



MINUTES

Thursday, December 5, 2019

10:00 AM

**One Gateway Plaza, Los Angeles, CA 90012,
3rd Floor, Metro Board Room**

Board of Directors - Regular Board Meeting

DIRECTORS PRESENT:

**James Butts, Chair
Hilda Solis, 2nd Vice Chair
Kathryn Barger
Mike Bonin
John Fasana
Robert Garcia
Janice Hahn
Paul Krekorian
Sheila Kuehl
Ara Najarian**

Mark Archuleta, non-voting member

Phillip A. Washington, Chief Executive Officer

CALLED TO ORDER AT: 10:25 A.M.

ROLL CALL

1. APPROVED Consent Calendar Items: 2, 9, 10, 13, 14, 16, 18, 24, 25, 26, 27, 31, 35, 36, and 37

Consent Calendar items were approved by one motion except for Item 27 which was held by a Director for discussion and separate action.

JF	PK	MB	RG	SK	EG	JB	HS	JH	KB	JDW	MRT	AN
Y	Y	Y	Y	Y	A	Y	Y	Y	Y	A	A	Y

2. **SUBJECT: MINUTES** **2019-0800**

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held October 24, 2019.

3. **SUBJECT: REMARKS BY THE CHAIR** **2019-0857**

RECEIVED remarks by the Chair.

JF	PK	MB	RG	SK	EG	JB	HS	JH	KB	JDW	MRT	AN
P	P	P	P	P	A	P	P	P	P	A	A	P

4. **SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER** **2019-0858**

RECEIVED report by the Chief Executive Officer.

JF	PK	MB	RG	SK	EG	JB	HS	JH	KB	JDW	MRT	AN
P	P	P	P	P	A	P	P	P	P	A	A	P

PK = P. Krekorian	HS = H. Solis	KB = K. Barger	RG = R. Garcia
JF = J. Fasana	JB = J. Butts	JDW = J. Dupont-Walker	
JH = J. Hahn	EG = E. Garcetti	MRT = M. Ridley-Thomas	
MB = M. Bonin	SK = S. Kuehl	AN = A. Najarian	

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

7. SUBJECT: MEASURE R ORDINANCE PRELIMINARY 10-YEAR REVIEW AND POTENTIAL AMENDMENTS **2019-0629**

RECEIVED AND FILED the Measure R Ordinance Preliminary Ten-Year Review AS AMENDED by the following motions:

Motion by Directors Butts, Hahn, Solis, Barger and Dupont-Walker:

Instruct Staff to provide monthly progress reports on the development of a process to implement a "Transfer" Amendment to the Measure R Ordinance.

The first report should be brought forward in the January Board cycle and should include preliminary recommendations for Metro staff to develop a detailed process that identifies the steps and responsibilities.

Motion by Director Bonin:

Instruct staff to include in this process updating the Measure R Ordinance to reflect current Board policies, including relevant sustainability and complete streets policies.

JF	PK	MB	RG	SK	EG	JB	HS	JH	KB	JDW	MRT	AN
Y	Y	Y	Y	Y	A	Y	Y	Y	Y	A	A	Y

9. SUBJECT: LONE HILL TO WHITE DOUBLE TRACK **2019-0519**

APPROVED ON CONSENT CALENDAR:

- A. the programming of \$7.5 million in Measure R 3% commuter rail funds for final design including third party costs of the Lone Hill to White (LHW) Double Track Project; and
- B. AUTHORIZED the Chief Executive Officer to negotiate and execute all agreements for the LHW final design.

10. SUBJECT: THIRD PARTY REQUEST FOR DEVIATIONS FROM SYSTEMWIDE STATION DESIGN STANDARDS POLICY **2019-0618**

APPROVED ON CONSENT CALENDAR Third Party Request for Design Deviation from Systemwide Station Design Standards.

11. SUBJECT: EXPO/CRENSHAW JOINT DEVELOPMENT

2019-0624

AUTHORIZED the Chief Executive Officer to execute an amendment to the Exclusive Negotiation Agreement and Planning Document with Watt Companies, doing business as WIP-A, LLC, and the County of Los Angeles for 12 months with the option to extend for an additional four months for the joint development of 1.77 acres of Metro-owned property and 1.66 acres of County-owned property at the Expo/Crenshaw Station.

