

# **Metro**

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



## **Agenda - Final Revised**

**Thursday, November 19, 2015**

**11:30 AM**

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

### **Executive Management Committee**

*Mark Ridley-Thomas, Chair*

*John Fasana, Vice Chair*

*Michael Antonovich*

*Eric Garcetti*

*Paul Krekorian*

*Sheila Kuehl*

*Carrie Bowen, non-voting member*

*Phillip A. Washington, Chief Executive Officer*

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

### **PUBLIC INPUT**

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 should be submitted in person at the meeting to the Board Secretary. Individuals requesting to speak on more than three (3) agenda items will be allowed to speak up to a maximum of three (3) minutes per meeting. For individuals requiring translation service, time allowed will be doubled.

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 up to three (3) minutes per meeting and may speak no more than once during the Public Comment period. Speakers will be called according to the order in which the speaker request forms are received. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant 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.

**CONDUCT IN THE BOARD ROOM** - The following rules pertain to conduct at Metropolitan Transportation Authority meetings:

**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.

### **INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD**

Agendas for the Regular MTA Board meetings are prepared by the Board Secretary and are available prior to the meeting in the MTA Records Management Department and on the Internet. Every meeting of the MTA Board of Directors is recorded on CD's and as MP3's and can be made available for a nominal charge.

### **DISCLOSURE OF CONTRIBUTIONS**

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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### **LIMITED ENGLISH PROFICIENCY**

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TDD line (800) 252-9040

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

**CALL TO ORDER****ROLL CALL****41. APPROVE Consent Calendar Items: 22 and 42.**

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

- 22. RECEIVE AND FILE update report on the Project Labor Agreement and Construction Careers policy programs for activity through the quarter ending September 2015.**

[2015-1570](#)

Attachments: [Attachment A- PLA CCP Report September 2015](#)

**(ALSO ON CONSTRUCTION COMMITTEE)**

- 42. APPROVE amendment of Title 6, Chapter 6-05 of the Los Angeles County Metropolitan Transportation Authority Administrative Code, otherwise known as the Metro Customer Code of Conduct, as set forth in Attachment A. The amended Code will become effective January 1, 2016.**

[2015-1655](#)

Attachments: [Attachment A - Code Amendments](#)

**Non-Consent Items****17. CONSIDER:** [2015-1608](#)

- A. APPROVING the 2017 **Long Range Transportation Plan (LRTP) Update Proposed Performance Metrics Framework** (Attachment A) to be used in analyzing all proposed major transit and highway projects (including Measure R projects not yet under construction) in order to develop a Potential Ballot Measure Expenditure Plan; and,
- B. RECEIVING AND FILING the LRTP Potential Ballot Measure Framework Working Assumptions in Attachment B, the Stakeholder Process Input (through an On-Line Link) in Attachment C, the Subregional Stakeholder Project Priorities in Attachment D, the Regional Facility Provider Needs Lists in Attachment E, and the Roadmap for LRTP Potential Ballot Measure Process in Attachment F.

**Attachments:**      [Attachment A - Draft Nov LRTP Report Performance Matrix](#)  
[Attachment B - LRTP Potential Ballot Measure Assumptions](#)  
[Attachment C - Stakeholder Process Input \(Online Link\)](#)  
[Attachments D - Sub-Regional Stakeholder Project Priorities Draft](#)  
[Attachment E - Regional Facility Provider Draft Needs Lists](#)  
[Attachment F - Roadmap for LRTP Potential Ballot Measure Process](#)

**(ALSO ON PLANNING AND PROGRAMMING COMMITTEE)****43. ADOPT the proposed 2016 Federal and State Legislative Program.** [2015-1686](#)

**Attachments:**      [Attachment A - 2016 Federal Legislative Program](#)  
[Attachment B - 2016 State Legislative Program](#)

**Item 44, File ID 2015-1626, has been moved to the Planning and Programming Committee and will not be heard during the Executive Management Committee.**

**44. AUTHORIZE the Chief Executive Officer to execute a thirty year (30-year) License Agreement with Clear Channel Outdoor (“CCO”) for the installation and operation of a digital outdoor advertising structure at Division 11 located at 1011 Carson Street in Long Beach at a minimum annual lease rate of \$120,000.** [2015-1626](#)

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**Attachments:**     [Attachment A - Location of Existing Clear Channel Billboards.pdf](#)  
[Attachment B - Location of New Digital Billboard Structure](#)  
[Attachment C - Summary of License Agreement Key Terms](#)  
[Attachment D - Board Motion 48.1](#)

45. AUTHORIZE: [2015-1628](#)

- A. the Chief Executive Officer to execute a ten year (10-year) Lease Agreement, including an option to extend for an additional five (5) year term, with **Groundwork Coffee and Tea Community (“Groundwork”)** for the operation of a retail business at the **Historic North Hollywood Train Depot** at a first year annual lease rate of \$3.50/square foot or \$40,740; and
- B. the new net revenues generated to be applied to the Risk Allocation Matrix savings.

**Attachments:**     [Attachment A - Preliminary Design of NOHO Depot Improvements.pdf](#)  
[Attachment B - Summary of Lease Agreement Key Terms](#)

46. AUTHORIZE the Chief Executive Officer to **amend the existing revenue contract with Allvision LLC (Allvision)** to provide for the following terms: [2015-1629](#)

- A. Metro will waive the requirement for Allvision to pay \$500,000 in accrued Guaranteed Annual Revenue Payment that was due June 30, 2015;
- B. Allvision will waive and not recapture \$769,000 in incurred Contractor Expenses that were reimbursable costs under the revenue contract resulting in an increase in future net incremental revenue payments to Metro;
- C. Allvision will reduce its revenue share from 30% to 25% of the Net Incremental Revenue payable for billboard project structured under Option 1 of the Board-approved Strategic Plan;
- D. Allvision will receive 25% of net incremental revenue generated from the proposed City-approved digital billboard project in Long Beach and the proposed digital billboard project in Carson, if those projects are successfully completed and generating revenue;
- E. Allvision will develop, for Metro staff approval, a proposed work plan and budget prior to commencing any new billboard projects; and
- F. Allvision Contractor Expenses incurred from any future billboard

projects in the City of Los Angeles will not be subject to reimbursement from net incremental revenue being generated from the existing billboard project in Downey, the proposed City-approved digital billboard project in Long Beach and proposed digital billboard project in Carson until Metro has received the Minimum Annual Guaranteed Payment (MAGP) owed under the Amended and Restated Contract as of such date.

**Attachments:**      [Attachment A - Summary of Contract Amendment Key Terms.pdf](#)  
[Attachment B - Board Motion 48.1](#)

49.      **RECEIVE AND FILE report on Community College Student Transit Pass Pilot Program in response to Motion 49.1.**      [2015-1639](#)

**Attachments:**      [Attachments A - Motion Community College Pilot File ID 2015-1290](#)

50.      **AUTHORIZE the expansion of the Pilot Business Interruption Fund to include funding for eligible small “mom and pop” businesses directly impacted by unprecedented full street closures with a duration greater than 6 continuous months such as the planned work at 2nd & Broadway segment of the Regional Connector transit rail project.**      [2015-1674](#)

**Attachments:**      [Attachment A - Motion 57](#)  
[Attachment B - The History of Full Street Closures](#)

51.      **MOTION by Antonovich and Fasana that in recognition of Bob Bartlett’s accomplishments that the Metro Maintenance and Operation Facility in Monrovia, be named the Bob Bartlett Division; and**      [2015-1693](#)

**FURTHERMORE that the Gold Line Monrovia Station be dedicated to Robert “Bob” Bartlett.**

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.

## Adjournment



Metro

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

## Board Report

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**File #:** 2015-1570, **File Type:** Informational Report

**Agenda Number:** 22.

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**EXECUTIVE MANAGEMENT COMMITTEE  
CONSTRUCTION COMMITTEE  
NOVEMBER 19, 2015**

**SUBJECT: PROJECT LABOR AGREEMENT/CONSTRUCTION CAREERS POLICY (PLA/CCP)  
REPORT (DATA THROUGH SEPTEMBER 2015), AND 12-MONTH PILOT LOCAL HIRE  
INITIATIVE**

**ACTION: RECEIVE AND FILE**

**RECOMMENDATION**

RECEIVE AND FILE update report on the **Project Labor Agreement and Construction Careers policy programs for activity through the quarter ending September 2015.**

**ISSUE**

In January 2012, the Board approved the Project Labor Agreement with the Los Angeles/Orange Counties Building and Construction Trades Council and the Construction Careers Policy. One benefit of the PLA is to encourage construction employment and training opportunities in economically disadvantaged geographic areas throughout the United States. Another benefit of the PLA is that work stoppages are prohibited.

Consistent with the Board approved PLA and CCP, prime contractors are required to provide monthly reports detailing progress towards meeting the targeted worker hiring goals. Additionally, consistent with Metro's Labor Compliance policy and federal Executive Order 11246, the prime contractors provide Metro with worker utilization data by ethnicity and gender.

The attached report provides the current status (through September 2015) of construction projects subject to the PLA/CCP.

**DISCUSSION**

There are eight active construction contracts and seven completed contracts, as of September 2015, with the PLA/CCP program requirements.

Project Name:	Prime Contractor:	Targeted Worker Goal (40%)	Apprentice Worker Goal (20%)	Disadvantaged Worker Goal (10%)	** Percentage of Disadvantaged Worker Participation that are in the Criminal Justice System Category
Crenshaw/LAX Transit Corridor	Walsh/Shea Corridor Constructors	59.11%	17.93%	10.18%	43.76%
Regional Connector Transit Corridor	Regional Connector Constructors, JV	58.84%	15.01%	12.64%	57.05%
Westside Subway Extension Project, Section 1 – Design Build	Skanska-Traylor-Shea, JV	68.56%*	21.00%*	0.00%*	0.00%*
Metro Red Line/Metro Orange Line (MRL/MOL) North Hollywood Station West Entrance	Skanska	62.37%	20.24%	14.20%	85.15%
Universal City Pedestrian Bridge	Griffith Company	32.89%	26.62%	10.31%	54.57%
Westside Subway Extension Advanced Utility Relocation (Fairfax Station)	W.A. Rasic	62.34%	20.10%	18.87%	8.77%
Metro Rail Security Kiosks	Icon-West	40.82%	27.18%	21.45%	100%
Westside Extension Project Advanced Utility Relocation (La Cienega Station)	Bubalo Construction	71.76%	14.59%	31.42%	7.87%

\* See Narrative below for a detailed discussion of attainments.



In summary, of the eight active construction projects for this reporting period, seven Contractors are exceeding the 40% Targeted Worker goal, seven contractors are exceeding the 10% Disadvantaged Worker goal, and five contractors are achieving the 20% Apprentice Worker goal.

**\*\*Percentage of Disadvantaged Worker Participation that have had involvement with the Criminal Justice System Category**

Part of Metro's PLA/CCP workforce requirement is the utilization of Disadvantaged workers on the project. One of the nine criteria for a disadvantaged worker is "having a criminal record or other involvement with the criminal justice system". The data shown above is the percentage of Disadvantaged Workers (based on hours worked) that have criminal records or involvement with the criminal justice system and were given the opportunity to work in Metro's PLA/CCP projects.

**Currently Active Contracts**

Crenshaw/LAX Transit Corridor Project  
Prime: Walsh/Shea Corridor Constructors

The Crenshaw/LAX Transit Corridor project contractor has completed 33.52% of the estimated construction work hours for this project. The contractor is currently exceeding the Targeted Worker goal at 59.11%, Disadvantaged Worker goal at 10.18% and the minority participation percentage goals, but not meeting the 20% Apprentice Worker goal at 17.93%% and the 6.90% Female Participation goal at 2.49%. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. The contractor has submitted a plan and schedule indicating that the apprentice goal for this project should be achieved in the middle of 2017. Staff will continue to work closely with the contractor towards meeting all worker goals for this project. No labor related work stoppages have occurred on this contract.

Regional Connector Transit Corridor  
Prime: Regional Connector Constructors, Joint Venture

The Regional Connector Transit Corridor Project is underway and only 1.72% of the estimated construction work hours for this project have been performed. The contractor is currently exceeding the Targeted Worker goal at 58.84%, Disadvantaged Worker goal at 12.64% and the minority participation percentage goals, but the contractor is not meeting the 20% Apprentice Worker goal at 15.01% and the 6.90% Female Participation goal at 4.77%. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. This project is still in the design-phase with limited construction activities and attainment is in line with the contractor's submitted Employment Hiring Plan which states that the Apprentice Worker goal will be met in mid-2016. No labor related work stoppages have occurred on this contract.

Westside Subway Extension Project, Section 1 Design-Build  
Prime: Skanska-Traylor-Shea, a Joint Venture (STS)

The Westside Subway Extension Project, Section 1 is underway and only 0.18% of the estimated construction work hours for this project have been performed. This project is in the early stage of design-phase with limited construction, and as such, is not representative of typical trades and hours that will be performed on the project. The contractor is currently exceeding the Targeted Worker goal at 68.56%, Apprentice Worker goal at 21%, Female Participation goal at 8.83% and the minority participation percentage goals, but not meeting the 10% Disadvantaged Worker goal at 0.00%. The attainment for the 20% Apprentice Worker is based on total apprentice-able hours. The attainments are in line with the contractor's submitted Employment Hiring Plan which states compliance with all PLA/CCP workforce goals will be met in Mid-2018. No labor work stoppages or grievances have occurred on this contract.

Metro Red Line/Metro Orange Line (MRL/MOL) North Hollywood Station West Entrance  
Prime: Skanska

The Metro Red Line/Metro Orange Line (MRL/MOL) North Hollywood Station West Entrance project contractor has completed 61.83% of the estimated construction work hours on this project. The contractor is currently exceeding the Targeted Worker goal at 62.37%, Apprentice Worker Goal at 20.24%, Disadvantaged Worker goal at 14.20%, Female Participation goal at 8.88% and the minority participation percentage goals. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. For this reporting cycle, Contractor has met all PLA/CCP workforce provisions. No labor related work stoppages or grievances have occurred on this contract.

Universal City Pedestrian Bridge  
Prime: Griffith Company

The Universal City Pedestrian Bridge project contractor has completed 85.06% of the estimated construction work hours on this project. The contractor is currently exceeding the Apprentice Worker goal at 26.62%, Disadvantaged Worker goal at 10.31% and the minority participation percentage goals, but not meeting the 40% Targeted Worker goal at 32.89% and the 6.90% Female Participation goal at 2.07%. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. Metro has issued several Notices of Non-Compliance to the Contractor for low attainment on the Targeted Worker goal and will keep the Board updated on the Contractor's progress. No labor related work stoppages have occurred on this contract.

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Westside Subway Extension Advanced Utility Relocation (Fairfax Station)Prime: W.A. Rasic

The Westside Subway Extension Advanced Utility Relocation - Fairfax Station project contractor has completed 98.29% of the estimated construction work hours on this project. The contractor is currently exceeding the Targeted Worker goal at 62.34%, Apprentice Worker goal at 20.10%, Disadvantaged Worker goal at 18.87% and the minority participation percentage goals, but not meeting the 6.90% Female Participation goal at 2.36%. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. No labor related work stoppages have occurred on this contract.

Metro Rail Security KiosksPrime: Icon-West

The Metro Rail Security Kiosks project contractor has completed 67.29% of the estimated construction work hours on this project. The contractor is currently exceeding the Targeted Worker goal at 40.82%, Apprentice Worker goal at 27.18%, Disadvantaged Worker goal at 21.45% and the minority participation percentage goals, but not meeting the 6.90% Female Participation goal at 0.00%. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. No labor related work stoppages or grievances have occurred on this contract.

Westside Extension Project Advanced Utility Relocation (La Cienega)Prime: Bubalo Construction

The Westside Extension Project Advance Utility Relocation project contractor has completed 35.19% of the estimated construction work hours on this project. The contractor is currently exceeding the Targeted Worker goal at 71.76%, Disadvantaged Worker goal at 31.42%, and the minority participation percentage goals, but not meeting the 20% Apprentice Worker goal at 14.59% and the 6.90% Female Participation goal at 0.52%. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. Contractor has submitted an updated Employment Hiring Plan indicating that attainment on the Apprentice Worker goal will be met by the end of 2015. No labor related work stoppages or grievances have occurred on this contract.

**Completed Contracts**

Completed Projects:	Prime Contractor:	Targeted Worker Goal (40%)	Apprentice Worker Goal (20%)	Disadvantaged Worker Goal (10%)	*Percentage of Disadvantaged Workers that are in the Criminal Justice System Category
Crenshaw Advanced Utility Relocation Project	Metro Builders	61.41%	13.84%	21.08%	2.90%
Westside Subway Extension Advanced Utility Relocation	Metro Builders	67.47%	11.12%	11.08%	0.00%
Westside Subway Exploratory Shaft	Innovative Construction Solutions	50.88%	75.05%	11.23%	96.23%
Regional Connector Transit Corridor Adv. Utility Relocation	Pulice Construction	51.61%	21.37%	22.83%	28.39%
CNG Emergency Generator Division 7 & 8	Taft Electric	46.42%	25.51%	39.08%	39.48%
Division 13 CNG Fueling Facility, Design/Build/Operate	Clean Energy	67.54%	20.17%	60.72%	49.48%
Metro Blue Line Stations Refurbishments	S.J. Amoroso	56.01%	26.10%	13.62%	28.03%

**Crenshaw Advanced Utility Relocation Project**  
**Prime: Metro Builders**

The Crenshaw Advanced Utility Relocation project is 100% complete as of September 2014. Final reporting shows the Targeted Worker attainment at 61.41%, Disadvantaged Worker attainment at 21.08% and the minority participation percentage goals were attained, but the contractor did not meet the 20% Apprentice Worker goal at 13.84% and the 6.90% Female Participation goal at 0.52%. The attainment for the 20% Apprentice worker goal is based on total apprentice-able hours. Metro staff met with the contractor in January 2015, and executed a special assessment for not meeting the apprentice goal for this project. The contractor complied with Metro's special assessment and this issue is closed.

Westside Subway Extension Advanced Utility RelocationPrime: Metro Builders

The Westside Subway Extension Advanced Utility Relocation project is 100% complete as of October 2014. Final reporting shows the Targeted Worker attainment at 67.47%, Disadvantaged Worker attainment at 11.08%, Female Participation attainment at 7.48% and the minority participation percentage goals were attained, but the contractor did not meet the 20% Apprentice Worker goal at 11.12%. The attainment for the 20% Apprentice worker goal is based on total apprentice-able hours. Metro staff met with the contractor in January 2015, and executed a special assessment for not meeting the apprentice goal for this project. The contractor complied with Metro's special assessment and this issue is closed.

Westside Subway Exploratory ShaftPrime: Innovative Construction Solutions (ICS)

The Westside Subway Extension Exploratory Shaft project is 100% complete as of October 2014. Final reporting shows the Targeted Worker attainment at 50.88%, Apprentice Worker attainment at 75.05%, Disadvantaged Worker attainment at 11.23% and the minority participation percentage goals were attained, but the contractor did not meet the 6.90% Female Participation goal at 0.42%. The attainment for the 20% Apprentice worker goal is based on total apprentice-able hours. No work stoppages or grievances occurred on this project.

Regional Connector Transit Corridor Advanced Utilities RelocationPrime: Pulice Construction

The Regional Connector Transit Corridor Advanced Utilities Relocation project was terminated for convenience in April 2015 and is now closed. Final reporting shows the Targeted Worker attainment at 51.61%, Apprentice Worker attainment at 21.37%, Disadvantaged Worker attainment at 22.83% and the minority participation percentage goals were attained, but the contractor did not meet the 6.90% Female Participation goal at 2.57%. No work stoppages occurred on this project.

CNG Emergency Generator Division 7 and 8Prime: Taft Electric

The CNG Emergency Generator Division 7 and 8 project is 100% complete as of May 2015. Final reporting shows the Targeted Worker attainment at 46.42%, Apprentice Worker attainment at 25.51%, Disadvantaged Worker attainment at 39.08% and the minority percentage goals were attained, but the contractor did not meet the 6.90% Female Participation goal at 4.68%. The attainment for the 20% Apprentice worker goal is based on total apprentice-able hours. No work stoppages or grievances occurred on this project.

Division 13 CNG Fueling Facility, Design/Build/Operate  
Prime: Clean Energy

The Division 13 CNG Fueling Facility, Design/Build/Operate project contractor is 100% complete as of June 2015. Final reporting shows the Targeted Worker attainment at 67.54%, Apprentice Worker attainment at 20.17%, Disadvantaged Worker attainment at 60.72% and the minority percentage goals were attained, but the contractor did not meet the 6.90% Female Participation goal at 1.69%. The attainment for the 20% Apprentice worker goal is based on total apprentice-able hours. No work stoppages or grievances occurred on this project.

Metro Blue Line Station Refurbishments  
Prime: S.J. Amoroso

The Metro Blue Line Station Refurbishments project contractor is 100% complete as of August 2015. Final reporting shows the Targeted Worker attainment at 56.01%, Apprentice Worker attainment at 26.10%, Disadvantaged Worker attainment at 13.62% and the minority percentage goals were attained, but the contractor did not meet the 6.90% Female Participation goal at 0.48%. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. No work stoppages occurred on this contract.

**FEMALE UTILIZATION UPDATE:**

Below is a female utilization participation report on Metro's PLA/CCP projects to track progress. Shown below is a chart of the number of cumulative female workers on active PLA/CCP projects within the last three months as requested at the July 2015 Committee meeting.

Project Name:	Prime Contractor:	No. of Female Workers July 2015	No. of Female Workers August 2015	No. of Female Workers September 2015
Crenshaw/LAX Transit Corridor	Walsh/Shea Corridor Constructors	43	49	51
Regional Connector Transit Corridor	Regional Connector Constructors, JV	6	7	7
Westside Subway Extension Project, Section 1	Skanska-Traylor-Shea, JV	No data reported	No data reported	2
Metro Red Line/Metro Orange Line (MRL/MOL) North Hollywood Station West Entrance	Skanska	3	3	4
Universal City Pedestrian Bridge	Griffith Company	3	3	5
Westside Subway Extension Advanced Utility Relocation (Fairfax Station)	W.A. Rasic	2	2	2
Metro Rail Security Kiosks	Icon-West	0	0	0
Westside Extension Project Advanced Utility Relocation (La Cienega Station)	Bubalo Construction	1	1	2

In an effort to increase female participation within Metro's PLA/CCP projects which has averaged 2.76% for all active PLA/CCP projects, staff is currently coordinating the following efforts:

- Metro has convened a Women Build METRO LA Committee to develop strategies and outreach activities to highlight the need for women in the construction industry, with emphasis on the opportunities and assistance that is available. The taskforce membership includes: LA/OC Building Construction Trade Council Executive Secretary, Ron Miller, IBEW Vice President Jane Templin, UNITEHERE President, Maria Elena Durazo, Women in Non-Traditional

Employment Roles (WINTER), National Association of Women in Construction (NAWIC), Prime Contractors, Jobs Coordinators and others. The group has agreed to present a female-

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centric event, featuring women in the Trades and women in managerial ranks. The main target audience will be women who have demonstrated an interest in construction and are actively pursuing a career. Training coordinators will be on hand to accept applications and to speak directly to women who attend the event. Young men who attend will be welcome to participate, as will people seeking information about construction as a career option. The event will be titled "Women Building Metro L.A." and is scheduled to take place in November 2015.

- Metro staff has convened a taskforce to develop an Apprenticeship Prep training program in conjunction with Los Angeles Trade Technical College. The taskforce consist of the Vice President of Academic Affairs & Workforce Development of Los Angeles Trade Technical College, Prime Contractor representatives and Metro staff.
  - Prime Contractors have committed to assist in providing employment opportunities to graduates of this Apprenticeship Prep training program.
  - The 1<sup>st</sup> Apprenticeship Prep training program is scheduled to take place during the Winter of 2015.
  - Recruitment for this training program will be focused primarily on women interested in starting a career in the construction industry.
- As part of a continuing effort to introduce the entire gamut of the construction industry to young girls, DEOD will host a group as part of a larger program, entitled Girls Build LA. This is part of a Metro-wide team effort and we have committed to present a panel of women who are successful Tradeswomen to discuss the benefits of being part of a construction related union. Further, the panel will include women who have chosen a career in project management, engineering and other areas of interest.

The focus of the panel will be to impart to the young women what it takes to be successful in the industry, and what things the women wish they had known when they were the age of the members of Girls Build LA. The session will include a question and answer period and a site tour, as appropriate.

Staff will provide updates as these programs are further developed.

## **PILOT LOCAL HIRE INITIATIVE**

In March 2015, the U.S. Department of Transportation (DOT) announced an initiative to permit, on an experimental basis, Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) recipients and sub- recipients the ability to utilize previously disallowed local/geographic-based labor hiring preferences and economic-based labor hiring preferences on Construction and Rolling Stock projects. This initiative will be carried out as a pilot program for a period of 1 year unless extended under the FHWA and FTA's existing Authorities. The Pilot initiative may be implemented



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immediately on federally funded Construction projects.

As of this quarterly reporting period, there is currently one construction project that is active and subject to the Pilot Local Hire Initiative;

- C0991 Division 16 - Southwestern Yard (contract amount of \$172mil)

This requirement was included in the solicitation for the Westside Purple Line Extension Section 2 design build contract. Staff is continually monitoring federally funded PLA/CCP covered projects awarded during the “Pilot Local Hire Initiative” implementation period and will report any additional projects subject to the Local Hire Initiative Program to the Board.

Metro received DOT and FTA approval on September 30, 2015 to use Metro’s Local Employment Program (LEP) on four (4) Rolling Stock procurements. The Local Employment Program may only be applied on an experimental basis on Metro’s New Heavy Rail Car, New Bus Buy and two Rail Car Overhaul solicitations. The FTA’s approval also contained specific conditions that limit the Local Employment Program to a voluntary program. This means that the program cannot be used to determine responsiveness to the solicitation or as a basis for award. Nonetheless, the Local Employment Program will provide Proposers with an opportunity to receive up to 5% additional preferential scoring points if new jobs are committed as part of their proposal.

The FTA’s approval also modified the definition of how Metro may define its geographical preference for new jobs and facility improvements for the New Heavy Rail Car and New Bus RFPs. For those two procurements the definition of local employment will include anywhere in the State of California. For the two rail vehicle overhaul projects the FTA will allow Metro to limit the geographical preference for new job creation to Los Angeles County.

Proposers that volunteer to participate in Metro’s Local Employment Program and who commit to new job local job creation must also commit to hiring a minimum of 10% of their new work force as Disadvantaged Workers. The targeted hiring requirement will be a condition for obtaining any preferential scoring points.

Currently, the New Heavy Rail Car RFP is due November 30, 2015, and A650 Red Line Car Overhaul RFP was due October 16, 2015. The P2000 light Rail Car Overhaul RFP is due January 7, 2016. All three procurements are in Black-out. The New Bus Buy will be issued sometime in Spring 2016.

Staff will continue to report on the “Pilot Local Hire Initiative” on a quarterly basis as part of the Project Labor Agreement/Construction Careers Program quarterly updates.

## **OUTREACH**

In efforts to attain the highest percentages of Targeted, Apprentice and Disadvantaged Workers on PLA/CCP projects, and to keep the community informed of opportunities, the contractors and DEOD participated and/or coordinated the following outreach efforts during this reporting period:

- Updated Metro’s Federal Legislative Programs to request more stringent rules and local

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enforcement capabilities regarding employment of women and under-represented minorities in construction.

- Daily/Weekly/bi-weekly meetings with outreach team, contractor, elected staffers and/or community representatives.
- Presentation at the Los Angeles County Jail on Metro's PLA/CCP workforce initiatives held on June 2, 2015.
- "10,000 Strong" Veterans Career Summit held on July 14, 2015.
- Flintridge Center Apprenticeship Preparatory Graduation Ceremony held on August 6, 2015.
- 3<sup>rd</sup> Annual Veterans Economic Summit Job Fair held on August 7, 2015.
- Inaugural Career and Resources Fair for Veterans held on August 21, 2015.
- Site tour and meeting with Brothers' Keeper Training Program (Carpenters Union Pre-Apprenticeship Training Program) held on September 30, 2015
- Women Build METRO LA event scheduled for November 17, 2015.

## **NEXT STEPS**

Staff will continue to monitor and assist Contractors with hiring efforts, and will enforce compliance as necessary.

