MINUTES

Thursday, September 24, 2020

10:00 AM

Board of Directors - Regular Board Meeting

DIRECTORS PRESENT:
Eric Garcetti, Chair
Hilda L. Solis, 1st Vice Chair
Ara Najarian, 2nd Vice Chair
Kathryn Barger
Mike Bonin
James Butts
Jacquelyn Dupont-Walker
John Fasana
Robert Garcia
Janice Hahn
Paul Krekorian
Sheila Kuehl
Mark Ridley-Thomas
John Bulinski, non-voting member

Phillip A. Washington, Chief Executive Officer

CALLED TO ORDER: 10:07 A.M.

ROLL CALL

1. APPROVED Consent Calendar Items: 2, 5, 6, 7, ~~8~~, 9, 11, 12, 13, 14, 16, 17, 18, 21, and 33.

Consent Calendar items were approved by one motion except for item 8 which was held by a Director for discussion and/or separate action.

KB	MRT	JF	JDW	MB	EG	HS	AN	RG	JB	PK	JH	SK
Y	A	Y	Y	Y	Y	Y	Y	Y	Y	A	Y	Y

2. SUBJECT: MINUTES **2020-0596**

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held August 27, 2020

3. SUBJECT: REMARKS BY THE CHAIR **2020-0630**

RECEIVED remarks by the **Chair.**

KB	MRT	JF	JDW	MB	EG	HS	AN	RG	JB	PK	JH	SK
P	A	P	P	P	P	P	P	P	P	P	P	P

4. SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER **2020-0631**

RECEIVED report by the **Chief Executive Officer.**

KB	MRT	JF	JDW	MB	EG	HS	AN	RG	JB	PK	JH	SK
P	A	P	P	P	P	P	P	P	P	P	P	P

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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

5. SUBJECT: LEASE AGREEMENT WITH WETZEL'S PRETZELS FOR KIOSK K-1 AT LOS ANGELES UNION STATION **2020-0459**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO) to execute a lease agreement with Wetzel's Pretzels ("Wetzel's") for Kiosk K-1 in Union Station West and a vending cart located in the East Portal at a monthly rent of $28,292 with annual increases of three-percent (3%), plus common area maintenance fees, eight-percent (8%) of gross sales above the natural breakpoint, as well as provisions related to COVID-19 for an initial term of five-years and a tenant-initiated five-year extension at fair market value.

KB	MRT	JF	JDW	MB	EG	HS	AN	RG	JB	PK	JH	SK
C												

6. SUBJECT: LEASE AGREEMENT WITH CILANTRO FRESH MEXICAN GRILL FOR KIOSK K-5 AT LOS ANGELES UNION STATION **2020-0460**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO) to execute a lease agreement with Cilantro Fresh Mexican Grill for Kiosk K-5 at Los Angeles Union Station at a monthly rent of $5,100 with annual increases based on CPI of no less than three-percent (3%) and no more than five-percent (5%), exclusive of common area maintenance fees, gross sales rent of eight-percent (8%) above the natural breakpoint, as well as provisions related to COVID-19 for an initial term of five years with a tenant-initiated five-year extension at fair market value.

7. SUBJECT: EXPRESSLANES FINANCIAL ADVISORY SERVICES **2020-0552**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO) to: EXECUTE Modification No. 1 to Task Order No. 17 to Contract No. PS 13052103I to exercise two (2), one-year options with Sperry Capital Inc. to serve as financial advisor on the Metro Express Lanes, in the not-to-exceed amount of $337,725 for Option Year 1, and in the not-to-exceed amount of $270,180 for Option Year 2, increasing the not to-exceed Task Order value from $1,243,065 to $1,850,970 and extending the contract term from October 17, 2020, to October 17, 2022.

KB	MRT	JF	JDW	MB	EG	HS	AN	RG	JB	PK	JH	SK
ABS								S	C			

8. SUBJECT: GROUP INSURANCE PLANS **2020-0567**

AUTHORIZED the Chief Executive Officer to renew existing group insurance policies covering Non-Contract and AFSCME employees, including the life and disability coverage for Teamster employees, for a one-year period beginning January 1, 2021.

