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Agenda - Final

Wednesday, June 15, 2022

1:30 PM

To give written or live public comment, please see the top of page 4

Finance, Budget and Audit Committee

Kathryn Barger, Chair

Paul Krekorian, Vice Chair

Mike Bonin

Fernando Dutra

Holly Mitchell

Tony Tavares, non-voting member

Stephanie Wiggins, Chief Executive Officer

METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES
(ALSO APPLIES TO BOARD COMMITTEES)

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A member of the public may address the Board on agenda items, before or during the Board or Committee's consideration of the item for one (1) minute per item, or at the discretion of the Chair. A request to address the Board must be submitted electronically using the tablets available in the Board Room lobby. Individuals requesting to speak will be allowed to speak for a total of three (3) minutes per meeting on agenda items in one minute increments per item. For individuals requiring translation service, time allowed will be doubled. The Board shall reserve the right to limit redundant or repetitive comment.

The public may also address the Board on non agenda items within the subject matter jurisdiction of the Board during the public comment period, which will be held at the beginning and/or end of each meeting. Each person will be allowed to speak for one (1) minute during this Public Comment period or at the discretion of the Chair. Speakers will be called according to the order in which their requests are submitted. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

Notwithstanding the foregoing, and in accordance with the Brown Act, this agenda does not provide an opportunity for members of the public to address the Board on any Consent Calendar agenda item that has already been considered by a Committee, composed exclusively of members of the Board, at a public meeting wherein all interested members of the public were afforded the opportunity to address the Committee on the item, before or during the Committee's consideration of the item, and which has not been substantially changed since the Committee heard the item.

In accordance with State Law (Brown Act), all matters to be acted on by the MTA Board must be posted at least 72 hours prior to the Board meeting. In case of emergency, or when a subject matter arises subsequent to the posting of the agenda, upon making certain findings, the Board may act on an item that is not on the posted agenda.

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REMOVAL FROM THE BOARD ROOM The Chair shall order removed from the Board Room any person who commits the following acts with respect to any meeting of the MTA Board:

- a. Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.
- b. A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.
- c. Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and
- d. Any other unlawful interference with the due and orderly course of said meeting.

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The State Political Reform Act (Government Code Section 84308) requires that a party to a proceeding before an agency involving a license, permit, or other entitlement for use, including all contracts (other than competitively bid, labor, or personal employment contracts), shall disclose on the record of the proceeding any contributions in an amount of more than \$250 made within the preceding 12 months by the party, or his or her agent, to any officer of the agency, additionally PUC Code Sec. 130051.20 requires that no member accept a contribution of over ten dollars (\$10) in value or amount from a construction company, engineering firm, consultant, legal firm, or any company, vendor, or business entity that has contracted with the authority in the preceding four years. Persons required to make this disclosure shall do so by filling out a "Disclosure of Contribution" form which is available at the LACMTA Board and Committee Meetings. Failure to comply with this requirement may result in the assessment of civil or criminal penalties.

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A Spanish language interpreter is available at all Committee and Board Meetings. All other languages must be requested 72 hours in advance of the meeting by calling (213) 922-4600 or (323) 466-3876. Live Public Comment Instructions can also be translated if requested 72 hours in advance.



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x3 *中文 (Chinese)*

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NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA

Live Public Comment Instructions:

Live public comment can only be given by telephone.

The Committee Meeting begins at 1:30 PM Pacific Time on June 15, 2022; you may join the call 5 minutes prior to the start of the meeting.

Dial-in: 888-251-2949 and enter
English Access Code: 8231160#
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Public comment will be taken as the Board takes up each item. To give public comment on an item, enter #2 (pound-two) when prompted. Please note that the live video feed lags about 30 seconds behind the actual meeting. There is no lag on the public comment dial-in line.

Instrucciones para comentarios publicos en vivo:

Los comentarios publicos en vivo solo se pueden dar por telefono.

