



RECAP of Proceedings

Thursday, January 23, 2020

10:00 AM

**One Gateway Plaza, Los Angeles, CA 90012,
3rd Floor, Metro Board Room**

Board of Directors - Regular Board Meeting

DIRECTORS PRESENT:

**James Butts, Chair
Hilda Solis, 2nd Vice Chair
Kathryn Barger
Mike Bonin
Jacquelyn Dupont-Walker
John Fasana
Janice Hahn
Paul Krekorian
Sheila Kuehl
Ara Najarian
Mark Ridley-Thomas
Mark Archuleta, non-voting member**

Phillip A. Washington, Chief Executive Officer

CALLED TO ORDER AT: 10:01 A.M.

ROLL CALL

1. APPROVED Consent Calendar Items: 2, 7, 9, 10, 11, 13, 14, 15, 17, 20, 22, 25, 26, 27, 32, 33, 34, 35, 36, 38, 41, 42, 43, and 45

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

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

2. **SUBJECT: MINUTES** **2020-0006**

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held December 5, 2019.

3. **SUBJECT: REMARKS BY THE CHAIR** **2020-0071**

RECEIVED remarks by the **Chair**.

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

4. **SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER** **2020-0072**

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

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

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

7. SUBJECT: METRO AFFORDABLE HOUSING POLICIES AND TOOLS 2019-0848

APPROVED ON CONSENT CALENDAR:

- A. RECEIVING AND FILING Metro Affordable Housing Policies and Tools; and
- B. ADOPTING the proposed amendments to the 2020 State Legislative Program Goals.

**8.1. SUBJECT: LOS ANGELES COUNTY GOODS MOVEMENT STRATEGIC 2020-0067
PLAN DEVELOPMENT STATUS UPDATE**

APPROVED Motion by Directors Hahn, Solis, Butts, Garcia and Najarian that the Board:

1. Direct that the I-710 Clean Truck Program be developed as an Early Action Item under both the Goods Movement Strategic Plan as well as the I-710 South Corridor Project.
2. Request a report back in 60 days that provides a framework for implementation of the 710 Clean Truck Program. This framework should delineate, at a minimum the:
 - a. Assessment of eligible Metro funding sources and recommendations for seed funding.
 - b. Development of implementation details, including eligibility requirements, institutional arrangements, management, staff resources and administration.
 - c. Evaluation of different potential strategies to accelerate progressive transition to Zero Emission Trucks in the I-710 corridor.
 - d. Recommendations on how to encourage the participation of key regulatory agencies and stakeholders in the development of the program, with a specific focus on community-based organizations, non-profits, and community advocacy groups.

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

9. SUBJECT: FUNDING AWARD RECOMMENDATION FOR FEDERAL TRANSIT ADMINISTRATION SECTION 5310 GRANT PROGRAM FUNDS **2019-0807**

APPROVED ON CONSENT CALENDAR:

- A. the federal Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities Program (“Program”) recommended funding awards totaling up to \$9,926,791 for Traditional Capital and Other Capital Projects, as shown in Attachments A and B;
- B. AUTHORIZING the Chief Executive Officer (CEO) or his designee to (1) negotiate and execute pass-through agreements with the agencies approved for funding, and (2) apply \$194,400 of unused funds from past awards to the recommended funding awards;
- C. DELEGATING to the CEO or his designee the authority to administratively approve minor changes to the scope of previously-approved Section 5310 funding awards;
- D. CERTIFYING that the Section 5310 funds are fairly and equitably allocated to eligible sub-recipients and, where feasible, projects are coordinated with transportation services assisted by other federal agencies; and
- E. CERTIFYING that the projects proposed for Section 5310 funding are included in the locally-developed 2016-2019 Coordinated Public Transit-Human Services Transportation Plan for Los Angeles County (“Coordinated Plan”) that was developed and approved through a process that included participation by seniors and individuals with disabilities, as well as by representatives of public, private and nonprofit transportation and human service providers and other members of the public.