## **ATTACHMENTS**

### A. PLA/CCP Report, Data Through September 2015

Prepared by: Miguel Cabral, Deputy Executive Officer, Strategic Business,  
PLA/Construction Careers, (213) 922-2232

Victor Ramirez, Interim Executive Officer, Vendor & Contract  
Management, (213) 922-1059

Keith Compton, Director, PLA/CCP  
Compliance & Administration, (213) 922-2406

Miriam Long, Manager, Strategic Business & Construction Career  
Resources, (213) 922-7249

Reviewed by: Ivan Page, Interim Executive Director,  
Vendor/Contract Management (213) 922-6383



Phillip A. Washington  
Chief Executive Officer

# Project Labor Agreement (PLA) / Construction Careers Policy (CCP) Update

Report Data Through  
September 2015 Reporting Period

# Crenshaw/LAX Transit Corridor Project

PLA Targeted Worker Attainment: Prime:

Walsh/Shea

Report Data Through September 26, 2015

No. of Work Hours*	Targeted Economically Disadvantaged Worker Utilization (%) <b>Goal: 40%</b>	Apprentice Utilization (%) <b>Goal: 20%</b>	Disadvantaged Worker Utilization (%) <b>Goal: 10%</b>
1,005,748.36	59.11%	17.93%	10.18%

Percentage Project Complete Based on Worker Hours: 33.52%

(rounded)

## Executive Order 11246 Demographic

### Summary

No. of Work Hours*	African American Utilization	Asian/Pacific Islander Utilization	Caucasian Utilization	Hispanic Utilization	Native American Utilization	Other/Declined to state	Minority Utilization Goal: 28.3% (rounded)	Female Utilization Goal: 6.9%
1,005,748.36	16.43%	1.23%	22.71%	55.06%	1.20%	3.37%	73.92%	2.49%



**Metro**

\*Cumulative Hours Through End of Noted Reporting Period – as Reported by Prime Contractor. Data subject to change to reflect updates or audits.

# Regional Connector Transit Corridor Project

## PLA Targeted Worker Attainment: Prime: R.C.C., Joint Venture

### Report Data Through September 2015

No. of Work Hours*	Targeted Economically Disadvantaged Worker Utilization (%) <b>Goal: 40%</b>	Apprentice Utilization (%) <b>Goal: 20%</b>	Disadvantaged Worker Utilization (%) <b>Goal: 10%</b>
56,415.50	58.84%	15.01%	12.64%
Percentage Project Complete Based on Worker Hours: 1.72% (rounded)			

Based on Total  
Apprentice Work Hours

## Executive Order 11246 Demographic

### Summary

No. of Work Hours*	African American Utilization	Asian/Pacific Islander Utilization	Caucasian Utilization	Hispanic Utilization	Native American Utilization	Other/Declined to state	Minority Utilization Goal: 28.3% (rounded)	Female Utilization Goal: 6.9%
56,415.50	7.72%	0.55%	24.37%	64.65%	0.98%	1.73%	73.90%	4.77%

\*Cumulative Hours Through End of Noted Reporting Period – as Reported by Prime Contractor. Data subject to change to reflect updates or audits.



**Metro**

# Westside Subway Extension Project, Section 1 – D/B

PLA Targeted Worker Through September 2015 S.T.S., Joint Venture

No. of Work Hours*	Targeted Economically Disadvantaged Worker Utilization (%) <b>Goal: 40%</b>	Apprentice Utilization (%) <b>Goal: 20%</b>	Disadvantaged Worker Utilization (%) <b>Goal: 10%</b>
5,972.75	68.56%	21.00%	0.00%
Percentage Project Complete	Based on Total Apprenticeship Hours: 0.18% (rounded)		

## Executive Order 11246 Demographic

### Summary

No. of Work Hours*	African American Utilization	Asian/Pacific Islander Utilization	Caucasian Utilization	Hispanic Utilization	Native American Utilization	Other/ Declined to state	Minority Utilization Goal: 28.3% (rounded )	Female Utilization Goal: 6.9%
5,972.75	9.85%	0.00%	7.32%	73.07%	0.00%	9.75%	82.92%	8.83%

\*Cumulative Hours Through End of Noted Reporting Period – as Reported by Prime Contractor. Data subject to change to reflect updates or audits.



Metro

# MRL/MOL North Hollywood Station West Entrance

PLA Targeted Report Work Through Attainment September 2015 Prime Skanska

No. of Work Hours*	Targeted Economically Disadvantaged Worker Utilization (%) <b>Goal: 40%</b>	Apprentice Utilization (%) <b>Goal: 20%</b>	Disadvantaged Worker Utilization (%) <b>Goal: 10%</b>
32,770.50	62.37%	20.24%	14.20%
Percentage Project Complete Based on Worker Hours: 61.83%	(rounded)		
	Based on Total Apprenticeshipable Work Hours		

## Executive Order 11246 Demographic

### Summary

No. of Work Hours*	African American Utilization	Asian/Pacific Islander Utilization	Caucasian Utilization	Hispanic Utilization	Native American Utilization	Other/ Declined to state	Minority Utilization Goal: 28.3% (rounded)	Female Utilization Goal: 6.9%
32,770.50	11.33%	0.05%	24.14%	60.51%	1.32%	2.65%	73.21%	8.88%

\*Cumulative Hours Through End of Noted Reporting Period - as Reported by Prime Contractor. Data subject to change to reflect updates or audits.



Metro



# Universal City Pedestrian Bridge

PLA Targeted Worker Attainment: Prime: Griffith

Company

Report Data Through September 2015

No. of Work Hours*	Targeted Economically Disadvantaged Worker Utilization (%) <b>Goal: 40%</b>	Apprentice Utilization (%) <b>Goal: 20%</b>	Disadvantaged Worker Utilization (%) <b>Goal: 10%</b>
31,686.25	32.89%	26.62%	10.31%
Percentage Project Complete Based on Worker Hours: 85.06% (rounded)			

## Executive Order 11246 Demographic

### Summary

No. of Work Hours*	African American Utilization	Asian/Pacific Islander Utilization	Caucasian Utilization	Hispanic Utilization	Native American Utilization	Other/Declined to state	Minority Utilization Goal: 28.3% (rounded)	Female Utilization Goal: 6.9%
31,686.25	9.06%	4.04%	23.50%	61.74%	0.34%	1.32%	75.18%	2.07%

\*Cumulative Hours Through End of Noted Reporting Period - as Reported by Prime Contractor. Data subject to change to reflect updates or audits.



Metro

# Westside Subway Extension Project AUR (Fairfax Station)

## PLA Targeted Worker Attainment: Prime W.A. Basic Report Data Through September 2015

No. of Work Hours*	Targeted Economically Disadvantaged Worker Utilization (%) <b>Goal: 40%</b>	Apprentice Utilization (%) <b>Goal: 20%</b>	Disadvantaged Worker Utilization (%) <b>Goal: 10%</b>
35,383.00	62.34%	20.10%	18.87%
Percentage Project Complete Based on Worker Hours: 98.29%	(rounded)		
	Based on Total Apprenticeshipable Work Hours		

## Executive Order 11246 Demographic

### Summary

No. of Work Hours*	African American Utilization	Asian/Pacific Islander Utilization	Caucasian Utilization	Hispanic Utilization	Native American Utilization	Other/Declined to state	Minority Utilization Goal: 28.3% (rounded)	Female Utilization Goal: 6.9%
35,383.00	9.14%	0.01%	14.16%	76.60%	0.00%	0.09%	85.75%	2.36%

\*Cumulative Hours Through End of Noted Reporting Period - as Reported by Prime Contractor. Data subject to change to reflect updates or audits.



Metro

# Metro Rail Security Kiosks

PLA Targeted Worker Attainment: Prime: Icon-West

## Report Data Through September 2015

No. of Work Hours*	Targeted Economically Disadvantaged Worker Utilization (%) <b>Goal: 40%</b>	Apprentice Utilization (%) <b>Goal: 20%</b>	Disadvantaged Worker Utilization (%) <b>Goal: 10%</b>
3,691.75	40.82%	27.18%	21.45%
Percentage Project Complete Based on Worker Hours: 67.29%	(rounded)		

## Executive Order 11246 Demographic

### Summary

No. of Work Hours*	African American Utilization	Asian/Pacific Islander Utilization	Caucasian Utilization	Hispanic Utilization	Native American Utilization	Other/ Declined to state	Minority Utilization Goal: 28.3% (rounded)	Female Utilization Goal: 6.9%
3,691.75	52.44%	0.54%	15.99%	28.46%	1.72%	0.85%	83.16%	0.00%

\*Cumulative Hours Through End of Noted Reporting Period - as Reported by Prime Contractor. Data subject to change to reflect updates or audits.



**Metro**

# Westside Extension Project AUR (La Cienega Station)

## PLA Targeted Worker Attainment: Prime Bubalo Report Data Through September 2015

No. of Work Hours*	Targeted Economically Disadvantaged Worker Utilization (%) <b>Goal: 40%</b>	Apprentice Utilization (%) <b>Goal: 20%</b>	Disadvantaged Worker Utilization (%) <b>Goal: 10%</b>
10,556.00	71.76%	14.59%	31.42%
Percentage Project Complete Based on Worker Hours: 35.19%	Based on Total Apprenticeshipable Work Hours (rounded)		

## Executive Order 11246 Demographic

### Summary

No. of Work Hours*	African American Utilization	Asian/Pacific Islander Utilization	Caucasian Utilization	Hispanic Utilization	Native American Utilization	Other/ Declined to state	Minority Utilization Goal: 28.3% (rounded )	Female Utilization Goal: 6.9%
10,556.00	0.25%	0.00%	8.85%	90.91%	0.00%	0.00%	91.16%	0.52%

\*Cumulative Hours Through End of Noted Reporting Period – as Reported by Prime Contractor. Data subject to change to reflect updates or audits.



Metro

# Crenshaw/LAX Advanced Utilities Relocations

Report Date Through Oct 31, 2014 (FINAL)  
 PLA Targeted Worker Attainment: Prime!

Metrobuilders

No. of Work Hours	Targeted Economically Disadvantaged Worker Utilization (%) <b>Goal: 40%</b>	Apprentice Utilization (%) <b>Goal: 20%</b>	Disadvantaged Worker Utilization (%) <b>Goal: 10%</b>
61,708.26*	61.41%		21.08%
43,277.52**		13.84%	

Percentage Project Complete Based on Worker Hours: 100%

## Executive Order 11246 Demographic

### Summary

No. of Work Hours*	African American Utilization	Asian/Pacific Islander Utilization	Caucasian Utilization	Hispanic Utilization	Native American Utilization	Other/ Declined to state	Minority Utilization Goal: 28.3% (rounded )	Female Utilization Goal: 6.9%
61,708.26	11.66%	0.01%	22.02%	66.29%	0.01%	0.00%	77.97%	0.52%
* Total Cumulative Project Hours as Reported by Prime Contractor.								



Metro

\*\* Total Apprenticeable Cumulative Hours as Reported by Prime Contractor

# Westside Subway Extension Advanced Utilities

PLA Targeted Worker Attainment: Prime: **(FINAL)**

Metrobuilders

No. of Work Hours*	Targeted Economically Disadvantaged Worker Utilization (%) <b>Goal: 40%</b>	Apprentice Utilization (%) <b>Goal: 20%</b>	Disadvantaged Worker Utilization (%) <b>Goal: 10%</b>
Percentage	Project Complete	Based on Worker Hours	100%

## Executive Order 11246 Demographic

### Summary

No. of Work Hours*	African American Utilization	Asian/Pacific Islander Utilization	Caucasian Utilization	Hispanic Utilization	Native American Utilization	Other/ Declined to state	Minority Utilization Goal: 28.3% (rounded )	Female Utilization Goal: 6.9%
37,776	3.92%	0.00%	12.76%	76.87%	0.00%	6.45%	80.79%	7.48%

\*Cumulative Hours Through End of Noted Reporting Period - as Reported by Prime Contractor. Data subject to change to reflect updates or audits.



Metro

# Westside Subway Extension Exploratory Shaft

PLA Targeted Worker Attainment Report Data Through October 2014 (FINAL)

Constructive Solutions	Targeted Economically Disadvantaged Worker Utilization (%)	Apprentice Utilization (%)	Disadvantaged Worker Utilization (%)
Hours	Goal: 40%	Goal: 20%	Goal: 10%
*18,049.25	50.88%		11.23%
**238.50		75.05%	
Percentage Project Complete Based on Worker Hours: 100%			

## Executive Order 11246 Demographic

No. of Work Hours*	African American Utilization	Asian/Pacific Islander Utilization	Caucasian Utilization	Hispanic Utilization	Native American Utilization	Other/ Declined to state	Minority Utilization Goal: 28.3% (rounded )	Female Utilization Goal: 6.9%
18,049.25	11.40%	* 0.00%	22.71%	33.18%	1.19%	31.52%	45.77%	0.42%
Total Cumulative Project Hours as Reported by Prime Contractor.								

# Regional Connector Advanced Utility Relocations

## PLA Targeted Worker Attainment: Prime: Pulice

Report Data Through May 2015 (FINAL)

No. of Work Hours*	Targeted Economically Disadvantaged Worker Utilization (%) <b>Goal: 40%</b>	Apprentice Utilization (%) <b>Goal: 20%</b>	Disadvantaged Worker Utilization (%) <b>Goal: 10%</b>
58,903.00	51.61%	21.37%	22.83%
Percentage Project Complete Based on Worker Hours: 100.00% (rounded)			
Contractor Reported Based on Total Work Hours			

## Executive Order 11246 Demographic

### Summary

No. of Work Hours*	African American Utilization	Asian/Pacific Islander Utilization	Caucasian Utilization	Hispanic Utilization	Native American Utilization	Other/Declined to state	Minority Utilization Goal: 28.3% (rounded)	Female Utilization Goal: 6.9%
58,903.00	1.36%	0.41%	17.43%	80.30%	0.00%	0.50%	82.07%	2.57%

\*Cumulative Hours Through End of Noted Reporting Period - as Reported by Prime Contractor. Data subject to change to reflect updates or audits.



Metro



# CNG Emergency Generator Division 7 and 8

PLA Targeted Report Data Through May 2015 (FINAL) Prime: Taft Electric

No. of Work Hours*	Targeted Economically Disadvantaged Worker Utilization (%) <b>Goal: 40%</b>	Apprentice Utilization (%) <b>Goal: 20%</b>	Disadvantaged Worker Utilization (%) <b>Goal: 10%</b>
3,289.50	46.42%	25.51%	39.08%
Percentage Project Complete Based on Worker Hours: 100.00% (rounded)			
Based on Apprenticeship Hours			

## Executive Order 11246 Demographic

### Summary

No. of Work Hours*	African American Utilization	Asian/Pacific Islander Utilization	Caucasian Utilization	Hispanic Utilization	Native American Utilization	Other/ Declined to state	Minority Utilization Goal: 28.3% (rounded )	Female Utilization Goal: 6.9%
3,289.50	14.47%	1.92%	38.21%	45.40%	0.00%	0.00%	61.79%	4.68%

\*Cumulative Hours Through End of Noted Reporting Period – as Reported by Prime Contractor. Data subject to change to reflect updates or audits.



Metro

# Division 13 CNG Fueling Facility, Design/Build/Operate

## PLA Targeted Worker Attainment: Prime: Clean Energy

Report Data Through June 2016 (FINAL)

No. of Work Hours*	Targeted Economically Disadvantaged Worker Utilization (%) <b>Goal: 40%</b>	Apprentice Utilization (%) <b>Goal: 20%</b>	Disadvantaged Worker Utilization (%) <b>Goal: 10%</b>
11,496.00	67.54%	20.17%	60.72%
Percentage Project Complete Based on Worker Hours: 100.00%			
	(rounded)	Based on Non-Apprenticeable Work Hours	

## Executive Order 11246 Demographic

### Summary

No. of Work Hours*	African American Utilization	Asian/Pacific Islander Utilization	Caucasian Utilization	Hispanic Utilization	Native American Utilization	Other/Declined to state	Minority Utilization Goal: 28.3% (rounded)	Female Utilization Goal: 6.9%
11,496.00	31.21%	3.03%	26.54%	39.23%	0.00%	0.00%	73.47%	1.69%
*Cumulative Hours Through End of Noted Reporting Period – as Reported by Prime Contractor. Data subject to change to reflect updates or audits.								



Metro

# Metro Blue Line Station Refurbishments

PLA Targeted Worker Attainment: Prime: S.J. Amoroso

Report Data Through June 2015 (FINAL)

No. of Work Hours*	Targeted Economically Disadvantaged Worker Utilization (%) <b>Goal: 40%</b>	Apprentice Utilization (%) <b>Goal: 20%</b>	Disadvantaged Worker Utilization (%) <b>Goal: 10%</b>
41,274.75	56.01%	26.10%	13.62%
Percentage Project Complete Based on Worker Hours: 100.00% (rounded)			

## Executive Order 11246 Demographic

### Summary

No. of Work Hours*	African American Utilization	Asian/Pacific Islander Utilization	Caucasian Utilization	Hispanic Utilization	Native American Utilization	Other/Declined to state	Minority Utilization Goal: 28.3% (rounded)	Female Utilization Goal: 6.9%
41,275	16.59%	1.55%	20.72%	61.14%	0.00%	0.00%	79.28%	0.48%

\*Cumulative Hours Through End of Noted Reporting Period - as Reported by Prime Contractor. Data subject to change to reflect updates or audits.



**Metro**



## Board Report

File #: 2015-1655, File Type: Policy

Agenda Number: 42.

### EXECUTIVE MANAGEMENT COMMITTEE NOVEMBER 19, 2015

**SUBJECT: CUSTOMER CODE OF CONDUCT AMENDMENTS - TRANSIT COURT**

**ACTION: APPROVE AMENDMENTS TO ADMINISTRATIVE CODE**

#### **RECOMMENDATION**

APPROVING amendment of Title 6, Chapter 6-05 of the Los Angeles County Metropolitan Transportation Authority Administrative Code, otherwise known as the Metro Customer Code of Conduct, as set forth in Attachment A. The amended Code will become effective January 1, 2016.

#### **DISCUSSION**

Proposed amendments to the Code are set forth in Attachment A to this Board Report to address several areas:

##### Loitering

The proposed clarifications are recommended by County Counsel to more closely align our civil language with criminal acts of loitering language.

The proposed amendment will change section 6-05-020(G) and section 120 of the Code to add the bolded underlined language as follows:

##### 6-05-020(G) Definitions

G. "Loitering" means unnecessary lingering in Metro facilities or vehicles or other location where it interferes with a Metro facility or vehicles or use thereof **with the intent to commit a crime**.

##### 6-05-120 Loitering

A. Loitering is prohibited in Metro facilities and vehicles.<sup>33</sup>

~~B. Loitering includes the following:~~

~~1. Storing personal property in a Metro facility or vehicle.~~

~~2. Camping or sleeping in a Metro facility or vehicle when not riding for a transportation~~

purpose.<sup>3c</sup>

~~3. Remaining in a Metro facility or vehicle without a lawful transportation purpose or refusing to provide identification.~~

### Bicycles

The Code does not permit tandem, three-wheeled, or fuel-powered bicycles or other wheeled riding devices in Metro facilities or vehicles. Questions and concerns about the safety of Metro patrons have been raised about fuel-powered bicycles and whether this restriction applies outside of Metro vehicles on bus bike racks. The Code does not allow these bicycles to be “in” Metro facilities and vehicles. To clarify that these riding devices are also not permitted “in, attached to, or on” Metro facilities or vehicles, we are clarifying the Code.

The proposed amendment will change section 6-05-040 of the Code to add the bolded underlined language as follows:

#### 6-05-040 Bicycles and Skates

B. Tandem, three-wheeled, or fuel-powered bicycles or other wheeled riding devices, are not permitted in, **attached to, or** on Metro facilities or vehicles. Bicycles or other wheeled riding devices over 6 feet long are prohibited.

### Animals

The proposed changes to section 6-05-030 are recommended by the Civil Rights Department to provide direction to our patrons using language consistent with the Americans with Disabilities Act (“ADA”) as interpreted by the Federal Transportation Authority from time to time.

The proposed amendment will change section 6-05-030 of the Code by deleting the strikedthrough language and adding the bolded underlined language as follows:

#### 6-05-030 Animals

A. Animals are not permitted in Metro facilities or vehicles, unless one of the following applies:

1. The animal is in a **fully enclosed and** secure carrier;
2. The animal is a certified police or security animal and is accompanied by a peace officer;<sup>4</sup>  
or
3. The animal is a service animal, as defined by the Americans with Disabilities Act, and is accompanied by a patron. A Metro representative may ask whether an animal is a pet **or a service animal required because of a disability** and what service **function** the animal performs **has been trained to perform** for the handler.<sup>5</sup>

B. Handlers shall maintain control of their animals **at all times**. No animal is permitted in a Metro facility or vehicle that is not under the control of its handler or poses a threat to a Metro representative or patron. A non-service animal may be **denied from boarding or** ejected if it unreasonably annoys patrons.

C. Handlers of animals shall promptly remove all animal waste from Metro facilities and vehicles. Leaving animal waste in a Metro facility or vehicle is prohibited.

D. Handlers must ensure that an animal shall not deprive a patron of a seat or block an aisle.

**E. Animals carriers must have closable doors that are closed during transport. Purses, backpacks, and other similar items are not considered suitable animal carriers unless they are fully enclosed for animal transport.**

### Boarding, Exiting, and Seating

The proposed changes to section 6-05-060 is requested by the Civil Rights Department in an attempt to use more updated language when referring to older adults and individuals with disabilities. This is the same terminology used in the Bus Operator Rulebook and their standard operating procedures. Further, in subsection E, the change directly reflects the recently redesigned Access Services card that provides the customers Personal Care Attendant ("PCA") status. Formerly, the card would include "PCA" or would not include the designation on the card. The new Access card will now have the words, "PCA YES" or "PCA NO."

The proposed amendment will change section 6-05-060 of the Code to delete the strikedthrough language and add the bolded underlined language as follows:

### 6-05-060 Boarding, Exiting, and Seating

The following acts are required in Metro facilities and vehicles:

A. Never go onto a track except through designated crossings and never step or put arms, legs, or objects in the path of a Metro vehicle.<sup>12</sup>

B. Maintain control of children<sup>12</sup> at all times in or on Metro vehicles or facilities including when a Metro vehicle is approaching.

C. Do not signal in the path of or by touching the bus when it is moving.

D. Yield priority, reserved, Wheelchair, or similarly designated seating to ~~senior citizens~~ **older adults** and passengers **individuals** with disabilities.<sup>13</sup>

E. **A** Personal Care Attendants ("**PCA**") must travel with ~~the~~ **a** patron who displays the **an** Access Services TAP card **with a PCA eligible designation** ~~marked with "PCA"~~ at all times when using the Metro bus and rail system including boarding and exiting at the same location and traveling in the same bus or rail car.

### Disorderly Conduct

The proposed addition is to clarify the language of where the disorderly conduct is prohibited.

The proposed amendment will change section 6-05-100 of the Code to add the bolded underlined language as follows:

### 6-05-100 Disorderly Conduct

The following acts are prohibited in, **on, or in close proximity to** Metro facilities and vehicles:

- A. Expectorating (spitting).<sup>16</sup>
- B. Carrying any explosive, acid, flammable liquid, or toxic or hazardous material.<sup>17</sup>
- C. Urinating or defecating, except in a lavatory. This subsection does not apply to a person who cannot comply as a result of disability, age, or a medical condition.<sup>18</sup>
- D. Throwing an object at a patron, Metro representative, or a Metro facility or vehicle.<sup>10</sup>
- E. Gambling to win money or anything of value.
- F. Hanging from, swinging from, or attaching anything to hand rails. This does not apply to holding a hand rail to stabilize one's body during transit.<sup>19</sup>
- G. Inciting violence or posing a clear and present danger to other persons, including making verbal or visual gang affiliation or provocation signs.<sup>20</sup>
- H. Engaging in or soliciting another person to engage in lewd conduct.<sup>21</sup>
- I. Engaging in or soliciting another person to engage in prostitution.<sup>22</sup>
- J. Placing feet or shoes on seats or furnishings.
- K. Defacing with graffiti, vandalizing, damaging, destroying, or tampering with Metro facilities or vehicles.<sup>23</sup>
- L. Littering or dumping.<sup>24</sup>
- M. Injuring another person or damaging another person's property or possessions.<sup>25</sup>
- N. Throwing an object from a Metro vehicle.<sup>26</sup>

### Food, Alcohol, and Drugs

The proposed addition is to address the newly released Reasonable Modification ADA language that requires that public transit agencies to allow customers to eat or drink if needed due to a disability. This is also addressed in section 6-05-140(G).

The proposed amendment will change section 6-05-110 of the Code to add the bolded underlined language as follows:

#### 6-05-110 Food, Alcohol, and Drugs

The following acts are prohibited in Metro facilities and vehicles:

- A. Eating, drinking, smoking, vaping, or carrying a lit cigar, cigarette of any type, or pipe, except in designated areas permitting that activity **or is required by a disability accommodated pursuant to 6-05-140 Miscellaneous G.**<sup>27</sup>
- B. Placing chewed gum onto any surface in a Metro facility or vehicle other than into a trash receptacle.
- C. Drinking or possessing in an open container an alcoholic beverage, except in designated areas where there is notice that drinking alcohol is permitted and all required permits have been obtained.
- D. Possessing an illegal drug or substance.<sup>28</sup>
- E. Being under the influence of alcohol, a drug, a controlled substance, toluene, or any combination of those items, and unable to care for one's own safety or the safety of others, or interfering with the use of a Metro facility or vehicle.<sup>29</sup>
- F. Creating a public nuisance or a health hazard by dropping food other than in a proper waste disposal receptacle.<sup>30</sup>

G. Smoking or vaping<sup>31</sup> is also not allowed within 20 feet of any Metro facility entrance, exit or operable window.

### Reasonable Modification

The Civil Rights Department has recommended edits to section 6-05-140(G) of the Code. The changes reflect the newly released Reasonable Modification language added to the ADA requiring public transit agencies to consider revising their policies and procedures in order to allow access to services by individuals with disabilities. The new contact for complaints is the Customer Relations Department while previous language had listed the Civil Rights Department.

The proposed amendment will change section 6-05-140 of the Code to delete the strikedthrough language and add the bolded underlined language as follows:

### 6-05-140 Miscellaneous

- A. The Code is not intended to affect lawful activity or first amendment rights protected by state or federal law, including laws related to collective bargaining, labor relations, or labor disputes.
- B. Metro reserves the right to suspend, waive, modify, limit, or revoke the application of the Code.
- C. Metro may refuse service, or access to Metro facilities or vehicles, including eject or exclude, to any person who does not comply with the Code or applicable laws.
- D. The Code incorporates all relevant applicable legislative changes that occur after the date the Code is adopted.
- E. Acts prohibited under the Code are permitted if authorized by agreement, permit, license, or a writing signed by an authorized Metro representative.
- F. The Code applies with equal force to any person who aids or abets in any of the acts prohibited by the Code or in the avoidance of any of the requirements of the Code.
- G. Individuals with disabilities may **visit Metro.net for information and** request a reasonable modification ~~or accommodation~~ of the provisions of this Code. Whenever possible a request for a reasonable modification ~~or accommodation~~ shall be made in advance to the Metro at accessibility@metro.net, 213-922-6919, or at MS 99-21-5, 1 Gateway Plaza, Los Angeles 90012. If a request for a modification ~~or accommodation~~ is made to a Metro operator or other Metro representative the employee may contact his or her supervisor or control center for guidance.

Requests for reasonable modifications ~~or accommodations~~ will not be approved if the request would: fundamentally alter the nature of the service, program, or activity; create a direct threat to the health or safety of others; result in an undue financial and administrative burden; or the individual would be able to fully use the services provided by Metro without the modification.

Individuals with disabilities may file complaints regarding reasonable modification or accommodation with Metro **Customer Relations by telephone at 800-464-2111 or via email at customerrelations@metro.net** ~~at accessibility@metro.net, 213-922-6919, or at MS 99-21-5, 1 Gateway Plaza, Los Angeles 90012, online at Metro.net, or in person at 1 Gateway Plaza,~~



Los Angeles.

### Odors

The proposed addition is to address the newly released Reasonable Modification ADA language.

The proposed amendment will change section 6-05-160 of the Code to add the bolded underlined language as follows:

#### 6-05-160 Odors

- A. A person may not be in a Metro facility or vehicle with an unavoidable grossly repulsive odor so extreme it causes a nuisance, unreasonably interferes with the use, operation, or enjoyment of the Metro facilities or vehicles for Metro representatives or patrons, or creates an unsafe condition.<sup>30</sup> **Notwithstanding the foregoing, this subsection shall not apply to persons with odors directly related to a disability or medical condition unless the odor is so severely disruptive that it interferes with the use or operation of the Metro facility or vehicle by Metro representatives or patrons, or creates direct threat or an unsafe condition.**
- B. Extreme odors may arise from a variety of sources, including one's body, possessions, clothing, food, chemicals, or accompanying animals.

