MINUTES

Thursday, August 25, 2022

10:00 AM

Board of Directors - Regular Board Meeting

DIRECTORS PRESENT:

Ara J. Najarian, Chair
Jacquelyn Dupont-Walker, 1st Vice Chair
Kathryn Barger
Mike Bonin
James Butts
Fernando Dutra
Eric Garcetti
Paul Krekorian
Holly J. Mitchell
Tim Sandoval
Mark Archuleta, non-voting member

Stephanie Wiggins, Chief Executive Officer

CALLED TO ORDER: 10:03 A.M.

ROLL CALL

1. APPROVED Consent Calendar Items: 2, 5, 6, 7, 8, 10, 13, 14, 15, 17, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36, and 40.

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

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

2. SUBJECT: MINUTES **2022-0557**

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held June 23, 2022, and the Special Board Meeting held July 20, 2022.

3. SUBJECT: REMARKS BY THE CHAIR **2022-0555**

RECEIVED remarks by the Chair.

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

4. SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER **2022-0556**

RECEIVED report by the Chief Executive Officer.

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

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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	AJN = A.J. 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: COUNTYWIDE CALL FOR PROJECTS **2022-0447**

APPROVED ON CONSENT CALENDAR:

A. RECERTIFYING $16.6 million in existing Fiscal Year (FY) 2022-23 commitments from previously approved Countywide Call for Projects (Call) and AUTHORIZING the expenditure of funds to meet these commitments;

B. DEOBLIGATING $0.65 million of previously approved Call funding and hold in RESERVE;

C. 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 2022-23 budget, as necessary, to include the 2022 Countywide Call Recertification and Extension funding in the Subsidies budget;

D. APPROVING changes to the scope of work for:
   1. City of Bell - Florence Avenue Pedestrian Improvements (#F7634); and

E. RECEIVING AND FILING:
   1. time extensions for 69 projects; and
   2. reprogram for five projects.

6. SUBJECT: MEASURE M 3% LOCAL CONTRIBUTION GUIDELINES REVISIONS **2022-0445**

APPROVED ON CONSENT CALENDAR the release of the draft revised Measure M 3% Local Contribution Guidelines .

7. SUBJECT: HIGH DESERT CORRIDOR JOINT POWERS AGENCY **2022-0338**

APPROVED ON CONSENT CALENDAR Metro participation in the Joint Powers Agreement creating the High Desert Corridor Joint Powers Agency.

8. SUBJECT: CMAQ FUNDING UPDATE **2022-0448**

APPROVED ON CONSENT CALENDAR:

A. RECEIVING AND FILE the Congestion Mitigation and Air Quality (CMAQ) Funding Update; and

B. ADOPT Modification to Financial Stability Policy to prioritize available CMAQ Program federal grants to the greatest extent possible for any eligible operations costs.

9. SUBJECT: RAIL TO RIVER ACTIVE TRANSPORTATION CORRIDOR - SEGMENT B **2022-0129**

APPROVED:

A. RECEIVING the Rail to River Segment B Supplemental Alternative Analysis Study Findings; and

B. the recommendation to maintain Randolph Street as the preferred alignment and continue coordination with Corridor Cities and Related Projects.

DUTRA AMENDMENT: Return to the Board in October 2022 with a funding plan to further develop "Rail to River" Segment B, including environmental clearance, design, and construction.

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

10. SUBJECT: SR 14 TRAFFIC SAFETY IMPROVEMENT PROJECT MOTION **2022-0520**

APPROVED ON CONSENT CALENDAR Motion by Directors Najarian, Butts, and Barger that the CEO direct staff to work with Caltrans to find a path forward to correct sub-standard configurations for the 3 locations ready for environmental clearance, including a funding plan, and provide monthly progress updates to the Board beginning October 2022.

13. SUBJECT: CYBERSECURITY LIABILITY INSURANCE PROGRAM **2022-0454**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to negotiate and purchase a cybersecurity liability insurance policy with up to $50 million in limits at a cost not to exceed $2.8 million for the 12-month period effective September 1, 2022 to September 1, 2023.

14. SUBJECT: SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS' LOCAL CONTRIBUTION AND DIRECT LOAN TO ALAMEDA CORRIDOR EAST - MONTEBELLO CORRIDOR PROJECT **2022-0470**

AUTHORIZED ON CONSENT CALENDAR and delegate authority to the Chief Executive Officer (CEO) or their designee to negotiate and execute all necessary agreements to enter into a direct loan of $61.1 million, current estimate, between the Los Angeles County Metropolitan Authority (Metro) and the San Gabriel Valley Council of Governments (SGVCOG). The loan advances partial funding for the Montebello Corridor Project that has a total project cost of $216.2 million.

