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Agenda - Final

Thursday, November 18, 2021

12:00 PM

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Executive Management Committee

Hilda Solis, Chair

Ara Najarian, Vice Chair

Eric Garcetti, 2nd Vice Chair

James Butts

Sheila Kuehl

Tim Sandoval

Tony Tavares, non-voting member

Stephanie Wiggins, Chief Executive Officer

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

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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 must be submitted electronically using the tablets available in the Board Room lobby. Individuals requesting to speak will be allowed to speak for a total of three (3) minutes per meeting on agenda items in one minute increments per item. For individuals requiring translation service, time allowed will be doubled. The Board shall reserve the right to limit redundant or repetitive comment.

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 one (1) minute during this Public Comment period or at the discretion of the Chair. Speakers will be called according to the order in which their requests are submitted. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

Notwithstanding the foregoing, and in accordance with the Brown Act, this agenda does not provide an opportunity for members of the public to address the Board on any Consent Calendar agenda item that has already been considered by a Committee, composed exclusively of members of the Board, at a public meeting wherein all interested members of the public were afforded the opportunity to address the Committee on the item, before or during the Committee's consideration of the item, and which has not been substantially changed since the Committee heard the 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.

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- 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.

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The Committee Meeting begins at 12:00 PM Pacific Time on November 18, 2021; you may join the call 5 minutes prior to the start of the meeting.

Dial-in: 888-251-2949 and enter
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Public comment will be taken as the Board takes up each item. To give public comment on an item, enter #2 (pound-two) when prompted. Please note that the live video feed lags about 30 seconds behind the actual meeting. There is no lag on the public comment dial-in line.

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Written Public Comment Instruction:

Written public comments must be received by 5PM the day before the meeting.

Please include the Item # in your comment and your position of "FOR," "AGAINST," OR "GENERAL COMMENT," or "ITEM NEEDS MORE CONSIDERATION."

Email: BoardClerk@metro.net

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Board Administration

One Gateway Plaza

MS: 99-3-1

Los Angeles, CA 90012

CALL TO ORDER**ROLL CALL**

APPROVE Consent Calendar Items: 31 and 32.

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

CONSENT CALENDAR**31. SUBJECT: LONG-TERM ADVERTISING - CULVER CITY STATION**[2021-0536](#)**RECOMMENDATION**

APPROVE a long-term advertising purchase, up to 12 months, at Culver City Station from HBO, generating up to \$400,000 plus, estimated net revenues for Metro. This is not a title sponsorship, and will not affect Culver City Station's title nor the adjacent private property's title, Ivy Station.

Attachments: [Attachment A - Commercial Sponsorship and Adoption Policy](#)
[Attachment B - HBO Advertising - Culver City](#)

32. SUBJECT: COMMUNICATIONS SUPPORT SERVICES BENCH[2021-0596](#)**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Modification No. 5 to Bench Contract Nos. PS44432001 through PS44432010 to:

- A. INCREASE the contract value by \$3,000,000, increasing the contract value from \$18,955,568 to \$21,955,568; and
- B. AWARD AND EXECUTE task orders for a not-to-exceed total authorized amount of \$21,955,568.

Attachments: [Attachment A - Procurement Summary](#)
[Attachment B - Contract Modification Change Order Log](#)
[Attachment C - Firms on Communications Support Services Bench](#)
[Attachment D - List of Task Order and Values](#)
[Attachment E - DEOD Summary](#)

NON-CONSENT

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

[2021-0680](#)**RECOMMENDATION**

CONSIDER approving in Title 6, Chapter 6-05 of the Los Angeles County Metropolitan Transportation Authority (“Metro”) Administrative Code (the “Code”), otherwise known as the Metro Customer Code of Conduct (“Code”), effective January 1, 2022 either A through D or only E, as follows:

- A. In the Penalty Schedule, replace section “6-05-050.A-I” with “6-05-050.A-E, H, I”;
- B. In the Schedule concerning Violations of the Customer Code That Will Be Addressed Through Ejection, replace section “6-05-050.E-G” with “6-05-050.E”;
- C. In the Schedule insert a new section “Violations of the Customer Code That Will Be Addressed through Alternative Means,” and insert thereunder “6.05 -050.F, G Obstruction and occupying more than one seat. First Offense or Greater, Warning, referral placement preconditioned removal, and/or other remedy Placement or Other Remedy”;
- D. In the Code insert a new section “6-05-010.C. Metro and its representatives shall enforce the Code of Conduct with fairness, equity, civility, compassion and without bias.” Or
- E. In the Code delete sections “6-05-050.F and G” in their entirety and conform the Schedule to the Code concerning deletions of those sections.

Attachments: [Attachment A - Code of Conduct data](#)
 [Attachment B - Code Amendments](#)
 [Presentation](#)

- 34. SUBJECT: 2022 LEGISLATIVE PROGRAM**

[2021-0694](#)**RECOMMENDATION**

CONSIDER:

- A. RECEIVING the State and Federal Legislative Report;
- B. ADOPTING the proposed 2022 Federal Legislative Program as outlined in Attachment A; and
- C. ADOPTING the proposed 2022 State Legislative Program as outlined in

Attachment B.

Attachments: [Attachment A - 2022 Federal Legislative Program Goals](#)
[Attachment B - 2022 State Legislative Program Goals](#)

- 35. SUBJECT: RESPONSE TO JUNE 2021 BOARD MOTION 49: LA RIVER [2021-0556](#)**
BIKE PATH PROJECT DELIVERY

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. NEGOTIATE and enter into a funding agreement between Metro and the City of Los Angeles in the amount not to exceed \$60 million for design and construction of the LA Riverway in the San Fernando Valley.
- B. NEGOTIATE and conditionally enter into a Cooperative Agreement with Los Angeles County Department of Public Works (LACDPW), City of Los Angeles and City of Vernon for Metro to manage and coordinate on final design and construction of the LA River Path through downtown Los Angeles. The conditions to be negotiated include:
1. Accessibility to right of way owned by each entity for construction permits
 2. Commitment from each entity on cooperative engagement on securing additional funding when needed;
 3. Cities and County with ownership in the LA River corridor to partner and assume responsibility for operating and maintaining the completed project
- C. ENTER into a Funding Agreement with LACDPW in the amount not to exceed \$773,870 to support LACDPW to perform and lead the environmental clearance for the Lower LA River Bike Path.

Attachments: [Attachment A - Legistar File 2021-0436](#)
[Attachment B - LA River Bike Path Projects](#)
[Attachment C - Legistar File 2015-1595](#)
[Attachment D - Proposed Measure M Expenditure](#)
[Attachment E - Legistar File 2019-0443](#)
[Attachment F - Legistar File 2017-0270](#)
[Attachment G – Legistar File 2015-1656](#)

- 36. SUBJECT: DEVELOPING A BUSINESS UTILIZATION SCORECARD [2021-0688](#)**
TO ENCOURAGE DBE, SBE AND DVBE PARTICIPATION

RECOMMENDATION

RECEIVE AND FILE report on Business Utilization Scorecard.

**41. SUBJECT: IMPROVING THE EFFECTIVENESS AND SUSTAINABILITY
OF METRO BIKE SHARE**[2021-0743](#)**RECOMMENDATION**

APPROVE Motion by Directors Krekorian, Garcetti, Kuehl, and Sandoval that the Board direct the Chief Executive Officer to report back in 90 days on:

- A. An action plan to stabilize the current fleet size including actions for how to identify, prioritize, and address new mechanisms of theft as they arise.
- B. An action plan to address equitable access in the current program and in any future form of the program. This plan shall include recommendations on issues such as serving people who may be unbanked, addressing the digital divide, and keeping fare cost low.
- C. A plan to provide uninterrupted service as the next iteration of the program is determined and executed.
- D. A plan to convene an industry forum (as was performed for Metro Micro) to bring together academics, cities with existing bike share programs, community stakeholders, and industry experts to provide recommendations on advancing Metro Bike Share beyond the current contract in one of several forms including but not limited to:
 - 1. Continuing Metro Bike Share as a contracted service,
 - 2. Operating the program In-house with Metro employees,
 - 3. A private-sector model with financial subsidy provided by Metro.
- E. Performing a market survey to identify best practices and business models among existing bike-share systems in the US, and comparable global systems (e.g., Paris, London, Barcelona, Madrid, and Mexico City), and to develop comparative data on subsidy cost per ride, total ridership, size of fleet, vehicle technology, theft and damage loss and prevention, and alternative financing sources like sponsorship and advertising.
- F. Recommendations for continuing and evolving the Metro Bike Share program to meet the goals of the agency, with countywide stakeholder engagement and consideration of cost-sharing, with the goal of expanding service area and local participation to all subregions in the County. These recommendations should include eligible local, state, and federal funding sources for capital and operations budgets, as well as legislative opportunities to expand such funding eligibility.

SUBJECT: GENERAL PUBLIC COMMENT[2021-0706](#)

RECEIVE General Public Comment

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.

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN COMMITTEE'S SUBJECT MATTER JURISDICTION

Adjournment

**Board Report**

File #: 2021-0536, **File Type:** Contract

Agenda Number: 49.

**REGULAR BOARD MEETING
DECEMBER 2, 2021**

SUBJECT: LONG-TERM ADVERTISING - CULVER CITY STATION

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

APPROVE a long-term advertising purchase, up to 12 months, at Culver City Station from HBO, generating up to \$400,000 plus, estimated net revenues for Metro. This is not a title sponsorship, and will not affect Culver City Station's title nor the adjacent private property's title, Ivy Station.

ISSUE

In compliance with the Commercial Sponsorship and Adoption Policy, 'station activation' advertising beyond 90 days require Board approval (*Attachment A*). Staff is bringing to the Board's attention a request for long-term advertising and activity from HBO at Culver City Station on the Metro E Line (Expo). Approval of this long-term advertising purchase will authorize Metro's rail advertising broker, Intersection, to manage the extended 12-month purchase and advertising activities stated in this report.

BACKGROUND

In February 2021, the Board approved the Commercial Sponsorship and Adoption Policy. The policy enables Marketing Communications to establish a sponsorship program to generate additional revenues for the agency.

DISCUSSION

Findings

HBO has moved their corporate headquarters to the newly completed Ivy Station - a mixed-use complex adjacent to Culver City Station on the E Line; and has purchased a station activation beginning fall 2021. Metro's rail advertising broker, Intersection, has also been coordinating with HBO on purchasing long-term advertising beyond the maximum 90 days as authorized in the current advertising contract - the inquiry in summary:

- Buyer: Home Box Office, Inc (media and entertainment company)

- Duration: HBO previously entered into a 90-day agreement with Intersection for advertising at Culver City Station. Approval is now sought to extend the program for an additional nine months beginning in early 2022 and extending through fall 2022.
- Revenue to Metro: Up to \$400,000 plus, estimated net revenues (total advertising buy ranging from \$500,000-\$750,000 of which Metro will receive 55%)
- Advertising Activities: Station Activation - The advertising purchase will include various large-format media on station elements such as columns wraps, pillar wraps, trestle wraps, and a wallscape via direct decal to the surfaces of station property. Visual samples are provided in *Attachment A - HBO Advertising - Culver City*, displaying the type of creative content HBO and Intersection may post. Within the 12-month duration, creative content may be updated at the discretion of HBO and Intersection. All creative content will comply with Metro's System Advertising Policy and be vetted by the Content Advertising Committee.

Metro Communications (Marketing and Community Relations) reached out to Culver City with the advertising proposal and have received a green light to proceed from Culver City Community Development, City Manager, and City Attorney.

DETERMINATION OF SAFETY IMPACT

The contractor will install advertising following Rail Safety Policy and Guidelines to ensure the safety of Metro's riders and employees.

FINANCIAL IMPACT

There is no negative financial impact with the approval of this item. The contractor is responsible for material costs and maintenance of HBO advertising for the duration of the sale.

Revenues generated from this long-term advertising sale will be designated as Commercial Sponsorship and will be tracked separately from Commercial Advertising.

The project manager and the Accounting department will be responsible for monitoring performance, compliance, costs, and resources in support of this task. Since this sale will extend over two fiscal years, the program manager, cost center manager, and Chief Communications Officer will ensure all project resources are budgeted in future fiscal years.

Impact to Budget

Commercial Advertising and Sponsorships are revenue-generating programs and do not incur capital costs to Metro; however, labor support is warranted to ensure safety compliance during material installations. Metro will receive 55% revenue share, approximately \$412,500, and the contractor will receive 45% revenue share, approximately \$337,500, from the total gross sale of \$750,000; with an estimated \$5,000 in Metro labor expenditure.

Summary of estimated revenues and expenditures:

\$750,000 Advertising Buy (gross sale)

\$337,500	Contractor's 45% revenue share
\$412,500	Metro's 55% revenue share
\$5,000	Metro Expenditures (Operations labor support)

EQUITY PLATFORM

Long-term advertising purchases generate significant revenues upfront and they also command the attention of future media buyers. This initial media purchase may be a catalyst for consistent and long-term revenues generated through advertising and sponsorship at a singular station - creating a reliable funding source for equitable initiatives. At this time, there are no equity impacts anticipated as a result of this action.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The revenue advertising program supports the Strategic Plan by fulfilling Goal 5.2 - Exercising good public policy judgment and sound fiscal stewardship by monetizing Metro's capital assets to generate non-tax revenues.

ALTERNATIVES CONSIDERED

The Board may choose not to approve this long-term advertising request, however, this is not recommended. Metro would be turning away up to \$400,000 plus estimated revenue earnings from an individual station, and miss other fruitful opportunities to generate unrestricted local funding.

NEXT STEPS

Upon Board approval, staff will authorize the advertising broker to complete the advertising sale and begin executing the long-term media placement with HBO and Culver City Station on E Line.

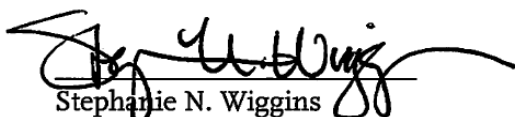
ATTACHMENTS

Attachment A - Commercial Sponsorship and Adoption Policy

Attachment B - HBO Advertising-Culver City Station

Prepared by: Lan-Chi Lam, Director of Communications, (213) 922-2349
Glen Becerra, Executive Officer of Marketing, (213) 418-3265

Reviewed by: Yvette Rapose, Chief Communications Officer, (213) 418-3154


Stephanie N. Wiggins
Chief Executive Officer

Commercial Sponsorship and Adoption Policy

POLICY STATEMENT

Commercial Sponsorship and Adoption is a form of advertising in which entities will compensate Metro in order to be associated with certain Metro facilities, services, programs, or events. Compensation to Metro can include, but is not limited to: monetary payments; resources and finance; payment-in-kind; value-in-kind to develop new facilities, services, programs, or events; or, funding to operate and enhance existing facilities, services, programs, or events.

Through implementation of the Commercial Sponsorship and Adoption Policy (“Policy”), Metro seeks to establish guidelines to execute a responsible and consistent process regarding Sponsorship and Adoption business activities. Metro’s Communications department administers the Commercial Sponsorship and Adoption Program (“Program”) as part of its overall responsibility of revenue-generating advertising and Metro’s overarching goal of partnering with businesses on activities that can increase mobility and brand awareness for customers in the Los Angeles region.

As sponsorship is a form of advertising, the Program will adhere to Metro’s System Advertising Policy (COM 6) and apply the same content restrictions in considering sponsors’ core business, brand, and services. Commercial Sponsorship and Adoption may impact Metro facilities, services, programs, amenities, or events. As Metro facilities, services, programs, and events have already been named, the program will also adhere to Metro’s Property Naming Policy (COM 11) and apply the same public outreach processes and principles pertaining to area location, neighborhood identity and system legibility in considering sponsors’ core business, brand, and services.

PURPOSE

Through implementation of this Policy, Metro seeks to establish guidelines regarding Commercial Sponsorship and Adoption of Metro services, facilities, amenities, programs, and events.

Goals and Principles

This Policy will set direction for how Metro plans and implements Commercial Sponsorship and Adoptions on the Metro system. Specific Program goals include, but are not limited to:

- Generate long-term revenues to support agency programs and initiatives**
 Metro has the fiscal responsibility to maximize the utilization of available resources effectively and efficiently to create long-term, agency-generated revenues. Furthermore, diversifying Metro’s revenue sources prepares the agency for future economic shortfalls and unexpected agency impacts.
- Enhance service and/or amenities that improve customer experience**
 Partnerships with local businesses and entities may offset costs of desired customer amenities, such as technology (Wi-Fi, mobile charging stations), commerce (vending kiosks, retail), and convenience (food trucks, parcel pickup). These partnerships allow Metro to focus on operating a world-class transit system while specialist(s) provide amenities enhancing the customer experience.
- Position corporate social responsibilities towards equity-focused communities**
 Metro can create more opportunities to promote small, disadvantaged, and disabled veteran business enterprises through commercial programs by allowing them involvement in the system. Concurrently, corporate entities may provide equity opportunities to communities through Metro’s program.

PROCESS AND PROCEDURE

Eligible Agency Assets

Metro is the transportation planner and coordinator, designer, builder, and operator of a large and expanding transit system. The infrastructure capital investment and other assets are significant within Metro’s county-wide system of bus, rail, and other services; property portfolio; numerous facilities; programs and events. The various facilities, programs, and services that may be eligible for sponsorships and adoption are:

- Facilities** – Any rail station or bus stop, parking lots and parking structures, regional facilities, maintenance buildings and other structures, Metro headquarters building, and any other property owned, leased, managed, or operated by Metro. Example facilities include Pico Station, Sierra Madre Villa parking structure, and El Monte bus station.
- Transit Services** – Any light & heavy rail lines, bus service lines & routes, transitway service lines & routes, and any mode of transit service owned, leased, managed, or operated by Metro. Example transit services include A Line, E Line, and Dodgers Stadium Express.

- **Programs** – Selected established Metro-operated effort/initiative for the benefit of customers and communities that Metro serves, generally in the form of customer service actions and functions. Example programs include Freeway Service Patrol and Metro Micro.
- **Events** – Selected one-time, seasonal, or annual event initiated, partnered with, coordinated by, or conducted by Metro. Example events include Older Adult Expo and Faith Leaders Roundtable.

Program Models

Metro will engage in two types of program models, Adoptions and Sponsorships. Within these two models, proposals may include customized packages of varying marketing techniques and tactics; combine financial payments and value-in-kind amenities; or only provide financial payments or value-in-kind amenities. Metro defines amenities as selected resources, features, or utility that may provide additional enhancement to an established Metro facility, station, or stop. Examples amenities may include technologies such as mobile data and Wi-Fi services, commerce such as retail and vending machines, and convenience such as restrooms.

- **Adoption** - A partnership between Metro and a third party, which provides benefit to Metro riders in the form of sponsored amenities, services, equity opportunities, and customer experience improvements. In an Adoption, third parties may provide resources and/or financing, payment-in-kind, or value-in-kind to develop operating or new facilities, services, programs, or events. Examples: providing free Wi-Fi to a particular station, funding additional maintenance to a particular station.
- **Sponsorship** - A partnership between Metro and a third party, which provides benefit to Metro in the form of financial payments - revenues from sponsorships may be directed towards Metro programs and initiatives. In a Sponsorship, a third party may provide resources and funding, payment-in-kind, or value-in-kind to develop operating or new facilities, services, programs, or events. Examples: temporary station name take-over, long-term media buyouts of a particular station or facility.

Terms and Durations

Sponsorships and Adoptions can take on various forms of advertising in which companies contract with Metro to associate their name, identity and branding with facilities, services, programs or events. Metro may engage in Temporary and Long-Term Sponsorships/Adoptions that provide value and benefit both parties.

- **Temporary** – Sponsorship/Adoption/Advertising activity lasting up to ninety consecutive days — temporary commercial activity is within CEO’s approval

authority. Contractor shall not allow or authorize any single advertiser to engage in Station Domination of a single station for a period of more than 90 consecutive days. Immediately following the period of Station Domination by an advertiser, said advertiser shall not be permitted to engage in Station Domination of that same station for at least 90 consecutive days.

- **Long-term** – Sponsorship/Adoption/Advertising activity lasting greater than ninety consecutive days with a maximum length of 10 years — all long-term commercial activity require Board reviewed and approval. The renaming of a facility or station requires a minimum five year commitment. Additionally, any activity affecting facility/station/service names requires Board notification: short-term renaming/co-naming requires Board notification while long-term renaming/co-naming requires Board approval.

Eligibility and Criteria

In line with Metro's System Advertising Policy (COM 6), business entities selling products or services in the prohibited categories will not be considered for participation in the Program including Alcohol, Tobacco and Electronic Cigarettes, Adult Entertainment and Content, Arms/Guns and Weapons, Political Parties, Political Groups, Political Organizations, and Political Candidates or Campaigns, causes (including Religious Groups and Religious Associations, social advocacy groups, lobbyist, etc), or any other category prohibited by COM 6.

Metro shall consider Sponsorships and Adoptions with qualified entities meeting these criteria:

- Businesses already established in the U.S. or have fulfilled all legal requirements and compliance to establish a business within the United States;
- Businesses must establish current financial stability as well as financial stability for the five years prior to proposal submission;
- Businesses with current responsible practices and positive business history within the last five years prior to proposal submission;
- Businesses with satisfactory record of contractual performance within the last five years prior to proposal submission;
- Businesses must not have been awarded a Metro contract as a prime contractor six months prior to proposal submittal. Businesses will also not be considered for Metro contract as a prime contractor six months following proposal submittal.

Proposal Review Committee

A Proposal Review Committee will be established to review and vet each proposal submitted to the agency. The Proposal Review Committee will be managed by

Marketing with concurrence from the Chief Communications Officer and will be composed of stakeholder departments to provide feedback and advisory recommendations for Board review and approval. Committee members may include, but are not limited to the following:

- **Compliance Panel** - The Compliance Panel ensures interested sponsors are in compliance with Metro policies and neither discriminate nor pose a conflict of interest. The Compliance Panel does not score the proposal, instead providing review and comment on the sponsoree, the Compliance Panel may include:
 - Civil Rights
 - Ethics
 - Legal Counsel
 - Office of Inspector General
 - Vendor/Contract Management

- **Evaluation Panel** - The Evaluation Panel reviews and scores each proposal based on the Evaluation Criteria. The Evaluation Panel may be composed of scoring members, and non-scoring members that provide comments but do not participate in scoring; comments and recommendations are submitted to the CEO and Board for final review and approval, the Evaluation Panel may include:
 - Communications (Arts & Design, Community Relations, Marketing, Public Relations)
 - Countywide Planning (Real Estate, Systemwide Design)
 - Customer Experience
 - Equity & Race
 - Respective Asset or Program Owner

Evaluation and Criteria

If a business meets all Eligibility and Criteria, Metro will take into consideration the financial offers and implementation proposals. The Proposal Review Committee will score proposals based on the following evaluation criteria:

- Alignment with Metro's existing brand and agency mission, themes, and priorities
- Innovative sponsorship and business plan(s) that address value-transfers and potential customer experience enhancements
- Reach of cross promotion between Metro and Sponsor/Adoptee, providing Equity Opportunity activities for Metro communities and riders
- Financial offer, including total value and duration, payment options, and package offerings
- Determination of conflicts of interest based on other business activities with Metro

Corporate Responsibilities

All costs related to Sponsorship/Adoption activities of an existing facility, service, or program – including, but not limited to, the costs of replacing affected signage and customer information collateral, Metro materials, media materials, and Metro staff labor – shall be borne by the Adoptee/Sponsor.

Metro expects Sponsorship and Adoption partners to remain in good financial stability and to conduct responsible business practices for the duration of granted Sponsorship/Adoption. Metro may terminate granted Sponsorship/Adoption with partners who fails to maintain these financial and business requirements.