### Solicitation

The proposed addition is to address the distinction between what is allowed and the aggressive types of solicitation behavior that is not allowed by recent case law.

The proposed amendment will change section 6-05-210 of the Code to add the bolded underlined language as follows:

#### 6-05-210 Solicitation

- A. No person shall **aggressively** solicit money or other things of value in a Metro facility or vehicle.<sup>38</sup> **Aggressive solicitation includes the following:**
- 1. At or near an ATM or ticket vending machine;**
  - 2. Using insults, profanity or threats;**
  - 3. Repeated requests to the same person who has refused; or**
  - 4. Making demands while blocking access to a facility such as a building or restroom.**

### Fares

The proposed addition is to facilitate accurate citation data entry and collection of fines through the use of posted signs.

The proposed amendment will change section 6-05-230 of the Code to add the bolded underlined

language as follows:

6-05-230 Fares

- A. Patrons who ride Metro vehicles or use Metro services must pay all applicable fares and fees.<sup>41</sup>
- B. Patrons shall show proof of payment of fare upon request by a Metro representative.<sup>41</sup>
- C. Evading payment of a Metro fare is prohibited.<sup>41</sup> Fare evasion includes the following:
  - 1. Boarding a Metro vehicle or entering a Metro facility platform or other fare-required zone, without proof of valid fare media or without paying the fare upon boarding a Metro bus.
  - 2. Duplicating, counterfeiting, altering, or transferring any nontransferable fare media without Metro authorization.<sup>41</sup>
  - 3. Placing anything other than valid coin, tokens, United States currency or other valid fare media, into a fare box, ticket machine, pass reader, or other fare validation or collection device.<sup>41</sup>
  - 4. Falsely representing oneself as eligible for a waiver or a special or reduced fare, or obtaining fare media by making a false or misleading representation.<sup>42</sup>
  - 5. Refusing to show proof of valid, validated, unexpired fare media upon request by a Metro representative. **Patrons shall show identification upon request for the purpose of accurate completion of citation data entry in accordance with posted policies.**<sup>43</sup>
  - 6. Misusing fare media with the intent to evade payment of a fare.<sup>43</sup>
  - 7. Unauthorized use of a discount ticket or failing to present upon request by Metro or within 72 hours thereafter, acceptable proof of discount eligibility to use a discount ticket **and show identification in accordance with posted policies.**<sup>42</sup>

Enforcement

The proposed addition is to clarify the authority in which the Code operates and to add consistency to language regarding the resolution of citation in addressing enforcement issues.

The proposed amendment will change section 6-05-240(A) and section 6-05-240(D) of the Code to delete the strikethrough language and to add the bolded underlined language as follows:

6-05-240(A) Enforcement

A. Violations

A person who violates the Code is subject to a notice of violation and imposition of any and all remedies, fines, criminal sanctions, damages, and penalties available by law. Enforcement of any provisions of the Code involving the payment of any fees, penalties or other administrative amounts, or community service, by adults based on California Penal Code section 640 (b) and (c), shall be **pursuant to the authority and** according to the procedures, **herein and as** set forth in the California Public Utilities Code including section 99580 et seq. The procedures set forth in section 99580 et seq. shall not apply to minors, whose violations shall be subject to enforcement as criminal matters in Superior Court as provided by law.<sup>45</sup>

6-05-240(D) Enforcement

## D. Exclusion

1. A person, who violates the Code or a law in a Metro facility or vehicle, may be excluded from all or part of Metro facilities and vehicles either indefinitely or for a period of time specified in the Metro penalty schedule or notice of exclusion provided pursuant to subsection E below.

2. Any person to whom a notice of violation or Penal Code citation pertaining to an offense which occurred on or in a public transit facility or vehicle was issued, and **a. who has received a citation for the same violation at least 3 times in the prior 12 months; or b.** who has failed to pay any applicable fines, fees, penalties or other administrative amounts by the due date, or otherwise resolve the violation **citation or** who has otherwise failed to pay any fine, fee, or penalty when such payment was due; or **c.** who is the subject of any outstanding warrant with respect to any Penal Code offense that is alleged to have occurred on or in a public transit system facility or vehicle, is subject to exclusion, and may receive a notice of exclusion pursuant to Subsection E below.

Penalty Schedule

The Penalty Schedule for the Code currently does not include a fee for certain violations. We are now adding the standard fine amount to blocking, operating or obstructing Metro vehicle, occupying more than one seat, impeding safe boarding, hazardous materials, urinating, defecating, throwing an object, gambling, hanging from rails, inciting violence, lewd conduct, prostitution, placing feet or shoes on seats, vandalizing/tampering, littering, injuring person or property, loitering, signs, and solicitation violations.

The proposed amendment will add the bolded and underlined language to include section 6-05-050 (A)-(I), section 6-05-100(B)-(N), section 6-05,120(A), section 6-05-200(A)-(D), and section 6-05-210 (A)-(B) of the Code to the Penalty Schedule as follows:

6-05-050	Blocking					
6-05-050.A-I	Blocking, operating or obstructing Metro vehicle, occupying more than one seat, impeding safe boarding	> <b><u>Notice of violation \$75 fine</u></b> > <b><u>Ejection</u></b>	> <b><u>Notice of violation \$75 fine</u></b> > <b><u>Ejection</u></b>	> <b><u>Notice of violation \$75 fine</u></b> > <b><u>Ejection</u></b> > <b><u>Exclusion for 30 days</u></b>	> <b><u>Notice of violation \$75 fine</u></b> > <b><u>Ejection</u></b> > <b><u>Exclusion for 60 days</u></b>	> <b><u>Notice of violation \$75 fine</u></b> > <b><u>Ejection</u></b> > <b><u>Exclusion for 90 days</u></b>

6-05-100	Disorderly Conduct					
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6-05-100.A-N	<b><u>Spitting, hazardous material, urinating, defecating, throwing an object, gambling, hanging from rails, inciting violence, lewd conduct, prostitution, placing feet or shoes on seats, vandalizing/tampering, littering, injuring person or property</u></b>	> Notice of violation \$75 fine > Ejection	> Notice of violation \$75 fine > Ejection	> Notice of violation \$75 fine > Ejection > Exclusion for 30 days	> Notice of violation \$75 fine > Ejection > Exclusion for 60 days	> Notice of violation \$75 fine > Ejection > Exclusion for 90 days
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6-05-120	<b><u>Loitering</u></b>					
6-05-120.A	<b><u>Loitering</u></b>	> <b><u>Notice of violation \$75 fine &gt; Ejection</u></b>	> <b><u>Notice of violation \$75 fine &gt; Ejection</u></b>	> <b><u>Notice of violation \$75 fine &gt; Ejection &gt; Exclusion for 30 days</u></b>	> <b><u>Notice of violation \$75 fine &gt; Ejection &gt; Exclusion for 60 days</u></b>	> <b><u>Notice of violation \$75 fine &gt; Ejection &gt; Exclusion for 90 days</u></b>

6-05-200	<b><u>Signs</u></b>					
6-05-200.A-D	<b><u>Post, destroy, failure to obey signs</u></b>	> <b><u>Notice of violation \$75 fine &gt; Ejection</u></b>	> <b><u>Notice of violation \$75 fine &gt; Ejection</u></b>	> <b><u>Notice of violation \$75 fine &gt; Ejection &gt; Exclusion for 30 days</u></b>	> <b><u>Notice of violation \$75 fine &gt; Ejection &gt; Exclusion for 60 days</u></b>	> <b><u>Notice of violation \$75 fine &gt; Ejection &gt; Exclusion for 90 days</u></b>

6-05-210	<b><u>Solicitation</u></b>					
6-05-210.A-B	<b><u>Solicitation</u></b>	> <b><u>Notice of violation \$75 fine &gt; Ejection</u></b>	> <b><u>Notice of violation \$75 fine &gt; Ejection</u></b>	> <b><u>Notice of violation \$75 fine &gt; Ejection &gt; Exclusion for 30 days</u></b>	> <b><u>Notice of violation \$75 fine &gt; Ejection &gt; Exclusion for 60 days</u></b>	> <b><u>Notice of violation \$75 fine &gt; Ejection &gt; Exclusion for 90 days</u></b>

### Ejection Schedule

Section 6-05-200(A) and section 6-05-200(C)-(D) are included as a violation subject to ejection from the system. Section 6-05-200(B) is missing as a violation subject to ejection. The proposed amendment will add the bolded and underlined language to include section 6-05-200(B) of the Code to the Ejection Schedule as follows:

6-05-200	<b><u>Signs</u></b>				
6-05-200.A,	Posting signs, stickers in Metro facilities or on Metro vehicles	Warning, and/or Ejection	Warning, and/or Ejection	Warning, and/or Ejection	Warning, and/or Ejection
6-05-200.B,	<b><u>Destroy Metro sign, ad, notice</u></b>	<b><u>Warning, and/or Ejection</u></b>	<b><u>Warning, and/or Ejection</u></b>	<b><u>Warning, and/or Ejection</u></b>	<b><u>Warning, and/or Ejection</u></b>
6-05-200.C-D	Failure to obey signs	Warning, and/or Ejection	Warning, and/or Ejection	Warning, and/or Ejection	Warning, and/or Ejection

### **NEXT STEPS**

Following Board approval of the recommended amendments to the Code, Transit Court staff will continue to work with Metro Communications, Operations and Transit Security Officers, as well as the Los Angeles County Sheriff's Department, to communicate the Code including amendments to the public to promote awareness, compliance, and enforcement.

### **ATTACHMENTS**

Attachment A - Code Amendments

Prepared by: Julie Chang, Principal Hearing Officer, Metro Transit Court  
(213) 922-6881

Reviewed by: Karen Gorman, Inspector General/Acting Chief Ethics Officer,  
(213) 922-2975



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Karen Gorman  
Inspector General/Chief Ethics Officer/  
Chief Hearing Officer

## ATTACHMENT A

### CODE AMENDMENTS

#### LACMTA Administrative Code section 6-05-020(G)

##### 6-05-020 Definitions

G. "Loitering" means unnecessary lingering in Metro facilities or vehicles or other location where it interferes with a Metro facility or vehicles or use thereof **with the intent to commit a crime**.

#### LACMTA Administrative Code section 6-05-040

##### 6-05-040 Bicycles and Skates

B. Tandem, three-wheeled, or fuel-powered bicycles or other wheeled riding devices, are not permitted in **attached to, or on** Metro facilities or vehicles. Bicycles or other wheeled riding devices over 6 feet long are prohibited.

#### LACMTA Administrative Code section 6-05-030

##### 6-05-030 Animals

A. Animals are not permitted in Metro facilities or vehicles, unless one of the following applies:

1. The animal is in a **fully enclosed and** secure carrier;
2. The animal is a certified police or security animal and is accompanied by a peace officer;<sup>4</sup> or
3. The animal is a service animal, as defined by the Americans with Disabilities Act, and is accompanied by a patron. A Metro representative may ask whether an animal is a pet **or a service animal required because of a disability** and what service-~~function~~ **the animal performs has been trained to perform** for the handler.<sup>5</sup>

B. Handlers shall maintain control of their animals **at all times**. No animal is permitted in a Metro facility or vehicle that is not under the control of its handler or poses a threat to a Metro representative or patron. A non-service animal may be **denied from boarding or** ejected if it unreasonably annoys patrons.

C. Handlers of animals shall promptly remove all animal waste from Metro facilities and vehicles. Leaving animal waste in a Metro facility or vehicle is prohibited.

D. Handlers must ensure that an animal shall not deprive a patron of a seat or block an aisle.

**E. Animals carriers must have closable doors that are closed during transport. Purses, backpacks, and other similar items are not considered suitable animal carriers unless they are fully enclosed for animal transport.**

## LACMTA Administrative Code section 6-05-060

### 6-05-060 Boarding, Exiting, and Seating

The following acts are required in Metro facilities and vehicles:

- A. Never go onto a track except through designated crossings and never step or put arms, legs, or objects in the path of a Metro vehicle.<sup>12</sup>
- B. Maintain control of children at all times in or on Metro vehicles or facilities including when a Metro vehicle is approaching.<sup>12</sup>
- C. Do not signal in the path of or by touching the bus when it is moving.
- D. Yield priority, reserved, Wheelchair, or similarly designated seating to ~~senior citizens~~ **older adults** and ~~passengers~~ **individuals** with disabilities.<sup>13</sup>
- E. **A** Personal Care Attendants ("**PCA**") must travel with ~~the a~~ patron who displays ~~the an~~ Access Services TAP card **with a PCA eligible designation** ~~marked with "PCA"~~ at all times when using the Metro bus and rail system including boarding and exiting at the same location and traveling in the same bus or rail car.

## LACMTA Administrative Code section 6-05-100

### 6-05-100 Disorderly Conduct

The following acts are prohibited in, on, or in close proximity to Metro facilities and vehicles:

- A. Expecting (spitting).<sup>16</sup>
- B. Carrying any explosive, acid, flammable liquid, or toxic or hazardous material.<sup>17</sup>
- C. Urinating or defecating, except in a lavatory. This subsection does not apply to a person who cannot comply as a result of disability, age, or a medical condition.<sup>18</sup>
- D. Throwing an object at a patron, Metro representative, or a Metro facility or vehicle.<sup>10</sup>
- E. Gambling to win money or anything of value.
- F. Hanging from, swinging from, or attaching anything to hand rails. This does not apply to holding a hand rail to stabilize one's body during transit.<sup>19</sup>
- G. Inciting violence or posing a clear and present danger to other persons, including making verbal or visual gang affiliation or provocation signs.<sup>20</sup>
- H. Engaging in or soliciting another person to engage in lewd conduct.<sup>21</sup>
- I. Engaging in or soliciting another person to engage in prostitution.<sup>22</sup>
- J. Placing feet or shoes on seats or furnishings.
- K. Defacing with graffiti, vandalizing, damaging, destroying, or tampering with Metro facilities or vehicles.<sup>23</sup>
- L. Littering or dumping.<sup>24</sup>

- M. Injuring another person or damaging another person's property or possessions.<sup>25</sup>
- N. Throwing an object from a Metro vehicle.<sup>26</sup>

## LACMTA Administrative Code section 6-05-110

### 6-05-110 Food, Alcohol, and Drugs

The following acts are prohibited in Metro facilities and vehicles:

- A. Eating, drinking, smoking, vaping, or carrying a lit cigar, cigarette of any type, or pipe, except in designated areas permitting that activity **or is required by a disability accommodated pursuant to 6-05-140 Miscellaneous G.**<sup>27</sup>
- B. Placing chewed gum onto any surface in a Metro facility or vehicle other than into a trash receptacle.
- C. Drinking or possessing in an open container an alcoholic beverage, except in designated areas where there is notice that drinking alcohol is permitted and all required permits have been obtained.
- D. Possessing an illegal drug or substance.<sup>28</sup>
- E. Being under the influence of alcohol, a drug, a controlled substance, toluene, or any combination of those items, and unable to care for one's own safety or the safety of others, or interfering with the use of a Metro facility or vehicle.<sup>29</sup>
- F. Creating a public nuisance or a health hazard by dropping food other than in a proper waste disposal receptacle.<sup>30</sup>
- G. Smoking or vaping is also not allowed within 20 feet of any Metro facility entrance, exit or operable window.<sup>31</sup>

## LACMTA Administrative Code section 6-05-120

### 6-05-120 Loitering

- A. Loitering is prohibited in Metro facilities and vehicles. 33
- ~~B. Loitering includes the following:~~
- ~~1. Storing personal property in a Metro facility or vehicle.~~
  - ~~2. Camping or sleeping in a Metro facility or vehicle when not riding for a transportation purpose.~~<sup>32</sup>
  - ~~3. Remaining in a Metro facility or vehicle without a lawful transportation purpose or refusing to provide identification.~~

## LACMTA Administrative Code section 6-05-140



#### 6-05-140 Miscellaneous

- A. The Code is not intended to affect lawful activity or first amendment rights protected by state or federal law, including laws related to collective bargaining, labor relations, or labor disputes.
- B. Metro reserves the right to suspend, waive, modify, limit, or revoke the application of the Code.
- C. Metro may refuse service, or access to Metro facilities or vehicles, including eject or exclude, to any person who does not comply with the Code or applicable laws.
- D. The Code incorporates all relevant applicable legislative changes that occur after the date the Code is adopted.
- E. Acts prohibited under the Code are permitted if authorized by agreement, permit, license, or a writing signed by an authorized Metro representative.
- F. The Code applies with equal force to any person who aids or abets in any of the acts prohibited by the Code or in the avoidance of any of the requirements of the Code.
- G. Individuals with disabilities may **visit Metro.net for information and** request a reasonable modification ~~or accommodation~~ of the provisions of this Code. Whenever possible a request for a reasonable modification ~~or accommodation~~ shall be made in advance to the Metro at [accessibility@metro.net](mailto:accessibility@metro.net), 213-922-6919, or at MS 99-21-5, 1 Gateway Plaza, Los Angeles 90012. If a request for a modification ~~or accommodation~~ is made to a Metro operator or other Metro representative the employee may contact his or her supervisor or control center for guidance.

Requests for reasonable modifications or ~~accommodations~~ will not be approved if the request would: fundamentally alter the nature of the service, program, or activity; create a direct threat to the health or safety of others; result in an undue financial and administrative burden; or the individual would be able to fully use the services provided by Metro without the modification. Individuals with disabilities may file complaints regarding reasonable modification or accommodation with Metro **Customer Relations by telephone at 800-464-2111 or via email at [customerrelations@metro.net](mailto:customerrelations@metro.net)** ~~at [accessibility@metro.net](mailto:accessibility@metro.net), 213-922-6919, or at MS 99-21-5, 1 Gateway Plaza, Los Angeles 90012, online at Metro.net, or in person at 1 Gateway Plaza, Los Angeles.~~

#### LACMTA Administrative Code section 6-05-160

#### 6-05-160 Odors

- A. A person may not be in a Metro facility or vehicle with an unavoidable grossly repulsive odor so extreme it causes a nuisance, unreasonably interferes with the use, operation, or enjoyment of the Metro facilities or vehicles for Metro representatives or patrons, or creates an unsafe condition.<sup>30</sup> **Notwithstanding the foregoing, this subsection shall not apply to persons with odors directly related to a disability or medical condition unless the odor is so severely disruptive that it interferes with the use or operation of the Metro facility or**

vehicle by Metro representatives or patrons, or creates direct threat or an unsafe condition.

B. Extreme odors may arise from a variety of sources, including one's body, possessions, clothing, food, chemicals, or accompanying animals.

## LACMTA Administrative Code section 6-05-210

### 6-05-210 Solicitation

A. No person shall aggressively solicit money or other things of value in a Metro facility or vehicle.<sup>38</sup> **Aggressive solicitation includes the following:**

- 1. At or near an ATM or ticket vending machine;**
- 2. Using insults, profanity or threats;**
- 3. Repeated requests to the same person who has refused; or**
- 4. Making demands while blocking access to a facility such as a building or restroom.**

## LACMTA Administrative Code section 6-05-230

### 6-05-230 Fares

A. Patrons who ride Metro vehicles or use Metro services must pay all applicable fares and fees.<sup>41</sup>

B. Patrons shall show proof of payment of fare upon request by a Metro representative.  
<sup>41</sup>

C. Evading payment of a Metro fare is prohibited.<sup>41</sup> Fare evasion includes the following:

1. Boarding a Metro vehicle or entering a Metro facility platform or other fare-required zone, without proof of valid fare media or without paying the fare upon boarding a Metro bus.

2. Duplicating, counterfeiting, altering, or transferring any nontransferable fare media without Metro authorization.<sup>41</sup>

3. Placing anything other than valid coin, tokens, United States currency or other valid fare media, into a fare box, ticket machine, pass reader, or other fare validation or collection device.<sup>41</sup>

4. Falsely representing oneself as eligible for a waiver or a special or reduced fare, or obtaining fare media by making a false or misleading representation.<sup>42</sup>

5. Refusing to show proof of valid, validated, unexpired fare media upon request by a Metro representative. **Patrons shall show identification upon request for the purpose of accurate completion of citation data entry in accordance with posted policies.**

6. Misusing fare media with the intent to evade payment of a fare.<sup>43</sup>

7. Unauthorized use of a discount ticket or failing to present upon request by Metro or within 72 hours thereafter, acceptable proof of discount eligibility to use a discount ticket **and show identification in accordance with posted policies.**<sup>42</sup>

## LACMTA Administrative Code section 6-05-240(A) and (D)

### 6-05-240(A) Enforcement

#### A. Violations

A person who violates the Code is subject to a notice of violation and imposition of any and all remedies, fines, criminal sanctions, damages, and penalties available by law. Enforcement of any provisions of the Code involving the payment of any fees, penalties or other administrative amounts, or community service, by adults based on California Penal Code section 640 (b) and (c), shall be **pursuant to the authority and** according to the procedures, **herein and as** set forth in the California Public Utilities Code including section 99580 et seq. The procedures set forth in section 99580 et seq. shall not apply to minors, whose violations shall be subject to enforcement as criminal matters in Superior Court as provided by law.<sup>45</sup>

### 6-05-240(D) Enforcement

#### D. Exclusion

1. A person, who violates the Code or a law in a Metro facility or vehicle, may be excluded from all or part of Metro facilities and vehicles either indefinitely or for a period of time specified in the Metro penalty schedule or notice of exclusion provided pursuant to subsection E below.
2. Any person to whom a notice of violation or Penal Code citation pertaining to an offense which occurred on or in a public transit facility or vehicle was issued, and **a. who has received a citation for the same violation at least 3 times in the prior 12 months;** **or b.** who has failed to pay any applicable fines, fees, penalties or other administrative amounts by the due date, or otherwise resolve the violation **citation or** who has otherwise failed to pay any fine, fee, or penalty when such payment was due; or **c.** who is the subject of any outstanding warrant with respect to any Penal Code offense that is alleged to have occurred on or in a public transit system facility or vehicle, is subject to exclusion, and may receive a notice of exclusion pursuant to Subsection E below.

## LACMTA Administrative Code section 6-05 Penalty Schedule

<u>6-05-050</u>	<u>Blocking</u>					
<u>6-05-050.A-1</u>	<u>Blocking, operating or obstructing Metro vehicle, occupying more than one seat, impeding safe boarding</u>	> <u>Notice of violation</u> > <u>\$75 fine</u> > <u>Ejection</u>	> <u>Notice of violation</u> > <u>\$75 fine</u> > <u>Ejection</u>	> <u>Notice of violation</u> > <u>\$75 fine</u> > <u>Ejection</u> > <u>Exclusion for 30 days</u>	> <u>Notice of violation</u> > <u>\$75 fine</u> > <u>Ejection</u> > <u>Exclusion for 60 days</u>	> <u>Notice of violation</u> > <u>\$75 fine</u> > <u>Ejection</u> > <u>Exclusion for 90 days</u>

6-05-100	Disorderly Conduct					
6-05-100.A-N	<u>Spitting, hazardous material, urinating, defecating, throwing an object, gambling, hanging from rails, inciting violence, lewd conduct, prostitution, placing feet or shoes on seats, vandalizing/tampering, littering, injuring person or property</u>	> Notice of violation \$75 fine > Ejection	> Notice of violation \$75 fine > Ejection	> Notice of violation \$75 fine > Ejection > Exclusion for 30 days	> Notice of violation \$75 fine > Ejection > Exclusion for 60 days	> Notice of violation \$75 fine > Ejection > Exclusion for 90 days

6-05-120	Loitering					
6-05-120.A	<u>Loitering</u>	> <u>Notice of violation</u> \$75 fine > <u>Ejection</u>	> <u>Notice of violation</u> \$75 fine > <u>Ejection</u>	> <u>Notice of violation</u> \$75 fine > <u>Ejection</u> > <u>Exclusion for 30 days</u>	> <u>Notice of violation</u> \$75 fine > <u>Ejection</u> > <u>Exclusion for 60 days</u>	> <u>Notice of violation</u> \$75 fine > <u>Ejection</u> > <u>Exclusion for 90 days</u>

6-05-200	Signs					
6-05-200.A-D	<u>Post, destroy, failure to obey signs</u>	> <u>Notice of violation</u> \$75 fine > <u>Ejection</u>	> <u>Notice of violation</u> \$75 fine > <u>Ejection</u>	> <u>Notice of violation</u> \$75 fine > <u>Ejection</u> > <u>Exclusion for 30 days</u>	> <u>Notice of violation</u> \$75 fine > <u>Ejection</u> > <u>Exclusion for 60 days</u>	> <u>Notice of violation</u> \$75 fine > <u>Ejection</u> > <u>Exclusion for 90 days</u>

6-05-210	Solicitation					
6-05-210.A-B	<u>Solicitation</u>	> <u>Notice of violation</u> \$75 fine > <u>Ejection</u>	> <u>Notice of violation</u> \$75 fine > <u>Ejection</u>	> <u>Notice of violation</u> \$75 fine > <u>Ejection</u> > <u>Exclusion for 30 days</u>	> <u>Notice of violation</u> \$75 fine > <u>Ejection</u> > <u>Exclusion for 60 days</u>	> <u>Notice of violation</u> \$75 fine > <u>Ejection</u> > <u>Exclusion for 90 days</u>

## LACMTA Administrative Code section 6-05 Ejection Schedule

6-05-200	Signs				
6-05-200.A,	Posting signs, stickers in Metro facilities or on Metro vehicles	Warning, and/or Ejection	Warning, and/or Ejection	Warning, and/or Ejection	Warning, and/or Ejection
6-05-200.B,	<u>Destroy Metro sign, ad, notice</u>	<u>Warning,</u> <u>and/or Ejection</u>	<u>Warning,</u> <u>and/or Ejection</u>	<u>Warning,</u> <u>and/or Ejection</u>	<u>Warning,</u> <u>and/or Ejection</u>
6-05-200.C-D	Failure to obey signs	Warning, and/or Ejection	Warning, and/or Ejection	Warning, and/or Ejection	Warning, and/or Ejection



## Board Report

File #: 2015-1608, File Type: Policy

Agenda Number: 17.

**3rd REVISED**  
**PLANNING AND PROGRAMMING COMMITTEE**  
**NOVEMBER 18, 2015**  
**EXECUTIVE MANAGEMENT COMMITTEE**  
**NOVEMBER 19, 2015**

**SUBJECT: LONG RANGE TRANSPORTATION PLAN - POTENTIAL BALLOT MEASURE  
FRAMEWORK, ASSUMPTIONS, AND INPUT**

**ACTION: APPROVE POTENTIAL BALLOT MEASURE FRAMEWORK AND WORKING  
ASSUMPTIONS**

### **RECOMMENDATION**

- A. APPROVING the 2017 **Long Range Transportation Plan (LRTP) Update Proposed Performance Metrics Framework** (Attachment A) to be used in analyzing all proposed major transit and highway projects (including Measure R projects not yet under construction) in order to develop a Potential Ballot Measure Expenditure Plan; and,
- B. RECEIVING AND FILING the LRTP Potential Ballot Measure Framework Working Assumptions in Attachment B, the Stakeholder Process Input (through an On-Line Link) in Attachment C, the Subregional Stakeholder Project Priorities in Attachment D, the Regional Facility Provider Needs Lists in Attachment E, and the Roadmap for LRTP Potential Ballot Measure Process in Attachment F.

**KUEHL AMENDMENT** to move “increased access to parks and open space” from Quality of Life to Accessibility category.

### **ISSUE**

Since Fall 2012, Metro has explored the feasibility of pursuing a new potential ballot measure in conjunction with updating the 2009 LRTP. By participating in over 190 meetings, Metro staff has worked with subregional representatives and other stakeholders including, but not limited to, business, public health, labor, environmental groups, Active Transportation stakeholders, and numerous other groups. These various stakeholders were asked to submit their priorities and policy input by September 1, 2015.

Adoption of the recommended performance metrics framework, working assumptions, and acceleration parameters is essential to conducting the substantial travel demand and financial

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analytical staff work that comprises the next steps in our Roadmap process shown in Attachment F. For example, the travel demand modeling we are about to conduct requires complex system coding tasks that will enable us to provide a performance based recommendation to the Metro Board of Directors. Also, while all projects submitted are anticipated to be included in the LRTP update, they must be categorized in one of two ways: financially constrained (funding plan) or financially unconstrained (no funding plan). These financial constraints are defined in federal planning regulations as revenues that can be reasonably expected to be available. Deferring these analytical tasks will compromise our ability to provide the proper feedback necessary for a bottoms-up process.

