

SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT

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

March 17, 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, 1060 South Broadway, Los Angeles, California, at 1:10 p.m. on March 17, 1976, at which time Vice-President Thomas G. Neusom called the meeting to order.

Directors present:

George W. Brewster
Donald Gibbs
Adelina Gregory
Marvin L. Holen
Thomas G. Neusom

Jay B. Price
Ruth E. Richter
Pete Schabarum
George Takei
Baxter Ward

Director absent:

Byron E. Cook

Staff present:

Jack R. Gilstrap, General Manager
George W. Heinle, Manager of Operations
Jack Stubbs, Assistant General Manager for Administration
Richard T. Powers, General Counsel
Joe B. Scatchard, Controller-Treasurer-Auditor
George L. McDonald, Manager of Planning & Marketing
Richard Gallagher, Manager of Rapid Transit
Robert Williams, Manager of Customer Relations
Helen M. Bolen, Assistant Secretary

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

Resolution
No. Assigned

Certificates of Merit

Director Gregory presented the District's Certificates of Merit to Philip R. Ciaccarello, Operator-of-the-Month and to Veronica Byrd, Information Operator-of-the-Month for February, 1976 for outstanding service in the performance of their duties.

Presentation of Award by the Institute of Advancement of Engineering

Mrs. Laurel Parker, Honors and Awards Chairman of the Institute of Advancement of Engineering, presented to the District an Engineering Project Achievement Award for the San Bernardino Busway Project. The award was accepted by Vice-President Neusom.

Report of the Surface Operations Committee - Agenda Item Nos. 3 through 6

On motion of Director Price, Chairman of the Surface Operations Committee, seconded and carried as noted below, the following resolutions were adopted:

Ayes: Brewster, Gibbs, Gregory, Holen, Neusom,
Price, Richter, Schabarum, Takei, Ward

Noes: None

Absent: Cook

Resolution
No. Assigned

- R-76-115 Approved Requisition No. 7300-360 and authorized the General Manager to negotiate and enter into a contract with Reef-Baker Corporation, 5660 North River Road, Marine City, Michigan, covering the purchase of 5,000 clutch plates at an estimated cost of \$115,000 including sales tax; form of contract subject to approval of the General Counsel.
- R-76-116 Authorized the staff to direct a letter to the City of Whittier regarding the proposed closure of the Whittier Station, and further directed that this matter be brought back to the Board, together with comments from the City of Whittier, for further consideration.
- R-76-117 Approved Requisition No. 7300-361 and authorized the General Manager to negotiate and enter into a contract with Janeway Engineering Company, 326 Park Street, Troy, Michigan, covering the testing of fuel and oil filters, at a cost not to exceed \$6,500; form of contract subject to approval of the General Counsel.
- R-76-118 Authorized the staff to contact UMTA requesting an early resolution of the policy statement on the TransBus, and further authorized the staff to contact the transit properties in Seattle and St. Louis to ascertain their position on the procurement of buses for the elderly and the handicapped.

Report of the Advance Planning & Marketing Committee -
Agenda Item No. 7

On motion of Director Brewster, Chairman of the Advance Planning & Marketing Committee, seconded and carried, as noted below, the following resolution was adopted:

Ayes: Brewster, Gibbs, Gregory, Holen, Neusom,
 Price, Richter, Takei, Ward

Noes: None

Absent: Cook

Abstain: Schabarum

Resolution
No. Assigned

R-76-119

Authorized the General Manager to execute a contract with the County of Los Angeles and National Railroad Passenger Corporation (AMTRAK) acknowledging that the District has no objection to commuter rail service being operated within the area of the District; form of contract subject to approval of the General Counsel.

