



MINUTES

Thursday, February 24, 2022

10:00 AM

Board of Directors - Regular Board Meeting

DIRECTORS PRESENT:

Hilda L. Solis, Chair
Ara Najarian, 1st Vice Chair
Jacquelyn Dupont-Walker, 2nd Vice Chair
Kathryn Barger
Mike Bonin
James Butts
Fernando Dutra
Eric Garcetti
Janice Hahn
Paul Krekorian
Sheila Kuehl
Holly Mitchell
Tim Sandoval
Tony Tavares, non-voting member

Stephanie Wiggins, Chief Executive Officer

CALL TO ORDER: 10:00 A.M.

ROLL CALL

1. APPROVED Consent Calendar Items: 2, 5, 8, 9, 14, 15, 16, 17, 18, 19, 23, 25, and 29.

Consent Calendar items were approved by one vote unless held by a Director for discussion and/or separate action.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	A	Y	Y	A	Y	A	Y	Y	Y	Y	Y	Y

2. **SUBJECT: MINUTES** **2022-0109**

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held January 27, 2022.

3. **SUBJECT: REMARKS BY THE CHAIR** **2022-0107**

RECEIVED remarks by the Chair.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
P	A	P	P	P	P	A	P	P	P	P	P	P

4. **SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER** **2022-0108**

RECEIVED report by the Chief Executive Officer.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
P	A	P	P	P	P	A	P	P	P	P	P	P

KB = K. Barger	FD = F. Dutra	SK = S. Kuehl	HS = H. Solis
MB = M. Bonin	EG = E. Garcetti	HJM = H.J. Mitchell	
JB = J. Butts	JH = J. Hahn	AN = A. Najarian	
JDW = J. Dupont Walker	PK = P. Krekorian	TS = T. Sandoval	

LEGEND: Y = YES, N = NO, C = CONFLICT, ABS = ABSTAIN, A = ABSENT, P = PRESENT

5. SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM ANNUAL UPDATE - LAS VIRGENES/MALIBU SUBREGION 2021-0746

APPROVED ON CONSENT CALENDAR:

A. The following:

1. Inter-program borrowing and programming of additional \$3,000,000 from the Las Virgenes/Malibu Subregion's Measure M Multi-Year Subregional Program (MSP) Highway Efficiency Program to the Active Transportation, Transit, and Tech Program (Expenditure Line 56);
2. Programming of additional \$1,950,000 within the capacity of Measure M MSP Highway Efficiency Program; and

B. AUTHORIZING the Chief Executive Officer (CEO) or their designee to negotiate and execute all necessary agreements and/or amendments for approved projects.

6. SUBJECT: EASTSIDE TRANSIT CORRIDOR PHASE 2 2022-0010

RECEIVED AND FILED the project status update on the Eastside Transit Corridor Phase 2 Project.

APPROVED AS AMENDED:

SOLIS AMENDMENT: Report back in April 2022 with the following:

- A. Innovative ways to help streamline the preconstruction-related work, including advancing engineering and utility-related work, among other strategies.
- B. Funding plans and assumptions for the two IOS alternatives being proposed; the plans should focus on a local funding strategy and a combined local and federal funding strategy.
- C. Strategies to streamline environmental review, including seeking a NEPA waiver, having NEPA authority delegated to the state, and seeking an abbreviated NEPA.
- D. An Alternative Delivery plan that will provide project schedule efficiencies which will reduce the overall preconstruction timeline.
- E. An accelerated project schedule for the two IOS alternatives and the entire project segment.

(continued on next page)

HAHN AMENDMENT: Report back in April 2022 with the following:

- A. Which specific grants, state and federal funding programs the eastside transit corridor project is applying for;
- B. The competitiveness and priority of this project related to our other Metro projects also in the pipeline for these opportunities;
- C. Any other Measure R and Measure M funding that might be available through future amendment or borrowing; and
- D. Any opportunities for low and no-cost financing through federal or private sources.