10. SUBJECT: METRO ACTIVE TRANSPORT, TRANSIT AND FIRST/LAST MILE (MAT) PROGRAM CYCLE 1 **2019-0834**

APPROVED ON CONSENT CALENDAR:

- A. the Metro Active Transport, Transit, and First/Last Mile (MAT) Program Cycle 1 Solicitation; and
- B. AUTHORIZING the Chief Executive Officer (CEO) or designee to release the Program Solicitation and initiate a project selection process as described therein.

**11. SUBJECT: MEASURE R HIGHWAY SUBREGIONAL PROGRAM
SEMI-ANNUAL UPDATE**

2019-0838

APPROVED ON CONSENT CALENDAR:

- A. \$109,537,000 of additional programming within the capacity of the Measure R Highway Subregional Programs and funding changes via the updated project list as shown in Attachment A for:
 - Highway Operational Improvements in Arroyo Verdugo
 - Highway Operational Improvement in Las Virgenes Malibu
 - I-405, I-110, I-105 and SR-91 Ramp and Interchange Improvements (South Bay)
 - I-605 Corridor “Hot Spots” Interchange Improvements in Gateway Cities
 - I-710 South and/or Early Action Projects in Gateway Cities

- B. deobligation of \$1,390,000 dollars of previously approved Measure R Highway Subregional Program funds for re-allocation at the request of project sponsors;

- C. AUTHORIZING the CEO or his designee to negotiate and execute all necessary agreements for the approved projects.

12. SUBJECT: MOBILITY ON DEMAND PILOT PROJECT

2019-0833

AUTHORIZED the Chief Executive Officer to execute a Modification to Contract No. PS121778000 to exercise a six-month extension to the existing contract with NoMad Transit LLC, to continue to operate the Mobility on Demand (“MOD”) pilot project with enhanced service design for additional research at an increase in contract value not to exceed ~~\$1,530,332~~ \$2,180,332, increasing the contract value from \$2,506,410 to ~~\$4,036,742~~ \$4,686,742, and, at the discretion of the Chief Executive Officer, add an additional six months of service for a not to exceed amount of ~~\$2,097,293~~ \$2,747,293, increasing the contract from ~~\$4,036,742~~ \$4,686,742 to up to ~~\$6,134,035~~ \$7,434,035, with no further options to extend.

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

12.1. SUBJECT: MOBILITY ON DEMAND PILOT PROJECT

2020-0043

APPROVED REVISED Najarian motion that staff conduct an analysis of the mobility on demand pilot program that includes, but is not limited to, the following:

A. Drivers’ fully-burdened salaries; MTA staffing and budgetary costs associated with the program; fully burdened cost per trip; compliance with Federal funding requirements; extrapolation of potential future cost increases due to AB5, and any other costs/charges.

B. The completed analysis should return to the Board in May 2020.

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

13. SUBJECT: GREEN LINE EXTENSION TO TORRANCE

2019-0823

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO) to award and execute a 42-month, firm fixed price Contract No. AE63445000 With STV Incorporated (STV), in the amount of \$32,555,439 to provide environmental, advanced conceptual engineering (ACE) design, and optional preliminary engineering (PE) services on the Green Line Extension to Torrance Project for work in support of the environmental clearance study and design services, subject to resolution of protest(s), if any.

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

14. SUBJECT: PURPLE LINE EXTENSION SECTION 1, CRENSHAW/LAX AND REGIONAL CONNECTOR FIRST/LAST MILE PLANNING

2019-0806

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO) to:

- A. Prepare First/Last Mile (FLM) plans for Purple Line Extension (PLE) Section 1 stations;
- B. Execute Modification No. 3 to Task Order No. AE115994000 with IBI Group for the Purple Line Sections 2 and 3 First/Last Mile (FLM) Plan and Guidelines to accommodate PLE Section 1 FLM planning work in the amount of \$378,864 increasing the task order value from \$1,171,722 to \$1,550,586; and

(continued on next page)

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C. Subsequently initiate planning for stations on the Crenshaw/LAX line and Regional Connector.

**15. SUBJECT: ALAMEDA CORRIDOR-EAST (ACE) PROGRAM FUNDING 2019-0850
PLAN UPDATE**

AUTHORIZED ON CONSENT CALENDAR the CEO to amend the ACE funding agreement to increase Metro’s contribution by \$15,000,000 (5.5% increase to the 2007 amount of \$274,323,220) for a new total amount of \$289,323,220 and program \$19,453,420, which includes previously committed funding. Metro will not participate in any future project cost increases or overruns.