15. SUBJECT: FY23 AUDIT PLAN **2022-0508**

ADOPTED ON CONSENT CALENDAR the Fiscal Year 2023 (FY23) Proposed Annual Audit Plan (AAP).

17. SUBJECT: CORRECTION TO PAY GRADE AND ANNUAL SALARY FOR BOARD CLERK POSITION **2022-0502**

APPROVED ON CONSENT CALENDAR:

A. the correction of the Board Clerk position of the Los Angeles County Metropolitan Transportation Authority from a Pay Grade HAA to Pay Grade HBB; and

B. the Board Clerk position annual salary of $168,896 retroactive October 4, 2021.

21. SUBJECT: TITLE VI EQUITY ANALYSIS POLICIES **2022-0248**

ADOPTED ON CONSENT CALENDAR Title VI Equity Analysis Policies.

22. SUBJECT: SERVICE STANDARDS POLICIES FOR TITLE VI PROGRAM UPDATE **2022-0430**

ADOPTED ON CONSENT CALENDAR Service Standards policies for Title VI Program Update.

23. SUBJECT: SERVICE MONITORING RESULTS FOR TITLE VI PROGRAM UPDATE **2022-0431**

ADOPTED ON CONSENT CALENDAR Service Monitoring Results for Title VI Program Update.

24. SUBJECT: EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT PROJECT, PUBLIC PRIVATE PARTNERSHIP FOR SOLAR PANELS AT MAINTENANCE AND STORAGE FACILITY **2022-0443**

AUTHORIZED ON CONSENT CALENDAR:

A. the Chief Executive Officer (CEO) to award and execute a public-private partnership (P3) Contract No. PS84743000, East San Fernando Valley Light Rail Maintenance and Storage Facility Solar and Energy Storage System Public Private Partnership, for a maximum duration of 15 years, with PCS Energy LLC pursuant to Public Utilities Code Section 130242, in the amount of $1,063,190, for Phase 1 (Preconstruction design services) subject to the resolution of any timely protest(s), if any. Pricing for Phase 2 (Finance, design, supply, installation, and commissioning) and Phase 3 (Monitor systems performance and oversight of Metro O&M activities) will be negotiated in the future with a not to exceed margin percentage of 10% and 12%, respectively; and

B. ESTABLISHING Contract Modification Authority (CMA) for 10% of the not-to-exceed contract award value and authorizing the CEO to execute individual Contract Modifications within the CCMA and within the project budget authorization.

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

25. SUBJECT: EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT PROJECT - CONSTRUCTION SUPPORT SERVICES CONTRACT **2022-0438**

AUTHORIZED ON CONSENT CALENDAR:

A. the Chief Executive Officer to award and execute a seven-year contract ending in September 2029, for Contract No. AE82218, with Arcadis Mott MacDonald (AMM) ESFV LRT JV on a Cost Reimbursable Plus Fixed-Fee basis to provide Construction Management Support Services (CMSS) for the East San Fernando Valley (ESFV) Light Rail Transit Project (Project), for an amount of $65,606,451, subject to the resolution of any timely protest; and

B. ESTABLISHING Contract Modification Authority (CMA) for $6,560,645 (10%) of the not-to-exceed contract award value and authorizing the CEO to execute individual Contract Modifications within the CMA and within the project budget authorization.

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

26. SUBJECT: METRO G LINE BUS RAPID TRANSIT IMPROVEMENTS PROJECT **2022-0440**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

A. AWARD a firm fixed price Contract No. PS85661000 to Valley Transit Partners, for Phase 1 Preconstruction Services of the Progressive Design-Build contract for the Metro G Line Bus Rapid Transit Improvements Project (Project) in the amount of $43,997,256, 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 $149,683,000; and

C. NEGOTIATE and EXECUTE all project-related agreements and modifications to existing contracts within the authorized Preconstruction Budget.

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

27. SUBJECT: METRO I-105 EXPRESSLANES - CONSTRUCTION MANAGER/GENERAL CONTRACTOR CONTRACT **2022-0442**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

A. AWARD a firm-fixed-price contract, Contract No. PS84667000 to Flatiron-Myers, Joint Venture, for I-105 ExpressLanes Project Construction Manager/General Contractor (CM/GC) Phase 1 in the amount of $7,997,461, for Preconstruction Services for a period of performance of 30 months, subject to the resolution of protest(s), if any;

B. ESTABLISH a Preconstruction Phase-of-Project Budget (Preconstruction Budget) for the I-105 ExpressLanes Project (Project) in an amount of $119,391,538; and

C. NEGOTIATE and EXECUTE all project-related agreements and modifications to existing contracts within the authorized Preconstruction Phase-of-Project Budget (Preconstruction Budget).