In addition to those four things, engage relevant municipal agencies and Community-Based Organizations along the project corridor, as well as the Washington Boulevard Coalition, for their input and feedback on all strategies being considered.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y

8. SUBJECT: SYSTEMWIDE BICYCLE PARKING PROGRAM IMPROVEMENTS AND CAPITAL UPGRADES **2021-0753**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO) to execute a five-year firm fixed price Contract No. PS78889000 to eLock Technologies, LLC for the bicycle parking program in the amount of \$6,094,458, subject to resolution of all properly submitted protest(s) if any.

9. SUBJECT: INVESTMENT POLICY **2021-0807**

APPROVED ON CONSENT CALENDAR:

- A. ADOPTING the Investment Policy;
- B. the Financial Institutions Resolution authorizing financial institutions to honor signatures of LACMTA Officials; and
- C. DELEGATING to the Treasurer or his/her designees, the authority to invest funds for a one-year period, pursuant to California Government Code ("Code") Section 53607.

10. SUBJECT: PROPOSITION A AND PROPOSITION C COMMERCIAL PAPER/SHORT-TERM BORROWING PROGRAMS **2021-0797**

TABLED TO MARCH 2022:

- A. a resolution that authorizes the Chief Executive Officer and/or other Designated Officers to renew and/or replace the existing direct-pay letter of credit ("LOC") with respect to the Proposition A ("Prop A") commercial paper ("CP") and short-term borrowing program; and
- B. a resolution that authorizes the Chief Executive Officer and/or other Designated Officers to renew and/or replace the existing direct purchase revolving credit facility with respect to the Proposition C ("Prop C") revolving credit facility ("RCF") and short-term borrowing program.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	Y	C	C	Y	Y	Y	C	Y	Y	C	Y	Y

14. SUBJECT: INVERTER CONTROL BOX **2021-0811**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a two-year, Indefinite Delivery/Indefinite Quantity (IDIQ) Contract No. MA81563000 to TK Services, Inc., the lowest responsive and responsible bidder for Inverter Control Boxes. The Contract is for a one-year base in the amount of \$1,497,960, inclusive of sales tax, and a one-year option in the amount of \$1,497,960, inclusive of sales tax, for a total contract amount of \$2,995,920, subject to resolution of protest(s), if any.

15. SUBJECT: GLASS REPLACEMENT AND INSTALLATION SERVICES **2022-0019**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 3 to Contract No. OP1405120003367 with Los Angeles Glass Company, Inc. for Glass Replacement, and Installation services in the amount of \$900,000, increasing the contract four-year base term authority from \$1,895,911 to \$2,795,911.

16. SUBJECT: SHOP TOWELS **2021-0810**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a two-year, Indefinite Delivery/Indefinite Quantity (IDIQ) Contract No. CY81398000 to JWL Supplies, the lowest responsive and responsible bidder for Shop Towels (Wypalls). The Contract is for a one-year base in the amount of \$735,873, inclusive of sales tax, and a one-year option in the amount of \$785,181, inclusive of sales tax, for a total contract amount of \$1,521,054, subject to resolution of protest(s), if any.

17. SUBJECT: PURCHASE OF NINE (9) 35 TON TOW TRUCKS **2021-0756**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a firm fixed price contract under IFB No. DR81105 with Baatz Enterprises Inc. DBA Tow Industries, the lowest responsive and responsible bidder for nine (9) 35-ton tow trucks for a firm fixed price of \$3,948,479.62 inclusive of sales tax.

18. SUBJECT: MEMBERSHIP ON METRO'S SAN GABRIEL VALLEY SERVICE COUNCIL **2021-0582**

APPROVED ON CONSENT CALENDAR nominee for membership on Metro's San Gabriel Valley Service Council.