KB	MRT	JF	JDW	MB	EG	HS	AN	RG	JB	PK	JH	SK
C	C	Y	Y	Y	C	C	Y	C	Y	Y	C	Y

9. SUBJECT: LOCAL RETURN PROPOSITION A AND PROPOSITION C CAPITAL RESERVE AND LAPSING EXTENSION **2020-0265**

AUTHORIZED ON CONSENT CALENDAR 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 Accounts as approved; and:

A. ESTABLISH Proposition A Local Return funded Capital Reserve Account for the Cities of Industry and Lynwood

B. ESTABLISH Proposition C Local Return funded Capital Reserve Account for the Cities of Beverly Hills, Manhattan Beach, Pomona, Redondo Beach, San Marino, and Whittier

C. AUTHORIZE a one-time, one year extension of Local Return funds allocated in FY20 or previously, as a result of the COVID-19 pandemic.

10. SUBJECT: FISCAL YEAR 2021 (FY21) BUDGET **2020-0522**

A. ADOPTED AS AMENDED the proposed FY21 Budget as presented in the budget document (provided in a separate transmittal and posted on metro.net);

1. AUTHORIZED $6.0 billion annual consolidated expenditures to achieve goals and objectives set forth by the Board adopted Metro Vision 2028 strategic plan; and

2. AUTHORIZED a total of 10,219 FTEs with 8,482 Represented FTEs and 1,737 Non-Represented FTEs which did not change from FY20 authorized levels; and

3. APPROVED the Life of Project (LOP) budgets for new capital projects with LOP exceeding $5.0 million presented in Attachment A; and

4. AMENDED the proposed budget to include $165.2 million for Gold Line Foothill Extension 2B for a total of $265.2 million, finalized after budget closed; and

B. APPROVED the Reimbursement Resolution declaring Metro's intention to issue debt in FY21 for capital projects, as shown in Attachment B, with the provision that actual debt issuance will require separate Board approval.

KB	MRT	JF	JDW	MB	EG	HS	AN	RG	JB	PK	JH	SK
Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

10.1. SUBJECT: FY21 OPERATIONS RECOVERY PLAN 2020-0644

APPROVED Motion by Directors Bonin, Garcetti, Solis, Garcia, and Kuehl that the Board direct the Chief Executive Officer to:

A. Report back to the Operations, Safety, and Customer Experience Committee in 60 days, with updates every 60 days thereafter, with an FY21 Operations Recovery Plan that achieves the following outcomes:

1. Aligns bus lines with their respective NextGen service tier standards.

2. Does not exceed maximum load factors on buses and trains based on industry-accepted health and safety standards.

3. Sets criteria for adding service in anticipation of future on-street conditions related to economic sector and/or school reopening's and the return of traffic congestion and effect on bus speeds.

4. Takes full advantage of operational savings from faster bus speeds to achieve performance-based service outcomes.

5. Restores revenue service hours as appropriate to achieve all of the above outcomes.

B. Report back to the Finance, Budget, and Audit Committee in 60 days with an amendment to the FY21 Budget, if necessary, to implement the above FY21 Operations Recovery Plan.

KB	MRT	JF	JDW	MB	EG	HS	AN	RG	JB	PK	JH	SK
Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y

11. SUBJECT: FISCAL YEAR 2021 TRANSIT FUND ALLOCATIONS 2020-0548

APPROVED ON CONSENT CALENDAR:

A. $2.1 billion in FY 2021 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. fund exchanges in the estimated amount of $2,813,249 of Metro's TDA Article 4 allocation with Municipal Operators' shares of Low Carbon Transit Operations Program. Funding adjusted based on LCTOP actual allocations;

(continued on next page)