All granted Sponsorship/Adoption must respect and adhere to Metro's System Advertising Policy and Metro's Property Naming Policy.

Equity Opportunity and Community

Metro's mission is to provide a world-class transportation system that enhances quality of life for all who live, work and play within LA County. Under its Equity Platform, Metro recognizes that access to opportunities – including housing, jobs, education, mobility, and healthy communities – is critical for enhanced quality of life. Metro also recognizes that vast disparities exist in access to opportunities and strives to identify and implement projects or programs that reduce and ultimately eliminate those disparities.

Sponsors must include Equity Opportunity in each proposal - which will be scored in the Evaluation Criteria; however, sponsors should consider the qualitative engagement rather than the quantitative engagement within their proposal. While Metro sponsorships will vary, all sponsorships must advance Metro's mission by supporting Equity Opportunity to:

- Increased access to opportunities
- Removal of barriers to access
- Partnership with local communities

Acceptable partnerships will vary. Examples include, but are not limited to:

1. Connecting communities to healthy food especially when they lack such options via the provision of gift cards to grocery stores or health snacks at a community event
2. Promoting safety in high injury areas via bike helmet or bike safety light giveaways
3. Supporting community events via hosting a Wi-Fi hot spots or cooling station

Process and Implementation

Metro may negotiate Sponsorships and Adoptions directly or contract with outside specialist(s) to liaise, negotiate and manage Sponsorships.

Metro's Right of Rejection

Metro and its authorized sponsorship specialist(s) will screen all proposals, Metro reserves the right to reject any Sponsorships submitted for consideration. Decisions regarding the rejection or termination of Sponsorships are made by Metro's Chief Communications Officer or their designee based upon the criteria in this Policy.

System Integration

Metro has an established transit system with known nomenclature, customer information, and service names, thus, coordination with stakeholder departments will be critical to:

- Conclude acceptable enhancements to system facilities affecting customer experience - such as station identity and signage wayfinding.
- Establish reasonable implementation schedules and deliverables - such as those affecting operational logistics in stations, trains, and buses; fabrication logistics such as signage; and customer information materials.

Public Information

All granted Sponsorship/Adoption are subject to the provisions of the California Public Records Act (California Code Government Code §6250 et seq.), including monies paid to Metro.

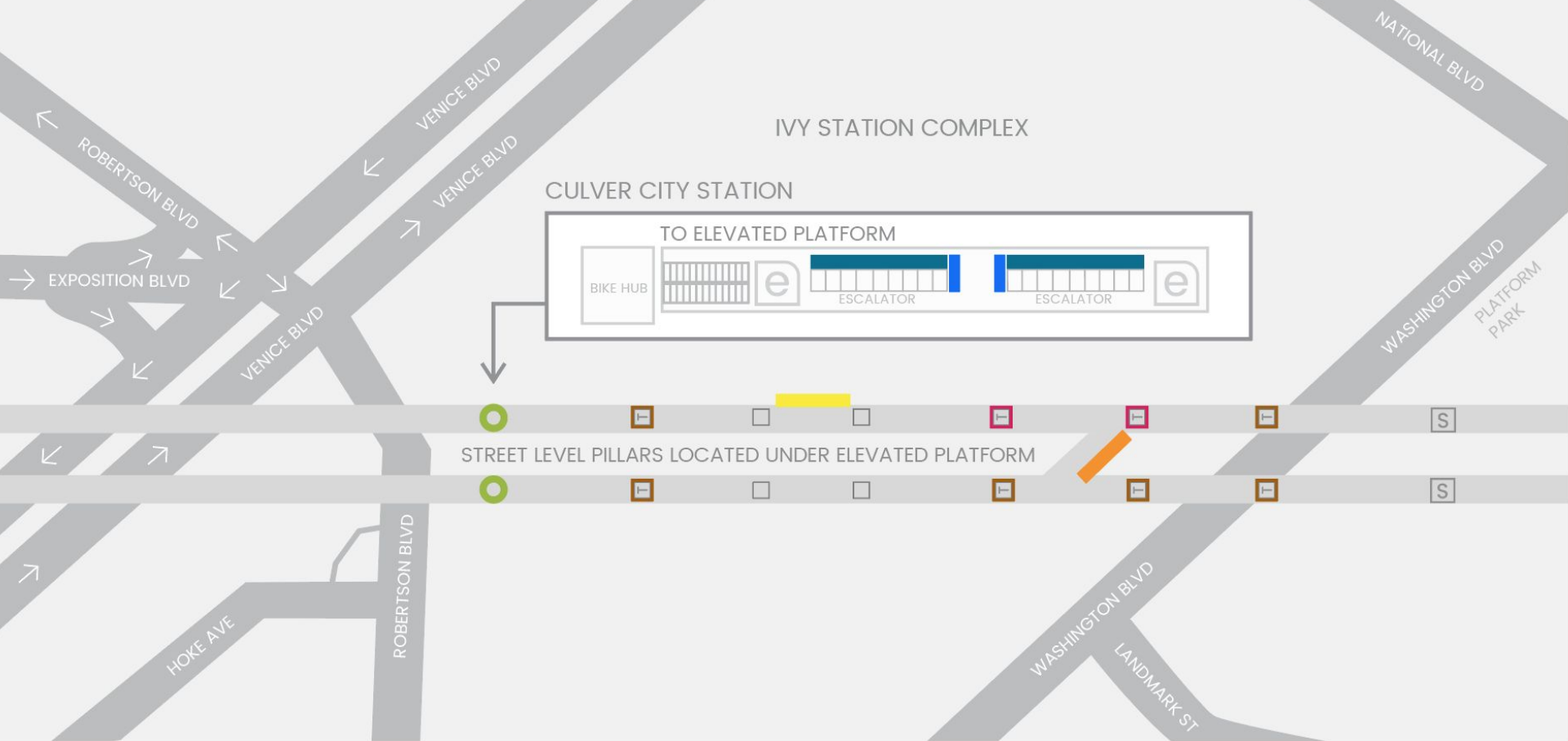
HBO

**& Culver City Station
Los Angeles**

A photograph of a train station platform. A yellow and white train is blurred as it moves across the platform. In the foreground, a large black circular sign with a white arrow pointing downwards is visible. The text "We propose a custom station domination for HBO at Culver City Station" is overlaid in white, bold, sans-serif font across the center of the image.

**We propose a custom
station domination for
HBO at Culver City Station**

Culver City Station Street Level



TCW

HWT

RCW

TTW

TAPERED COLUMN WRAP
 HALF WRAP TAPERED COLUMN
 ROUND COLUMN WRAP
 TRAIN TRESTLE WRAP

EP

TS

TTS

ESCALATOR PANEL
 TRESTLE SOFFIT WRAP
 TRAIN TRESTLE SPECTACULAR



Before



Enhanced

Bring
vibrance to
the
structural
elements at
street level
near Ivy
Station

*Image depicts: Pillar wrap
near Robertson Blvd*



Before





Enhanced

Tower
overhead
with massive
pillar wraps
and custom
media along
the station
walkway

*Image depicts: Pillar wraps,
partial pillar wraps, and
overhead trestle near
Washington Blvd*





Enhanced

Image depicts: Escalator wrap





Before





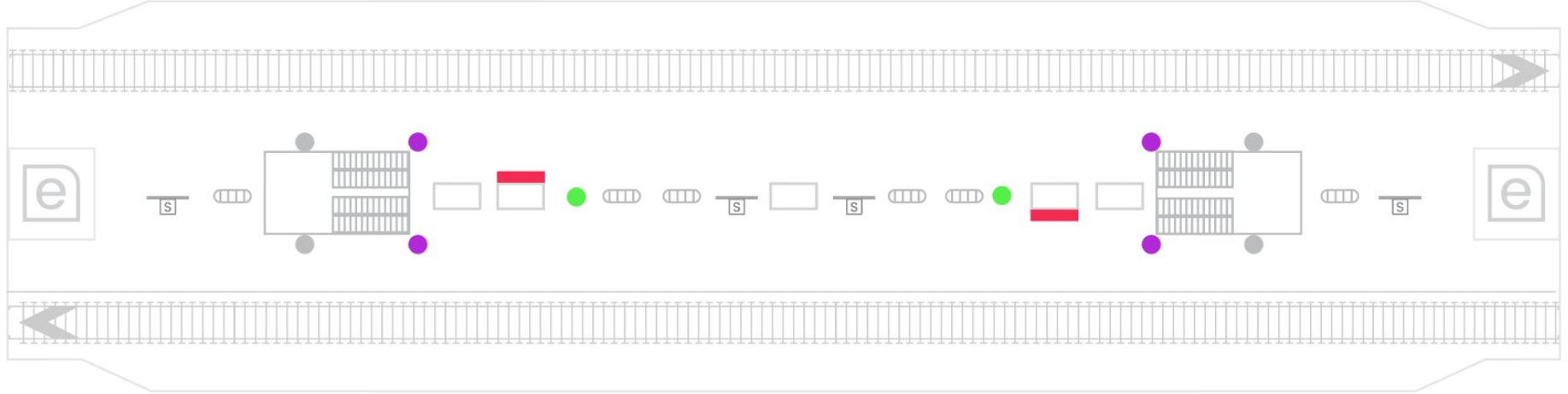
Enhanced

*Rendering depicts: Trestle
Spectacular*

Culver City Station Platform Level



Platform



- LC ■ LARGE COLUMN WRAP
- CW ■ COLUMN WRAP
- PP ■ PLATFORM PANEL

-  ELEVATOR
-  TICKET MACHINE
-  STATION SIGN
-  WASTE RECEPTACLE

-  POWER OUTLET
-  TELEPHONE
-  INFORMATION
-  BENCH

Before



Enhanced

Reach arriving & departing commuters at the platform level

Image depicts: Column Wrap





Enhanced

And tower
overhead
along the
trestle facing
Ivy Station's
plaza to truly
make a
creative
statement

*Image depicts: Overhead
Banner facing Ivy Station
Courtyard*





Board Report

File #: 2021-0596, File Type: Contract

Agenda Number: 32.

EXECUTIVE MANAGEMENT COMMITTEE NOVEMBER 18, 2021

SUBJECT: COMMUNICATIONS SUPPORT SERVICES BENCH

ACTION: APPROVE CONTRACT MODIFICATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Modification No. 5 to Bench Contract Nos. PS44432001 through PS44432010 to:

- A. INCREASE the contract value by \$3,000,000, increasing the contract value from \$18,955,568 to \$21,955,568; and
- B. AWARD AND EXECUTE task orders for a not-to-exceed total authorized amount of \$21,955,568.

ISSUE

In December 2017, the Metro Board of Directors approved the establishment of a Communication Support Services Bench contracts (Bench) for an amount not-to-exceed \$9,505,568 for a 3-year base term, plus \$5,393,760 for each of the two, two-year options, for a combined total amount not-to-exceed \$20,293,088. The Bench provides Metro Communications Department with supplementary communications services in support of Metro projects, programs and initiatives such as public engagements, public information, and community outreach activities.

BACKGROUND

The Bench has been successfully utilized in providing professional communication support services to multiple and diverse Metro projects, programs and initiatives. The success of the Bench has nearly exhausted the not-to-exceed value. To date, a total of 40 task orders have been issued against the Bench, for a cumulative total contract value of \$18,818,774 of the approved bench contract value of \$18,955,568 during the initial 3-year base term, plus an additional one-year option that has been exercised. The unexpected increase in the Bench utilization was attributable to various task orders issued in support of Metro's projects, programs and initiatives. Additionally, the COVID-19 pandemic has added additional community engagement activities that were not originally anticipated, such as virtual engagement platforms and increased digital initiatives to reach stakeholders.

To continue to meet the delivery of both current and approved planned construction projects, programs, and initiatives for FY 21/22, additional contract authority is being requested to the 4-year authorized contract term. Currently, Metro has numerous processes that require ongoing communications support such as the Bus Speed and Reliability Improvements, Vermont Transit Corridor, and several ExpressLanes projects. These efforts support the Agency's goals to increase ridership and enhance the customer experience.

Approval of Recommendation A will increase the contract authorization by \$3,000,000. The recommendation will revise the total not-to-exceed Bench contract authority amount to \$21,955,568. The approval will also provide sufficient time while Metro staff plans for issuance of a new On-Call Communications Bench Contract that will require subsequent Board Approval anticipated in early 2022.

DISCUSSION

With the passage of Measure M in November 2016, Metro's work effort has expanded greatly. To optimize the agency's existing communications workforce and to ensure adherence to Metro's External Communications Policy, this growing work effort will be accomplished through a combination of agency staff and contracted services through the Bench.

The Bench consists of 10 full-service, multi-disciplinary teams that serve on an on-call, task order-basis. Services provided by the Bench include:

1. Coordination with other project/program/initiative team members;
2. Project staffing;
3. Strategic communications;
4. Copywriting, copying, printing and mailing support;
5. Community meeting logistics, planning & facilitation;
6. Development of graphic design, photography, digital and video production;
7. Digital and social media;
8. Special event planning and outreach;
9. Door-to-door canvassing and literature distribution;
10. Multi-ethnic/multi-lingual interpretation and translation services;
11. Targeted outreach support;
12. Media relations support;
13. Interactive website development;
14. Innovative methods for reaching diverse community stakeholders;
15. Opinion research;
16. Media buyer; and
17. Documentation reports.

The Bench contracts include a 20% Disadvantaged Business Enterprise (DBE) participation goal for task orders awarded with federal funds and 17% Small Business Enterprise (SBE), and 3% Disabled Veteran Business Enterprise (DVBE) goal for task orders awarded with non-federal funds.

To date, the Bench has provided communication support services for the following projects and initiatives:

1. Active Transportation Strategic Plan
2. Antelope Valley Line Improvements
3. Arts District/6th Street Station
4. As-Needed Interpretation and Translation Services
5. As-Needed Writing Services
6. Bus Rapid Transit Vision and Principles Study
7. Bus Speed and Reliability Improvements
8. Centinela Grade Separation
9. Crenshaw Northern Extension - Alternatives Screening Study
10. Crenshaw Northern LRT Extension Environmental Outreach and Education
11. Crenshaw/LAX Opening Communications/Faith Community Outreach
12. Eastside Transit Corridor Phase 2 Environmental Outreach
13. Green Line Extension to Torrance Environmental Outreach and Education
14. Interstate 10 ExpressLanes Extension Project
15. Interstate 10 ExpressLanes HOV 5+ Pilot Program Environmental Outreach and Education
16. Interstate 110 ExpressLanes Adams Terminus Project
17. Interstate 405 Multi-Modal Corridor Plan
18. Interstate 405 Sepulveda Pass ExpressLanes Project
19. LA River Bike Gap Project
20. Lone Hill to White Project
21. Long Range Transportation and NextGen Bus Study Project Management
22. Long Range Transportation Plan Outreach and Education
23. Mailing Support Services
24. Measure M Lessons Learned and OEI Best Practices Reports
25. Metrolink Central Maintenance Facility Noise and Vibration Study
26. Next Gen Bus Study
27. NextGen Bus Study and Long Range Transportation Plan - Program management
28. North Hollywood to Pasadena Bus Rapid Transit Environmental Outreach and Education and North San Fernando Valley Bus Rapid Transit Project Environmental Outreach and Education
29. Public Opinion Research and Focus Groups
30. Public Relations - El Pasajero Writing and Editing
31. Public Relations Street Teams
32. Public Relations - Special Events and Communications Support
33. Public Relations - Writing Services
34. PSAC Public Opinion Survey
35. Rail to River - Segment B Project
36. Rio Hondo Confluence Station Feasibility Study
37. South Los Angeles Faith Leaders Group Facilitation
38. Vermont Transit Corridor Project and Vermont Transit Corridor - South Bay Extension Feasibility Study
39. West Santa Ana Branch Project Downtown Los Angeles Outreach and Education
40. Women and Girls Governing Council Strategic Communications

DETERMINATION OF SAFETY IMPACT

Contractors may be required to conduct tasks on Metro property where construction may be taking place. All safety requirements will be met with requisite training and clearance as established by Metro Safety, Construction and Operation protocols.

FINANCIAL IMPACT

The funding for the bench contract will parallel that of the benefiting projects charged which may include sales tax, grants, fares, and other funding sources within the agency. There is no single source that will unilaterally fund this contract. As specific work efforts arise, task orders will be issued and funded from the corresponding project budget upon approval by the responsible project manager, or by the relevant department.

Funding for FY 21/22 is included in the department, cost center budgets. Each task order awarded to a Contractor will be funded with the source of funds identified for that project. Since this is a multi-year contract, the departmental cost center managers will be responsible for budgeting costs in future years.

Impact to Budget

The funding for these task orders is dependent upon the specific project and could consist of federal, state or local funds.

EQUITY PLATFORM

Services under the bench have included tasks that specifically target historically marginalized and vulnerable populations.

Service 11 under the On-Call Communications Bench Contract specifically requests Contractors to “implement specialized outreach efforts to targeted community groups and stakeholders in the methods most effective for them to receive information. Such groups include but are not limited to older adults, students, multi-ethnic groups, persons with disabilities, faith leaders, low-income or marginalized individuals, and others.”

Additionally, Service 14: Innovative Methods for Reaching Diverse Community Stakeholders specifically requests that Contractors propose “other recommended activities or tools that will assist Metro in reaching a broader audience of stakeholders and encouraging their active participation in the agency’s projects, programs or initiatives.”

Resources that have been specifically requested under the Bench Contract include: translation and interpretation; public opinion surveys and focus groups conducted in various languages; activities that allow for engagement with transit riders at stops, stations and on buses/trains. Additionally, innovative methods for reaching diverse community stakeholders on this bench, such as offering free WiFi/Hotspot connections at targeted locations for virtual community meetings.

To date, nearly all projects and initiatives serviced through this on-call bench have directly engaged with stakeholders from Equity Focus Communities (EFCs). Targeted outreach to EFCs will continue to be prioritized as part of all public engagement programs.

The On-Call Communications Bench Contract further provides business opportunities to minority, women owned and disadvantaged businesses. Each bench participant has met or exceeded the 17% SBE / 3% DVBE or 20% DBE goal for this project. The Communications Support Services Bench is subject to the Small Business (SB) prime (Set-Aside) program requirements. Nine of the 10 bench participants are SBE primes.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended actions support the following goals:

- Goal 1: Provide high-quality mobility options that enable people to spend less time traveling;
- Goal 2: Deliver outstanding trip experiences for all users of the transportation system;
- Goal 3: Enhance communities and lives through mobility and access to opportunity;
- Goal 5: Provide responsive, accountable, and trustworthy governance within the Metro organization

The Communications Support Services Bench allows the agency to engage stakeholders in an authentic, meaningful, and responsive manner on all of the agency's project, programs, and initiatives.

ALTERNATIVES CONSIDERED

1. Pursue procurement processes and solicit proposals for each individual task when the requirement arises. This alternative is not recommended as it would place an undue burden on the small business community, requiring them to expend significant and costly resources to respond to multiple procurement processes each year. It also would require extensive staff time to develop a scope of work, internal estimate and proceed with a competitive procurement for each individual task. This would also delay the provision of services and prevent the opportunity to expedite services when needed. Additionally, procuring services on a per-assignment basis would impose significant additional burden on the Communications and Vendor/Contract Management departments.
2. Utilize existing Communications staff to provide the required support services. This alternative is also not feasible as Metro's current Communications staff is being fully utilized to support existing projects, programs and initiatives. Due to these commitments, it would be a major challenge for current staff to provide the necessary additional support required for future projects, programs and initiatives. If this alternative were exercised, Metro would need to hire additional staff with expertise in several disciplines to perform the desired work. Based on

staffing trends, it is unlikely the agency can support this effort in-house.

3. Direct departments to procure services for their own needs. This option puts an undue burden on the small business community, requiring them to expend significant and costly resources to respond to multiple procurement processes each year. It also is counter to Metro's External Communications Policy, which is designed to consolidate, optimize and strategically coordinate communications services across the agency.

NEXT STEPS

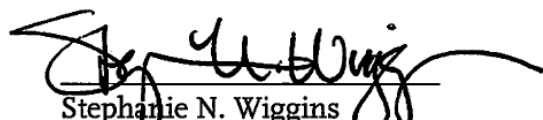
Upon Board approval, staff will execute Contract Modification No. 5 to the Communications Support Services Bench Contracts and continue to award individual task orders for communications support services.

ATTACHMENTS

- Attachment A - Procurement Summary
- Attachment B - Contract Modification/Change Order Log
- Attachment C - Firms on Communications Support Services Bench
- Attachment D - List of Task Orders and Values
- Attachment E - DEOD Summary

Prepared by: Lilian De Loza-Gutierrez, Director, Community Relations, (213) 922-7479

Reviewed by: Yvette Rapose, Chief Communications Officer, (213) 418-3154
Debra Avila, Chief Vendor/Contract Management Officer, (213) 418-3051


Stephanie N. Wiggins
Chief Executive Officer

PROCUREMENT SUMMARY

COMMUNICATIONS SUPPORT SERVICES BENCH / PS44432001 through PS44432010

1.	Contract Numbers: PS44432001 through PS44432010		
2.	Contractors: Arellano Associates; Celtis Ventures; Communications Lab; Community Connections; Consensus; Dakota Communications; ETA Agency; Lee Andrews Group; MBI Media; The Robert Group		
3.	Mod. Work Description: Increase Contract Authority		
4.	Contract Work Description Provide communications support services to Metro's Communications Department.		
5.	The following data is current as of: 10/5/2021		
6.	Contract Completion Status		Financial Status
	Contracts Awarded:	1/1/18	Contracts Award Amount: \$9,505,568
	Notice to Proceed (NTP):	N/A	Total of Modifications Approved: \$9,450,000
	Original Complete Date:	12/31/20	Pending Modifications (including this action): \$3,000,000
	Current Est. Complete Date:	12/31/22	Current Contract Value (with this action): \$21,955,568
7.	Contract Administrator: Antwaun Boykin		Telephone Number: (213) 922-1056
8.	Project Manager: Lilian De Loza-Gutierrez		Telephone Numbers: (213) 922-7479

A. Procurement Background

This Board Action is to approve Contract Modification No. 5 issued to increase the contract funding authority value for Communications Bench Contracts PS44432001 through PS44432010, to continue to provide communications support services, and extend the term of the bench contracts through December 31, 2022.

This Contract Modification and future Task Orders will be processed in accordance with Metro's Acquisition Policy.

Metro awarded a seven-year (three-year base term, with two, two-year options), task order-based bench contracts to the following firms: Arellano Associates, Celtis Ventures, Communications Lab, Community Connections, Consensus, Dakota

Communications, ETA Agency, Lee Andrews Group, MBI Media, and The Robert Group to provide communication support services.

Refer to Attachment B – Contract Modification/Change Order Log.

B. Cost/Price Analysis

The recommended price for all future task orders and modifications will be determined to be fair and reasonable in accordance with Metro's Acquisition Policy at the time of issuance and award.