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

28. SUBJECT: METRO EXPRESSLANES PROJECTS - PROGRAM MANAGEMENT SUPPORT SERVICES **2022-0441**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

A. AWARD task order-based Contract No. AE83974000 for Program Management Support Services (PMSS) to HNTB Corporation, in the amount of $66,913,860 for a seven (7) year base period and $6,142,748 for a two-year option, for a total of nine (9) years and a maximum total of $73,056,608, subject to resolution of protest(s), if any;

B. ESTABLISH Contract Modification Authority (CMA) for $7,305,660 (10%) of the not-to-exceed contract award value and authorizing the CEO to execute individual Contract Modifications within the CMA and within the respective project budget authorizations.

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

29. SUBJECT: METRO I-105 EXPRESSLANES - ROADSIDE TOLL COLLECTION SYSTEM **2022-0427**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

A. AWARD firm fixed price Contract No. PS78835000 for the I-105 ExpressLanes Roadside Toll Collection System (RTCS) Design, Build, Operate, and Maintain (DBOM) contract to Conduent State and Local Solutions Inc. in the amount of $66,067,392 for a 12-year base period including the occupancy detection system, $13,161,324 for the first three-year option term for operations and maintenance, $14,165,857 for the second three-year option term for operations and maintenance, and $1,217,700 for a standalone Traffic Management Center, for a total contract value of $94,612,273, subject to resolution of protest(s), if any.

B. EXECUTE individual Contract Modifications within the Board-approved CMA in the not to exceed amount of $6,606,739, to cover the costs of anticipated future changes to the contract as informed by past experience with other Metro ExpressLanes contracts of similar nature, scope, and duration.

32. SUBJECT: A650 HEAVY RAIL VEHICLE STATIC CONVERTER LOW VOLTAGE POWER SUPPLY (LVPS) PURCHASE **2022-0432**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a 60-month, firm fixed unit price Contract No. OP82170000 to Kiepe Electric LLC for the purchase of forty-two (42) new Low Voltage Power Supply (LVPS) units of static converters in support of the A650 Heavy Rail Vehicle (HRV) fleet. The Contract's one-year base amount of $472,306 (5 units), and the one-year option amount of $1,470,195 (37 units), is for a total contract amount of $1,942,501, inclusive of sales tax. This recommendation is subject to the resolution of any properly submitted protest(s).

33. SUBJECT: HEAVY RAIL VEHICLE FLEET VINYL SEAT OVERHAUL **2022-0414**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 4 to Contract No. MA52153000 with Molina Manufacturing for the A650 Heavy Rail Vehicle (HRV) Vinyl Seat Overhaul contract to extend the Period of Performance by 24 months through September 4, 2025, and increase the Not-to-Exceed Total Contract Price by $499,110, from $475,040.24 to $974,150.24.

34. SUBJECT: METRO RED AND PURPLE MAINLINE RAIL FASTENER REPLACEMENT **2022-0415**

AUTHORIZED ON CONSENT CALENDAR:

A. the Chief Executive Officer to award a 60-month, Firm Fixed price Contract No. OP8666000 to Transdev Rail Inc., the lowest responsive and responsible bidder, for the purchase of Metro Red and Purple Mainline Fastener Replacement for a not-to-exceed amount of $28,703,169.90, inclusive of sales tax. This recommendation is subject to the resolution of any properly submitted protest(s).

B. INCREASING the Life of Project (LOP) Budget for the Metro Red and Purple Mainline Fastener Replacement, capital project number 205125, by $8,850,000 from $28,130,000 to $36,980,000.

35. SUBJECT: MEMBERSHIP ON METRO'S SAN FERNANDO VALLEY AND WESTSIDE CENTRAL SERVICE COUNCILS **2022-0395**

APPROVED ON CONSENT CALENDAR nominees for membership on Metro's San Fernando Valley and Westside Central Service Councils.

36. SUBJECT: METRO FREEWAY SERVICE PATROL **2022-0323**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

A. EXECUTE contract modifications for 4 existing Freeway Service Patrol (FSP) contracts in an aggregate amount of $4,466,000 thereby increasing the contract amounts from $4,816,957 to $9,282,957 and extending the periods of performance for the following contracts:

- Beat 24: T.G. Towing, Inc. Contract No. FSP2833200FSP1424, for $582,000 for up to 12 months, increasing the total contract amount from $4,114,302 to $4,696,302;
- Beat 29: Platinum Tow & Transport, Inc. Contract No. FSP3470600B29, for $438,000 for up to 12 months, increasing the total contract amount from $3,707,024 to $4,145,024;
- Beat 42: Platinum Tow & Transport Contract No. FSP2842100FSP1442, for $438,000 for up to 12 months, increasing the total contract amount from $3,526,231 to $3,964,231; and

- Beat 60: Freeway Towing, Inc. Contract No. FSP5768900B60, for $3,008,000 for up to 24 months, increasing the total contract amount from $5,255,700 to $8,263,700.

