



Metro

Los Angeles County
Metropolitan Transportation
Authority
One Gateway Plaza
3rd Floor Board Room
Los Angeles, CA

Board Report

File #: 2021-0700, **File Type:** Minutes

Agenda Number: 2.

**REGULAR BOARD MEETING
OCTOBER 28, 2021**

SUBJECT: MINUTES

RECOMMENDATION

APPROVE Minutes of the Regular Board Meeting held September 23, 2021.



MINUTES

Thursday, September 23, 2021

10:00 AM

Board of Directors - Regular Board Meeting

DIRECTORS PRESENT:

Hilda L. Solis, Chair

Ara Najarian, 1st Vice Chair

Jacquelyn Dupont-Walker, 2nd Vice Chair

Kathryn Barger

Mike Bonin

James Butts

Fernando Dutra

Eric Garcetti

Janice Hahn

Paul Krekorian

Sheila Kuehl

Holly Mitchell

Tim Sandoval

Gloria Roberts, non-voting member

Stephanie Wiggins, Chief Executive Officer

CALLED TO ORDER: 10:00 A.M.

1. APPROVE Consent Calendar Items: 2, 5, 6, 7, 8, 9, 10, 15, 16, 19, 20, 21, 22, 25, 29, 33, and 34.

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

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

2. **SUBJECT: MINUTES** 2021-0608

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held July 22, 2021.

3. **SUBJECT: REMARKS BY THE CHAIR** 2021-0606

RECEIVED remarks by the Chair.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HM	TS	HS
P	P	P	P	P	P	P	P	P	P	P	P	P

4. **SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER** 2021-0607

RECEIVED report by the Chief Executive Officer.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HM	TS	HS
P	P	P	P	P	P	P	P	P	P	P	P	P

KB = K. Barger	FD = F. Dutra	SK = S. Kuehl	HS = H. Solis
MB = M. Bonin	EG = E. Garcetti	HM = H. Mitchell	
JB = J. Butts	JH = J. Hahn	AN = A. Najarian	
JDW = J. Dupont Walker	PK = P. Krekorian	TS = T. Sandoval	

LEGEND: Y = YES, N = NO, C = CONFLICT, ABS = ABSTAIN, A = ABSENT, P = PRESENT

**5. SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM & 2021-0527
MEASURE R TRANSIT INVESTMENTS PROGRAM
UPDATE - SOUTH BAY SUBREGION**

APPROVED ON CONSENT CALENDAR:

A. APPROVING:

1. Programming of an additional \$2,157,200 within the capacity of Measure M Multi-Year Subregional Program (MSP) - Transportation System and Mobility Improvements Program (Expenditure Line 50),
2. Programming of an additional \$28,498,120 within the capacity of Measure M MSP - Transportation System and Mobility Improvements Program (Expenditure Line 66),
3. Programming of an additional \$113,230,555 within the capacity of Measure R South Bay Transit Investments Program; and

B. DELEGATING the Chief Executive Officer (CEO) or their designee the authority to:

1. Amend Measure M MSP and Measure R Transit Investments Program funding agreements to modify the scope of work of projects and project development phases consistent with eligibility requirements;
2. Administratively extend funding agreement lapse dates for Measure M MSP and Measure R Transit Investments Program funding agreements to meet environmental, design, right-of-way, and construction time frames; and

C. AUTHORIZING the CEO or their designee to negotiate and execute all necessary agreements and/or amendments for approved projects.

**6. SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM 2021-0526
UPDATE - ARROYO VERDUGO SUBREGION**

APPROVED ON CONSENT CALENDAR:

A. REPROGRAMMING of projects in the Measure M Multi-Year Subregional Program (MSP) - Modal Connectivity and Complete Streets Program; and

(continued on next page)

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B. DELEGATING the Chief Executive Officer (CEO) or their designee the authority to:

1. Amend Measure M MSP funding agreements to modify the scope of work of projects and project development phases consistent with eligibility requirements;
2. Administratively extend funding agreement lapse dates for Measure M MSP funding agreements to meet environmental, design, right-of-way, and construction time frames; and

C. AUTHORIZING the CEO or their designee to negotiate and execute all necessary agreements and/or amendments for approved projects.

