



MINUTES

Thursday, January 26, 2023

10:00 AM

Board of Directors - Regular Board Meeting

DIRECTORS PRESENT:

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
Paul Marquez, non-voting member
Stephanie Wiggins, Chief Executive Officer

CALLED TO ORDER: 10:03 A.M.

ROLL CALL

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

*Item required a two-thirds vote of the Board.

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

| JDW | JH | KB | MB | JB | FD | PK | HJM | TS | HS | LH | KRB | AJN |
|-----|----|----|----|----|----|----|-----|----|----|----|-----|-----|
| Y | Y | Y | Y | Y | Y | Y | Y | Y | A | Y | Y | Y |

2. SUBJECT: MINUTES

2023-0034

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held December 1, 2022 and the Special Board Meeting held January 4, 2023.

| JDW | JH | KB | MB | JB | FD | PK | HJM | TS | HS | LH | KRB | AJN |
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| Y | Y | Y | Y | Y | Y | Y | Y | Y | A | ABS | Y | Y |

3. SUBJECT: REMARKS BY THE CHAIR

2023-0032

RECEIVED remarks by the Chair.

| JDW | JH | KB | MB | JB | FD | PK | HJM | TS | HS | LH | KRB | AJN |
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| P | P | P | P | P | P | P | P | P | A | P | P | P |

4. SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER

2023-0033

RECEIVED report by the Chief Executive Officer.

| JDW | JH | KB | MB | JB | FD | PK | HJM | TS | HS | LH | KRB | AJN |
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| | | | |
|-----------------|------------------------|---------------------|---------------|
| KB = K. Barger | JDW = J. Dupont Walker | PK = P. Krekorian | HS = H. Solis |
| KRB = K.R. Bass | FD = F. Dutra | HJM = H.J. Mitchell | |
| MB = M. Bonin | JH = J. Hahn | AJN = A.J. Najarian | |
| JB = J. Butts | LH = L. Horvath | TS = T. Sandoval | |

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

5. SUBJECT: EASTSIDE TRANSIT CORRIDOR PHASE 2**2022-0824**

AUTHORIZED ON CONSENT CALENDAR 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.

| JDW | JH | KB | MB | JB | FD | PK | HJM | TS | HS | LH | KRB | AJN |
|-----|----|----|----|----|----|----|-----|----|-----|----|-----|-----|
| Y | C | Y | Y | Y | Y | Y | C | Y | A/C | C | C | Y |

6. SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM 2022-0737
UPDATE - ARROYO VERDUGO SUBREGION**RECOMMENDATION**

AUTHORIZED ON CONSENT CALENDAR:

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;
2. Programming of an additional \$8,848,631 within the capacity of Measure M MSP - Transit Projects;
3. Reprogramming of one previously awarded project in the Measure M MSP - Active Transportation Projects;
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; and

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

**7. SUBJECT: TRANSPORTATION COMMUNICATION NETWORK
ENVIRONMENTAL IMPACT REPORT**

2022-0838

APPROVED ON CONSENT CALENDAR:

- A. 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.

| JDW | JH | KB | MB | JB | FD | PK | HJM | TS | HS | LH | KRB | AJN |
|-----|----|----|----|----|----|----|-----|----|----|-----|-----|-----|
| Y | Y | Y | Y | Y | Y | Y | Y | Y | A | ABS | Y | Y |

**8. SUBJECT: MEASURE R MULTIMODAL HIGHWAY SUBREGIONAL
PROGRAMS UPDATE 2022-0576**

AUTHORIZED ON CONSENT CALENDAR:

- 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;

(continued on next page)

(Item 8– continued from previous page)

- 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.

9. SUBJECT: SR-57/SR-60 INTERCHANGE IMPROVEMENTS PROJECT 2022-0805

APPROVED ON CONSENT CALENDAR 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.

10. SUBJECT: STATE OF CALIFORNIA ASSEMBLY BILL 180 GRANT APPLICATIONS 2022-0847

AUTHORIZED ON CONSENT CALENDAR:

- 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;
- 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.

11. SUBJECT: METROLINK ANTELOPE VALLEY LINE CAPITAL AND SERVICE IMPROVEMENTS 2022-0772

AUTHORIZED ON CONSENT CALENDAR:

- A. EXECUTING a Funding Agreement (FA) with the Southern California Regional Rail Authority (SCARRA) 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. the CEO or their designee to negotiate and execute all agreements necessary to implement the Project.

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

AUTHORIZED ON CONSENT CALENDAR 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.

18. SUBJECT: INGLEWOOD TRANSIT CONNECTOR PROJECT 2022-0834

AUTHORIZED ON CONSENT CALENDAR 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”).

19. SUBJECT: END OF LINE POLICY MOTION RESPONSE 2022-0744

RECEIVED AND FILED a status report on the End of Line Policy evaluation.

| JDW | JH | KB | MB | JB | FD | PK | HJM | TS | HS | LH | KRB | AJN |
|------------|-----------|-----------|-----------|-----------|-----------|-----------|------------|-----------|-----------|-----------|------------|------------|
| P | P | P | P | A | P | P | P | P | P | P | P | P |

19.1 SUBJECT: AMENDMENT TO END OF LINE POLICY MOTION
RESPONSE

2023-0055

APPROVED AS AMENDED Motion by Directors Sandoval, Solis, Bass, Najarian, Hahn, and Horvath that the Board supports all the staff recommendations, additionally direct CEO and her designee to report back at the next reporting cycle in April with responses on the following items:

- A. Assess the ability to provide a full-service homeless outreach plan as part of the daily operations for all 13 end of the line rail stations and continue to add new stations as Metro completes capital projects, by identifying in-house and outside key partnerships with Federal, State, County, and local cities and community-based organizations to assist the unhoused riders with the services needed at the end of service hours.
- B. Formally endorse the recent emergency declarations regarding homelessness by the City of Los Angeles, the County, and the City of Long Beach.
- C. Report back in April regarding any Metro streamlining that would need to take place to fully support the emergency declarations.