JF	PK	MB	RG	SK	EG	JB	HS	JH	KB	JDW	MRT	AN
Y	Y	C	A	Y	A	Y	Y	Y	C	A	A	Y

13. SUBJECT: I-405 SEPULVEDA PASS (PHASE 1) EXPRESSLANES PROJECT APPROVAL/ENVIRONMENTAL DOCUMENT, CONCEPT OF OPERATIONS, AND DESIGN DEVELOPMENT CONTRACT AWARD

2019-0659

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award and execute a 36-month, firm fixed price Contract No. AE61156000 to WSP USA, Inc. in the amount of \$27,494,005.21 for Architectural and Engineering services to produce the I-405 Phase 1 Sepulveda Pass ExpressLanes Project Approval/Environmental Document, the Concept of Operations report and 30% design, subject to resolution of protest(s), if any.

JF	PK	MB	RG	SK	EG	JB	HS	JH	KB	JDW	MRT	AN
		C	C									C

14. SUBJECT: GRANT ASSISTANCE

2019-0661

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award and execute a 36-month, firm fixed price Contract No. PS63023000 to WSP USA, Inc. in the amount of \$6,372,356 for preparing 84 grant applications and 40 additional grant applications as well as optional tasks, such as greenhouse gas analysis, drone and aerial photography, and simulations. This will support Metro and local jurisdiction grant applications to discretionary federal and state funding opportunities, subject to resolution of protest(s), if any.

**16. SUBJECT: SR-71 GAP CLOSURE PROJECT CONSTRUCTION,
PHASE 1**

2019-0703

APPROVED ON CONSENT CALENDAR:

- A. the programming of \$105,072,000 in local funds for the construction of Phase 1; and
- B. AMENDED the 2009 Long Range Transportation Plan to restate the project's southern limit from Rio Rancho Road to the Los Angeles/San Bernardino County Line (SBCL).

**17. SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM -
GATEWAY CITIES SUBREGION**

2019-0740

APPROVED:

- A. programming of \$27,764,900 in Measure M Multi-Year Subregional Program (MSP) - I-605 Corridor "Hot Spot" Interchange Improvements Program (Expenditure Line 61); and
- B. AUTHORIZING the Chief Executive Officer (CEO) or his designee to negotiate and execute all necessary agreements for approved projects.

JF	PK	MB	RG	SK	EG	JB	HS	JH	KB	JDW	MRT	AN
Y	Y	Y	Y	Y	A	Y	Y	Y	Y	A	A	Y

**17.1 SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM -
GATEWAY CITIES SUBREGION**

2019-0860

WITHDRAWN motion by Directors Garcia, Hahn and Solis that the Board direct the Chief Executive Officer to:

- A. In accordance with Metro Board policy, re-evaluate for funding the "active transportation" project elements deemed ineligible in the first round of SR-91/I-405/I-605 "Hot Spots" MSP funding, contrary to Board policy, in order for such elements to be eligible for and awarded funding in this first round.

(continued on next page)

(Item 17.1 – continued from previous page)

B. Collaborate with the Gateway Cities COG to develop a long-term approach to ensure that the transportation needs of all constituents within the “Hot Spots” project area can be met, with an emphasis on moving people, and not just vehicles, in evaluating projects for funding, and

C. Identify new sources of funding to allocate toward the Gateway Cities Subregion's ATP and Subregional Equity Program MSPs.

As part of Metro staff's January 2020 response to Motion 51 (October 2019), include recommendations that take into account Board-adopted policies, including Motion 38.3 (June 2017) and the 2028 Strategic Plan.

18. SUBJECT: TRANSIT AND INTERCITY RAIL CAPITAL PROGRAM GRANT APPLICATIONS 2019-0758

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to prioritize projects, commit funding match and submit grant applications to California's Transit and Intercity Rail Capital Program as detailed in Attachment A.

20. SUBJECT: MUNICIPAL ADVISORS 2019-0757

AUTHORIZED the Chief Executive Officer to award six-year bench Contract Nos. PS64441000A through PS64441000J with the firms listed in Attachment A for municipal advisory services and execute task orders under these contracts for a total not-to-exceed amount of \$6,590,000 effective January 1, 2020 through December 31, 2025, subject to the resolution of protest(s) if any.

JF	PK	MB	RG	SK	EG	JB	HS	JH	KB	JDW	MRT	AN
Y	A	A	A	Y	A	Y	Y	Y	Y	A	A	Y

22. SUBJECT: ORAL REPORT ON A LINE OPENING AND UPDATE ON RIGHT OF WAY CLEANLINESS 2019-0581

RECEIVED oral report on A Line Opening and Update on Right of Way Cleanliness.

