



MINUTES

Thursday, May 26, 2022

10:00 AM

Board of Directors - Regular Board Meeting

DIRECTORS PRESENT:

Hilda L. Solis, Chair
Ara Najarian, 1st Vice Chair
Jacquelyn Dupont-Walker, 2nd Vice Chair
Kathryn Barger
Mike Bonin
James Butts
Fernando Dutra
Eric Garcetti
Janice Hahn
Paul Krekorian
Sheila Kuehl
Holly Mitchell
Tim Sandoval
Gloria Roberts, non-voting member

Stephanie Wiggins, Chief Executive Officer

CALLED TO ORDER: 10:29 A.M.

ROLL CALL

1. APPROVED Consent Calendar Items: 2, 5, 6, 7, 8, 40, 13, 17, 18, 25, 27, 29, 30, and 34.

Consent Calendar items were approved by one vote except item 10 which was held by a Director for discussion and/or separate action.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	Y	Y	Y	Y	Y	Y	Y	A	Y	A	Y	Y

2. SUBJECT: MINUTES

2022-0368

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held April 28, 2022.

3. SUBJECT: REMARKS BY THE CHAIR

2022-0365

RECEIVED remarks by the Chair.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
P	P	P	P	P	P	P	P	A	P	A	P	P

4. SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER

2022-0366

RECEIVED report by the Chief Executive Officer.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
P	P	P	P	A	P	P	P	A	P	A	P	P

KB = K. Barger	FD = F. Dutra	SK = S. Kuehl	HS = H. Solis
MB = M. Bonin	EG = E. Garcetti	HJM = H.J. Mitchell	
JB = J. Butts	JH = J. Hahn	AN = A. Najarian	
JDW = J. Dupont Walker	PK = P. Krekorian	TS = T. Sandoval	

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

5. SUBJECT: MATCH REQUIREMENT FOR FEDERAL TRANSIT ADMINISTRATION LOW OR NO EMISSION PROGRAM AND BUSES & BUS FACILITIES PROGRAM GRANT APPLICATIONS **2022-0239**

APPROVED ON CONSENT CALENDAR the programming of \$108.79 million in state and local funds to commit local match for Metro's grant applications to the Federal Transit Administration (FTA) to procure up to 160 battery-electric buses and supportive charging infrastructure and for related workforce development activities, as detailed in the funding plan in Attachment A.

6. SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM ANNUAL UPDATE - NORTH COUNTY SUBREGION **2022-0198**

A. APPROVED ON CONSENT CALENDAR:

1. programming of an additional \$550,000 within the capacity of Measure M Multi-Year Subregional Program (MSP) - Active Transportation Program (Attachment A);
2. programming of an additional \$3,449,000 within the capacity of Measure M MSP - Transit Program (Attachment B);
3. inter-program borrowing and programming of an additional \$2,400,000 from the Subregion's Measure M MSP - Active Transportation Program to the Highway Efficiency Program (Attachment C); and

B. REPROGRAMMING of projects previously approved to meet environmental, design, right-of-way, and construction time frames; and

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

7. SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM UPDATE – SAN GABRIEL VALLEY SUBREGION **2022-0234**

A. APPROVED ON CONSENT CALENDAR:

1. programming of an additional \$150,000 within the capacity of Measure M Multi-Year Subregional Program (MSP) – Bus System Improvement Program;
2. programming of an additional \$6,452,974 within the capacity of Measure M MSP – Active Transportation Program;

(continued on next page)

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3. inter-program borrowing and programming of an additional \$8,395,000 from Measure M MSP – Active Transportation and Highway Demand Based Programs to the First/Last Mile and Complete Streets Program; and
 4. programming of \$1,000,000 within the capacity of Measure M MSP – Highway Demand Based Program; and
- B. REPROGRAMMING of projects previously approved in order to meet environmental, design, right-of-way, and construction time frames; and
- C. AUTHORIZING the CEO or their designee to negotiate and execute all necessary agreements for approved projects.

8. SUBJECT: I-710 SOUTH CORRIDOR PROJECT

2022-0100

APPROVED ON CONSENT CALENDAR:

- A. Alternative 1, the “No Build” alternative, as the new Locally Preferred Alternative for the I-710 South Corridor Project Final Environmental Document; and
- B. RECEIVED AND FILED overview of 710 Task Force and development of the I-710 South Corridor Investment Plan in place of the previous I-710 South Corridor Project.

