



MINUTES

Thursday, March 23, 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
James Butts
Fernando Dutra
Lindsey Horvath
Paul Krekorian
Holly J. Mitchell
Tim Sandoval
Hilda Solis
Katy Yaroslavsky
Godson Okereke, non-voting member

Stephanie Wiggins, Chief Executive Officer

CALLED TO ORDER: 10:05 A.M.

ROLL CALL

1. APPROVED Consent Calendar Items: 2, 5, 6, 7, 10, 12, 15, 16, 18, 20, 26*, 27, 28, 31, 33, 34, and 35.

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

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

JDW	JH	KB	JB	FD	PK	HJM	TS	HS	LH	KY	KRB	AJN
Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	A	Y

2. SUBJECT: MINUTES

2023-0193

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held February 23, 2023.

3. SUBJECT: REMARKS BY THE CHAIR

2023-0191

RECEIVED remarks by the Chair.

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

4. SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER

2023-0192

RECEIVED report by the Chief Executive Officer.

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

KB = K. Barger	JDW = J. Dupont Walker	PK = P. Krekorian	HS = H. Solis
KRB = K.R. Bass	FD = F. Dutra	HJM = H.J. Mitchell	K. Yaroslavsky
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: AWARD RECOMMENDATIONS FOR RECREATION
ACCESS COMPETITIVE GRANT PROGRAM**

2022-0849

APPROVED ON CONSENT CALENDAR:

- A. project selection and programming of \$1,000,000 for the Recreation Access Competitive Grant Program.
- B. AUTHORIZING the Chief Executive Officer (CEO) or her designee to negotiate and execute all necessary agreements for approved projects.
- C. AUTHORIZING the CEO or her designee to adjust programming amounts, including, but not limited to, soliciting additional project applications, shifting funding amounts between the awarded projects, and/or increasing award amounts should additional funding become available.

**6. SUBJECT: FUNDING PROGRAMMING FOR FEDERALLY MANDATED
PARATRANSIT SERVICES**

2023-0092

APPROVED ON CONSENT CALENDAR:

- A. the programming of \$246.7 million in federal Surface Transportation Block Grant Program (STBGP) funds for Access Services for Fiscal Years (FY) 2024 through FY 2026; and
- B. AUTHORIZING the Chief Executive Officer or their designee to negotiate and execute funding agreements between Metro and Access Services.

**7. SUBJECT: A NEW START FOR THE WEST SANTA ANA BRANCH
MOTION**

2023-0183

APPROVED ON CONSENT CALENDAR Motion by Directors Hahn, Dutra, Solis, and Barger that the Board direct the Chief Executive Officer to work collaboratively with the West Santa Ana Branch Corridor City manager Technical Advisory Committee, Gateway Cities Council of Governments, Eco Rapid Transit Joint Powers Authority, local elected officials, community-based organizations, schools and colleges, and residents along the corridor in order to rebrand the West Santa Ana Branch, including (a) renaming the project no later than January 2024 that represent the community character and local context, (b) developing a robust communication strategy to get input for and from CBOs, corridor cities residents and businesses, and key stakeholders, and (c) report back on progress toward these directives on a quarterly basis, beginning in June 2023.

10. SUBJECT: INVESTMENT POLICY**2023-0048**

ADOPTED ON CONSENT CALENDAR:

- A. the Investment Policy;
- B. APPROVING the Financial Institutions Resolution authorizing financial institutions to honor signatures of LACMTA Officials, Attachment B; 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.

12. SUBJECT: INVESTMENT MANAGEMENT SERVICES BENCH**2023-0054**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award ten- (10) year bench Contract Nos. PS45150000 through PS45150007, for investment management services, to the firms listed below, for a total not-to-exceed amount of \$12,393,750 for the initial five-year base term, plus \$12,393,750 for the five-year option term, for a combined not-to-exceed amount of \$24,787,500, effective April 1, 2023, subject to resolution of protest(s), if any:

A. Discipline 1: Intermediate duration fixed income managers

- 1.1 LM Capital Group, LLC
- 1.2 RBC Global Asset Management (U.S.), Inc.
- 1.3 Chandler Asset Management, Inc.
- 1.4 US Bancorp Asset Management, Inc.
- 1.5 Payden & Rygel

B. Discipline 2: Short-term duration fixed income managers

- 2.1 CSM Advisors, LLC dba CS McKee
- 2.2 Longfellow Investment Management Co., LLC
- 2.3 US Bancorp Asset Management, Inc.
- 2.4 Loop Capital Asset Management
- 2.5 Payden & Rygel
- 2.6 RBC Global Asset Management (U.S.), Inc.