CONTRACT MODIFICATION/CHANGE ORDER LOG

COMMUNICATIONS SUPPORT SERVICES BENCH / PS44432001 through
PS44432010

Mod. No.	Description	Status (approved or pending)	Date	Amount
1	Modify the SOW to delete printing support service	Approved	10/15/18	\$0
2	Increase base contract value	Approved	9/19/19	\$9,000,000
3	Extend contract period of performance	Approved	12/11/20	\$0
4	Exercise Contract Modification Authority	Approved	10/4/21	\$450,000
5	Increase contract value	Pending	Pending	\$3,000,000
	Modification Total:			\$12,450,000
	Original Contract:		1/1/18	\$9,505,568
	Total:			\$21,955,568

ATTACHMENT C

FIRMS ON COMMUNICATIONS SUPPORT SERVICES BENCH

**COMMUNICATIONS SUPPORT SERVICES BENCH / PS44432001 through
PS44432010**

	<u>Contract No.</u>	<u>Company Name</u>
1	PS44432001	Arellano Associates
2	PS44432002	Celtis Ventures
3	PS44432003	Communications Lab
4	PS44432004	Community Connections
5	PS44432005	Consensus
6	PS44432006	Dakota Communications
7	PS44432007	ETA Agency
8	PS44432008	Lee Andrews Group
9	PS44432009	MBI Media
10	PS44432010	The Robert Group

DBE/SBE Prime Awards				
Contract No.	Company Name	Task Orders Awarded to Date	Task Order Award Amount	Amount Paid to Date
PS44432001	Arellano Associates	12	\$6,015,342.00	\$4,011,868.24
PS44432003	Communications Lab	3	\$1,124,077.00	\$626,078.00
PS44432004	Community Connections	1	\$1,413,358.00	\$20,000.00
PS44432005	Consensus	2	\$345,632.54	\$345,632.54
PS44432006	Dakota Communications	1	\$669,904.00	\$191,751.11
PS44432007	ETA Agency	0	\$0.00	\$0.00
PS44432008	Lee Andrews Group	13	\$4,310,624.00	\$1,832,644.89
PS44432009	MBI	2	\$677,010.84	\$673,623.84
PS44432010	The Robert Group	4	\$2,779,672.00	\$1,479,883.00
Total Awarded Task Order Subtotal		38	\$17,335,620.38	\$9,181,481.62
Total Task Order Value				

Non DBE/SBE Prime Awards				
Contract No.	Company Name	Task Orders Awarded to Date	Task Order Award Amount	Amount Paid to Date
PS44432002	Celtis Ventures	1	\$1,483,154.00	\$1,483,154.00
Total Awarded Task Order Subtotal		1	\$1,483,154.00	\$1,483,154.00
Total Task Order Value				

Total Task Orders Awarded	14	Amount Awarded	Amount Paid to Date
DBE/SBE Task Order Value		\$17,335,620.38	\$9,181,481.62
Total Task Order Value		\$18,818,774.38	\$10,664,635.62

DEOD SUMMARY**COMMUNICATIONS SUPPORT SERVICES BENCH / PS44432001 through
PS44432010****A. Small Business Participation**

Each bench participant committed to meet the 17% SBE/3% DVBE or 20% DBE goals for this contract. The Communications Support Services Bench is subject to the Small Business (SB) Prime (Set-Aside) Program requirements. Nine of the ten bench participants are SBE primes. The overall SBE/DVBE/DBE participation is based on the aggregate of all Task Orders (TO) awarded through the bench.

To date, thirty-seven (37) TOs have been awarded to nine (9) primes on the bench. Thirty-five (35) TOs were non-federally funded and fell within the set-aside threshold and awarded to self-performing SBE Primes. One TO was federally funded set-aside and awarded to an SB Prime that is also DBE certified. One TO was awarded with SBE/DVBE commitments. Based on payments to-date, the contract is 42.28% complete and the current level of participation is 83.83% SBE, 8.56% DBE and 0% DVBE. As such, the bench has exceeded SBE participation by 66.83% and has an 11.44% DBE and 3% DVBE shortfall. According to the Project Manager, due to potential conflicts with Metro's Collective Bargaining Agreement (CBA), all printing scopes of work were de-scoped from the bench. Primes impacted by this removal were required to submit an updated utilization plan to address the de-scope impact on DVBE commitments.

Metro Project Managers and Contract Administrators will work in conjunction with DEOD to monitor SBE/DVBE and DBE commitments via the web-based tracking system to ensure that they are met or exceeded.

Small Business Commitment	20% DBE 17% SBE 3% DVBE	Small Business Participation	8.56% DBE 83.83% SBE 0% DVBE
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DBE/SBE/DVBE Primes & Subcontractors		Current Participation		
		DBE	SBE	DVBE
1	Arellano Associates (DBE/SBE Prime)	-	89.22%	-
	AVS Consulting, Inc.	-	0.75%	-
	Jarrett Walker & Associates	-	0.48%	-
	Two Hundred, Inc.	-	0.85%	-
	VMA Communications	-	1.57%	-
	Young Communications Group	-	5.08%	-
	Total	-	97.95%	--
2	Celtis Ventures	-	-	-
	Arellano Associates, LLC	-	35.94%	-
	Flagship Marketing	-	-	0.00%
	Young Communications Group, Inc.	-	3.95%	-
	Total	-	39.89%	0.00%
3	Communications Lab (DBE/SBE Prime)	8.56%	13.91%	-
	Circle Point	-	39.11%	-
	Total	8.56%	53.02%	-
4	Consensus (SBE Prime)	-	25.08%	-
	Total	-	25.08%	-
5	Dakota Communications (DBE/SBE Prime)	-	98.01%	-
	JKH Consulting, LLC	-	1.99%	-
	Total	-	100.00%	-
6	Lee Andrews Group (DBE/SBE Prime)	-	69.56%	-
	Effect Strategies, LLC	-	0.12%	-
	JKH Consulting, LLC	-	0.18%	-
	Maria Luisa Arredondo-Pagaza	-	18.30%	-
	Paragon Language Services, Inc.	-	0.03%	-
	Translating Services, Inc.	-	0.43%	-
	Total	-	88.62%	-
7	MBI Media (DBE/SBE Prime)	-	63.87%	-
	Alas Media, Inc.	-	0.94%	-
	Continental Interpreting Services, Inc.	-	0.15%	-
	Digital Services Enterprises, Inc.	-	6.44%	-
	House 47, LLC	-	8.25%	-
	North Star Alliances LLC	-	9.80%	-
	Young Communications Group	-	6.39%	-
	Total	-	95.84%	-

8	The Robert Group (DBE/SBE Prime)	-	100.00%	-
	Total	-	100.00%	-

B. Living Wage and Service Contract Worker Retention Policy Applicability

A review of the current service contract indicates that the Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) was not applicable at the time of award. Therefore, the LW/SCWRP is not applicable to this modification.

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this modification.

D. Project Labor Agreement/Construction Careers Policy

Project Labor Agreement/Construction Careers Policy is not applicable to this Contract. Project Labor Agreement/Construction Careers Policy is applicable only to construction contracts that have a construction contract value in excess of \$2.5 million.



Board Report

File #: 2021-0680, File Type: Policy

Agenda Number:

REVISED
EXECUTIVE MANAGEMENT COMMITTEE
NOVEMBER 18, 2021

SUBJECT: CUSTOMER CODE OF CONDUCT AMENDMENTS - TRANSIT COURT

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

CONSIDER approving in Title 6, Chapter 6-05 of the Los Angeles County Metropolitan Transportation Authority ("Metro") Administrative Code (the "Code"), otherwise known as the Metro Customer Code of Conduct ("Code"), effective January 1, 2022 ~~either A through D or only E~~, as follows:

- A. In the Penalty Schedule, replace section "6-05-050.A-I" with "6-05-050.A-E, H, I";
- B. In the Schedule concerning Violations of the Customer Code That Will Be Addressed Through Ejection, replace section "6-05-050.E-G" with "6-05-050.E";
- C. In the Schedule insert a new section "Violations of the Customer Code That Will Be Addressed through Alternative Means," and insert thereunder "6.05-050.F, G Obstruction and occupying more than one seat. First Offense or Greater, Warning, referral placement preconditioned removal, and/or other remedy Placement or Other Remedy"; and
- D. In the Code insert a new section "6-05-010.C. Metro and its representatives shall enforce the Code of Conduct with fairness, equity, civility, compassion and without bias." ~~Or~~

SOLIS AND DUPONT-WALKER AMENDMENT: Directed the Chief Executive Officer to review the recommendation in E (below) and the current Code of Conduct, including but not limited to any potential implicit biases, and return in February 2022 with recommended changes.

- E. In the Code delete sections "6-05-050.F and G" in their entirety and conform the Schedule to the Code concerning deletions of those sections.

ISSUE

During the pandemic, serious economic and social conditions have exacerbated circumstances of our Metro's riders in a manner that, pending further input from the Metro Public Safety Advisory Committee or other sources, actions need to be taken to address the manner and methods of enforcement and promotion of compliance of the Metro Customer Code of Conduct.

BACKGROUND

Metro adopted an ordinance that is commonly referred to as the Customer Code of Conduct. The Code sets out appropriate and safe behaviors for patrons who use Metro facilities and/or ride the Metro system. At the outset, Transit Court worked with Operations, Transit Security, Safety, Legal, Customer Relations, Lost and Found, and other departments to refine the Code.

TRANSIT COURT STATISTICS

The Los Angeles County Sheriff’s Department, Los Angeles Police Department, Long Beach Police Department, and Metro Transit Security Officers are responsible to support Operations for enforcement of the Code and other applicable laws on the Metro system.

The issuance of transit citations has varied wildly over the years since transitioning from a criminal Penal Code section 640 enforcement model to the Transit Court and Customer Code of Conduct inception. Prior to adoption of the Code, Penal Code citations were issued annually in the 100,000’s. The total number of administrative transit citations began at over 100,000 annually too. This year the issuance of transit citations decreased to 7 in FY 2021. In the last 3 years the number of citations has been decreasing and is extremely low compared to FY2013 and prior thereto. This significant decrease is due to a virtual halt in citation issuance during COVID-19. There were fewer riders, fewer citations, and extensions granted on hearings. Parking citations also decreased from 14,245 in FY 2020 to 725 in FY 2021.

Transit Citations	
Issuance	
Year	Citation Count
FY13	100,937
FY14	82,892
FY15	58,102
FY16	29,524
FY17	19,494
FY18	63,122
FY19	31,650
FY20	12,680
FY21	7

Transit Court Monthly Report 2021

Month	Transit Citations	Parking Citations	*YTD Citation Issuance
January	0	50	50
February	0	39	89
March	0	118	207
April	3	114	324
May	0	110	434
June	0	134	568
July	0	113	681
August	0	184	865
September	2	170	1,037
<i>*Calendar Year</i>			

Transit Citations Sections	African American	Asian	Hispanic	White	Other/Unknown
050 F Bags on seats	12	1	2	2	2
050 G Feet on seats	276	2	77	56	11
100 A Littering	208	2	57	26	19
110 C Eat/drink/smoke	159	3	73	82	8
200 C Obey signs	78	4	50	22	14

Transit Citations Sections	African American	Asian	Hispanic	White	Other/Unknown
050 F Bags on seats	207	2	66	16	1
050 G Feet on seats	28	1	44	31	2
100 A Littering	15	1	5	0	1
110 C Eat/drink/smoke	9	0	13	4	2
200 C Obey signs	9	1	7	1	1

Citations - Top Quality of Life Citations 2020					
Transit Citations Sections	African American	Asian	Hispanic	White	Other/Unknown
050 F Bags on seats	38	2	8	5	0
050 G Feet on seats	29	1	11	6	2
100 A Littering	2	0	2	0	0
110 C Eat/drink/smoke	4	0	2	0	0
200 C Obey signs	0	0	0	0	1

We have continued to relax collection efforts and suspended late fees due to the economic hardship many patrons may be experiencing as a result of the pandemic. We provide these statistics to the Board in an effort to enable the Board to make its decisions about the report recommendations and to provide data on what is happening in our system concerning the enforcement of the Code.

With respect to the proportion of citations issued to certain segments of the population we found that for most sections of the Code, from fare evasion to sleeping on seats, males receive higher numbers of citations than females. There are exceptions such as women receive more citations for blocking with a stroller. For most sections, African Americans receive the highest number of citations, and then Hispanics receive the next highest number for things like littering, but in 2018 whites received higher numbers of citations than Hispanics for things like eating, drinking and smoking (Attachment A). Most noteworthy is that 1) citations have dramatically been reduced in recent times from prior years and 2) warning are given and citations only as a last resort so the citations are far less than the actual amount of violations, and 3) in FY21, as stated above, virtually no one received any citations with fines for anything.

DISCUSSION

Proposed amendments to the Code are explained below and are as set forth in Attachment B to this Board Report to address several areas:

Blocking

The Code prohibits blocking, operating or obstructing a Metro vehicle, occupying more than one seat, and impeding safe boarding. Section 6-05-050(A)-(I) are listed in the Penalty Schedule to the Code as a fineable offense. Section 6-05-050(E)-(G) are listed in the Penalty Schedule as a warning and/or ejection remedy.

A. In the Penalty Schedule, replace section “6-05-050.A-I” with “6-05-050.A-E, H, I”

The proposed amendment will change the Penalty Schedule for section 6-05-050 of the Code to delete the strikethrough words below and add the bolded underlined words as follows:

6-05-050	<u>Blocking</u>				
----------	------------------------	--	--	--	--

6-05-050.A-E, H, I	Blocking, operating or obstructing Metro vehicle, occupying more than one seat, impeding safe boarding	> 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
--------------------	--	---	---	---	---

The effect of this change would delete subsections (F)-(G) as fineable offenses from the Code. These subsections would include (F) reclining on, placing objects on, or blocking a seat, and (G) occupying more than one seat. Security and enforcement personnel would no longer issue citations associated with a fine for those offenses, however, they would still be able to issue warnings to ask individuals to comply when possible (e.g. sit up to enable others to sit down, place their belongings under their seat, etc.).

We recommend approval of this amendment.

We are aware that there is substantial consensus within the Agency that persons who do not have a home, do not need to be incentivized to obtain one via the receipt of a citation and a fine. In such a circumstance, the citation will not likely accomplish its intended purpose of compliance.

This amendment would address the issuance of these citations to the groups of persons currently most affected by the pandemic and the serious economic impact that the pandemic has had on the low-income public without adding to that financial burden with a citation.

B. In the portion of the Schedule concerning Violations of The Customer Code That Will Be Addressed Through Ejection, replace section “6-05-050.E-G” with “6-05-050.E”

The proposed amendment will change the Schedule for section 6-05-050 of the Code to delete the strikethrough words below as follows:

6-05-050	Blocking				
6-05-050.E-G	Obstruction of doors and seats	Warning and/or ejection	Warning and/or ejection	Warning and/or ejection	Warning and/or ejection

The effect of this change would delete two subsections “(F) reclining on, placing objects on, or blocking a seat,” and “(G) occupying more than one seat as a warning and/or ejection.” Subsection (E) preventing a door from closing would remain. Security and enforcement personnel would be able to ask for voluntary compliance pursuant to amendment C below, but not ejection alone as is currently the remedy.

We recommend this amendment.

This section may be replaced with other alternatives that may be more compassionate and aimed at addressing the impacted community more effectively at this time, as discussed in Section A above, by its replacement with Section C below.

C. In the Schedule insert a new section “Violations of the Customer Code That Will Be Addressed Through Alternative Means,” and insert thereunder section “6.05-050.F, G Obstruction and occupying more than one seat First Offense or Greater, Warning, referral placement preconditioned removal,

and/or other remedy Placement or Other Remedy”.

The proposed amendment will change the Schedule for section 6-05-050 of the Code to delete the strikethrough words and add the bolded underlined words as follows:

6-05-050	Blocking				
6-05-050.E-G	Obstruction of doors and seats	Warning and/or ejection	Warning and/or ejection	Warning and/or ejection	Warning and/or ejection

6-05-050	Blocking				
6-05-050.F, G	Obstruction of and occupying more than one seat	Warning, referral placement preconditioned removal, and/or other remedy placement or other remedy	Warning, referral placement preconditioned removal, and/or other remedy placement or other remedy	Warning, referral placement preconditioned removal, and/or other remedy placement or other remedy	Warning, referral placement preconditioned removal, and/or other remedy placement or other remedy

The effect of this change would create a new remedy in the Schedule for section (F) reclining on, placing objects on, or blocking a seat, and (G) occupying more than one seat in the form of a warning, referral placement preconditioned removal, and/or other remedy such as to a safe bed, bath, and breakfast location, instead of just an unsafe ejection to nowhere. Subsection (E) preventing a door from closing would remain as a warning or ejection. Security and enforcement personnel would be able to give warnings for all these subsections with a new Schedule remedy addressing violations through alternative means.

We recommend this change.

It is our understanding that there is considerable consensus at Metro that alternative means are desirable and should be utilized as much as possible to assist unhoused persons. Courts have often instructed municipalities not to enforce “no camping” rules on their public property if and until they can offer the campers alternative shelter. While such rulings may not have application to a transit agency, they do serve as instructive in terms of making efforts to link notice of legitimate alternative resources as a precursor to removals.

We understand that Metro is making efforts, in conjunction with the cities, County, and nonprofit entities, to identify, create, communicate, and develop alternatives such as missions and tiny home villages.

This amendment would enable Metro to continue to ask for voluntary compliance via administrative (not criminal) enforcement and provide new alternatives to individuals rather than an unsafe ejection from the system. The use of ambassadors, social workers, and other personnel trained to assist mentally ill or unsheltered persons should be used whenever possible before resorting to law enforcement. Alternatives include referrals to a safe alternative environment. It provides for the development of alternative means to engage with the unhoused population, considering different persons have different needs and reasons for their lack of housing. It embodies the concept that no one should be turned away with no safe alternative remedy.

This amendment would enable Metro to continue to ask for voluntary compliance via administrative (not criminal) enforcement and provide new alternatives to individuals rather than an unsafe ejection

from the system. Alternatives include referrals to a safe alternative environment. It provides for the development of alternative means to engage with the unhoused population, considering different persons have different needs and reasons for their lack of housing. It embodies the concept that no one should be turned away with no safe alternative remedy.

Transit Court has been adaptive in this regard as we have persistently sought to provide our patrons with alternative methods of resolving citations through our Transit School tutorial, installment payment plan programs, and through community service in lieu of the payment of fines. Enforcement personnel may also develop alternative administrative avenues and use these methods if a warning is ineffective, such as through referral or other means.

D. In the Values section of the Code add a new section “6-05-010.C Metro and its representatives shall enforce the Code of Conduct with fairness, equity, civility, compassion and without bias.”

Values

The Customer Code of Conduct was written to communicate with patrons and therefore the Values section was written only to address Metro’s aspirational goals for patrons. Metro has an Employee Code of Conduct for its employees; therefore such remarks are vacant in the Customer Code of Conduct. However, in these times, it may be worthy to note to our patrons that we do have values and expectations for persons enforcing the Code, not just patrons, and so we suggest an insert in the Code to inform about employees, 3rd party law enforcement or security personnel, and any other persons who might be assigned enforcement duties (collectively “Others”), of the values applicable to these Others.

The proposed amendment will change section 6-05-010 of the Code to add a new subsection C. which is the bolded underlined words below:

6-05-010 Values

- A. Patrons shall use the Metro system in a responsible manner to preserve and protect the aesthetics, and promote the longevity, of this essential public resource for greater mobility in LA County.
- B. Patrons shall treat other patrons and Metro representatives with consideration, patience, respect, and civility to allow use, operation, and enjoyment of the Metro system in a safe and gratifying manner for all persons.
- C. **Metro and its representatives shall perform its duties hereunder with fairness, equity, civility, respect, compassion and without bias.**

The effect of this change would add subsection (C) to the Values section of the Customer Code of Conduct and make a statement to directly address that Metro and its representatives will utilize the Code consistent with the Employee Code of Conduct values.

We recommend this addition to the Code.

We believe Metro personnel embrace this concept of values and that there is substantial consensus on this matter.

E. In the Code deleting section “6-05-050.F, G” and relevant sections on the Schedule

The proposed amendment will change section 6-05-050 of the Code to delete the strikethrough words as follows:

6-05-050 Blocking

The following acts are prohibited in Metro facilities and vehicles:

- A. [.....]
- ~~F. Reclining on, placing objects on, or blocking a seat.~~
- ~~G. Occupying more than one seat. [.....]~~

6-05-050	Blocking				
6-05-050.A-E, H, I	Blocking, operating or obstructing Metro vehicle, occupying more than one seat , impeding safe boarding	> 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

6-05-050	Blocking				
6-05-050.E-G	Obstruction of doors and seats	Warning and/or ejection	Warning and/or ejection	Warning and/or ejection	Warning and/or ejection

The effect of this change would delete two subsections; “(F) reclining on, placing objects on, or blocking a seat,” and “(G) occupying more than one seat entirely from the Code and relevant Schedules.”

Approval of this Item E by the Board in the recommendations would be in lieu of, not in addition to, approval of items A through D.

Security and enforcement personnel would no longer have apparent administrative authority to engage persons sleeping and transporting large bags of personal effects on seats from riding the system perpetually with no destination. There would presumably be no enforcement because there would be no Code section to enforce.

This is a topic that we do not find substantial consensus within Metro at this time.

Based on minimal outreach on this matter, the OIG received comments and questions ranging from:

- a desire to see Metro apply a tiered approach and first attempt more effective, appropriate alternative options and methods as discussed in sections A through D herein before resorting to this option.
- expressions of confusion about the purpose and impact on the system that might result from adoption of this option; and whether it abandons those in need.
- when will the Public Safety Advisory Council complete its deliberations and offer suggestions in regard to this matter.
- will it make Metro ineligible for funding to address alternative resources.
- is it contra to our efforts to create Tiny Villages or utilize other resources.
- delete the Code sections because we should not have provisions we don’t enforce.

-
- delete the Code sections because they impact the most vulnerable or certain segments of the population unfairly.

The OIG has not had an opportunity to thoroughly study these questions.

It is the role of the OIG to consider, analyze, comment on, or make suggestions concerning policy (and write it when it concerns the Transit Court or the Code after laws change or input is received from an affected department) but the OIG does not decide and set significant policy on its own that is in dispute and we could not find consensus on this matter, this policy impacts many complex social ills of homelessness and affordable housing, and Metro and the community is experiencing an unprecedented volume of impacts due to the pandemic, therefore we could not recommend this change to eliminate subsections (F) and (G) unless and until the Board provides further instructions on this matter to enable staff to better know the will of and receive the leadership provided by the Board.

FINANCIAL IMPACT

There is no financial or budgetary impact by accepting the report.

EQUITY PLATFORM

In the OIG's opinion we anticipate that approving any of these amendments will promote improved methods of addressing the circumstances of low-income unhoused persons riding the Metro system. Approving Items 1 through D will ensure Metro continues to attempt to address root causes of non-transportation purposed use of the system and has programs for same. Item E may improve unhoused persons access to full time uninterrupted transportation services but may be offset by eliminating promotion of alternative offerings and referrals to those most in need and by impacts to other segments of the ridership. Further study may be necessary to ascertain the impacts as circumstances change, ridership returns, and the pandemic ceases.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Recommendations support the following strategic plan goals:

- Goal 2.1: Metro is committed to improving security.
- Goal 2.2: Metro is committed to improving legibility, ease of use, and trip information on the transit system.
- Goal 3.4: Metro will play a strong leadership role in efforts to address homelessness in LA County.
- Goal 5.3: Metro will develop a transparent data management policy that addresses open data, data storage, and data protections.
- Goal 5.4: Metro will apply prudent commercial business practices to create a more effective agency.
- Goal 5.6: Metro will foster and maintain a strong safety culture.

NEXT STEPS

Following Board approval of the amendments to the Code, Transit Court staff will continue to work with Metro departments to communicate the Code including amendments, in a simple marketing type of presentation as opposed to the ordinance language, to the public to promote awareness, compliance, and enforcement consistent with the Board's approved amendments and the Chief Executive Officer's instructions.