9. SUBJECT: I-710 SOUTH CORRIDOR MOTION

2022-0355

APPROVED Motion by Directors Hahn, Solis, Mitchell, and Dutra that:

Given that the 710 Task Force will very soon be finalizing the project’s Vision Statement, Guiding Principles, and Goals, the Chief Executive Officer shall report back on the Task Force’s recommendations for these project directives in June 2022 for Board consideration and approval.

Given the 710 Task Force’s pending Vision Statement, Guiding Principles, and Goals, we, further direct that the 710 South Corridor Project shall be renamed, in consultation with the 710 Task Force and corridor stakeholders, in order to be more inclusive of the priorities and approaches that will be advanced in the future of this project, with attention to more than just the freeway, with a new name to be presented to the Board for consideration and approval in September 2022.

Given that capacity expansion freeway widening will not get support from Caltrans or the U.S. EPA, we adopt as Board policy that capacity expansion freeway widening will no longer be in the project.

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We, therefore, further direct the Chief Executive Officer to:

A. Develop and Implement a project Investment Plan, which:

1. Incorporates feedback from the 710 Task Force and its Working Groups and Community Leadership Committee, the Corridor Cities, and the Gateway Cities Council of Governments, and community stakeholders;
2. Aligns initiatives with funding opportunities, including:
 - a. An Early Investment Plan for a minimum of three initiatives that will apply for available State and Federal funding opportunities in Calendar Year 2022; and
 - b. A Mid- and Long-Term Investment Plan for initiatives that can reasonably apply for Federal and State funding opportunities in out years;
3. Leverages applicable Measure R and Measure M funds to maximize deliverables and Federal and State funding matches;
4. Provides a suite of major investments that can be completed no later than 2028;
5. Identifies Federal funding opportunities that can be incorporated into the Infrastructure Investment and Jobs Act “Grants Strategy and 5-Year Implementation Plan” currently under development for presentation to the Metro Board;

B. Engage the California Department of Transportation and State Transportation Agency, California Air Resources Board, California Energy Commission, and the U.S. Departments of Energy and Transportation and U.S. Environmental Protection Agency, to develop guidance around the Mid- and Long-Term Investment Plan.

C. Engage city, county, and regional partners, including the South Coast Air Quality Management District and Los Angeles Cleantech Incubator, to organize and support local initiatives as part of the project’s Investment Plan; and

D. Report back in September 2022 on the development and implementation of this Investment Strategy, including the minimum of three initiatives applying for available State and Federal funding in Calendar Year 2022.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	Y	Y	Y	A	Y	Y	Y	A	Y	A	Y	Y

10. SUBJECT: CAP-AND-TRADE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) 2022-0094

APPROVED AS AMENDED the Resolution that:

- A. AUTHORIZES the Chief Executive Officer (CEO) or their designee to claim \$51,241,974 in fiscal year (FY) 2021-22 LCTOP grant funds for the Crenshaw/LAX Transit Corridor Operations Project and/or the Fareless System Initiative (FSI) Pilot;
- B. CERTIFIES that Metro will comply with LCTOP certification and assurances and the authorized agent requirements; and
- C. AUTHORIZES the CEO or their designee to execute all required documents and any amendment with the California Department of Transportation.

BUTTS AMENDMENT: Since LCTOP is eligible for Crenshaw Startup and Operations as well as the FSI Pilot Program, I would move to request a report back in August on the Operations funding outlook beyond Fiscal Year 23 and how LCTOP can help forestall the expected operations deficit specifically as it pertains to Crenshaw.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y

13. SUBJECT: MANAGEMENT AUDIT SERVICES FY 2022 THIRD QUARTER REPORT AND AUDIT CHARTER 2022-0251

APPROVED ON CONSENT CALENDAR:

- A. RECEIVING AND FILING the Management Audit Services FY 2022 third quarter report; and
- B. ADOPTING the Management Audit Services Audit Charter.