Report of Finance Committee - Agenda Item Nos. 8 through 11

On motion of Director Holen, Chairman of the Finance Committee, seconded and carried as noted below, the following resolutions were adopted and/or actions taken:

Ayes: Brewster, Gibbs, Gregory, Holen, Neusom, Price, Richter, Schabarum, Takei, Ward

Noes: None

Absent: Cook

R-76-120

RESOLVED, that the General Manager be and he hereby is authorized to file a claim with the Southern California Association of Governments (SCAG) for Fiscal Year 1977 Local Transportation Funds for Los Angeles County operations in the amount of \$60,963,000;

RESOLVED FURTHER, that the General Manager be and he hereby is authorized to file such additional claims in Fiscal Year 1977 for Local Transportation Funds as are available to the District under the terms of Transportation Development Act of 1971, as amended.

R-76-121

RESOLVED, that a contribution to the Southern California Association of Governments (SCAG) in the amount of \$183,000 to cover regional planning costs for Fiscal Year 1977 be and the same is hereby authorized, with said contribution to be released upon receipt of a report from SCAG indicating past and future use of the District's annual contribution for regional planning.

Resolution
No. Assigned

R-76-122

RESOLVED, that the Board of Directors of the Southern California Rapid Transit District does hereby request the Board of Supervisors of Los Angeles County to adopt a resolution requesting the Southern California Association of Governments (SCAG) to appoint a member of the RTD Board of Directors to the SCAG Executive Committee.

R-76-123

WHEREAS, Section 30503 of the Public Utilities Code provides that the Southern California Rapid Transit District (District) may take or acquire real property within the District by condemnation, and Section 30600 of said Code provides that the District may take by condemnation real property within the District necessary to the full or convenient exercise of its powers;

WHEREAS, the following described real property is within the District adjacent to the District's Division No. 5 property: Lots 405, 406, 408, 409, 410, 413, and 414, Chesterfield Square, as per map recorded in Book 21, pages 90-91 of Maps, in the Office of the County Recorder of Los Angeles County; and Lots 415 and 416, Chesterfield Square, as per map recorded in Book 21, pages 90-91 of Maps, in the office of said County Recorder EXCEPTING THEREFROM the westerly 62 feet of the southerly 21.5 feet of said Lot 415, ALSO EXCEPTING the westerly 62 feet of said Lot 416; a map of which is attached to these minutes and incorporated herein as Exhibit 1;

WHEREAS, the public interest and necessity requires the acquisition of said property for and in connection with the exercise of the District's power pursuant to Section 30630 of the Public Utilities Code to provide a rapid transit system for the transportation of passengers and their incidental baggage, and the District needs immediate possession of said property;

Resolution
No. Assigned

R-76-123
(continued)

WHEREAS, the Southern California Rapid Transit District by and through its officers and agents has sought in good faith to acquire the hereinafter described real property by negotiations with the owners thereof but have been unable to do so at a price considered fair and equitable to both parties;

WHEREAS, eminent domain proceedings require special skills and experience;

NOW, THEREFORE, IT IS RESOLVED, by the Board of Directors of the Southern California Rapid Transit District that it finds and determines and hereby declares that:

The public interest and necessity requires the acquisition, construction and completion by the District of a public improvement; namely, an extension of the District's Division No. 5 property, for construction of a transportation building and employee parking area, a public use authorized by Sections 30503 and 30600 of the California Public Utilities Code.

The public interest and necessity requires the acquisition for and in connection with the exercise of the District's power to provide a rapid transit system for the transportation of passengers and their incidental baggage and for the full or convenient exercise of the District's powers, of the real property adjacent to the District's Division No. 5 property described as lots 405, 406, 408, 409, 410, 413, and 414, Chesterfield Square, as per map recorded in Book 21, pages 90-91 of Maps, in the Office of the County Recorder of Los Angeles County; and lots 415 and 416, Chesterfield Square, as per map recorded in Book 21, pages 90-91 of Maps, in the office of said County Recorder EXCEPTING THEREFROM the westerly 62 feet of the southerly 21.5 feet of said lot 415, ALSO EXCEPTING the westerly 62 feet of said lot 416; a map of which is attached to these minutes and incorporated herein as Exhibit 1. Said real property or interests in real property are situated in the County of Los Angeles, State of California.

