to hold up on motions in the other subject areas was not acceptable to him. Director Dunning spoke in support of Mr. Dyer's suggestion, indicating that the report could discuss the impact of one area of concern upon other areas. Director Dunning made a substitute motion that the report referred to by the General Manager be prepared and presented for review prior to the action suggested in the proposed motions on the subjects of contracting, personnel and reporting procedures. This substitute motion was seconded and discussion continued. In a query regarding intent, Director Dunning indicated that the motion was to include all areas of concern, including budget and jurisdiction.

Director Day spoke against the substitute motion, urging the Board to express its wishes to the staff on matters of this sort. He does not want a document that does not contain the essence of these items. He concluded that he firmly believes the Board needs to take the actions today. Director Estrada requested the date for the General Manager's report be moved forward to January 21 and that the proposed motion regarding a change in legislation be omitted from the General Manager's report. Director Dunning agreed to the change in due date for the report.

In a clarification of the substitute motion, it was determined that the report would be forwarded to the Board members on January 21 for discussion and possible adoption on January 28.

A roll call vote was held on the substitute motion which failed as noted below:

Ayes:	Dunning, Price, Thomas
Noes:	Day, Estrada, Hall, Holen, Jones, Patsouras, Storing
Abstain:	None
Absent:	Swanson

The question was called for on the original motion which was restated, however, before a vote on this subject motion, Director Holen offered a substitute motion that the Board take the suggestions of Director Day, as stated in his proposed motions, as the matter of intent in the topic areas and request the General Manager to incorporate them into his report for review and discussion by the Board on January 28. Director Dunning seconded this motion.

Director Storing expressed his disagreement with the intent of the substitute motion, indicting that the Board is completely undercutting the authority of the Inspector General. Director Jones spoke, stating there has to be some limitations. The General Manager must determine the highest priority if there is a dispute.

Director Day spoke against the substitute motion on the floor, urging the Board to express their will on the issues delineated in his proposed motions so that guidance is given to the General Manager.

Following additional discussion, Director Holen withdrew his substitute motion. A roll call vote was then called on the original motion as amended, which carried as noted below:

Ayes:	Day, Hall, Holen, Jones, Patsaouras, Price, Thomas
Noes:	Storing
Abstain:	Dunning, Estrada
Absent:	Swanson

For the record, the essence of the motion is restated as follows. The Inspector General's Department will channel all requests for contracts and procurement through the Office of Contracts, Procurement and Materiel. These requests will be given whatever priority the Inspector General deems necessary. In the event of a dispute regarding priority, the General Manager shall resolve all such disputes.

6. President Hall announced that the Board would recess to a Closed Session at this time to consider personnel, litigation and labor negotiation matters. The Board would return to Agenda Item No. 5A at the conclusion of the Closed Session.

The Board recessed at 2:35 p.m. and returned to open session at 3:15 p.m. with all Directors responding to Roll Call except Director Swanson and President Hall.

Vice-President Estrada announced that the Board had discussed personnel and litigation matters in the Closed Session as well as the proposed ratification of a new collective bargaining agreement with the Teamsters Union covering the District's Security Guard personnel listed on the agenda as Item No. 7.

7. Approved ratification of a new collective bargaining agreement with the Teamster Union, Local 911 (Security Guards) covering the period October 1, 1987 to September 30, 1990; form of agreement subject to approval of General Counsel.

UNANIMOUS with 8 members present.

Director Patsaouras offered a motion which was seconded and carried with 8 members present that the safety shoes replaced per the bargaining agreement with the Teamsters Union be offered by the District to a charitable organization, which motion was refined to indicate disposition of the safety shoes in accordance with the law.

- 5A. The Board returned to the subject of the Inspector General.

Director Day made a motion that with regard to personnel, due to the complexity of this subject and the necessity to follow state and federal laws as well as District policy, it is deemed desirable that the actual recruitment, that is, the paperwork necessary to bring an employee onto the payroll, rests with the Personnel Department, but the Inspector General shall have, within budgetary and legal limitations, full authority to choose his staff. This motion was seconded. Director Estrada suggested adding the same language regarding priority as was stated under the subject of contracting. This addition was accepted by the maker of the motion. This motion was unanimously approved with all members present except Directors Hall, Patsaouras and Swanson.

On the issue of reporting procedures, Director Day moved that the audits and investigative reports prepared by or for the Inspector General's Department shall, as a matter of policy, be filed simultaneously with the Board and the General Manager. This motion was seconded and unanimously carried with 8 members present.

Director Day also made a motion that it is the sense of the Board of Directors of the District that the Inspector General be given a channel for reporting to the Board of Directors in addition to his responsibility to report to the General Manager. This motion was seconded, and Director Day indicated that the Board would have to set up the mechanism for this channel. This motion was unanimously carried with 8 members present.

In conclusion, on the subject of legislative changes, Director Day made a motion that the staff be instructed to pursue with the Legislature that the Office of the Inspector General be established as one of the positions to serve at the pleasure of the Board of Directors. This motion was seconded by Director Dunning, with Director Estrada requesting an amendment seeking the change in the District Law this term. The amendment was accepted and the motion was unanimously carried with 8 members present.

