



MINUTES

Thursday, September 28, 2023

10:00 AM

Board of Directors - Regular Board Meeting

DIRECTORS PRESENT:

**Karen Bass, Chair
Janice Hahn, Vice Chair
Fernando Dutra, 2nd Vice Chair
Kathryn Barger
James Butts
Jacquelyn Dupont-Walker
Lindsey Horvath
Paul Krekorian
Holly J. Mitchell
Ara J. Najarian
Tim Sandoval
Hilda Solis
Katy Yaroslavsky
Gloria Roberts, non-voting member**

Stephanie Wiggins, Chief Executive Officer

CALLED TO ORDER: 10:11 A.M.

ROLL CALL

1. APPROVED Consent Calendar Items: 2, 7*, 8*, 12, 13, 14, 15, 16, 17*, 18, 22*, 23*, 24*, 26, 27, 30, 33, 34, 35, 36, 37*, 38, and 39.

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

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

**Voting Deviations:*

- Item 7 – the following Directors were conflicted: KB, LH, HJM, KY, and KRB.
- Item 8 – the following Directors were conflicted: JH, FD, KB, LH, and KRB.
- Item 17 – the following Directors were conflicted: JH, HJM, KY, and KRB.
- Item 22 – the following Directors were conflicted: JH, HS, and KRB
- Item 22 – the following Director voted no: LH
- Item 23 – the following Director was conflicted: LH.
- Item 24 – the following Directors were conflicted: HJM and KRB.
- Item 37 – the following Directors were conflicted: JH, KY, and KRB.

2. SUBJECT: MINUTES 2023-0608

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held July 27, 2023.

3. SUBJECT: REMARKS BY THE CHAIR 2023-0609

RECEIVED remarks by the Chair.

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

4. SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER 2023-0610

RECEIVED report by the Chief Executive Officer.

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

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

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

7. SUBJECT: GROUP INSURANCE PLANS

2023-0504

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO) to renew existing group insurance policies covering Non-Contract and AFSCME employees, including long-term disability coverage for Teamster employees, and life insurance for all full-time Metro employees, for the one-year period beginning January 1, 2024.

8. SUBJECT: LICENSE AGREEMENT WITH SOUTHERN CALIFORNIA EDISON FOR THE BLUE LINE STORAGE YARD LOCATED NEXT TO DIVISION 11 IN LONG BEACH

2023-0426

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO), or their designee, to execute a five (5)-year license agreement commencing November 1, 2023, with Southern California Edison, ("Licensor") for the 7.7 acre storage yard located next to Division 11 in Long Beach ("Edison Yard") at an annual rate of \$139,271.30 with escalations of five percent (5%) annually for a total license value of \$769,561.82 over the term.

12. SUBJECT: LONE HILL TO WHITE DOUBLE TRACK PROJECT

2023-0281

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. EXECUTE Contract Modification No. 4 to Contract No. AE73891000 with Moffatt & Nichol for professional services and extend the period of performance from October 31, 2023, to December 31, 2024, in the amount of \$3,685,694, increasing the Total Contract Value from \$7,049,780 to \$10,735,474; and
- B. APPROVE programming an additional \$8,023,736 from \$10,500,000 to \$18,523,736 for professional services, Metro related expenses, and third-party services using Measure R 3% funds to achieve a shovel ready level.

13. SUBJECT: METROLINK ANTELOPE VALLEY LINE

2023-0472

APPROVED ON CONSENT CALENDAR:

- A. the reprogramming of \$1,682,842 unspent operating budget from FY23 to the Southern California Regional Rail Authority (SCRRA) for the FY24 Metrolink Antelope Valley Line (AVL) service restoration (Option 3), to start on October 23, 2023; and
- B. AUTHORIZING the Chief Executive Officer to negotiate and execute all necessary agreements between Metro and SCRRA for the approved funding.