Resolution
No. Assigned

R-76-123
(continued)

Said proposed public improvement is planned and located in a manner which will be most compatible with the greatest public good and the least private injury.

The General Counsel hereby is authorized to prepare and prosecute, in the name of the District, such proceeding or proceedings in the proper court having jurisdiction thereof as are necessary and to acquire in the name of the District a fee simple estate, unless a lesser estate is hereinafter expressly described in and to the said real property, or interests in real property, by condemnation in accordance with the provisions of the Code of Civil Procedure, the Public Utilities Code and the Constitution of California relating to eminent domain, said proceedings to be filed upon the receipt by General Counsel of the approval of the Urban Mass Transportation Administration.

The General Counsel is further authorized pursuant to Section 30258 of the Public Utilities Code to associate with, at his election, a private law firm for the preparation and prosecution of said proceedings.

The General Manager hereby is authorized to sign all documents in connection with the preparation and prosecution of said proceedings; and the form of all documents shall be subject to approval of the General Counsel.

R-76-124

RESOLVED, that the General Manager be and he hereby is authorized to file a claim with the Southern California Association of Governments (SCAG) for \$1.337 million of surplus Fiscal Year 1976 Local Transportation Funds;

RESOLVED FURTHER, that action be deferred on the \$1.8 million funds available from SCAG as provided for under AB-1806 (Lanterman) until the General Counsel has an opportunity to report back on the meeting between the municipal operators, the County Counsel's office and the District.

Resolution
No. Assigned

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Agenda Item No. 11, the Operating Report for the month of February, 1976 was ordered "Received and Filed".

Report of Personnel Committee - Agenda Item Nos. 12 and 13

On motion of Director Gregory, Chairman of the Personnel Committee, seconded and carried as noted below, the following resolutions were adopted:

R-76-125

RESOLVED, that the Conflict of Interest Code, as amended on this date by the Board of Directors, be and the same is hereby adopted by the Southern California Rapid Transit District;

RESOLVED FURTHER, that the District Secretary is hereby authorized to forward the adopted Conflict of Interest Code to the Los Angeles County Board of Supervisors for its approval.

R-76-126

Authorized the District's Treasurer to vote proxies on common stocks held by the District's Retirement Plans in the manner decided by vote of the members of the Investment Boards on the Pension Plans, and to provide the District's Board of Directors with a listing of the votes each quarter.

Item Added to the Agenda - Preparation of Position Paper on AB-1246 and Presentation of District to be made by Board members at Finance Committee Hearing

On motion of Director Gregory, Chairman of the Personnel Committee, with the concurrence of all members present, a special item was added to the Agenda.

Resolution
No. Assigned

After discussion regarding the preparation of a position paper on AB-1246 (Ingalls), on motion of Director Gregory, seconded and carried as noted below, the following resolution was adopted:

Ayes: Brewster, Gibbs, Gregory, Holen, Neusom
Price, Richter, Schabarum, Takei, Ward

Noes: None

Absent: Cook

R-76-127

Approved the preparation of a position paper on AB-1246 (Ingalls) by Board and staff, which is acceptable to the Board of Directors, with draft to be presented to the Board at its Committee of the Whole Meeting on March 24, 1976.

Further authorized that at least two members of the Board of Directors, and all that wish to appear, present the District's position on AB-1246 before the Senate Finance Committee Hearing.

Items Added to the Agenda - Adoption of Resolutions Pertaining to 13(c) and related matters

Directors Schabarum and Neusom commented on a recent meeting in Washington pertaining to the 13 (c) agreements and with the concurrence of all members present, this matter was added to the Agenda.

Director Schabarum outlined briefly the meeting held in Washington, including a report on those in attendance. He stated

Resolution
No. Assigned

that as a result of this meeting, he urged the RTD Board of Directors to urge APTA to analyze the impact of the national agreement on bus operators and to draft a national model agreement which would more accurately reflect the situations of bus operators.