ATTACHMENTS

Attachment A: Code of Conduct Data

Attachment B: Code Amendments
Presentation

Prepared by: Julie Chang, Senior Manager, Metro Transit Court, (213) 922-6881

Reviewed by: Karen Gorman, Chief Hearing Officer, Metro Transit Court, (213) 922-2975



Inspector General/Chief Hearing Officer

6-05-220.B								2	2		1	1									
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2019 Fare Evasion Data

Race	American Indian or Alaskan Native		American Indian or Alaskan Native Total	Asian or Pacific Islander		Asian or Pacific Islander Total	African-American		African-American Total	Hispanic		Hispanic Total	Other		Other Total	Unknown		Unknown Total	White		White Total
	F	M		F	M		F	M		F	M		F	M		F	M				
Citation	4	12	16	50	194	244	1,369	7,377	8,746	663	3,567	4,230	162	829	991	42	169	211	318	1,637	1,955
Warning	2	13	15	41	105	146	433	1,659	2,092	441	1,270	1,711	77	223	300	23	38	61	159	471	630
Grand Total	6	25	31	91	299	390	1,802	9,036	10,838	1,104	4,837	5,941	239	1,052	1,291	65	207	272	477	2,108	2,585

2019 Fare All Others Data

Race	American Indian or Alaskan Native		American Indian or Alaskan Native Total	Asian or Pacific Islander		Asian or Pacific Islander Total	African-American		African-American Total	Hispanic		Hispanic Total	Other		Other Total	Unknown		Unknown Total	White		White Total
	F	M		F	M		F	M		F	M		F	M		F	M				
Citation		1	1	1	8	9	81	590	671	18	248	266	1	26	27	3	3	6	13	100	113
Warning				2	1	3	6	22	28		13	13		2	2				1	10	11
Grand Total		1	1	3	9	12	87	612	699	18	261	279	1	28	29	3	3	6	14	110	124

2019 All Others Data

Race	American Indian or Alaskan Native		American Indian or Alaskan Native Total	Asian or Pacific Islander		Asian or Pacific Islander Total	African-American		African-American Total	Hispanic		Hispanic Total	Other		Other Total	Unknown		Unknown Total	White		White Total
	F	M		F	M		F	M		F	M		F	M		F	M				
Citations		1	1	1	8	9	81	590	671	18	248	266	1	26	27	3	3	6	13	100	113
6-05-040.A					1	1	1	17	18		39	39		1	1					13	13
6-05-050.A							1	4	5		3	3								5	5
6-05-050.B							1	7	8		1	1								2	2
6-05-050.D								4	4		2	2								2	2
6-05-050.E								1	1												
6-05-050.F					2	2	27	180	207	5	61	66		1	1				2	14	16
6-05-050.G					1	1	16	112	128	3	41	44		2	2				6	25	31

2020 Fare Evasion Data

Race	Asian or Pacific Islander		Asian or Pacific Islander Total	African-American		African-American Total	Hispanic		Hispanic Total	Other		Other Total	Unknown		Unknown Total	White		White Total
	F	M		F	M		F	M		F	M		F	M		F	M	
Citation	8	46	54	242	1634	1876	109	735	844	32	259	291	6	36	42	55	411	466
Warning	3	7	10	68	206	274	41	163	204	6	26	32	3	7	10	18	65	83
Grand Total	11	53	64	310	1840	2150	150	898	1048	38	285	323	9	43	52	73	476	549

2020 Fare All Others Data

Race	Asian or Pacific Islander		Asian or Pacific Islander Total	African-American		African-American Total	Hispanic		Hispanic Total	Other		Other Total	Unknown		Unknown Total	White		White Total
	F	M		F	M		F	M		F	M			M		F	M	
Citation	1	4	5	18	110	128	3	52	55	1	6	7		4	4	2	20	22
Warning		1	1	1	3	4	1	1	2		2	2					1	1
Grand Total	1	5	6	19	113	132	4	53	57	1	8	9		4	4	2	21	23

2020 All Others Data

Race	Asian or Pacific Islander		Asian or Pacific Islander Total	African-American		African-American Total	Hispanic		Hispanic Total	Other		Other Total	Unknown		Unknown Total	White		White Total
	F	M		F	M		F	M		F	M			M		F	M	
Citations	1	4	5	18	110	128	3	52	55	1	6	7		4	4	2	20	22
6-05-040.A					2	2		4	4		1	1						
6-05-050.A				2	1	3		1	1									
6-05-050.B								1	1									
6-05-050.E				1		1												
6-05-050.F	1	1	2	5	33	38	1	7	8								5	5
6-05-050.G		1	1	4	25	29	1	10	11		2	2				2	4	6
6-05-050.H								1	1									
6-05-100.A					2	2		2	2									
6-05-100.C					9	9		1	1									
6-05-100.K								1	1									
6-05-100.L				1	16	17		4	4		1	1					1	1
6-05-100.M					1	1												
6-05-110.A		1	1	1	7	8	1	4	5	1	2	3		2	2		4	4
6-05-110.C				1	3	4		2	2									
6-05-120.A		1	1	2	5	7		12	12					1	1		6	6

ATTACHMENT A – LEGISTAR FILE # 2021-0680

CODE AMENDMENTS

LACMTA Administrative Code Penalty Schedule

6-05-050	Blocking				
6-05-050.A-E, H, I	Blocking, operating or obstructing Metro vehicle, occupying more than one seat, impeding safe boarding	> 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

LACMTA Administrative Code Schedule on Violations of the Customer Code That Will Be Addressed Through Ejection

6-05-050	Blocking				
6-05-050.E-G	Obstruction of doors and seats	Warning and/or ejection	Warning and/or ejection	Warning and/or ejection	Warning and/or ejection

LACMTA Administrative Code Penalty Schedule Violations of the Customer Code That Will Be Addressed Through Alternative Means

6-05-050	Blocking				
6-05-050.F, G	Obstruction of and occupying more than one seat	Warning, referral placement placement or other remedy	Warning, referral placement placement or other remedy	Warning, referral placement placement or other remedy	Warning, referral placement placement or other remedy

LACMTA Administrative Code section 6-05-010

6-05-010 Values

- A. Patrons shall use the Metro system in a responsible manner to preserve and protect the aesthetics, and promote the longevity, of this essential public resource for greater mobility in LA County.
- B. Patrons shall treat other patrons and Metro representatives with consideration, patience, respect, and civility to allow use, operation, and enjoyment of the Metro system in a safe and gratifying manner for all persons.
- C. **Metro and its representatives shall perform its duties hereunder with fairness, equity, civility, respect, compassion and without bias.**

LACMTA Administrative Code section 6-05-050

6-05-050 Blocking

The following acts are prohibited in Metro facilities and vehicles:

- A. [.....]
- ~~F. Reclining on, placing objects on, or blocking a seat.~~
- ~~G. Occupying more than one seat. [.....]~~

LACMTA Administrative Code Penalty Schedule

6-05-050	Blocking				
6-05-050.A-E, H, I	Blocking, operating or obstructing Metro vehicle, occupying more than one seat , impeding safe boarding	> 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

LACMTA Administrative Code Schedule on Violations of the Customer Code That Will Be Addressed Through Ejection

6-05-050	Blocking				
6-05-050.E-G	Obstruction of doors and seats	Warning and/or ejection	Warning and/or ejection	Warning and/or ejection	Warning and/or ejection



Metro

CUSTOMER CODE OF CONDUCT AMENDMENTS TRANSIT COURT

Karen Gorman

Inspector General / Chief Hearing Officer
Office of the Inspector General / Transit Court

November 18, 2021



Metro

Code Amendments

- A. *In the Penalty Schedule, replace “6-05-050.A-I” with “6-05-050.A-E, H, I”*
- B. *In the Schedule concerning Violations of The Customer Code That Will Be Addressed Through Ejection, replace “6-05-050.E-G” with “6-05-050.E”*
- C. *In the Schedule insert a new section “Violations Of The Customer Code That Will Addressed Through Alternative Means,” and insert thereunder “6.05-050.F, G Obstruction and occupying more than one seat First Offense or Greater, Warning and / or Referral”*
- D. *In the Values section of the Code add “6-05-010.C Metro and its representatives shall enforce the Code of Conduct with fairness, equity, civility, compassion and without bias.”*



Metro

Code Amendments

E. Within the Code deleting “6-05-050.F, G” and relevant sections on the schedule

The proposed amendment will change section 6-05-050 of the Code to delete the strikethrough words and add the bolded underlined words as follows:

6-05-050 Blocking

The following acts are prohibited in Metro facilities and vehicles:

A. [.....]

~~F. Reclining on, placing objects on, or blocking a seat.~~

~~G. Occupying more than one seat. [.....]~~



Metro

TRANSIT CITATIONS

ISSUANCE	
YEAR	CITATION COUNT
FY13	100,937
FY14	82,892
FY15	58,102
FY16	29,524
FY17	19,494
FY18	63,122
FY19	31,650
FY20	12,680
FY21	7



Board Report

File #: 2021-0694, **File Type:** Federal Legislation / State Legislation (Position)

Agenda Number: 34.

EXECUTIVE MANAGEMENT COMMITTEE NOVEMBER 18, 2021

SUBJECT: 2022 LEGISLATIVE PROGRAM

ACTION: APPROVE STAFF RECOMMENDATIONS

RECOMMENDATION

CONSIDER:

- A. RECEIVING the State and Federal Legislative Report;
- B. ADOPTING the proposed 2022 Federal Legislative Program as outlined in Attachment A; and
- C. ADOPTING the proposed 2022 State Legislative Program as outlined in Attachment B.

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. Pursuant to the goals outlined in the Long-Range Transportation Plan (LRTP), Equity Platform, Vision 2028 Plan, and other board directives, we will continue to evaluate and consider long term strategic advocacy and legislative goals for the agency as outlined in the plan. We will continue to work with the implementing departments within Metro to develop the broader objectives and will bring to the Board authorization to pursue additional specific measures as they become sufficiently developed and ready for pursuit through legislative processes.

DISCUSSION

Policy Implications

The role of the legislative program is to clearly define Metro's goals and objectives by securing necessary legislative authority, program funding and regulatory actions needed at the state and federal levels. The program provides policy direction to our advocacy activities in Sacramento, C.A. and Washington, D.C. To achieve these important goals, Government Relations staff will implement a long-term legislative strategy of consensus building and coordination with transportation stakeholders throughout Los Angeles County, the State of California and with Federal officials. The Legislative Program directs staff to monitor and engage in a number of legislative and advocacy efforts. The [Government Relations Legislative Matrix <http://libraryarchives.metro.net/DB_Attachments/211105-November%202021%20-%20LA%20Metro%20Legislative%20Matrix.pdf>](http://libraryarchives.metro.net/DB_Attachments/211105-November%202021%20-%20LA%20Metro%20Legislative%20Matrix.pdf), which is updated and

presented to the Board monthly, highlights a number of bills of interest to the agency.

Federal Recap

In 2021, our agency continued to aggressively pursue our Board-approved federal legislative priorities in Washington, DC. Federal transportation programs continued to be administered under the latest surface transportation authorization bill, the Fixing America's Surface Transportation Act (FAST Act), which was signed into law on December 4, 2015 and has since been extended by the 117th Congress.

Congress is considering the Infrastructure Investment and Jobs Act (IIJA), which not only reauthorizes federal surface transportation programs at much higher funding levels for the next five years, but includes an additional \$548 billion in new funding to address a broad spectrum of infrastructure needs. IIJA provides historic investments in roads, bridges, rail, transit, airports, ports and waterways while helping the nation rebuild its electric grid, upgrade broadband infrastructure, improve access to safe drinking water, deploy electric vehicles and buses, improve disaster resilience, and much more.

Of particular interest to Metro, the bill significantly increases funding provided through key discretionary and formula grant programs such as Capital Investment Grants, Buses and Bus Facility Grants, Low or No Emission Bus Grants, State of Good Repair Grants, and Urbanized Area Formula Grants. In the coming weeks and months, Metro staff will be actively engaged with the Biden-Harris Administration to ensure the agency's interests are represented as they begin to administer discretionary funds, develop new programs established through IIJA, and issue policy guidance.

Moving in parallel to the IIJA legislation has been a comprehensive budget reconciliation bill, referred to as the Build Back Better Act, which would fund a number of social spending priorities not included in the "hard infrastructure" IIJA bill. We are pleased to report that, with support from the Board and Chair Solis in particular, the bill currently includes \$10 billion in grants to support the provision of fare-free and reduced-fare transit, new transit routes, expansion of service areas, and improved frequency on existing routes. The bill also includes \$10 billion for high-speed rail. As of this writing, Congressional Democrats have agreed to a legislative framework amounting to approximately \$1.75 trillion, though final details of the bill are still being negotiated. Staff will continue to engage with stakeholders in Washington, DC to ensure Metro-supported provisions remain in the final legislation.

The annual appropriations process in Washington, DC continues to be the subject of disagreement, and again Congress missed its annual September 30 deadline to pass a budget for Fiscal Year 2022 to fund the various federal agencies and programs. While the U.S. House of Representatives approved nearly all its 12 annual appropriations bills - including the Transportation, Housing, and Urban Development Appropriations Bill - the U.S. Senate was unable to approve any of their annual appropriations bills. As of the writing of this report, the Federal Government is operating on a Continuing Resolution through December 3, 2021. Metro continues to work closely with our Los Angeles County Congressional Delegation to advocate for the priorities included in the House and Senate Appropriations bills that would benefit our agency.

Lastly, Metro is working hard in Washington, DC to successfully advance our major transit capital

projects through the Capital Investment Grant program. Staff has been engaged in preliminary advocacy with Congressional offices and the Biden-Harris Administration for each of these projects throughout 2021, and we will initiate much more active engagement upon submission of each of these projects to the Federal Transit Administration. With regard to the Westside Purple Line Extension, we successfully advocated for \$100 million in annual appropriations for each of the project's three operating segments in Fiscal Year 2021 and anticipate the same level of investment in Fiscal Year 2022. In 2022, Metro will continue to aggressively prioritize and strongly advocate for our transit projects to receive funding through the Capital Investment Grant Program.

Through all of our efforts in Washington, DC, Metro continues to incorporate equity as a central component of our work. Metro staff has been engaged in an active dialogue with the Biden-Harris administration as they begin to roll out their Justice40 Initiative, with the goal of delivering 40 percent of the benefits from federal investments to disadvantaged communities across the United States.

Metro will continue to work closely with the Administration, the U.S. Department of Transportation and Congress to leverage our local funding to advance transit, highway, and other effective mobility projects across Los Angeles County. The complete 2022 Federal Legislative Plan is outlined in Attachment A.

State Recap

During the 2021 State Legislative Session, the California Legislature and Governor Newsom were primarily focused on recovery from the ongoing COVID-19 pandemic and responding to wildfires. To respond to the rapidly changing nature of the pandemic, the Legislature continued to operate on a modified basis, reducing the number of measures each Assemblymember and Senator could carry, and severely limiting in-person attendance at hearings, while allowing the public and witnesses to provide virtual testimony. The legislature passed a number of proposals that focused on that state's climate change goals, transportation projects, workforce recovery, and funding to support efforts to end homelessness.

The 2021 budget process operated under vastly different conditions to the uncertainty that overshadowed the 2020 process. In January, the Governor's budget proposal assumed a \$34 billion budget resiliency, that included reserves as well as a surplus. The May Revision included changes to the Governor's budget that reflected an unprecedented budget surplus, amid improving economic conditions. The May Revision included an \$11 billion investment in the state's transportation system, including \$1 billion for projects specifically tied to the 2028 Olympic and Paralympic games in Los Angeles.

Metro staff continued to engage in the budget process through working with members of the LA County Delegation in order to ensure that LA County would receive its proportionate share of transportation resources. In May, Metro issued a budget letter to the state legislature, outlining the agency's major budget priorities. These priorities included funding for capital projects, boosting zero-emission vehicle programs, supporting programs that help the unhoused, building sound walls in equity focus communities, and allocating funds to support a fareless transit system for low-income riders and students.

In early September, members of the Los Angeles County Senate and Assembly delegation issued a letter to the Budget Chairs specifically requesting a significant allocation of budget surplus funds for transit capital projects in LA County. However, negotiations with respect to the transportation budget and particularly the High-Speed Rail project stalled, and the end of session passed without the legislature passing a transportation-specific budget. Following this, Speaker Anthony Rendon (D-Lakewood) and Chair of the Assembly Transportation Committee Laura Friedman (D-Glendale) issued a joint letter to the Governor, expressing their desire to continue negotiations, and urged an additional \$3 billion for LA County transit projects, in addition to the \$1 billion from the Governor's May Revision. Budget negotiations will resume in January, and Metro will continue to engage with the legislature to ensure that the County receives proportionate funding.

There was a deadline of October 10, 2021 for the legislature to decide on a budget deal that would be outlined in state law; however, a transportation budget was not agreed upon by the end of the session. The Governor's proposal also included a significant amount of potential new funding for the High-Speed Rail project - \$4.2 billion. Without a final agreement - the funds proposed in the Governor's proposal reverted to the General Fund. There will be an opportunity to act to secure those funds in the coming months. Staff is actively advocating for funding to support a number of Metro's priorities as directed by the Board.

Funding that Metro would receive in a future state transportation budget package would be allocated to Metro projects that bring transportation equity to communities, improve air quality, reduce vehicle miles travelled and increase transit ridership. In 2021, the state considered a package that included:

- \$1 billion Olympics readiness transit funding
- \$1 billion in Transit and Intercity Rail Capital Funding
- \$500 million Active Transportation Program Funding
- \$500 million for Grade Separations and Intercity Rail Improvements
- High Speed Rail Funding

In the 2021 legislative session, our advocacy efforts also focused heavily on Board-directed State Legislative Program goals, as well as several proposals that would have impacted Metro programs. Metro's 2021 State Legislative priorities focused on sponsoring bills that would create the authority to use photo enforcement of parking violations in bus-only lanes, make it easier for Metro to use alternative project delivery methods, and streamline the CEQA judicial review process for Metro's Pillar Projects, as well as continue to advocate for increased transportation funding for Los Angeles County.

Metro was successful in advocating for the passage of three sponsored measures. The advocacy efforts around each bill included stakeholder support and collaboration that helped to advance each measure. Staff would like to acknowledge the Board in its forward thinking and support of the measures. Staff would also like to note that the diligent staff support from the Countywide Planning, Office of Extraordinary Innovation, County Counsel, Operations, Human Capital & Development departments was integral to the success of the measures and coalition building efforts. The bills are summarized below:

- **Senate Bill 44 (Allen)** - Will streamline the CEQA judicial review process for certain environmental leadership transit projects. The law will take effect on January 1st, 2022.
- **Assembly Bill 811 (L. Rivas)** - Will clarify an existing statute that allows LA Metro to expedite projects using alternative delivery methodologies. The law will take effect on January 1st, 2022.
- **Assembly Bill 917 (Bloom)** - Will allow transit agencies statewide to install front-facing cameras on buses to capture parking violations in transit-only lanes. The law will take effect on January 1st, 2022.

Below is a summary of the major legislation relevant to Metro's work that moved through the legislative process this year.

- **SB 671 (Gonzalez)** - Will require the California Transportation Commission and related state agencies to develop a statewide Clean Freight Corridor Efficiency Assessment and incorporate recommendations from the Assessment into their programs for freight infrastructure. This bill was formally supported by the Board. The law will take effect on January 1st, 2022.
- **AB 43 (Friedman)** - Will allow Caltrans and local jurisdictions greater flexibility to set lower speed limits on local streets, based on Vision Zero recommendations. This bill was formally supported by the Board. The law will take effect on January 1st, 2022.
- **AB 550 (Chiu)** - This bill would have established a Speed Safety System Pilot Program and was formally supported by the Board as a Vision Zero measure. The bill was held in the Assembly Appropriations Committee in May.
- **SB 17 (Pan)** - Would establish a statewide Office of Racial Equity and was formally supported by the Board. The bill was held in the Assembly Appropriations Committee in August.

Metro staff were also regularly engaged in discussions around bills for public employers that would have impacted our workforce and operations. The list below outlines some of the bills that Metro monitored through the legislative process and provided technical feedback to the author.

- **AB 361 (R. Rivas)** - Will allow state and local agencies, including Metro, to meet remotely during certain declared states of emergency, including the current one related to the COVID-19 pandemic. This codified an Executive Order signed by Governor Newsom that expired on September 30, 2021. The bill included an urgency clause and took effect on October 1, 2021.
- **SB 674 (Durazo)** - Would create a new statewide requirement for workforce development on certain transportation contracts. A coalition convened by the California Transit Association is working to ensure that the bill aligns with workforce development programs and transit agencies statewide, staff is engaged in discussions to support the provisions of Metro's WIN-LA and procurement programs that could be affected. The bill was converted into a two-year

bill and will be brought back in the next year.

An additional priority for Metro's ongoing advocacy efforts includes the need to provide certainty and stability to our power supply as we work to meet the agency's ambitious Zero-emission Bus Plan. Most recently, staff has worked to clarify Metro's Essential Use Designation to ensure power supply in the event of a major event or power shutoff. Next year, staff will work to engage the California Public Utilities Commission (CPUC) on these issues and will continue to ensure that statewide policy decisions do not hinder the final plans for the Zero-emission Bus Plan roll out.

Metro's State Advocacy strategy continues to include a robust outreach and communications plan to inform and engage the members of the Los Angeles County State Assembly and Senate delegation, in support of the Board-adopted Legislative program, Equity Platform, Vision 2028, Customer Experience Plan, Zero-Emission Bus Plan and LRTP goals. State advocacy efforts will also continue to support Metro's Planning Department policies and programs to secure discretionary and formula funding under Senate Bill 1 for Los Angeles County as administered by the CTC. Staff will also engage in discussions and advocate for state policies and funding opportunities as the Board approves directives to implement new initiatives that would address Metro's goals to implement the Equity Platform, Fareless System Initiative, Better Bus, and Affordable Housing.

In addition to the above, staff will be working to address a variety of other specific policy issues in the Legislative process, budget process as well as in various administrative processes in Sacramento (the entire 2022 State Legislative Program is outlined in Attachment B). These include but are not limited to:

- Advocating for \$1 billion in Olympics readiness funding for Metro's program of infrastructure improvements;
- Sponsoring legislation to authorize Metro to use job-order contracting in procurements;
- Explore and potentially sponsor legislation that would streamline and increase small business participation in Metro's procurements;
- Supporting legislative changes that would enhance Metro's TAP implementation and smart card system to allow for ease of access for determining eligibility for low-income riders;
- Explore and potentially sponsor legislation that would clarify provisions of state law that impact Metro's real property transactions and ground leasing for TOC developments, affordable housing and other uses.
- Working with the California Public Utilities Commission and the California Air Resources Board to advance Metro's Zero Emission Bus Program;
- Working with the Gubernatorial Administration and key leadership in ensuring that the Governor's Executive Orders on Sustainability align with Metro's plans; and
- Supporting the allocation of cap and trade funds to Los Angeles County.

With Board approval, the 2022 State and Federal Legislative advocacy platform goals will guide Metro staff as we work with leadership in Sacramento and Washington, DC to advance the priorities outlined by the Board and CEO to secure policy reforms and funding for the agency.

EQUITY PLATFORM

Outlining Metro's policy priorities to leadership in Sacramento and Washington, DC is an important tool in creating equitable transportation and economic outcomes for riders of the diverse communities of Los Angeles county. The adoption of the 2022 State and Federal Legislative Program goals could have a positive impact in moving policy forward that supports more equitable investments and services throughout LA County.

Ensuring that Metro's advocacy efforts are effective and equitable requires regular assessment of equity impacts for specific measures and proposals. Staff will continue to work with partners in the Office of Civil Rights, Racial Equity, and Inclusion on a regular basis to strategically communicate Metro's commitment to equitable transportation decision-making in our advocacy efforts.

DETERMINATION OF SAFETY IMPACT

Approval of this item will not have an impact on safety.

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 (virtual) 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 and with officials in the Biden-Harris Administration. 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. Metro looks forward to being an active stakeholder as the Administration moves to implement the Infrastructure Investment and Jobs Act.

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 Director, 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 engage in strategic advocacy and legislative efforts related to a number of transportation issues and inform the Board of those efforts. 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 and Measure M projects as well as leverage Measure R and Measure M funds for additional state and federal transportation resources, and to form a coalition to protect state revenues.

