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Agenda - Final

Thursday, January 26, 2023

10:00 AM

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Board of Directors - Regular Board Meeting

Ara J. Najarian, Chair

Jacquelyn Dupont-Walker, 1st Vice Chair

Janice Hahn, 2nd Vice Chair

Kathryn Barger

Karen Bass

Mike Bonin

James Butts

Fernando Dutra

Lindsey Horvath

Paul Krekorian

Holly J. Mitchell

Tim Sandoval

Hilda Solis

Gloria Roberts (Interim), non-voting member

Stephanie Wiggins, Chief Executive Officer

METROPOLITAN TRANSPORTATION AUTHORITY BOARD AGENDA RULES

(ALSO APPLIES TO BOARD COMMITTEES)

PUBLIC INPUT

A member of the public may address the Board on agenda items, before or during the Board or Committee's consideration of the item for one (1) minute per item, or at the discretion of the Chair. A request to address the Board must be submitted electronically using the tablets available in the Board Room lobby. Individuals requesting to speak will be allowed to speak for a total of three (3) minutes per meeting on agenda items in one minute increments per item. For individuals requiring translation service, time allowed will be doubled. The Board shall reserve the right to limit redundant or repetitive comment.

The public may also address the Board on non-agenda items within the subject matter jurisdiction of the Board during the public comment period, which will be held at the beginning and/or end of each meeting. Each person will be allowed to speak for one (1) minute during this Public Comment period or at the discretion of the Chair. Speakers will be called according to the order in which their requests are submitted. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

Notwithstanding the foregoing, and in accordance with the Brown Act, this agenda does not provide an opportunity for members of the public to address the Board on any Consent Calendar agenda item that has already been considered by a Committee, composed exclusively of members of the Board, at a public meeting wherein all interested members of the public were afforded the opportunity to address the Committee on the item, before or during the Committee's consideration of the item, and which has not been substantially changed since the Committee heard the item.

In accordance with State Law (Brown Act), all matters to be acted on by the MTA Board must be posted at least 72 hours prior to the Board meeting. In case of emergency, or when a subject matter arises subsequent to the posting of the agenda, upon making certain findings, the Board may act on an item that is not on the posted agenda.

CONDUCT IN THE BOARD ROOM - The following rules pertain to conduct at Metropolitan Transportation Authority meetings:

REMOVAL FROM THE BOARD ROOM - The Chair shall order removed from the Board Room any person who commits the following acts with respect to any meeting of the MTA Board:

- a. Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.
- b. A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.
- c. Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and
- d. Any other unlawful interference with the due and orderly course of said meeting.

INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD

Agendas for the Regular MTA Board meetings are prepared by the Board Clerk and are available prior to the meeting in the MTA Records Management Department and on the Internet. Every meeting of the MTA Board of Directors is recorded and is available at <https://www.metro.net> or on CD's and as MP3's for a nominal charge.

DISCLOSURE OF CONTRIBUTIONS

The State Political Reform Act (Government Code Section 84308) requires that a party to a proceeding before an agency involving a license, permit, or other entitlement for use, including all contracts (other than competitively bid, labor, or personal employment contracts), shall disclose on the record of the proceeding any contributions in an amount of more than \$250 made within the preceding 12 months by the party, or his or her agent, to any officer of the agency, additionally PUC Code Sec. 130051.20 requires that no member accept a contribution of over ten dollars (\$10) in value or amount from a construction company, engineering firm, consultant, legal firm, or any company, vendor, or business entity that has contracted with the authority in the preceding four years. Persons required to make this disclosure shall do so by filling out a "Disclosure of Contribution" form which is available at the LACMTA Board and Committee Meetings. Failure to comply with this requirement may result in the assessment of civil or criminal penalties.

ADA REQUIREMENTS

Upon request, sign language interpretation, materials in alternative formats and other accommodations are available to the public for MTA-sponsored meetings and events. All requests for reasonable accommodations must be made at least three working days (72 working hours) in advance of the scheduled meeting date. Please telephone (213) 364-2837 or (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800) 252-9040.

