SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT

Minutes of Regular Meeting of
the Board of Directors of the District

September 22, 1976

Upon notice duly given, the Board of Directors of the Southern California Rapid Transit District met at a regular meeting in the District Board Room, 425 South Main Street, Los Angeles, California, at 1:05 p.m. on September 22, 1976, at which time President Byron E. Cook called the meeting to order.

Directors present:

George W. Brewster
Byron E. Cook
Donald Gibbs
(entered at 1:22 p.m.)
Marvin L. Holen
(entered at 1:20 p.m.)
Mike Lewis
Thomas G. Neusom
Jay B. Price
Charles H. Storing
George Takei
Baxter Ward
(entered at 2:05 p.m.)

Director absent:

Ruth E. Richter

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
Richard Gallagher, Manager of Rapid Transit
Mike Olivas, Deputy Admin.-Equal Employment Opportunities
Robert Williams, Manager of Customer Relations
Richard K. Kissick, Secretary

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

Appearance of Mr. Robert J. Edwards

Mr. Robert J. Edwards, 8221 Sunset Blvd., Los Angeles 90046, representing Transit Victims, appeared before the Board regarding his lawsuit against the District and the unions, urged the District to discontinue withholding dues payments of union members by payroll deduction and inquired if the Board felt their employees are public employees. On inquiry, Mr. Powers stated in view of Mr. Edwards' lawsuit against the District that he felt the Board should not discuss the matter, and referred Mr. Edwards to Suzanne Gifford, Assistant General Counsel, for answers to further inquiries.

Board of Directors Recessed in Executive Session at 1:10 p.m.

On motion duly made, seconded and unanimously carried, the Board of Directors recessed in Executive Session at 1:10 p.m. to consider labor matters. The Board reconvened at 2:25 p.m. with all Directors responding to Roll Call except Director Richter, who was absent from the meeting.

Approval of Collective Bargaining Agreement with United Transportation Union

On motion of Director Price, seconded and unanimously carried, consideration of an agreement with the United Transportation Union was placed on the agenda.

On motion of Director Holen, seconded and carried as noted below by Roll Call vote, the following resolution was adopted:

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R-76-424

RESOLVED, that the proposal of the United Transportation Union presented to the District's negotiating team and ratified by the union's membership, be and the same is hereby ratified, and the General Manager is authorized to execute a Collective Bargaining Agreement between the District and the United Transportation Union for a three-year period beginning June 1, 1976 and terminating May 31, 1979; form of agreement subject to approval of the General Counsel.

Roll Call vote:

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

Following adoption of the above resolution, President Cook presented the following statement on behalf of the Board of Directors:

"As you have witnessed, the Board of the Southern California Rapid Transit District has just officially ratified the agreement with the United Transportation Union, representing nearly 5,000 drivers. I believe it is in order for me to comment upon the agreement and its impact upon the community we serve.

A majority of the Board has found that the agreement is desirable and has voted to ratify it. Because of the major breakthrough we have made in altering several basic work rules, this agreement can be characterized as a hallmark document. We will effect major savings because of the work rule changes during the term of the agreement, and in future years we will literally save many millions of dollars, for instance, the change in the recovery work rule alone will amount to a savings in excess of $28 million over the next ten years.

We have for the first time in many years a three-year contract with our drivers. This means (barring, or course, a wildcat walk-out) that our riders can count on continuous bus service for a period of three years. Further, it means that those persons who presently do

not ride our service can consider making this mode switch in full knowledge that the service will be available during this term.

The wage settlement portion of the package will be adjudged to be on a par with other transit properties by some, excessive by others, and too low by still others. We believe it to be generally equitable in both protecting our drivers against inflation, and yet carrying out our commitment to the Los Angeles taxpayers to protect them from granting exhorbitant salary increases.

For the first time, our drivers will make a contribution to their pension fund. This is consistent with the arrangement other public employees have with their agencies, but we have lacked this provision up until now.

I believe that in general we have held the line in behalf of the taxpayers. You will recall that we asked the elected officials of all of the cities in the County to endorse our hold-the-line position, and that their response was very much in favor of this posture. On behalf of the Board of Directors, I thank them for their backing, and I will soon be sending them precise details of the settlement.

I note for the record that the total settlement, coming in at a 19.44% three-year package is a few hundredths of a point below our hold-the-line position of 19.47%.

I further intend to ask the cities to assist us in obtaining legislation which categorizes our employees as public employees. This is critical, because we must stop this ability to bring the public transportation properties in California to a halt.

It is up to this District and both the leadership and membership of the Amalgamated Transit Union to agree upon a settlement covering our mechanics so that the citizens of Los Angeles can again be provided with bus service.

You understand there will be no bus service until we have reached an agreement with the ATU and I urge the ATU to reconsider their position, to return to the bargaining table and that the salary of the yard helper, which is currently $6.99 an hour, has met with a great deal of public disapproval."