7. SUBJECT: CULVER CITY STATION ADJACENT DEVELOPMENT 2021-0449

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer or their designee to execute amendments to a Perpetual Easement Agreement and Perpetual Reciprocal Easement Agreement, accept Grant Deeds and enter into other related documents with Ivy Station LLC and/or its affiliates under common control (Developer) for the mixed-use development adjacent to the Metro E Line (Expo) Culver City Station.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HM	TS	HS
Y	Y	C	Y	C	Y	C	Y	Y	Y	C	Y	Y

8. SUBJECT: FIRST/LAST MILE PLAN FOR PURPLE (D LINE) EXTENSION TRANSIT PROJECT - SECTION 1 2021-0485

ADOPTED ON CONSENT CALENDAR First/Last Mile Plan (Plan) for Purple (D Line) Extension Transit Project Section 1.

9. SUBJECT: NORTH HOLLYWOOD TO PASADENA BUS RAPID TRANSIT CORRIDOR PROJECT 2021-0490

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. INCREASE Contract Modification Authority (CMA) specific to Contract No. AE49369000 with Kimley-Horn and Associates, Inc. in the amount of \$580,000, increasing the total authorized CMA amount from \$676,889 to \$1,256,889 to support the additional environmental technical work needed for the Final Environmental Impact Report (EIR); and

(continued on next page)

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- B. INCREASE CMA specific to the On-Call Communications Bench Contract No. PS44432010 with The Robert Group - Task Order No. 09 in the amount of \$380,000, increasing the total authorized CMA amount from \$100,000 to \$480,000 to implement additional community engagement activities to support the Final EIR, focusing outreach activities to better engage transit riders and equity focused communities.

**10. SUBJECT: ALAMEDA CORRIDOR-EAST (ACE) PROJECT MEASURE 2021-0531
R WORKING CAPITAL LOAN RESTRUCTURING**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO) or their designee to negotiate and execute a project amendment to the ACE Measure R Master Funding Agreement which will restructure the associated working capital loan by extending the loan term an additional three years and restructure the loan maturity terms to allow for adjustment based on a percentage of the outstanding loan balance, thereby allowing for additional pre-payments.

**11. SUBJECT: I-710 SOUTH CORRIDOR IMPROVEMENTS 2021-0530
ENVIRONMENTAL PROCESS STATUS UPDATE AND
RESPONSE TO MOTION 47**

RECEIVED AND FILED I-710 South Corridor Project Motion 47 Response.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HM	TS	HS
P	P	P	P	P	P	P	P	P	P	P	P	P

**12. SUBJECT: I-710 SOUTH CORRIDOR IMPROVEMENTS 2021-0310
ENVIRONMENTAL PROCESS STATUS UPDATE AND
RESPONSE TO MOTION 48**

RECEIVED AND FILED I-710 South Corridor Project Motion 48 Response.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HM	TS	HS
P	P	P	P	P	P	P	P	P	P	P	P	P

**15. SUBJECT: PUBLIC LIABILITY/PROPERTY DAMAGE THIRD PARTY 2021-0484
CLAIMS ADMINISTRATION SERVICES**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award an eight-year, firm fixed price Contract No. PS75821000, to Carl Warren & Company, LLC to provide Public Liability/Property Damage (PL/PD) claims administration services, in the amount of \$12,148,152 for the four-year base term, \$6,666,674 for the first, 2-year option term, and \$7,111,894 for the second, 2-year option term, for a combined amount of \$25,926,720, effective November 1, 2021, subject to resolution of protest(s), if any.

- 16. SUBJECT: FIFTH AMENDMENT TO LEASE AGREEMENT WITH BALDWIN STOCKER, LLC, FOR THE MICROWAVE RADIO STATION LOCATED AT LA CIENEGA BOULEVARD AND STOCKER STREET IN LOS ANGELES** 2021-0383

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO) or their designee to execute a ten (10)-year, Fifth Amendment to the Lease ("Amendment") commencing January 1, 2022, with Baldwin Stocker, LLC, ("Lessor") for the microwave radio station located at the Baldwin Hills Oil Field at La Cienega Boulevard and Stocker Street in Los Angeles at a rate of approximately \$46,465 per year with CPI escalations annually for a total of \$508,780 over the ten-year term.

- 19. SUBJECT: MEMBERSHIP ON METRO'S SAN FERNANDO VALLEY AND SOUTH BAY CITIES SERVICE COUNCILS** 2021-0399

APPROVED ON CONSENT CALENDAR nominees for membership on Metro's San Fernando Valley and South Bay Cities Service Councils.