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x8 *Հայերէն (Armenian)*

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NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA

Live Public Comment Instructions:

Live public comment can only be given by telephone.

The Board Meeting begins at 10:00 AM Pacific Time on January 26, 2023; you may join the call 5 minutes prior to the start of the meeting.

Dial-in: 888-251-2949 and enter
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Public comment will be taken as the Board takes up each item. To give public comment on an item, enter #2 (pound-two) when prompted. Please note that the live video feed lags about 30 seconds behind the actual meeting. There is no lag on the public comment dial-in line.

Instrucciones para comentarios publicos en vivo:

Los comentarios publicos en vivo solo se pueden dar por telefono.

La Reunion de la Junta comienza a las 10:00 AM, hora del Pacifico, el 26 de Enero de 2023. Puedes unirte a la llamada 5 minutos antes del comienzo de la junta.

Marque: 888-251-2949 y ingrese el codigo
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Los comentarios del público se tomaran cuando se toma cada tema. Para dar un comentario público sobre una tema ingrese # 2 (Tecla de numero y dos) cuando se le solicite. Tenga en cuenta que la transmisión de video en vivo se retrasa unos 30 segundos con respecto a la reunión real. No hay retraso en la línea de acceso telefónico para comentarios públicos.

Written Public Comment Instruction:

Written public comments must be received by 5PM the day before the meeting. Please include the Item # in your comment and your position of "FOR," "AGAINST," "GENERAL COMMENT," or "ITEM NEEDS MORE CONSIDERATION."
Email: BoardClerk@metro.net
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Board Administration
One Gateway Plaza
MS: 99-3-1
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CALL TO ORDER

ROLL CALL

APPROVE Consent Calendar Items: 2, 5, 6, 7, 8, 9, 10, 11, 14, 18, 21, 22, 23, 27, 28, 30*, and 36.

*Item requires two-thirds vote of the Board.

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

All Consent Calendar items are listed at the end of the agenda, beginning on page 7.

NON-CONSENT

3. **SUBJECT: REMARKS BY THE CHAIR** [2023-0032](#)

RECOMMENDATION

RECEIVE remarks by the Chair.

4. **SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER** [2023-0033](#)

RECOMMENDATION

RECEIVE report by the Chief Executive Officer.

EXECUTIVE MANAGEMENT COMMITTEE RECEIVED AND FILED THE FOLLOWING:

19. **SUBJECT: END OF LINE POLICY MOTION RESPONSE** [2022-0744](#)

RECOMMENDATION

RECEIVE AND FILE a status report on the End of Line Policy evaluation.

Attachments: [Attachment A - End of Line Policy Motion](#)
[Attachment B - SOP 52](#)
[Attachment C - LA County Motion - Improve Homeless Response Presentation](#)

37. **SUBJECT: AMENDMENT TO THE CUSTOMER CODE OF CONDUCT MOTION** [2023-0043](#)

RECOMMENDATION

APPROVE Motion by Directors Najarian, Butts, and Barger that:

A. Title 6, Chapter 6-05 of the Los Angeles County Metropolitan Transportation Authority (“Metro”) Administrative Code (the “Code”), otherwise known as the Metro Customer Code of Conduct, be amended

to clarify that the use and sale of illegal drugs is prohibited on the Metro system and subject to immediate ejection, and possible fine and exclusion, consistent with other prohibited activity as provided for in the fine schedule of the Code, in addition to any criminal or other civil penalties that might apply.

- B. The Communications Department take steps to inform the riding public that Metro has a policy prohibiting the use or sale of illegal drugs on the Metro; and
- C. The System Security and Law Enforcement Department include in its top priorities the enforcement of this prohibition against use or sale of illegal drugs on Metro’s system.
- D. The Operations Department shall work with all other departments in Metro, law enforcement, and other agencies including substance abuse and addiction recovery partners to take steps to promote awareness, compliance, and enforcement of this prohibition.
- E. The System Security and Law Enforcement Department will report back to the board in 60 days on the implementation of this directive.