La Reunion de la Junta comienza a las 1:30 PM, hora del Pacifico, el 15 de Junio de 2022. Puedes unirse a la llamada 5 minutos antes del comienzo de la junta.

Marque: 888-251-2949 y ingrese el codigo
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Los comentarios del público se tomaran cuando se toma cada tema. Para dar un comentario público sobre una tema ingrese # 2 (Tecla de numero y dos) cuando se le solicite. Tenga en cuenta que la transmisión de video en vivo se retrasa unos 30 segundos con respecto a la reunión real. No hay retraso en la línea de acceso telefónico para comentarios públicos.

Written Public Comment Instruction:

Written public comments must be received by 5PM the day before the meeting.

Please include the Item # in your comment and your position of "FOR," "AGAINST," "GENERAL COMMENT," or "ITEM NEEDS MORE CONSIDERATION."

Email: BoardClerk@metro.net

Post Office Mail:

Board Administration

One Gateway Plaza

MS: 99-3-1

Los Angeles, CA 90012

CALL TO ORDER

ROLL CALL

APPROVE Consent Calendar Items: 13 and 14.

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

CONSENT CALENDAR

13. **SUBJECT: LOCAL RETURN PROPOSITION A, PROPOSITION C,
MEASURE R AND MEASURE M CAPITAL RESERVE**

[2022-0225](#)

RECOMMENDATION

CONSIDER:

- A. AUTHORIZING the Chief Executive Officer to negotiate and execute all necessary agreements between Los Angeles County Metropolitan Transportation Authority (LACMTA) and the Cities for their Capital Reserve Account as approved; and
- B. ESTABLISHING new Local Return funded Capital Reserve Accounts for the Cities of La Puente (Proposition C), Montebello (Proposition A), San Marino (Proposition A), and Rolling Hills (Measure R and Measure M).

Attachments: [Attachment A - Proj. Summ. '22 for Proposed New Capital Reserve Accts](#)

14. **SUBJECT: EXCESS LIABILITY INSURANCE PROGRAM**

[2022-0194](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to negotiate and purchase Public Entity excess liability policies with up to \$300 million in limits at a cost not to exceed \$23 million for the 12-month period effective August 1, 2022, to August 1, 2023.

Attachments: [Attachment A - Options Premiums and Loss History](#)
[Attachment B - Proposed Public Entity Carriers and Program Structure](#)

NON-CONSENT

15. **SUBJECT: TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE
8 FUND PROGRAM**

[2022-0318](#)

RECOMMENDATION

ADOPT:

- A. Findings and Recommendations (Attachment A) for allocating fiscal year (FY) 2022-23 Transportation Development Act (TDA) Article 8 funds estimated at \$37,668,206 as follows:
- In the City of Avalon there are no unmet transit needs that are reasonable to meet, therefore TDA Article 8 funds (Attachment B) in the amount of \$220,402 may be used for street and road projects, or transit projects, as described in Attachment A;
 - In the Cities of Lancaster and Palmdale, there are no unmet transit needs that are reasonable to meet; in the Cities of Lancaster and Palmdale and the unincorporated portions of North County transit needs can be met through using other existing funding sources. Therefore, the TDA Article 8 funds in the amount of \$8,952,102 and \$8,658,196 (Lancaster and Palmdale, respectively) may be used for street and road purposes and/or transit, as long as their transit needs continue to be met;
 - In the City of Santa Clarita, there are no unmet transit needs that are reasonable to meet; in the City of Santa Clarita, and the unincorporated portions of the Santa Clarita Valley, existing transit needs can be met through the recommended actions using other funding sources. Therefore, TDA Article 8 funds in the amount of \$12,291,694 for the City of Santa Clarita may be used for street and road and/or transit, as long as their transit needs continue to be met;
 - In the Los Angeles County Unincorporated areas of North County, the areas encompassing both the Antelope Valley and the Santa Clarita Valley, transit needs are met with other funding sources, such as Proposition A and Proposition C Local Return. Therefore, TDA Article 8 funds in the amount of \$7,545,812 may be used for street and road purposes and/or transit, as long as their transit needs continue to be met; and
- B. A resolution (Attachment C) making a determination of unmet public transportation needs in the areas of Los Angeles County outside the Metro service area.