## **BACKGROUND**

Through various correspondences, meetings, and actions, the Metro Board directed that a proposed ballot measure follow a “bottoms-up” process that began with the Mobility Matrix process. The Mobility Matrices, as directed by the Board in February 2014, were completed in collaboration with the subregions and received by the Board in April 2015. The work began with an inventory of projects that was drawn from prior planning processes, such as the LRTP Strategic (unconstrained) Plan, but went further to identify any new needs not identified previously. In January 2015, the Metro Board also created a Regional Facilities category that includes Burbank Bob Hope Airport, Los Angeles World Airports (LAX), Long Beach Airport, Palmdale Airport, the Ports of Long Beach and Los Angeles, and Union Station. Continuing discussions are being held with Regional Facilities representatives and other Stakeholders on the appropriate role for Metro in addressing the presence of these facilities within Los Angeles County. In the end, this process identified over 2,300 projects totaling over \$273 billion in 2015 dollars.

Concurrent with the work of the subregional and regional facilities groups, staff worked closely with other stakeholder groups described above to determine their priorities and policy considerations. Metro executives attended several productive meetings with coalitions of leadership representatives from environmental, active transportation, business, and disadvantaged community organizations. These leaders jointly expressed significant support for a potential ballot measure, if it properly balances their mobility, economic development, and environmental justice concerns.

## **DISCUSSION**

Mobility is an essential ingredient necessary to support economic growth spurring job creation and the movement of goods. While Metro is fundamentally responsible for developing a transportation plan that best addresses the county’s mobility needs, this goal is intrinsically linked with the several policy objectives and the accessibility needs of its most vulnerable citizens. The LRTP Potential Ballot Measure Framework and Assumptions were first presented in draft form October 2015. The 2017 LRTP Proposed Performance Metrics Framework now found in Attachment A, if approved, will serve as the basis for evaluating the acceleration of existing major projects and the addition of new major highway and transit corridors in the LRTP.

### **Metro Travel Demand Model**

The staff has identified a set of highway and transit corridors to model after reviewing the 2,300 projects submitted by subregional agencies in the Mobility Matrix process. To achieve mobility and

other policy goals, Metro's Travel Demand Model outputs will require the Performance Metrics Framework to guide staff's recommendations. The Metro Travel Demand Model will be used to evaluate major transportation projects submitted through the Mobility Matrix process including major transit projects (bus rapid transit, light rail, or heavy rail transit corridor projects) and major highway projects (carpool lanes, managed lanes, or mixed flow lanes). We note that of the 2,300 projects submitted by subregional agencies in the Mobility Matrix process, many are not major projects, and therefore cannot be modeled. Those projects that cannot be modeled may be considered as part of other funding categories or for inclusion based on the priorities from the subregional priority setting process.

In addition to evaluating the performance of these new projects submitted by the subregions, we will also model major Measure R transit and highway projects that are not yet in construction, to use the performance measure analysis to inform the opportunity to accelerate Measure R projects.

### Best Practices Framework

The recommended Framework draws from best practices of work done elsewhere in the nation and California. We reviewed performance measures used nationally to implement MAP-21 and the federal Clean Air Act and found that the best of these were modeled on work first performed in California. Specifically, the performance measure process used by the Southern California Association of Governments and the San Francisco Bay Area's Metropolitan Transportation Commission and others were the best fit for the Metro Board's policy objectives. For example, California is now again at the cutting edge of greenhouse gas performance analysis initiated by SB 32 and various state laws. Our work builds on these best practices.

### Performance Measure Weights

The performance measures are organized under various themes, including accessibility, economy, mobility, safety, and sustainability/quality of life. Each of these theme groupings have been assigned percentage weights for the purpose of evaluating project performance of new highway and transit corridors, as follows:

- Mobility 35%
  - Easing congestion, increasing active transportation, and improving travel times, system connectivity, throughput, and reliability are all key Metro objectives addressed by mobility improvement. This weight reflects that emphasis.
- Economy 15%
  - Economic output, job creation and retention, goods movement, and addressing disadvantaged communities are goals that can be better achieved by implementing projects and services that address these needs. This weight enables us to identify the project's contribution to economic development.
- Accessibility 20%
  - The needs of the transit dependent, cyclists, youths, pedestrians, seniors, and people with disabilities are addressed here by increasing the population served by Metro

facilities. This weight reflects the strong relationships Metro has built with these populations and need to retain and improvement the services provided to them.

- Safety 15%
  - Safety is fundamental to the design, construction, and operation of highway and transit corridors, but it must also be considered in evaluating new highway and transit projects against each other. The relative safety benefit of major transportation capacity enhancement projects is accounted by this theme's weight.
- Sustainability and Quality of Life 15%
  - An important criteria for evaluating a project's impact on reducing greenhouse gases and improving air quality, improving public health, and improving the quality of life, including eliminating urban heat islands, storm water runoff, biological and habitat impact, noise mitigation, and access to parks and open space. This theme has been weighted to identify the project's contribution to addressing sustainability and quality of life.

#### Purpose, Use, and Limits of Performance Metrics

This evaluation process is intended to evaluate whether to include and how to sequence new projects to be added to the plan relative to other new projects. In addition, the Performance Metrics will be used to guide recommendations regarding the potential acceleration of some Measure R projects already in the LRTP relative to other Measure R projects. We are recommending that the Metro Board stipulate that these acceleration recommendations be considered by staff only to the extent that other existing LRTP projects remain on their current LRTP funding schedules and no later. The intent here is to prevent any existing LRTP project delays, while at the same time enabling the possible acceleration of highly beneficial major projects as a result of the potential replacement of the Measure R tax when it sunsets in 2039.

#### Authorizing Legislation and Expenditure Plan Requirements

The authorizing legislation for the potential ballot measure, SB 767 (de León), requires that an expenditure plan be developed using a transparent process to determine the most recent cost estimates for each project and program identified in the expenditure plan. Metro's transparent, inclusive, and bottoms-up process to date provided high and low cost estimates to aid stakeholders in making their priority setting decisions. Staff will continue to refine these costs in that same transparent manner and plans to use the performance metrics to guide our ultimate recommendations.

SB 767 (de León) was passed on September 15, 2015 and the Governor announced his approval on October 7, 2015. In addition to transparent process requirements, SB 767 (de León) requires that the expenditure plan include the following elements: the most recent cost estimates for each project and program; the identification of the accelerated cost, if applicable, for each project and program; the approximate schedule during which Metro anticipates funds will be available for each project and program; and, the expected completion dates for each project and program within a three-year range. To meet these requirements and the bottoms-up process requirements



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originally directed by the Metro Board, a number of assumptions must be used in developing the expenditure plan, including a tax increase, tax extension, tax sunset, project cost inflation, revenue growth, subregional revenue targets, and population and employment data as described in Attachment B, the Framework Working Assumptions.

### Potential Ballot Measure Process Characteristics and Results

The Potential Ballot Measure Funding Targets examined current (2017) and projected (2047) population and employment figures, which were given to each subregion to inform their ultimate funding target. As discussed in detail in Attachment B, if current population was the highest percentage figure for a specific subregion, that figure was used to develop that subregion's target. If another subregional percentage figure was higher, such as future employment, that figure was used instead. This funding allocation formula was deemed feasible because Metro staff anticipates that a portion of existing funding resources will be available beyond the year 2039. For example, Proposition A and Proposition C do not sunset, and no planning has yet occurred in the year 2040 and beyond for these taxes. Since our working assumption is a 40-year tax measure ending in 2057, there will be about 18 years of Proposition A and Proposition C resources for planning purposes. After establishing a consensus with all the subregional representatives on the Potential Ballot Measure Funding Targets earlier this year, Metro staff initiated the next steps in the process by requesting subregional priorities that were constrained to the Framework Funding Targets.

As of September 1, 2015, Metro received the project priority and policy input found in Attachment C to this report. Attachments D and E contain draft Stakeholder Input project lists that staff has attempted to synthesize in order to summarize the subregional and Regional Facilities priorities. Together, these attachments complete one phase of a multi-phase stakeholder and public input process summarized in the Roadmap in Attachment F. In addition to the input identified in Attachment C, many stakeholders also provided policies for Metro's consideration going forward. These are included in Attachment C as well. These attachments, previously presented to the Board in October 2015, have since been updated as indicated within the attachments.

If the Metro Board of Directors and/or the voters ultimately determine that additional taxes are not necessary at this time, the current LRTP will be updated consistent with that decision. Our LRTP process is scheduled to conclude in the fall of 2017, well after the potential vote, to permit either eventuality.

### **DETERMINATION OF SAFETY IMPACT**

The proposed approval will not have any adverse safety impacts on employees and patrons.

### **FINANCIAL IMPACT**

Approval of the LRTP Potential Ballot Measure Framework in Attachment A and Assumptions in Attachment B has no financial impact for the agency as the necessary funds remain budgeted for FY 2016.

### Impact to Budget

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Staff will continue to work within existing budgeted resources for development and outreach related to the LRTP update and potential ballot measure. Potential success of such a ballot measure would have a positive impact to future budgets if placed on the ballot and approved by voters.

## **NEXT STEPS**

### **Non-Project Needs and Contingencies**

Further defining the other funding priorities not captured in the input process to date must now begin. This was reiterated in some of the Stakeholder Input received as part of Attachments C. These needs include, but are not limited to, transit operating and state-of-good repair needs; countywide bus system, Metrolink and paratransit services; local return, including local streets and roads and local transit; highway innovation and operating needs such as ExpressLane system improvements, highway systems and operations management, and other transportation needs not captured in any other way.

In addition to non-capital project needs, a contingency strategy will be needed to handle fluctuations in project costs and revenue forecasts that will arise over a four decade planning horizon. A reliable strategy to make allowances for variations in revenue and cost uncertainties, contingencies, escalation and assumptions in debt service costs will be developed within the recommended sequencing plan and then incorporated as necessary in the recommended Expenditure Plan to support the potential ballot measure and LRTP update.

### **Roadmap Process**

Consultant support for the LRTP process was secured and kicked-off on September 15, 2015 and staff is now working on travel demand modeling and other related tasks to enable the Potential Ballot Measure Framework in Attachment A and the subsequent Expenditure Plan and Ordinance processes to be completed by June 2016. Though staff proposes a final decision by the Metro Board of Directors on whether to support the agendizing of a November 2016 Ballot Measure in June 2016, the Metro Board must make a go/no go decision no later than the regularly scheduled meeting in July 2016 in order to ensure placement on the November 2016 ballot. The next steps in the LRTP and potential ballot measure framework are as follows:

1. Continue stakeholder outreach;
2. Finalize non-project needs assessment and constraints in January 2016;
3. Conduct final needs and performance metrics and project scheduling analysis February 2016;
4. Release preliminary Expenditure Plan and Ordinance in March 2016;
5. Subregional and stakeholder outreach in April/May 2016;
6. Approve final Expenditure Plan and Ordinance in June 2016; and
7. Submit final Expenditure Plan and Ordinance to the County of Los Angeles Board of Supervisors in July/August 2016.

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The LRTP update will be finalized and provided to the Board for adoption in 2017, after the results of the potential ballot measure process are known.

**ATTACHMENTS**

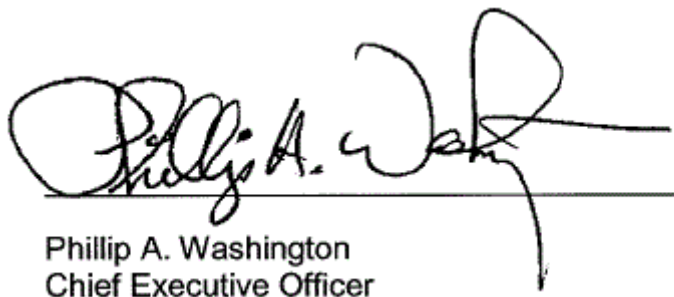
Attachment A - LRTP Potential Ballot Measure Performance Metrics Framework;  
Attachment B - LRTP Potential Ballot Measure Framework Working Assumptions;  
Attachment C - Stakeholder Process Input (through an On-Line Link);  
Attachment D - Subregional Stakeholder Project Priorities;  
Attachment E - Regional Facility Provider Needs Lists; and  
Attachment F - Roadmap for LRTP Potential Ballot Measure Process.

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Chief Executive Officer

## Attachment A

### 2017 LRTP Update Proposed Performance Metrics Framework for Major Projects

Metro Theme	Goals and Objectives	System Performance Measures	Weight (%)	Highway Project Performance Measures	Transit Project Performance Measures
<b>Mobility</b>	<ul style="list-style-type: none"> <li>• <del>Relieve</del> <del>Ease</del> congestion</li> <li>• Increase travel by transit, bicycle, and pedestrians</li> <li>• Improve travel times</li> <li>• Improve system connectivity</li> <li>• Increase person throughput</li> <li>• Improve effectiveness &amp; reliability for core riders</li> <li>• <u>Address operating &amp; life cycle costs</u></li> <li>• <u>Extend life of facility &amp; equipment</u></li> </ul>	<ul style="list-style-type: none"> <li>• Reduced person hours of delay</li> <li>• Increased person throughput</li> <li>• Reduced single-occupant vehicle mode share</li> <li>• Increased annual boardings per mile</li> <li>• Increased annual hours of delay savings/mile</li> <li>• <u>Improve roadway condition rating</u></li> <li>• <u>Reduced portion of transit assets past useful life</u></li> </ul>	<p><del>35%</del> <b>45%</b></p>	<ul style="list-style-type: none"> <li>• Increased person throughput</li> <li>• Reduced person hours of delay<sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Increased transit ridership</li> <li>• Increased person throughput</li> <li>• <del>Improved system</del> <u>travel time</u> reliability</li> <li>• Improved service frequency</li> </ul>
<b>Economy</b>	<ul style="list-style-type: none"> <li>• Increase economic output</li> <li>• Support job creation &amp; retention</li> <li>• Support goods movement</li> <li>• Invest in disadvantaged communities</li> </ul>	<ul style="list-style-type: none"> <li>• Improved linkages to major employment/activity centers<sup>1</sup></li> <li>• Increased number of jobs</li> <li>• Improved REMI Model economic benefit results</li> <li>• Reduced vehicle hours of delay for trucks</li> <li>• Dollars invested in <u>transportation projects in</u> disadvantaged communities</li> </ul>	<p><del>15%</del> <b>12.5%</b></p>	<ul style="list-style-type: none"> <li>• Reduced truck vehicle hours of delay<sup>2</sup></li> <li>• Improved job access</li> <li>• Dollars invested in <u>transportation projects in</u> disadvantaged communities</li> </ul>	<ul style="list-style-type: none"> <li>• Increased transit oriented development</li> <li>• Improved job access</li> <li>• Dollars invested in <u>transportation projects in</u> disadvantaged communities</li> </ul>

<sup>1</sup> Employment/activity centers include major employment centers, retail centers, education facilities, and healthcare facilities

<sup>2</sup> Reduced person and truck hours will serve as the best proxy available for person and truck travel time reliability for Highway projects.

## Attachment A

Metro Theme	Goals and Objectives	System Performance Measures	Weight (%)	Highway Project Performance Measures	Transit Project Performance Measures
<b>Accessibility</b>	<ul style="list-style-type: none"> <li>• Increase population served by facility</li> <li>• Increase service to transit-dependent, cyclist, pedestrian populations including youth, seniors, and people with disabilities</li> <li>• Improve first-last mile connections</li> <li>• <u>Utilize technology</u></li> </ul>	<ul style="list-style-type: none"> <li>• Job accessibility by population subgroup</li> <li>• Mode choice by income quintile</li> <li>• SB 535 Disadvantaged Communities mapping (CalEnviroScreen)</li> <li>• Increased number of households with access to transit</li> <li>• Increased number of households with access to bicycle infrastructure</li> <li>• Increased number of households with disabled persons with access to transit</li> <li>• <u>Increased access to parks and open space areas</u></li> </ul>	<p><b>20%</b> <b><u>17.5%</u></b></p>	<ul style="list-style-type: none"> <li>• Increased number of disadvantaged population served</li> <li>• Improved access or system connectivity</li> <li>• <u>Improved access to parks and open space</u></li> <li>• <u>See note 3</u></li> </ul>	<ul style="list-style-type: none"> <li>• Increased number of <del>households</del> <u>population</u> served by frequent transit</li> <li>• Increased number of transit dependent households served</li> <li>• Improved system connectivity</li> <li>• <u>Improved access to parks and open space</u></li> <li>• <u>See note 3</u></li> </ul>
<b>Safety</b>	<ul style="list-style-type: none"> <li>• Reduce incidents</li> <li>• Improve personal safety</li> </ul>	<ul style="list-style-type: none"> <li>• Fatalities by mode</li> <li>• Injuries by mode</li> <li>• Fatalities per capita</li> </ul>	<p><b>45%</b> <b><u>12.5%</u></b></p>	<ul style="list-style-type: none"> <li>• High <u>fatal and severe injury</u> collision area addressed</li> <li>• Reduced safety conflicts</li> </ul>	<ul style="list-style-type: none"> <li>• Improved transit system safety</li> <li>• High collision area addressed <sup>4</sup></li> </ul>

<sup>3</sup> Metro considered measuring “increased network connectivity for walking and biking” and found that while major highway and transit projects may offer accommodations for bicycling and walking, the improvements to bicycle and pedestrian system connectivity will likely be minimal and impossible to compare effectiveness quantitatively from one project to another.

<sup>4</sup> The Statewide Integrated Traffic Records System (SWITRS) is maintained by the California Highway Patrol (CHP) and does not log fatalities and severe injuries on the transit system.

## Attachment A

Metro Theme	Goals and Objectives	System Performance Measures	Weight (%)	Highway Project Performance Measures	Transit Project Performance Measures
<b>Sustainability &amp; Quality of Life</b>	<p>Improve environmental quality</p> <ul style="list-style-type: none"> <li>• Reduce greenhouse gas (GHG) emissions</li> <li>• Reduce urban heat island effect</li> <li>• Reduce storm water runoff impacts</li> <li>• Reduce biological and habitat impact</li> </ul> <p>Improve public health</p> <p>Improve quality of life</p> <ul style="list-style-type: none"> <li>• Improve access to parks and recreation</li> <li>• Reduce noise impacts</li> </ul>	<p>Improve environmental quality</p> <ul style="list-style-type: none"> <li>• Reduced VMT per capita</li> <li>• Reduced GHG per capita</li> <li>• Reduced impact on habitat preservation and open space areas</li> </ul> <p>Improve public health</p> <ul style="list-style-type: none"> <li>• Reduced EPA air quality conformity criteria pollutants</li> <li>• Increased bike, pedestrian, and transit trips</li> </ul> <p>Improve quality of life</p> <ul style="list-style-type: none"> <li>• <del>Increased access to parks and open space areas</del></li> </ul>	<p><b>15%</b></p> <p><b><u>12.5%</u></b></p>	<p>Reduced impact on environment</p> <ul style="list-style-type: none"> <li>• Reduced GHG emissions</li> <li>• Reduced urban heat island effect</li> <li>• Reduced storm water runoff impact</li> <li>• Reduced impact on habitat preservation and open space areas</li> </ul> <p>Improved public health</p> <ul style="list-style-type: none"> <li>• Support for active transportation</li> <li>• <del>Improved access to healthcare facilities</del></li> </ul> <p>Improve quality of life</p> <ul style="list-style-type: none"> <li>• Reduced noise impacts</li> <li>• <del>Improved access to parks and open space</del></li> </ul>	<p>Reduced impact on environment</p> <ul style="list-style-type: none"> <li>• Reduced GHG emissions</li> <li>• Reduced VMT</li> <li>• Reduced urban heat island effect</li> <li>• Reduced storm water runoff impact</li> <li>• Reduced impact on habitat preservation and open space areas</li> </ul> <p>Improved public health</p> <ul style="list-style-type: none"> <li>• Support for active transportation</li> <li>• <del>Improved access to healthcare facilities</del></li> </ul> <p>Improve quality of life</p> <ul style="list-style-type: none"> <li>• Reduced noise impacts</li> <li>• <del>Improved access to parks and open space</del></li> </ul>

## **Long Range Transportation Plan and Potential Ballot Measure Framework Working Assumptions**

October 1, 2015

### Augment, Extend, and Sunset Assumptions

The 2017 LRTP is currently assumed to cover the time period from 2017 – 2057 (forty years) and incorporate projects funded by the Metro Board in the 2009 LRTP that sunsets in the year 2039 with Measure R. The three principle alternatives to this assumption revolve around these decisions: extend the existing tax or not; augment the existing tax or not; and place a sunset on the new tax or not.

SB 767 (de León) provides the Metro Board maximum flexibility for all three of these alternatives. For example, the Metro Board could alternatively elect to propose an extension only, like Measure J, or it could elect to propose only an increase, without an extension, like Measure R. Finally, the Metro Board could change the sunset year of the tax (now tentatively assumed to be 2057) or eliminate it altogether, like Proposition A and Proposition C.

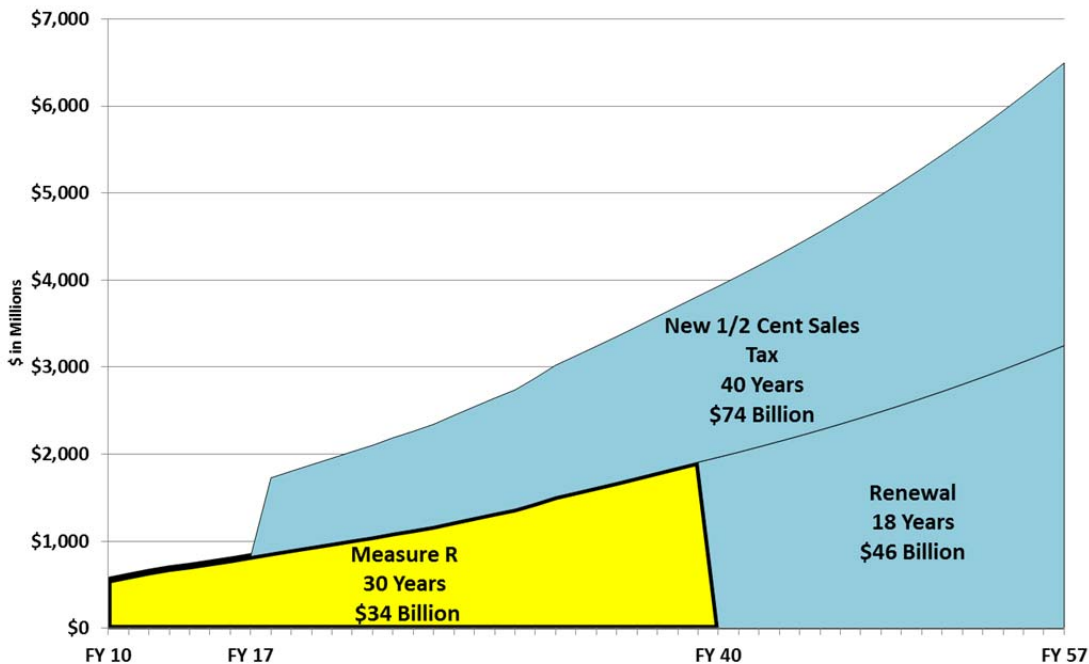
The following considerations led staff to the 2057 LRTP augment, extend, and sunset assumption, as follows:

- Unmet transportation infrastructure improvement needs: The Mobility Matrix process concluded that the entire inventory of needs for transportation capital improvements countywide was between \$157 and \$273 billion (in 2015 dollars). Shorter sunsets did not provide enough resources to develop the necessary level of consensus given this need;
- Market research indicates public support for transportation improvements: Past statistically reliable quantitative surveys conducted found no significant advantage to including a sunset clause in a Los Angeles County transportation sales tax ballot measure;
- Alameda County super majority: In November 2014, 70% of voters in Alameda County approved a ballot measure that augmented an existing ½ cent transportation sales tax while at the same time extending the original ½ cent transportation sales tax when it expired; and
- Subregional feedback included a desire to accelerate existing Measure R priority projects, which could be facilitated, in part by replacing the Measure R tax when it sunsets.

As a result of these considerations, the LRTP Framework assumes an augment and extend approach similar to the Alameda County strategy, as shown in Table 1 below:

# Potential Ballot Measure Structure

## Sales Tax Increase with Renewal of Existing



Augmenting Metro's existing transportation sales taxes for at least a 40 year period (through the year 2057) and also extending an existing sales tax (Measure R) expiring in 2039 will provide the best opportunity to secure the necessary resources to address the public's desire for transportation improvements. Prior to making a final decision next year, the results of further market research will be provided to the Metro Board.

### Project Cost Inflation and Sales Tax Revenue Growth Assumptions

The SB 767 (de León) expenditure plan requirement to schedule projects and show approximate completion dates raises the need to assume the impact of inflation over time on project and program costs. The initial project costs were requested in 2015 dollars and our cost inflation assumption is 3% per year.

The sales tax revenue growth assumption is 3.8% per year through 2040 and 3% thereafter. The difference between inflation cost growth and revenue growth through 2040 is primarily economic growth from the UCLA Anderson School Forecast of taxable sales for Los Angeles County. Countywide Planning staff has found the UCLA Anderson School Forecast to be the best available for our long term planning needs.

### Optimal Subregional Target Assumptions

The transparent process required by SB 767 (de León) and the bottoms-up process directed by the Metro Board required Countywide coordination of subregional revenue assumptions. To prioritize the enormous unmet transportation capital needs identified in the Mobility Matrix process, the subregions needed to know roughly what they could



expect for capital improvements from the assumed augment and extend approach to the potential ballot measure.

Staff worked with the subregions to develop subregional revenue targets they could use for their priority setting process. To divide revenues into subregional targets, staff considered prior discussions with the subregions before developing a new approach. The purely current population and employment approach in Measure R led to later disagreements about extending that approach beyond 2039 in Measure J. Representatives from high population and/or employment growth areas felt the 2005 data used for Measure R was inequitable for taxes that would extend well beyond 2039, as proposed in Measure J.

To respond to these very valid concerns, staff interpolated Southern California Association of Governments 2008 population and 2035 employment information to establish 2017 and 2047 population and employment data points, as shown in Table 2:

## Basis for Optimal Targets Vary by Subregion

Optimization Will Require Supplemental Non-Measure Funds by the LRTP Horizon Year							
40 Years		12.11% =				\$4.5 billion	
Subregion	Population		Employment		Pop/Emp, 2017/2047 Blend	Optimal Sub- Regional Share %	Δ%
	2017	2047	2017	2047			
Arroyo Verdugo	4.99%	4.79%	7.54%	7.82%	6.28%	7.82%	1.53%
Central Los Angeles	18.98%	19.12%	18.05%	18.01%	18.54%	19.12%	0.58%
Gateway Cities	19.84%	19.27%	16.63%	16.15%	17.97%	19.84%	1.87%
Las Virgenes/Malibu	0.85%	0.81%	1.38%	1.42%	1.12%	1.42%	0.30%
North Los Angeles County	7.42%	9.40%	5.42%	6.84%	7.27%	9.40%	2.13%
San Fernando Valley	14.66%	14.19%	14.21%	14.09%	14.29%	14.66%	0.37%
San Gabriel Valley	16.17%	16.14%	13.10%	12.76%	14.54%	16.17%	1.63%
South Bay	10.62%	10.13%	10.60%	10.16%	10.38%	10.62%	0.24%
Westside Cities	6.46%	6.14%	13.06%	12.75%	9.60%	13.06%	3.46%
Grand Total	100.00%	100.00%	100.00%	100.00%	100.00%	112.11%	12.11%

- Source Data: SCAG RTP12 Socio-economic Data (SED)
- 2017 and 2047 year data interpolated/extrapolated from SCAG 2008 and 2035 Projections. Back-up data available on request.
- In this version, Arroyo Verdugo consists of Burbank, La Crescenta-Montrose, La Canada Flintridge, Glendale, Pasadena and South Pasadena. That means both Pasadena and South Pasadena have been taken out of San Gabriel Valley to be included in Arroyo Verdugo subregion.

### REVISION #3

As one can see from the data in Table 2, at least one subregion had a credible argument to use each of four differing basis for the targets. To avoid disagreements over the basis of the targets to be used, Metro staff offered a blended approach and an optimal approach. The blended approach added-up to 100%, but the optimal approach would not at 112%. This meant the optimal approach would require approximately \$4.5 billion in non-measure funds from existing taxes beyond the 2009 LRTP planning horizon of 2039, but within the

new LRTP planning horizon of 2057. The subregion's all preferred the optimal target approach and Metro staff found it to be workable and concurred, making the optimal basis the consensus choice for the initial subregional priority setting exercise.

Before calculating the subregional revenue targets, assumptions were also needed about how much of the anticipated revenue from the augment and extend approach might be dedicated to multi-modal capital improvement purposes. Measure R had 55% dedicated to these purposes. It should be emphasized that for discussion purposes, staff assumed that roughly half of the new tax, about \$60 billion, could go for multi-modal capital improvement purposes, though we cautioned that this was ultimately a decision expressly reserved for the Metro Board when more information about all needs were known.