19. SUBJECT: SECOND GENERATION BUS MOBILE VALIDATORS **2021-0525**

APPROVED ON CONSENT CALENDAR:

- A. ESTABLISHING capital project for the purchase and installation of the 2nd generation bus mobile validators and 16-port managed ethernet switches in order to support the All Door Boarding project;
- B. APPROVING and ADOPTING the life-of-project budget of \$18,100,000; and
- C. AUTHORIZING the Chief Executive Officer to execute Modification No. 165 to Contract No. OP02461010 with Cubic Transportation Systems, Inc. (Cubic) for the purchase of 2900 Second Generation Bus Mobile Validators (BMV's) and installation of BMVs and 16-port managed ethernet switches at Metro contract service locations in the amount of \$9,545,440 increasing the total contract value from \$373,825,899 to \$383,371,339.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	A	C	Y	A	Y	A	Y	Y	Y	Y	Y	Y

23. SUBJECT: CONTRACTED TRANSPORTATION SERVICES - EAST REGION AND SOUTH REGION **2021-0741**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. AWARD an indefinite delivery/indefinite quantity Contract No. PS76258000, for the East Region contracted transportation services, to Southland Transit, Inc. The contract not-to-exceed amount is \$90,032,724, for the five-year base period and \$57,511,425, for the one, three-year option, for a combined not-to-exceed amount of \$147,544,149, effective July 1, 2022, subject to resolution of protest(s), if any; and
- B. AWARD an indefinite delivery/indefinite quantity contract No. PS76258001, for the South Region contracted transportation services, to MV Transportation, Inc. The contract not-to-exceed amount is \$148,645,400, for the five-year base period and \$101,588,036, for the one, three-year option, for a combined not-to-exceed amount of \$250,233,436, effective July 1, 2022, subject to resolution of protest(s), if any.

25. SUBJECT: J LINE (SILVER) ELECTRIFICATION MOTION

2022-0097

APPROVED ON CONSENT CALENDAR Motion by Directors Hahn, Solis, Mitchell, Butts, and Bonin to direct the Chief Executive Officer to return to the Board with a change order for the 100 electric buses designated for the J Line, to extend the range of these buses and to provide the single-seat ride requested by this Board.

26. SUBJECT: LOCAL SMALL BUSINESS PREFERENCE

2022-0025

- A. RECEIVED AND FILED the report back to Motion 31 on a Local Small Business Enterprise (LSBE) Program; and
- B. AUTHORIZED the CEO to implement a three-year Pilot LSBE Preference Program inclusive of Five Point Preference Incentive for negotiated procurements.

DUPONT-WALKER AMENDMENT:

- A. Report back in August 2022 on how Metro can encourage greater than 30% LBSE participation for proposers that do not meet the LSBE criteria as a prime but subcontract to LBSE eligible businesses, either through additional preference credits beyond the five points offered by the pilot or providing further incentives in the procurement process; and
- B. Request Metro to conduct an external audit no later than one year into the pilot to ensure eligible small businesses are meeting the stated eligibility requirement of being headquartered in LA County for at least 6 months.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

27. SUBJECT: DIVISION 20 PORTAL WIDENING TURNBACK FACILITY INCREASE

2021-0765

AMENDED the Life-of-Project (LOP) budget by \$75,000,000 for the Division 20 Portal Widening Turnback Facility (Project) from \$801,749,577 to \$876,749,577 using the fund sources, consistent with the provisions of the Board-adopted Measure R and Measure M Unified Cost Management Policy.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

29. SUBJECT: FINDINGS REQUIRED TO CONTINUE TO MEET VIA TELECONFERENCE IN COMPLIANCE WITH AB 361 WHILE UNDER A STATE OF EMERGENCY AND WHILE STATE AND LOCAL OFFICIALS CONTINUE TO PROMOTE SOCIAL DISTANCING

2022-0110

APPROVED ON CONSENT CALENDAR the following findings:

Pursuant to AB 361, the Metro Board, on behalf of itself and other bodies created by the Board and subject to the Ralph M. Brown Act, including Metro's standing Board committees, advisory bodies, and councils, finds:

The Metro Board has reconsidered the circumstances of the state of emergency, and that:

- A. The state of emergency continues to directly impact the ability of the members to meet safely in person, and
- B. State or local officials continue to impose or recommend measures to promote social distancing.