13.1.SUBJECT: METROLINK ANTELOPE VALLEY LINE MOTION

2023-0628

APPROVED Motion by Directors Najarian, Barger, Solis, and Krekorian that the Board direct the Chief Executive Officer to:

- A. Authorize up to \$600,000 in funding from Metro’s Regional Rail-specific revenue sources to conduct a feasibility study focused on reducing train horn noise at the Glendale Station. This study should be conducted in partnership with SCRRRA (METROLINK) and local jurisdictions;
- B. The study should include an assessment of near, medium, and long-term strategies to reduce train horn noise at the Glendale Station and along the AVL corridor where feasible, by focusing on identifying viable near-term operational strategies, low-cost, small-scale projects, and strategic partnerships to reduce train horn noise associated with current and planned additional service;
- C. Report back by April 2024 on the following:
 - 1. Status of the study and, if identified, any operational improvements that could be implemented sooner than later;
 - 2. Information on any opportunities that might come out of Los Angeles County’s Rail Crossing Elimination Master Plan - for which the County recently received federal grant funding - to mitigate impacts elsewhere in the Antelope Valley Line corridor, and;
 - 3. Update on performance and takeaways from the AVL service increases.

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

14. SUBJECT: COUNTYWIDE CALL FOR PROJECTS

2023-0393

APPROVED ON CONSENT CALENDAR:

- A. RECERTIFYING \$78.96 million in existing Fiscal Year (FY) 2023-24 commitments from previously approved Countywide Call for Projects (Call) and AUTHORIZING the expenditure of funds to meet these commitments;
- B. DEOBLIGATING \$2.36 million of previously approved Call funding, and hold in RESERVE;
- C. REALLOCATING:
 - 1. \$1.31 million of Call funds remaining in the City of Los Angeles Century

(continued on next page)

(Item 14 – continued from previous page)

City Urban Design and Pedestrian Connection Plan (Call #F1612), to the City of Los Angeles Exposition West Bikeway - Northvale Project (Call #F3514); and

2. \$13.39 million of Call funds in the City of Los Angeles: 1) Alameda Street Downtown LA - Goods Movement Phase 1 (Call #F5207), and 2) Alameda Street Improvements North Olympic Blvd to I-10 Freeway (Call #F9207) projects, to the City of Los Angeles 1) Boyle Heights Chavez Avenue Streetscape Pedestrian Improvements (Call #F3643), and 2) Soto Street Complete Streets (Call #F7109) projects;

D. changes to the scope of work for:

1. City of Lancaster - Medical Main Street (Call #F9131); and
2. County of Los Angeles - South Whittier Community Bikeway Access Improvements (Call #F9511);

E. AUTHORIZING the Chief Executive Officer (CEO) or their designee to:

1. Negotiate and execute all necessary agreements and/or amendments for previously awarded projects; and
2. Amend the FY 2023-24 budget, as necessary, to include the 2023 Countywide Call Recertification and Extension funding in the Subsidies budget;

F. RECEIVING AND FILING:

1. Time extensions for 87 projects; and
2. Reprogram for nine projects.

15. SUBJECT: MEASURE M 3% LOCAL CONTRIBUTION GUIDELINES REVISIONS **2023-0441**

ADOPTED ON CONSENT CALENDAR revised Measure M Guidelines, Section VIII - 3% Local Contribution to Major Transit Projects.

16. SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM & MEASURE R TRANSIT INVESTMENTS PROGRAM UPDATE - SOUTH BAY SUBREGION **2023-0440**

AUTHORIZED ON CONSENT CALENDAR:

A. APPROVING:

1. Programming of an additional \$20,438,600 within the capacity of Measure M Multi-Year Subregional Program (MSP) - Transportation System and Mobility Improvements Program (Expenditure Line 50);

(continued on next page)

(Item 16 – continued from previous page)