DUTRA AMENDMENT: Work with cities to provide Mental Evaluation Team (MET) teams to provide mental health services at end of line station.

HAHN AMENDMENT: Update its inventory of potential properties that could be used for interim shelter. With the emergency directives in LA and Long Beach and at the County, and with opportunities like the parking lot at Willow Street Station in mind, Metro has a responsibility to be a partner.

| JDW | JH | KB | MB | JB | FD | PK | HJM | TS | HS | LH | KRB | AJN |
|-----|----|----|----|----|----|----|-----|----|----|----|-----|-----|
| Y | Y | Y | Y | A | Y | Y | Y | Y | Y | Y | Y | Y |

21. SUBJECT: LONG-TERM ADVERTISING - CULVER CITY STATION **2022-0827**

APPROVED ON CONSENT CALENDAR 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.

| JDW | JH | KB | MB | JB | FD | PK | HJM | TS | HS | LH | KRB | AJN |
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| Y | Y | Y | Y | Y | Y | Y | Y | Y | A | Y | C | Y |

22. SUBJECT: EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT - 2022-0836
INCREASE TO GANNETT FLEMING, INC., CONTRACT
MODIFICATION AUTHORITY

AUTHORIZED ON CONSENT CALENDAR:

- A. an increase in the contract modification authority (CMA) for Contract AE58083E0129 with Gannet 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.

| JDW | JH | KB | MB | JB | FD | PK | HJM | TS | HS | LH | KRB | AJN |
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| Y | Y | Y | Y | Y | C | Y | Y | Y | A | Y | Y | Y |

23. SUBJECT: PROGRAM CONTROL SUPPORT SERVICES 2022-0718

AUTHORIZED ON CONSENT CALENDAR 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 \$38,0000,000, 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.

| JDW | JH | KB | MB | JB | FD | PK | HJM | TS | HS | LH | KRB | AJN |
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| Y | Y | C | Y | Y | Y | Y | Y | Y | A | Y | C | Y |

27. SUBJECT: GLASS REPLACEMENT AND INSTALLATION SERVICES 2022-0717

AUTHORIZED ON CONSENT CALENDAR 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.

28. SUBJECT: DISABILITY INTERACTIVE PROCESS/REASONABLE ACCOMMODATION SERVICES 2022-0837

AUTHORIZED ON CONSENT CALENDAR 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.

30. SUBJECT: NEW BATTERY-ELECTRIC BUS PROCUREMENT 2020-0637

APPROVED BY TWO-THIRDS VOTE ON CONSENT CALENDAR authorizing 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.

36. SUBJECT: FINDINGS REQUIRED TO CONTINUE TO MEET VIA TELECONFERENCE IN COMPLIANCE WITH AB 361 WHILE UNDER A STATE OF EMERGENCY 2023-0035

APPROVED ON CONSENT CALENDAR 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.

37. SUBJECT: AMENDMENT TO THE CUSTOMER CODE OF CONDUCT MOTION 2023-0043

RECEIVED AND FILED Motion by Directors Najarian, Butts, Barger, Dutra, and Sandoval 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.

| JDW | JH | KB | MB | JB | FD | PK | HJM | TS | HS | LH | KRB | AJN |
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| P | P | P | P | P | P | P | P | P | P | P | P | P |

38. SUBJECT: WESTBOUND SR-91 ALONDRA BOULEVARD TO SHOEMAKER AVENUE IMPROVEMENT PROJECT RESOLUTIONS OF NECESSITY 2022-0759

APPROVED BY TWO-THIRDS VOTE:

- 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.

| JDW | JH | KB | MB | JB | FD | PK | HJM | TS | HS | LH | KRB | AJN |
|-----|----|----|----|----|----|----|-----|----|----|----|-----|-----|
| Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y |

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

APPROVED settlement in the amount of \$3,000,000.

| JDW | JH | KB | MB | JB | FD | PK | HJM | TS | HS | LH | KRB | AJN |
|-----|----|----|----|----|----|----|-----|----|----|----|-----|-----|
| Y | Y | Y | Y | A | Y | Y | Y | Y | Y | Y | Y | Y |

B. Conference Regarding Potential Threats to Public Safety or Facilities

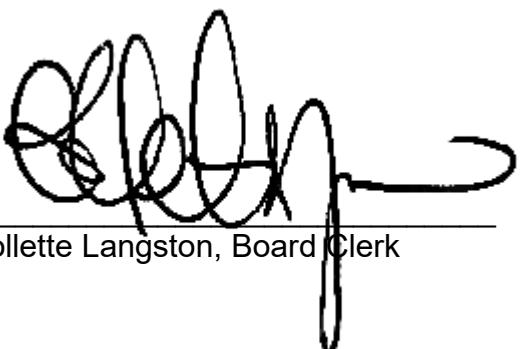
G.C. 54957

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

NO REPORT.

ADJOURNED AT 2:44 P.M. IN MEMORY OF THE MONTEREY PARK VICTIMS - Xiujuan Yu, Hongying Jian, Lilan Li, My My Nhan, Muoi Dai Ung, Diana Man Ling Tom, Wen Tau Yu, Valentino Marcos Alvero, Yu Lun Kao, Ming Wei Ma, and Chia Ling Yau.

Prepared by: Jessica Vasquez Gamez
Administrative Analyst, Board Administration



Collette Langston, Board Clerk