Therefore, all such bodies will continue to meet via teleconference subject to the requirements of AB 361.

30. SUBJECT: METRO G LINE (ORANGE) BUS RAPID TRANSIT IMPROVEMENT PROJECT RESOLUTION OF NECESSITY

2021-0654

- A. HELD a public hearing on the proposed Resolution of Necessity.
- B. ADOPTED the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire a Permanent Utility Easement ("PUE") and Temporary Construction Easement ("TCE") from the property located at 6110 Sepulveda Boulevard, Van Nuys, CA 91411 with APN of 2242-025-022 (the "Property Interests").

(REQUIRED 2/3 VOTE OF THE FULL BOARD)

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	A	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y

31. SUBJECT: METRO G LINE (ORANGE) BUS RAPID TRANSIT IMPROVEMENT PROJECT RESOLUTION OF NECESSITY

2021-0655

- A. HELD a public hearing on the proposed Resolution of Necessity.
- B. ADOPTED the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire a Permanent Underground Utility

(continued on next page)

(Item 31 – continued from previous page)

Easement (“PUUE”) and Temporary Construction Easement (“TCE”) from the property located at 6104-6108 Sepulveda Boulevard, Van Nuys, CA 91411 with APNs of 2242-025-026 & 2242-025-027 (the “Property Interests”).

(REQUIRED 2/3 VOTE OF THE FULL BOARD)

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	A	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y

32. SUBJECT: STATE AND FEDERAL REPORT 2022-0047

RECEIVED AND FILED February 2022 State and Federal Legislative Report.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
P	P	P	A	P	P	A	P	P	P	P	P	P

33. SUBJECT: RESPONSE TO MOTIONS ON COMMITMENT TO REIMAGINING PUBLIC SAFETY 2022-0054

RECEIVED AND FILED the Reimagining Public Safety Framework, which is inclusive of the report back on Motions 26.2 and 25.1 Policing Alternatives, Motion 44 Mental Health Resources, and a peer review of Customer Codes of Conduct.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
P	A	P	A	P	P	P	P	A	P	P	P	P

34. SUBJECT: CONSTRUCTION MARKET ANALYSIS 2022-0067

RECEIVED oral report on the Construction Market Analysis.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
P	A	P	A	P	P	P	P	A	P	P	A	P

34.1. SUBJECT: CONSTRUCTION MARKET ANALYSIS MOTION 2022-0128

APPROVED Motion by Directors Butts, Dutra, Najarian, Barger and Hahn that directs the CEO and staff to return to the Board in the upcoming fiscal year Annual Program Evaluation for directive A (below) and report back based on the CEO’s discretion on directive B.1 (below):

- A. With an assessment of what construction projects can reasonably continue without facing new budget shortfalls prior to their completion; and

(continued on next page)

(Item 34.1. – continued from previous page)

B. Since the cost of operations and maintenance of new rail lines is increasing faster than the increase in new sales tax revenues and construction costs are rising faster than the CPI:

1. Assess the incremental and cumulative annual fiscal impact on the agency's Operations and Maintenance Budgets that will result from the opening of revenue service of each newly-completed capital project.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	A	Y	A	Y	Y	Y	Y	A	Y	Y	A	Y

35. SUBJECT: CLARIFYING ELIGIBLE USES FOR SR-710 NORTH MOBILITY IMPROVEMENT PROJECTS MOTION

2022-0115

APPROVED Motion by Directors Solis, Sandoval, Barger, Boñin, Garcetti, and Najarian that directs the CEO to take the following actions:

- A. Find that new mobility improvement are eligible as both standalone projects and as components of larger projects, as follows:
 - On-street bus priority infrastructure including but not limited to bus lanes, signal prioritization, queue jumps, bus boarding islands/curb extensions, and bus stop improvements.
 - Class I, II, III or IV bikeway projects.
 - Sidewalk improvements, including but not limited to, widening, shade trees, and curb ramps.
 - Pedestrian safety improvements, including but not limited to bulb-outs, refuge islands, midblock crossings, pedestrian signals/beacons, raised intersections/pedestrian crossings, and scramble crosswalks.
 - Any recipient of MIP Measure R funding that proposes a project which requires a reduction in vehicle lanes should first make a determination that the proposed project is consistent with the purpose and need of the 710 N Project. The determination should be based on guidance issued by Metro.
- B. Provide recipients of MIP Measure R funding the opportunity to revise scopes of work or propose a replacement project if recipients intend to take advantage of the eligible uses clarified through this motion.
- C. Report back in May 2022 with draft guidance that MIP Measure R funding recipients can refer to when proposing projects that require a reduction in vehicle lanes. This guidance should ensure that all proposed projects are consistent with the purpose and need of the 710 N Project.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y

36. SUBJECT: CLOSED SESSION

2022-0112

A. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9(d)(1)

1. Jobs To Move America v. New Flyer of America, Inc., Case No. 18STCV06276

NO REPORT.

2. Joseph Dallalzadeh v. LACMTA, Case No. BC701036

AUTHORIZED settlement in the sum of \$570,000.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	A	Y	A	A	A	Y	Y	A	Y	Y	A	Y

3. Wilbert Figueroa v. LACMTA, Case No. 20STCV14451

AUTHORIZED settlement in the sum of \$500,000 and reinstatement.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	A	Y	A	A	Y	Y	Y	A	Y	Y	A	Y

4. Concepcion Guzman v. LACMTA, Case No. 20TCV17857

AUTHORIZED settlement in the sum of \$275,000.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	A	Y	A	A	Y	Y	Y	A	Y	Y	A	Y

5. Suzanne Haeri v. LACMTA, Case No. 18STCV08332

AUTHORIZED settlement in the sum of \$2,500,000.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	A	Y	A	A	Y	Y	Y	A	Y	Y	A	Y

B. Conference with Legal Counsel-Anticipated Litigation-G.C. 54956.9(d)(4)
Significant Exposure to Litigation (One Case)

NO REPORT.

C. Conference with Labor Negotiator - G.C. 54957.6

Agency Representative: Robert Bonner and Cristian Leiva or designee
Employee Organization: SMART

NO REPORT.

(continued on next page)

(Item 36 – continued from previous page)

D. Public Employee Performance Evaluation - Government Code Section
54957(b)(1)

Title: Chief Ethics Officer

NO REPORT.

ADJOURNED AT 4:11 P.M. IN MEMORY OF ROSALIND RODMAN, WHO PEACEFULLY PASSED AWAY LAST WEEK AT THE AGE OF 100. BORN IN 1921 IN PHILADELPHIA, ROSALIND WAS A GENEROUS PERSON AND INSPIRING ROLE MODEL WHO SEEMED TO KNOW EVERYONE AND NEVER STOPPED LEARNING OR EXPLORING. SHE EARNED NOT JUST ONE, BUT TWO MASTER'S OF SOCIAL WORK DEGREES, AND OVER HER MANY YEARS PURSUED AVOCATIONS FROM SWING DANCING TO SAILING TO THE DRUMS, WHICH--REMARKABLY--SHE TOOK UP FOR THE FIRST TIME AFTER TURNING 80. A DEVOTED WIFE, MOTHER, AND GRANDMOTHER, ROSALIND IS SURVIVED BY CHILDREN ANN, JONATHAN, AND BARBARA AND GRANDCHILDREN RICHARD, PEYTON, AND METRO BOARD DEPUTY DANIEL RODMAN.

Prepared by: Mandy Cheung
Administrative Analyst, Board Administration



Collette Langston, Board Clerk

###