Roughly half the tax, about \$60 billion, is on a year of expenditure basis while the project cost data identified in the Mobility Matrices is based on current year dollars instead. This required that the value of the \$60 billion, again roughly half the tax, be deescalated before being made available to each subregion as a target on a current dollar basis. This enabled the subregions to directly compare their target to the project cost data they already possessed.

Table 3 shows the end result of the target setting consensus, subregional targets in deescalated dollars comparable to project cost data on the same basis:

Table 3, Consensus Subregional Targets:

## Optimal Capital Improvement Targets

Year of Expenditure \$'s (includes inflation) vs. Current \$'s (excludes inflation)

Subregion	Optimal Sub-regional Share %	Pay-Go (YOE, No Bonds)			De-escalated to Current 2014 \$		
		Tier 1 - New 1/2 Cent 40 Years (FY 18-57)	Tier 2 - 1/2 Cent Renewal 18 Years (FY 39-57)	Total	Tier 1 - New 1/2 Cent 40 Years (FY 18-57)	Tier 2 - 1/2 Cent Renewal 18 Years (FY 39-57)	Total
Arroyo Verdugo	7.82%	\$ 2,889	\$ 1,772	\$ 4,661	\$ 1,125	\$ 506	\$ 1,631
Central Los Angeles	19.12%	\$ 7,062	\$ 4,332	\$ 11,394	\$ 2,750	\$ 1,237	\$ 3,987
Gateway Cities	19.84%	\$ 7,328	\$ 4,495	\$ 11,823	\$ 2,853	\$ 1,284	\$ 4,137
Las Virgenes/Malibu	1.42%	\$ 525	\$ 322	\$ 842	\$ 204	\$ 92	\$ 296
North LA County	9.40%	\$ 3,472	\$ 2,130	\$ 5,602	\$ 1,352	\$ 608	\$ 1,960
San Fernando Valley	14.66%	\$ 5,415	\$ 3,321	\$ 8,736	\$ 2,108	\$ 949	\$ 3,057
San Gabriel Valley	16.17%	\$ 5,973	\$ 3,663	\$ 9,636	\$ 2,325	\$ 1,046	\$ 3,371
South Bay Cities	10.62%	\$ 3,923	\$ 2,406	\$ 6,329	\$ 1,527	\$ 687	\$ 2,214
Westside	13.06%	\$ 4,824	\$ 2,959	\$ 7,783	\$ 1,878	\$ 845	\$ 2,723
<b>Subregional Total</b>	<b>112.11%</b>	<b>\$ 41,411</b>	<b>\$ 25,399</b>	<b>\$ 66,810</b>	<b>\$ 16,123</b>	<b>\$ 7,255</b>	<b>\$ 23,378</b>

- 1) Optimal targets are each subregion's share of the proposed revenues based on the greatest percentage of four possible measures: i) current population; ii) future population; iii) current employment; or, iv) future employment. The following table has more information.
- 2) Dollars in millions.
- 3) YOE = Year of Expenditure.
- 4) Santa Clarita included in North LA County.
- 5) Arroyo Verdugo includes Burbank, Glendale, Pasadena, So. Pasadena and La Canada-Flintridge, and La Crescenta-Montrose.

## Financial Constraints

All projects submitted are anticipated to be included in the LRTP update, they must be categorized in one of two ways: financially constrained (funding plan) or financially unconstrained (no funding plan). These financial constraints are defined in federal planning regulations as revenues that can be reasonably expected to be available. The assumptions focus on revenues reasonably expected to be available. Tax and other revenues not yet authorized in law or by a policy body can only be included if based on reasonable assumptions, such as a pattern of periodic authorizations by the applicable legislature or policy making body. Aggressive assumptions that have no reasonable basis are not permitted by the Clean Air Act and other policy actions of the federal government. For transit agencies seeking New Starts funds, periodic reviews of financial capacity reasonableness are also required. These reviews can be stricter than regulatory reviews stemming from the federal planning regulations.

## Cost Effectiveness

One key performance metric that is applied to all major highway and transit projects is an evaluation of costs versus benefits, with the benefits defined as those in the Performance Metrics Framework. While a specific cost effectiveness measure is not shown in Attachment A, it will be calculated through the performance evaluation process using the other measures of project benefit. This explains why a specific weight is not assigned to cost effectiveness, even though it is important that all projects recommended through this process meet cost effectiveness criteria.

ATTACHMENT C

## **Stakeholder Process Input**

Document Available Online at:

[http://media.metro.net/projects\\_studies/images/lrtp\\_stakeholder\\_input.pdf](http://media.metro.net/projects_studies/images/lrtp_stakeholder_input.pdf)

# Regional Facility Provider Draft Needs List

ATTACHMENT E

(2015 \$ in thousands)

Project	Notes	Cost Estimate
<b>Bob Hope Airport</b>		
Burbank/Glendale LRT	\$	1,604,000
Clybourn Ave: Grade separation at railroad tracks / Vanowen St / Empire Ave	\$	60,000
Hollywood Way/San Fernando Rd Metrolink station pedestrian bridge	\$	8,350
I-5/Buena Vista Ave: Reconfigure ramps and connect with Winona Ave	a \$	30,000
Metro Red Line Extension: North Hollywood to Burbank Airport	\$	1,800,000
North Hollywood to Bob Hope Airport to Pasadena Transit Corridor	a, b \$	2,550,000
<b>Subtotal</b>	\$	<b>6,052,350</b>
<b>Long Beach Airport</b>		
3138-Bellflower Blvd./ Spring St. Improv.	\$	5,000
9078-Lakewood Blvd./ Rosemead Blvd. (59) signals-San Gabriel Blvd. to Stearns St.	\$	10,325
3137-Lakewood Blvd. / Spring St. Improv.	\$	5,000
9659-LGB Bicycle access improvements	\$	50,000
3082-Wardlow Rd. / Cherry Ave. Intersection Widening	\$	5,000
9094-Willow St. (23) signals from I-710 to I-605	\$	2,450
<b>Subtotal</b>	\$	<b>77,775</b>
<b>Los Angeles Airport</b>		
Automated People Mover (APM) system	\$	175,000
Connection: Manchester Square to I-405 southbound and I-105 eastbound ramp	\$	450,000
Gateway LAXpress Employee Transport: capital cost of existing/new transit vehicles	\$	50,000
Gateway LAXpress Employee Transport: Mobility Hubs at Regional Transit Centers	\$	75,000
Gateway LAXpress Employee IT Platform Services	\$	250
I-405: Construct LAX Expressway	\$	1,120,000
Interstate 405 (I-405) Direct High Occupancy Vehicle (HOV) Connector to LAX	\$	135,000
Provide an on-ramp to I-405 northbound from northbound La Cienega Boulevard	\$	90,000
Trench Cover (Crenshaw/LAX Transit Corridor)		TBD
<b>Subtotal</b>	\$	<b>2,095,250</b>
<b>Palmdale Airport</b>		
Bicycle/Pedestrian Connector from the Palmdale Regional Airport	\$	50,000
High Desert Corridor from SR 14 to 50th Street East	c \$	670,000
People Mover from PTC to the Palmdale Regional Airport	\$	100,000
RVB Roadway Improvements from 15th Street East to 50th Street East	\$	75,000
Rancho Vista Grade Separation Project from Fairway Drive to 15th Street East	\$	100,000
<b>Subtotal</b>	\$	<b>995,000</b>

# Regional Facility Provider Draft Needs List

ATTACHMENT E






(2015 \$ in thousands)

Project	Notes	Cost Estimate
Port of Los Angeles (POLA)	POLA Priority	
Terminal Island Container Transfer Facility Expansion (additional loading track)	1	\$ 4,000
West Basin Container Terminal Automated/Electrified On-Dock Railyard	2	\$ 86,000
Alameda Corridor Terminus - West Basin Track (West Basin 2 <sup>nd</sup> Mainline Track)	3	\$ 5,000
Alameda Corridor POLA/POLB Access Rail (Thenard Junction Connection)	4	\$ 20,000
Pier 300 On-Dock Railyard Expansion (2 additional loading tracks)	5	\$ 35,000
Pier 400 On-Dock Railyard Expansion (2 additional loading tracks)	6	\$ 75,000
Pier 400 Second Lead Track	7	\$ 12,000
Alameda Corridor Terminus - Cerritos Channel Bridge (5004)	8	\$ 170,000
Alameda Corridor Terminus-West Basin Railyard Expansion (additional tracks)	9	\$ 45,000
SR 47/V. Thomas Bridge/Harbor Blvd. Interchange	10	\$ 25,000
SR 47/Navy Way Interchange	11	\$ 50,000
Alameda Corridor Terminus/SR 47 Rail Crossing Advanced Warning System.	12	\$ 5,000
San Pedro Waterfront Regional Access Improvement:	13	\$ 41,000
Alameda Corridor Terminus/California Coastal Trail Extension Grade Separation	14	\$ 15,000
California Coastal Trail - Ports O' Call Promenade	15	\$ 29,000
New Terminal Island On-dock railyard	16	\$ 150,000
Terminal Island Rail Support Yard	17	\$ 50,000
Container Movement Efficiency Program	18	\$ 383,000
<b>Subtotal</b>		<b>\$ 1,200,000</b>
<b>Port of Long Beach</b>		
Coastal Trail Gap Closure Projects (Regional Connectivity)		\$ 21,800
Gerald Desmond Bridge Replacement Project		\$ 200,000
Pico Avenue Freight Corridor Street Improvements		\$ 160,000
Port Area Advanced Transportation Management and Information System 2.0		\$ 6,000
Port Access Road Improvements		\$ 50,015
Rail Efficiency Improvement Project at Pier B		\$ 440,000
Rail Efficiency Improvement at Pier G South Rail Yard		\$ 66,000
Terminal Island On-Dock Rail Efficiency Improvements		\$ 173,710
<b>Subtotal</b>		<b>\$ 1,117,525</b>
<b>Union Station</b>		
Los Angeles Union Station-40 year component State of Good Repair Cost		\$ 106,260
Southern California Regional Interconnector Project (Metrolink Run-Through)		\$ 150,000
Union Station Linkages Program (Connect US Action Plan)		\$ 26,000
Union Station Master Plan (USMP) Stage 2A Multi Modal Passenger Concourse		\$ 300,000
USMP Enabling Development (Stage 2C)		\$ 12,000
USMP Enabling Development and Open Space Network (Stage 2E and 2F)		\$ 114,000
USMP Perimeter Improvements (Stage 1)		\$ 31,111
USMP Relocated Patsaouras Bus Plaza (Stage 2B)		\$ 770,000
<b>Subtotal</b>		<b>\$ 1,509,371</b>
<b>GRAND TOTAL</b>		<b>\$ 13,047,271</b>

- a. Project also identified as priority in Arroyo Verdugo Subregion project list
- b. Project also identified as priority in San Fernando Valley Subregion project list
- c. Project also identified as priority in North County Subregion project list

# Transportation Plan Roadmap

Attachment F

	OCTOBER 2015	NOVEMBER— DECEMBER 2015	JANUARY— MARCH 2016	APRIL— JUNE 2016	JULY— SEPTEMBER 2016	OCTOBER— DECEMBER 2016
<b>EXPENDITURE PLAN</b> 	> Plan Framework	> Finalize Framework	> Evaluate Project Sequencing	> Finalize Project Sequencing	> Submit Ballot Measure	 <b>ELECTION</b> <b>NOV 8, 2016</b>
<b>STAKEHOLDER &amp; COMMUNITY OUTREACH</b> 	> COG Coordination > Stakeholder and Sub-Regional Briefings	> Stakeholder and Sub-Regional Briefings	> Public meetings > Survey > Focus Groups > Community Workshops > Stakeholder and Sub-Regional Briefings	> Stakeholder and Sub-Regional Briefings	> Voter Information Begins	
<b>EDUCATION</b> 	> Annual Report > Launch LRTP Website	> Education Campaign Begins	> Quality of Life Report	> Telephone Town Halls	> Voter Information Begins	
<b>BOARD ACTIVITIES</b> 	> Framework Presented	> Action on Framework	> Expenditure Plan Draft Released	> Final Expenditure Plan Action		

# Subregional Stakeholder Draft Project Priorities

## ATTACHMENT D

(2015 \$ in thousands)

Project	Notes	Cost Assumption	Draft Subregional Target (2015\$)	Difference
<b>Arroyo Verdugo</b>				
North Hollywood to Pasadena Bus Rapid Transit Corridor	a	\$ 283,000	\$ 283,000	\$ -
Active Transportation Projects		\$ 136,500	\$ 136,500	\$ -
Goods Movement Projects		\$ 81,700	\$ 81,700	\$ -
Highway Efficiency, Noise Mitigation and Arterial Projects		\$ 602,800	\$ 602,800	\$ -
Modal Connectivity and Complete Streets Projects		\$ 202,000	\$ 202,000	\$ -
Transit Projects		\$ 257,100	\$ 257,100	\$ -
Unprogrammed		\$ 67,900	\$ 67,900	\$ -
<b>Arroyo Verdugo Subtotal</b>		\$ 1,631,000	\$ 1,631,000	\$ -
<b>San Fernando Valley</b>				
Active Transportation Program	b,c	\$ 65,000	\$ 65,000	\$ -
City of San Fernando Bike Master Plan	b	\$ 5,000	\$ 5,000	
Complete LA River Bike Path Across the Valley	b	\$ 60,000	\$ 60,000	
Complete East Valley Transit Corridor Project as LRT		\$ 1,000,000	\$ 1,000,000	\$ -
North Hollywood to Pasadena Bus Rapid Transit Corridor	a	\$ 230,000	\$ 230,000	\$ -
Orange Line BRT Improvements		\$ 300,000	\$ 300,000	\$ -
Orange Line Conversion to Light Rail		\$ 1,400,000	\$ 62,000	\$ 1,338,000
Sepulveda Pass Transit Corridor	d	\$ 3,390,000	\$ 1,400,000	\$ 1,990,000
<b>San Fernando Valley Subtotal</b>		\$ 6,450,000	\$ 3,057,000	\$ 3,328,000
<b>Westside</b>				
Active Transportation and First/Last Mile Connections Prog.		\$ 650,000	\$ 650,000	\$ -
I-10 Multi-Modal Circulation Improvement Project		\$ 50,000	\$ 50,000	\$ -
Crenshaw Line Extension to West Hollywood/Hollywood	e	\$ 580,000	\$ 300,000	\$ 280,000
Lincoln Blvd BRT		\$ 307,000	\$ 307,000	\$ -
Purple Line Extension to Santa Monica		\$ 2,647,100	\$ 16,000	\$ 2,631,100
Sepulveda Pass Transit Corridor	d	\$ 3,390,000	\$ 1,400,000	\$ 1,990,000
<b>Westside Subtotal</b>		\$ 7,624,100	\$ 2,723,000	\$ 4,901,100
<b>Central City Area</b>				
Crenshaw Line Extension to West Hollywood/Hollywood	e	\$ 1,750,000	\$ 1,185,000	\$ 565,000
Vermont "Short Corridor" Subway from Wilshire to Exposition		\$ 1,700,000	\$ 425,000	\$ 1,275,000
Bus Rapid Transit and 1st/Last Mile Solutions such as DASH	b	\$ 280,000	\$ 280,000	\$ -
Freeway Interchange and Operational Improvements	b	\$ 200,000	\$ 200,000	\$ -
Historic Streetcar	b	\$ 107,000	\$ 107,000	\$ -
LA River Waterway & System Bikepath	b	\$ 370,000	\$ 370,000	\$ -
Los Angeles Safe Routes to School Initiative	b	\$ 250,000	\$ 250,000	\$ -
LA Streetscape Enhancements & Great Streets Program	b	\$ 470,000	\$ 470,000	\$ -
Active Transportation, 1st/Last Mile, & Mobility Hubs	b	\$ 210,000	\$ 210,000	\$ -
Traffic Congestion Relief/Signal Synchronization Program	b	\$ 50,000	\$ 50,000	\$ -
Public Transit State of Good Repair Program	b	\$ 440,000	\$ 440,000	\$ -
<b>Central Cities Subtotal</b>		\$ 5,827,000	\$ 3,987,000	\$ 1,840,000
<b>North County</b>				
Active Transportation Program	b	\$ 264,000	\$ 264,000	\$ -
Arterial Program	b	\$ 726,130	\$ 726,130	\$ -
Goods Movement Program	b	\$ 104,000	\$ 104,000	\$ -
High Desert Corridor (HDC) Right-of-Way		\$ 270,000	\$ 170,000	\$ 100,000
Highway Efficiency Program	b	\$ 128,870	\$ 128,870	\$ -
I-5 North Capacity Enhancements (Parker Rd. + 1.5 miles)		\$ 785,000	\$ 240,000	\$ 545,000
Multimodal Connectivity Program	b	\$ 239,000	\$ 239,000	\$ -
Transit Program	b	\$ 88,000	\$ 88,000	\$ -
<b>North County Subtotal</b>		\$ 2,605,000	\$ 1,960,000	\$ 645,000
<b>Las Virgenes-Malibu</b>				
Active Transportation, Transit, and Technology Program	b	\$ 32,000	\$ 32,000	\$ -
Highway Efficiency Program	b	\$ 133,000	\$ 133,000	\$ -
Modal Connectivity Program	b	\$ 68,000	\$ 68,000	\$ -
Traffic Congestion Relief and Improvement Program	b	\$ 63,000	\$ 63,000	\$ -
<b>Las Virgenes-Malibu Subtotal</b>		\$ 296,000	\$ 296,000	\$ -



# Subregional Stakeholder Draft Project Priorities

## ATTACHMENT D


(2015 \$ in thousands)

for reference  
only - not  
draft order

	Project	Notes	Cost Assumption	Draft Subregional Target (2015\$)	Difference
55	<b>Gateway Cities</b>				
56	Gold Line Eastside Extension Phase II - Washington Blvd.	f, j	\$ 1,500,000	\$ 543,000	\$ 957,000
57	Green Line Eastern Extension (Norwalk)	j	\$ 500,000	\$ 500,000	\$ -
58	I-5 Corridor Improvements (I-605 to I-710)		\$ 1,100,000	\$ 1,059,000	\$ 41,000
59	I-605 Corridor "Hot Spot" Interchange Improvements	j	\$ 850,000	\$ 300,000	\$ 550,000
60	I-710 South Corridor Project	g, j	\$ 4,000,000	\$ 500,000	\$ 3,500,000
61	SR 60/I-605 Interchange HOV Direct Connectors	h	\$ 260,000	\$ 200,000	\$ 60,000
62	West Santa Ana Branch (Eco Rapid Transit Project)	j	\$ 2,000,000	\$ 1,035,000	\$ 965,000
63	Active Transportation Program (ATP)	j	To be determined Included above (see footnote j)		
64	<b>Gateway Cities Subtotal</b>		\$ 10,210,000	\$ 4,137,000	\$ 6,073,000
65	<b>San Gabriel Valley</b>				
66	Active Transportation Program (Bicycle/Pedestrian Facilities)	b	\$ 231,000	\$ 231,000	\$ -
67	Bus System Improvement Program	b	\$ 55,000	\$ 55,000	\$ -
68	Goods Movement Program (Improvements & RR Xing Elim.)	b	\$ 33,000	\$ 33,000	\$ -
69	Highway Demand Based Program (HOV Ext. & Connectors)	b	\$ 231,000	\$ 231,000	\$ -
70	Highway Efficiency Program	b	\$ 534,000	\$ 534,000	\$ -
71	I-605/I-10 Interchange		\$ 126,000	\$ 126,000	\$ -
72	ITS/Technology Program (Advanced Signal Technology)	b	\$ 66,000	\$ 66,000	\$ -
73	Metro Gold Line Eastside Transit Corridor Phase II - SR-60	f	\$ 1,500,000	\$ 543,000	\$ 957,000
74	Metro Gold Line Foothill Light Rail Extension - Phase 2B	i	\$ 1,130,000	\$ 1,019,000	\$ 111,000
75	First/Last Mile and Complete Streets	b	\$ 198,000	\$ 198,000	\$ -
76	SR 60/I-605 Interchange	h	\$ 130,000	\$ 130,000	\$ -
77	SR-57/SR-60 Interchange Improvements		\$ 205,000	\$ 205,000	\$ -
78	<b>San Gabriel Valley Subtotal</b>		\$ 4,439,000	\$ 3,371,000	\$ 1,068,000
79	<b>South Bay</b>				
80	South Bay Highway Operational Improvements		\$ 1,100,000	\$ 500,000	\$ 600,000
81	I-405 South Bay Curve Widening		\$ 150,000	\$ 150,000	\$ -
82	I-405/I-110 Int. HOV Connector Ramps & Intrchnng Improv		\$ 355,000	\$ 355,000	\$ -
83	I-110 Express Lane Ext South to I-405/I-110		\$ 81,500	\$ 51,500	\$ 30,000
84	I-105 Hot Lane from I-405 to I-605		\$ 350,000	\$ 200,000	\$ 150,000
85	Green Line Extension to Crenshaw Blvd in Torrance		\$ 607,500	\$ 607,500	\$ -
86	Transportation System and Mobility Improvements Program	b	\$ 350,000	\$ 350,000	\$ -
87	<b>South Bay Subtotal</b>		\$ 2,994,000	\$ 2,214,000	\$ 780,000
88	<b>GRAND TOTAL</b>		\$ 42,076,100	\$ 23,376,000	\$ 18,635,100

- Cost Assumption equals subregional funding share proposed by the Arroyo Verdugo and San Fernando Valley areas.
- Cost Assumption equals proposed subregional funding.
- ~~Program includes City of San Fernando Bike Master Plan and LA River Bike Path Across the Valley projects.~~
- Final cost, scope, and subregional shares will be determined by the environmental process. The working assumption here for any existing available LRTP funding is 50% San Fernando Valley area and 50% Westside.
- Final cost, scope, and subregional shares will be determined by the environmental process. The working assumption here is 75% Central-25% Westside.
- Final cost, scope, and subregional shares will be determined by the environmental process. The working assumption here for any existing available LRTP funding (including Measure R) is 50% Gateway area and 50% San Gabriel Valley area.
- At least \$3.5 B in funding needs for this project is not shown here. We are pursuing a strategy to fund 12.5% from existing resources, 12.5% from State resources, 12.5% from Federal resources, & 12.5% from subregional target. The remaining 50% is to come from private tolls or fees originating from freight.
- Final cost, scope, & subregional shares will be determined by the environmental process. The working assumption here is 2/3 Gateway & 1/3 San Gabriel Valley.
- Subregional target does not include full 25% contingency.
- ~~The ATP is to be based upon the Gateway COG's Strategic Transportation Plan. These Gateway COG projects will include ATP (bicycle/pedestrian) elements. The COG reserves its right to change these priorities as their Strategic Planning Process progresses.~~

Current as of November 24 16 12, 2015



# Long Range Transportation Plan Potential Ballot Measure Framework, Assumptions, and Input

Board Agenda Item 17 – December 3, 2015



Metro®



## Potential Ballot Measure Framework

- Transforming transportation will include projects in all sub-regions of Los Angeles County
- Approximately half of the plan will include capital improvement projects
- Evaluating the major transit and highway projects will occur through established Performance Metrics
- The proposed Performance Metrics reflect feedback from Board Members and regional stakeholders



# Potential Ballot Measure Assumptions

- The project evaluation process is guided by some assumptions:
  - Augment the current tax
  - Replace the current tax when it expires
  - Extend the sunset year
- These assumptions would generate an estimated \$120 billion (YOE) through 2057
  - Roughly \$60 billion for capital projects
  - Roughly \$60 billion for local investments, operations, etc.



## Project Evaluation Process

- The evaluation process will be the foundation for developing the Expenditure Plan
- This process provides an opportunity to potentially accelerate some Measure R projects while keeping other existing projects on their current schedule
  - All regional projects, including unbuilt Measure R projects, will be evaluated to provide the Board with a comparative assessment across the County



## Recommendation

- ❑ APPROVE the 2017 Long Range Transportation Plan Update Proposed Performance Metrics Framework to be used in analyzing all proposed major transit and highway projects (including Measure R projects not yet under construction) in order to develop a Potential Ballot Measure Expenditure Plan

# Proposed Performance Metrics Themes & Weights

## ❖ **Mobility: Relieve Congestion**

**45.0%**

- Improve travel times and reliability; increase active transportation

## ❖ **Accessibility: Provide Access**

**17.5%**

- Increase service to the transit dependent, cyclists, youths, pedestrians, seniors, and people with disabilities; increase those served by Metro; improve first-last mile

## ❖ **Economy: Grow Economic Benefits**

**12.5%**

- Create jobs; increase goods movement; invest in disadvantaged communities

## ❖ **Safety: Improve Safety**

**12.5%**

- Enhance personal and public safety; reduce incidents

## ❖ **Sustainability and Quality of Life: Enhance Quality of Life**

**12.5%**

- Reduce greenhouse gases; improve air quality; positively impact public health



**Metro**

## Draft Proposed Performance Metrics Framework

Theme	Goals and Objectives	System Performance Measures	Wt. (%)	Highway Project Performance Measures	Transit Project Performance Measures
<b>Mobility</b>	<ul style="list-style-type: none"> <li>• <u>Relieve</u> <del>Ease</del> congestion</li> <li>• Increase travel by transit, bicycle, and pedestrians</li> <li>• Improve travel times</li> <li>• Improve system connectivity</li> <li>• Increase person throughput</li> <li>• Improve effectiveness &amp; reliability for core riders</li> <li>• <u>Address operating &amp; life cycle costs</u></li> <li>• <u>Extend life of facility &amp; equipment</u></li> </ul>	<ul style="list-style-type: none"> <li>• Reduced person hours of delay</li> <li>• Increased person throughput</li> <li>• Reduced single-occupant vehicle mode share</li> <li>• Increased annual boardings per mile</li> <li>• Annual hours of delay savings/mile</li> <li>• <u>Improve roadway condition rating</u></li> <li>• <u>Reduced portion of transit assets past useful life</u></li> </ul>	<del>35%</del> <u>45%</u>	<ul style="list-style-type: none"> <li>• Increased person throughput</li> <li>• Reduced person hours of delay <sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Increased transit ridership</li> <li>• Increased person throughput</li> <li>• Improved <del>system</del> <u>travel time</u> reliability</li> <li>• Improved service frequency</li> </ul>
<b>Economy</b>	<ul style="list-style-type: none"> <li>• Increase economic output</li> <li>• Support job creation &amp; retention</li> <li>• Support goods movement</li> <li>• Invest in disadvantaged communities</li> </ul>	<ul style="list-style-type: none"> <li>• Improved linkages to major employment/activity centers<sup>1</sup></li> <li>• Increased number of jobs</li> <li>• Improved REMI Model economic benefit results</li> <li>• Vehicle hours of delay for trucks</li> <li>• Dollars invested in <u>transportation projects in disadvantaged communities</u></li> </ul>	<del>15%</del> <u>12.5%</u>	<ul style="list-style-type: none"> <li>• Reduced truck vehicle hours of delay <sup>2</sup></li> <li>• Improved job access</li> <li>• Dollars invested in <u>transportation projects in disadvantaged communities</u></li> </ul>	<ul style="list-style-type: none"> <li>• Increased transit oriented development</li> <li>• Improved job access</li> <li>• Dollars invested in <u>transportation projects in disadvantaged communities</u></li> </ul>

<sup>1</sup> Employment/activity centers include major employment centers, retail centers, education facilities, and healthcare facilities

<sup>2</sup> Reduced person and truck hours will serve as the best proxy available for person and truck travel time reliability for Highway projects.



## Draft Proposed Performance Metrics Framework (continued)

Theme	Goals and Objectives	System Performance Measures	Wt. (%)	Highway Project Performance Measures	Transit Project Performance Measures
<b>Accessibility</b>	<ul style="list-style-type: none"> <li>• Increase population served by facility</li> <li>• Increase service to transit-dependent, cyclist, pedestrian populations including youth, seniors, and people with disabilities</li> <li>• Improve first-last mile connections</li> <li>• <u>Utilize technology</u></li> </ul>	<ul style="list-style-type: none"> <li>• Job accessibility by population subgroup</li> <li>• Mode choice by income quintile</li> <li>• SB 535 Disadvantaged Communities mapping (CalEnviroScreen)</li> <li>• Increased number of households with access to transit</li> <li>• Increased number of households with access to bicycle infrastructure</li> <li>• Increased number of households with disabled persons with access to transit</li> <li>• <u>Increased access to parks and open space areas</u></li> </ul>	<p><del>20%</del> <u>17.5%</u></p>	<ul style="list-style-type: none"> <li>• Increased number of disadvantaged population served</li> <li>• Improved access or system connectivity</li> <li>• <u>Increased access to parks and open space areas</u></li> <li>• <u>See note 3</u></li> </ul>	<ul style="list-style-type: none"> <li>• Increased number of <del>households</del> <u>population served by frequent transit</u></li> <li>• Increased number of transit dependent households served</li> <li>• Improved system connectivity</li> <li>• <u>Increased access to parks and open space areas</u></li> <li>• <u>See note 3</u></li> </ul>
<b>Safety</b>	<ul style="list-style-type: none"> <li>• Reduce incidents</li> <li>• Improve personal safety</li> </ul>	<ul style="list-style-type: none"> <li>• Fatalities by mode</li> <li>• Injuries by mode</li> <li>• Fatalities per capita</li> </ul>	<p><del>15%</del> <u>12.5%</u></p>	<ul style="list-style-type: none"> <li>• High <u>fatal and severe injury</u> collision area addressed</li> <li>• Reduced safety conflicts</li> </ul>	<ul style="list-style-type: none"> <li>• Improved transit system safety</li> <li>• High collision area addressed <sup>4</sup></li> </ul>

<sup>3</sup> Metro considered measuring “increased network connectivity for walking and biking” and found that while major highway and transit projects may offer accommodations for bicycling and walking, the improvements to bicycle and pedestrian system connectivity will likely be minimal and impossible to compare effectiveness quantitatively from one project to another.