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C. fund exchanges in the estimated amount of $267,928 of Metro's Prop C 40% allocation with Antelope Valley's shares of Low Carbon Transit Operations Program. Funding adjusted based on LCTOP actual allocations;

D. fund increases from $6.0 million to $9.0 million in FY 2021 for Tier 2 Operators. This allocation includes CARES ACT Equivalent Supplemental Funding as approved by the LACMTA Board of Directors;

E. the execution of local funding exchanges as appropriate in order to implement the Board approved CARES Act allocations;

F. fund exchange of Federal Section 5307 discretionary fund awarded to the Southern California Regional Transit Training Consortium (SCRTTC) through Long Beach Transit in the amount of $330,000 with Metro's TDA Article 4 allocation;

G. fund exchanges in the amount totaling $14.0 million of Metro's Federal Section 5307 share with Municipal Operators' shares of Federal Sections 5337 and 5339;

H. AUTHORIZING the Chief Executive Officer to adjust FY 2021 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 FY 2021 budget as necessary to reflect the aforementioned adjustment;

I. 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 FY21 Taxi Voucher component of the LIFE Program;

J. AUTHORIZING the Chief Executive Officer to negotiate and execute all necessary agreements to implement the above funding programs; and

K. 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**).

12. SUBJECT: ACCESS SERVICES PROPOSED FISCAL YEAR 2021 BUDGET **2020-0547**

APPROVED ON CONSENT CALENDAR:

A. local funding request for Access Services (Access) in an amount not to exceed $97,564,167 for FY21. This amount includes:

- Local funds for operating and capital expenses in the amount of $95,245,337;
- Local funds paid directly to Metrolink for its participation in Access' Free Fare Program in the amount of $2,318,830; and

B. AUTHORIZED the Chief Executive Officer (CEO) to negotiate and execute all necessary agreements to implement the above funding programs.

13. SUBJECT: FY 2020-21 METROLINK ANNUAL WORK PROGRAM BUDGET **2020-0568**

APPROVED ON CONSENT CALENDAR:

A. the Los Angeles County Metropolitan Transportation Authority's ("Metro") share of the Southern California Regional Rail Authority's (SCRRA operated as "Metrolink") FY 2020-21 Budget Transmittal dated July 24, 2020, in the amount of $129,089,000 as detailed in Attachment A;

B. REPROGRAMMING $2,018,016 in surplus FY14, FY15, FY16 and PTIMSEA state of good repair and capital funds to fund a portion of Metro's share of Metrolink's FY 21 rehabilitation program;

C. REPROGRAMMING up to $7,000,000 in cost savings from the FY19 and FY20 state of good repair and capital funds to fund a portion of Metro's share of Metrolink's FY 21 rehabilitation program detailed in Attachment B as first priority as additional funding for reprogramming becomes available;

E. PROGRAMMING additional funding for the acquisition of new Metrolink Ticket Vending Devices in the amount of $1,599,242 to fund Metro's remaining share of the total project budget totaling $9,673,242;

F. the FY21 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

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

14. SUBJECT: METRO VANPOOL VEHICLE SUPPLIER BENCH CONTRACTS **2020-0509**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 2 to the Vanpool Vehicle Supplier Bench Contract Nos. PS10754400051491 for Airport Van Rental, PS10754300051491 for Green Commuter, and PS10754500051491 for Enterprise Rideshare (a division of Enterprise Holdings) to exercise the first one-year option in an amount not to exceed $9 million increasing the total contract value from $18 million to $27 million, and to extend the period of performance from October 1, 2020 to September 30, 2021.

KB	MRT	JF	JDW	MB	EG	HS	AN	RG	JB	PK	JH	SK
ABS								S	C			

15. SUBJECT: 2020 LONG RANGE TRANSPORTATION PLAN REQUEST FOR ADOPTION **2020-0465**

APPROVED AS AMENDED the following:

A. the 2020 Long Range Transportation Plan; and

B. the development of a Short-Range Transportation Plan, to include a strategic project list.

FASANA, BARGER, AND KUEHL AMENDMENT:

Approved Motion by Directors Fasana, Barger, and Kuehl amending the Long Range Transportation Plan (page 68) to:

Delete:
4.1.g. Explore funding opportunities and implementation strategies for Transit to Parks Strategic Plan

And replace with:
4.1.g. Implement Transit to Parks Strategic Plan with high equity focus / high feasibility Transit to Parks routes across the County.

