

7-29-1980

Southern California Rapid Transit District

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Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

Elections Division
(916) 445-0820

January 5, 1981

TO: ALL REGISTRARS OF VOTERS/COUNTY CLERKS/PROPONENT
FROM: CASHMERE M. APPERSON--ELECTIONS TECHNICIAN

Pursuant to Elections Code 3520(b) you are hereby notified that the total number of signatures to the hereafter named proposed Initiative Statute filed with all county clerks is less than 100 percent of the number of qualified voters required to find the petition sufficient, therefore, the petition has failed.

TITLE: SOUTHERN CALIFORNIA RAPID TRANSIT
DISTRICT

SUMMARY DATE: JULY 29, 1980

PROPONENT: MICHAEL H. BRODIE

CA/s1h

Carrie Apperson



Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

Executive Office	(916) 445-8371
Certification	(916) 445-1430
Corporation Index	(916) 445-2900
Corporation Records	(916) 445-1768
Election Division	(916) 445-0820
Legal Division (Corp.)	(916) 445-0620
Notary Public Division	(916) 445-6507
State Archives	(916) 445-4293
Uniform Commercial Code	(916) 445-8061

For Immediate Release
July 31, 1980

Contact: Caren Daniels
445-6371

LOS ANGELES RAPID TRANSIT DRIVE LAUNCHED REPORTS EU

SACRAMENTO -- The 23rd initiative campaign of the year has been launched with an effort to revamp the administration of the Southern California Rapid Transit District, Secretary of State March Fong Eu announced today (July 31).

The Southern California Rapid Transit District Initiative a statutory amendment, is sponsored by Michael Brodie of Canoga Park, telephone 213-340-4322. Brodie and his California Association of Transit Riders need 346,119 registered voter signatures by December 26 to qualify the measure for the June 1982 ballot.

Voters would be asked to substitute a single director for the S.C.R.T.D. board and its general manager, as opposed to the current make-up of an 11 member board of directors and a general manager, if the measure makes the ballot. The new proposed director would be a "full-time officer elected for a 4-year term by voters residing within the district," with a salary equal to that of the director of the California Department of Transportation. Weekly public meetings would have to be held and the director would have vast administrative powers, but would be subject to recall as are other elected officials.

A copy of the title and summary, circulation calendar and text is attached for your reference.

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Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

Elections Division
(916) 445-0820

July 29, 1980

TO ALL COUNTY CLERKS/REGISTRARS OF VOTERS

Pursuant to Section 3513 of the Elections Code, there is transmitted herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT
INITIATIVE STATUTE

Circulating and Filing Schedule

1. Minimum number of signatures required..... 346,119
Constitution II, 8(b).
2. Official Summary Date..... Tuesday, 7/29/80
Elections Code section 3513.
3. Petition Sections:
 - a. First day Proponent can circulate
Sections for signatures..... Tuesday, 7/29/80
Elections Code section 3513.
 - b. Last day Proponent can circulate
and file with the county. All
Sections are to be filed at the
same time within each county..... Friday, 12/26/80
Elections Code sections 3513, 3520(a).
 - c. Last day for county to determine
total number of signatures affixed
to petition and to transmit total
to the Secretary of State..... Friday, 1/02/81

(If the Proponent files the petition with the county on a date prior to 12/26/80, the county has 5 working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit this total to the Secretary of State). Elections Code section 3520(b).

- d. Last day for county to determine number of qualified electors who have signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State..... Saturday, 1/17/81

(If the Secretary of State notifies the counties to determine the number of qualified electors who signed the petition on a date prior to 1/02/81, the last day is not later than the fifteenth day after the notification). Elections Code section 3520(d), (e).

- e. If the signature count is between 311,507 and 380,731, then the Secretary of State notifies the counties using the random sampling technique to determine validity of all signatures.

Last day for county to determine actual number of all qualified electors who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State..... Monday, 2/16/81

(If the Secretary of State notifies the counties to determine the number of qualified electors who have signed the petition on a date prior to 1/17/81, the last day is not later than the thirtieth day after the notification). Elections Code section 3521(b), (c).

4. Campaign Statements:

Last day for Proponent(s) to file a Campaign Statement of Receipts and Expenditures for period ending 1/23/81..... Friday, 1/30/81


(If the Secretary of State finds that the measure has either qualified or failed to qualify on a date earlier than 12/26/80, the last date to file is the 35th calendar day after the date of notification by the Secretary of State that the measure has either qualified or failed to qualify. The closing date for the campaign statement is 7 days prior to the filing deadline). Government Code section 84204.