<sup>4</sup> The Statewide Integrated Traffic Records System (SWITRS) is maintained by the California Highway Patrol (CHP) and does not log fatalities and severe injuries on the transit system.

## Draft Proposed Performance Metrics Framework (continued)

Theme	Goals and Objectives	System Performance Measures	Wt. (%)	Highway Project Performance Measures	Transit Project Performance Measures
Sustainability & Quality of Life	Improve environmental quality <ul style="list-style-type: none"> <li>• Reduce greenhouse gas (GHG) emissions</li> <li>• Reduce urban heat island effect</li> <li>• Reduce storm water runoff impacts</li> <li>• Reduce biological and habitat impact</li> </ul>	Improve environmental quality <ul style="list-style-type: none"> <li>• Reduced VMT per capita</li> <li>• Reduced GHG per capita</li> <li>• Reduced impact on habitat preservation and open space areas</li> </ul>	15% <u>12.5%</u>	Reduced impact on environment <ul style="list-style-type: none"> <li>• Reduced GHG emissions</li> <li>• Reduced urban heat island effect</li> <li>• Reduced storm water runoff impact</li> <li>• Reduced impact on habitat preservation and open space areas</li> </ul>	Reduced impact on environment <ul style="list-style-type: none"> <li>• Reduced GHG emissions</li> <li>• Reduced VMT</li> <li>• Reduced urban heat island effect</li> <li>• Reduced storm water runoff impact</li> <li>• Reduced impact on habitat preservation and open space areas</li> </ul>
	Improve public health Improve quality of life <ul style="list-style-type: none"> <li>• Improve access to parks and recreation</li> <li>• Reduce noise impacts</li> </ul>	Improve public health <ul style="list-style-type: none"> <li>• Reduced EPA air quality conformity criteria pollutants</li> <li>• Increased bike, pedestrian, and transit trips</li> </ul> Improve quality of life <ul style="list-style-type: none"> <li>• <del>Increased access to parks and open space areas</del></li> </ul>		Improved public health <ul style="list-style-type: none"> <li>• Support for active transportation</li> <li>• <del>Improved access to healthcare facilities</del></li> </ul> Improve quality of life <ul style="list-style-type: none"> <li>• Reduced noise impacts</li> <li>• <del>Improved access to parks and open space</del></li> </ul>	Improved public health <ul style="list-style-type: none"> <li>• Support for active transportation</li> <li>• <del>Improved access to healthcare facilities</del></li> </ul> Improve quality of life <ul style="list-style-type: none"> <li>• Reduced noise impacts</li> <li>• <del>Improved access to parks and open space</del></li> </ul>



## Framework Timeline

- **Board Action on Framework – December 2015**
- **Performance Metrics and Financial Modeling**  
– December 2015-March 2016
- **Recommended Expenditure Plan Presentation to Board – March 2016**
- **Public Comment – March-June 2016**
- **Board Action on Ordinance and Expenditure Plan – June 2016**



Thank you





Metro

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

## Board Report

File #: 2015-1686, File Type: Program

Agenda Number: 43.

**2<sup>nd</sup> REVISED**  
**EXECUTIVE MANAGEMENT COMMITTEE**  
**NOVEMBER 19, 2015**

**SUBJECT: CONSIDER GOALS AND ACTIVITIES CONTAINED IN THE  
2016 LEGISLATIVE PROGRAM**

**ACTION: ADOPT THE 2016 FEDERAL AND STATE LEGISLATIVE PROGRAM**

### **RECOMMENDATION**

ADOPTING the **proposed 2016 Federal and State Legislative Program.**

### **ISSUE**

The Board of Directors adopts, on an annual basis, a legislative program for the upcoming state legislative and federal congressional sessions, which provides guidance to staff on legislative issues and policy as a means of advancing and protecting Metro's authority and the transportation interests of Los Angeles County.

### **DISCUSSION**

Each year, staff prepares a legislative program for adoption by the Board. The program is developed with input from Metro's technical staff and representatives in Sacramento and Washington, D.C. This report contains the proposed 2016 Legislative Program. The program will serve as a blueprint and guide for pursuing the authority's Board approved legislative proposals and strategies.

#### **Federal Recap**

In 2015, the agency continued to pursue our Board approved legislative priorities in Washington, DC. Among the challenges with respect to advancing our agenda on Capitol Hill was the continued gridlock between the U.S. Senate and the U.S. House of Representatives. In a welcome departure from this gridlock, on July 30, 2015 the U.S. Senate adopted the DRIVE Act - a long-term surface transportation authorization bill. Most recently, the U.S. House of Representatives adopted, on November 5, 2015, its own long-term surface transportation authorization bill, setting the stage for a conference to be held to resolve the differences between the two bills. Metro has worked closely with members of the Los Angeles County Congressional Delegation to advance our Board-approved Federal Legislative priorities with respect to the next surface transportation authorization bill.

Since 2010, at the direction of the Board of Directors, our agency began a campaign to advance legislative proposals that would address the acceleration of our transit and highway program, now

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known as America Fast Forward. In 2012, Congress enacted a surface transportation bill (MAP-21) that addressed, in part, the goal of our America Fast Forward initiative. Specifically, MAP-21 included language that provided for a ten-fold expansion of the Transportation Infrastructure Finance and Innovation Act (TIFIA) program.

During the course of the current 114th Congress our agency has sought, with measured success and consistent with our Board approved Legislative Program, to expand the scale and scope of our efforts in Washington, DC. These efforts have included, but are not limited to: gaining legislative support for the America Fast Forward Transportation Bond initiative, building a national coalition to support our America Fast Forward program, working to conclude two Full Funding Grant Agreements valued at over \$2 billion for our New Starts projects, securing over \$1 billion in Transportation Infrastructure Finance and Innovation Act program loans for our New Starts projects, working cooperatively with the U.S. Department of Labor on the PEPRA/13c issue to release federal grants funds for Metro projects, and building unity among the Los Angeles County Congressional Delegation on transportation issues, among other initiatives.

Our America Fast Forward initiative has and continues to be discussed and debated by many senior transportation policymakers in Washington, DC. This includes lawmakers and policymakers at the White House, the U.S. Senate, House of Representatives and Executive Agencies, including the Office of Management and Budget and the U.S. Department of Transportation.

For the remainder of the 114th Congress, we will be working to expand on our successes by addressing the broad array of federal highway and transit programs and projects that impact our agency.

### State Recap

Metro again successfully moved the largest legislative program of any transportation agency in the State of California through the legislative process in 2015. We were successful in obtaining approval through SB 767 (de Leon) to place a sales tax measure on a future ballot. Not only were we successful in securing passage of the legislation we were able to accomplish a key priority of the Board, maintaining the bottoms-up process by not identifying projects and programs in the legislation. Additionally, we secured passage of legislation, AB 726 (Nazarian) authorizing Metro to operate 82' buses on the Metro Orange line which will significantly increase capacity and we were able to secure passage of a measure, AB 194 (Frazier) which reauthorizes the process at the California Transportation Commission to approve High Occupancy Toll (HOT) lanes.

The 2015 Legislative session ended without resolution to one of the major challenges faced by the Legislature this year; addressing transportation funding in the First Extraordinary Session. A number of proposals were introduced into this session including a proposal from Governor Brown which contained a number of elements for which Metro had advocated. A conference committee has been formed for the special session and this committee has conducted two hearings. It is anticipated that the committee will continue to meet into 2016 and that members will continue to discuss how a consensus can be reached in First Extraordinary Session.

One key element of the Extraordinary Session is the reauthorization of the authorization to pursue

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Public Private Partnerships (P3s). The authorization expires at the end of 2016. Metro is working closely with a coalition of stakeholders in Sacramento to continue to urge the Legislature to reauthorize this important tool and Metro's state advocacy team will continue those efforts in next year's legislative session.

Also unresolved from this year is the final allocation of Cap and Trade funds. The Legislature has already set allocations for much of the Cap and Trade proceeds however, much of the program remains undefined. We will work with our delegation and the members of the Gubernatorial administration to advocate for a structure that will benefit Metro's projects and programs.

During next year's session, staff anticipates that we will be addressing a number of new challenges. We anticipate there will continue to be discussions about overall project delivery issues in the State and which level of government is best position to perform certain functions. In addition, the California Air Resources Board (CARB) is moving forward on a Mobile Source Strategy which will impact Metro in a variety of ways. We have been engaged internally to ensure that we are working in partnership with CARB and maximizing the opportunities through that partnership.

Overall, the major focus of our state legislative program will continue to be the State Budget with the goal of protecting existing resources and possibly creating new sources of funding for a sustainable transportation system.

## **FINANCIAL IMPACT**

A number of the proposed state and federal legislative initiatives may provide additional funding for countywide transportation programs and projects.

## **ALTERNATIVES CONSIDERED**

The Board of Directors could determine that a legislative program is unnecessary for the agency. Failure to adopt a legislative program could result in Metro being ill prepared to address the policy and legislative challenges that will arise during the coming year.

## **NEXT STEPS**

Government Relations staff will continue to regularly sponsor briefings in Washington, D.C. and Los Angeles County for our Congressional Delegation and other key staffers on both the House and Senate Appropriations and Authorization committees. We have and will continue to place a strong emphasis on briefings for professional staff members working for House and Senate committees with primary responsibility for authorizing and appropriations bills - in addition to advancing our plan to accelerate both our transit and highway program through our America Fast Forward initiative.

In Sacramento, we will continue to develop and strategically advance our agency's Board approved State Legislative Program through maintaining support and close relationships with the Los Angeles County State Legislative Delegation, key leaders in the Senate and Assembly Transportation Committees, as well as key stakeholders including, the Governor, Caltrans, California Transportation

Commission, and the California State Transportation Agency.

Government Relations staff will initiate briefings for the Gubernatorial Administration, members of the Legislature as well as committee staff. We will also work with state legislators to author any legislative initiatives proposed by this program. At the federal level, Government Relations will keep in close contact with new and existing members of our Congressional delegation and key Authorizing and Appropriations staff to keep our projects at the forefront. Staff will continue to monitor and track legislative efforts sponsored by other transportation interests and inform the Board of that legislation. Pursuant to the Board adopted Board Advocacy Plan we will also work closely with the Board to utilize Board member's relationships and experience in legislative matters.

Government Relations will continue to ensure that our legislative priorities and efforts are coordinated with our regional transportation partners, including Metrolink, Southern California Associations of Governments (SCAG), Municipal Operators, and Southern California County transportation commissions.

In addition, Government Relations will continue to pursue state and federal legislative initiatives that promote the efficient and rapid delivery of Measure R projects as well as leverage Measure R funds for additional state and federal transportation resources, and to form a coalition to protect state revenues.

The 2015 State Legislative Session is due to reconvene in January 2016. The 2016 Federal Legislative Session with both the U.S. House of Representatives and U.S. Senate scheduled to return in January 2016 for the remainder of the 114th Congress.

## **ATTACHMENTS**

Attachment A - 2016 Federal Legislative Program

Attachment B - 2016 State Legislative Program

Prepared by: Michael Turner, Director, State Affairs - (213) 922-2122

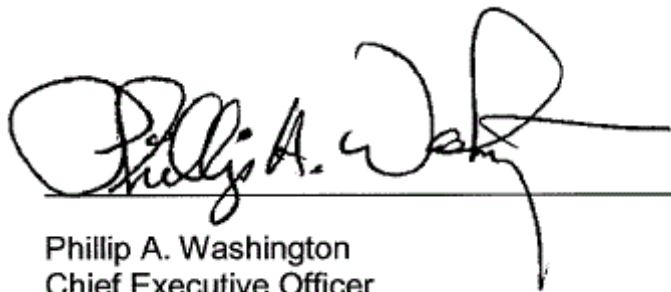
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Phillip A. Washington  
Chief Executive Officer

**2016 FEDERAL LEGISLATIVE PROGRAM for the 114<sup>th</sup> CONGRESS**

**GOAL #1: WORK TO PURSUE LEGISLATIVE INITIATIVES THAT PROMOTE THE AMERICA FAST FORWARD PROGRAM**

Proposed Activities:

Seek to adopt language in any tax reform legislation that would create an America Fast Forward Transportation Bond Program. Specifically, the America Fast Forward Transportation Bonds would provide a significant interest rate subsidy for worthwhile transportation projects in Los Angeles County and across the nation. As part of the America Fast Forward initiative we will also seek to reform federal law with respect to local hire regulations. Our agency's local hire initiative would, if enacted into federal law, permit transportation agencies to hire locally, provided their share exceeds 50% of a project's total cost.

**GOAL #2: WORK TO ADVANCE THE REGIONAL CONNECTOR AND THE WESTSIDE EXTENSION – THROUGH THE FEDERAL NEW STARTS PROGRAM AND TIFIA LOAN PROCESS AND ADVANCE OUR NON-NEW STARTS PROJECTS – GOLD LINE FOOTHILL EXTENSION AND CRENSHAW/LAX**

Proposed Activities:

Work with our Congressional Delegation, transportation leaders in the House and Senate and the U.S. Department of Transportation to ensure the free flow of funds from Full Funding Grant Agreements and TIFIA loans for both the Regional Connector and the Westside Subway Extension. Parallel to this effort and as previously directed by our Board of Directors, we will continue to support seeking non-New Starts funds for the Gold Line Foothill Extension and Crenshaw/LAX transit projects. In addition, we will work to ensure that the Federal Transit Administration, Federal Aviation Administration, among other federal agencies, continue to work cooperatively with our agency on issues related to bringing a rail connection to LAX.

**GOAL #3: PURSUE LEGISLATIVE PRIORITIES AS CONGRESS ACTS TO AUTHORIZE A NEW SURFACE TRANSPORTATION BILL PRIOR TO THE EXPIRATION OF MAP-21 ON NOVEMBER 20, 2015**

Proposed Activities:

In order to increase the amount of programmatic and project funds derived by our agency through MAP-21, Government Relations has worked to advance funding and programmatic priorities in the new surface transportation authorization bills currently being considered by the U.S. Congress. The surface transportation authorization bills

adopted by the Senate and House, on July 20, 2015 and November 5, 2015 respectively, will be subject to a conference where we will work directly with conferees to ensure that provisions in the bill that benefit our agency are safeguarded and provisions that harm our agency's interests are deleted or modified.

As the new bill is ultimately instituted by the U.S. Department of Transportation we will continue to work cooperatively with local governments, local transit agencies, community leaders, business owners, organizations, trade associations like the American Public Transportation Association, transit rider groups, as well as with other transportation agencies throughout the United States to secure funding for transportation projects and operations in Los Angeles County.

**GOAL #4: CONTINUE TO WORK WITH METROLINK AND REGIONAL TRANSPORTATION AGENCIES TO SUPPORT – AS NEEDED - THE APPLICATION OF FEDERAL FUNDS FOR POSITIVE TRAIN CONTROL (PTC) TO SIGNIFICANTLY IMPROVE THE SAFETY OF COMMUTER RAIL SERVICE IN LOS ANGELES COUNTY AND ADJOINING COUNTIES**

**Proposed Activities:**

Continue to work in close cooperation with U.S. Senators Feinstein and Boxer, members of the Los Angeles County Congressional Delegation, Metrolink, APTA and other key stakeholders to ensure that any federal funding provided for Positive Train Control takes into consideration commuter rail lines that dedicated significant local funds to meet the previous PTC deadline of December 2015 (the new federally mandated deadline is December 2018).

**GOAL #5: ADDITIONAL PRIORITIES**

**Proposed Activities:**

Aggressively advocate for the renewal of the alternative fuels excise tax credit;

Work to extend the commuter tax benefit to remain at \$230 per month for transit users;

Work with Metro's regional partners to advance career education and training programs that will ensure the needed workforce to operate and maintain our transit system is ready and available.

Work to ensure that the U.S. Department of Transportation clarifies that ferryboat miles between mainland Los Angeles and Catalina Island are counted for purposes of Los Angeles County's annual apportionment from the Section 5307 Urbanized Area Formula Program (UAFP);

Work to support legislation that would allow public transit agencies to use a portion of their federal transit funding for day-to-day operating expenses;

Work to secure federal funds to advance Metro's bicycle program, including but not limited to, bike stations near our transit stations.

**2016 STATE LEGISLATIVE PROGRAM**

**GOAL #1: ENSURE THE STATE CONTINUES TO FULLY FUND THE MAJOR TRANSPORTATION PROGRAMS IN THE STATE**

Proposed Activities:

Protect Metro's key fund sources;

Communicate the importance of stable transportation funding to improve mobility in Los Angeles County, foster economic development and create jobs;

Protect the transportation funding system established by the sales tax/gas swap legislation;

Protect Public Transportation Account revenues which have been funded by the sales tax on diesel fuel;

Secure proportionate share of federal funds allocated via state mechanisms, such as CMAQ and alternative transportation programs; and

Support the funding proposals identified in the First Extraordinary Session and ensure that they are structured to support Metro's projects and programs.

**GOAL #2: PURSUE LEGISLATIVE INITIATIVES AIMED AT INCREASING FUNDING FOR LOS ANGELES COUNTY TRANSPORTATION PROJECTS**

Proposed Activities:

Work with statewide partners on any efforts to implement new transportation related fees or taxes and ensure these revenues are allocated in proportion to LA County's needs and at the discretion of local agencies; and

Support legislation that would enhance opportunities for Value Capture or related concepts and mechanisms to fund transportation infrastructure or promote Transit-Oriented Developments.

### **GOAL #3: WORK TO ENSURE IMPLEMENTATION OF METRO'S BOARD ADOPTED LRTP**

#### **Proposed Activities:**

Pursue strategies and funding opportunities to implement the Highway Program in the LRTP;

Work to secure additional funds through the STIP, SHOPP and bond funds; and

Pursue Public Private Partnerships and Design Build opportunities for the highway portion of the LRTP.

### **GOAL #4: SUPPORT EFFORTS TO IMPROVE SAFETY ON THE REGION'S COMMUTER RAIL SYSTEM**

#### **Proposed Activities:**

Advocate for additional state funding to increase the safety of the commuter rail system in Los Angeles County and the entire Metrolink service area;

Support additional funding for enhanced commuter rail safety, especially for automatic train stop/positive train control systems, grade separations and double tracking single track portions of Metrolink's service area; and

Support actions by the Public Utilities Commission (PUC) which would allow or approve implementation of automatic train control systems.

### **GOAL #5: MAXIMIZE OPPORTUNITIES FOR FUNDING LOS ANGELES COUNTY'S TRANSPORTATION PROJECTS AND PROGRAMS THROUGH IMPLEMENTATION OF PROPOSITIONS 1B**

#### **Proposed Activities:**

Work with Caltrans and the CTC to ensure that Proposition 1B funds flow to Metro projects and support full allocation of these propositions in future budget actions;

Work with the Los Angeles County Delegation to ensure that bond implementation legislation allocates a fair share of funding to Los Angeles County; and

Support projects submitted through the CTC process.

**GOAL #6: COORDINATE WITH OUR LOCAL AND STATE PARTNERS TO INCORPORATE THE REGION'S NEEDS IN EMERGING CLIMATE CHANGE AND SUSTAINABILITY PROGRAMS**

Proposed Activities:

Monitor continued implementation of AB 32 and SB 375 (including sustainable community strategies and related initiatives/ documents);

Work in partnership with the California Air Resources Board (CARB) to support Metro's projects and programs;

Advocate the connection between transit operations funding, SB 375 and other state global warming policies, programs and initiatives;

Support initiatives that promote greenhouse gas emissions reduction strategies such as vehicle miles travelled reduction, active transportation, and operational efficiency best practices;

Support continued efforts to encourage smart growth and other connectivity and livability principles and their interaction with transit and highway investments while preserving authority of local agencies;

Support legislative efforts to include (programs affecting environmentally sensitive stakeholders and clean air programs) in our region, particularly with regards to regional transit planning, construction, and procurement efforts;

Support new initiatives that encourage the use of advanced, environmentally friendly and cost-effective strategies in the construction and retrofit of transit facilities including infrastructure related to renewable energy, low impact development, sustainable construction practices, and similar technologies;

Ensure Cap & Trade funds are allocated to transportation, that Los Angeles County receives a proportionate share; and

Advocate and secure commitment for Cap & Trade revenues to be allocated by the County Transportation Commissions when allocated to our region.

**GOAL #7: ACTIVELY WORK WITH STATE, REGIONAL AND LOCAL TRANSPORTATION INTERESTS TO SECURE, PROTECT AND ENHANCE TRANSPORTATION FUNDING AND PROGRAMS STATEWIDE**

Proposed Activities:

Work with Governor Brown's Administration to preserve and increase flexibility in the use of transportation funds;

Identify and pursue opportunities for additional funding for Southern California transportation projects, including, but not limited to, mechanisms to reinvigorate the State's infrastructure bank;

Support efforts to secure funding and/or obtain authority to generate additional funding for bus transit capital, operations, security needs, corridor projects, soundwalls, bike projects, Service Authority for Freeway Emergencies (SAFE), Freeway Service Patrol (FSP) and other important transportation projects and programs;

Work cooperatively with other transit agencies throughout the State, including the CTA, to secure and increase funds for transportation services, projects and programs;

Support efforts to secure new funding for regional rideshare services; and

Identify and pursue opportunities for funding and to enhance authority where necessary to improve security and safety for customers, employees and property.

**GOAL #8: SUPPORT LEGISLATIVE AND REGULATORY ACTIONS THAT ENHANCE AND PROTECT METRO'S ABILITY TO DELIVER TRANSPORTATION PROJECTS AND SERVICES IN LOS ANGELES COUNTY**

Proposed Activities:

Support efforts to clarify the oversight responsibilities of the PUC with respect to rail transit and improve the administration of PUC regulations;

Oppose legislation that would seek to restructure the Metro Board of Directors;

Oppose legislation that would preempt collective bargaining, impose benefits in collective bargaining agreements or restrict the rights of local agencies in the collective bargaining process;

Preserve our authority in regional transportation funding decisions including those granted through SB 45;

Continue to advocate for California Environmental Quality Act (CEQA) reforms for transportation projects with continued collaboration of statewide stakeholders and organizations;

Monitor and work with implementation of pension reform so that Metro is able to maintain a stable work force and ensure adequate succession planning;

Support efforts to enhance the use of electronic fare payment or smart card technology; and



Explore authorizing the use of forward facing cameras on Metro's buses.

**GOAL #9: Oppose any legislation that could negatively impact Metro's ability to operate the ExpressLanes program or proceed with future ExpressLanes, in close coordination with Caltrans.**

Proposed Activities:

Support legislation that:

1. Encourages development and utilization of technologies that would enhance the ability to verify vehicle occupancy and toll collection/payment.
2. Enhances Metro's ability to enforce the ExpressLanes toll policy as adopted by the Board.

Vigorously oppose legislation that negatively impacts:

1. Metro's ability to manage ExpressLanes demand utilizing congestion pricing.
2. Financial viability and local control of ExpressLanes revenues.
3. Limit Metro's ability to expand the ExpressLanes network.

**GOAL #10: SUPPORT EFFORTS TO IMPLEMENT HIGH SPEED RAIL (HSR) IN LOS ANGELES COUNTY**

Proposed Activities:

Continue the following set of principles to guide our advocacy relating to High Speed Rail:

Metro supports the California High Speed Rail Project.

Metro is encouraged by the efforts to incorporate a blended corridor concept in its planning and to continue to evaluate and identify the need to connect the project to Los Angeles County.

We encourage the State to make specific commitments to funding the segment connecting to Los Angeles County and to maintain this segment as a high priority in future plans.

Metro supports the allocation of funding to elements of the blended corridor concept in Los Angeles County to support the ultimate completion of the High Speed Rail project.

Ensure timely implementation of Proposition 1A including allocation of connectivity funds as required by law.

**GOAL #11: SECURE APPROVAL OF KEY METRO PROJECTS AT THE CALIFORNIA TRANSPORTATION COMMISSION**

Proposed Activities:

Support efforts to establish local control in the LOSSAN Corridor.

**GOAL #12: SPONSOR THE FOLLOWING LEGISLATION TO IMPROVE OUR ABILITY TO DELIVER QUALITY SERVICE**

Proposed Activities:

Sponsor legislation to enhance the ability of small businesses to participate in Metro procurements.

Sponsor legislation to address the authority of Metro's Security Officers.

# Proposed 2016 Federal and State Legislative Program



Michael Turner, DEO, Government Relations

Raffi Hamparian, Director, Federal Affairs



Metro

# Federal Legislative Goals

- America Fast Forward
- Federal New Starts and Non-New Starts Projects
- New Surface Transportation Authorization Bill – maximizing funding including securing freight funding
- Positive Train Control
- Additional priorities – including, but not limited to:
  - Renewal of the alternative fuels excise tax credit
  - Commuter tax benefits
  - Workforce and career education training programs
  - Funding for Metro's bicycle program



# State Legislative Goals

- Full funding for major transportation programs
- Increasing funding for LA County Transportation Projects
- Implementation of Metro's Board Adopted LRTP
- Improving safety on the region's commuter rail system
- High Speed Rail Implementation
- Secure approval of key Metro projects at the CTC
- Sponsor legislation to improve our ability to deliver quality service including:
  - Enhance Small Business participation in Metro procurements
  - Clarifying the authority of Metro Transit Security Officers

# State Legislative Goals (cont.)

- Maximize opportunities for funding through Proposition 1B
- Coordinate with our local and State partners on emerging climate change and sustainability
- Secure, protect and enhance transportation funding and programs statewide
- Enhance and protect Metro's ability to deliver transportation projects and services
- Oppose any legislation that could negatively impact Metro's ability to operate the ExpressLanes
  - Support legislation that encourages development of technology

# Fasana Motion

- Motion by Director Fasana would amend the State Legislative program Goal #12 (Sponsor legislation to improve our ability to deliver quality service) to include:

Seek legislation similar to AB 2568 (Bloom, 2014) that would amend existing law by prohibiting a member, alternate member, or employee of the authority who has participated as a decision maker, from accepting employment within one year of leaving the authority with any vendor, company, or business entity that was awarded a contract as a result of their participation, if that participation took place within one year prior to the member, alternate member, or employee leaving the authority.





# Questions?



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## Board Report

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**File #:** 2015-1626, **File Type:** Agreement

**Agenda Number:** 18.

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**PLANNING AND PROGRAMMING COMMITTEE  
JANUARY 20, 2016**

**SUBJECT: BILLBOARD LICENSE AGREEMENT**

**ACTION: AUTHORIZE EXECUTION OF A BILLBOARD LICENSE AGREEMENT WITH CLEAR CHANNEL OUTDOOR**

**RECOMMENDATION**

CONSIDER authorizing the Chief Executive Officer to execute a **thirty year (30-year) License Agreement with Clear Channel Outdoor (“CCO”) for the installation and operation of a digital outdoor advertising structure at Division 11** located at 1011 Carson Street in Long Beach at a minimum annual lease rate of \$120,000.

**ISSUE**

Allvision LLC (Allvision) and Metro staffs have negotiated a License Agreement with CCO to provide for the construction and operation of a digital billboard on Metro property at Division 11.

Approval of the License Agreement requires board approval.

**DISCUSSION**

On March 31, 1980, the Los Angeles County Transportation Commission, predecessor in interest to Metro, entered into a lease agreement with Patrick Media, Group, Inc., predecessor in interest to Clear Channel Outdoor (CCO), to provide for the construction, maintenance and operation of eight (8) billboard structures at Division 11 in Long Beach as shown on Attachment “A”. Because of the existence of high voltage catenary lines in the area where the billboards are physically located, CCO is only permitted access to the billboards to change ad copies and perform maintenance of the structures when power to the maintenance yard is turned off. This has resulted in disruptions to on-going rail operations at the maintenance facility.