The second year of the 2021-2022 State Legislative Session will commence on January 3rd, 2022. The U.S. House of Representatives and U.S. Senate are currently in session.

ATTACHMENTS

Attachment A - 2022 Federal Legislative Program

Attachment B - 2022 State Legislative Program

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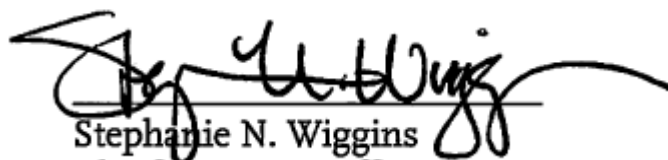
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Stephanie N. Wiggins
Chief Executive Officer

2022 FEDERAL LEGISLATIVE PROGRAM

GOAL #1: BUILD FEDERAL SUPPORT FOR METRO'S AMBITIOUS CAPITAL PROGRAM

Ongoing Activities:

Consistent with the Board-adopted Federal Legislative Program – Metro Government Relations has aggressively and successfully worked to back Congressional efforts to increase Federal Funding for the Capital Investment Grant (CIG) Program – the primary Federal program to fund new transit capital projects.

If adopted – the Infrastructure Investment and Jobs Act (adopted by the Senate on August 10, 2021 and pending in the House) would double federal funding for the CIG Program. Funding authorized for the program would rise from approximately \$2.3 billion annually to \$4.6 billion annually to help construct new transit capital projects – like the West Santa Ana Branch Project and our other priority New Starts projects identified in a Board Report (15) and Motion 15.1 adopted by the full Board on April 22, 2021.

Metro Government Relations staff has and will continue to be engaged in advocacy efforts with Congressional offices and the Biden-Harris Administration for each of these projects throughout 2021, and we will initiate active strategies of engagement upon submission of each of these projects to Federal Transit Administration (FTA).

Over the last decade, our agency has been a national leader in securing federal funding through the CIG Program.

Proposed Activities:

In 2022, Metro will continue to aggressively prioritize and strongly advocate for our agency's New Starts transit capital projects to receive funding through the CIG Program – working in concert with all relevant stakeholders across Los Angeles County. Consistent with the Metro Board direction on April 22, 2021, we will prepare detailed action plans to smartly and effectively advance our New Starts projects as they enter into the FTA's Capital Investment Grant Program – including but not limited to – the Project Development phase.

GOAL #2: CONTINUE TO ACTIVELY SUPPORT THE BIDEN-HARRIS ADMINISTRATION'S JUSTICE40 INITIATIVE – CREATING FEDERAL POLICIES THAT PROMOTE EQUITY AND BRING FEDERAL RESOURCES TO LOS ANGELES COUNTY IN SUPPORT OF EQUITABLE OUTCOMES

Proposed Activity:

Continue our agency's leadership in working with the Biden-Harris Administration and the Los Angeles County Congressional Delegation to build awareness among federal policymakers about existing inequalities in our region and the potential for Metro projects and programs to provide access to opportunity. Using this equity lens, we will seek to encourage federal investments to benefit disadvantaged communities across Los Angeles County.

Maintain our positive and content rich work with the Biden-Harris administration as they continue to roll out their Justice40 Initiative, with the goal of delivering 40 percent of the benefits from federal investments to disadvantaged communities across the United States.

GOAL #3: WORK TO ADVANCE FEDERAL POLICY AND FUNDING OPPORTUNITIES IN SUPPORT OF METRO'S FARELESS SYSTEM INITIATIVE

Proposed Activities:

Continue to be a national leader in advocating for pending legislation that would establish grants in support of fare-free and reduced-fare transit programs. In 2021, Metro successfully advocated for the inclusion of such funding as part of a new discretionary grant program (Affordable Housing Access Program) included in the Build Back Better Act. Staff will work with all relevant stakeholders across Los Angeles County to aggressively pursue federal funding for fare-free and reduced-fare transit services across Los Angeles County should this provision be enacted into law.

GOAL #4: SECURE DISCRETIONARY GRANT FUNDING FROM MAJOR USDOT GRANT PROGRAMS

Proposed Activities:

As federal grant and formula programs are poised to grow demonstrably under the Infrastructure Investment and Jobs and Build Back Better Acts, organize strategic advocacy plans in coordination with local and regional stakeholders as well as Los Angeles County's Congressional Delegation to demonstrate strong support for grant applications that Metro submits to the U.S. Department of Transportation. These grant applications would be for, but not limited to, the INFRA Grant Program, RAISE Grant Program, Bus and Bus Facilities, and the Low/No Grant Program.

GOAL #5: WORK CLOSELY WITH THE BIDEN-HARRIS ADMINISTRATION AND USDOT ON REGULATIONS AND PROPOSED RULEMAKING THAT IMPACTS METRO

Proposed Activities:

As the Biden-Harris Administration works to implement the Infrastructure Investment and Jobs Act and the Build Back Better Act, staff will continue to work to ensure Metro's interests are well represented. This includes close coordination and submission of public comments, direct communication with agencies and agency officials, and encouraging Congressional involvement to help us accomplish our goals.

GOAL #6: WORK WITH THE U.S. DEPARTMENT OF TRANSPORTATION TO SUCCESSFULLY COORDINATE ON THE 2028 U.S. OLYMPIC AND PARALYMPIC GAMES BEING HELD IN LOS ANGELES

Proposed Activities:

Historically, the U.S. Department of Transportation has played a vital role in assisting and coordinating with regional transportation agencies to ensure enhanced mobility during Olympic and Paralympic Games held in the United States. Metro will work with officials at the White House and the U.S. Department of Transportation to ensure the free flow of information on the opportunity for the federal government to fund the many mobility enhancing projects being built and being planned across Los Angeles County by our agency.

GOAL #7: SEEK TO PERMANENTLY RESTORE OBAMA-ERA REFORMS TO FEDERAL LOCAL HIRE RULES

Proposed Activities:

Work with the Biden-Harris Administration, Congress and other relevant stakeholders to permanently restore Obama-era Local Hire reforms. Included in this effort would be our agency making the case that local hire programs do not impact competition based on evidence from Metro's experience with the Local Hire Pilot Program.

GOAL #8: CONTINUE TO WORK WITH METROLINK TO SUPPORT FUNDING FOR STATE OF GOOD REPAIR AND CORE CAPACITY PROJECTS

Proposed Activities:

Work to support Metrolink's Board-approved State of Good Repair and Core Capacity project list by ensuring federal funding is applied to these important projects. Support legislation and funding programs that promote the accelerated certification of new rail vehicle technologies, prioritizing zero emission propulsion, and pilot programs which test

their viability, and pursue funding opportunities to deploy such technology whenever and wherever they become available.

GOAL #9: ADVOCATE FOR POLICIES AND FUNDING TO ASSIST IN HELPING THE COUNTY REDUCE HOMELESSNESS

Proposed Activity:

Consistent with Board directives, Metro will support legislation, initiatives, and programs for additional funding, services, and resources to address the homelessness crisis, including any opportunities for direct assistance to Metro and our partner agencies.

GOAL #10: SUPPORT LEGISLATIVE ACTIONS THAT WILL IMPACT METRO'S ABILITY TO IMPLEMENT VISION 2028

Proposed Activities:

The Metro Vision 2028 Plan is the agency-wide strategic plan that creates the foundation for transforming mobility in LA County over the next 10 years. Future advocacy efforts will be guided by the Board-approval of the specific Vision 2028 activity.

Monitor legislation that would impact Metro's ability to implement the strategic goals outlined in Vision 2028, and Support legislation and initiatives that would increase Metro's ability to implement Vision 2028.

GOAL #11: WORK TO REFORM FEDERAL LAW TO PERMIT LOCAL PREFERENCE WITH RESPECT TO PROCUREMENTS

Proposed Activities:

Federal law (49 CFR § 661.21) currently prohibits the use of local procurement preferences on FTA-funded projects. In addition to this specific prohibition, the principle of federal preemption applies, whereby any provision of state/local law that contradicts a governing federal provision will be preempted by the federal provision when applicable. It is our understanding that any buy local procurement preference would violate broadly applicable Buy America requirements - which set forth a national preference instead of a local preference. The relevant USC provisions are 49 USC 5323(j) and 23 USC 313.

Given the Board's adoption of a motion regarding Local Preference on October 21, 2021, Metro Government Relations will endeavor to change federal law to specifically allow buy local procurement provisions to be used alongside generally applicable Buy America provisions.

GOAL #12: CONTINUE TO WORK TO BRING A PERMANENT CENTER OF TRANSPORTATION EXCELLENCE INDUSTRIAL PARK TO LOS ANGELES COUNTY

Proposed Activities:

Work to encourage federal support for our CEO's goal of creating a Center of Transportation Excellence within Los Angeles County – which would result in having a rolling stock production facility in Los Angeles County. Our agency will, consistent with the relevant Los Angeles County Board of Supervisors resolutions, closely collaborate with Los Angeles County's CEO and their professional staff, in addition to other municipal leaders, in identifying viable locations, both short and long-term, for an industrial complex to potentially include rail and bus manufacturing plant in Los Angeles County. This complex may also include, but not be limited to, suppliers of rail and bus parts, a rail test track and a climate-controlled facility for testing purposes.

GOAL #13: ADDITIONAL PRIORITIES

Proposed Activities:

1. Work to mitigate impacts of the US Department of Labor determination regarding PEPRA in coordination with all relevant state and federal partners;
2. Per Board direction, seek to secure federal funding for a I-710 South Clean Truck Program;
3. Work to ensure that any legislation adopted by Congress and signed into law by the President concerning autonomous vehicles does not compromise safety by weakening state and local traffic laws;
4. 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;
5. Work with the Administration to avoid negative impacts as a result of implementation of tariffs on steel and various rolling stock parts and materials;
6. Work to support funding for active transportation such as bikeshare and other first/last mile mobility solutions;
7. Work with USDOT – consistent with Board policy – to address congestion pricing opportunities with respect to potential funding and regulations;
8. Work with Congress to allow art and non-functional landscaping expenses related to transit projects to be eligible for federal funding;

9. Support legislation that would create new financial incentives to facilitate the development of affordable housing around transit;
10. Seek to ensure tax benefits and credits that are important to Metro remain in the U.S. tax code.
11. Monitor and support legislation that would authorize the cities and unincorporated areas of Los Angeles County to develop and implement strategies to reach Vision Zero goals of improving safety and eliminating traffic-related fatalities.

2022 STATE LEGISLATIVE PROGRAM GOALS

GOAL #1: ENSURE THE STATE CONTINUES TO SECURE, PROTECT, AND FULLY FUND THE MAJOR TRANSPORTATION PROGRAMS

Proposed Activities:

Protect Metro's key fund sources to deliver and advance equitable transportation options;

Secure proportionate share of state fund allocations under the various transportation funding programs created and expanded under the provisions of Senate Bill 1 for Los Angeles County;

Support and preserve key funding sources under Senate Bill 1;

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

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

Oppose any legislation and/or statewide initiatives that would jeopardize funding or repeal key components of Senate Bill 1.

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

Proposed Activities:

Support transportation funding proposals and ensure that they are structured to support Metro's priority projects, initiatives and programs;

Work with statewide partners on any efforts to develop new transportation-related fees or taxes to fund mobility improvements in Los Angeles County;

Support legislation that authorizes, clarifies or expands the implementation of innovative funding mechanisms for regional transportation planning agencies and the County of Los Angeles;

Support legislation that protects Metro’s authority to collect dedicated local sales tax revenues and clarifies the State’s implementation of the Wayfair Decision;

Monitor the California Department of Tax and Fee Administration’s efforts to implement the Wayfair Decision; and

Support legislation that would enhance opportunities for Opportunity Zones, Value Capture or related concepts and mechanisms to fund transportation infrastructure or promote Transit-Oriented Developments and Metro’s Transit Oriented Communities strategy.

GOAL #3: WORK TO ENSURE IMPLEMENTATION OF METRO’S BOARD-ADOPTED LONG-RANGE TRANSPORTATION PLAN (LRTP)

Proposed Activities:

Pursue strategies and funding opportunities to implement the various modal programs in the Board-adopted LRTP;

Work to secure additional funds through the various state funding programs including but not limited to, Local Partnership Program, Active Transportation Program, Solutions for Congested Corridors Program, State Highway Maintenance and Rehabilitation Program, Transit and Intercity Rail Capital Program, Low Carbon Transit Operations Program, State Transportation Improvement Program, State Highway Operations and Preservation Program, freight corridor programs and bond funds;

Support legislation that would better position Metro to receive funding through various state programs; and

Support legislation that facilitates and/or clarifies the use of public private partnerships and other innovative project delivery mechanisms for transit projects.

GOAL #4: SUPPORT LEGISLATION, REGULATORY ACTION, AND FUNDING INITIATIVES THAT SUPPORT TRANSIT RIDERS AND ENHANCE THE CUSTOMER EXPERIENCE

Proposed Activities:

Support legislation, initiatives, and programs for additional funding, services and resources to address the homelessness crisis, including any opportunities for direct assistance to Metro and our partner agencies;

Monitor legislation and funding opportunities that impact and incentivize the development of affordable and transit-adjacent housing;

Support any efforts to increase funding and expand eligibility to transit agencies to aid in the fight to end homelessness;

Support legislation that incorporates elements of Metro's transit-oriented communities strategies in regional housing planning and development;

Increase flexibility for Metro to deliver transit-supportive, community supported, and neighborhood appropriate uses;

Support legislation that would support or expand Los Angeles County's existing Commuter Benefits Programs;

Support legislation, regulation, and state budget action that support Metro's goals of eliminating disparities, meaningfully engaging communities, advancing equitable outcomes, and increasing access and mobility options for marginalized and vulnerable people;

Support legislation and explore potential funding mechanisms that would impact Metro's ability to implement the goals and objectives in studies currently underway at Metro, such as the Better Bus Initiative and improving the customer experience; and

Support legislation to support the implementation of a fareless transit system.

GOAL #5: SUPPORT EFFORTS TO IMPROVE SAFETY AND IMPROVE SERVICE 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 legislation and actions that would benefit Metrolink's SCORE program of capital projects;

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 legislation and funding programs that promote the accelerated certification of new rail vehicle technologies, prioritizing zero emission propulsion, and pilot programs which test their viability, and pursue funding opportunities to deploy such technology whenever and wherever they become available.

GOAL #6: MAXIMIZE OPPORTUNITIES FOR FUNDING LOS ANGELES COUNTY'S TRANSPORTATION PROJECTS AND PROGRAMS THROUGH IMPLEMENTATION OF THE STATE'S CAP AND TRADE PROGRAMS

Proposed Activities:

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

Support Legislation that would allocate additional Cap & Trade funds to support key Metro priorities, such as Metro's transit capital and operations program, fare-free transit, zero-emission bus conversion, and zero-emission vehicle charging infrastructure expansion, including funding to support zero-emission trucks in heavily-traveled freight corridors.

GOAL #7: 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, SB 743, and SB 375 (including sustainable community strategies and related initiatives/ documents);

Work in partnership with the Governor's Office of Planning and Research (OPR), California Air Resources Board (CARB), California Transit Association (CTA), California Energy Commission (CEC), Strategic Growth Council (SGC), Southern California Air Quality Management District (SCAQMD) 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 fund programs affecting environmentally sensitive stakeholders and clean air programs in our region, particularly with regards to regional transit planning, construction, and procurement efforts;

Support legislation that would allocate funding for climate resiliency planning and implementation for transit;

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;

Advocate for funding for Metro's first/last mile, bike and pedestrian projects under the State's Active Transportation and Local Planning Grants programs;

Monitor and support legislation that would authorize the cities and unincorporated areas of Los Angeles County to develop and implement strategies to reach Vision Zero goals of improving safety and eliminating traffic-related fatalities; and

Support new and existing initiatives that complement the development and subsequent implementation of Metro's Zero-Emission Bus Strategic Plan and other Board directives.

GOAL #8: ACTIVELY WORK WITH STATE, REGIONAL AND LOCAL TRANSPORTATION INTERESTS AND ENHANCE TRANSPORTATION AND INFRASTRUCTURE FUNDING AND PROGRAMS STATEWIDE

Proposed Activities:

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) and other important transportation projects and programs;

Work with other agencies and the State to seek remedies to increase funding for Metro's Freeway Services Patrol (FSP) operations;

Support formula distribution of the State's FSP program funding that addresses Los Angeles County's population, congestion levels and service performance;

Oppose any efforts to modify Senate Bill 1 (Beall, 2017) programs that would reduce funding for Los Angeles County;

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

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

GOAL #9: SUPPORT LEGISLATIVE AND REGULATORY ACTIONS THAT ENHANCE AND PROTECT METRO'S ABILITY TO DELIVER INNOVATIVE 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;

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;

Support legislation that would support or enhance Metro's long-term plans for energy resiliency;

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

Support initiatives and legislation to enhance Metro's ability to ensure safety of development and construction activities within or adjacent to Metro's infrastructure and right-of-way, in coordination with local municipalities, developers, and utility companies.

Monitor the implementation of pension reform (PEPRA) so that Metro is able to maintain federal funding, a stable work force, and ensure adequate succession planning;

Monitor the implementation of AB 5 (Gonzalez, 2019) and continue to evaluate the potential impacts on Metro's programs and services.

Support legislative efforts that would provide certain exemptions for the taxicab industry and disabled access transportation operators from the provisions outlined in AB 5 (Gonzalez, 2019);

Monitor regulations and legislation that would clarify the State's distribution of sales tax revenues to Los Angeles County and Metro;

Coordinate with regional partners and monitor the State's autonomous vehicle regulations and ensure that federal, state and local regulations are aligned;

Support efforts to enhance the use of electronic fare payment or smart card technology and allow for ease of access for qualification for low-income riders;

Support legislation that would authorize and promote the use of technology to enhance safety, security and operations for our bus and rail operations; and

Support legislation and funding opportunities that enhance Metro's ability to deliver the transformative transportation infrastructure and operational enhancement projects needed in Los Angeles County to support the mobility of the region in the 2028 Olympic & Paralympic Games.

GOAL #10: OPPOSE ANY LEGISLATION THAT COULD NEGATIVELY IMPACT METRO'S ABILITY TO OPERATE THE EXPRESSLANES PROGRAM AND SUPOORT LEGISLATION THAT ALLOWS FOR FUTURE EXPRESSLANES EXPANSION AND OTHER PRICING STRATEGIES

Proposed Activities:

Support legislation that -

1. Encourages development and utilization of regulations and technologies that would enhance the ability to verify vehicle occupancy and toll collection/payment.
2. Enhances Metro's ability to enforce the ExpressLanes Board adopted toll policy.
3. Amends or clarifies California vehicle code sections to authorize Metro to establish and enforce occupancy requirements in the ExpressLanes;
4. Amends Streets and Highways codes that impact Metro's ability to perform toll related functions including interoperability with other California toll agencies.
5. Supports and enables Metro's ability to expand Metro's ExpressLanes network upon Board approval.
6. Provides clarification of AB 194 regarding roles and responsibilities of Metro and Caltrans.
7. Supports and authorizes flexibility in how net toll-revenues are re-invested in support of an expanded corridor network of ExpressLanes in Los Angeles County.
8. Explore and support legislation that would authorize Metro to expand the use of pricing in Los Angeles County in partnership with local municipalities.

Oppose legislation that would:

1. Negatively impact Metro's ability to manage ExpressLanes demand utilizing congestion pricing.
2. Negatively impact financial viability and local control of ExpressLanes revenues.

3. Limit Metro's ability to operate and expand the ExpressLanes network.
4. Redirect SHOPP funding for maintaining the corridor.

GOAL #11: ADVOCATE FOR POLICIES AND FUNDING THAT INCREASE THE SUPPLY AND AFFORDABILITY OF HOUSING IN LOS ANGELES COUNTY AND OTHER TRANSIT SUPPORTIVE USES NEAR METRO CORRIDORS

Proposed Activities:

Support legislation, initiatives, and programs that aim to –

- Reduce the costs and time to deliver affordable housing
- Complement Metro's TOC Policy (including anti-displacement and anti-gentrification policies);
- Reduce Surplus Land Act impacts to Metro's Joint Development Program;
- Stabilize and enhance housing affordability in existing communities;
- Provide resources to Metro, LA County jurisdictions and other partner agencies to develop more collaborative land use policies that support equitable transit-oriented communities; and

Identify and pursue opportunities for additional funding and policy reform for Southern California transportation infrastructure and transit oriented and affordable housing development projects;

Support legislation and funding opportunities that incentivize, support, and accelerate the development of affordable and transit-adjacent housing;

Work with legislators and the Governor's office to preserve and increase the ability of the Joint Development Program to deliver on its portfolio approach to achieving housing goals;

Identify and pursue opportunities to consolidate and streamline applying for transportation infrastructure and transit-oriented development grants; and,

Seek to program modifications that recognize Metro's land discount as a significant contribution to affordable projects.

GOAL #12: SUPPORT EFFORTS TO IMPLEMENT HIGH SPEED RAIL (HSR) IN LOS ANGELES COUNTY

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.

Metro has identified a series of investments in Los Angeles County that would support future high-speed rail and would provide current benefits to commuters across the region. These investments are on shared corridors and create independent utility.

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.

Any allocation of high-speed rail funds should be contingent upon the commitment of the first round of Prop 1A bookend funding to only Phase A improvements for the Link Union Station Project.

Proposed Activities:

Advocate for the full allocation of funding to the Link Union Station project Phase A and Phase B and other corridor enhancements in Los Angeles County which support the ultimate completion of the High Speed Rail project;

Ensure timely implementation of Proposition 1A including allocation of connectivity funds;

Support legislation that preserves “book-end” funding for early-action projects identified as vital to the delivery of the HSR project in Southern California;

Support efforts to ensure that NEPA assignment authority for highway and transit projects is preserved; and

Support streamlining project approvals under Caltrans’ NEPA assignment authority.

GOAL #13: SUPPORT EFFORTS TO ESTABLISH THE I-710 CLEAN TRUCK PROGRAM AND SECURE APPROVAL OF KEY FREIGHT PROJECTS AT THE CALIFORNIA TRANSPORTATION COMMISSION

Proposed Activities:

Support efforts to fund goods movement and freight projects through the CTC;

Advocate that Los Angeles County receive a proportionate share of funding through the State’s Trade Corridor Enhancement Program and other state funding for zero-emission heavy-duty trucks;

Advocate for the deployment of clean-fuel trucks funded by the State in Los Angeles County;

Support regional and statewide efforts to secure and preserve funding for freight corridors; and

Support regional and statewide efforts to fund innovations in clean-freight technology including the deployment of on-dock rail improvements, clean vehicle charging infrastructure, and zero-emission trucks.

GOAL #14: SPONSOR LEGISLATION THAT WOULD ENHANCE METRO'S ABILITY TO DELIVER ITS PROGRAMS AND SERVICES

Proposed Activities:

Sponsor legislation to authorize Metro to use job-order contracting.

Explore and potentially sponsor legislation that would streamline and increase small business participation in Metro's procurements.

Explore and potentially sponsor legislation that would clarify provisions of state law that impact Metro's real property transactions and ground leasing for transit-oriented developments, and affordable housing and other agency uses.



Board Report

File #: 2021-0556, File Type: Motion / Motion Response

Agenda Number: 35.