15. SUBJECT: FISCAL YEAR 2023 (FY23) BUDGET 2022-0243

ADOPTED AS AMENDED:

- A. the proposed FY23 Budget as presented in the budget document (provided in a separate transmittal and posted on [metro.net](https://www.metro.net/about/financebudget/) <<https://www.metro.net/about/financebudget/>>);
 - 1. AUTHORIZING \$8.8 billion annual consolidated expenditures to achieve goals and objectives set forth by the Board adopted mission and goals;and

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2. AUTHORIZING a total of 10,596 FTEs with 8,778 Represented FTEs and 1,818 Non-Represented FTEs; and
 3. AUTHORIZING an average 3.5% performance-based merit increase for Non-Represented employees. The wage increases for Represented employees, in accordance with the pre-negotiated Collective Bargaining Agreements, is an average 3.5% (except for SMART); and
 4. APPROVING the Life of Project (LOP) budgets for new capital projects; new capital projects with LOP exceeding \$5.0 million are presented in Attachment A; and
 5. AMENDING the proposed budget to include any Board approved actions currently under consideration, from now to the end of fiscal year (June 30, 2022); and
 6. AMENDING the proposed budget by \$3.2 million, taking it from \$6.8 million to \$10.0 million for Crenshaw Northern for a technical correction; and
- B. APPROVING the Reimbursement Resolution declaring Metro's intention to issue debt in FY23 for capital projects, as shown in Attachment B, with the provision that actual debt issuance will require separate Board approval; and
- C. APPROVING the addition of one new Non-Represented pay grade to alleviate the pay progression and maintain a consistent pay range from mid-point to mid-point as shown in Attachment E; and
- B. APPROVING pay grade upgrade for the Board Clerk job classification.

SOLIS AMENDMENT: With that, I would like propose an amendment to this item that directs Metro staff to explore, if feasible, utilizing that excess \$35 million for non-freeway purposes in the San Gabriel Valley. I would like staff to report back in August on if and how that funding can be used to support non-freeway projects like bus lanes or even support some partner agencies like ACE.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y

16. SUBJECT: PROPOSITION C BONDS**2022-0114**

ADOPTED a Resolution that authorizes the issuance and sale of up to \$67 million in aggregate principal amount of the Proposition C Sales Tax Revenue Refunding Bonds in one or more series, and the taking all other actions necessary in connection with the issuance of the refunding bonds.

(REQUIRED SEPARATE, SIMPLE MAJORITY BOARD VOTE)

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y

17. SUBJECT: PS51220, ZEBGO PARTNERS, JOINT VENTURE, ZERO EMISSIONS PROGRAM MASTER PLAN
2021-0814

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. EXECUTE Modification No. 8 with ZEBGO Partners, JV, to continue technical consultant services for the Zero Emission Bus (ZEB) Program Master Plan and as needed tasks for ZE implementation support at the cost-plus fixed fee price of \$3,500,624, increasing the Contract value from \$7,139,376 to \$10,640,000 thus allowing for an 18 month period of performance extension from June 30, 2022 to January 1, 2024; and
- B. INCREASE Contract Modification Authority by \$350,062 for a total of \$3,850,687 to facilitate the as needed tasks for ZE implementation support under Modification No. 8.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	Y	Y	Y	Y	C	Y	C	A	Y	A	Y	Y

18. SUBJECT: GLASS REPLACEMENT AND INSTALLATION SERVICES**2022-0185**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 4 to Contract No. OP1405120003367 with Los Angeles Glass Company, Inc. for Glass Replacement, and Installation services in the amount of \$1,440,000, increasing the contract four-year base authority from \$2,795,911 to \$4,235,911.

25. SUBJECT: LINK UNION STATION PROJECT

2021-0773

APPROVED ON CONSENT CALENDAR:

- A. The California High Speed Rail Authority Project Management Funding Agreement (PMFA) in the amount of \$423.335 million for the Link US Phase A Project and authorize the CEO to execute the Project Management Funding Agreement (PMFA) pursuant to Senate Bill 1029; and
- B. A Partial Preconstruction Phase Life of Project Budget in the amount of \$297.818 million, including \$121.382 million for the new Preconstruction Work and \$176.436 million for work previously approved by the Board since 2015.