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

13. SUBJECT: PROPOSITION C BONDS**2023-0004**

ADOPTED a Resolution that authorizes the issuance and sale of up to \$330 million in aggregate principal amount of the Proposition C Sales Tax Revenue Refunding Bonds in one or more series, and the taking of all other actions necessary in connection with the issuance of the refunding bonds.

(REQUIRED SEPARATE, SIMPLE MAJORITY BOARD VOTE)

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

15. SUBJECT: STATE LEGISLATION**2023-0129**

ADOPTED ON CONSENT CALENDAR staff recommended positions:

- A. **AB 463 (Hart)** Electricity: prioritization of service: public transit vehicles. - **WORK WITH AUTHOR**
- B. **AB 761 (Friedman)** Transit Transformation Task Force. - **SUPPORT**

**16. SUBJECT: METRO SYSTEM ADVERTISING CONTRACT
MODIFICATIONS (LICENSE TO SELL AND DISPLAY
ADVERTISING ON BUS AND RAIL)****2023-0074**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. EXECUTE Modification No. 5 to Contract No. PS41099B - License to Sell and Display Advertising on Metro Bus System, with OUTFRONT Media Group, LLC, to:
 - 1. Revise Revenue Compensation to LACMTA, to adjust the minimum annual guaranteed (MAG) payments and annual true-up revenue shares for the remainder of the contract as depicted in Attachment A - Revenue Summary;
 - 2. Extend the Contract period of performance for an additional two years from February 28, 2028, to February 28, 2030, to help recover revenue lost during the COVID pandemic;
 - 3. Increase Metro's share of voice (agency ad space) from 10% to 15% as part of the media inventory where the Contractor covers materials and services.
- B. EXECUTE Modification No. 3 to Contract No. PS41099R - License to Sell and Display Advertising on Metro Rail System, with Intersection Parent, Inc. to:

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1. Revise Revenue Compensation to LACMTA to adjust the minimum annual guaranteed (MAG) payments and annual true-up revenue shares for the remainder of the contracts as depicted in Attachment A - Revenue Summary;
2. Extend the Contract period of performance for an additional two years from February 28, 2028, to February 28, 2030, to help recover revenue lost during the COVID pandemic;
3. Increase Metro's share of voice (agency ad space) from 10% to 15% as part of the media inventory where the Contractor covers materials and services;
4. Expedite the digital screen placement program to deploy 500 screens by 2026 to improve our riders' customer experience and prepare for the 2028 Olympic and Paralympic Games.

18. SUBJECT: MOBILITY WALLET PILOT UPDATES

2023-0089

APPROVED ON CONSENT CALENDAR:

- A. the finding that Mobility Wallets are exempt from federal income tax because the payments promote the general welfare of low-income eligible participants and do not represent compensation for service; and
- B. an amendment to the existing Mobility Wallet Pilot Memorandum of Understanding (MOU) between the City of Los Angeles and Metro to increase funding from the City by \$3,743,230, increasing the total funding from \$756,770 to \$4.5 million for Metro to lead the implementation and distribution of the Mobility Wallets.

**19. SUBJECT: FUNDING PLANS FOR EXISTING TIRCP PROJECTS
AWARDED PARTIAL FUNDING**

2023-0056

RECEIVED AND FILED report on funding plans for the West Santa Ana Branch (WSAB) and Metro L (Gold) Line Foothill Extension in response to Transit and Intercity Rail Capital Program Cycle 6 Grant Application Motion #49.1.

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

**19.1.SUBJECT: LEGISLATIVE ADVOCACY AND FUNDING PLANS FOR 2023-0215
NEXT GRANT CYCLE FOR TRANSIT AND INTERCITY RAIL
CAPITAL PROGRAM (TIRCP) GRANT APPLICATION MOTION**

APPROVED Motion by Directors Sandoval, Barger, Hahn, Solis, Najarian, and Dutra that:

- A. The Metro Board reaffirms its December 2022 board action pertaining to the prioritized existing TIRCP eligible projects and now recognizes the Foothill Gold Line to Montclair (FGLM) and the West Santa Ana Branch (WSAB) as Metro's first and second priority projects, respectively, for any funding made available to existing TIRCP projects through current and/or future TIRCP cycles as well as for SB 198 funding;

WE FURTHER DIRECT THE CEO TO:

- B. Provide further detail about the specific competitive, formula, and local funding programs that FGLM and WSAB are eligible for, and continue dialogue with project stakeholders, community, and agency partners to identify and pursue any and all appropriate sources of funding or FGLM and WSAB;
- C. Provide a robust legislative advocacy strategy advocacy strategy that complements and align with project key milestones, including the completion of the final EIR discussions with local jurisdictions, Caltrans, Port of Los Angeles, and Port of Long Beach, and the FTA's ROD for the WSAB;
- D. Report back on the Board in September 2023 or earlier as the legislative advocacy and funding plans are made available.