2. Programming of an additional \$11,856,223 within the capacity of Measure M MSP - South Bay Highway Operational Improvements Program (Expenditure Line 63);
3. Inter-program borrowing and programming of an additional \$8,864,097 from Transportation System and Mobility Improvements Program (Expenditure Line 50) to Measure M MSP - Transportation System and Mobility Improvements Program (Expenditure Line 66);
4. Reprogramming of two previously awarded projects in the Measure R South Bay Transit Investments Program; and

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

17. SUBJECT: VERMONT TRANSIT CORRIDOR

2023-0409

APPROVED ON CONSENT CALENDAR:

- A. AWARDING AND EXECUTING up to a 60-month, firm fixed price Contract No. AE97976000 to Vermont Corridor Partners Joint Venture, a joint venture between AECOM Technical Services, Inc., Terry A. Hayes Associates, Inc., and RAW International, Inc., in the amount of \$55,668,537, to prepare the Planning and Environmental Study for the Vermont Transit Corridor, subject to resolution of any properly submitted protest(s), if any, and;
- B. AUTHORIZING the CEO to execute individual Contract Modifications within the Board-approved Contract Modification Authority.

18. SUBJECT: AWARD RECOMMENDATIONS FOR VISIONARY SEED FUND COMPETITIVE GRANT PROGRAM

2023-0526

APPROVED ON CONSENT CALENDAR:

- A. the recommended Visionary Seed Fund competitive grant program funding awards totaling \$2,559,090;
- B. AUTHORIZING the Chief Executive Officer (CEO) or her designee to negotiate and execute all necessary agreements for approved projects; and
- C. AUTHORIZING the CEO or her designee the authority to administratively approve minor changes to the scope of work of approved Visionary Seed Fund awards.

**22. SUBJECT: CONSTRUCTION MANAGEMENT SUPPORT SERVICES 2023-0412
FOR THE SR91 PROJECTS**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. AWARD a cost-plus fixed fee contract, Contract No. AE94982, to Arcadis U.S. Inc, for Construction Management Support Services for State Route 91 (SR91) Projects, for the not-to-exceed amount of \$65,149,457.24, for a base term of seven (7) years-subject to resolution of any properly submitted protest(s), if any; and
- B. EXECUTE individual Task Orders and modifications within the Board approved not-to-exceed amount.

**23. SUBJECT: CONSTRUCTION MANAGEMENT SUPPORT SERVICES 2023-0163
FOR METRO CAPITAL PROJECTS**

AUTHORIZED ON CONSENT CALENDAR:

- A. an increase to the total authorized funding for Contract No. AE76301MC081 with Zephyr Rail, for pending and future task orders to provide Construction Management Support Services (CMSS), in an amount not to exceed \$5,750,000.00, increasing the total contract value from \$3,519,211 to \$9,269,211; and
- B. the Chief Executive Officer to execute individual Task Orders (TOs) and Contract Modifications within the Board approved contract funding amount.

**24. SUBJECT: FUND ADMINISTRATOR FOR METRO PILOT BUSINESS 2023-0493
INTERRUPTION FUND (BIF)**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to Execute Modification No. 9 to the Business Interruption Fund (BIF) Administration Services Contract No. PS56079000 with Pacific Coast Regional Small Business Development Corporation (PCR) in the amount of \$511,676 increasing the contract value from \$4,203,792 to \$4,715,468 to continue to serve as the fund administrator for Metro's Pilot BIF and extend the period of performance for up to six months (on a month to month basis) from November 1, 2023 to April 30, 2024.

**26. SUBJECT: CITY OF LOS ANGELES MASTER COOPERATIVE 2023-0560
AGREEMENT**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute the Master Cooperative Agreement between the City of Los Angeles and the Los Angeles County Metropolitan Transportation Authority for a term of ten years.