REVISED
EXECUTIVE MANAGEMENT COMMITTEE
NOVEMBER 18, 2021

SUBJECT: RESPONSE TO JUNE 2021 BOARD MOTION 49: LA RIVER BIKE PATH PROJECT DELIVERY

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. NEGOTIATE and enter into a funding agreement between Metro and the City of Los Angeles in the amount not to exceed \$60 million for design and construction of the LA Riverway in the San Fernando Valley.
- B. NEGOTIATE and conditionally enter into a Cooperative Agreement with Los Angeles County Department of Public Works (LACDPW), City of Los Angeles and City of Vernon for Metro to manage and coordinate on final design and construction of the LA River Path through downtown Los Angeles. The conditions to be negotiated include:
 - 1. Accessibility to right of way owned by each entity for construction permits
 - 2. Commitment from each entity on cooperative engagement on securing additional funding when needed;
 - 3. Metro will partner with the City, County, and Federal agencies with ownership and responsibility in the LA River corridor in regards to the overall management structure of the completed project, but will not assume any financial responsibility for operating and maintaining the completed project. ~~Cities and County with ownership in the LA River corridor to partner and assume responsibility for operating and maintaining the completed project~~
- C. ENTER into a Funding Agreement with LACDPW in the amount not to exceed \$773,870 to support LACDPW to perform and lead the environmental clearance for the Lower LA River Bike Path.

ISSUE

In June 2021, the Board approved Motion 49 (Attachment A), directing staff to report the status of

each of the following three projects (Attachment B) regarding funding plans, sustainability, equity assessments, milestone schedules, and execution of agreements with partner agencies.

- A. LA Riverway in the San Fernando Valley: Within the jurisdictions of the City of Los Angeles and led by the City, this project known as Complete LA River Bike Path in the Measure M Expenditure Plan will close a series of gaps in active transportation on a 12-mile stretch along the LA River from Canoga Park to Studio City.
- B. LA River Path through downtown Los Angeles: A Metro-led project known as the LA River Waterway & System Bike Path in the Measure M Expenditure Plan will close an eight-mile continuous gap between Elysian Valley and Vernon, through downtown Los Angeles.
- C. Lower LA River Bike Path in the Gateway Sub-region: Consisting of one or more elements defined by Motion 22.1 (Attachment C) authored by Supervisor Solis in October 2015. This project is within the jurisdiction of LACDPW.

BACKGROUND

Bicycle and pedestrian paths already exist along much of the LA River, but large gaps in the LA River bicycle corridor make it impossible to travel along the entire length of the river. To close these gaps and provide additional bicycle facilities along the river, at least three distinct bike projects are planned, which are at different stages of development. When complete, these Active Transportation infrastructure along the LA River can act as a spine for Class I bicycle infrastructure throughout the river's 51-mile length across the county, thus providing a low-cost alternative mode of transportation to Angelenos and in turn creating a transportation system that reduces Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) emissions. In addition to these benefits, active transportation infrastructure provides low-cost transportation that supports public health while protected and separated infrastructure improves traffic safety for all users and provides a safe space for all ages and the ability to exercise more.

Because the LA River passes through many of the historically underserved and marginalized communities that Metro has defined as Equity Focused Communities (EFC), completing a contiguous bike path along the river's 51 miles is a goal of both the County and the City of Los Angeles. This effort is supported through several planning documents, including the 2020 LA River Master Plan, City of Los Angeles General Plan Mobility Element (Mobility 2035), Metro's 2020 Long Range Transportation Plan, and 2016 Active Transportation Strategic Plan (ATSP).

DISCUSSION

- A. LA Riverway in the San Fernando Valley
The LA Riverway project in San Fernando Valley encompasses a 12-mile series of gap closure projects along this portion of the LA River Bike Path. The City of Los Angeles Public Works' Bureau of Engineering (LABOE) is the Lead Agency for these projects which are in various stages of project development. The project between Vanalden Avenue and Balboa Boulevard is the furthest along and nearing completion of the design phase, while the remaining projects are ready to begin the design phase.

The City of Los Angeles currently estimates the total project cost at \$154 million. The City has contributed \$5.5 million in local funds to date and Metro has programmed the \$60 million of Measure M funds in Fiscal Years (FY) 2022-2026. Attachment D shows the proposed distribution of Measure M funds for each fiscal year (FY22 through FY26). Per Measure M, the project is expected to be completed by FY27. The pursuit of additional funding will be led by the City of Los Angeles with support by Metro.

The design of these segments will be consistent with the LA River Master Plan and will employ sustainability strategies such as native landscaping elements to treat stormwater runoff, pervious hardscape to facilitate water conservation, and a bike-with-greenway approach to help lessen the urban heat island effect and serve as a greenhouse gas “sink.” The project will help to mitigate the elevated temperatures found in the San Fernando Valley by using vegetation and green infrastructure to increase permeability and greenhouse gas absorption and provide shade to cool temperatures. Furthermore, this project will support more sustainable travel mode choices than single-occupancy car driving by improving the viability and safety of active transportation and increasing connectivity to other public transit systems.

B. LA River Path through downtown Los Angeles

In September 2019, the Metro Board approved the Conceptual Design Report and authorized the project to enter into environmental clearance. In October 2019, the Notice of Preparation was published, and subsequently, four scoping meetings were held in November 2019. Staff is now preparing various environmental technical studies to support the evaluation of three alternatives as part of the Draft Environmental Impact Report (EIR) and advancing the design development to 15%.

On the administrative side, Metro has entered into Memorandum of Agreements (MOAs) with the United States Army Corps of Engineers (USACE) for issuance of Section 408 and Section 404 permits. Since the USACE currently operates and maintains the river as a flood control channel, both Section 408 and 404 permits are needed to deliver the project. In addition, staff is preparing draft Cooperative Agreements that will be vetted by County Counsel and partner agencies, including the City of Los Angeles, LACDPW to define roles and responsibilities of each partnering agency to facilitate efficient project delivery.

Metro anticipates releasing its Draft EIR in late 2022. Final EIR and selection of a Locally Preferred Alternative (LPA) are anticipated in late 2023. After the selection of the LPA, the project team will advance the LPA to at least 60% design for a NEPA Environmental Assessment (EA) to support the permitting process from USACE. Metro anticipates project completion in 2028 (following final design and construction).

One of the biggest limitations for Metro to construct this project is Metro’s insignificant share of right-of-way (ROW) along the 8-mile corridor. While the City of Los Angeles (including Los Angeles Department of Water and Power (LADWP)) and the County of Los Angeles (including LA Flood Control) in total own approximately 80% of the ROW along the corridor, Metro ownership is less than 1%. Of the remaining 20%, most is held as private ownership. Hence, the permitting agencies other than USACE which has flood control jurisdiction over the river,

will be the City of Los Angeles and the County of Los Angeles. As a result, Metro would require firm commitments from both entities on their active role in facilitating an efficient process and cooperation during permitting and construction of the project.

Upon completion of construction, Metro will partner with City, County, and Federal agencies with ownership and responsibility in the LA River corridor in regards to the overall management structure of the completed project. transfer the project to the City and County of Los Angeles and the City of Vernon, and the projects's operational governance post-construction must be negotiated between these three entities. However, Given that Metro owns less than 1% of the project ROW, Metro will not be responsible for future operation and maintenance of the project, including both funding and labor. a partner, administrative, financially, or otherwise, in the future operation and maintenance of the project. In addition, as the designs and cost estimates progress, Metro will may evaluate other cost reduction strategies such as shorter segmentation.

The project is currently funded through Measure M (\$365 million in 2015\$). Based on in-progress 15% engineering and cost estimate efforts, the cost range for constructing this project, depending on the alternative, varies between \$392 million and \$486 million (2021\$). This early estimate points to a substantial funding shortfall of at least \$142 million (2021\$). Cost estimates will be further refined as design progresses. As the project moves forward through the environmental and early design process, Metro anticipates seeking partnership with the City and County of Los Angeles, as well as with City of Vernon and other potential funding partners to pursue additional funding, as needed.

Metro's 10-year Strategic Plan - Moving Beyond Sustainability (MBS) created the Sustainability Engagement Team to facilitate project specific sustainability assessments for major capital projects to help realize Metro's MBS goals. The LA River Path project will work with the Sustainability Engagement Team to identify opportunities to integrate sustainability elements into the project where feasible and cost effective.

C. Lower LA River Bike Path in the Gateway Sub-region

In October 2015, Motion 22.1 directed Metro staff to study three new Class I bike paths noted as items G, H, and I. In April 2017, Motion 5.1 (Attachment F) directed staff to advance Item J from Motion 22.1 into environmental review based on preliminary designs. From these motions, four items are listed below:

Motion 22.1 Item G: Construction of a new, 8-foot, Class I bike path and access points within the Los Angeles Flood Control District right-of-way on the western levee of the LA River Channel from the Pacific Coast Highway [Long Beach] to Imperial Highway [South Gate] (*approximately 10 miles*) to connect with the existing Los Angeles River Bike Path;

Motion 22.1 Item H: Construction of a new 8-foot, Class I bike path and access points within Southern California Edison (SCE) right-of-way, roughly parallel to Greenleaf Blvd. (*approximately 8 miles*) between the Los Angeles Blue Line and Sportsman Drive;

Motion 22.1 Item I: Construction of a new 8-foot, Class I bike path and access points within

SCE and LADWP right-of-way from Willow/TL Freeway [Long Beach] to connect with the Rio Hondo Bike Trail at Garfield Avenue [South Gate] (*approximately 7 miles*);

Motion 22.1 Item J: Upgrades to the existing Los Angeles River Bike Path consisting of safety, landscaping, hardscape, lighting, access enhancements, and fix-it stations between Ocean Boulevard [Long Beach] and its northern terminus at Slauson Avenue [Vernon] (*approximately 15.5 miles*).

Metro staff completed the I-710 Bike Path Project Definition Study in 2017 as an initial step in responding to Motion 22.1. Aside from proposed improvements to the existing facility (Item J), the study proposed three new bike path projects identified as Western Levee (Item G), Compton Boulevard (Item H), and Terminal Island Freeway to Rio Hondo (Items I). The Compton Boulevard bike path, due to higher benefits and opportunities, was proposed in place of the SCE right-of-way paralleling Greenleaf Boulevard that was initially identified in Item H. Metro staff met with the City of Compton Public Works staff in July 2018 and were informed of a Complete Streets Plan in place for Compton Boulevard, which included bike path upgrades. As such, the need to pursue a bike path on Compton Boulevard in the City of Compton was obviated, leaving Items G and I as two new bike path options for further consideration. Therefore, Items G, I, and J, remain three options from Motion 22.1 to consider for the Lower LA River Path.

Furthermore, Metro intended to lead and perform the environmental clearance for Items G, I, and J for LACDPW. Coordination and discussion between Metro and LACDPW took place on several occasions during spring/summer of 2018 to determine a workplan involving staff support and oversight from Los Angeles County. Agreement on the amount to reimburse LACDPW for their support during the Metro-led environmental clearance was not reached, and efforts stalled.

As the Lower LA River Path is within the jurisdiction of LACDPW and LACDPW is the agency of record for environmental clearance and will construct, own, and maintain the project, staff recommends LACDPW to perform the environmental clearance for one or more Items (G, I and J) from Motion 22.1. In addition, the County of Los Angeles, through LACDPW, is the Lead Agency for the Programmatic EIR for the 2020 LA River Master Plan. LACDPW could also consider improvements recommended in the 2020 Plan.

The cost to develop the three independent bikeway projects initiated by Motion 22.1 was approved for \$1,196,596 as part of a contract modification for the I-710 South Corridor Project (Attachment G). Measure R Administrative Funds were budgeted for this effort under Cost Center 4730 (Highway Programs B). The completion of the I-710 Bike Path Project Definition Study drew down \$422,726 from the approved \$1,196,596, and \$773,870 remains under that contract. Staff recommends the reimbursement of \$773,870 to LACDPW. Discussions with LA County are ongoing, and should this initial amount be under their needs, staff will return to the Board to request additional funds. Should this amount be over their needs, remaining funds will stay with Metro.

To advance subsequent design and construction phases, LACDPW's identified project(s) for the Lower LA River Bike Path will be considered in the discussion and collaboration with corridor jurisdictions, stakeholders and the Gateway Cities Council of Governments on the I-710 Early Action Program and future Measure M funding allocations.

DETERMINATION OF SAFETY IMPACT

- A. LA Riverway in the San Fernando Valley
The implementation of this project will improve safety for active transportation users and the general public by providing a new shared-use path separated from vehicle traffic along High-Injury Network corridors, including Ventura Boulevard and Victory Boulevard. Staff will continue to coordinate with the City of Los Angeles on the development and eventual construction of the project to ensure that it does not adversely impact the continued safety of staff, contractors, and the public.
- B. LA River Path through downtown Los Angeles
Currently, the action will have no impact on the safety of Metro's customers and/or employees since the project is in early stages of design and in the environmental phase. Subsequently, when the project advances into the construction phase, staff will continue to oversee construction activity to ensure the safety of staff, contractors and the public and ensure that steps are in place to mitigate any adverse effects during construction.
- C. Lower LA River Bike Path in the Gateway Sub-region
The action will have no impact on the safety of Metro customers and/or employees as the project is still in the early planning phase.

FINANCIAL IMPACT

- A. LA Riverway in the San Fernando Valley
The LA River Bike Path in the San Fernando Valley subregion is a Measure M funded project funded yearly through the annual budget up to the approved programming amount. This is a multi-year contract/project, and the Project Manager, the Cost Center Manager, and the Chief Program Management Officer are responsible for budgeting in future fiscal years.
- B. LA River Path through downtown Los Angeles
The FY 2022 proposed budget includes \$7 million in Cost Center 4310 (Mobility Corridor 1), Project 474303 (LARVR WaterWay Sys Bike Path). Since this is a multi-year effort, the Cost Center Manager and Chief Planning Officer (CPO) will be responsible for budgeting funds in future years. The recommended action, however, will have no impact on the overall project cost. The project is identified as one of Mayor Garcetti's "Twenty-Eight by '28 Initiative" and is considered a regionally-significant infrastructure project funded through Measure M (\$365M in 2018\$).
- C. Lower LA River Bike Path in the Gateway Sub-region
Funding for completing the environmental clearance work by LACDPW will be programmed

under the appropriate Cost Center as a subsidy using the Measure R Administrative funds consistent with the #2015-1656 action. Project 462316 subsequently budgeted funds for the I710 Bike Path Study. However, a new project number will be established for the Lower LA River Bike Path. Further coordination with LACDPW is needed to identify which one or more elements from Motion 22.1 (Items G, I, J) would be pursued and what associated costs would be funded. In addition, LA County could consider improvements recommended in the 2020 LA River Master Plan.

Impact to Budget

- A. LA Riverway in the San Fernando Valley
There are no impacts to the FY22 budget. Staff will fund the project on an annual basis up to the approved programming amount.
- B. LA River Path through Downtown Los Angeles
The Board's decision will have no impact on the FY22 budget.
- C. Lower LA River Bike Path in the Gateway Sub-region
There are no impacts to the FY22 budget. Staff will need to identify budget and future programming years.

EQUITY PLATFORM

- A. LA Riverway in the San Fernando Valley
The project will benefit disadvantaged communities by providing increased mobility/connectivity, safety, access to opportunities, improved sustainability, and public health. The project will add new separated biking and walking facilities that will provide a safer alternative route to nearby High Injury Network streets including Ventura Boulevard and Victory Boulevard where active transportation users experience disproportionate traffic injuries. The new path will connect Equity Focus Communities in Reseda, Canoga Park, and Burbank to many jobs and services in areas such as Ventura Boulevard and Universal City. The project will also improve access to recreational facilities along the river via sustainable modes for improved public health in communities including Lake Balboa and Reseda, which already have higher transit and bike mode share, but experience disparities in environmental quality with CalEnviroScreen scores above the 80th percentile. The project may potentially cause a burden through temporary construction impacts and potential gentrification and displacement pressures. However, these will be mitigated by construction management plans and continued community engagement throughout the project development process.

The City of Los Angeles conducted community engagement for this project through the City's LA River Revitalization Master Plan, the Bicycle Plan, and Feasibility Study Report; and included numerous public workshops, multilingual and accessible communications. These engagement efforts informed the plans. Metro will continue to support the City in ongoing efforts to ensure vulnerable communities are engaged as the project implementation advances.

B. LA River Path through downtown Los Angeles

This project will provide benefits including enhanced mobility and regional access to jobs, education, and other recreational opportunities for underserved populations within the Project area. A recent study for Parks Needs Assessment showed that Boyle Heights has the highest need for parks and open spaces in the areas directly adjacent to the river, followed by downtown Los Angeles.

For context, approximately 29% of the population within 3-miles of the project lives in poverty, with 92% of the population being people of color (BIPOC) with limited English proficiency. Moreover, 79% of the population is Latino and more than 22% of the population relies on multi-modal transportation options for getting to work, including walking, bicycling, and taking public transit.

The benefits, however, without proper protections, may increase the risk of displacement for existing residents and small businesses during construction and due to potential gentrification. To mitigate these impacts and ensure Metro can advance transit equity, the Project engaged the community early on during Conceptual Design phase and will continue to involve the community and other stakeholder groups in the decision-making process during environmental and final design phase. The Project team will further partner with Community Based Organizations (CBO) to support this work, and advance equity - the exact nature of engagement is yet to be defined. Finally, during construction, the team will work with Metro's Homeless Task Force and existing Metro programs and policies that address temporary interruptions to affected small businesses due to Metro project construction.

C. Lower LA River Bike Path in the Gateway Sub-region

The Lower LA River Path aims to increase safe active transportation facilities, enhance connections to transit, increase transportation choices for people with limited mobility options, encourage fewer car trips, promote active, healthy living, and connect to major activity centers and destinations. Analyzing Metro EFC data found that of the 24-mile cumulative project distance, nearly 14 miles intersect or touch EFC areas.

High-Injury network locations exist within one-mile of the study area for bicycle-auto collisions, particularly in Long Beach's Downtown, Eastside communities and the City of South Gate. Pedestrian collisions in the 2-mile study area notably occurred in Downtown, East and North Long Beach, and in the Cities of Huntington Park and South Gate. The study area's approximate 122 square miles are also major employment destinations for industrial facilities and shipping warehouses, generating close to 500,000 jobs. Additionally, 11 Metro A Line stations are within 1-2 miles of the Lower LA River from Compton to Long Beach. This information can help LACDPW further evaluate potential benefits through an equity lens and consider what projects will be environmentally cleared.

Metro staff will work with LACDPW to address equity concerns and potential burdens or negative impacts through the environmental work and specific project location(s) led and identified by LACDPW. Staff will coordinate and recommend incorporating equity focused terms and conditions in the funding agreement and provide support through administrative oversight and project monitoring.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The three bike paths along the LA River discussed in this board report contribute to implementing multiple goals of Metro's Vision 2028 Strategic Plan. In particular:

- Goal 1: Provide high-quality mobility options that enable people to spend less time traveling;
- Goal 3: Transform LA County through regional collaboration and national leadership; and
- Goal 4: Provide responsive, accountable, and trustworthy governance within the Metro organization.

ALTERNATIVES CONSIDERED

A. LA Riverway in the San Fernando Valley

The Board may choose not to approve the recommended action. This option is not recommended as it may hinder Metro's ability to deliver the Measure M Expenditure Plan on schedule. The recommended action will enable Metro to expend Measure M funds during the programmed year of FY22-23 for segments of the San Fernando Valley portion that have the most project-readiness.

B. LA River Path through downtown Los Angeles

The Board may choose not to approve the recommendations, however, doing so may delay the delivery of this Measure M project by 2028. In addition, it will also be an impedance in fulfilling the City and County of Los Angeles' common goal of providing low cost and low impact alternative transportation options to marginalized communities.

C. Lower LA River Bike Path in the Gateway Sub-region

The Board may choose not to approve the recommended action. This option is not recommended as it further hinders the ability to meet common goals, projects and programs identified by various plans including the LA River Master Plan led the County of LA and Metro's Long-Range Transportation Plan and Active Transportation Strategic Plan.

NEXT STEPS

A. LA Riverway in the San Fernando Valley:

Staff will finalize and execute the Funding Agreement between Metro and the City of Los Angeles to establish the scope, expenditure plan, and schedule. Staff will continue to administer the executed Funding Agreement to ensure project delivery.

B. LA River Path through downtown Los Angeles:

Staff will finalize Cooperative Agreements delineating roles and responsibilities of LACDWP, cities of Los Angeles and Vernon and execute the same to facilitate collaboration through all phases of this project, especially during permitting and construction.

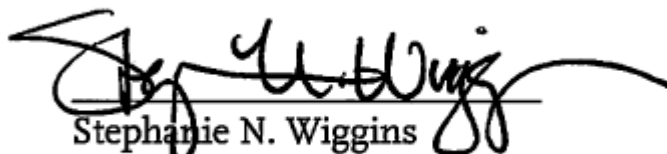
- C. Lower LA River Bike Path in the Gateway Sub-region:
Staff will coordinate with LACDPW to identify updated costs for completing environmental clearance and budget needed for programming.

ATTACHMENTS

Attachment A - Legistar File #: 2021-0436
Attachment B - LA River Bike Path Projects
Attachment C - Legistar File #: 2015-1595
Attachment D - Proposed Measure M Expenditure
Attachment E - Legistar File #: 2019-0443
Attachment F - Legistar File #: 2017-0270
Attachment G - Legistar File #: 2015-1656

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Stephanie N. Wiggins
Chief Executive Officer



Metro

Board Report

File #: 2021-0436, File Type: Motion / Motion Response

Agenda Number: 49.

REVISED
EXECUTIVE MANAGEMENT COMMITTEE
JUNE 17, 2021

Motion by:

DIRECTORS GARCETTI, SOLIS, KUEHL, KREKORIAN, AND NAJARIAN

LA River Bike Path Project Delivery

Active Transportation infrastructure along the Los Angeles River, separated from automobile traffic, can act as a spine for Class I bicycle infrastructure throughout the river's 51-mile length across the county. High-quality, protected, and separated bicycle and pedestrian infrastructure that connects communities to transit and local destinations is a part of a transportation system that reduces Vehicle Miles Traveled and Greenhouse Gas emissions. Thus, the Class I bikeway along the LA River helps meet transportation climate goals set by state legislation and the Metro Board.

Additionally, Active Transportation infrastructure provides low-cost transportation that supports public health. Protected and separated infrastructure improves traffic safety for all users and provides a safe space for users of all ages and abilities to exercise more. The LA River passes through many historically marginalized communities that Metro has identified as Equity Focused Communities.

Completing the LA River Bike Path is a goal of both the County and City of Los Angeles, and projects to do so are contained in the most recent LA River Master Plans from both the County and City, as well as the City of Los Angeles General Plan Mobility Element, Mobility 2035. Metro's Long-Range Transportation Plan and Active Transportation Strategic Plan also contain projects to complete the path.

Specifically, Metro's capital project portfolio contains three distinct projects to complete the LA River Bike Path along its length. The three projects are:

- A. The LA Riverway in the San Fernando Valley, a 12-mile series of gaps along the LA River from Canoga Park to ~~North Hollywood~~ Studio City, is known as Complete LA River Bikepath in the Measure M Expenditure Plan. This project is entirely within the City of Los Angeles and, as such, is a City-led project. The City will perform all phases of development and, in partnership with the United States Army Corps of Engineers, will own and maintain the project after construction is complete.
- B. The LA River Path through Downtown Los Angeles, an eight-mile continuous path from

Elysian Valley to Vernon, is known as the LA River Waterway & System Bikepath in the Measure M Expenditure Plan. This project is within the Cities of Los Angeles and Vernon and, as such, is a Metro-led project. Ownership and maintenance responsibilities will be decided in partnership with the Cities of Los Angeles and Vernon and the Los Angeles County Department of Public Works.

- C. The Lower LA River Bike Path in the Gateway sub-region, consisting of one or more elements defined by Motion 22.1 authored by Supervisor Solis in October 2015. This project is within the jurisdiction of the Los Angeles County Department of Public Works (LACDPW). LACDPW will act as the agency of record for environmental clearance and will construct, own, and maintain the project.