The construction and operation of the proposed digital billboard will resolve the operational issues once the digital billboard has been installed and the eight existing structures are removed. Access to service the digital billboard area will be needed infrequently for maintenance and repairs since changes to ad copy are performed remotely. The new License provides for removal of the eight billboard structures within sixty days (60) of final execution of the License.

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The proposed digital sign will be installed on a structure in the northern area of the 20-acre Project site adjacent to Interstate 710 as shown on Attachment “B”. The proposed sign includes two 48 feet wide by 14 feet tall displays mounted on a 48 foot tall pole with the overall height being 55 feet-above the adjacent grade. Operations staff has approved the location.

The City of Long Beach (City) has granted CCO a Conditional Use Permit for the billboard on the Project site in return for CCO agreeing to remove eleven (11) billboard structures throughout the City of Long Beach, containing 5,376 square feet of billboard panels. This includes the removal of six (6) of the eight (8) structures on Metro property containing 3,288 sq. ft. of billboard area and five (5) structures on private properties that were designated by the City containing 2,088 sq. ft. of billboard faces. The two remaining static panels will be converted into a two-sided digital structure.

### Revenue Proposal

The term of the proposed License is thirty years. CCO will pay Metro twenty-two percent (22%) of the gross revenue that it receives from the sale of media on the digital billboard for the first year of the License term graduating to thirty-percent (30%) of the gross revenues by the beginning of the eleventh (11<sup>th</sup>) year. CCO will pay a minimum annual rental of One Hundred Twenty Thousand (\$120,000) Dollars, payable at \$10,000 per month. Under the existing license agreement, CCO pays Metro a fixed annual rent of Seventy-One Thousand Two Hundred Sixty-Eight (\$71,268) Dollars.

CCO has agreed to remove existing signs from both Metro and private property as part of their entitlement with the City and will be giving up existing revenue in order to make this program achievable. The proposed 30-year term is an industry standard and the proposed 22% revenue share for this transaction, which grows to 30% by the eleventh year, is considered market rent for similar digital billboard transactions on public property.

The License Agreement is expected to generate a minimum of \$4 million in new general fund revenue to Metro over the thirty-year term of the License Agreement. A summary of the proposed terms of the License Agreement is included in Attachment “C.”

### **DETERMINATION OF SAFETY IMPACT**

This Project will improve safety because after the digital billboard has been installed, access to the area will only be needed infrequently for maintenance and repairs. The Billboard will be used to enhance safety by displaying Metro transit messages and emergency alerts.

### **FINANCIAL IMPACT**

The License Agreement is expected to generate a minimum of \$4 million in new general fund revenue over the thirty-year term of the License Agreement.

Metro Board approved Board Motion 48.1 on September 26, 2013 (Attachment D), directing the CEO to preserve all revenues generated by digital billboard contracts for use by Metro Operations. As a first priority, this revenue is to be used for service improvements and enhancements within the corridor (sub region) where the billboard is located.

### **ALTERNATIVES CONSIDERED**

The alternative is to not approve the License Agreement. This alternative is not recommended because the placement of the digital billboard will improve safety and eliminate disruptions to operations at the maintenance yard. The digital sign will be used to display Metro transit messages and safety alerts in addition to commercial advertising. The digital sign is also expected to produce a minimum of \$4 million in additional revenues over the term of the License Agreement.

### **NEXT STEPS**

Finalize and execute a License with CCO, subject to County Counsel approval as to form. CCO constructs the billboards and begins advertising sales. The remaining process is expected to take approximately six (6) months.

### **ATTACHMENTS**

Attachment A - Location of Existing Clear Channel Billboards

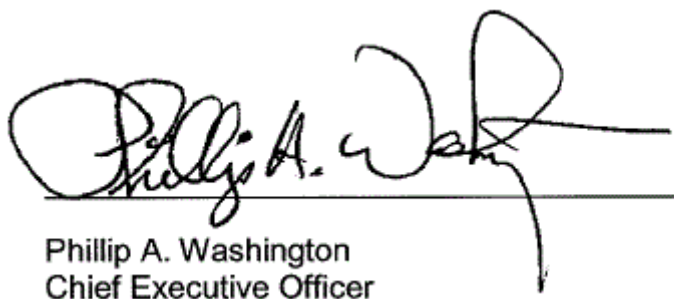
Attachment B - Location of New Digital Billboard Structure

Attachment C - Summary of License Agreement Key Terms

Attachment D - Board Motion 48.1

Prepared by: Thurman Hodges, Director, Real Property Management (213) 922-2435  
Velma C. Marshall, Deputy Executive Officer Real Estate, (213) 922-2415

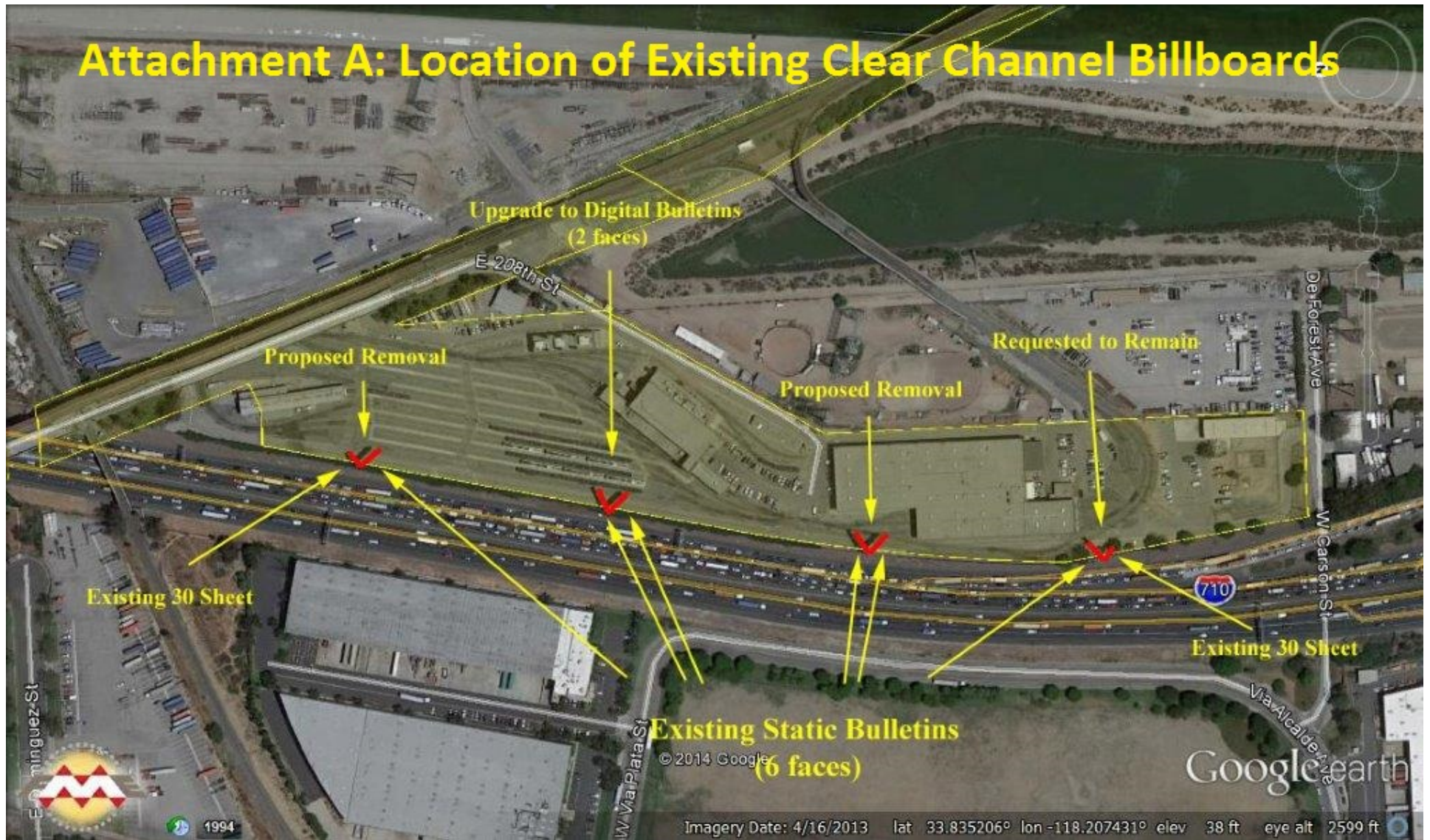
Reviewed by: Calvin E. Hollis, Interim Chief Planning Officer, (213) 922-7319



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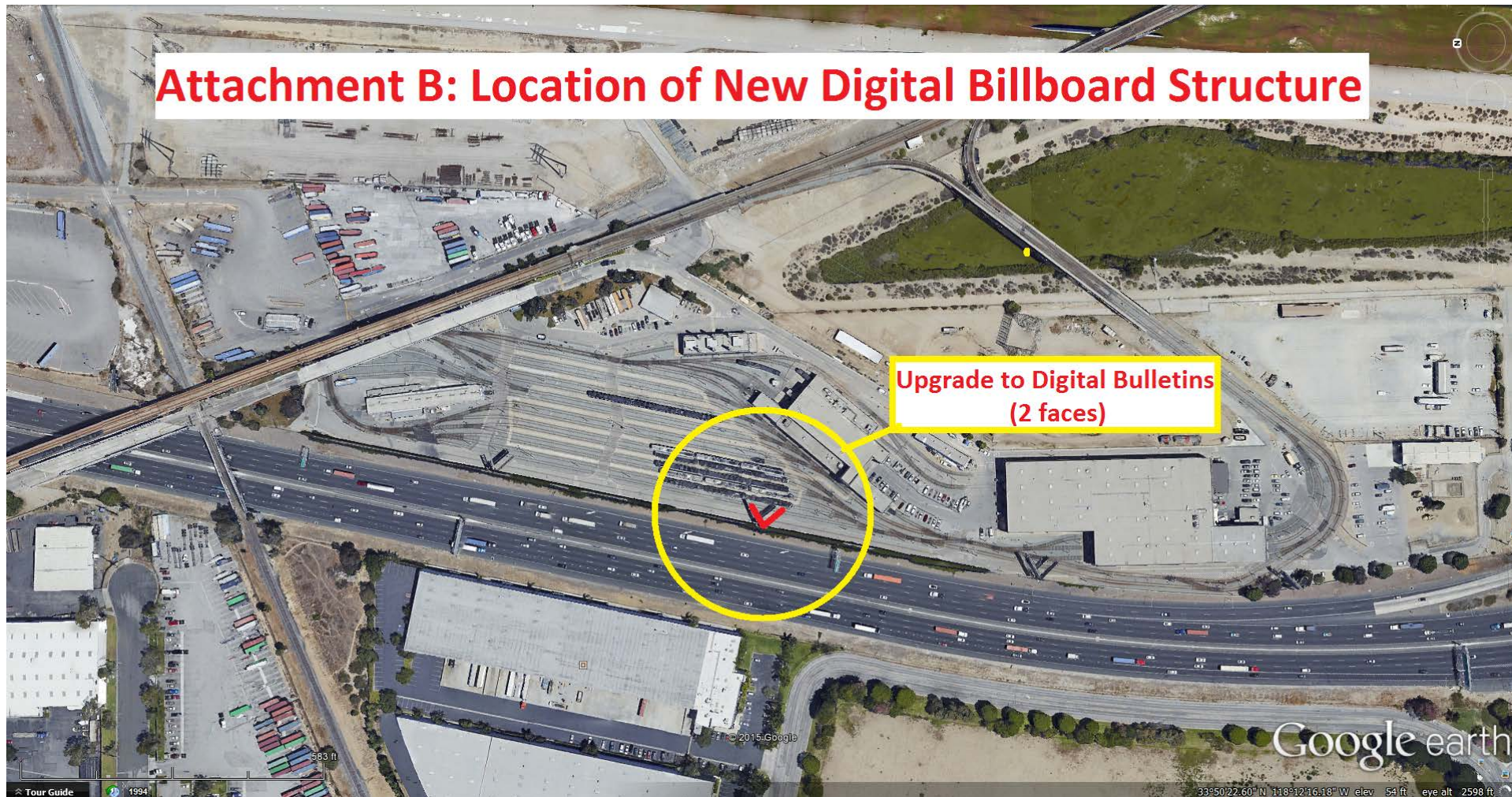
Phillip A. Washington  
Chief Executive Officer

# Attachment A: Location of Existing Clear Channel Billboards





## Attachment B: Location of New Digital Billboard Structure



## ATTACHMENT C

### SUMMARY OF LICENSE AGREEMENT KEY TERMS

Project	The Project is the development, installation, management and operation of the digital display billboards on MTA property located at 1011 Carson Street, Long Beach, California.
Term	The term of the License Agreement is thirty (30) years commencing on the date that the billboard structure is constructed and ready for operation.
Rent	CCO shall pay Metro a fixed annual rental in the amount of One Hundred Twenty Thousand (\$120,000) Dollars for the first five years of the License term.
Metro Revenue Share	CCO shall pay Metro an amount equal to Twenty-two Percent (22%) of total annual advertising revenue received by CCO during the first year graduating to Thirty Percent (30%) by the beginning of the eleventh year.
Indemnification	CCO agrees to indemnify and hold the LACMTA harmless from all claims, liabilities and damages resulting from its use of the digital billboard.
Metro Advertising	CCO shall provide to Metro with one regular ad on one billboard face for transit messages based on space availability. If any ad space remains unsold, CCO shall display Metro Ads on request.

AMENDING MOTION TO ITEM #48:

**MOTION**

**DIRECTORS ANTONOVICH AND DUBOIS**

**AS AMENDED BY KNABE**

The revenue stream to be generated by the contract with Allvision LLC for digital advertising billboards has been recommended by staff to go into the general fund. Given the nexus between this contract and Metro Operations and the need for expanded and enhanced bus and rail operations, it is vital that the revenue generated by digital billboards be dedicated for use by Metro Operations, with a priority to be provided to service improvements and enhancements for the more than 41 million bus and rail riders that use the Metro system monthly.

**WE THEREFORE MOVE** that the Board direct the CEO to preserve all revenues generated by this digital billboard contract for use by Metro Operations. As a first priority, this revenue is to be used for service improvements and enhancements throughout the system within the corridor (subregion) where the billboard is located.



## Board Report

File #: 2015-1628, File Type: Agreement

Agenda Number: 45.

### EXECUTIVE MANAGEMENT COMMITTEE NOVEMBER 19, 2015

**SUBJECT: HISTORIC NORTH HOLLYWOOD TRAIN DEPOT**

**ACTION: AUTHORIZE EXECUTION OF A LEASE AGREEMENT WITH GROUNDWORK  
COFFEE AND TEA COMMUNITY**

#### **RECOMMENDATION**

##### AUTHORIZING:

- A. the Chief Executive Officer to execute a ten year (10-year) Lease Agreement, including an option to extend for an additional five (5) year term, with **Groundwork Coffee and Tea Community ("Groundwork") for the operation of a retail business at the Historic North Hollywood Train Depot** at a first year annual lease rate of \$3.50/square foot or \$40,740; and
- B. the new net revenues generated to be applied to the Risk Allocation Matrix savings.

#### **ISSUE**

Metro staff released a Request for Proposals for a retail operator for the North Hollywood Train Depot ("Depot"). Three responses were received. Of those, Groundwork, the recommended vendor, offered the most advantageous revenue arrangements as well as the most relevant experience.

Approval of the Lease Agreement requires board approval.

#### **DISCUSSION**

The Depot, historically known as the Toluca Southern Pacific Train Depot was originally built in 1896. It is one of the few remaining wood frame, 19th century railroad stations in Southern California. In the fall of 2014, Metro completed a \$3.6 million restoration project, which rehabilitated approximately 70 percent of the original station. The Depot consists of approximately 1,635 square feet.

Approximately, 970 square feet of the space is available for retail development, 300 square feet is designated for the Metro Bike Hub ("Bike Hub"), and the balance of the Depot interior space consists of 365 square feet of circulation space. The Depot also has a covered outdoor seating area consisting of approximately 3,410 square feet. The Depot is located at the terminus of the Orange Line transit way and across Lankershim Boulevard from the North Hollywood Red Line station.



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In May 2015, Metro staff released a Request for Proposals for a retail operator to design, develop, finance and operate a retail business that provides goods and services to patrons at the Depot. Three responses were received; however, one of the proposers withdrew its proposal prior to the evaluation of proposals by Metro staff.

Metro staff conducted a technical evaluation of the remaining two proposals. The proposal submitted by Beyond International, LLC was for a convenience store with an average first year lease rate of \$1.63/ square foot compared to \$3.50 offered by Groundwork. Based on the staff analysis, the proposal submitted by Groundwork was determined to provide the best value to Metro with all factors considered.

Groundwork proposes to design, develop, finance and operate a retail coffee and specialty retail business in approximately 970 square feet of the Depot space as shown on Exhibit "A". The tenant will construct approximately \$350,000 in tenant improvements, including heating, ventilation, and air conditioning (HVAC) equipment that will serve the entire Depot.

Groundwork has strong ties to and a deep understanding of the North Hollywood Community having operated in North Hollywood since 1997. The business began in 1990 in Venice Beach where they became one of the first certified organic coffee roasters in California. The business grew to nine stores.

Today, Groundwork's business operations in North Hollywood are located in four buildings, including its headquarters and its coffee roasting facility, where it plans to roast all the coffee for the NOHO Depot Cafe. In addition to the coffee roasting plant, the business operates a distribution warehouse, a catering company, technical services office, sales and marketing office, and a quality control lab from their North Hollywood properties, as well as the nine original retail locations situated throughout Los Angeles (including the Los Angeles Convention Center) and the Westside. They employ 150 employees companywide, including 50 employees who work in its North Hollywood facilities. The operation of the North Hollywood location will follow the business model Groundwork follows at their other locations which includes a venue for art shows, stand-up comedy, musicians, and other local artist centered cultural events.

The Bike Hub is planned to serve the North Hollywood Station, which will provide secure-access bike parking and retail services for bike repairs, parts, and accessories to support bike-to-transit commuters. In order to provide a consistent design and theme throughout the Depot, Groundwork will perform preliminary design and construct certain common area improvements and the basic wall finishing, flooring, heating, cooling, electrical, communication conduit, and lighting facilities including the bike program's exclusive space consisting of approximately 300 square feet. Metro will reimburse Groundwork for the actual costs of any construction of improvements within the bike program's exclusive space and its share of the costs of the common area improvements, as determined by Metro. Secure-access bike parking will be in a separate location adjacent to the Depot.

### Revenue Proposal

The term of the proposed Lease with Groundwork is ten (10) years with an option to extend the term for one additional five-year period. Groundwork will pay Metro Three Thousand Three Hundred Ninety-Five Dollars (\$3,395) per month rent or \$3.50 per square foot. The rental rate increases approximately two and one-half percent (2 ½ %) per year over the ten-year (10-year) lease term.

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Metro will credit the Tenant \$74,030 toward the cost of tenant improvements which will be amortized over the ten-year (10-year) lease term. In lieu of paying rent for its share of the common area, Groundwork has agreed to pay for all services (excluding maintenance of the bus operator's restroom) for the Depot (including the bike program's exclusive space), including landscape maintenance, utilities, building maintenance, and repairs.

Available comparable retail lease space in the area is being offered for rent at rates ranging from \$1.71/square foot to \$3.75/square foot. The proposed average first year lease rate of \$3.50/square foot is considered reasonable considering the tenant's proposed investment in tenant improvements.

The License Agreement is expected to generate a minimum of \$380,000 in new general fund revenue to Metro over the ten-year term of the Lease Agreement. A summary of the proposed terms of the License Agreement is included in Attachment "B."

### **DETERMINATION OF SAFETY IMPACT**

This Project will not have any impact on safety.

### **FINANCIAL IMPACT**

#### **Impact to Budget**

The NOHO Tran Depot Lease is expected to generate a minimum of \$380,000 in new general fund revenue over the ten-year term of the Lease Agreement. The funding source for the Bike Hub construction is located in Cost Center 4320 Project 204090 Task 02.

### **ALTERNATIVES CONSIDERED**

The alternative is to not approve the Lease Agreement. This alternative is not recommended because this project is expected to produce a minimum of \$380,000 in additional revenues over the ten-year term of the Lease Agreement, will create an attractive amenity for transit riders and the North Hollywood community, and will preserve Metro's investment in this historic resource.

### **NEXT STEPS**

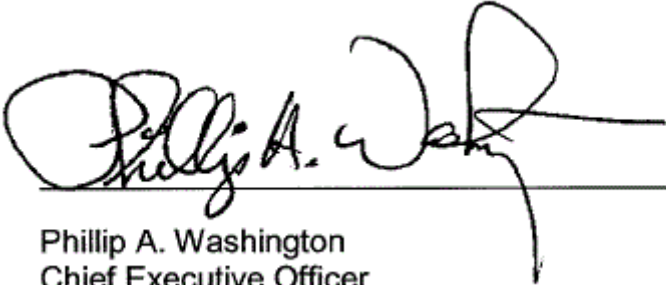
The final terms of the lease will be negotiated and executed with Groundwork, subject to County Counsel approval as to form. Groundwork would then begin construction of tenant improvements, obtain its health permits from the County of Los Angeles Health Department and begin operation of the retail space. The remaining process is expected to take approximately four (4) to six (6) months, depending on permitting.

### **ATTACHMENTS**

Attachment A - Preliminary Design of NOHO Depot Improvements  
Attachment B - Summary of Lease Agreement Key Terms

Prepared By: Thurman Hodges, Director, Real Property Management & Development,  
(213) 922-2435  
Velma C. Marshall Deputy Executive Officer- Real Estate, (213) 922-2415  
Calvin Hollis, Managing Executive Officer, (213) 922-7319

Reviewed by: Martha Welborne, FAIA, Chief Planning Officer, (213) 922-7267

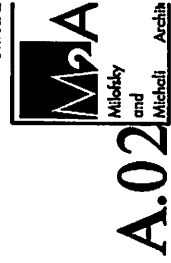


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Phillip A. Washington  
Chief Executive Officer

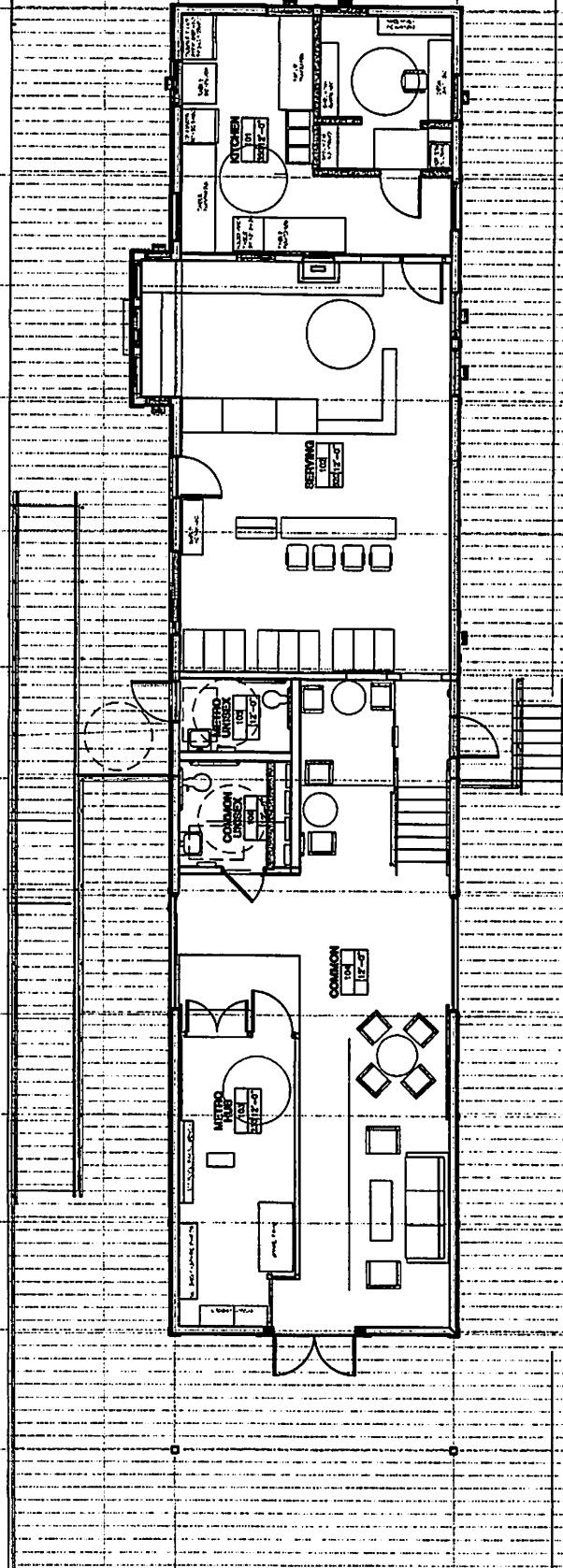
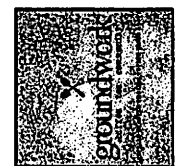
Attachment A

Preliminary Design of NOHO Depot Improvements



GROUNDWORKS AT LANKERSHIM DEPOT

1125 CHANDLER BLVD.  
NORTH HOLLYWOOD, CA 91601  
ARCHITECTS AT 4417



**ATTACHMENT B****SUMMARY OF LEASE AGREEMENT KEY TERMS**

Project	The Project is to design, develop, finance and operate a retail use that provides services and goods to patrons at the NOHO Train Depot.
Term	The term of the Lease Agreement is ten (10) years commencing on the date that the project is constructed and ready for operation.
Option to Extend Lease Term	Tenant has an option to extend the term for one (1) additional five-year (5-year) period.
Rent	Tenant will pay Metro Three Thousand Three Hundred Ninety-Five Dollars (\$3,395) per month rent or \$3.50 per square feet. The rental rate increases approximately two and one-half percent (2 ½ %) per year over the ten-year (10-year) lease term.
Rent Credits	Metro will credit Tenant \$74,030 toward the cost of tenant improvements amortized over the ten-year (10-year) term of the lease.
Reimbursement	Metro will reimburse the Tenant for the approved actual costs of any construction of improvements within the Bike Program exclusive space and the Bike Program's share of the costs of the common area improvements.



Metro

## Board Report

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

**File #:** 2015-1629, **File Type:** Agreement

**Agenda Number:** 46.

### EXECUTIVE MANAGEMENT COMMITTEE NOVEMBER 19, 2015

**SUBJECT: OUTDOOR ADVERTISING REVENUE CONTRACT**

**ACTION: AMEND EXISTING REVENUE CONTRACT WITH ALLVISION LLC**

#### **RECOMMENDATION**

AUTHORIZING the Chief Executive Officer to **amend the existing revenue contract with Allvision LLC (Allvision)** to provide for the following terms:

- A. Metro will waive the requirement for Allvision to pay \$500,000 in accrued Guaranteed Annual Revenue Payment that was due June 30, 2015;
- B. Allvision will waive and not recapture \$769,000 in incurred Contractor Expenses that were reimbursable costs under the revenue contract resulting in an increase in future net incremental revenue payments to Metro;
- C. Allvision will reduce its revenue share from 30% to 25% of the Net Incremental Revenue payable for billboard project structured under Option 1 of the Board-approved Strategic Plan;
- D. Allvision will receive 25% of net incremental revenue generated from the proposed City-approved digital billboard project in Long Beach and the proposed digital billboard project in Carson, if those projects are successfully completed and generating revenue;
- E. Allvision will develop, for Metro staff approval, a proposed work plan and budget prior to commencing any new billboard projects; and
- F. Allvision Contractor Expenses incurred from any future billboard projects in the City of Los Angeles will not be subject to reimbursement from net incremental revenue being generated from the existing billboard project in Downey, the proposed City-approved digital billboard project in Long Beach and proposed digital billboard project in Carson until Metro has received the Minimum Annual Guaranteed Payment (MAGP) owed under the Amended and Restated Contract as of such date.

## **ISSUE**

In January 2010 the Board approved a five-year (5-year) revenue contract with Allvision to manage billboards on Metro property. The Allvision Contract provided that Metro would receive a MAGP of \$100,000 per year for five (5) years. In May of 2013 the Allvision Contract was amended (Amended and Restated Contract) to provide that Allvision could defer the MAGP and make a lump sum payment of \$500,000 on or before June 30, 2015. The Amended and Restated Contract also added five (5) one year options that could extend the Allvision Contract to 2020 and provided for MAGPs of \$100,000 per year.

