



MINUTES

Thursday, February 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
Gloria Roberts (Interim), non-voting member
Stephanie Wiggins, Chief Executive Officer

CALLED TO ORDER: 10:10 A.M.

ROLL CALL

1. APPROVED Consent Calendar Items: 2, 5, 6, 7, 8, 10, 10.1, 11, 14, 15, 19, 21, 22, and 23.

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	KRB	AJN
Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y	Y

2. **SUBJECT: MINUTES**

2023-0113

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held January 26, 2023.

3. **SUBJECT: REMARKS BY THE CHAIR**

2023-0114

RECEIVED remarks by the Chair.

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

4. **SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER**

2023-0115

RECEIVED report by the Chief Executive Officer.

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

KB = K. Barger	FD = F. Dutra	HJM = H.J. Mitchell
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

5. SUBJECT: NEW SR-710 NORTH MOBILITY IMPROVEMENT PROJECTS

2022-0573

APPROVED ON CONSENT CALENDAR:

- A. the list of new eligible SR-710 North Mobility Improvement Projects (MIPs) recommended for Board approval,
- B. AUTHORIZING the Chief Executive Officer or their designee to:
 - 1. APPROVE changes in the number, scope, program schedule (allocations and cashflows) and cost estimate for each project within the overall MIP program budget and individual MIP Sponsor allocation;
 - 2. AMEND the MIP Funding Agreements to modify scopes of work consistent with the MIP eligibility requirements; and
 - 3. EXTEND lapse dates for the MIP Funding Agreements when subject to expire to meet environmental, design, right-of-way, and construction time frames.

6. SUBJECT: EXPO/CRENSHAW JOINT DEVELOPMENT

2022-0833

AUTHORIZED ON CONSENT CALENDAR:

- A. the Chief Executive Officer to execute an amendment to the Exclusive Negotiation Agreement and Planning Document (ENA) with WIP-A, LLC, a wholly-owned subsidiary of Watt Companies (WIP-A), Inc. and the County of Los Angeles (County) in regard to the joint development of 1.77 acres of Metro-owned property and 1.66 acres of County-owned property adjacent to the K Line Expo/Crenshaw Station to extend the term for twelve months, and provide for an additional twelve month option to be exercised at staff's discretion; and
- B. the modification of the ENA's assignment provision to allow for the assignment of the ENA to one or more developer entities, each of which shall be made up of the following entities or an affiliate or instrumentality of such entities: WIP-A, West Angeles Community Development Corporation, The Richman Group of California Development Company LLC and the Housing Authority of the City of Los Angeles (Limited Partnership(s)).

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

7. SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM ANNUAL UPDATE - LAS VIRGENES/MALIBU SUBREGION **2022-0863**

A. APPROVED ON CONSENT CALENDAR:

1. Deobligating \$3,623,887 from the Las Virgenes/Malibu Subregion's Measure M Multi-Year Subregional Program (MSP) Active Transportation, Transit, and Tech Program;
2. Programming an additional \$18,708,637 within the capacity of Measure M MSP Highway Efficiency Program;
3. Programming an additional \$5,472,000 within the capacity of Measure R Highway Operational Program; and

B. AUTHORIZING the Chief Executive Officer (CEO) or their designee to negotiate and execute all necessary agreements and/or amendments for approved projects.

8. SUBJECT: SEPULVEDA TRANSIT CORRIDOR **2022-0862**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 4 to Contract No. AE67085000, Sepulveda Transit Corridor Environmental Review and Conceptual Engineering, with HTA Partners (HTA), a joint venture between HNTB Corporation, Terry A. Hayes Associates Inc., and AECOM Technical Services, Inc., in the amount of \$4,108,638.43 for additional technical services to support the environmental phase for all six alternatives and the refinement of the Alternative 6 design, increasing the total contract value from \$54,592,930 to \$58,701,568.43.

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

10. SUBJECT: MEASURE M 3% LOCAL CONTRIBUTION GUIDELINES REVISIONS **2022-0828**

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

10.1.SUBJECT: MEASURE M 3% LOCAL CONTRIBUTION GUIDELINES **2023-0104**
REVISIONS MOTION

APPROVED ON CONSENT CALENDAR Motion by Directors Hahn, Dutra, Butts, and Sandoval that the Board direct the Chief Executive Officer to make the following revisions to the proposed Local Contribution guidelines:

- A. Add language to allow cost-sharing, so that jurisdictions who have qualifying first-/last-mile or in-kind improvements, but do not have a 3% local contribution requirement, can credit those investments they make toward neighboring jurisdictions' 3% local contribution obligations;
- B. Provide jurisdictions with maximum flexibility in all sources of funding for first-/last-mile investments by striking the words "non-Metro" from the first sentence in the "Eligible Funds" section, so that Metro competitive grants may also be an eligible fund source to make qualifying investments, which would be consistent with grant-making policy such as Federal and State funds where local match must come from sources other than those Federal and State funds;
- C. Evaluate a way to exclude the costs associated with regionally significant project elements - such as a new I-105 C Line station on the C Line (Green) or a maintenance and storage facility on the Gold Line Eastside Phase 2 - from the total project's cost's 3% local contribution calculation;
- D. Clarify the local contribution obligation responsibility for any future station, such as a Rio Hondo Confluence Station, that is not part of a project's 30% design but may be added at a later date, to ensure that any 3% obligation for any such station will be borne solely by the jurisdiction(s) in which it is located;
- E. Confirm that qualifying first-/last-mile investments and in-kind contributions shall be considered eligible to credit toward a jurisdiction's 3% local contribution obligation, even if implemented prior to 30% design; and,
- F. Report back to the Board in no more than 120 days on the above requests, including a fact sheet for affected cities.

11. SUBJECT: MEASURE M FIVE YEAR COMPREHENSIVE **2022-0854**
ASSESSMENT AND EQUITY REPORT CRITERIA

APPROVED ON CONSENT CALENDAR:

- A. criteria for the Measure M Five Year Comprehensive Assessment and Equity Report; and

(continued on next page)

- B. AUTHORIZING an increase in the Contract Modification Authority (CMA) for Task Order No. PS87260-5433000 under Countywide Planning and Development Bench Contract PS54330009 with Fehr & Peers, in the not-to-exceed amount of \$100,000, increasing the current not-to-exceed CMA amount from \$100,000 to a new CMA amount not-to-exceed \$200,000, thereby increasing the task order value to \$561,713.83 should all modifications be executed.

14. SUBJECT: BUS SENSOR TECHNOLOGY MOTION

2023-0102

APPROVED ON CONSENT CALENDAR Motion by Directors Hahn, Horvath, Mitchell, Solis, and Krekorian that the Board direct the Chief Executive Officer to report back in June 2023 with recommendations on these new safety features and the feasibility of (1) incorporating them into new bus procurements, (2) installing them into our existing bus fleets, in order to reduce pedestrian collisions and to ensure that bus operators are alerted in the event of a pedestrian-involved collision, and (3) exploring other emerging collision avoidance technologies, pursuant to Metro's Street Safety Data Sharing and Collaboration Policy and Action Plan.

15. SUBJECT: CREATING A COMMUTER RAIL STATION IN THE CITY OF PICO RIVERA MOTION

2023-0103

APPROVED ON CONSENT CALENDAR Motion by Directors Hahn, Najarian, and Dutra that the Board direct the Chief Executive Officer to work with the Cities of Pico Rivera and Commerce, the Southern California Regional Rail Authority (Metrolink), California High Speed Rail Authority (HSR), Amtrak (LOSSAN), and freight rail operators to conduct a feasibility study and strategic plan for a new commuter rail station within the City of Pico Rivera along the Los Angeles-to-Anaheim rail corridor. The study shall include, but not be limited to the following elements:

- A. Existing and planned land-use and transportation conditions that would best support a new commuter rail station in Pico Rivera;
- B. A rough order of magnitude cost estimate and potential funding sources for a new station in Pico Rivera including elements such as planning and design, right-of-way, environmental, construction, and maintenance costs; and,
- C. The mechanism to include a new commuter rail station in Pico Rivera within the Southern California Association of Government's (SCAG) Regional Transportation Plan/Sustainable Community Strategy.

We, further, move that the CEO report back to the Board within 90 days with initial findings and next steps for the above-requested items.

18. SUBJECT: SMALL BUSINESS BONDING ASSISTANCE PROGRAM 2022-0786

AUTHORIZED:

- A. the Chief Executive Officer to approve a no cost Memorandum of Understanding (MOU) with the City of Los Angeles (City) for participation in the City's Contractor Development and Bonding Assistance Program;
- B. the Chief Executive Officer to award a Contract to Merriwether & Williams Insurance Services (MWIS) for a not to exceed amount of \$2,650,780 for a three-year Bonding Assistance Program, effective March 1, 2023 to February 28, 2026, which piggy-backs on the City of Los Angeles' contract; and

(REQUIRED SIMPLE, SEPARATE MAJORITY VOTE OF THE FULL BOARD)

- C. ADOPTING a resolution authorizing the Chief Executive Officer and other Authorized Officers to continue the \$4,000,000 line of credit with Bank of America at a cost of \$18,000 per year, for three years and to execute as needed, individual standby letters of credit at a cost of \$2,000 each or 2% of the value of each letter of credit executed, whichever is greater.