JF	PK	MB	RG	SK	EG	JB	HS	JH	KB	JDW	MRT	AN
P	P	P	P	P	A	P	P	P	P	A	A	P

23. SUBJECT: ENGINEERING SUPPORT FOR RAIL MAINTENANCE SERVICES 2019-0728

AUTHORIZED the Chief Executive Officer to execute Contract Modification No. 4 to Contract No. PS46172000, with Gannett Fleming Transit & Rail Systems, for engineering support of rail maintenance to exercise the first-year option, for an amount of \$5,000,000, increasing the total contract not-to-exceed amount from \$16,000,000 to \$21,000,000, through April 2021.

JF	PK	MB	RG	SK	EG	JB	HS	JH	KB	JDW	MRT	AN
Y	Y	C	C	Y	A	Y	Y	C	Y	A	A	Y

24. SUBJECT: SHOP TOWELS (WYPALLS) 2019-0742

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a two-year, Indefinite Delivery, Indefinite Quantity (IDIQ) Contract No. CY63850000 to JWL Supplies, the lowest responsive and responsible bidder for Shop Towels (Wypalls). The Contract one-year base amount is \$686,565 inclusive of sales tax, and the one-year option amount is \$730,453, inclusive of sales tax, for a total contract amount of \$1,417,018, subject to resolution of protest(s), if any.

25. SUBJECT: LIQUID WASTE REMOVAL SERVICES 2019-0777

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a five-year, firm fixed unit rate Contract No. OP64570000 to Western Environmental Services for Liquid Waste Removal Services in an amount not-to-exceed \$6,961,410, effective December 16, 2019, subject to resolution of protest(s), if any.

26. SUBJECT: MEMBERSHIP ON METRO SAN GABRIEL VALLEY SERVICE COUNCIL 2019-0752

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

27. SUBJECT: ORDINANCE FOR ENFORCEMENT OF TOLL VIOLATIONS FOR THE METRO EXPRESSLANES 2019-0628

APPROVED amendment to Title 7 of the Ordinance for Enforcement of Toll Violations (Attachment A). The ordinance will become effective January 5, 2020.

JF	PK	MB	RG	SK	EG	JB	HS	JH	KB	JDW	MRT	AN
Y	Y	Y	A	Y	A	Y	Y	Y	Y	A	A	Y

31. SUBJECT: LINK UNION STATION PROJECT

2019-0769

APPROVED ON CONSENT CALENDAR:

- A. FINDING that the use of a construction manager/general contractor (CM/GC) project delivery method for the Link Union Station Project, pursuant to Public Utilities Code Sections 130242, to achieve certain private sector efficiencies by an integrated project delivery team; and
- B. a competitive solicitation of a CM/GC contract(s) to qualified proposers, pursuant to Public Utilities Code Section 130242 (e), whose proposals will be evaluated by utilizing appropriate evaluation criteria (including price) set forth in the solicitation documents.

(REQUIRED 2/3 VOTE OF THE BOARD)

**34. SUBJECT: METRO WORKFORCE INITIATIVE NOW - LOS ANGELES 2019-0722
(WIN-LA)**

RECEIVED AND FILED the status report on Metro Workforce Initiative Now - Los Angeles (WIN-LA).

JF	PK	MB	RG	SK	EG	JB	HS	JH	KB	JDW	MRT	AN
Y	A	A	A	Y	A	Y	Y	Y	Y	A	A	Y

**35. SUBJECT: FINANCIAL ADVISORY SERVICES: PRE-PROCUREMENT 2019-0798
AND PROCUREMENT FOR THE SEPULVEDA TRANSIT
CORRIDOR PRELIMINARY DEVELOPMENT AGREEMENT**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO) to:

- A. EXECUTE Modification No. 2 to Task Order No. PS51074-3049000 with Ernst & Young Infrastructure Advisors, LLC, (EYIA) to continue support for development and execution of a contract for a pre-development agreement (PDA) for the Sepulveda Transit Corridor project through contract award, in the amount of \$539,575 increasing the not-to-exceed Task Order value from \$1,099,280 to \$1,638,855; and
- B. INCREASE Contract Modification Authority (CMA) by \$227,915 from \$100,000 to \$327,915 in support of any unforeseen additional level of effort.