Director Thomas summarized the actions taken on Agenda Item No. 5A as directives for the General Manager to include in his report which is scheduled to be released to the Board on January 21.

Greg Roberts appeared before the Board speaking on the subject of the Inspector General.

Director Holen requested an oral report on the relationship between the Board appointed officers and the General Manager, given the General Manager's responsibility to manage the District.

8. Scheduled a Special Joint Meeting with the Los Angeles County Transportation Commission for Wednesday, January 13, 1988 at 1:30 p.m., to be held at the Department of Water & Power, Los Angeles.

UNANIMOUS, with 8 Directors present

CONSENT CALENDAR

9. Approved award of contracts with the lowest responsible bidders under Bid No. 11-8717 covering procurement of 6V92 cylinder head assemblies:
 - a. Korody-Colyer, Wilmington, covering 300 complete cylinder head assemblies for a cost of \$281,000;
 - b. Valley Detroit Diesel Allison, City of Industry, covering 300 barehead assemblies for a cost of \$158,000;

form of contracts subject to approval of General Counsel.

UNANIMOUS, with 8 Directors present.

CONSENT CALENDAR - Cont'd.

10. Approved award of a contract with Moore Business Forms, Los Angeles, the lowest responsible bidder under Bid No. 11-8719 covering procurement of the District's annual usage of computer printer blank forms for a one-year period, with an option for one additional year at the election of the District, for a total annual bid price of \$124,598; form of contract subject to approval of General Counsel.

UNANIMOUS, with 8 Directors present.

11. Approved award of a contract with Triple Quality Tool and Die, Bell, the lowest responsible bidder under Bid No. 12-8715 covering procurement of 1000 radiator end tanks for a total bid price of \$104,000; form of contract subject to approval of General Counsel.

UNANIMOUS, with 8 Directors present.

12. WITHDRAWN by staff: consideration of a contract covering passageway improvements at El Monte Bus Station.

13. Received and filed Report Calendar - December 11 through December 31, 1987.

UNANIMOUS, with 8 Directors present.

14. Received and filed Statement of Purchases \$5,000 through \$25,000 report for December, 1987.

UNANIMOUS, with 8 Directors present.

PERSONNEL COMMITTEE

15. REMOVED by staff District's annual Equal Employment Opportunity Program.

MARKETING & CUSTOMER INFORMATION COMMITTEE

16. Approved award of a contract with Pool/Sarraille Advertising, Los Angeles, covering professional advertising services for a three-year period commencing January 1, 1988, with options for two additional one-year periods at the election of the District, under RFP No. 87-39 at an estimated cost for the first calendar year of the contract not to exceed \$250,000; subject to approval of General Counsel.

CARRIED: 8 Directors present, Director Day voting "No."

RAPID TRANSIT COMMITTEE

17. Approved Requisition 7-8100-569 and Change Order No. 1 to existing contract A616 with Lord Corporation, Erie, Pennsylvania covering the Los Angeles County Transportation Commission request for additional direct fixation rail fasteners and coating of anchorage inserts, increasing the total cost by an additional \$1,206,670 to a total cost of \$5,382,350; form of contract amendment subject to approval of General Counsel.

Funds to be provided by Los Angeles County Transportation Commission.

UNANIMOUS, with 8 Directors present.

ADVANCE PLANNING COMMITTEE

18. Approved an agreement with the Los Angeles County Transportation Commission, City of Los Angeles Department of Transportation and the Long Beach Public Transportation Corporation governing the realignment of bus service in the Los Angeles Harbor-San Pedro area; form of agreement subject to approval of General Counsel.

UNANIMOUS, with 8 Directors present.

G. Roberts appeared asking if timetables for the Long Beach routes would be available at District facilities.

19. Approved an agreement with the County of Los Angeles for the provision of weekend and holiday service on Line 124 (EL SEGUNDO BOULEVARD); form of agreement subject to approval of General Counsel.

UNANIMOUS, with 8 Directors present.

20. Received and filed report on the Airport Southwest Study conducted by Southern California Association of Governments (SCAG.)

UNANIMOUS, with 8 Directors present.

GOVERNMENT RELATIONS COMMITTEE

21. Adopted resolution on common SCRTD/LACTC goals.

CARRIED, with 7 Directors present.

22. Received and Filed menu of additional transit funding sources.

Staff was requested to return to the Board with a report on quantification of funding sources.

CARRIED, with 7 Directors present.

Director Holen urged Director attendance at the APTA Legislative Conference.

GENERAL ITEMS

23. Consideration of items arising subsequent to the posting of the agenda.

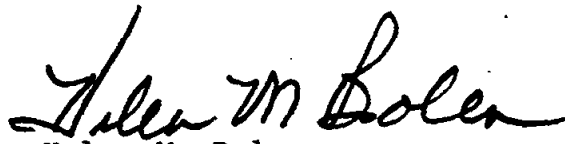
No items were considered.

24. Public Comment

Sheldon Walter appeared before the Board speaking on metro rail issues.

Appearance of G. Roberts asking about an item on the report calendar.

The meeting adjourned at 3:45 p.m.



Helen M. Bolen
District Secretary