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

Ayes: Brewster, Gibbs, Gregory, Holen, Neusom,
Price, Richter, Schabarum, Takei, Ward

Noes: None

Absent: Cook

R-76-128

WHEREAS, Section 13(c) of the Urban Mass Transportation Act of 1964 requires, as a precondition to UMTA assistance, "fair and equitable" arrangements to protect the interests of employees affected by such assistance; and

WHEREAS, the determination of what is "fair and equitable" is made only by the Secretary of Labor without benefit of written regulations; and

WHEREAS, before making this determination, the Secretary of Labor submits proposed labor protective agreements to unions representing affected employees; and

WHEREAS, the Secretary of Labor typically submits such proposals to many labor organizations, even where there is only a very minimal potential interest involved; and

Resolution
No. Assigned

R-76-128
(continued)

WHEREAS, the Secretary of Labor sets no limit on the length of time such organizations may take to review the proposed agreement and such review often results in unreasonable and unnecessary delays in funding; and

WHEREAS, the effect of this practice is to allow labor organizations to hold hostage needed UMTA grants; and

WHEREAS, the pressure on transit officials to sign these agreements in order to assure continuity of public transportation service cannot realistically be ignored; and

WHEREAS, these pressures make management of transit operations in an orderly, efficient and cost-effective manner impossible;

NOW, THEREFORE, BE IT RESOLVED, that the Board of the Southern California Rapid Transit District urge the American Public Transit Association to:

- 1) Analyze the impact of the current administrative practice in implementing 13(c) to determine its relevance to assuring agreements which are fair and equitable to public transportation users and taxpayers at the federal, state and local level; and
- 2) Draft written regulations by which the Department of Labor will implement the letter of the law pertaining to Section 13(c) of the Urban Mass Transportation Act of 1964; and
- 3) Poll the membership as to their desire to separate omnibus from rail or transit lines for the purpose of negotiating a new model agreement for omnibus transit operators.

Resolution
No. Assigned

The Board also instructed the staff to forward this resolution, together with a copy of the Herald Examiner editorial and other relevant materials to APTA, and to transit district members of APTA, concerned Congressional representatives, the President, Secretaries of Labor and Transportation, and others who it is deemed might be helpful in elevating this issue to a proper level.

At the suggestion of General Manager Gilstrap, and on motion of Director Schabarum, seconded and carried as noted on the previous resolution, the following resolution was adopted regarding placing the matter before the APTA Board of Directors:

R-76-129

RESOLVED, that Resolution No. R-76-128 adopted by the RTD Board of Directors on this date be and it hereby is to be forwarded to the Board of Directors of APTA for placement on their next agenda for thorough discussion.

Vice-President Neusom reported that as a result of his attendance at the meeting in Washington, he had received in the mail from a representative of UMTA an invitation to attend a conference scheduled in Atlantic Beach, Florida from March 22-24, 1976, entitled "Union/Management Rights and the Public Interest in Mass Transit". Director Neusom

Resolution
No. Assigned

further commented that he did not believe that he would be able to attend, but moved that any Directors that so desired be authorized to travel to Florida for this conference, which motion was seconded and carried as noted below, and the following resolution was adopted:

Ayes: Brewster, Gibbs, Gregory, Holen, Neusom,
Price, Richter, Schabarum, Takei, Ward

Noes: None

Absent: Cook

R-76-130

Authorized the travel and attendance of Directors at the Department of Transportation and the University of Northern Florida sponsored Union/Management Rights and the Public Interest in Mass Transit Conference to be held in Atlantic Beach, Florida March 22-24, 1976.