Attachments: [Attachment A - FY23 Proposed Findings and Recommendations](#)
[Attachment B - TDA 8 Apportionments FY21-22](#)
[Attachment C - FY2022-23 TD Article 8 Resolution](#)
[Attachment D - History and Definitions TDA 8](#)
[Attachment E - FY23 TDA Article 8 Public Hearing Process](#)
[Attachment F - Summary of the Comments FY23](#)
[Attachment G - Summary of Recommendations and Actions Taken FY23](#)
[Attachment H - Proposed Recommendation of SSTAC FY23](#)

16. SUBJECT: FISCAL YEAR 2022-23 TRANSIT FUND ALLOCATIONS

[2022-0313](#)

RECOMMENDATION

CONSIDER:

- A. APPROVING \$2.9 billion in FY 2022-23 (FY23) Transit Fund Allocations for Los Angeles County jurisdictions, transit operators and Metro operations as shown in Attachment A. These allocations comply with federal, state, and local regulations and LACMTA Board approved policies and guidelines;
- B. APPROVING fund exchanges in the estimated amount of \$3,323,653 of Metro's TDA Article 4 allocation with Municipal Operators' shares of Low Carbon Transit Operations Program. Funding will be adjusted based on LCTOP actual allocations;
- C. APPROVING fund exchanges in the estimated amount of \$975,482 of Metro's Prop C 40% allocation with Antelope Valley, Santa Clarita, Burbank and Pasadena's shares of Low Carbon Transit Operations Program. Funding will be adjusted based on LCTOP actual allocations;
- D. APPROVING fund exchange in the amount of \$ 170,195 of Metro's TDA Article 4 allocations with La Mirada Transit's share of FY17 Federal Section 5307 and \$199,062 of Metro's TDA Article 4 allocations with Arcadia Transit's share of FY17 Federal Section 5307;
- E. APPROVING Two-year lag funding for \$842,476 to Torrance Transit, Commerce Transit, and Long Beach Transit for the transitioned services from Metro as follows:
 - 1. The transfer of Metro Line 256 to City of Commerce Municipal Bus Lines consisting of 102,930 Revenue Miles and corresponding fundings in the amount of \$184,608;
 - 2. The transfer of a portion of Metro Line 130 to Torrance Transit consisting of 231,006 Revenue Miles and corresponding funding in the amount of \$414,163;
 - 3. The transfer of the eastern segment of Metro line 130 to Long Beach Transit consisting of 135,893 Revenue Miles and corresponding funding in the amount of \$243,705;
- F. APPROVING base funding increase from \$6.0 million to \$7.4 million in FY23 for Tier 2 Operators to accommodate local fund exchanges of American Recovery Plan Act (ARPA) Funding as approved by the

LACMTA Board of Directors;

- G. APPROVING the execution of \$9.2 million local fund exchanges as appropriate to implement the Board approved ARPA allocations;
- H. APPROVING fund exchange of Federal Section 5307 discretionary fund awarded to the Southern California Regional Transit Training Consortium (SCR TTC) through Long Beach Transit in the amount of \$360,000 with Metro's TDA Article 4 allocation;
- I. APPROVING fund exchanges in the amount totaling \$17.1 million of Metro's Federal Section 5307 share with Municipal Operators' shares of Federal Sections 5337 and 5339;
- J. AUTHORIZING the Chief Executive Officer to adjust FY23 Federal Section 5307 (Urbanized Formula), Section 5339 (Bus and Bus Facilities) and Section 5337 (State of Good Repair) allocations upon receipt of final apportionments from the Federal Transit Authority and amend FY23 budget as necessary to reflect the adjustment;
- K. AUTHORIZING a \$1.26 million allocation to LIFE Program Administrators, FAME Assistance Corporation (FAME) and the International Institute of Los Angeles (IILA) to fund the FY23 Taxi Voucher component of the LIFE Program;
- L. ADOPTING a resolution designating Transportation Development Act (TDA) and State Transit Assistance (STA) fund allocations are in compliance with the terms and conditions of the allocations (Attachment B);
- M. APPROVING the reallocation of \$10 million in greater than anticipated FY22 Federal Section 5307 funds, plus additional allocations of \$5 million in FY24 and \$5 million in FY26 Federal Section 5307 funds in support of Local Operators Capital Requirements (Attachment C);
- N. APPROVING fund exchange of FY22 Federal Section 5307 funds in the amount of \$10 million allocated to Local Operators with other local funds as appropriate to accelerate grant approval and disbursement of funds by the Federal Transit Administration; and
- O. AUTHORIZING the Chief Executive Officer to negotiate and execute all necessary agreements to implement the above funding programs.