JDW	JH	KB	JB	FD	PK	HJM	TS	HS	LH	KY	KRB	AJN
Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	A	Y

20. SUBJECT: METRO BUS SHELTERS MOTION

2023-0184

APPROVED ON CONSENT CALENDAR Motion by Directors Hahn, Mitchell, Najarian, Dupont-Walker, and Horvath that the Board direct the Chief Executive Officer to:

- A. Identify priority bus stops within each local jurisdiction based upon data, including but not limited to:
1. Ridership per line and stop;
 2. Existing bus stop amenities such as seating, shelters, and lighting
 3. Heat island index
 4. EFCs
 5. Safety related incidents over the last three year

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- B. Share all available bus stop data with each applicable jurisdiction;
- C. Inventory transportation funding sources which can be leveraged to help local jurisdictions deliver bus stop improvements, including Metro-controlled and pass-through sources as well as both formula and competitive programs;
- D. Recommend technical, financial, and other ways for Metro to support bus stop improvements by local jurisdictions, prioritizing such improvements in Equity Focus Communities;
- E. In consultation with jurisdictions, host a bus stop summit to review the state of bus shelters, including examples of best practices and a vendor showcase;
- F. As part of the annual local return audit, report on the progress of installing and maintaining bus stop amenities by jurisdiction; and
- G. Report back on the above action items in 120 days.

23. SUBJECT: TRANSIT LAW ENFORCEMENT SERVICES

2022-0868

AUTHORIZED ON A BIFURCATED VOTE:

- A. the Chief Executive Officer to negotiate and execute contract modifications to extend the current multi-agency transit law enforcement contracts annually for up to three additional years, through June 30, 2026, utilizing funds to be requested during future fiscal years' budget processes, contingent on compliance with the principles of Metro's Bias-Free Policing Policy and the Public Safety Analytics Policy; and

JDW	JH	KB	JB	FD	PK	HJM	TS	HS	LH	KY	KRB	AJN
Y	Y	Y	Y	Y	Y	ABS	Y	Y	N	Y	Y	Y

- B. REPORTING back to the Board in May 2023 on the feasibility of establishing an in-house Metro Transit Police Department to support Metro's Public Safety Mission and Value Statements.

JDW	JH	KB	JB	FD	PK	HJM	TS	HS	LH	KY	KRB	AJN
Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

SUBJECT: ITEM 23 SUBSTITUTE MOTION BY DIRECTORS HORVATH AND BUTTS

FAILED

- A. AMENDING Item 23 A to AUTHORIZE the Chief Executive Officer to negotiate contract modifications to extend the current multi-agency transit law enforcement contracts annually for up to three additional years, through June 30, 2026, contingent upon compliance with the principles of Metro's Bias-Free Policing Policy and the Public Safety Analytics Policy.
- B. INSTRUCTING the CEO to report back at the May, 2023 Metro Board meeting on the status of the Transit Law Enforcement Services negotiations, including but not limited to, improved deployment of law enforcement officers to increase a visible presence and Metro's authority to alter deployment as needed; operational adherence to Metro's Bias-Free Policing Policy and Public Safety Analytics Policy; requested data and reporting requirements; and notification of sustained misconduct complaints against officers, as well as the preparation and transmittal of updated contract terms for Board review and approval.
- C. INSTRUCTING the CEO to report back on the feasibility of increasing the number of Transit Security Officers, homeless outreach, and community intervention workers, and custodians to a level required to effectively staff the entire LA Metro Transit System.

JDW	JH	KB	JB	FD	PK	HJM	TS	HS	LH	KY	KRB	AJN
N	ABS	Y	Y	Y	N	ABS	Y	N	Y	N	N	N

26. SUBJECT: PURCHASE OF OCS STINGER TRUCK

2022-0631

AUTHORIZED BY TWO-THIRDS VOTE ON CONSENT CALENDAR:

- A. the Chief Executive Officer to award a firm-fixed-price contract, Contract No. OP92098000, to Nixon-Egli Equipment Company, for one (1) Overhead Catenary System (OCS) Stinger Truck for a firm fixed price of \$882,520.78, inclusive of sales tax, subject to resolution of any properly submitted protest(s) if any; and
- B. FINDING that there is only a single source of procurement for the item(s) set forth in Recommendation A above and that the purchase is for the sole purpose of duplicating or replacing supply, equipment, or material already in use, as defined under Public Utilities Code 130237.