Approval of Consent Calendar - Agenda Item Nos. 15 through 21

On motion of Director Price, seconded and carried as noted below, Agenda Item Nos. 15 through 21 on the Consent Calendar were approved as follows:

Ayes: Brewster, Gibbs, Gregory, Holen, Neusom,
Price, Richter, Schabarum, Takei, Ward

Noes: None

Absent: Cook

Resolution
No. Assigned

- R-76-131 Approved award of contract to Stationers Corporation, 1400 West 8th Street, Los Angeles, the lowest responsible bidder under Bid No. 2-7619 covering the printing of the employee newspaper for a one-year period at an estimated cost of \$20,247; form of contract subject to approval of the General Counsel
- R-76-132 Approved Requisition No. 7300-351 and authorized the General Manager to enter into a contract with Data Documents/Inc., 17011 Green Drive, City of Industry, covering the purchase of the District's data processing card requirements for a one-year period at an estimated cost of \$47,000, including sales tax; with form of contract subject to approval of the General Counsel.
- R-76-133 Approved Requisition No. 7300-367 and authorized the General Manager to enter into a contract with North American Phillips Lighting Corporation, 255 West Carob Street, Compton, covering the purchase of the District's fluorescent and incandescent lamp requirements for a one-year period, at an estimated cost of \$14,000, including sales tax; with form of contract subject to approval of the General Counsel.
- R-76-134 Approved Requisition No. 3200-523 covering the purchase of 5,000 triangular bus stop signs, and authorized the Purchasing Agent to call for bids thereon in accordance with the Rules and Regulations; with form of bid requirements and specifications subject to approval of the General Counsel.
- R-76-135 Approved Requisition No. 7300-371 covering the purchase of the District's requirements for No. 350 Thinner, with option for one additional year at the election of the District, and authorized the Purchasing Agent to call for bids thereon in accordance with the Rules and Regulations; with form of bid requirements and specifications subject to approval of the General Counsel.

Resolution
No. Assigned

R-76-136

Approved Requisition No. 7300-330 covering the purchase of the District's air cleaner element requirements for a one-year period, and authorized the Purchasing Agent to call for bids thereon in accordance with the Rules and Regulations; with form of bid requirements and specifications subject to approval of the General Counsel.

-- Approved Minutes of Special Meetings held February 26, February 28, and March 4, 1976, and Regular Meeting held March 3, 1976.

-- Ratified temporary route diversions as described in report dated March 8, 1976, filed with the Secretary.

-- Ratified bus stop zone changes, as described in report dated March 9, 1976 filed with the Secretary.

Director Special Items - Consideration of Rapid Transit Matters and Adoption of Resolutions Relating to the Sunset Coast Line Proposal

Director Ward spoke briefly concerning the Sunset Coast Line proposal, the action of the State Legislature to hold AB-2770 in committee, and the need to place something on the ballot to determine if the voters will give the money for transit. He also commented on the results of the consultant's studies and presented the Sunset Coast Line financial supplement No. 1 dated March 15, 1976, which incorporates the consultants' findings. Director Ward moved that the RTD Board approve the placement on the June ballot of two one-half cent sales tax increases to be known as Propositions C and D on the ballot,

Resolution
No. Assigned

and if voter approval is 51%, the system would be built on a pay-as-you-go plan, if voter approval is 60% or more, this would allow the District to utilize bonding to pay for the plan, which motion was seconded by Director Price.

In the discussion following the motion, General Counsel Powers clarified the motion by stating it was his understanding that the District is to proceed by way of adopting ordinances and that the staff would be instructed to proceed with the preparation of such ordinances. Director Holen asked for clarification of what steps are necessary and the time frame to accomplish this action. General Counsel Powers stated that ordinances can be introduced at a Special Meeting of the Board and the law calls for the ordinance to remain tabled for consideration for a minimum period of five days and could be adopted at a subsequent regular or adjourned meeting of the Board. The first deadline to be met is the March 26th date by which permission must be requested to place the item on the ballot. Mr. Powers suggested that a Special Meeting be called prior to the Board of Supervisors meeting on March 25th for the purpose of introducing the ordinances and to adopt the resolution directed to the Board of Supervisors

Resolution
No. Assigned

requesting consolidation, and other related matters and that the ordinances be adopted at the regular meeting April 7.

Director Takei requested amplification of the two one-half cent sales tax proposals. Director Ward responded that two half-cent increases would be established at the same time, and either could be discontinued at any time by the voters. Director Schabarum commented that he feels that rail transportation for Los Angeles is not the answer. Director Brewster said that he has several concerns but would have no objection to going forward and having an ordinance developed. Director Holen stated that it was his understanding that the draft ordinances would deal with three basic issues (1) financing, (2) corridors, and (3) method of transit.