5. The Proponent(s) of the above named measure is (are):

Mr. Michael H. Brodie
6601 Sedan Avenue
Canoga Park, CA 91307

Sincerely,

MARCH FONG EU
Secretary of State


EDWARD ARNOLD, JR.
Elections Assistant

MFE/EA/slh

NOTE TO PROPONENT(S): Your attention is directed to Elections Code sections 41, 44, 3501, 3507, 3508, 3516, 3517, and 3519 for appropriate format and type considerations in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Your attention is further directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code sections 81000 et seq.



State of California
Department of Justice
George Deukmejian
(PRONOUNCED DUKE-MAY-GIN)
Attorney General

555 CAPITOL MALL, SUITE 350
SACRAMENTO 95814
(916) 445-9555

July 29, 1980

Honorable March Fong Eu
Secretary of State
1230 J Street
Sacramento, California 95814

Dear Mrs. Eu:

RE: Initiative Proposing Amendment to: Statute

Subject: So. Cal. Rapid Transit Dist.

Our File No.: SA80RF0016

Pursuant to the provisions of sections 3503 and 3513 of the Elections Code, you are hereby notified that on this day we mailed to the proponent(s) of the above identified proposed initiative our title and summary.

Enclosed is a declaration of mailing thereof, a copy of our title and summary, and a copy of the proposed measure.

According to information available in our records, the name(s) and address(es) of the proponent(s) is as stated on the declaration of mailing.

Very truly yours,

George Deukmejian
Attorney General

A handwritten signature in cursive script, appearing to read "Robert Burton".

Robert Burton
Deputy Attorney General

Enc.

FILED

In the office of the Secretary of State
of the State of California

JUL 29 1980

File No.: SA80RF0016

MARCH FONG EU, Secretary of State

By 
Deputy

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT. INITIATIVE STATUTE. Under present statutes, the Southern California Rapid Transit District is governed by an eleven-member board of directors appointed by and representing various governmental agencies within the district. The board appoints and fixes the salary of a general manager. The proposed statute substitutes a single Director for the board and the general manager. The Director is to be a full-time officer elected for a four-year term by the voters residing within the district. The salary is to be the same as set for the Director of the California Department of Transportation by the Legislature.

Fiscal impact on state and local governments: District expenditures will be increased \$2.5 million to \$3 million each four years for election costs, and reduced by \$140,000 annually by elimination of board and general manager, resulting in a net increase of expenditures of approximately \$2 million to \$2.5 million over a four-year cycle.

(213) 340-4322

Michael H. Brodie, President

The Honorable George Deukmejian,
California Attorney General

We respectfully submit the following proposed initiative statute for an official title and summary.

Text of Proposed Law

(This initiative measure proposes to amend sections of the Public Utilities Code; therefore, existing provisions to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be inserted or added are underlined to indicate that they are new.) (The petitions to be circulated will use italic type instead of underline.)

30000. This part shall be known as the Southern California Rapid Transit District Law.

30001. ~~The Legislature~~ people hereby ~~finds~~ and declares:

(a) There is an imperative need for a comprehensive mass rapid transit system in the Southern California area, and particularly in Los Angeles County. Diminution of congestion on the streets and highways in Los Angeles will facilitate passage of all Californians motoring through the most populous area of this state and will especially benefit domiciliaries of that county who reside both within and without the rapid transit district. It is, further, the declared policy of the state to foster the development of trade and the movement of people in and around the Los Angeles area for the benefit of the entire state, and one of the purposes of the Southern California Rapid Transit District is to further this policy.

(b) In view of the limited powers of the Los Angeles Metropolitan Transit Authority (herein sometimes referred to as "authority") it has become apparent that the authority is unable to solve the transit problems of the Southern California area and provide the needed comprehensive mass rapid transit system.

(c) It is, therefore, necessary to provide a successor corporation to the authority, to wit: a transit district, and to establish such transit district ~~governed by representatives of the governmental agencies in the Southern California area~~ so that there will be sufficient power and authority to solve the transportation problems in the Southern California area and to provide the needed comprehensive mass rapid transit system.

(d) In view of the limited ability demonstrated by the Southern California Rapid Transit District, because of its appointed board of directors, to solve the transit problems in Los Angeles County, it has become apparent that the district needs to be governed by a direct representative of the people, to be elected by the voters residing within the district.