27. SUBJECT: METRO ADVISORY BODY COMPENSATION POLICY UPDATE

2022-0090

APPROVED ON CONSENT CALENDAR:

- A. proposed amendments to the Metro Advisory Body Compensation Policy (ABC Policy); and
- B. DELEGATING authority to the CEO or their designee to amend the ABC Policy, with the exception of the advisory body tiers and respective compensation amounts, as-needed to implement the policy.

29. SUBJECT: SUBREGIONAL EQUITY PROGRAM GUIDELINES

2020-0501

APPROVED ON CONSENT CALENDAR guidelines for the use of the Subregional Equity Program funds.

30. SUBJECT: 48 BY '28: INCREASING SMALL AND DISADVANTAGED BUSINESS PARTICIPATION

2022-0101

APPROVED ON CONSENT CALENDAR:

- A. RECEIVING and FILING the report back to Motion 43 on a 48 by 2028 Policy Objective to Increase Small and Disadvantaged Business Participation; and
- B. ADOPTING the Top 8 for 48 by '28 Plan.

**34. SUBJECT: FINDINGS REQUIRED TO CONTINUE TO MEET VIA
TELECONFERENCE IN COMPLIANCE WITH AB 361
WHILE UNDER A STATE OF EMERGENCY AND WHILE
STATE AND LOCAL OFFICIALS CONTINUE TO PROMOTE
SOCIAL DISTANCING**

2022-0369

APPROVED ON CONSENT CALENDAR the following findings:

Pursuant to 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:

The Metro Board has reconsidered the circumstances of the state of emergency, and that:

- A. The state of emergency continues to directly impact the ability of the members to meet safely in person, and
- B. State or local officials continue to impose or recommend measures to promote social distancing.

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

**35. SUBJECT: RESPONSE TO MOTION 24: POLICING ON THE METRO
BUS AND RAIL TRANSIT SYSTEM**

2022-0288

AUTHORIZED the Chief Executive Officer to:

- A. RECEIVE and FILE the Safety Contingency Plan for Law Enforcement; and
- B. DELEGATE authority to the Chief Executive Officer to take any and all actions necessary and appropriate to implement the contingency plan if the Los Angeles County Sheriff's Department (LASD) fails to meet its contractual obligations over the course of the next 12 months.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y

36. SUBJECT: CLOSED SESSION**2022-0367****A. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9(d)(1)****1. Amir Golshani v. LACMTA, Case No. 20STCV00725**

AUTHORIZED settlement in the sum of \$400,000.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	Y	A	Y	Y	Y	Y	A	A	Y	Y	Y	Y

2. Guadalupe Zamundio-Serafin v. LACTMA, Case No. 19STCV14421

AUTHORIZED settlement in the sum of \$500,000.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	Y	A	Y	Y	Y	Y	A	A	Y	Y	Y	Y

3. Mei Wong v. LACMTA, Case No. 19STCV43291

AUTHORIZED settlement in the sum of \$4,100,000.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	A	A	Y	Y	Y	Y	A	A	Y	Y	Y	Y

4. Jobs To Move America v. New Flyer of America, Inc., Case No. 18STCV06276

AUTHORIZED settlement between Jobs To Move America v. New Flyer of America, Inc.

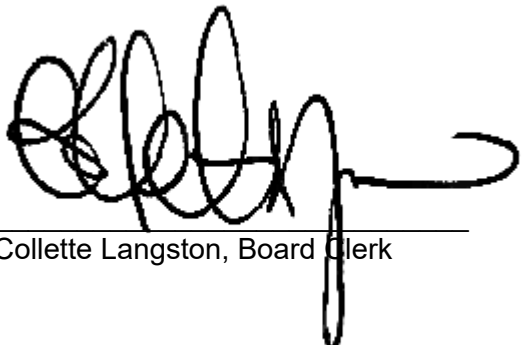
AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HJM	TS	HS
Y	A	A	Y	Y	Y	Y	A	A	Y	Y	Y	Y

B. Conference with Labor Negotiator - G.C. 54957.6

Agency Designated Representative: Robert Bonner and Cristian Leiva, or designees.

Employee Organization: SMART

No Report.

ADJOURNED AT 2:54 P.M IN MEMORY OF NORMAN MINETA.Prepared by: Jessica Vasquez Gamez
Administrative Analyst, Board Administration
Collette Langston, Board Clerk