**17. SUBJECT: RISK MANAGEMENT INSURANCE BROKERAGE 2019-0795
SERVICES**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a five-year, firm fixed price Contract No. PS63853000 to USI Insurance Services LLC in the amount of \$1,268,600 for a five-year base term, \$530,503 for the first 2-year option, and \$562,811 for the second 2-year option, for a combined total amount of \$2,361,914, effective June 1, 2020 subject to resolution of protest(s), if any.

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

**20. SUBJECT: MEMBERSHIP ON METRO'S REGIONAL SERVICE 2019-0802
COUNCILS**

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

**21. SUBJECT: PUBLIC REVIEW OF NEXTGEN TRANSIT FIRST SERVICE 2019-0853
PLAN**

APPROVED:

1. AUTHORIZING the release of the NextGen Draft Transit First Service Plan for public review; and
2. updates to the Transit Service Policy to reflect the NextGen Regional Service Concept

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BONIN AMENDMENT: Add a report back from OMB by April 2020 regarding funding options for the capital portion of the NextGen Transit First scenario.

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

22. SUBJECT: P2000 LIGHT RAIL VEHICLE (LRV) POWERED AXLE ASSEMBLY OVERHAUL 2019-0861

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a 60-month, Indefinite Delivery/Indefinite Quantity (IDIQ) Contract No. MA53169000 to Pamco Machine Works, the lowest responsive and responsible bidder, for the overhaul of P2000 Light Rail Vehicle (LRV) Powered Axle Assembly Overhaul. This award is a not-to-exceed amount of \$3,132,902 subject to resolution of protest(s), if any.

25. SUBJECT: ENTERPRISE SAFETY MANAGEMENT SYSTEM 2019-0816

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 3 to Contract No. PS43249000 with Cority Software Inc. to add the Environmental and Ergonomics modules to the Enterprise Safety Management System (ESMS) in the amount of \$594,980, increasing the total contract value from \$1,292,926 to \$1,887,906 and extending the contract period of performance through December 31, 2020.

26. SUBJECT: I-10 EXPRESSLANES BUSWAY HOV5+ PILOT IMPLEMENTATION PLAN 2019-0658

APPROVED ON CONSENT CALENDAR:

- A. I-10 ExpressLanes Busway HOV5+ Pilot Implementation Plan; and
- B. AUTHORIZING implementation of the I-10 ExpressLanes Busway HOV5+ Pilot.

27. SUBJECT: REAL ESTATE MANAGEMENT SYSTEM 2019-0870

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a six-year firm-fixed price Contract No. PS62371000 to Flairsoft Ltd. for the purchase of Real Estate Management System and software support services in the amount of \$946,463, plus optional licenses, modules and subscription maintenance and support of \$714,960 for a combined total amount of \$1,661,423, subject to resolution of protest(s), if any.

**32. SUBJECT: I-5 NORTH CAPACITY ENHANCEMENTS FROM SR- 118 2019-0829
TO SR-134; SEGMENT 3**

AUTHORIZED ON CONSENT CALENDAR Contract Modification No. 235 (CCO 235) by the California Department of Transportation (Caltrans) for the construction contract for Segment 3 (Empire) of I-5 North Capacity Enhancements Project between SR-134 and SR-118 (Project) in the amount not to exceed \$1.5 M under Funding Agreement No. MOU. P0008355/8501A/A9 within the LOP budget.

**33. SUBJECT: CONSTRUCTION ZONE ENHANCED ENFORCEMENT 2019-0844
PROGRAM (COZEEP) SERVICES**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO) to:

- A. Enter into an Interagency Agreement with California Highway Patrol (CHP) for Construction Zone Enhanced Enforcement Program (COZEEP) task order services for an amount of \$6,000,000; and
- B. Execute all necessary changes and task orders required to administer the agreement.