This action supersedes Board File 2018-0108 (May 2018).

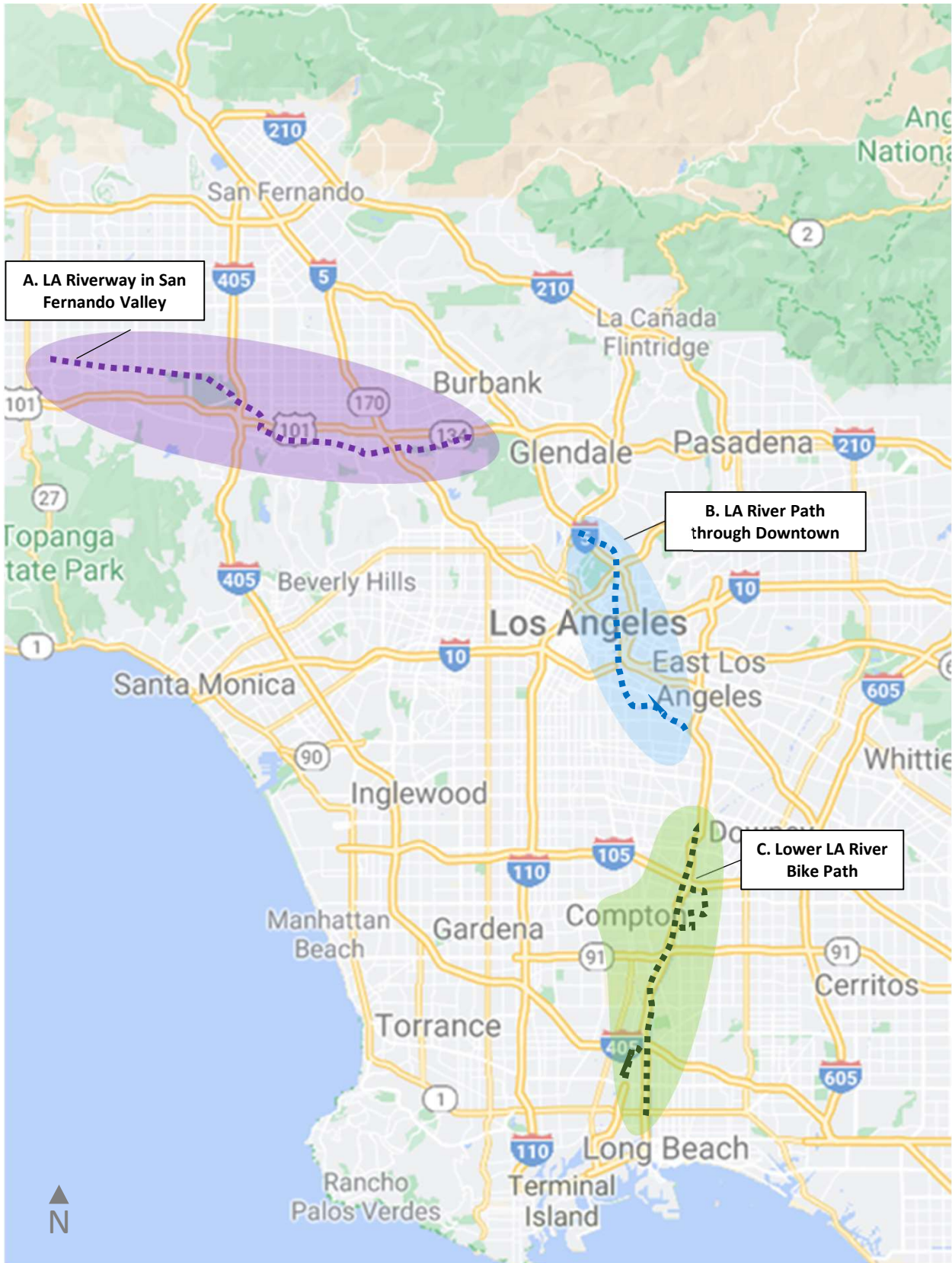
SUBJECT: LA RIVER BIKE PATH PROJECT DELIVERY

RECOMMENDATION

APPROVE Motion by Directors Garcetti, Solis, Kuehl, Krekorian, and Najarian that the Board of Directors direct the Chief Executive Officer to assume and maintain the following roles in the delivery of each section of LA River Bike Path currently in development and to report back within 90 days on the status of each project, including funding plans, Sustainability, and Equity Assessments, milestone schedules, and execution of agreements with partner agencies:

- A. For the LA Riverway in the San Fernando Valley, Metro shall act as the funding agency administering Measure M and coordinating and supporting the pursuit of additional funds.
- B. For the LA River Path through Downtown Los Angeles, Metro shall act as the funding agency administering Measure M and coordinating and pursuing additional funds, the agency of record for environmental clearance, the constructing agency, and a partner in operating and maintaining the completed project.
- C. For the Lower LA River Bike Path, Metro shall act as the funding agency administering Measure M and coordinating and pursuing additional funds, and shall provide resources to perform the environmental clearance to LACDPW.

Attachment B
LA River Bike Path Projects





Metro

Board Report

File #: 2015-1595, File Type: Motion / Motion Response

Agenda Number: 22.1

**PLANNING AND PROGRAMMING COMMITTEE
OCTOBER 14, 2015**

**SUBJECT: MOTION BY SOLIS AS AMENDED BY KNABE (I-710 SOUTH CORRIDOR PROJECT
EIR/EIS SCOPE, BUDGET AND SCHEDULE)**

Motion by:

Supervisor Solis as Amended by Director Knabe

October 14, 2015

**Relating to Item 22, File ID 2015-1345
I-710 South Corridor Project EIR/EIS Scope, Budget and Schedule**

The I-710 Corridor is a vital transportation artery, linking adjacent communities and the Ports of Los Angeles and Long Beach to Southern California and beyond. As an essential component of the regional, statewide, and national transportation system, it serves both passenger and goods movement vehicles. As a result of population growth, employment growth, increased demand for goods movement, increasing traffic volumes, and aging infrastructure, the I-710 Corridor experiences serious congestion and safety issues. Notably, the existing I-710 Corridor has elevated levels of health risks related to high levels of diesel particulate emissions, traffic congestion, high truck volumes, high accident rates, and many design features in need of modernization (the original freeway was built in the 1950s and 1960s).

The purpose of the I-710 Corridor Project is to improve air quality and public health, improve traffic safety, modernize the freeway design, address projected traffic volumes, and address projected growth in population, employment, and activities related to goods. The project includes an extensive community participation process that has provided a forum for residents, community advocates, and local municipalities comment and make recommendations for meeting the project purpose and need. Metro and Caltrans must ensure that we address the purpose and need of the project in a manner that is responsive to the community, yet feasible and fiscally responsible.

PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) approving the MOTION by Director Solis that the Board of Directors make approval of Item 22 contingent on studying the following as a part of the evaluation of Alternatives 5C and 7 in the I-710 Recirculated Draft

Environmental Impact Report/ Supplemental Environmental Impact Statement:

- A. Geometric design for the I-710 Freight Corridor (under Alternative 7 only) that eliminates significant impacts and displacements of homes, businesses, or community resources, such as but not limited to the Bell Shelter or Senior Centers, and the implications of such a design on commuter and freight traffic demands; where significant impacts are unavoidable, provide documentation of the rationale and constraints;
- B. An option, under Alternative 7 only, to evaluate the feasibility should technology be available, to operate only zero-emissions trucks along the Freight Corridor as part of the project;
- C. Implementing high frequency Express Bus Transit service along the main 710 corridor and the impact of such a line on commuter and freight traffic demands;
- D. Adding transit service on the bus and rail lines serving the I-710 project area, including operating Blue and Green Line trains with a minimum of 10-minute headways and a minimum of 25% increase in local bus, express bus and community shuttles service frequencies;
- E. Traffic Control measures, traffic management, intelligent transportation systems and operational efficiency improvements, such as highway ramp metering and transit system signal prioritization, to reduce congestion on local streets and arterials before considering expanding lanes;
- F. The use of the best available control technology construction equipment as defined by the California Air Resources Board;
- G. Construction of a new, 8-foot, Class-I bike path and access points within the Los Angeles Flood Control District right-of-way on the western levee of the Los Angeles River Channel from the Pacific Coast Highway [Long Beach] to Imperial Highway [South Gate] to connect with the existing Los Angeles River Bike Path;
- H. Construction of a new 8-foot, Class I bike path and access points within SCE right-of-way, roughly parallel to Greenleaf Blvd., between the Los Angeles Blue Line and Sportsman Drive;

For items G, H and I above, conduct a study separate from the I-710 South Environmental Impact

Report. Work with the CEO to identify and recommend funds to support the study.

Instruct staff to report back within 60 days.

- I. Construction of a new 8-foot, Class I bike path and access points within SCE and LADWP right-of-way from Willow/TI Freeway [Long Beach] to connect with the Rio Hondo Bike trail at Garfield Avenue [South Gate] This new route would be approximately 12 miles in length;
- J. Upgrades to the existing Los Angeles River Bike Path consisting of safety, landscaping, hardscape, lighting and access enhancements and fix station including to locations, between Ocean Blvd. [Long Beach] and its northern terminus at Slauson Avenue [Vernon];
- K. The replacement/enhancement of approximately 28 existing bridges/underpasses and the construction of at least five new pedestrian/bike bridges/underpasses to ensure safe and easily accessible freeway and river crossings to reduce gaps between crossing over $\frac{1}{2}$ a mile where demand for increased access exists along the project corridor;
- L. Ensure implementation of Complete Streets treatments that promote sustainable and “livable neighborhoods” for all those arterials, ramp termini, and intersections as part of the proposed I-710 Project. Designs shall be consistent with the principles outlined in Caltrans’ *Main Streets, California: A Guide for Improving Community and Transportation Vitality*;
- M. Consistent with Caltrans’ policy, maximize the number of new trees, shrubs and foliage within proposed state ROW that are drought resistant and have superior biosequestration and biofiltration capabilities, in an effort to surpass the minimum tree removal/replacement ratio;
- N. Consistent with the Regional Water Quality Control Board and their Municipal Separate Storm Sewer System permits, identify suitable locations within the state’s right of way to implement additional storm water Best Management Practices and enhance the water quality for the LA River and its tributaries; and
- O. Incorporate into the project design, avoidance and minimization measures to reduce the level of impacts to Los Angeles River’s riverbanks, trails, pocket parks, open space, wetlands and native landscaping within the project area.

FURTHER MOVE that the Board of Directors instruct the Chief Executive Officer to consider the following mitigation during construction, in parallel to the EIR/EIS process:

- A. Direct staff to monitor traffic congestion on all rail and bus routes in the I-710 construction area to identify and make needed adjustments to service based on actual traffic conditions and to determine if Metro services should operate on an incentive fee structure during the construction period;
- B. Direct staff to identify potential incentive programs for the Blue line and Metro buses in the I-710 corridor and affected by construction, to be considered as possible mitigation to help ease the impact of delays to bus service identified in the recirculated DEIR/DEIS;
- C. Develop a community outreach plan in conjunction with community stakeholders to provide quarterly reports on the progress of the I-710 project to the Gateway Cities Council of Governments (GCCOG) and the community at public meetings/hearings where there is the opportunity for community input;
- D. Establish a bike and pedestrian safety plan during construction; and
- E. Create a residential and school noise and air mitigation program, to be incorporated into the I-710 Community Health and Benefit Program.

FURTHER MOVE that the Board of Directors instruct the Chief Executive Officer take the following actions, working with Caltrans and partner agencies as necessary and in parallel to the EIR/EIS process:

- A. Direct staff to include an analysis of a Zero Emission Truck procurement and operations program (Alternative 7 only) in any Public Private Partnership analysis to be done for the Project;
- B. Work with the Gateway Cities Council Of Government jurisdictions to add, align and/or partner bus route stops with access points to surrounding Class-I bike paths to further promote the combination of active transportation and transit ridership; and

- C. Direct staff to work with community based partners (community groups, faith based groups and labor) on the development of a Local and Targeted Hiring Policy and PLA for construction jobs and a First Source Hiring Policy for permanent jobs created by the project. This should be completed, at the latest, by the completion of the recirculated DEIR/DEIS.

PROPOSED MEASURE M EXPENDITURE (METRO RESPONSIBILITY)					
Project Limits	FY22-23	FY23-24	FY24-25	FY26+	TOTAL
LA Riverway (Vanalden to Forest Lawn Drive)	\$18,945,000	\$3,945,000	\$12,010,000	\$25,100,000	\$60,000,000

Note: Annual amounts subject to change pending negotiation and execution of Funding Agreement.

Metro



Board Report

File #: 2019-0443, File Type: Project

Agenda Number: 10.

**PLANNING AND PROGRAMMING COMMITTEE
SEPTEMBER 18, 2019**

SUBJECT: LA RIVER PATH

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

CONSIDER:

- A. RECEIVING AND FILING the Conceptual Design Report; and
- B. AUTHORIZING the CEO to initiate the Draft Environmental Impact Report (DEIR).

ISSUE

The LA River Path is a Measure M project with a projected opening date during the FY 2025-27 period. Currently, \$365 million in Measure M funds are allocated for this project. This project is also included in the Twenty-Eight by '28 Initiative adopted by the Board in January 2018.

To meet the Measure M schedule, a Proposed Project needs to be identified and environmentally cleared. Initiating the environmental review will also support the application for U.S. Army Corps of Engineers (USACE) required permits. This report includes the findings from the Conceptual Design Phase and a recommendation for what alternatives to advance into environmental review.

BACKGROUND

The LA River Path is an approximately eight-mile active transportation path (e.g., walking and bicycling) along the Los Angeles River. The study area (Attachment A) extends between Elysian Valley and Maywood through downtown Los Angeles and the City of Vernon. The northern limit of the project area is the terminus of the Los Angeles River Greenway Trail at Riverside Drive and the southern limit is at Atlantic Boulevard where the Los Angeles River Bicycle Path begins in the City of Maywood. The project will close the longest remaining gap in the LA River Path to create a continuous 32-mile path for people walking, rolling and bicycling between the San Fernando Valley and Long Beach.

Many of the neighborhoods in the area surrounding the project corridor are predominately industrial with high volumes of truck traffic, deteriorated roadways, a lack of sidewalks and street lighting, and

at-grade rail crossings. Additionally, there are freight and passenger train tracks adjacent to the River along several segments of the corridor. Approximately 1 million people live within three miles of the LA River Path project corridor. Of the 85,000 people who live within ½-mile of the project corridor, 18,000 (21%) working-age people walk, bicycle, or take public transit to work.

In June 2014, the Board passed a motion (Attachment B) which directed staff to study a path, including in-channel options, for this missing segment. In 2016, Metro staff completed a feasibility study for closing this gap, which considered top of bank, channel bottom and other path treatments and found that the project was feasible. This feasibility study was approved by the Metro Board of Directors in September 2016 (Legistar File 2016-0311). In May 2018, the Board authorized the CEO to award and execute Contract #AE4779500 with CH2M Hill, Inc. for technical services to support the LA River Path (Legistar File 2018-0108).

DISCUSSION

Since May 2018, work has been underway to document the corridor's existing conditions, conduct community outreach, and to identify and screen potential alternatives. A Project Steering Committee comprised of a representative from Metro, the Cities of Los Angeles and Vernon, and the Los Angeles County Department of Public Works provides overall guidance to this project. The Steering Committee and overall project is supported by two advisory groups: a Project Development Team (PDT) and stakeholder roundtables. The PDT is comprised of Metro, USACE, City of Los Angeles, City of Vernon, Los Angeles County, and the Mountains Recreation & Conservation Authority and provides interagency coordination, technical guidance and problem-solving for the project. The stakeholder roundtables are comprised of local community-based organizations, employers and other local stakeholders who advise the project on community needs and priorities and provide overall project guidance.

The project is driven by six goals that were shaped by community input. These goals are safety, access, efficient and sustainable mobility, equity, user experience and health. The project goals are the basis of the evaluation criteria used to screen and refine potential alternatives during an early alternatives analysis. Metro relied heavily on community input on preferred access points and path types to develop potential alternatives, which were screened using these criteria. The Conceptual Design phase was completed in August 2019, leading to the development of a Conceptual Design Report (Attachment C - Executive Summary) which documents existing conditions, design guidance, community feedback and the results of the early alternatives analysis, which identified three alternatives recommended for further study during environmental review.

Community and Stakeholder Outreach

In addition to the stakeholder engagement through the project advisory committees, Metro staff also conducted an extensive community outreach effort, completing nine community outreach meetings, two online surveys and two informational videos. Additionally, staff attended numerous briefings and attended dozens of pop-up events. Through these efforts, staff obtained 4,600 in-person comments and 3,800 survey responses.

This input included feedback on the LA River Path's goals, potential access points, and preferred path types. Stakeholders and community members indicated a strong desire for a path that was

available for recreation as well as commuting and errands. Comments were categorized around project goals with the most cited themes being user experience, safety and access.

Access Points

Community input indicated a desire for access points on both banks and prioritized access points that connect neighborhoods to the east and west of the river. Preferred access points included Los Angeles State Historic Park/Main Street, Union Station, 1st Street and Washington Boulevard. These preferences were used to develop and refine alternatives.

Path Types

Because of the constrained nature of the corridor, there are limited places where the path can be located. Four primary path types were analyzed to inform the development of alternatives and Metro collected nearly 3,000 comments on preferences through community meetings and an online survey.

A top-of-bank/cantilevered path utilizes existing at-grade space and/or cantilevers over the channel at grade. This path type was the most popular with community members (40% of responses) as it would be reliably open and less subject to closures due to flooding. This path could accommodate amenities and features such as lighting, security features, landscaping and public art. Top-of-bank options are only feasible in select locations where the existing rail lines and utilities are set back to provide sufficient space for the path.

An elevated path would be above-grade supported by piers and could be utilized for ramping and crossing over roadways and other at-grade obstacles. This was the second most popular path type (32% of responses) as it would also be reliably open and could accommodate lighting, security features and public art.

An incised path cuts the path into the channel embankment and is commonly used when there is insufficient space at-grade for either a top-of-bank or elevated option. It is also utilized to go under bridges and other obstacles. This path type would be subject to closures during heavy rainfall but could utilize existing bridges that it passes under to provide lighting and other amenities. This path type was preferred by 17% of respondents.

The fourth path type evaluated is bottom-of-channel, which would locate the path on the flat bottom of the channel. This path type would not be impacted by adjacent top-of-bank conditions and would place users close to the water in the channel. This option was preferred by 11% of respondents due to its proximity to the water. This path type would be the most at-risk of seasonal flooding, would require the longest access ramps to get on and off the path, and would not be able to provide amenities and features such as lighting, landscaping, and security features as the path would be under water during rain events.

Best Performing Alternatives

Three alternatives were identified as the best performing options to advance into environmental review. All three alternatives move back and forth across the river to utilize existing space, navigate around obstacles, and provide places to get on and off the path at desired access points. Additionally, each of these utilizes a combination of top-of-bank/cantilevered, elevated and incised path types. A bottom-of-channel option, which would not be reliably open during rain and could not

accommodate many of the desired amenities, was not advanced as a primary alternative. However, Metro identified future opportunities to add a secondary path (e.g., “interpretive” nature path) near the water at the bottom of the channel as well as additional access points if additional funding were to become available.

Alternative A (Attachment D) crosses the river six times and adds 10 new access points. Alternative B (Attachment E) crosses the river seven times and adds 12 new access points. Alternative C (Attachment F) crosses the river seven times and adds 11 new access points. These alternatives contain many common access points and path types but identify some opportunities that are unique to each one that can be further evaluated to inform the project.

Environmental Review

Initiating the DEIR will allow Metro to continue to study, analyze, and seek community input on these alternatives pursuant to CEQA. This project does not anticipate using federal funds. Environmental review pursuant to NEPA will be limited to applying for required permits from USACE. Staff proposes to initiate the CEQA analysis first in order to identify a Proposed Project, thoroughly analyze and document potential impacts, and advance the design of the alternatives in order to streamline the NEPA analysis for USACE.

Equity Platform

The LA River Path Project will close the largest remaining gap to create a seamless 32-mile grade-separated corridor for walking, biking and rolling along the Los Angeles River and provide improved access to opportunities including jobs, education, and public recreational spaces. This Project is consistent with the Metro Equity Platform and will benefit existing communities, including many equity focus communities (EFC). One million people live within biking distance of the project corridor and 85,000 live within walking distance. Approximately 72% of the population located within ½ mile of the project corridor live in an EFC. Of those within biking distance, 79% of the residents are Hispanic and 29% of the residents are classified as living in poverty (2016, American Community Survey).

The LA River Path project’s three alternatives connect to local communities along the river corridor. EFCs exist along both sides of the project corridor. All three alternatives provide access to key destinations supported by the community such as Los Angeles State Historic Park/Main Street Access, Albion Park/Main Street Access, Mission Road/Cesar Chavez Avenue Access, Union Station Access, Washington Boulevard Access, Bandini-Soto Triangle Access, and Downey Road East Access.

Specifically, this Project will focus on the Equity Pillars of Listen and Learn and Focus and Deliver. During the environmental analysis, Metro will continue to engage the community in order to plan, design and implement a project that improves access to opportunities and reflects the needs of the local communities. During the conceptual design phase, robust community engagement included nine public meetings, numerous stakeholder presentations, community pop-up events, youth-focused activities, surveys and online engagement.

DETERMINATION OF SAFETY IMPACT

These actions will not have any impact on the safety of Metro customers and/or employees because

this project is in the planning process phase and no capital or operational impacts result from this Board action.

FINANCIAL IMPACT

The FY20 budget includes \$7.021M for Professional Services in Cost Center 4310 (Mobility Corridors Team 1), Project 474303 (LA River Path). Since this is a multi-year program, the Cost Center manager and Chief Planning Officer will be responsible for budgeting in future years.

Impact to Budget

The funding sources for the project are Measure M 2% Active Transportation Projects and Measure M 17% Highway Construction. As these funds are earmarked for the LA River Path project, they are not eligible for Metro bus and rail capital and operating expenditures.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The project will support the goals of the strategic plan by adding a new high-quality mobility option along the LA River that provides outstanding trip experiences and enhances communities and lives through mobility and access to opportunity.

ALTERNATIVES CONSIDERED

The Metro Board could decide not to take action. This alternative is not recommended, as this would impact commencing the project's environmental clearance process and risk delay of construction, potentially hindering the project's ability to be completed by the Twenty-Eight by '28 Initiative.

NEXT STEPS

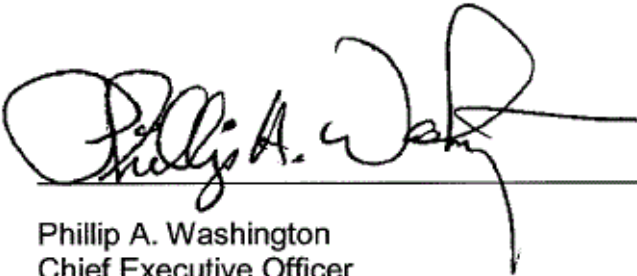
Upon Board approval, Metro Staff will initiate the Draft Environmental Impact Report and community engagement.

ATTACHMENTS

- Attachment A - Study Area
- Attachment B - June 2014 Metro Board Motion
- Attachment C - Executive Summary - Conceptual Design Report
- Attachment D - Alternative A
- Attachment E - Alternative B
- Attachment F - Alternative C

Prepared by: Maressa Sah, Principal Transportation Planner, Countywide Planning & Development, (213) 922-2462
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Phillip A. Washington
Chief Executive Officer

Metro



Metro

Board Report

File #: 2017-0270, **File Type:** Motion / Motion Response

Agenda Number: 5.1

**PLANNING AND PROGRAMMING COMMITTEE
APRIL 19, 2017**

Motion by:

DIRECTORS SOLIS, GARCIA, DUPONT-WALKER and HAHN

Related to Item 5: I-710 South Corridor Project and LA River Bike Path

As a freight and goods movement corridor, the Interstate 710 is a significant contributor the national and regional economy. However, the I-710 cannot sustain increasing import/export activity at the Ports of Long Beach and Los Angeles and surrounding population growth in its current condition. The I-710 has become a major source of traffic congestion and greenhouse gas emissions with devastating impacts on the quality of life for communities along the corridor. The I-710 Corridor Project proposes to modernize the freeway to better accommodate goods and freight movement, ease congestion and improve air quality.