No. assigned

Appearance of Mr. Howard Watts

Mr. Howard Watts, 1021 N. Mariposa Ave., Los Angeles 90029, appeared before the Board and thanked the Board for voting to approve the settlement with the UTU, and also thanked the union for coming to terms with a very stubborn Board of Directors. He felt the citizens would help the District to get legislation to outlaw strikes by public employees; disagreed with the President's statement that the settlement was 19.44%; objected to the Committee of the Whole meeting which had been held last Sunday without proper notice and urged settlement with the ATU as soon as possible.

Report of the Surface Operations-Advance Planning & Marketing Joint Committee - Item Nos. 1 through 4 and Special Item

On motion of Director Price, Chairman of the Surface Operations-Advance Planning & Marketing Joint Committee, seconded and carried as noted below, the following resolutions were adopted and/or actions taken:

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

Agenda Item No. 1, reading as follows, was carried over pending further meetings with the contractors' associations to further review and recommend the percentage of minority contractor participation to be included in the specifications:

"Consider approval of Requisition No. 9500-039 covering Unit II construction at Division No. 5

at an estimated cost of $1,900,000; and authorization of the Purchasing Agent to call for bids thereon in accordance with the Rules and Regulations; subject to concurrence of UMTA; form of bid requirements and specifications subject to approval of the General Counsel.

This project is funded in part under UMTA Capital Grant Project No. CA-03-0106."

R-76-425 RESOLVED, that the report dated September 15, 1976, a copy of which is filed with the Secretary, be and the same is hereby adopted, and the staff is authorized to proceed with the conversion of forty (40) minibus engines from propane fuel to gasoline fuel at an estimated cost of $32,000.

R-76-426 RESOLVED, that the report dated September 16, 1976, a copy of which is filed with the Secretary, be and the same is hereby adopted, and bids received from A.B. Dick, SCM, Inc., and Pitney Bowes under Bid No. 9-7607 covering copy machine services are rejected for failure to meet required specifications, and the General Manager is authorized to execute contracts with the lowest responsive bidders, as listed below, covering leasing of copy machines for a one-year period; form of contracts subject to approval of the General Counsel:

	Estimated cost
Xerox	$ 31,909.82
IBM	47,062.62
A.B. Dick	3,664.20

R-76-427 RESOLVED, that Requisition Nos. 7200-36 and 7200-37 be and the same are hereby approved, and the General Manager is authorized to execute a contract with IBM Corporation, 700 South Flower St., Los Angeles, covering lease maintenance of card data processing equipment for a one-year period, at an estimated cost of $54,000; form of contract subject to approval of the General Counsel.

R-76-428 RESOLVED, that a Special Meeting of the Board of Directors is called to be held in the District's Board Room, 425 South Main Street, Los Angeles, at 1:00 p.m. on October 14, 1976, for the purpose of interviewing finalist firms proposing to handle the District's transit advertising and awarding a contract to the firm selected by the Board of Directors.

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The Secretary was authorized to reschedule the Committee of the Whole meeting with the Los Angeles Board of Traffic Commissioners which was originally scheduled on August 30, with said meeting to be held in the District's Board Room at a mutually acceptable time and date.

Report of the Finance Committee - Item Nos. 5 through 8

On motion of Director Lewis, Vice-Chairman of the Finance Committee, seconded and carried as noted below, Agenda Item Nos. 5 through 8 were approved and the following resolutions were adopted and/or actions taken:

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

-76-429 Resolution authorizing the filing of an application with the Department of Transportation, United Stated 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 of 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:

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 the purchase of 300 buses equipped with two-way radios and fareboxes, 91 automobiles, supervisory radios, computer equipment, miscellaneous maintenance equipment, fare collection equipment, surveillance/security equipment, microfilm/microfiche equipment and expansion of the Central Cash Counting Office, expansion of Division 2 Transportation Building, expansion of Division 9 fuel storage capacity, and construction of employee parking at Division 1, at an estimated cost of $40,700,000.

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.

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R-76-430 RESOLVED, that a public hearing is called to be held on October 27, 1976, at 1:00 p.m., in the District Board Room, 425 South Main Street, Los Angeles, California, concerning environmental impact reports to be carried out in connection with an application to be filed with the U.S. Department of Transportation to aid in the financing of the purchase of 300 buses equipped with two-way radios and fareboxes, 91 automobiles, supervisory radios, computer equipment, miscellaneous maintenance equipment, fare collection equipment, surveillance/security equipment, microfilm/microfiche equipment and expansion of the Central Counting Office, expansion of Division 2 Transportation Building, expansion of Division 9 fuel storage capacity and construction of employee parking at Division 1, at an estimated cost of $40,700,000;

RESOLVED FURTHER, that the Secretary is authorized to publish a Notice of Intent to hold such public hearing and to notify interested federal, state and local agencies, in accordance with the requirements of the Urban Mass Transportation Administration.

R-76-431 RESOLVED, that Resolution No. R-76-397, adopted August 25, 1976, be and the same is amended to revise the contract with the County of Los Angeles to provide for a subsidy to the District in the amount of $5,220,000 during Fiscal Year 1977, instead of the previously approved $6,800,000 under said resolution; form of contract amentment subject to approval of the General Counsel.