- 20. SUBJECT: COMMERCIAL AND INDUSTRIAL DOOR REPAIR AND PREVENTIVE MAINTENANCE SERVICES** 2021-0520

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a firm-fixed unit rate Contract No. OP754160008370 for commercial and industrial door repair and preventive maintenance services with Steelman Build & Construction Inc., for a not-to-exceed amount of \$1,682,736 for the three-year base period, \$560,912 for option year one, and \$560,912 for option year two, for a combined not-to-exceed amount of \$2,804,560, effective January 1, 2022.

- 21. SUBJECT: CONTRACT NO. PS51796000 - TELEPHONE SYSTEM MAINTENANCE WITH NORSTAN COMMUNICATIONS** 2021-0523

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Contract Modification No.1 to Contract No. PS51796000 for telephone system maintenance, service, and repair to Norstan Communications, Inc., dba Black Box Network Services, for telephone system maintenance, service, and repair, to exercise the first, two-year option in an amount of \$1,037,075, increasing the total contract amount from \$1,521,764 to \$2,558,839 and extending the contract term from October 31, 2021, to October 31, 2023.

- 22. SUBJECT: P3010 LIGHT RAIL VEHICLE PROCUREMENT CONSULTING SERVICES** 2021-0499

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. INCREASE the Contract Modification Authority (CMA) from 10% to 15% of the total contract value through Contract Modification 32 to \$3,720,176 for Contract No. OP39602795A with LTK Engineering Services for Technical Support Services for P3010 Light Rail Vehicle Acquisition; and

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- B. EXECUTE Modification No. 32 to Contract No. OP39602795A with LTK Engineering Services for Technical Support Services for P3010 Light Rail Vehicle Acquisition, to extend the Period of Performance until 2023 and increase the Not-to-Exceed Total Contract Price by \$1,513,854, from \$23,287,320 to \$24,801,174.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HM	TS	HS
Y	Y	Y	Y	Y	Y	Y	Y	Y	C	Y	Y	Y

25. SUBJECT: ENTERPRISE ASSET MANAGEMENT SYSTEM **2020-0188**

APPROVED ON CONSENT CALENDAR:

- A. INCREASING the phased Life of Project (LOP) budget for the Enterprise Asset Management (EAM) Project, capital project number 207155, by \$22,950,000 from \$45,800,000 to \$68,750,000 to support Phase 2; and
- B. AUTHORIZING the Chief Executive Officer to award a firm fixed price Contract No. PS75040000 to KPMG LLP for the Enterprise Asset Management System (EAMS) Implementation Services, in the amount of \$36,525,318 for the 36-month base term, and for three options for annual assessments following implementation in the amounts of \$586,974.40 for the first assessment, \$395,138.64 for the second assessment, and \$227,875.28 for the third assessment, for a combined total amount of \$37,735,306.32, subject to the resolution of protest(s), if any.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HM	TS	HS
Y	Y	C	Y	C	Y	Y	Y	Y	Y	Y	Y	Y

29. SUBJECT: THIRD PARTY ADMINISTRATION **2021-0546**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute the annual expenditure budget plan for the FY22 Annual Work Plan for the City of Los Angeles.

33. SUBJECT: METRO EMPLOYEE ASSISTANCE PROGRAM **2021-0503**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a five-year, firm fixed unit rate Contract No. PS186372000 to ComPsych Corporation to provide a comprehensive Employee Assistance Program in an amount not-to-exceed \$531,103 for the three-year base term, plus \$187,761 for the first option year, and \$193,394 for the second option year, for a combined not-to-exceed amount of \$912,258, inclusive of two, one-year options effective November 1, 2021 subject to resolution of protest(s), if any.

34. SUBJECT: METRO ADVISORY BODY COMPENSATION POLICY 2021-0509

APPROVED ON CONSENT CALENDAR:

- A. the Metro Advisory Body Compensation Policy (ABCP); and
- B. DELEGATING authority to the CEO, or CEO's designee, to compensate Metro advisory body members pursuant to Metro's ABCP Administrative Policy or as otherwise approved by the Metro Board.

35. SUBJECT: FARELESS SYSTEM INITIATIVE (FSI) 2021-0574

APPROVED AS AMENDED BY ITEM 40:

- A. RECEIVING AND FILING the FSI funding plan for Phase 1 (K-14) and Phase 2 (low-income riders) pilots and status report;
- B. implementation of Phase 1 (K-14); and
- C. Low Income Fare is Easy (LIFE) improvements.

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

36. SUBJECT: 2021 MOVING BEYOND SUSTAINABILITY- STATUS REPORT 2021-0538

RECEIVED AND FILED status report on Moving Beyond Sustainability.