38. SUBJECT: WESTBOUND SR-91 ALONDRA BOULEVARD TO SHOEMAKER AVENUE IMPROVEMENT PROJECT RESOLUTIONS OF NECESSITY

[2022-0759](#)

RECOMMENDATIONS

CONSIDER:

- A. HOLDING a public hearing on the proposed Resolutions of Necessity; and
- B. ADOPTING the Resolutions of Necessity authorizing the commencement of an eminent domain action to acquire a partial fee interest (“Fee”) and a 48-month Temporary Construction Easement (“TCE”) from the property located at 12611 Artesia Boulevard, Cerritos, CA, APN: 7030-001-048, CPN: 81510-1, -2, -3, -4 and a 48 -month TCE from the property located at 12651 Artesia Boulevard, Cerritos, CA, APN: 7030-001-049, CPN: 81511-1. The above listed requirements are collectively identified as the “Property Interests” as identified in (Attachment A).

(REQUIRES 2/3 VOTE OF THE BOARD)

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- Attachments: [Attachment A - Staff Report](#)
[Attachment B-1 - Resolution of Necessity](#)
[Attachment B-2 - Resolution of Necessity](#)
[Presentation](#)

END OF NON-CONSENT

39. SUBJECT: CLOSED SESSION [2023-0042](#)

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

- Harley Potts v. LACMTA, Case No. 20STCV24749

B. Conference Regarding Potential Threats to Public Safety or Facilities G.C. 54957

- Consultation with MTA Chief Safety Officer, Gina Osborn or designees and related security representatives

CONSENT CALENDAR

2. SUBJECT: MINUTES [2023-0034](#)

RECOMMENDATION

APPROVE Minutes of the Regular Board Meeting held December 1, 2022 and the Special Board Meeting held January 4, 2023.

- Attachments: [Regular Board Meeting MINUTES - December 1, 2022](#)
[Special Board Meeting MINUTES - January 4, 2023](#)
[December 2022 Public Comments](#)

PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):

5. SUBJECT: EASTSIDE TRANSIT CORRIDOR PHASE 2 [2022-0824](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Modification No. 5 to Contract No. AE51242000 with Cordoba/HNTB Design Partners, Inc. to continue advanced conceptual engineering support in the amount of \$17,958,254, increasing the total current contract value from \$17,556,103 to \$35,514,357 and extend the period of performance from February 28, 2023 to June 30, 2024.

- Attachments:
- [Attachment A - Procurement Summary](#)
 - [Attachment B - Contract Modification Change Order Log](#)
 - [Attachment C - DEOD Summary](#)
 - [Presentation](#)

PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):

6. SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM UPDATE - ARROYO VERDUGO SUBREGION [2022-0737](#)

RECOMMENDATION

CONSIDER:

A. APPROVING:

1. Programming of an additional \$3,537,374 within the capacity of Measure M Multi-Year Subregional Program (MSP) - Modal Connectivity and Complete Streets Projects, as shown in Attachment A;
2. Programming of an additional \$8,848,631 within the capacity of Measure M MSP - Transit Projects, as shown in Attachment B;
3. Reprogramming of one previously awarded project in the Measure M MSP - Active Transportation Projects, as shown in Attachment C;
4. Inter-program borrowing and programming of \$1,000,000 from the Subregion’s Measure M MSP - Modal Connectivity and Complete Streets Projects to the Measure M MSP - Highway Efficiency, Noise Mitigation and Arterial Projects, as shown in Attachment D; and

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

- Attachments:
- [Attachment A - Modal Connectivity and Complete Streets Project List](#)
 - [Attachment B - Transit Project List](#)
 - [Attachment C - Active Transportation Project List](#)
 - [Attachment D - Highway Efficiency Noise Mitigation and Arterial Project List](#)

PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):

7. SUBJECT: TRANSPORTATION COMMUNICATION NETWORK ENVIRONMENTAL IMPACT REPORT [2022-0838](#)

RECOMMENDATION

CONSIDER:

- A. APPROVING the Transportation Communication Network (TCN) Project;
- B. CERTIFYING, in accordance with the California Environmental Quality Act (CEQA), the Final Environmental Impact Report (Final EIR) for the Transportation Communication Network, if the Board concludes that it satisfies the requirements of CEQA and reflects the Board’s independent judgment following CEQA Guidelines, section 15090;
- C. ADOPTING, in accordance with CEQA, the:
 - 1. Findings of Fact;
 - 2. Mitigation Monitoring and Reporting Program; and
- D. AUTHORIZING the Chief Executive Officer to file a Notice of Determination with the Los Angeles County Clerk and the State of California Clearinghouse.

- Attachments:**
- [Attachment A - Locations](#)
 - [Attachment B - Findings of Fact](#)
 - [Attachment C - Mitigation Monitoring and Reporting Program](#)
 - [Attachment D - Notice of Determination Presentation](#)

PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):

- 8. SUBJECT: MEASURE R MULTIMODAL HIGHWAY SUBREGIONAL PROGRAMS UPDATE** [2022-0576](#)

RECOMMENDATION

CONSIDER:

- A. APPROVING \$18,928,000 in additional programming and funding changes within the capacity of the Measure R Multimodal Highway Subregional Programs (see Attachment A for updated project list):
 - Las Virgenes Malibu Operational Improvements
 - Gateway Cities I-605 Corridor “Hot-Spots” Interchange Improvements
 - Gateway Cities I-710 South Early Action
 - North Los Angeles County SR-138 Safety Enhancements
 - North Los Angeles County I-5/SR-14 Safety Enhancements
 - South Bay I-405, I-110, I-105 & SR-91 Improvements

- B. APPROVING the deobligation of \$26,892,000 of previously approved Measure R Multimodal Highway Subregional Program funds for re-allocation to other existing Board-approved Measure R projects;
- C. DELEGATING the Chief Executive Officer or their designee the authority to:
 - 1. Amend Measure R funding Agreements to modify the scope of work of projects and project development phases consistent with eligibility requirements;
 - 2. Administratively extend funding agreement lapse dates for Measure R funding agreements to meet environmental, design, right-of-way, and construction time frames; and
- D. AUTHORIZING the CEO or their designee to negotiate and execute all necessary agreements for the Board-approved projects.

Attachments: [Attachment A - Projects Receiving Measure R Funds](#)

PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):

9. SUBJECT: SR-57/SR-60 INTERCHANGE IMPROVEMENTS PROJECT [2022-0805](#)

RECOMMENDATION

APPROVE the funding agreement with the San Gabriel Valley Council of Governments in the amount of \$293,590,000 for the State Route (SR) -57/SR-60 construction phase.

Attachments: [Attachment A - Funding and Expenditure Plan](#)

PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):

10. SUBJECT: STATE OF CALIFORNIA ASSEMBLY BILL 180 GRANT APPLICATIONS [2022-0847](#)

RECOMMENDATION

CONSIDER:

- A. RECEIVING AND FILING a report on Metro’s upcoming applications for funding appropriated by Assembly Bill (AB) 180 to the California State Transportation Agency (CalSTA) for the Transit and Intercity Rail Capital Program (TIRCP) Cycle 6 and High-Priority Grade Crossing Improvement and Separation Projects as prioritized in Attachment A;
- B. APPROVING the programming and expenditure of \$8.5 million of

Measure M High Desert Multipurpose Corridor (HDMC) funds identified in the Expenditure Plan to be repurposed as a local match for a TIRCP Cycle 6 grant application to be submitted by the High Desert Corridor Joint Powers Authority (HDCJPA) and to leverage other state and federal funds for advancing HDMC project needs; and

- C. AUTHORIZING the Chief Executive Officer (CEO) or their designee to request from the Federal Transit Administration (FTA) approval for entry into the Project Development Phase of the Capital Investment Grants (CIG) Program for the Locally Preferred Alternative (LPA) of the Metro L (Gold) Line Eastside Transit Corridor Phase 2 Project to meet CalSTA's TIRCP Cycle 6 eligibility requirement, pursuant to the December 2022 Board motion (File #2022-0830) to submit the project as a candidate for the TIRCP Project Development Reserve funding.