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

19. SUBJECT: EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT LINE PROJECT 2022-0865

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. AWARD a firm fixed price Contract No. PS89616000 to San Fernando Transit Constructors (SFTC), a Joint Venture (JV) of Skanska USA Civil West California District, Inc. (Skanska) and Stacy and Witbeck, Inc., for Phase 1 Preconstruction Services of the Progressive Design-Build contract for the East San Fernando Valley Light Rail Transit Line Project (Project) in the amount of \$30,979,750, subject to the resolution of protest(s) if any;
- B. ESTABLISH a Preconstruction Phase-of-Project Budget (Preconstruction Budget) for the Project in the amount of \$496,856,000; and
- C. NEGOTIATE and EXECUTE all project-related agreements and modifications to existing contracts within the authorized Preconstruction Budget.

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

21. SUBJECT: PURCHASE OF THREE CNG ARMORED VAULT TRUCKS 2022-0842

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a firm fixed price contract DR827453000 to Los Angeles Truck Centers, LLC, the lowest responsive and responsible bidder for three (3) CNG Armored Vault Trucks for a firm fixed price of \$1,211,139.67, inclusive of sales tax and fees, subject to resolution of any properly submitted protest(s), if any.

22. SUBJECT: DRUG TESTING LABORATORY SERVICES 2022-0866

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a five-year, firm fixed unit rate Contract No. PS75883000 to Phamatech, Inc. (Phamatech) to provide drug testing laboratory analysis services in an amount not-to-exceed \$377,025 for a base term of three years, plus \$135,675 for each of the two, one-year option terms for a combined not-to-exceed amount of \$648,375, effective April 1, 2023, subject to the resolution of any timely protest(s), if any.

**23. SUBJECT: CUSTOMER EXPERIENCE RESEARCH SERVICES 2022-0870
BENCH**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

A. AWARD seven (7) bench Contract Nos. PS43815000 through PS43815006, for Customer Experience (CX) research services to the firms listed below, for a total not-to-exceed amount of \$6,893,226 for the initial three-year base term, plus \$2,531,252 for the first, one-year option and \$2,657,814 for the second, one-year option, for a combined total not-to-exceed amount of \$12,082,292, effective March 1, 2023, subject to resolution of protest(s), if any; and

1. Discipline 1: Intercept Survey

- 1.1 ETC Institute
- 1.2 Hispanispace, LLC dba ThinkNow Research
- 1.3 Maroon Society, Inc.
- 1.4 Redhill Group, Inc.

2. Discipline 2: Online and Telephone Survey

- 2.1 Barrios and Associates, LLC dba Communications Lab
- 2.2 EMC Research, Inc.
- 2.3 Maroon Society, Inc.
- 2.4 Quantum Market Research, Inc.
- 2.5 Redhill Group, Inc.

3. Discipline 3: Qualitative Research

- 3.1 Barrios and Associates, LLC dba Communications Lab
- 3.2 EMC Research, Inc.
- 3.3 Hispanispace, LLC dba ThinkNow Research

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- 3.4 Maroon Society
- 3.5 Quantum Market Research, Inc.
- 3.6 Redhill Group, Inc.

4. Discipline 4: User Experience Testing

- 4.1 Redhill Group, Inc.

5. Discipline 5: General Research Support

- 5.1 Maroon Society, Inc.
- 5.2 Redhill Group, Inc.

B. EXECUTE individual task orders for up to \$2 million per task order.

27. SUBJECT: REPORT BY THE CHIEF SAFETY OFFICER

2023-0123

RECEIVED oral report from the Chief Safety Officer.

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

**28. SUBJECT: MAXIMIZING USE OF METRO PROPERTY FOR
TEMPORARY AND PERMANENT HOUSING MOTION**

2023-0125

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

- A. Report back at the March 2023 Executive Management Committee with a list of all Metro-owned property, including rights-of-way and parking lots, that are vacant, surplus, or underutilized. For any parcel with significant limitation or restriction that might preclude it from being used for temporary or permanent housing with on-site supportive services, Metro should include all covenants, easements, leases or other land use, revenue, or regulatory restrictions that apply to the identified parcel;
- B. Report back to the Board in April 2023 on strategies to streamline the production of temporary housing consistent with the policies of Executive Directive 3; and
- C. Report back to the Board in April 2023 on a strategy to accelerate affordable housing joint development efforts on Metro properties to achieve 10,000 new housing units.