KB	MRT	JF	JDW	MB	EG	HS	AN	RG	JB	PK	JH	SK
Y	A	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y

16. SUBJECT: MEMBERSHIP ON METRO'S WESTSIDE CENTRAL SERVICE COUNCILS **2020-0409**

APPROVED ON CONSENT CALENDAR Cynthia Rose's membership on Metro's Westside Central Service Council.

17. SUBJECT: SPARK PLUGS **2020-0472**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a two-year, indefinite delivery/indefinite quantity Contract No. MA69672000 to Cummins Incorporated, the lowest responsive and responsible bidder for spark plugs for Metro's bus engines. The Contract one-year base amount is $909,973 inclusive of sales tax, and the one-year option amount is $939,154, inclusive of sales tax, for a total contract amount of $1,849,127, subject to resolution of protest(s), if any.

18. SUBJECT: HERBICIDE APPLICATION SERVICES **2020-0498**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 9 to Contract No. OP33673325 with Conejo Crest Landscape Maintenance, Inc., for herbicide application services to increase the contract authority by $330,000 increasing the total contract value from $2,026,594.55 to $2,356,594.55 and extending the period of performance from December 1, 2020 to November 30, 2021.

21. SUBJECT: PEST AND BIRD CONTROL SERVICES ACTION: APPROVE CONTRACT MODIFICATION **2020-0499**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 4 to Contract No. OP852420003367 with Pestmaster Services Inc., for pest and bird control services to exercise the one, two-year option in the amount of $2,727,946.08, increasing the total contract value from $3,926,123.12 to $6,654,069.20 and extending the period of performance from January 1, 2021 to December 31, 2022.

25. SUBJECT: REPORT BACK ON COMMUNITY SAFETY APPROACH TO SYSTEM SECURITY AND LAW ENFORCEMENT **2020-0572**

RECEIVED AND FILED Report on a Community Safety Approach to System Security and Law Enforcement

KB	MRT	JF	JDW	MB	EG	HS	AN	RG	JB	PK	JH	SK
P	A	P	P	P	P	P	P	P	A	P	P	P

26. SUBJECT: REPORT BACK ON USE OF FORCE POLICIES 2020-0571

RECEIVED AND FILED Report on 'Use of Force' policies followed by Metro policing contractors and employees.

KB	MRT	JF	JDW	MB	EG	HS	AN	RG	JB	PK	JH	SK
P	A	P	P	P	P	P	P	P	A	P	P	P

28. SUBJECT: ENVIRONMENTAL CONSTRUCTION WASTE HANDLING SERVICES 2020-0512

AUTHORIZED the Chief Executive Officer to:

A. Increase the total authorized funding for Contract No. PS20655 with TRC Solutions Inc. for Environmental Construction and Waste Handling Services in the amount of $8,000,000, increasing the Total Contract Funding limit from $66,800,000 to $74,800,000, and

B. Execute all individual Task Orders and changes within the new Board approved contract funding amount.

KB	MRT	JF	JDW	MB	EG	HS	AN	RG	JB	PK	JH	SK
ABS	Y	Y	Y	Y	Y	Y	Y	S	C	Y	Y	Y

31.1. SUBJECT: FARE CAPPING VS FARELESS SYSTEM POLICY QUESTIONS 2020-0638

APPROVED Motion by Directors Butts and Barger that the Board direct the Chief Executive Officer to:

A. Endorse the development of a budget and timeline for Fare Capping options that can be phased in over time and return with a status report in the same cycle as the Fareless System Initiative status report in the November-December Board cycle;