27. SUBJECT: CRENSHAW/LAX TRANSIT PROJECT

2023-0529

AMENDED ON CONSENT CALENDAR the:

- A. Life-of-Project (LOP) Budget by \$299.9 million for the Crenshaw/LAX Transit Project (Project) from \$2,148 million to \$2,447.9 million, consistent with the provisions of the Board-adopted Measure R and Measure M Unified Cost Management Policy; and
- B. Fiscal Year 2024 budget by \$299.9 million from \$25.2 million to \$325.1 million for the Crenshaw/LAX Transit Project.

30. SUBJECT: ANCILLARY AREAS MOTION

2023-0598

APPROVED ON CONSENT CALENDAR Motion by Directors Bass, Horvath, Krekorian, Najarian, Solis, and Hahn that the Board direct the Chief Executive Officer to:

- A. Provide the Board with a current update on the status of the ancillary areas and their cleaning status;
- B. Develop a detailed plan to conduct daily inspections and cleaning of the ancillary areas across the Metro rail system. This plan is to include methods Metro will take to ensure the areas have been serviced by Metro staff;
- C. Ensure that once an ancillary area alarm has been activated, the audible notification continues until manually deactivated by Metro staff;
- D. Evaluate options to further secure these areas for their intended use while maintaining emergency access; and
- E. Report back to the Board in October and quarterly thereafter on the status of all the above, including an updated industrial hygienist audit within 12 months.

33. SUBJECT: ENGINE ELECTRICAL WIRING HARNESS KITS

2023-0463

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a two-year, Indefinite Delivery, Indefinite Quantity (IDIQ) Contract No. SD105427000 to DSM&T Company, Inc. the responsive and responsible bidder for Electrical Wiring Harness Kits. The Contract one-year base amount is \$543,207.60 inclusive of sales tax, and the one-year option to extend the amount is \$543,207.60, inclusive of sales tax, for a total contract amount of \$1,086,415.20, subject to resolution of any properly submitted protest(s), if any.

34. SUBJECT: BUS BATTERIES

2023-0425

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a two-year, Indefinite Delivery / Indefinite Quantity (IDIQ) Contract No. MA90333-2000 to Battery Power, Inc., the responsive and responsible bidder for Bus Batteries - 12V, Group 31. The contract one-year base amount is \$1,474,110.90 inclusive of sales tax, and the one-year option amount is \$1,474,110.90, inclusive of sales tax, for a total contract amount of \$2,948,221.80, subject to resolution of any properly submitted protest(s), if any.

35. SUBJECT: PEST AND BIRD CONTROL SERVICES

2023-0481

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. AWARD a firm fixed unit rate Contract No. OP485050008370 to CDS Services Inc., the lowest responsive and responsible bidder, to provide pest and bird control services throughout Metro's facilities, rail cars, and non-revenue vehicles in the not-to-exceed (NTE) amount of \$2,988,462 for the three-year base, and \$2,090,150 for the one, two-year option, for a total combined NTE amount of \$5,078,612, effective November 1, 2023, subject to the resolution of any properly submitted protest; and
- B. EXECUTE individual contract modifications within the Board approved contract modification authority.

36. SUBJECT: STAINLESS STEEL ANTI-GRAFFITI FILM INSTALLATION AND REPLACEMENT SERVICES FOR REGIONS 1 THROUGH 3

2023-0485

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. AWARD a firm fixed unit rate Contract No. OP964830008370, for Regions 1, 2, and 3 combined, to Graffiti Shield, Inc., to provide stainless steel anti-graffiti film installation and replacement services systemwide in the not-to-exceed (NTE) amount of \$15,722,845 for the three-year base, \$5,737,859 for option year one, and \$5,963,032 for option year two, for a combined NTE amount of \$27,423,736, effective December 1, 2023, subject to the resolution of any properly submitted protest(s); and
- B. EXECUTE individual contract modifications within the Board-approved contract modification authority.