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

29. SUBJECT: FEMALE PARTICIPATION IN PROJECT LABOR AGREEMENT/CONSTRUCTION CAREERS POLICY CONSTRUCTION PROJECTS MOTION

2023-0126

APPROVED Motion by Directors Horvath, Mitchell, Bass, Solis, Hahn, and Dupont-Walker that the Board direct the Chief Executive Officer to:

- A. Commission a refresh on the construction workforce disparity study and report back with status updates in each PLA/CCP Quarterly Update to the Board, and report on findings and recommendations of the study in September 2023 (with the understanding that the disparity study may still be in progress).
- B. Report back on the potential application of cultural competency requirements in contractor and staff training related to working with historically underutilized populations in the trades, with a focus on tradeswomen, as well as similar qualitative metrics that can be used in Metro's proposal evaluation and contracting processes; and
- C. Report back on the feasibility of creating bid preference incentives that can be applied to increase the number of women working on Metro funded construction projects, while not compromising the Agency's race conscious contracting goals, including but not limited to: the history of a contractor's compliance with Metro's Female Utilization Goal; supporting working parents with the availability of dependent care spending account benefits in addition to access to child care; and working with organizations such as Women in Non-Traditional Employment Roles (W.I.N.T.E.R) to apply best practices in future contracts etc.

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

30. SUBJECT: IMPROVING COMMUNITY HEALTH AND SAFETY AT WESTLAKE/MACARTHUR PARK STATION MOTION

2023-0127

APPROVED Motion by Directors Solis, Dupont-Walker, Mitchell, Hahn, and Horvath that the Board direct the Chief Executive Officer or her designee to provide a report back in June 2023 that includes a plan for implementing care-centered strategies to improve community safety and health at the Westlake/MacArthur Plaza Station and nearby transit stops. The report should consider the following:

- A. Summarizing social climate insights and feedback themes from a review of past surveys, community meetings/workshops, focus groups, and/or socioeconomic data;
- B. Conducting language-inclusive station customer experience (CX) research

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involving transit riders, frontline workers, and community members to identify their priorities and preferences for transit station and stop amenities and uses;

- C. Identifying and comparing different pilot model options to bring care-centered strategies to this station by total cost, timeline, partnerships needed, and community benefit; and
- D. Developing recommendations for implementing identified strategies at existing and future Metro transit stations and stops, including potential funding sources.

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

31. SUBJECT: BLUE LINE SERVICE HUB IN LONG BEACH MOTION **2023-0130**

APPROVED Motion by Directors Hahn, Bass, Solis, and Dutra that the Board direct the Chief Executive Officer to engage the Los Angeles Homeless Services Authority (LAHSA), as well as the County of Los Angeles and City of Long Beach, in order to implement a new homeless service hub in Long Beach along the Metro Blue Line that can address issues associated with the End of Line policy. Further, we direct the CEO to provide an update on this effort in the April 2023 report back, including a public summary document that offers (a) a rationale for a selected service hub location, (b) a plan for operations, and (c) strategies for addressing anticipated challenges.

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

32. SUBJECT: EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT **2023-0131**
LINE PILOT BUSINESS INTERRUPTION FUND MOTION

APPROVED Motion by Directors Krekorian, Najarian, Horvath, Barger, Bass, and Dupont-Walker that the Board direct Metro to complete a comprehensive assessment of the Pilot Business Interruption Fund program and report back in March with recommendations on how the Pilot BIF could be applied to address local business impacts created by the construction of the East San Fernando Valley Light Rail Transit Line Project.

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

33. SUBJECT: CLOSED SESSION

2023-0117

A. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9(d)(1)

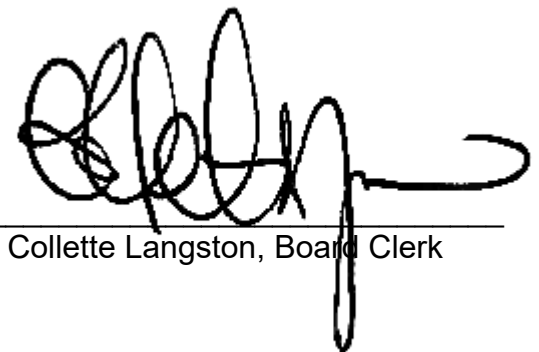
- Chom Ae Chong v. LACMTA, Case No. 19STCV21175

APPROVED settlement in the amount of \$275,000.

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

**ADJOURNED AT 1:49 P.M. IN MEMORY OF JOSELITO “JOEY” DANAN AND
BISHOP DAVID O’CONNELL.**

Prepared by: Mandy Cheung
Administrative Analyst, Board Administration



Collette Langston, Board Clerk