27. SUBJECT: METRO FREEWAY SERVICE PATROL

2023-0014

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute contract modifications for four current Freeway Service Patrol (FSP) contracts in an aggregate amount of \$4,645,000 thereby increasing the contract amounts from \$18,020,679 to \$22,665,679 and extending the periods of performance for the following contracts:

- Beat 24: T.G. Towing, Inc. Contract No. FSP2833200FSP1424, for \$710,000 for up to 5 months, increasing the total contract amount from \$4,696,302 to \$5,406,302;
- Beat 29: Platinum Tow & Transport, Inc. Contract No. FSP3470600B29, for \$495,000 for up to 5 months, increasing the total contract amount from \$4,145,024 to \$4,640,024;
- Beat 42: Platinum Tow & Transport Contract No. FSP2842100FSP1442, for \$275,000 for up to 5 months, increasing the total contract amount from \$3,964,231 to \$4,239,231; and
- Beat 61: All City Towing Contract No. FSP5769100B61, for \$3,165,000 for up to 25 months, increasing the total contract amount from \$5,215,122 to \$8,380,122.

28. SUBJECT: POWER SWEEPING SERVICES FOR ALL METRO FACILITIES

2023-0060

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 14 to Contract No. OP962800003367 with Nationwide Environmental Services, a Division of Joe's Sweeping Services, Inc., to provide power sweeping services for Metro's transit facilities in the amount of \$1,902,420, increasing the contract three-year base authority from \$6,841,346 to \$8,743,766 and extending the period of performance from June 01, 2023, through May 31, 2024.

31. SUBJECT: MICROTRANSIT PILOT PROJECT - PART B

2023-0118

AUTHORIZED ON CONSENT CALENDAR:

- A. the Chief Executive Officer to execute Modification No. 10 to Contract No. PS46292001 with RideCo., Inc., for the MicroTransit Pilot Project, to extend the period of performance from April 1, 2023, through September 30, 2023, in an amount not to exceed \$8,292,453, increasing the Total Contract Value from \$35,131,602 to \$43,424,055; and

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- B. an increase in the Contract Modification Authority (CMA) in the amount of \$829,245, or 10% of the total Contract Modification No. 10 value, increasing the total authorized CMA amount from \$100,000 to a new CMA amount of \$929,245 and execute individual Contract Modifications within the Board approved CMA.

33. SUBJECT: USE OF PUBLIC SAFETY DATA MOTION RESPONSE **2022-0487**

ADOPTED ON CONSENT CALENDAR:

- A. The Bias-Free Policing Policy; and
- B. The Public Safety Analytics Policy.

34. SUBJECT: METRO'S CUSTOMER CODE OF CONDUCT **2022-0291**

APPROVED ON CONSENT CALENDAR the revised Metro Customer Code of Conduct effective June 1, 2023.

35. SUBJECT: METRO TRANSIT SECURITY **2022-0648**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to amend the FY23 Budget to add 48 Metro Transit Security full-time equivalent (FTE) positions to include 44 Transit Security Officers, three Supervisors, and one Director, Transit Security (Captain).

36. SUBJECT: MONTHLY UPDATE ON PUBLIC SAFETY **2023-0112**

RECEIVED AND FILED the Public Safety Report.

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

36.1.SUBJECT: MOTION RELATED TO ITEM 36 MONTHLY UPDATE **2023-0226**
ON PUBLIC SAFETY

APPROVED AS AMENDED Motion by Directors Najarian, Barger, Solis, Butts, Dutra, and Horvath that the Board direct the CEO to:

- A. Extend the pilot Drug-Free Metro Campaign on the B/D lines an additional 90 days;
- B. Deploy TSOs and Ambassadors to B/D station “hot spots” most acutely impacted by the increase in reported crime and take appropriate actions including applying the code of conduct and Respect the Ride program, as well as working with the Substance Abuse/Safety Campaign;

(continued on next page)

(Item 36.1 – continued from previous page)

- C. Coordinate with the Los Angeles County Department of Public Health and Mental Health to make substance abuse prevention and treatment resource available to the riding public as part of the pilot campaign;
- D. Evaluate current staffing to determine if additional internal resources should be allocated to supplement the pilot campaign and expand our TSO and Ambassador programs;
- E. Report back monthly with observations and outcomes of the above actions beginning April 2023; and
- F. Report back in 90 days on environmental design and infrastructure intervention options for our bus stops, stations, including platforms, plazas, and ancillary areas, that improve safety and the overall customer experience.