Attachments: [Attachment A - Proposed Projects for California AB 180 Grant Applications](#)
[Attachment B - Major Metro Projects Ineligible for Project Dev. Reserve Grants Presentation](#)

PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):

- 11. **SUBJECT: METROLINK ANTELOPE VALLEY LINE CAPITAL AND SERVICE IMPROVEMENTS** [2022-0772](#)

RECOMMENDATION

CONSIDER:

- A. EXECUTING a Funding Agreement (FA) with the Southern California Regional Rail Authority (SCRRA) in the amount of \$16,563,581 for final design services for the Antelope Valley Line - Capital and Service Improvements Project (Project) to a 60% design level; and
- B. AUTHORIZING the CEO or their designee to negotiate and execute all agreements necessary to implement the Project.

Attachments: [Attachment A - TIRCP Grant & Programming of Funds for AVL Cap. & Srv Imp.](#)
[Attachment B - NCTC Letter of Intent to Commit Addtl. MSP Funds April 2023 Presentation](#)

FINANCE, BUDGET, AND AUDIT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):

- 14. SUBJECT: LEASE AGREEMENT OPTION WITH ANDY AZAD 2002 IRREVOCABLE TRUST FOR A LOGISTICS WAREHOUSE LOCATED AT 2950 E. VERNON AVENUE IN VERNON** [2022-0625](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (“CEO”), or their designee, to execute a five-year option to extend the existing lease agreement with Andy Azad 2002 Irrevocable Trust (“Landlord”) for the use of 44,964 rentable square feet (“RSF”) of warehouse and office space located at 2950 East Vernon Avenue in Vernon (“Vernon Warehouse”), commencing August 1, 2023, at a monthly rental rate of \$46,391.78 with fixed annual increases of approximately three percent (3%) for a total of \$2,955,603 over the five-year option term. The annualized rental rate over the initial term, including the option increases the total amount of the lease from \$2,189,247 to \$5,144,850.

Attachments: [Attachment A - Location Map](#)
[Attachment B - Rental Rate Survey](#)
[Attachment C - Rent Schedule](#)

EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):

- 18. SUBJECT: INGLEWOOD TRANSIT CONNECTOR PROJECT** [2022-0834](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to enter into a Master Cooperative Agreement with the City of Inglewood (the “COI”) for the Inglewood Transit Connector Project (the “Project”).

EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):

- 21. SUBJECT: LONG-TERM ADVERTISING - CULVER CITY STATION** [2022-0827](#)

RECOMMENDATION

APPROVE a long-term advertising purchase for up to 12 months at Culver City Station from HBO, generating an estimated \$484,000 in net revenues for Metro. This is not a title sponsorship and will not affect Culver City Station’s title nor the adjacent private property’s title, Ivy Station.

Attachments: [Attachment A - Commercial Sponsorship and Adoption Policy](#)
[Attachment B - System Advertising Policy](#)
[Attachment C - HBO Advertising-Culver City Station](#)

CONSTRUCTION COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):

- 22. SUBJECT: EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT - INCREASE TO GANNETT FLEMING, INC., CONTRACT MODIFICATION AUTHORITY** [2022-0836](#)

RECOMMENDATION

AUTHORIZE:

- A. an increase in the contract modification authority (CMA) for Contract AE58083E0129 with Gannett Fleming, Inc, in the not-to-exceed amount of \$25,985,967, thus increasing the current not-to-exceed CMA amount from \$12,394,970 to a new CMA amount not-to-exceed \$38,380,937, thereby increasing the contract value to \$111,863,617 should all modifications be executed; and
- B. the Chief Executive Officer to negotiate and execute any contract modifications within and up to the authorized total CMA amount.