36. SUBJECT: DIVISION 20 PORTAL WIDENING AND TURNBACK FACILITY

2019-0778

APPROVED ON CONSENT CALENDAR:

- A. minor changes to project definition and CEQA Addendum to the Final Environmental Impact Report (FEIR) for the Division 20 Portal Widening and Turnback Facility (Attachment A); and
- B. ESTABLISHED a Life-of-Project (LOP) Budget of \$801,749,577 for the Division 20 Portal Widening Turnback Project.

37. SUBJECT: 7TH AND METRO STATION RADIO REPLACEMENT

2019-0787

INCREASED ON CONSENT CALENDAR the Life of Project (LOP) Budget for the Regional Connector Concurrent Non-FFGA Activities Project, capital project number 861228 by \$6,450,000 to a total amount of \$46,441,168. This will address critical radio system interface requirements at 7th & Metro.

38. SUBJECT: 2020 LEGISLATIVE PROGRAM

2019-0725

APPROVED:

- A. RECEIVING the State and Federal Legislative Report;
- B. the proposed 2020 Federal Legislative Program as outlined in Attachment A; and
- C. the proposed 2020 State Legislative Program as outlined in Attachment B.

JF	PK	MB	RG	SK	EG	JB	HS	JH	KB	JDW	MRT	AN
Y	Y	Y	Y	Y	A	Y	Y	Y	Y	A	A	Y

38.1 SUBJECT: 2020 LEGISLATIVE PROGRAM

2019-0859

APPROVED motion by Directors Ridley-Thomas, Dupont-Walker, Kuehl, Butts and Garcetti that the Board:

- A. Expand Metro's legislative agenda to support or sponsor legislation that would create new financial incentives, including an expansion of the welfare exemption for units covenanted at up to 120% of Area Median Income, to facilitate the development of affordable housing around transit; and

(Item 38.1 -continued from previous page)

B. Request that the Chief Executive Officer report to the Executive Management Committee during the January 2020 cycle with a supplemental legislative program recommendation for how to best engage and advocate on legislation concerning the supply and affordability of housing in Los Angeles County.

JF	PK	MB	RG	SK	EG	JB	HS	JH	KB	JDW	MRT	AN
Y	Y	Y	Y	Y	A	Y	Y	Y	Y	A	A	Y

39. SUBJECT: I-710 SOUNDWALL PACKAGE 2 PROJECT

2019-0796

APPROVED:

- A. HOLDING a public hearing on the proposed Resolution of Necessity; and
- B. Resolution of Necessity (Attachment B) authorizing the commencement of an eminent domain action to acquire a Permanent Footing Easement, Temporary Construction Easement (TCE) and site improvements from the property identified as Parcel E-08 (APN: 6227-027-040).

(REQUIRED 2/3 VOTE OF THE BOARD)

JF	PK	MB	RG	SK	EG	JB	HS	JH	KB	JDW	MRT	AN
Y	Y	Y	Y	Y	A	Y	Y	Y	Y	A	A	Y

40. SUBJECT: ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

2019-0801

APPROVED:

- A. HOLDING a public hearing on the proposed Resolutions of Necessity; and
- B. the Resolutions of Necessity authorizing the commencement of an eminent domain action to acquire a Utility Overhang and Temporary Construction Easement from the properties identified as Parcels RM-03 (APN: 8059-029-009) and RM-06 (APN: 8059-029-029) and to acquire a Roadway Easement and Temporary Construction Easement from the property identified as Parcel RM-33 (APN: 8069-006-018). The properties listed above are herein referred to as "Properties."

(REQUIRED 2/3 VOTE OF THE BOARD)

JF	PK	MB	RG	SK	EG	JB	HS	JH	KB	JDW	MRT	AN
Y	Y	Y	Y	Y	A	Y	Y	N	Y	A	A	Y

41. SUBJECT: CLOSED SESSION

2019-0855

CLOSED SESSION WAS CANCELLED DUE TO LACK OF QUORUM.

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

1. Margaret Strowski v. LACMTA, Case No. BC 695559
2. Jonathan Aguilar v. LACMTA, Case No. BC 681858
3. City of Beverly Hills v. LACMTA, USDC Case No. CV-18-3891
-GW(SSx)

B. Public Employee Performance Evaluation - G.C. 54957(b)(1)

Titles: Chief Executive Officer, General Counsel, Board Secretary,
Inspector General, and Chief Ethics Officer.

ADJOURNED at 1:40 p.m.

Prepared by: Eric Chun
Administrative Analyst, Board Administration


Michele Jackson, Board Secretary