**34. SUBJECT: ENVIRONMENTAL CONSTRUCTION WASTE HANDLING 2019-0885
SERVICES**

AUTHORIZED ON CONSENT CALENDAR:

- A. An increase to the total authorized funding for Contract No. PS20655 with TRC Solutions Inc. to increase Environmental Construction and Waste Handling Services contract value in the amount of \$20,600,000, increasing the Total Contract Value from \$46,200,000 to \$66,800,000, an
- B. The Chief Executive Officer (CEO) to execute all individual Task Orders and changes within the new Board approved contract funding amount.

35. SUBJECT: SUSTAINABILITY PROGRAM ASSISTANCE SERVICES 2019-0887

AUTHORIZED ON CONSENT CALENDAR:

- A. An increase to the total authorized funding for Contract No. PS325890084203243 with Cumming Construction Management, Inc. to provide Sustainability Program Assistance Services (SPAS) support in the amount of \$1,548,036 increasing the Total Contract Value from \$13,729,353 to \$15,277,389; and
- B. The Chief Executive Officer (CEO) to execute all individual Task Orders and changes within the new Board approved contract funding amount.

36. SUBJECT: ENVIRONMENTAL ENGINEERING SERVICES 2019-0888

AUTHORIZED ON CONSENT CALENDAR:

- A. An increase to the total authorized funding for Contract No. PS3274 with Kleinfelder, Inc. to provide Environmental Engineering support services in the amount of \$11,926,155 increasing the Total Contract Value (CMA) from \$13,200,000 to \$25,126,155, and
- B. The Chief Executive Officer (CEO) to execute all individual Task Orders and changes within the Board approved contract funding amount.

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

38. SUBJECT: STATE LEGISLATION 2020-0021

ADOPTED ON CONSENT CALENDAR REVISED staff recommended positions:

- A. ~~Senate Bill 732 (Allen) – Transactions and use tax: South Coast Air Quality Management District. **SUPPORT**~~
- B. Assembly Bill 1350 (Gonzalez) - Free youth transit passes: eligibility for state funding. **WORK WITH AUTHOR**

41. SUBJECT: WEST SANTA ANA BRANCH P3 BUSINESS CASE 2020-0008
FINANCIAL ADVISORY SERVICES

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO) to:

- A. EXECUTE Modification No. 3 to Task Order No. PS 50315-3049000 with Sperry Capital Inc. in the amount of \$1,258,650 to continue to support P3 Business Case Development for the West Santa Ana Branch LRT, increasing the not-to-exceed Task Order value from \$2,077,010 to \$3,335,660;
- B. INCREASE Contract Modification Authority (CMA) by \$267,605 from \$100,000 to \$367,605 in support of any unforeseen required additional level of effort

42. SUBJECT: ACQUISITION OF COMPUTER HARDWARE, SOFTWARE 2019-0873
AND SERVICES

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to utilize the National Association of State Procurement Officials (NASPO) Cooperative purchase program to purchase computer and network equipment, peripherals, and related software and services, for a five-year period for a total expenditure not-to-exceed \$30,000,000, subject to funding availability effective Feb 1, 2020.

43. SUBJECT: ESTABLISH K-12 U-PASS PRICING AND CONTINUE 2019-0879
REGIONAL U-PASS PROGRAM

APPROVED ON CONSENT CALENDAR:

- 1. The establishment of a K-12 pricing structure for the Universal Student Pass (U-Pass) Program for homeless student services programs at \$0.75 per boarding to match the college program, capped at \$24 per month for Metro boardings to match the existing K-12 Reduced Fare monthly pass.
- 2. The continuation of the Regional U-Pass Program for College/Vocational schools at the existing rate, which is each agency's college fare rate, up to \$0.75 per Boarding, capped at \$43 per month to match the College/Vocational Reduced Fare monthly pass.

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3. The establishment of a Regional K-12 pricing structure for homeless student services programs, which is each agency's K-12 fare up to \$0.75 per boarding, capped at the highest monthly K-12 fare rate of all agencies used by the institution's students or \$40 per month, which is the highest monthly K-12 fare in the region, if no K-12 monthly fare exists at those agencies.