R-76-432 RESOLVED, that Resolution No. R-76-362, adopted August 4, 1976, be and the same is amended to revise the legal description of the center line strip in Pacific Boulevard to be conveyed by quitclaim deed to the City of Huntington Park as contained in the legal description attached to these Minutes as EXHIBIT 1.

- The Operating Report for the month of August, 1976 was ordered "Received and filed".

Approval of Consent Calendar - Item Nos. 9 through 12

On motion of Director Storing, seconded and carried as noted below, Item Nos. 9 through 12 on the Consent Calendar

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were approved, and the following resolutions adopted and/ or actions taken:

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

R-76-433 RESOLVED, that the General Manager is authorized to execute a contract with S & J Chevrolet, 11900 East South Street, Cerritos, California, the lowest responsible bidder under Bid No. CA-03-0090-B covering the purchase of 19 Allison transmissions and installation adapter kits at a total bid price of approximately $30,000, which purchase is funded in part under UMTA Capital Grant Project No. CA-03-0090; form of contract subject to approval of the General Counsel.

R-76-434 RESOLVED, that the General Manager is authorized to execute a contract with White's Landscaping, 1518 West Santa Barbara Avenue, Los Angeles, the lowest responsible bidder under Bid No. 9-7603 covering landscape maintenance for the El Monte facility and Hospital Busway facility for a two-year period at a total bid price of $11,900; form of contract subject to approval of the General Counsel.

R-76-435 RESOLVED, that Requisition No. 7300-486 is approved and the Purchasing Agent is authorized to call for bids covering the purchase of the District's requirements for toilet paper for a one-year period, with an option for one additional year at the election of the District, at an estimated cost of $16,000 per year; form of bid requirements and specifications subject to approval of the General Counsel.

-- The Minutes of the Special Meetings held September 2 and September 13, 1976 and the Regular Meeting held September 8, 1976 were approved.

Report of the Personnel Committee - Item No. 13

On motion of Director Takei, seconded and carried as noted below, Agenda Item No. 13 was approved and the following resolution adopted:

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R-76-436 RESOLVED, that the General Manager is authorized to assign Mr. Don Gardner, an engineer on the District's Rapid Transit staff, as project manager of the American Public Transit Association's Automated Guideway Transit Technology and Advance Group Rapid Transit programs, on a part-time basis for a two-year period, with the District to be reimbursed from project funds for the time and expenses of Mr. Gardner on the project, including travel and clerical expenses.

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

Appearances by the Public

Director Gibbs moved that persons in the audience be permitted to address the Board for three minutes on items other than on the agenda, which motion was seconded. Director Neusom felt the motion was not proper and that appearance by the public should be when necessary to do so in the judgment of the Board. By the following Roll Call vote, the motion carried by a vote of 6 to 4 and the following resolution adopted:

-76-437 RESOLVED, that persons in the audience should be permitted to address the Board for not more than three minutes regarding items other than on the Board agenda.

Roll Call vote:

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

Reaffirmation of Resolutions Regarding Carpools on the San Bernardino Busway

Mr. Heinle reported that CalTrans had requested that

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carpools be permitted to continue operation over the San Bernardino Busway following the current strike which request, if granted, would not permit the necessary training period for the District's operators prior to the mixed mode Busway operation. Mr. Heinle suggested reaffirmation of the two resolutions which had been adopted by the Board on August 25.

After discussion, on motion of Director Price to add the item to the agenda, Director Price moved that the previous resolutions be reaffirmed, which motion was seconded, carried as noted below, and the following resolution adopted:

(Director Ward departed at 2:58 p.m.)

R-76-438 RESOLVED, that Resolution No. R-76-390 adopted August 25, 1976 amending the agreement with CalTrans to permit mixed mode three-person carpools on the San Bernardino Busway effective September or October, 1976, and Resolution No. R-76-391 permitting three-person carpools on said Busway during the period of the present SCRTD work stoppage only, be and the same are hereby reaffirmed by this Board of Directors.

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

There being no further business, the meeting was adjourned at 3:00 p.m.

Secretary

EXHIBIT 1

Legal Description
Center Line Strip in Pacific Boulevard
City of Huntington Park

PARCEL 1:

The Easterly 15 feet of the Westerly one-half and the Westerly 15 feet of the Easterly one-half of the real property described in that certain deed executed by H. E. Huntington, as Grantor, to the County of Los Angeles, as Grantee, recorded on August 9, 1911 in Book 4672, Page 39 of Deeds, in the office of the County Recorder of Los Angeles County, EXCEPTING that portion which is North of the City of Huntington Park North City Boundary Line as established by "Fruitland Territory Annexation" filed October 5, 1925 with the Secretary of State of the State of California.

PARCEL 2:

A strip of land 30 feet in width, being 15 feet on each side of and parallel to a line located as follows: Commencing on the North line of Section Twenty-two (22), Township Two (2) South, Range Thirteen (13) West S.B.M. Fifteen Hundred and Forty (1540) feet East of the North quarter section corner of said section; thence South 0 deg. thirty-six (36) minutes East fifty-four hundred and forty-eight (5448) feet more or less to the South line of Lot Seven (7) of the Chipley Tract.