B. In the same Board cycle(s), explore the financial ramifications of implementing a phased vs total Fareless System Initiative program
   - vis-a-vis a Fare Capping program with the Fareless System Initiative policy analysis being a factor in the preparation of the Fare Capping option report; and

C. Answer the following questions when Metro staff return to the Board in the November-December cycle with both status reports on a Fareless System Initiative Policy recommendation:

(continued on next page)

(Item 31.1 -- continued from previous page)

1. How much annual fare revenue is collected for each fare category?

2. What is the capital cost for fare collection and enforcement equipment and how often must the equipment be replaced and rehabilitated?

3. What is the estimated annual net operating cost of fare collection for each fare category (fare revenues minus (fare media printing and distribution, fare collection and enforcement, fare collection equipment maintenance and operations, fare enforcement)?

4. What ridership growth could be anticipated from a free fare or from just capping fares respectively?

5. What incremental service would be required to accommodate either fare policy under pre-COVID 19 bus load assumptions and long-term social distancing load assumptions?

KB	MRT	JF	JDW	MB	EG	HS	AN	RG	JB	PK	JH	SK
Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

33. SUBJECT: MOVING BEYOND SUSTAINABILITY 2020-0439

ADOPTED ON CONSENT CALENDAR Moving Beyond Sustainability as Metro's strategic plan for sustainability over the next ten years.

35. SUBJECT: UPDATE ON CRENSHAW/LAX PROJECT 2020-0598

RECEIVED ON CONSENT CALENDAR oral report on Crenshaw/LAX Project.

KB	MRT	JF	JDW	MB	EG	HS	AN	RG	JB	PK	JH	SK
P	A	P	P	P	P	P	P	P	P	P	P	P

36. SUBJECT: CLOSED SESSION 2020-0605

A. Conference with Real Estate Negotiator - G.C. 54956.8

1. Property Description: 11301 Wilshire Blvd. LA, CA 90073
(West Los Angeles VA Campus)
Agency Negotiator: Velma Marshall
Negotiating Party: U.S. Department of Veterans Affairs
Under Negotiation: Price and terms

No report.

(continued on next page)

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2. Property Description: 13861 Rosecrans Avenue, Santa Fe Springs, Ca
   Agency Negotiator: Craig Justesen
   Negotiating Party: Marvin Terry Vance, Trustee of the Vance Trust
   Under Negotiation: Price and terms

   No report.

3. Property Description: 13650 Rosecrans Avenue, Santa Fe Springs, Ca
   Agency Negotiator: Craig Justesen
   Negotiating Party: Betty L. Patridge, as sole Trustee of The Patridge Family Trust; Connie Jean Eason, a Married Woman as her sole and Separate Property; Monty Ray Patridge, Trustee of the Monty Ray Patridge Revocable Living Trust, and Mark W. Patridge and Lynn Patridge, Trustees of the M&L Patridge 2013 Family Trust
   Under Negotiation: Price and terms

   No report.

4. Property Description: 800 N Alameda St, Los Angeles, CA 90012
   Agency Negotiator: Ken Pratt
   Negotiating Party: CC Cal, LP
   Under Negotiation: Price and Terms

   No report.

B. Public Employee Employment - G.C. 54957
   Title: Chief Ethics Officer

   Selected final candidate and instructed staff to negotiate salary.

KB	MRT	JF	JDW	MB	EG	HS	AN	RG	JB	PK	JH	SK
Y	A	Y	Y	Y	Y	A	Y	Y	A	Y	Y	Y

C. Public Employee Performance Evaluations - G.C. 54957(b)(1)
   Titles: Chief Executive Officer, Board Secretary, Chief Ethics Officer, Inspector General, and General Counsel

   No report.

ADJOURNED AT 2:38 P.M. IN MEMORY OF V.C. POWE AND RAMON GAMEZ, SENIOR.

Prepared by: Jessica Gamez
Administrative Analyst, Board Administration

Michele Jackson, Board Secretary

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