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- Attachments:** [Attachment A - FY23 Transit Fund Allocations](#)
[Attachment B - TDA and STA Resolution](#)
[Attachment C - FY22 Federal Final Actual Transit Fund Allocations](#)
[Attachment D - Summary of Significant Info, Methodologies and Assumptions](#)

17. SUBJECT: ACCESS SERVICES PROPOSED FISCAL YEAR 2023 [2022-0341](#)
BUDGET

RECOMMENDATION

CONSIDER:

- A. APPROVING local funding request for Access Services (Access) in an amount not to exceed \$156,094,281 for FY23. This amount includes:
1. Local funds for operating and capital expenses in the amount of \$153,651,022;
 2. Local funds paid directly to Metrolink for its participation in Access' Free Fare Program in the amount of \$2,443,259; and
- B. AUTHORIZING the Chief Executive Officer (CEO) to negotiate and execute all necessary agreements to implement the above funding programs.

- Attachments:** [Attachment A - FY23 Access Services ADA Program Presentation](#)

18. SUBJECT: FY 2022-23 METROLINK ANNUAL WORK PROGRAM [2022-0255](#)
BUDGET

RECOMMENDATION

CONSIDER:

- A. APPROVING programming the Los Angeles County Metropolitan Transportation Authority's ("Metro") share of the Southern California Regional Rail Authority's (SCRRA) FY 2022-23 Operating, Rehabilitation, and Capital Budget in the amount of \$171,180,124;
- B. EXTENDING the lapsing dates for funds previously allocated to Metrolink for the Rehabilitation and Renovation Program and Capital projects as follows:
- FY 2014-15 extended from June 30, 2023 to June 30, 2024 - \$3,423
 - FY 2016-17 extended from June 30, 2023 to June 30, 2024 - \$286,000
 - FY 2018-19 extended from June 30, 2023 to June 30, 2025 -

\$1,651,187

- 94SCRALINK extended from June 30, 2023 to June 30, 2024 - \$245,242
- 94-DORANSCRRA extended from June 30, 2022 to June 30, 2023 - \$137,029
- 94SCRRAMRLUS extended from June 30, 2022 to June 30, 2023 - \$69,725
- MRBRIGHTRX extended from June 30, 2022 to June 30, 2023 - \$226,990;

C. APPROVING the FY23 Transfers to Other Operators' payment rate of \$1.10 per boarding to Metro and an EZ Pass reimbursement cap to Metro of \$5,592,000; and

D. AUTHORIZING the Chief Executive Officer to negotiate and execute all necessary agreements between Metro and the SCRRA for the approved funding.

Attachments: [Attachment A - Metrolink FY 2022-23 Budget Transmittal](#)

SUBJECT: GENERAL PUBLIC COMMENT

[2022-0357](#)

RECEIVE General Public Comment

Consideration of items not on the posted agenda, including: items to be presented and (if requested) referred to staff; items to be placed on the agenda for action at a future meeting of the Committee or Board; and/or items requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Committee subsequent to the posting of the agenda.

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN COMMITTEE'S SUBJECT MATTER JURISDICTION

Adjournment