(e) It is evident, therefore, that such a transit district may plan to meet the transit needs and problems of the whole Southern California area; and that the estimates of future population growth for the Southern California area make it imperative that a comprehensive plan for rapid transit contain projections of population trends extending over the next 30 years.

30006. "Director", "Board of directors", "board", or "directors," as used in this part, means the ~~board of directors~~ Director of the district.

30100. There is hereby created the Southern California Rapid Transit District, comprising that territory hereinafter described in this section lying within the boundaries of the County of Los Angeles and such territory in the County of Los Angeles and in other counties as may be hereinafter annexed to the district as provided in this part. The territory within the County of Los Angeles which is hereby created into such district is described as follows:

All that portion of the County of Los Angeles, State of California, lying southerly of the line formed by the south lines of Sections 13, 14, 15, 16, 17, and 18 of Township 3 North, Range 15 West S.B.B. & M., the south lines of Sections 13, 14, 15, 16, 17, and 18 of Township 3 North, Range 16 West S.B.B. & M., the west line of Range 16 West S.B.B. & M., and the South lines of Sections 13 and 14 of Township 3 North, Range 17 West S.B.B. & M., and the westerly extension of such lines in the Rancho Simi to the westerly boundary of the County of Los Angeles, and westerly of the east line of Range 15 West S.B.B. & M., and all that portion of the remainder of said county lying southerly of the north line of Township 2 North S.B.B. & M., excepting therefrom the islands of Santa Catalina and San Clemente.

30200. All powers, privileges and duties vested in or imposed upon the district shall be exercised and performed by and through a board of directors the Director; provided, however, that the exercise of any and all executive, administrative, and ministerial power may be delegated and redelegated by the board of directors Director to of the offices and officers created pursuant to this part or created by the board of directors Director acting pursuant to this part.

30201. The board of directors shall consist of ~~(11)~~ members appointed as follows:

Five (5) by the Board of Supervisors of the County of Los Angeles, who, in the discretion of such board of supervisors, may or may not be members of such board of supervisors, but each of whom shall be a resident of a different supervisorial district.

Two (2) by the Mayor of the City of Los Angeles, subject to the confirmation by the City Council of the City of Los Angeles, who may or may not be members of such city council, but each of whom shall be a resident of such city.

Four (4) by the city selection committee each of whom, in the discretion of such committee, may or may not be a member of the city selection committee, but who shall be an elected city official, shall be a resident of a different city, and shall not be a resident of the City of Los Angeles. The city selection committee shall adopt rules and regulations grouping or combining the areas of the cities within the district, except the City of Los Angeles, into four corridors based on existing or proposed transit lines. The rules and regulations shall provide that the member of the board to be selected by a subcommittee of the city selection committee shall be a resident of the corridor represented by the subcommittee. The terms of office of these four members of the board shall be for four years. On and after January 1, 1977, any appointment to the board shall be made by a subcommittee of the committee, which subcommittee shall include only members representing those cities within the corridor that the previous director represented. The appointment of a subcommittee shall be deemed approved by the city selection committee unless rejected by a two-thirds vote of the committee within 30 days of the appointment. If the appointment is so rejected, the subcommittee shall make another appointment.

30201. The district shall be governed by one (1) Director. The Director shall be elected by the voters of the district subject to the California Elections Code sections pertaining to municipal elections.

30202. At its first regular meeting after the effective date of this part, The Board of Supervisors of the County of Los Angeles shall appoint as members of the first board of directors of the district the number to be appointed by it under section 30201.

30203. At its first regular meeting after the effective date of this part, the Mayor of the City of Los Angeles, subject to confirmation by the City Council of the City of Los Angeles, shall appoint as members of the first board of directors of the district the number to be appointed by it under Section 30201.

30204. The term of office of the Director of the district shall be four (4) years.

30204. Each member of the board of directors appointed by the Board of Supervisors of the County of Los Angeles, shall serve at the pleasure of the appointing body. Each member of the board of directors appointed by the Mayor of the City of Los Angeles, subject to the confirmation by the city Council of the City of Los Angeles, may be removed at any time thereafter by following the same procedure used for appointment. If he is a member of the Board of Supervisors of the County of Los Angeles or the City Council of the City of Los Angeles and his term of office as a member of such bodies terminates, a vacancy is automatically created in his office as a member of the board of directors. If he is not a member of such bodies his term of office shall terminate at the end of his term as director.