AN	JDW	KB	MB	JB	FD	EG	JH	PK	SK	HM	TS	HS
P	P	P	P	A	P	P	P	P	P	P	P	P

39. SUBJECT: FREE TRANSIT FOR CLEAN AIR DAY ON OCTOBER 6 2021-0626

APPROVED Motion by Directors Solis, Butts, Hahn, Garcetti, Kuehl, and Mitchell that the Board of Directors:

- A. Recognize "Clean Air Day" on October 6, 2021 in Los Angeles County; and
- B. Direct the Chief Executive Officer or her designee to provide fareless transit for Metro bus, rail and bike share on Clean Air Day on October 6, 2021.

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

40. SUBJECT: AMENDMENT TO FARELESS SYSTEM INITIATIVE (FSI) 2021-0627

APPROVED Motion by Mitchell, Solis, Garcetti, Sandoval, Bonin, and Dupont-Walker that the Board direct the Chief Executive Officer to:

- A. Develop a plan to double the number of LIFE Program enrollees by the end of 2022.
- B. Expedite a streamlined application system that enables on-the-spot enrollment and the immediate issuance of LIFE Program benefits through a process that allows applicants to self-certify qualification in the program. Applicants should attest that their information and eligibility in the program is accurate under penalty of fine.
- C. Ensure the fare capping pilot approved by the Board in March 2021 applies to LIFE Program participants.
- D. Expand partnerships with local, state, and federal public benefit programs to automatically enroll members in LIFE upon qualification.
- E. Partner with community-based organizations to canvass LA Metro buses and trains to enroll qualifying riders.
- F. Provide three months of fareless transit to new enrollees as an incentive to enrollment, beginning upon the resumption of fare collection.
- G. Evaluate whether qualified applicants can enroll in the LIFE Program with the next generation of touch screen TAP Vending Machines.

WE, FURTHER MOVE, that the Board direct the Chief Executive Officer to:

- H. Continue the current boarding practices until prospective participants can enroll-on-the spot and self-certify their eligibility, with no less than 90 days for promotion and 45 days for enrollment before fare collection resumes. The resumption of fare collection should also be subject to a 45-day awareness-building period that fares collection will resume as detailed in Attachment I of the September 2021 FSI report (Board File 2021-0574).
- I. Return to the Board in January 2022 with an update on LIFE Program changes.
- J. Conduct a LIFE Program evaluation - in partnership with community-based organizations -- to:
 - 1. Develop additional strategies that support the enrollment of new participants in the LIFE Program.

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- 2. Survey and convene current and prospective LIFE Program enrollees on how well the current program meets the needs of eligible applicants.
- 3. Review current benefit levels and recommend changes, as appropriate.

BONIN AMENDMENT:

I would like Metro staff to come back to us in your next report with a more reasonable evaluation of the benefits and costs of going truly fareless. This analysis needs to consider:

- A. A phased approach that winds down contracts rather than breaching them.
- B. The cost of anticipated upgrades and maintenance of our fare collection system that could be avoided.
- C. Realistic ridership and fare revenue forecasts that take into account actual ridership trends, use today's ridership as a baseline, and factor in already Board-approved discounts, including today's actions.
- D. Operational savings from reduced bus dwell times and reduced staff needs for fare collection and enforcement.
- E. Validating cost assumptions from munis.
- F. Looking more holistically at Access Services, including potential savings from Federal waivers and coordination with Microtransit; and
- G. Look at universal \$26 pass proposal from Bus Riders Union.

KUEHL AMENDMENT:

Report back on the communication plan.

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

41. SUBJECT: CLOSED SESSION

2021-0623

- A. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9(d)(1)
 - 1. Irma Perez v. LACMT, Case No. BC720506

AUTHORIZED settlement in the sum of \$360,000.

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

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2. Jose Martinez v. LACMT, Case No. 18STCV04790

AUTHORIZED settlement in the sum of \$650,000.

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

3. Xiu Yin Yu v. LACMT, Case No. 18STCV03763

AUTHORIZED settlement in the sum of \$240,000.

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

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

Property Description: 800 N. Alameda Street, Los Angeles, CA 90012

Agency Negotiator: Holly Rockwell

Negotiating Party: Rye Bar, LLC. dba Traxx Restaurant and Bar

Under Negotiation: Price and Terms

NO REPORT.

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

Title: Chief Executive Officer

NO REPORT.

ADJOURNED AT 3:38 P.M. IN MEMORY OF CHRISTOPHER GARNETT.

Prepared by: Mandy Cheung
Administrative Analyst, Board Administration



Collette Langston, Board Clerk