45. SUBJECT: BRIDGE HOUSING AT VAN NUYS STATION **2020-0045**

DIRECTED ON CONSENT CALENDAR the Chief Executive Officer (CEO) to:

- A. Enter into a no-fee lease agreement with the City of Los Angeles (COLA) with a term ending August 15, 2023 for temporary bridge housing on a portion of the Van Nuys Orange Line Station parking lot;
- B. Re-inventory Metro-owned properties to identify other opportunities for the City of Los Angeles's A Bridge Home Program (ABH) facilities and report back to the March 2020 Executive Management Committee;
- C. Conclude the project is statutorily exempt from CEQA pursuant to Public Resources Code Sections 21080.27 and 21080, Subdivision (b)(4), and CEQA Guidelines Section 15269, Subdivision (c); and
- D. Authorize Metro staff to file a Notice of Exemption with the County Clerk.

46. SUBJECT: FREE TRANSIT FOR LOS ANGELES COUNTY STUDENTS **2020-0077**

APPROVED REVISED Motion by Directors Solis, Garcetti, Bonin, Dupont-Walker, Butts and Hahn that the Board direct the CEO in collaboration with LAUSD and other school districts, local municipalities, the State and other stakeholders, to return to the Board in April 2020 with a report that includes:

1. Review of the performance of existing free transit programs for K-12 students, including the City of Los Angeles' DASH to Class program, Metro's Just Transit pilot with LAUSD and other school districts, and the City of Sacramento's RydeFreeRT program;
2. Cost estimates for the provision of free Metro transit services for LAUSD and other school district students and potential funding mechanisms to offset those costs with considerations for phasing based on Metro's Equity Platform; Cost estimates should include information on fare subsidies and costs to administer the program;

(continued on next page)

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3. Forecasts of impacts to Metro farebox revenues as a result of free Metro transit services based on existing K-12 student pass utilization and other data;
4. A survey of various schools, in collaboration with LAUSD and other school districts, to determine transit dependency and interest of students switching to transit as result of potential free fares;
5. Mapping of various school district boundaries in the County in relation to existing and planned transit services that identifies disadvantaged and transit-dependent communities;
6. Analysis of effects on ridership, inclusive of impacts to operations on transit lines that may experience over-crowding during peak hours and potential impacts to school bus ridership;
7. Outreach to municipal operators that have transit service supported by Metro formula funds connecting to K-12 schools;
8. Recommended actions to minimize or eliminate barriers for Los Angeles County households to take advantage of potential free transit for students including, but not limited to, partnering with LAUSD and other school districts for administrative support; and
9. Return to the Board in June 2020 with a separate report, covering directives 1 through 8 of motion 46, on a partnership with Community College Districts within Metro's service area to provide no-cost transit programs for campuses that have self-imposed supplemental student fees dedicated towards the cost of transportation, including but not limited to the LA Community College District (LACCD) and LACCD's College Promise program.

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

47. SUBJECT: CLOSED SESSION

2020-0074

A. Public Employee Performance Evaluation - G.C. 54957(b)(1)

Titles: Chief Executive Officer, General Counsel, Board Secretary, Inspector General, and Chief Ethics Officer.

NO REPORT.

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

1. City of Beverly Hills v. LACMTA, USDC Case No. CV-18-3891 -GW(SSx)

NO REPORT.

2. LACMTA v. Beverly Hills Unified School District, et al., Case No. 19STCV18197

NO REPORT.

3. John Reddick v. LACMTA, Case No. BC 660135

APPROVED settlement in the amount of \$5,000,000.

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

4. Kanasha Renee Sanders v. LACMTA, et al., Case No. BC 662414

APPROVED settlement in the amount of \$600,000.

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

5. Judy Solis v. LACMTA, Case No. BC 699379

APPROVED settlement in the amount of \$450,000.

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

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6. Margaret Strowski v. LACMTA, Case No. BC 695559

NO REPORT.

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

7. Jonathan Aguilar v. LACMTA, Case No. BC 681858

NO REPORT.

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

C. Conference with Legal Counsel - Anticipated Litigation - G.C. 54956.9(d)

(2)

Significant Exposure to Litigation (One Case)

NO REPORT.

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

1. Property Description: 9601 Aviation Boulevard, Los Angeles, CA
90045

Agency Negotiator: Craig Justesen

Negotiating Party: Clean Energy

Under Negotiation: Price and terms

NO REPORT.

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

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