30205. Each director appointed by the Board of Supervisors of the County of Los Angeles shall be appointed by resolution, and each director appointed by the Mayor of the City of Los Angeles, subject to confirmation by the City Council of the City of Los Angeles, shall be confirmed by resolution, and certified copies of such resolutions, together with notices of appointment made thereby, shall be forwarded without delay to the Secretary of State and to the secretary of the district.

30206. Any vacancy in the members of the board of directors appointed by the County of Los Angeles or by the City of Los Angeles shall be filled by appointments in the same manner as the appointment was made to the office in which the vacancy exists, in the manner provided in this part.

30207. A city selection committee shall be established which shall consist of one member representing each city within the districts as described in Section 30100, except the City of Los Angeles. Each member of the city selection committee shall serve without compensation from the district and shall be designated and appointed by and be a member of the governing body of the city which he represents. As a member of the city selection committee, each member shall be entitled to vote on all motions coming before the committee or subcommittee thereof of which such member is a member and shall be entitled to cast one vote for each 10,000, or major fractional part thereof, of population in the city represented by him as shown by the latest population estimate prepared by the population research unit of the Department of Finance pursuant to Section 2227 of the Revenue and Taxation Code; provided that each member shall have at least one vote and no city shall have votes exceeding in number the total number of votes of all other cities represented on the committee. For the purposes of this section, the term "major fractional part" means a fractional part larger than one-half.

30208. On or before the second Monday which is not a holiday following the effective date of this part, the governing body of each city within the district, except the City of Los Angeles, shall appoint from among its members, to serve as members of the city selection committee, the number of members of the city selection committee to be appointed by it under Section 30207.

30209. Each member of the city selection committee shall serve at the pleasure of the governing body of the city by which he was appointed. If his term of office as a member of such appointing body terminates, a vacancy is automatically created in his office as a member of the city selection committee, and also as a member of the board of directors, if he is so serving.

30210. Each member of the city selection committee shall be appointed by a resolution adopted by the governing body of the appointing body. Certified copies of all resolutions of appointment, together with notices of appointment made thereby, shall be forwarded without delay to the secretary of the district.

30211. Any vacancy in the city selection committee shall be filled by appointment by the body which originally made the appointment to the office in which the vacancy exists in the manner provided in this part.

30213. The county auditor shall furnish the necessary certificates as to assessed valuation to enable the city selection committee to function.

30219. The city selection committee shall appoint as members the number to be appointed by it under Section 30201 as the first board of directors of the district. All such appointments shall be completed within ten (10) days after the first meeting called by the Secretary of State.

30227. Within ten (10) days after the Secretary of State has received certified copies of the resolutions appointing a majority of the directors, certified copies of the resolutions appointing a majority of the directors, he shall call the first meeting of the board of directors at an appropriate time within twenty (20) days thereafter. The meeting shall be held in the City of Los Angeles.

30227. The Director shall take office on the day following the certification of the results of the election in accordance with the provisions of the Elections Code of the State of California for municipal elections.

30251. The board shall choose one of its members president, and another vice president, who shall be authorized to act for the president during his absence or disability. The board Director shall choose a secretary, who shall not be a member of the board, and shall provide for the time and place of holding its regular public meetings which shall be held at least once each month week. The board Director may hold such additional meetings as it he may see fit. The time and place for holding all of its these meetings shall be fixed by the board of directors Director. An attendance fee of fifty (\$50) per meeting attended, but not to exceed five hundred (\$500) in any calendar month to any member, shall be paid to members of the board of directors. The Director's salary and benefits, to be paid from district funds, shall be the same as the State Legislature has authorized to be paid and provided to the Director of the California Department of Transportation (CALTRANS).

30252. The board of directors is the legislative body of the district and The Director is the administrative head of the district and, consistent with the provisions of this part, shall determine all questions of district policy.

30271. The affirmative votes of a majority of the members of the board shall be necessary and, except as otherwise provided in this part, shall be sufficient to carry any order, resolution or ordinance coming before the board of directors.

30274. The enacting clause of all ordinances shall be as follows: "Be it ordained by the Board of Directors of the Southern California Rapid Transit District:"

30275. All ordinances shall be signed by the president or vice president of the board Director and attested by the secretary. All ordinances shall be published once within 15 days after passage in a newspaper of general circulation printed and published in the district.