DUPONT-WALKER AMENDMENT: Direct the CEO to report back in 90 days with a status update on the specific environmental interventions being implemented at Westlake/MacArthur Park station including the installation of “paddle style” fare gates. Report on how upgraded fares gate infrastructure can be scaled to include additional B and D Line stations.

BUTTS AMENDMENT: Include in the monthly report back: deployment information that includes the number of boardings that are accomplished by ambassadors and contract services; provide information about the time people spend on the system; juxtaposed against the number of hours that are spent on people in cars, we need to know the breakdown of where law enforcement resources are deployed.

JDW	JH	KB	JB	FD	PK	HJM	TS	HS	LH	KY	KRB	AJN
Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

**37. SUBJECT: DEDICATING EAST LA CIVIC CENTER STATION IN
HONOR OF FORMER LOS ANGELES COUNTY
SUPERVISOR GLORIA MOLINA MOTION**

2023-0208

APPROVED Motion by Directors Solis, Mitchell, Barger, Hahn, Horvath, and Bass that the Board direct the CEO to:

- A. Prepare a plan dedicating the L (Gold) Line East LA Civic Center station in honor of the trailblazer Los Angeles County Supervisor and Metro Board Director Gloria Molina; and
- B. Report back on the above at the June 2023 Executive Management Committee meeting.

JDW	JH	KB	JB	FD	PK	HJM	TS	HS	LH	KY	KRB	AJN
Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	A	Y

38. ~~WITHDRAWN~~ SUBJECT: WHITTIER BOULEVARD/PAINTER AVENUE INTERSECTION IMPROVEMENT PROJECT RESOLUTIONS OF NECESSITY **2023-0087**

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 28-month Temporary Construction Easement ("TCE") interest from the properties located at:~~

~~13127 Whittier Boulevard, Whittier, CA, APN:8141-033-006, CPN: 81781-1;—~~

~~13205 Whittier Boulevard Whittier, CA, APN:8142-033-052, CPN: 81782-1;—~~

~~13241 Whittier Boulevard, Whittier, CA, APN:8142-033-068, CPN: 81783-1, 2—~~

~~13301 Whittier Boulevard, Whittier, CA, APN:8142-033-069, CPN: 81784-1;—~~

~~8421 Painter Avenue, Whittier, CA, APN:8142-033-070, CPN: 81785-1;—~~

~~The above listed requirements are collectively identified as the "Property Interests" as identified in (Attachment A).~~

~~(REQUIRES TWO-THIRDS VOTE OF THE FULL BOARD)~~

39. SUBJECT: CLOSED SESSION

2023-0205

A. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9(d)(2)

- Significant Exposure to Litigation (Two Cases)

NO REPORT.

B. Conference with Real Property Negotiators - G.C. 54956.8

Property: 10921 Wilshire Boulevard, Los Angeles, CA 90024

Agency Negotiator: Craig Justesen

Negotiating Parties: W.W. Westwood, L.P.

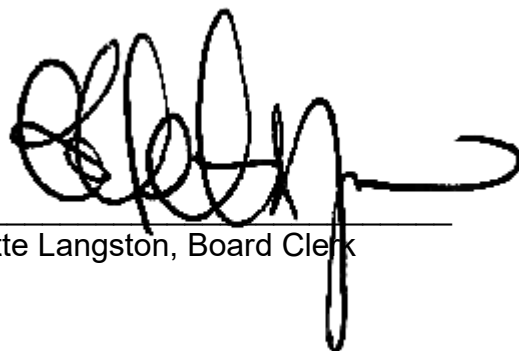
Under Negotiation: Price and terms.

APPROVED an administrative settlement for the acquisition of permanent and temporary surface and sub-surface real property rights. Settlement documents will be made available after fully executed.

JDW	JH	KB	JB	FD	PK	HJM	TS	HS	LH	KY	KRB	AJN
Y	A	A	A	Y	Y	Y	A	Y	Y	Y	A	Y

ADJOURNED AT 3:22 P.M.

Prepared by: Jessica Vasquez Gamez
Administrative Analyst, Board Administration

A handwritten signature in black ink, appearing to read 'Collette Langston', is written over a horizontal line. The signature is stylized with large loops and a long, sweeping tail that extends to the right.

Collette Langston, Board Clerk