Attachments: [Attachment A - Procurement Summary](#)
[Attachment B - Contract Modification - Change Order Log](#)
[Attachment C - DEOD Summary](#)

CONSTRUCTION COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):

- 23. SUBJECT: PROGRAM CONTROL SUPPORT SERVICES** [2022-0718](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. AWARD AND EXECUTE a cost reimbursable fixed fee contract, Contract No. PS89856, to Kal Krishnan Consulting Services/Triunity Engineering and Management, a DBE Prime Joint Venture, for Program Control Support Services for a term of five (5) years for a not-to-exceed amount of \$85,000,000, plus two one-year options for an amount not-to-exceed \$38,000,000, resulting in a total not-to-exceed amount of \$123,000,000 through Fiscal Year 2030, with a not-to-exceed funding amount of \$50,000,000 for the first three years of the contract, subject to resolution of any properly submitted protest; and
- B. EXECUTE individual Contract Work Orders and Contract Modifications within the Board approved contract funding amount.

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- Attachments: [Attachment A - Procurement Summary](#)
[Attachment B - DEOD Summary](#)
[Attachment C - Anticipated Projects](#)
[Presentation](#)

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):

- 27. SUBJECT: GLASS REPLACEMENT AND INSTALLATION SERVICES** [2022-0717](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a firm fixed unit rate Contract No. OP917120008370 to Los Angeles Glass Company Inc. for systemwide glass replacement and installation service. The contract three-year base term not-to-exceed amount is \$3,544,842, effective March 1, 2023, subject to resolution of protest(s), if any.

- Attachments: [Attachment A - Procurement Summary](#)
[Attachment B - DEOD Summary](#)

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):

- 28. SUBJECT: DISABILITY INTERACTIVE PROCESS/REASONABLE ACCOMMODATION SERVICES** [2022-0837](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a four-year, firm fixed unit rate Contract No. PS92829000 to Shaw HR Consulting, Inc. to provide support with the administration of Metro’s Disability Interactive Process for an amount not-to-exceed \$1,122,000 for the two-year base term, plus \$561,000 each for the two, one-year option terms, for a combined not-to-exceed amount of \$2,244,000, subject to the resolution of any timely protest(s), if any.

- Attachments: [Attachment A - Procurement Summary](#)
[Attachment B - DEOD Summary](#)

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):

30. SUBJECT: NEW BATTERY-ELECTRIC BUS PROCUREMENT

[2020-0637](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to solicit competitive negotiations Request for Proposals (RFPs), pursuant to Public Contract Code (PCC) §20217 and Metro's procurement policies and procedures for the acquisition of new Battery Electric Buses (BEBs) and supporting Charging Infrastructure.

(REQUIRES TWO-THIRDS VOTE OF THE FULL BOARD)

36. SUBJECT: FINDINGS REQUIRED TO CONTINUE TO MEET VIA TELECONFERENCE IN COMPLIANCE WITH AB 361 WHILE UNDER A STATE OF EMERGENCY

[2023-0035](#)

RECOMMENDATION

CONSIDER making the following findings:

Pursuant to Assembly Bill (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:

- A. In accordance with AB 361 Section 3(e)(3), California Government Code Section 54953(e)(3), the Metro Board has reconsidered the circumstances of the State of Emergency due to the COVID-19 pandemic, and that the State of Emergency remains active; and
- B. In accordance with AB 361 Section 3(e)(3), California Government Code Section 54953(e)(3), the state of emergency continues to directly impact the ability of the members to meet safely in person.

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

SUBJECT: GENERAL PUBLIC COMMENT

[2023-0036](#)

RECEIVE General Public Comment

Consideration of items not on the posted agenda, including: items to be presented and (if requested) referred to staff; items to be placed on the agenda for action at a future meeting of the Committee or Board; and/or items requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Committee subsequent to the posting of the agenda.

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN
COMMITTEE'S SUBJECT MATTER JURISDICTION

Adjournment