30300. The officers of the district shall consist of the members of the board of directors, Director; a president and vice president of the board, each of whom shall be a member of the board; a secretary, a general manager, a general counsel, a treasurer, an auditor, and such other subordinate officers, assistants, and deputies as the board Director may deem necessary and provide for by ordinance or resolution.

30301. The Director shall be a full-time officer of the district. The secretary, general manager, general counsel, treasurer, and auditor shall be fulltime officers and shall be appointed by and may be removed by the Director affirmative votes of the majority of the members of the board. All other officers and employees shall be appointed by the general manager Director and shall serve at his pleasure, subject to the provisions of this part relating to personnel.

30304. The oath of office of all officers appointed by the Director board of directors or by the general manager of the district shall be taken, subscribed, and filed with the secretary of the district at any time after the officer has notice of his appointment but not later than fifteen (15) days after the commencement of his term of office. No other filing is required.

30330. The board shall appoint and fix the salary of a general manager, who shall have full charge of the acquisition, construction, maintenance, and operation of the facilities of the district and also of the business affairs of the district.

30331. All other things being equal, the general manager shall be chosen on the basis of his qualifications with special reference to his actual experience in or his knowledge of accepted practices in respect to the duties of his office as hereinafter set forth.

30332. The general manager need not be a resident of this state at the time of his appointment.

30333. The general manager shall hold office for an indefinite term and may be removed by the board upon the adoption of a resolution by the affirmative vote of a majority of all members of the board. Before the general manager may be removed, he shall, if he demands it, be given a written statement of the reasons alleged for his removal and he shall have the right to be publicly heard thereon at a meeting of the board prior to the final vote on the resolution providing for his removal, but pending and during such hearing the board may suspend him from office. The board may not reduce the salary of the general manager below the amounts fixed at the time of his original appointment except upon the adoption of a resolution by a like vote and after a like opportunity to be heard. The action of the board in suspending or removing the general manager or reducing his salary is final.

30334. The powers and duties of the general manager are:

(a) To have full charge of the acquisition, construction, maintenance, and operation of the facilities of the district.

(b) To have full charge of the administration of the business affairs of the district.

(c) To see that all ordinances of the district are enforced.

(d) To administer the personnel system and collective bargaining agreements adopted by the board and except for officers appointed by the board to appoint, discipline or remove all officers and employees subject to the rules and the applicable provisions of this part or the terms and conditions contained in any applicable collective bargaining agreement.

(e) To prepare and submit to the board as soon as practical after the end of each fiscal year a complete report of the finances and administrative activities of the district for the preceding year.

(f) To keep the board advised as to the needs of the district.

(g) To prepare or cause to be prepared all plans and specifications for the construction of the works of the district.

(h) To devote his entire time to the business of the district.

(i) To cause to be installed and maintained a system of auditing and accounting which shall completely and at all times show the financial condition of the district.

(j) To perform such other and additional duties as the board may require.

30335. The general manager shall attend meetings of the board and be entitled to participate in the deliberations of the board, but shall not have a vote as to any matter before the board.

30336. The directors may appoint a general manager pro tempore to serve during any absence or disability of the general manager.

30741. The provisions of the Elections Code of the State of California, as the same now exist or may hereafter be amended, governing the initiative, and referendum, and recall in districts shall apply to the district insofar as such provisions of the Elections Code are not in conflict with this part. Insofar as the district is concerned, officers of the district shall not be subject to recall.

END OF PROPOSED INITIATIVE STATUTE

Respectfully,



Michael H. Brodie, for the California Association of Transit Riders, who shall be known as the proponents of this initiative petition.

DECLARATION OF SERVICE BY MAIL

I, Anne Chapman, declare as follows: I am over the age of 18 years, and not a party to the within action; my place of employment and business address is 555 Capitol Mall, Suite 350, Sacramento, California 95814.

On July 29, 1980, I served the attached letter addressed to Honorable March Fong Eu, Secretary of State, dated July 29, 1980, re: Initiative proposing amendment to a Statute re So. Cal. Rapid Transit Dist., our file No. SA80RF0016,

by placing a true copy thereof in an envelope addressed to each of the persons named below at the address set out immediately below each respective name, and by sealing and depositing said envelope in the United States Mail at Sacramento, California, with postage thereon fully prepaid. There is delivery service by United States Mail at each of the places so addressed, or there is regular communication by mail between the place of mailing and each of the places so addressed:

Mr. Michael H. Brodie
6601 Sedan Avenue
Canoga Park, California 91307

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 29, 1980, at Sacramento, California.

Anne Chapman
Declarant