



## **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)

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

(continued on next 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  |

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