37. SUBJECT: ELEVATOR AND ESCALATOR MAINTENANCE SERVICES

2023-0491

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. EXECUTE Modification No. 14 to Contract No. OP710100003367 with Mitsubishi Electric USA, Inc. (MEUS) to perform comprehensive preventative maintenance, inspections, and repairs of elevators and

(continued on next page)

(Item 37 – continued from previous page)

escalators along with their associated systems and equipment in the amount of \$9,481,930, increasing the total not-to-exceed amount from \$110,310,554 to \$119,792,484 and extending the period of performance from November 1, 2023, to April 30, 2024; and

- B. EXECUTE individual contract modifications within the Board approved contract modification authority.

38. SUBJECT: PURCHASE OF OCS WIRE INSTALLATION TRUCK **2023-0499**

APPROVED ON CONSENT CALENDAR BY TWO-THIRDS VOTE OF THE BOARD:

- A. AUTHORIZING the Chief Executive Officer to award a firm fixed price contract, Contract No. DR97819000, to ZAGRO Bahn-und Baumaschinen GmbH, for one (1) Overhead Contact System (OCS) Wire Installation Truck for a firm fixed price of \$2,387,340.00, 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 Section 130237.

39. SUBJECT: MEMBERSHIP ON METRO'S WESTSIDE CENTRAL SERVICE COUNCIL **2023-0455**

APPROVED ON CONSENT CALENDAR nominee for membership on Metro's Westside Central Service Council.

42. SUBJECT: MICROTRANSIT PILOT PROJECT - PART B **2023-0464**

AUTHORIZED AS AMENDED the:

- A. extension of the MicroTransit Pilot Program to allow the project team to move forward with a new operational business model to improve overall performance and support a more sustainable on-demand transit service program;
- B. Chief Executive Officer (CEO) to execute Modification No. 11 to Contract No. PS46292001 with RideCo., Inc., for the MicroTransit Pilot Project to extend the period of performance from October 1, 2023, through September 30, 2024, in an amount not to exceed \$14,120,992, increasing the Total Contract Value from \$43,225,766 to \$57,346,758; and

(continued on next page)

(Item 42 – continued from previous page)

- C. CEO to negotiate and execute a contract modification to extend Contract No. PS46292001 with RideCo, Inc., for an additional six months, if necessary, from October 1, 2024 through March 31, 2025, for demobilization, mobilization and deployment efforts utilizing funds to be requested during future fiscal year’s budget process.

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

- A. Return to the Board by June 2024 with the recommendation of which zones are proposed to be discontinued or curtailed and to request the additional 6-month extension. The recommendation should include a thorough analysis of all zones with data driven metrics and KPIs outlined above, including data on demographics, as well as a plan of action that would address how service would be provided in discontinued zones where fixed bus routes were discontinued, and how the cost savings would be reinvested in operations including improving Micro Transit service in the remaining zones. Additionally, a review of the program should be presented which includes key characteristics of high performing and poorly performing zones, and how to increase the number of passengers linking Micro Transit and fixed route service.
- B. Implement those operational changes that could improve performance in low performing zones as soon as possible and increase marketing efforts to bolster community awareness of the program.
- C. Prior to raising fare to \$2.50, report back on the feasibility of incorporating Micro Transit services into the existing discount programs, including but not limited to Low Income Fare is Easy (LIFE), GoPass, Seniors, etc.

HORVATH AMENDMENT:

- A. Report back at six-month intervals with an update on the MicroTransit program, including but not limited to the effectiveness of the proposed cost and performance enhancements and the status of the new solicitation package.
- B. Report back on the feasibility of establishing a \$1.75 rate for riders connecting to other fixed-route Metro services.

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

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

(1)

1. Daniel Gonzalez v. LACMTA, LASC Case No. 20STCV15314

APPROVED a settlement in the sum of \$750,000.

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

2. Dora Lopez v. LACMTA, LASC Case No. 21STCV03110

APPROVED a settlement in the sum of \$300,000.

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

ADJOURNED AT 12:57 P.M.

Prepared by: Mandy Cheung
Administrative Analyst, Board Administration



Collette Langston, Board Clerk