B. APPROVE a change in the beat cap policy to increase the number of FSP Light Duty (FSPLD) tow service beats that a vendor can be awarded from 2 to 4, establish a two beat cap limit for FSP Heavy Duty (FSPHD), and a one contract cap for FSP Regional (FSPR) (Regional contracts are comprised of multiple beats).

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

40. 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 **2022-0558**

APPROVED ON CONSENT CALENDAR making 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.

41. SUBJECT: VERMONT TRANSIT CORRIDOR **2022-0416**

RECEIVED AND FILED status report on Vermont Transit Corridor Project's Community-Based Partnership Program.

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

42. SUBJECT: COLLECTIVE BARGAINING AGREEMENT **2022-0496**

AUTHORIZED the Chief Executive Officer to:

A. EXECUTE a successor collective bargaining agreement with the Sheet Metal, Air, Rail and Transportation Union (SMART) effective July 1, 2022; and

B. AMEND the FY23 budget in the amount of $46.5 million for the implementation of the wage and benefit changes for the approval of the final collective bargaining agreement.

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

43. SUBJECT:WESTBOUND SR-91 ALONDRA BOULEVARD TO SHOEMAKER AVENUE IMPROVEMENT PROJECT RESOLUTION OF NECESSITY **2022-0298**

APPROVED BY TWO-THIRDS VOTE:

A. HOLDING a public hearing on the proposed Resolution of Necessity; and

B. ADOPTING the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire a partial fee interest ("Fee") and a 48 -month Temporary Construction Easement ("TCE") from the property located at 12642 Palm Street, Cerritos, California 90703 with APN of 7016 -020-026 (the "Property Interest") as identified in Attachment A.

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

44. SUBJECT: METRO G (ORANGE) LINE BUS RAPID TRANSIT IMPROVEMENT PROJECT RESOLUTIONS OF NECESSITY **2022-0428**

APPROVED BY TWO-THIRDS VOTE:

A. HOLDING a public hearing on the proposed Resolutions of Necessity; and

B. ADOPTING the Resolutions of Necessity authorizing the commencement of an eminent domain action to acquire certain property interests in parcels MOL-001, MOL-004, MOL-006 & MOL-008 as listed in List of Parcels Included in the Resolutions of Necessity (Attachment A). The properties listed are herein referred to as "the Property Interests."

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

45. SUBJECT: CLOSED SESSION **2022-0567**

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

1. The California Endowment v. LACMTA, et al., LASC Case No. 22STCP01030

NO REPORT.

2. Patrick Chammas v. LACMTA, Case No. BC716264

APPROVED settlement in the amount of $16,238,183.

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

3. Maria Diaz. et al. v. LACMTA, Case No. BC669575

APPROVED settlement in the total amount of $475,000. The settlement will be split $280,000 for plaintiff Soto and $195,000 for plaintiff Diaz.

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

4. Tangelada Trawick v. LACMTA, Case No. 19STCV31057

APPROVED settlement in the amount of $450,000.

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

5. Robert L. Warnock, et al. v LACMTA, Case No. 22STCP02310

NO REPORT.

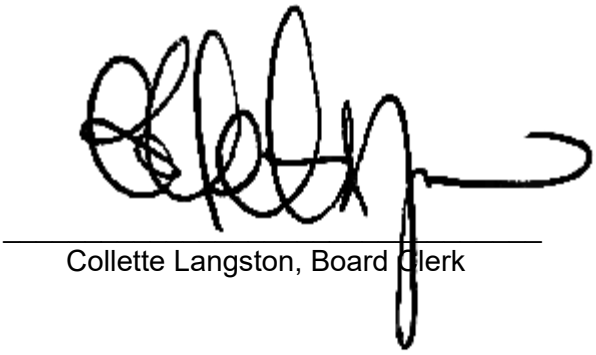
B. Conference with Real Property Negotiators – G.C. 54956.8

Property: Union Station – East Portal, 800 North Alameda Street, Los Angeles, California 90012.
Agency Negotiator: Holly Rockwell and Steve Jaffe.
Negotiating Parties: Greyhound Lines, Inc.
Under Negotiation: Price and terms.

NO REPORT.

ADJOURNED AT 1:16 P.M. IN MEMORY OF TARA THOMAS.

Prepared by: Jessica Vasquez Gamez
Administrative Analyst, Board Administration



Collette Langston, Board Clerk