May 23, 2015, the Board approved the exercise of the option to extend the Allvision Contract to June 30, 2016 requiring an additional \$100,000 due. Allvision intended for the MAGP to be generated from new billboards assets put in place by Allvision during the term of the contract. Because of the length of time needed to develop new digital billboards, Allvision has not yet generated enough income to make the lump sum payment of \$500,000 from the expected revenues. In lieu of the MAGP owed Metro, the above amendments are recommended in order to make Metro financially whole, compensate Metro for this concession through increased percentage of future net revenues and extend the working relationship with Allvision.

The existing contract is being amended to clarify the terms of the revenue sharing arrangement between Allvision and Metro for the proposed City-approved digital billboard project in Long Beach and proposed digital billboard project in Carson. Allvision will receive 25% of net incremental revenue generated from these projects if the projects are successfully completed.

Approval of the amendment to the Allvision contract requires Board approval.

## **DISCUSSION**

Since the 2013, Allvision has expended most of its efforts to develop new signs in the City of Santa Clarita, Downy, Long Beach and Carson. The Downey digital signboard was completed and the digital billboard has been in operation since January 2015. The Santa Clarita billboard project was never developed due to local opposition.

The City of Long Beach has approved a Conditional Use Permit to allow for a digital billboard on Metro property at Division 11. If the Board approves the proposed billboard license with Clear Channel Outdoor in December 2015, construction of this billboard should commence by January 2016. Clear Channel Outdoor has also submitted a development agreement application for a digital billboard in the City of Carson.

The new revenue to Metro that will be generated from the billboard projects in Downey and Long Beach is expected to exceed the cumulative MAGP due to Metro by the year 2018 if the Board approves the proposed Allvision Contract amendment.

In most cases the income streams generated by the new digital billboards are expected to continue for thirty (30) years providing a long-term stable revenue stream. The program will continue to

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provide productive partnerships with local jurisdiction to reduce the number of static billboards within their municipalities and it allows them to participate in the revenue generated by the billboard project.

The greatest potential for new revenue and for conversion of static billboards to digital billboards is within the City of Los Angeles. Allvision's staff has extensive experience in billboard management, operations, sales, and representing the interest of property owners making it prudent to continue the current contract to ensure Metro receives an optimal return on its assets.

Under the amended agreement the Board retains the right to approve or disapprove the option to extend the Allvision Contract each year through 2020.

A summary of the new contract provisions is included in Attachment "A".

### **DETERMINATION OF SAFETY IMPACT**

This Project will have no impact on safety.

### **FINANCIAL IMPACT**

This is a revenue contract and under the contract and the five one year options is expected to generate at a minimum \$1,000,000 in new general fund revenues (over existing signboard license revenues) by June 2020. Further increases are predicted to begin in FY16 when development of new billboard structures in Long Beach and Carson are anticipated. These additional revenues could range from \$2 million to \$10 million over the life of the contract. In addition, the amendments will result in an additional 5% of revenues reallocated from Allvision to Metro for certain future billboard installations, as described above.

Metro Board approved Board Motion 48.1 on September 26, 2013 (Attachment B), directing the CEO to preserve all revenues generated by digital billboard contracts for use by Metro Operations. As a first priority, this revenue is to be used for service improvements and enhancements within the corridor (sub region) where the billboard is located.

### **ALTERNATIVES CONSIDERED**

The alternative is to not approve the recommended changes to the All Vision Amended and Restated Contract. This could mean Metro would terminate its contract with Allvision and pursue payment of the \$500,000 lump sum payment through more aggressive and possibly legal measures. This is not recommended as the negotiated amendment, provides a priority to Metro from revenues generated by the billboards until the contractual commitments are met and provides an increase in the percentage of revenues retained by Metro in consideration for these amendments.

Furthermore, Allvision has demonstrated a strong commitment to the billboard program by investing substantial time and resources toward moving the program forward.



**NEXT STEPS**

CEO finalizes and executes amendment to the Allvision Contract.

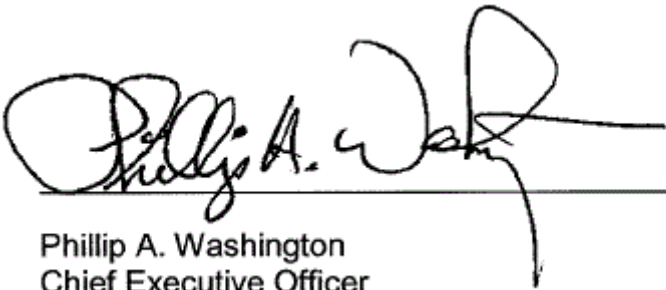
**ATTACHMENTS**

Attachment A - Summary of Contract Amendment Key Terms

Attachment B - Board Motion 48.1

Prepared by: Thurman Hodges, Director, Real Property Management & Development, (213) 922-2435  
Velma C. Marshall, Deputy Executive Officer Real Estate, (213) 922-2415  
Calvin Hollis, Managing Executive Officer, (213) 922-7319

Reviewed by: Martha Welborne, FAIA, Chief Planning Officer, (213) 922-7267



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Phillip A. Washington  
Chief Executive Officer

**ATTACHMENT A****SUMMARY OF CONTRACT AMENDMENT KEY TERMS**

<b>Provisions</b>	<b>Existing Contract</b>	<b>Amendment</b>
Guaranteed Lease Payment Minimum from Allvision	500,000 payable by June 30, 2015 for the period July 1, 2010 through June 30, 2015 and \$100,000 per year (after June 30, 2015) for five years (\$1,000,000 total	Metro will waive the requirement for Allvision to pay \$500,000 in accrued Guaranteed Annual Revenue Payment that was due June 30, 2015. Allvision will pay Metro \$100,000 per year from July 1, 2010 to June 30, 2020 from incremental revenues or a lump sum payment of the difference if sufficient revenues are not generated by June 30, 2020.
Net Incremental Payment Revenues (Amount Exceeding Base Annual Payment Revenue and expense reimbursements to Allvision)	70% payable to MTA	75% payable to MTA
Revenue share to Allvision if incremental revenue is realized from billboard assets not developed under Option 1 or Option 2.	AV receives 30% of the net incremental revenue	Allvision will receive 25% of net incremental revenue generated from the proposed City-approved digital billboard project in Long Beach and the proposed digital billboard project in Carson, if those projects are successfully completed and generating revenue.
Length of Term of Revenue Sharing	30 Years	Same
Contract Term		Same

Contractor Expenses	All approved Contractor Expenses are reimbursable costs from incremental revenue.	<p>Allvision will waive and not recapture from future revenues \$769,000 in incurred Contractor Expenses that were reimbursable costs under the revenue.(Net benefit to Metro \$500,000)</p> <p>Allvision will waive and defer all Contractor Expenses from that will be incurred from any future billboard projects in the City of Los Angeles from reimbursement out of net incremental revenue being generated from the existing billboard project in Downey, the proposed City-approved digital billboard project in Long Beach and proposed digital billboard project in Carson until Metro has received the Minimum Annual Guaranteed</p>
Work Plan and Budget	N/A	Allvision will develop, subject to Metro staff approval, a proposed work plan and budget prior to commencing any new billboard projects
Option 1	Allvision receives 30% of the net incremental revenue	Allvision receives 25% of the net incremental revenues
Alternative Development Strategy (Option 2)	No Change	Same

AMENDING MOTION TO ITEM #48:

**MOTION**

**DIRECTORS ANTONOVICH AND DUBOIS**

**AS AMENDED BY KNABE**

The revenue stream to be generated by the contract with Allvision LLC for digital advertising billboards has been recommended by staff to go into the general fund. Given the nexus between this contract and Metro Operations and the need for expanded and enhanced bus and rail operations, it is vital that the revenue generated by digital billboards be dedicated for use by Metro Operations, with a priority to be provided to service improvements and enhancements for the more than 41 million bus and rail riders that use the Metro system monthly.

**WE THEREFORE MOVE** that the Board direct the CEO to preserve all revenues generated by this digital billboard contract for use by Metro Operations. As a first priority, this revenue is to be used for service improvements and enhancements ~~throughout the system~~ within the corridor (subregion) where the billboard is located.

**Board Report**

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**File #:** 2015-1639, **File Type:** Informational Report**Agenda Number:** 49.

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**EXECUTIVE MANAGEMENT COMMITTEE  
NOVEMBER 19, 2015****SUBJECT: COMMUNITY COLLEGE STUDENT TRANSIT PASS PILOT PROGRAM****ACTION: RECEIVE AND FILE****RECOMMENDATION**

RECEIVE AND FILE report on **Community College Student Transit Pass Pilot Program in response to Motion 49.1.**

**ISSUE**

As part of an ongoing effort to pursue strategies to increase student transit ridership, motion 49.1 requests a report as well as an assessment of the feasibility of piloting a Universal Community College Student Transit Pass Program.

**DISCUSSION****Background**

As part of Metro's fare policy, all full-time undergraduate and graduate students in Los Angeles County are eligible for a reduced fare whether or not their school participates in the Institutional Transit Access Pass Program (ITAP) which was approved by the Metro Board in 2003. The current fare structure includes a College/Vocational 30-day pass that is offered at a 57% discount from the regular 30-day pass.

In order to be eligible for the College/Vocational pass, Undergraduate students must be enrolled in a minimum of 12 units or 12 hours of in-classroom study per week for a minimum of 3 consecutive months. Graduate students must be enrolled in a minimum of 8 units of in-classroom study per week for a minimum of 3 consecutive months. Students can purchase the reduced fare TAP card directly from Metro and load it at customer centers, vendor outlets, or online.

An additional reduced fare program offered by Metro to students is ITAP. Many colleges have participated, including the Los Angeles Community College District (LACCD). Initially, nine community college campuses used construction mitigation funds to provide free passes to students. However, once the construction mitigation funding ran out, these colleges terminated the program as they had no other funding available.

Currently USC, UCLA, Pasadena City Community College (PCC) and Rio Hondo Community College participate in the ITAP Program. In 2015, Metro conducted boarding analyses on the four participating schools. The primary objectives for the ITAP Program were to increase transit ridership and to be revenue neutral for Metro. PCC and Rio Hondo's findings indicate that the ITAP Program resulted in a substantial increase in transit ridership. PCC surveyed full-time students in 2009, and indicated that 11.1% rode Metro. In fall 2014, out of 7,638 students, 47% rode Metro. In spring 2015, out of 8,725 students 39% rode Metro. Rio Hondo surveyed their full-time students in 2009, and indicated that 7.1% of their students rode Metro. In fall 2014, out of 2,818 students, 46% rode Metro. In spring 2015, out of 2,233 students, 46.8% rode Metro. In 2012, additional Metro bus service lines were added to help support some of Rio's growth in ridership. However, the current ITAP Program at PCC and Rio Hondo is no longer revenue neutral for Metro. In fact, PCC paid \$0.28 per boarding in FY'14, and \$0.27 in FY'15. Rio Hondo paid \$0.34 in FY'14, and \$0.43 in FY'15.

In FY15, the effective subsidy provided for College/Vocational 30-day passes was \$6 million. In addition, a \$2 million subsidy was provided for the ITAP program, for a total of \$8 million in total fare subsidies for all transit passes provided to college students in FY15.

### **Findings**

Going forward, Metro must ensure consistency with universal pass programs, and also ensure revenue neutrality for Metro. Because of TAP technology, and the ability to calculate total boarding's per campus, Metro has provided community colleges (that are participating in the ITAP program) with boarding data results. The boarding results can be used to help the participating colleges estimate the budget needed for the cost of their transit pass programs. Coordination with TAP operations will be an important part of this process and will require technical programming, support and coordination with other municipalities. Service alignment issues must also be addressed for any and all campuses that are interested in partnering with Metro.

Funding for a pilot program, and/or an on-going program may be available through Greenhouse Gas Reduction Fund/Low Carbon Transit Operations Program (LCTOP) revenue Cap and Trade and/or through the South Coast Air Quality Management District's Mobile Source Air Pollution Reduction Review Committee (MSRC) funding, as "seed" money to help subsidize costs. However, colleges and universities must be willing and able to secure sustainable funding sources of their own in order to ensure that the program continues. If a pilot program is designed it should be implemented for a period of time which is long enough for colleges to find a sustainable source of funding prior to the end of the pilot program. Colleges may be able to subsidize the cost of the Universal Pass Program by using revenue generated by parking fees and/or fines, registration fees through a student referendum, point of sale fee, student activity fees, or a combination of these sources.

USC, UCLA, PCC and Rio Hondo all participate in ITAP, but have varying programs. Students at USC and Rio Hondo passed student referendums approving fees to be used for transit. At Rio Hondo, every student is assessed a transit fee of \$9.00 per semester whether or not they use transit. USC students order the TAP cards through the university, and USC subsidizes about 1/3 of the cost. All students at PCC who are registered as "credit students" (classes with a focus toward a degree) pay a \$10.00 per semester student activity fee that goes toward transit and other support services.

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PCC also charges an associated fee of \$30.00 per student per semester in order to receive a Metro ITAP Pass. UCLA subsidizes half the cost of their students' passes.

After the original nine LACCD campuses terminated their participation in the ITAP program (due to funding issues), and with limited Metro staff available to work on the program, Metro ceased to provide outreach to encourage additional college enrollment. The four universities/colleges that are participating in the ITAP program are maintained by Metro Commute Services, with coordination from TAP operations for Customer Point of Sale device (CPOS), and fare coordination with other agencies, and the accounting department for invoicing purposes.

Marketing materials designed and produced by Metro for ITAP were limited. No new marketing materials have been designed within the last six years. Each campus has designed their own marketing materials in order to promote their programs.

Metro is interested in and has a responsibility to move forward with programs that are sustainable. Commitments from colleges must be secured in order to promote and market successful sustainable student pass programs. The current monthly reduced fare program of \$43.00 offers all full time college students an opportunity to participate. However, if a college is not promoting the pass, students may not be aware or inclined to apply on their own. When a college or university, such as UCLA and USC takes on the ownership of the program and partners with Metro to offer the current reduced fare of \$43.00, along with subsidies from the campus, a CPOS on site from Metro, and the college is actively marketing and promoting the program, student pass registration, and on-going commitments from students, is much greater.

### **ALTERNATIVES CONSIDERED**

Metro has offered ITAP pass programs to colleges and universities in the past. While UCLA and USC have successful programs, other colleges were unable to continue their participation. Metro does not recommend continuing with the current ITAP program, due to the lack of sustainable on-going funding sources, lack of "opt-in" student referendums, limited funding and the fact that the current ITAP program is no longer revenue neutral for Metro. Metro will continue to offer the regular monthly college/vocational program (such as the one UCLA and USC have). Metro staff is recommending reviewing the currently reduced college/vocational price as a viable means for going forward with a universal pass program. Some restructuring may be needed, but the current college/vocational pass is already a reduced rate; therefore, with increasing marketing efforts/outreach and campaigns, partnering with colleges/universities and campus commitments for sustainable funding sources, an increase in ridership and college participation can be expected to grow substantially over the next few years and beyond. It is estimated that with some restructuring of the current reduced college/vocational program we will be able to provide the colleges with the ability to maintain a successful, sustainable and affordable universal transit pass program.

Metro and the Board of Directors have considered the development and implementation of a universal pass program for many years. With the extension of Metro's infrastructures, and the recent decline in transit ridership, the design and implementation of a universal transit pass program will set

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the pace for on-going future ridership commitments from our youth. However, before moving forward many steps must be taken first.

### **NEXT STEPS**

To ensure that the Universal Student Transit Pass Program is designed well, meets the needs of the agency and the colleges, and is marketable and sustainable, Metro staff should:

- Convene a comprehensive working group to discuss, plan and coordinate next steps. The working group should have representation from not only community colleges, but 4 year universities and vocational schools. Sustainable funding plans should be a primary objective and lessons learned from previous programs (LAUSD/PCC/Rio Hondo) should be evaluated and reviewed in detail before going forward. The working group will require participation from OMB, TAP office, Operations, other municipalities, various colleges and university representatives and staff from Communication-Marketing.
- Evaluate if funding sources for the Universal Student Transit Pass Pilot Program and thereafter need to be secured through LCTOP/MSRC funding sources, or if colleges can sustain funding through student fees, parking fees, referendums etc.
- Determine if the currently reduced college/vocational program is the best fit for a pilot and/or on-going program.
- If a pilot program is desired, work with Metro CEO and Board to identify pilot campuses to determine how many and which colleges may participate in the pilot program. An option may be to select one campus in each supervisorial district, or perhaps working with the LACCD, at the District level would help insure efficiencies. If some of the pilots were with colleges that are currently working in partnership with one or more municipal bus operators this would allow for a study of best practices when more than one operator is involved
- Work with stakeholders to determine the appropriate share of funding that should come from student registration fees, LCTOP and/or MSRC. Determine if the pilot will include only the full-time students or also part-time students
- Metro should evaluate the student minimum requirements (Undergraduate 12 units), and consider reducing the full time minimum unit requirements in order to expand the opportunity for more students to be able to participate. An extensive evaluation on impact of resources and costs would need to be analyzed.
- Service alignment issues will need to be reviewed. Decisions for realignment and/or additional service may be required to accommodate a campus. In some cases this may not be feasible.
- Determine the length of time needed to pilot the program (one year, two semesters)



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- Work to secure on-going funding sources. This may include subsidies from the colleges such as student association fees, and/or activity fees and/or referendums and should be considered as a means of subsidizing the program after the pilot period ends
  - Work with working group members to coordinate all efforts to ensure consistencies. Work with TAP operations to ensure universal fare coordination between other agencies

### **ATTACHMENTS**


Attachment A - Motion Community College Pilot file 2015-1639

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Prepared by: Melissa Wang, EO, OMB (213) 922.6024

Reviewed by: Pauletta Tonilas, CCO, Executive Office, Communications



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Phillip A. Washington  
Chief Executive Officer

**Board Report**

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**File #:**2015-1497, **File Type:**Motion / Motion  
Response

Agenda Number:49.1

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**REGULAR BOARD MEETING  
SEPTEMBER 24, 2015**

**Motion by:**

**Mark Ridley-Thomas**

September 24, 2015

**Relating to Item 49, File ID 2015-1290  
Community College Student Transit Pass Pilot Program**

Los Angeles County Metropolitan Transportation Authority (Metro) staff is pursuing a number of strategies to increase ridership. While the agency currently offers subsidized monthly transit passes to students, it has not partnered with community colleges to offer a deep subsidy consistent with “Universal Pass” programs, which allow students significantly subsidized transit passes through their academic registration process. This model has been implemented at both public and private institutions locally and across the nation, and has demonstrated an ability to increase transit ridership and reduce student driving, thereby reducing traffic congestion. Research that dates back over two decades suggests that these programs are also worthwhile for the transit operator, as the programs have led to increases in total transit ridership, filled empty seats, and reduced the operating cost per ride.

As the agency pursues strategies to attract a new, diverse and sustained group of riders, the community college base may be one key sector to focus our efforts; the population tends to remain local over the long-term, and the subsidized pass can provide an impetus to become acquainted with our system. The recent expansion of the TAP card to all municipal operators throughout the County’s system would likely also increase the utilization and futility of a Universal Community College Student Transit Pass Program.

In addition to the “opt-in” increase in student registration fees, the costs of such a program could be subsidized by the college, as it will reduce parking demands. In addition, Metro could solicit additional resources through the South Coast Air Quality Management District’s Mobile Source Air Pollution Reduction Review Committee. Later this Fall, the Metro must also provide a proposal to the State of California on how we propose to spend approximately \$30 million of Greenhouse Gas Reduction Fund/Low Carbon Transit Operations Program revenue that is expected to be allocated to the agency through the State’s Cap and Trade Program; a revenue source that is anticipated to grow in the coming years. Given the focus on increasing ridership, this may also be a viable funding source for a Universal Pass program.

**MOTION by Ridley-Thomas** that the Board of Directors direct the Chief Executive Officer to provide a report in 60 days on the current College TAP Program, including the usage, marketing and outreach efforts to community colleges, as well as an assessment of the feasibility of piloting a Universal Community College Student Transit Pass Program.



## Board Report

File #: 2015-1674, File Type: Program

Agenda Number: 50.

### EXECUTIVE MANAGEMENT COMMITTEE NOVEMBER 19, 2015

**SUBJECT: BUSINESS INTERRUPTION FUND FOR UNPRECEDENTED DISRUPTION**

**ACTION: APPROVE RECOMMENDATION**

#### **RECOMMENDATION**

AUTHORIZING the **expansion of the Pilot Business Interruption Fund** to include funding for eligible small “mom and pop” businesses directly impacted by unprecedented full street closures with a duration greater than 6 continuous months such as the planned work at 2<sup>nd</sup> & Broadway segment of the Regional Connector transit rail project.

#### **ISSUE**

Metro’s Board issued Motion 57 that authorized the CEO to establish a pilot program for a special Business Interruption Fund (BIF) for “mom and pop businesses” located along the Crenshaw Line, the Little Tokyo area along the Regional Connector and Phase I of the Purple Line extension. This was based on the Board finding there is a clear nexus between construction activities and reduced business activity, especially the walk-in traffic that many of the retail businesses rely on.

An unprecedented full street closure of the 2<sup>nd</sup> & Broadway segment of the Regional Connector project is anticipated to extend more than 6 months in duration.

#### **DISCUSSION**

The Regional Connector transit rail project is the only project that has a distinct area identified for eligibility to participate in the BIF; which is the Little Tokyo area. In an effort to maintain adherence to the Board motion and the pilot program framework yet continue to uphold Metro’s commitment to being a trusted community builder, partner and stakeholder, Metro staff is seeking authorization to extend the BIF to eligible “mom and pop” businesses directly impacted by anticipated 6 month full street closure at 2<sup>nd</sup> & Broadway for the Regional Connector project.

The 6 month full street closure at the 2<sup>nd</sup> & Broadway area would be the longest recorded closure for a Metro rail construction project; as outlined in “The History of Full Street Closures and LA County Metro” provided as Attachment B.

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In consideration of the construction activities, it is projected that more than 100 small “mom and pop” businesses may be directly impacted. Therefore, recognizing the impact that full street closures have on small business communities, and based on early observations of impacts along the Crenshaw/LAX line and Phase I of the Purple Line extension, expansion of the BIF within the focused segment of 2<sup>nd</sup> & Broadway will provide small businesses access to financial assistance during the challenging construction period. Ensuring continued integrity of the pilot program, eligible businesses will be required to demonstrate direct impact and meet the program requirements of Metro’s BIF Administrative Guidelines.

### **DETERMINATION OF SAFETY IMPACT**

Approval of this recommendation will not impact the safety of Metro's patrons or employees.

### **FINANCIAL IMPACT**

Metro Board of Directors authorized staff to identify \$10 million annually of eligible funds in support of the pilot program for approximately eight years. The anticipated program costs for expansion of the BIF to businesses directly impacted by the unprecedented full street closure at 2<sup>nd</sup> & Broadway of the Regional Connector rail project will be assumed within the existing funding authorization. However, a reassessment of the program funds may be required in the event the actual costs exceed the existing program funds authorization. The forecasted and actual cost will continue to be assessed throughout the term of the pilot program.

#### **Impact to Budget**

The proposed recommendation does not impact the current year budget.

### **ALTERNATIVES CONSIDERED**

Not authorize the expansion of the BIF program to include 2<sup>nd</sup> & Broadway of Regional Connector transit rail project for “mom and pop” businesses directly impacted by the extended full street closure. This alternative is not recommended due to the unprecedented duration of the full street closure.

### **NEXT STEPS**

Staff will continue to provide a quarterly BIF program report to the Metro’s Board of Directors.

### **ATTACHMENTS**

Attachment A - Board Motion 57

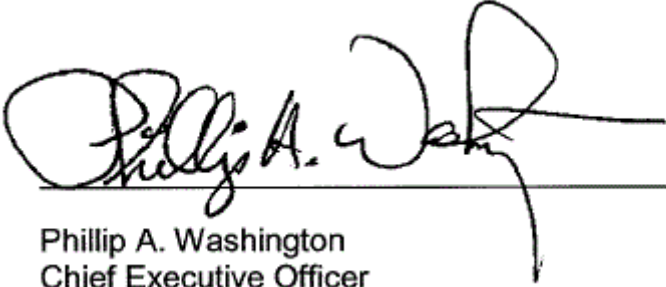
Attachment B - The History of Full Street Closures and LA County Metro

Prepared by: Shalonda Baldwin, Deputy Executive Officer, Project Management  
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Reviewed by: Stephanie Wiggins, Deputy Chief Executive Officer, (213) 922-1023



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Phillip A. Washington  
Chief Executive Officer

**Amendment to Item 57**

**Motion by Directors Molina, Dupont-Walker, Ridley-Thomas and Garcetti**

**Business Interruption Fund**

September 18, 2014

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

1. Establish a pilot program for a special **Business Interruption Fund** for mom and pop businesses located along the Crenshaw Line, within the Little Tokyo area along the Regional Connector, **and Phase I of the Purple Line Extension** immediately.
2. Define mom and pop businesses as those **meeting the following criteria:**
  - a. Having 25 employees or fewer;
  - b. **A minimal operational history of two years;**
  - c. **Being in good standing with local, state and federal tax requirements; and**
  - d. **Able to produce financial records (i.e. gross receipts, business license information, pay roll taxes and other pertinent financial information) demonstrating the loss of business revenue directly related to the period of construction disruption.**
3. Conduct a baseline survey of all businesses within the project areas.

4. Identify and designate \$10,000,000 of Metro funds annually to be used for the implementation of the Business Interruption Fund. Funds shall be distributed through the project's administration and/or respective Business Solution Center.
5. Each business should be eligible for a maximum of \$50,000 annually, not to exceed 60 percent of their annual business revenue loss.
6. Participation in the program would release MTA and the general contractor from further liability claims for business loss unrelated to specific incidents of damage and would be voluntary.
7. Direct the Chief Executive Officer to work with Los Angeles County and local cities to seek all appropriate legislation that would temporarily reduce or waive taxes and fees imposed on impacted businesses during transit-related construction activities and work with the Los Angeles County Assessor's Office to immediately initiate outreach activities to businesses impacted by transit-related construction activities in order to inform them of the Assessor's Office Proposition 8/Decline-in-Value Review process.
8. Report back to Construction Committee monthly, beginning in October, with an implementation plan and report back to the Board of Directors in September 2015 with an evaluation of the program including utilization levels and recommendations for program modification.





## The History of Full Street Closures and LA County Metro

Since the nineties, the City of Los Angeles and government agencies have supported full street closures as a means of shortening the cumulative impacts on residents, businesses and commuters during construction of rail and transportation projects. The first major closure was a 30 day continuous closure of the intersection of Hollywood Bl. and Vine Ave during construction of the Metro Red Line subway. Since then Metro has implemented full street closures of various lengths throughout Los Angeles County.

Before the first full street closure in Hollywood in 1994, Metro presented the concept of implementing a full street closure as a way to minimize the overall impact to residents, businesses, commuters, and the community as a whole. The precursor was a detailed comparison of the standard three-day closure on multiple weekends, (the approach typically allowed by LADOT at the time) versus a continuous full street closure that have a much shorter overall duration and impact than multiple weekend closures.

The decking operation at Hollywood Bl. and Vine Ave was broken into a detailed sequence of events from the initial placement of traffic control measures to the re-opening of all of the surrounding streets and Hollywood Bl. The plan included a detailed step by step schedule of the events planned to occur in real-time using the standard three day weekend closure. Everything from the staging of the equipment to the removal of the asphalt, trucking of materials, unloading of the cap beams, installation of support, welding in place, support of utilities etc.

By timing each event and laying out the work plan using the standard three day weekend closure, the contractor was able to demonstrate that this approach would impact the area for 15 consecutive weekends. The result would be a protracted, negative impact on tourists, businesses, residents and commuters.

Furthermore, the contractor was able to demonstrate that, with everyone working together as a team, the entire street could be removed and decking could be installed within a 30 day continuous full street closure. The conclusion was that, overall, this would be a win-win for everyone.

Since then this approach has been adopted for the installation of decking on Metro projects across the county after extensive discussions with each community.



The matrix below provides information on past Metro rail projects and the Crenshaw/LAX project. Note that by comparison, the Crenshaw/LAX stations at MLK and Vernon are 400-feet long, the Exposition Station is approximately 800-feet long, and the UG #4 tunnel segment is approximately 1200-feet long.

Project	Location	Continuous Closure (total days) **Implemented**	Length of Station (feet)
<b>Metro Gold Line Eastside (2009)</b>	East Portal	8	n/a
	Boyle Station	20	400
	Soto Station	20	400
	West Station (includes Street	10	n/a
<b>Red Line (1998)</b>  <b>Crenshaw/LAX (Current)</b>	Hollywood & Highland	30	700
	Hollywood & Vine	30	700
	Expo Decking *	30	800
	MLK Decking *	20	400
	Vernon Decking*	20	400
	UG 4 Decking	40	1,200

\*Completed



**Metro**

Los Angeles County  
Metropolitan Transportation Authority