On a call for the question, the following resolution was adopted on a vote as noted below:

Ayes: Brewster, Gibbs, Gregory, Holen, Neusom,
Price, Richter, Takei, Ward

Noes: Schabarum

Absent: Cook

R-76-137

Authorized the staff to proceed with the preparation of draft ordinances and resolutions necessary to proceed to place two one-half cent sales tax increases on the June 8 ballot.

Resolution
No. Assigned

After discussion concerning the date of a Special Meeting at which the ordinances could be introduced, on motion of Director Holen, seconded and carried as noted below, the following resolution was adopted:

Ayes: Brewster, Gibbs, Gregory, Holen, Neusom, Price, Richter, Schabarum, Takei, Ward

Noes: None

Absent: Cook

R-76-138

RESOLVED, that a Special Meeting of the Board of Directors hereby is called for 9:00 a. m. on Wednesday, March 24, 1976 for the purpose of introducing ordinances establishing a policy for building a mass transit system and levying special taxes to finance the system subject to voter approval, and calling an election, and other related matters necessary to place the propositions on the June 8 ballot.

FURTHER RESOLVED, that the Committee of the Whole Meeting scheduled for 1:00 p. m. on March 25, 1976 is hereby rescheduled for March 24, 1976 to commence immediately following the Special Board Meeting.

General Manager Gilstrap stated that in light of the above actions he would like authorization from the Board to continue to employ the consultant team to handle any additional work required of them. After discussion, on motion of Director Price, seconded, and carried as noted below, the following resolution was adopted:

Resolution
No. Assigned

Ayes: Brewster, Gibbs, Gregory, Holen, Neusom,
Price, Richter, Takei, Ward

Noes: Schabarum

Absent: Cook

R-76-139

RESOLVED, that the General Manager be and he hereby is authorized to negotiate and enter into contract amendments with the consultant firms of:

DeLeuw, Cather & Company
Gruen Associates
Mobility Systems
Stanford Research Institute

to continue work as directed by the Board and staff with respect to the Sunset Coast Line Proposal, in a total amount not to exceed \$20,000; form of contract amendments subject to approval of the General Counsel.

Meeting of Rapid Transit Committee Scheduled

General Manager Gilstrap commented that it might be prudent for the Rapid Transit Committee to meet prior to the Special Meeting called for March 25, 1976. After discussion, it was determined that the Board Rapid Transit Committee would meet on Friday, March 19, 1976 at 1:00 p.m.

Special Item Added to Agenda - Route Modification of Line No. 774 and Authorization to Amend Contract with Santa Monica Municipal Bus Lines

With the concurrence of all members present, a special item relating to the Santa Monica Diamond Lane Project was

Resolution
No. Assigned

added to the Agenda. Manager of Operations Heinle reported on the Diamond Lane Project and requested authorization from the Board to modify the routing of Line No. 774 to provide a more direct route and to amend the contract with Santa Monica Municipal Bus Lines to reflect this change in route. On motion of Director Price, seconded and carried as noted below, the following resolution was adopted:

Ayes: Brewster, Gibbs, Gregory, Holen, Neusom,
Price, Richter, Schabarum, Takei, Ward


Noes: None

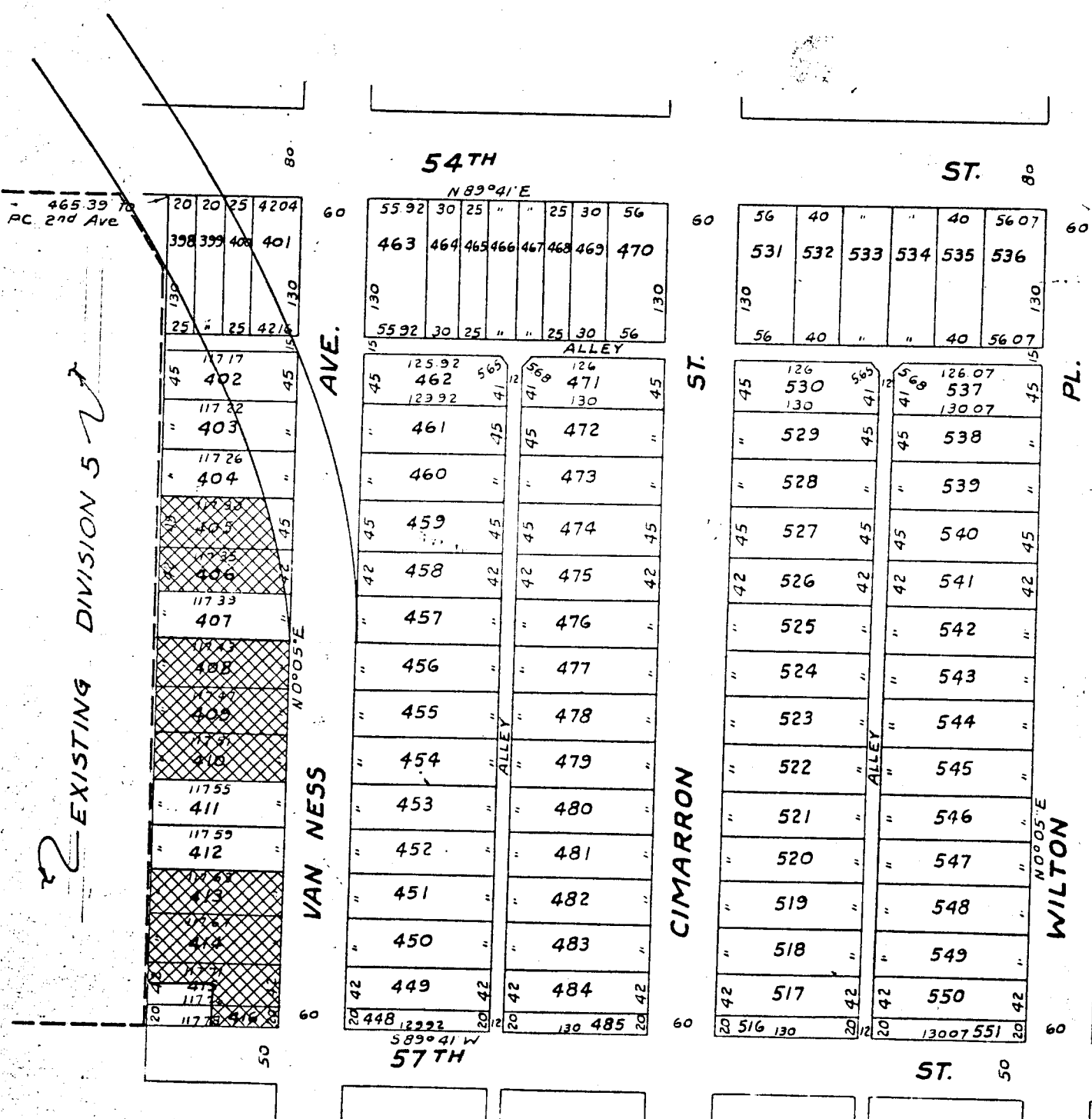
Absent: Cook

R-76-140

Authorized the modification of the routing of Line No. 774, as described in report dated March 16, 1976, a copy of which is filed with the Secretary, to provide a more direct route, subject to approval of the Consulting Engineer, and further authorized the General Manager to amend the contract with Santa Monica Municipal Bus Lines to reflect this change in route; with form of contract amendment subject to approval of the General Counsel.

On motion duly made, seconded and carried, the meeting was adjourned at 2:55 p. m.


Assistant Secretary



CHESTERFIELD SQUARE

Block 21 Pages 90-91 of maps
LOTS 398-416, 448-485, 516-551

This is not a survey of the land, but is compiled for information only, nor is it a part of the report