Although modernizing the freeway is critically important and widely supported, many local residents successfully advocated for a more holistic approach to ensure robust community benefits, especially in disadvantaged communities that are disproportionately affected by freeway impacts. That holistic approach was reflected in Motion 22.1 that was unanimously approved by the Metro Board in October of 2015.

In compliance with Motion 22.1, the project team has been exploring alternative mobility options such as enhancing existing bus and rail services, new express bus service, expanding the active transportation network, traffic demand management, complete streets improvements and much more. While many elements of Motion 22.1 require additional evaluation and study, some active transportation elements can be advanced into environmental evaluation and final design.

APPROVE Motion by Directors Solis, Garcia, Dupont-Walker and Hahn that the Board direct the CEO to:

- A. Based on preliminary designs, advance Item J of Motion 22.1 into environmental review independently from the I-710 Corridor Project;

Motion 22.1 - Item J: Upgrades to the existing Los Angeles River Bike Path consisting of safety, landscaping, hardscape, lighting and access enhancements and fix-it stations including to locations, between Ocean Blvd. [Long Beach] and

its northern terminus at Slauson Avenue [Vernon];

- B. Establish a budget to advance Items J and G of Motion 22.1 into final design once they are cleared environmentally;

Motion 22.1 - Item G: Construction of a new, 8-foot, Class-I bike path and access points within the Los Angeles Flood Control District right-of-way on the western levee of the Los Angeles River Channel from the Pacific Coast Highway [Long Beach] to Imperial Highway [South Gate] to connect with the existing Los Angeles River Bike Path;

- C. Identify all eligible funding sources and develop a funding and project delivery strategy to accelerate implementation of Items J and G of Motion 22.1.
- D. Evaluate opportunities to streamline the timelines of Item J and G of Motion 22.1 with the Rail-to-Rail/River Project, AB530 Working Group, and the LA River Gap Closure Project (Downtown LA to Vernon); and
- E. Report back to the board within 90 days.

Metro



Board Report

File #: 2015-1656, File Type: Contract

Agenda Number: 21.

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

SUBJECT: I-710 SOUTH CORRIDOR PROJECT EIR/EIS, SCOPE, BUDGET, AND SCHEDULE

ACTION: APPROVE CONTRACT MODIFICATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 17 to **Contract No. PS4340-1939 for the I-710 South Corridor Project with URS Corporation (an AECOM Entity) to provide professional services for an additional four month period** in the not-to-exceed amount of \$3,729,598, increasing the total contract value from \$45,794,130 to \$49,523,728.

ISSUE

At the October 2015 meeting, the Board approved Motion 22.1 to evaluate additional scope elements for Alternatives 5C and 7 in the I-710 Corridor Project EIR/EIS and directed staff to report back in 60 days. The additional scope elements include bikeway and pedestrian improvements, right-of-way avoidance designs, and additional transit service analysis among other things (see Attachment D). Three independent bikeway projects were also recommended for study outside the EIR/EIS and staff was directed to return to the Board with recommendations on how to fund these studies.

Metro staff developed a statement of work and an independent cost estimate for the additional scope elements included in Motion 22.1. The contract modification covers the preliminary engineering and environmental studies associated with the additional scope items for the I-710 South Corridor EIR/EIS. The cost to develop the three independent bikeway projects (\$1,196,596) will come from Measure R Administrative funds and is included in this contract modification. Staff also determined that the additional work will delay the re-circulation date by at least four months.

DISCUSSION

The I-710 South Corridor Project (I-710 South) study encompasses an 18-mile long corridor that extends from Ocean Blvd in Long Beach to State Route 60. The I-710 South is a vital transportation artery linking the Ports of Los Angeles and Long Beach to Southern California and beyond. As a result of population growth, cargo container growth, increasing traffic volumes, and aging infrastructure, the I-710 South experiences serious congestion and safety issues. Among the major concerns in the corridor are higher than average truck accident rates; the projected growth in the study area, and effects of recurring congestion and diesel emissions on the quality of life in the

surrounding communities. The I-710 South project alternatives seek to improve safety, air quality/public health, and mobility, and accommodate projected growth.

A Draft EIR/EIS circulated on June 28, 2012 evaluated four build alternatives, three of which included a grade-separated freight corridor. Close to 3,000 comments were received as part of the circulation. Community Alternative 7 (CA-7) was proposed by the Coalition for Environmental Health and Justice (CEHAJ) as a build alternative to be studied in the Draft EIR/EIS. CEHAJ consists of several environmental and community organizations including Communities for Better Environment, Legal Aid Foundation of Los Angeles, Natural Resources Defense Council, East Yard Communities for Environmental Justice, Physicians for Social Responsibility, and Coalition for Clean Air, among others. CA-7 proposes no additional general purpose lanes, a separate 4 lane elevated freight corridor restricted for use by zero emission trucks, no new right-of-way acquisition, an aggressive strategy to improve public transit via rail and bus in the I-710 Corridor, comprehensive regional active transportation improvements, comprehensive construction mitigation program, and extensive community benefits programs. As most of these proposed concepts are not fully developed, CEHAJ proposed that CA-7 be further developed by the Project Team and then studied in the Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS).

In early 2014, the Project Team began working with the various I-710 advisory committees to present the work accomplished so far (traffic forecasting and alternatives development) and to further refine the preliminary build alternatives and geometric concepts. By the middle of 2014, the following two Build Alternatives were presented to the 710 Committees for inclusion in the RDEIR/SDEIS:

Alternative 5C - widen to 5 mixed flow lanes in each direction plus improvements at I-710/I-405 (including truck by-pass lanes), I-710/SR-91, I-710/I-5 and every local interchange between Ocean Blvd. and SR-60.

Alternative 7 - two dedicated lanes (in each direction) for clean technology trucks from Ocean Blvd. in Long Beach to the intermodal railroad yards in Commerce/Vernon, plus improvements at I-710/I-405, I-710/SR-91, I-710/I-5 and every local interchange between Ocean Blvd. and SR-60.

The Board approved Motion 22.1 after extensive coordination and collaboration with a variety of stakeholders. This Motion directed staff to evaluate certain CA-7 scope elements under Alternatives 5C and 7 in the I-710 Corridor Project EIR/EIS, and to report back in 60 days. The additional scope elements include bikeway and pedestrian improvements, right-of-way avoidance designs, and additional transit service analysis among other things (Attachment D). Three independent bikeway projects were also recommended for study outside the EIR/EIS and staff was directed to come back with recommendations on how to fund the studies.

DETERMINATION OF SAFETY IMPACT

The I-710 South Corridor project scope, schedule, and budget revisions will have no impact to the safety of Metro's patrons or employees or the general public.

FINANCIAL IMPACT

Funding for the scope elements to be added to the I-710 South Draft EIR/EIS is included in the \$13,886,695 FY16 budget in Cost Center 4730 (Highway Program B), Project 460316, (I-710 South Early Action Projects), Account 50316 (Services Professional/Technical). Funding for the independent bikeway projects will come from Measure R Administrative funds. Since this is a multi-year project, the cost center manager and the Managing Executive Officer of the Highway Program or designee will continue to be responsible for budgeting the cost in future years.

Impact to Budget

The additional sources of funds for this project will be from Measure R Highway Capital (20%) Funds from the I-710 South and/or Early Action Projects and Measure R Administrative funds. These funds are not eligible for bus and rail operating and capital expenditures.

ALTERNATIVES CONSIDERED

The Board may elect not to approve the proposed contract modification. This option is not recommended. Completing the environmental document for the project is a necessary step in developing the improvements described in Measure R for the corridor. Board approval would allow the project to move forward with continued community engagement and support which has been the trademark of this study.

NEXT STEPS

Upon approval by the Board, staff will execute the contract modification.

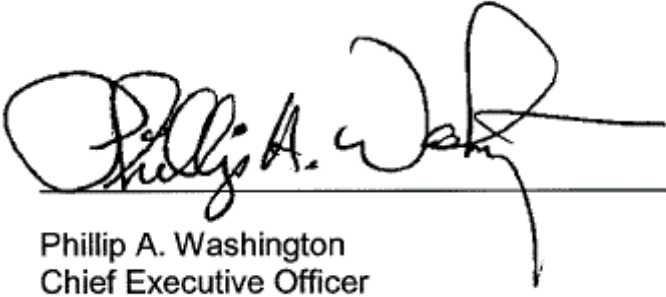
ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - Contract Modification/Change Order Log
Attachment C - DEOD Summary
Attachment D - Board Motion 22.1

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Phillip A. Washington
Chief Executive Officer

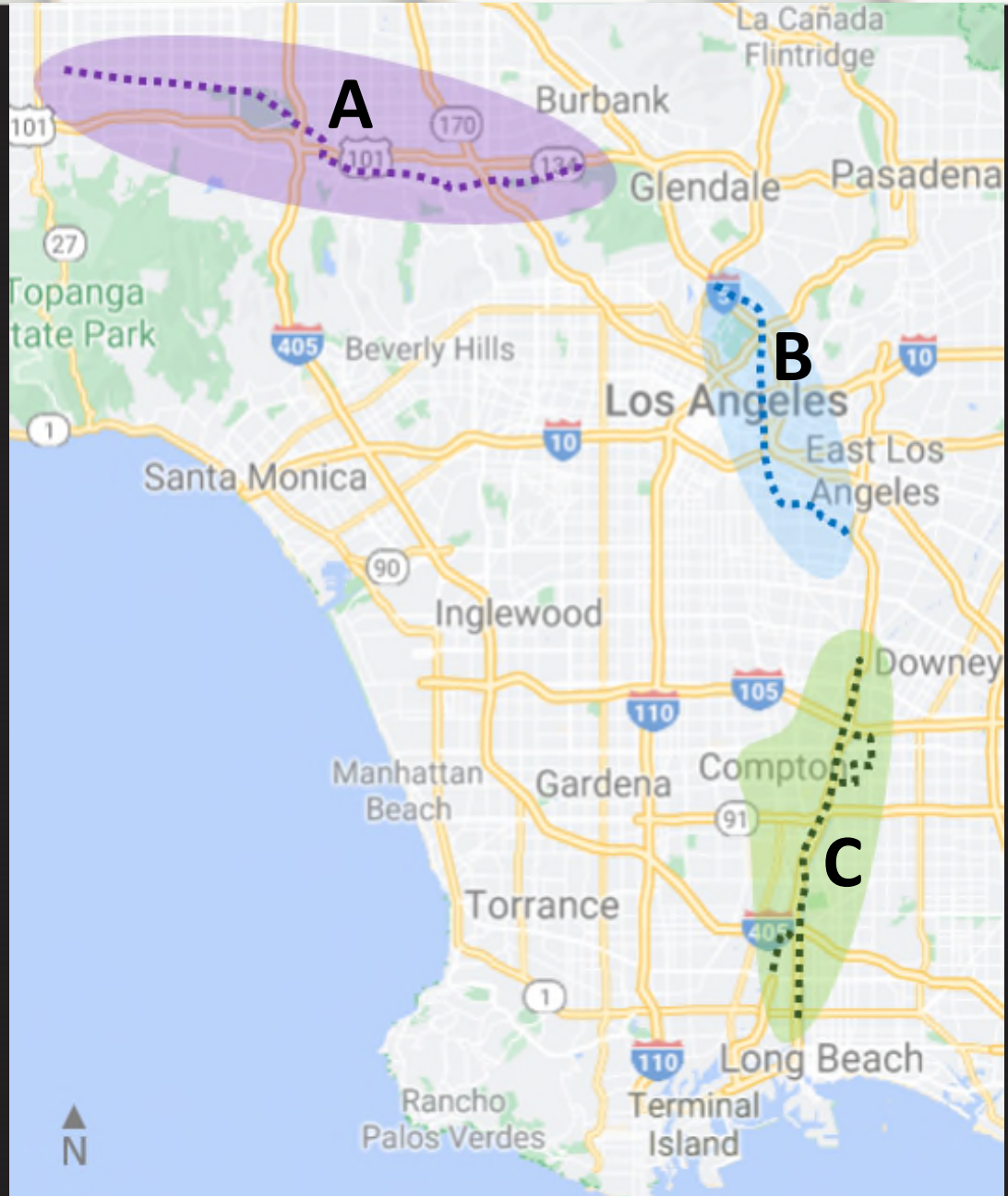


RESPONSE TO JUNE 2021 BOARD MOTION 49: LA RIVER BIKE PATH PROJECT DELIVERY

*Executive Management Committee
November 18, 2021
Item 35, Legistar file 2021-0556*

Map of Three LA River Projects

- A. LA Riverway in the San Fernando Valley
- B. LA River Path through downtown Los Angeles
- C. Lower LA River Bike Path in the Gateway Sub-region



Recommendation

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. **NEGOTIATE** and enter into a funding agreement between Metro and the City of Los Angeles in the amount not to exceed \$60 million for design and construction of the LA Riverway in the San Fernando Valley.
- B. **NEGOTIATE** and conditionally enter into a Cooperative Agreement with LACDPW, City of Los Angeles and City of Vernon for Metro to manage and coordinate on final design and construction of the LA River Path through downtown Los Angeles. The conditions to be negotiated include:
 - 1. Accessibility to right of way owned by each entity for construction permits
 - 2. Commitment from each entity on cooperative engagement on securing additional funding when needed;
 - 3. Metro will partner with City, County, and Federal agencies with ownership and responsibility in the LA River corridor in regards to the overall management structure of the completed project, but will not assume any financial responsibility for operating and maintaining the completed project.
- C. **ENTER** into a Funding Agreement with LACDPW in the amount not to exceed \$773,870 to support LACDPW to perform and lead the environmental clearance for the Lower LA River Bike Path.



Board Report

File #: 2021-0688, **File Type:** Motion / Motion Response

Agenda Number: 36.

**EXECUTIVE MANAGEMENT COMMITTEE
NOVEMBER 18, 2021**

SUBJECT: DEVELOPING A BUSINESS UTILIZATION SCORECARD TO ENCOURAGE DBE, SBE AND DVBE PARTICIPATION

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

RECEIVE AND FILE report on Business Utilization Scorecard.

ISSUE

On July 22, 2021, the Board passed Motion 41 (Directors Solis, Butts, Najarian, Dupont-Walker, and Sandoval) requesting a report back in November 2021 on strategies to develop a business utilization scorecard to encourage Disadvantaged Business Enterprises (DBE), Small Business Enterprises (SBEs) and Disabled Veteran Business Enterprises (DVBE) participation on Metro contracts. This report outlines the development of the Prime Contractor Small Business Utilization Dashboard and the recognition program for Prime Contractors that meet DBE, SBE, DVBE commitments.

BACKGROUND

Small businesses are the lifeblood of our economy, making up over 90% of businesses in Los Angeles County. Over the last year, our small business community has seen disproportionate impacts caused by the pandemic. The County has lost more than 400,000 jobs and saw 7,500 small businesses permanently close due to local, state and federal public health orders. As the County begins recovering from the pandemic, Metro can utilize its resources to re-invigorate the business community.

During any contract solicitation preparation process, Metro staff considers whether or not to establish a Disadvantaged Business, Small Business, and Disabled Veteran Business Enterprise participation goal based on various factors such as funding type (local, state, or federal) and availability of subcontracting opportunities. When these participation goals are established, they become a mandatory condition of award and awardees are expected to meet or exceed their participation goals over the duration of the contract. On U.S. DOT funded contracts with DBE goals, it is understood that Metro, by law, is required to consider good faith efforts to meet goals.

Additionally, the Board does not have data available for primes and/or first-tier sub-contractors that have previously contracted with Metro to assess how often awardees actually meet their Small, Disadvantaged and/or Disabled Veteran business utilization commitments. Developing a business utilization scorecard framework for all primes and first-tier sub-contractors doing business with Metro can encourage more small, disadvantaged, and disabled veteran-owned business participation and provide transparency on whether or not awardees have historically honored their participation commitments.

DISCUSSION

A. A certified Small, Disadvantaged, and Disabled Veteran business utilization scorecard framework for applicable primes and first-tier subcontractors doing business with Metro that demonstrates how often the firms have met their previous Disadvantaged Business, Small Business, and Disabled Veteran Business Enterprise participation commitments on Metro contracts (certified in accordance with Metro standards);

Utilizing the Vendor maintained B2Gnow data, Metro Vendor Contract Management (V/CM) staff developed an online dashboard and data model which provides a visual representation of overall utilization and drill-down functionality to view individual vendor achievements. B2Gnow is a third-party contract tracking system designed to monitor prime contractor payments to sub-contractors. Sub-contractors must verify payments have been received as claimed by prime contractors which the Diversity and Economic Opportunity Department (DEOD) staff monitors for compliance with contract goal requirements. DEOD staff utilizes this system to monitor prime and subcontractor prompt payment, tracking and reporting on contract compliance activity. Metro staff uploads awarded Metro contracts that contain small business goals into the B2Gnow system, and subcontractors must verify payments in the system that are entered by prime contractors. The dashboard tracks the overall percentage of firms that meet or exceed goals and those that do not meet their goals.

Staff additionally examined the feasibility of including 1st tier subcontractors. However, Small business goal requirements are contract goals applied to the overall contract, which is only executed by the prime contractor. The contractor is ultimately responsible to meet small business contract goals. For this reason, the feasibility of illustrating the 1st tier subcontractor's performance relative to contract goals is not practical. Staff recommends that the dashboard be created to track prime contractor performance with utilization data based on contract commitments and payments made to their listed certified small businesses **at all tier levels.**

The dashboard landing page is presented at a summary level with the ability to drill down into the specific detail by Vendor, and includes filtering capability by fiscal year, award status, diversity type, ethnicity, and source of funds. The vendor detail includes information such as contract number, total contract value, participation goal by percentage and contract value, and contract start and end dates. Staff is currently working on a method that will quantify a vendor's utilization. While testing will be required, consideration for refreshing the data frequently, using up-to-date vendor information, would facilitate dynamic dashboard visualizations. The draft images below reflect dashboard samples developed by staff. (See

Figures 1, 2, and 3)

Figure 1 depicts the summary view of all vendor reported information that can be filtered by contractor level, fiscal year, contract number, contract status, and source of funds.

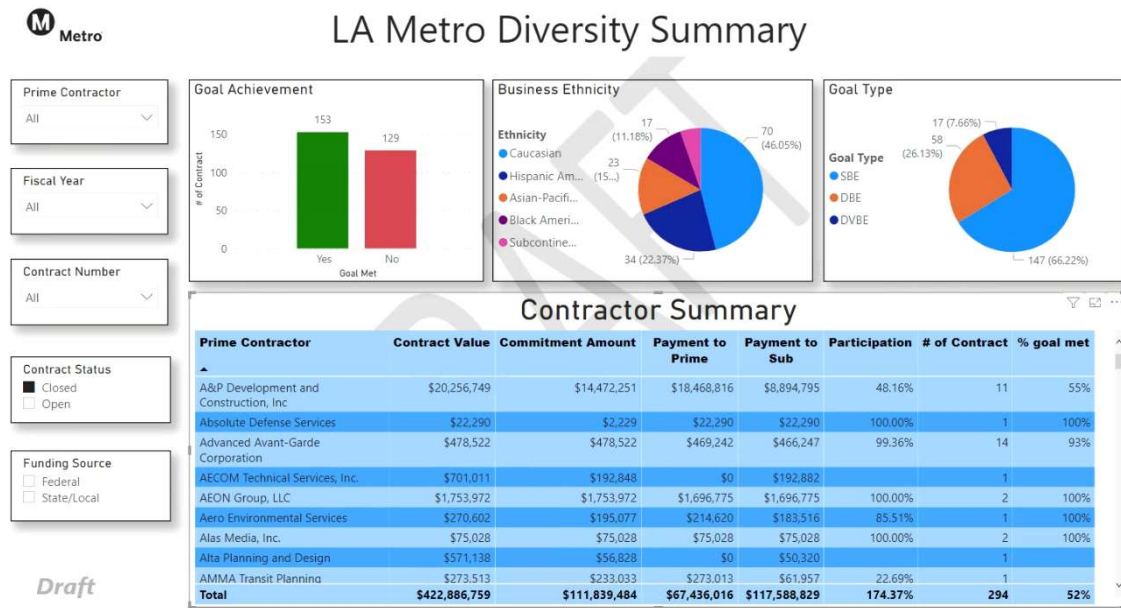


Figure 2 shows an example of a summary view of a specific vendor that has reported on eleven (11) closed contracts. Vendor selection can be made by picking from a dropdown slicer or by clicking on a vendor in the Contractor Summary table.

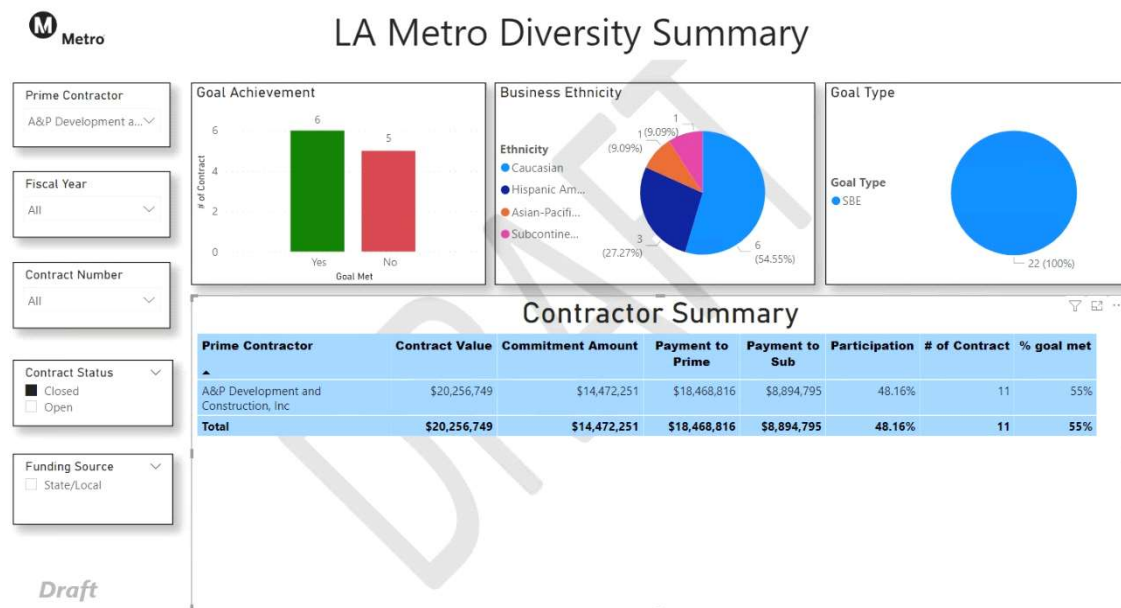


Figure 3 is the drill-down detail from the summary table in figure 2. This detail shows the

specific information by contract that has been reported by the vendor.



Prime Contractor	Contract #	Contract Value	Commitment Amount	Payment to Prime	Payment to Sub	Goal %	Participation	Goal Met	Status
A&P Development and Construction, Inc	AE66279001	\$252,178	\$168,480	\$252,178	\$245,938	66.81%	97.53%	Yes	Closed
A&P Development and Construction, Inc	C1108	\$3,759,597	\$1,836,489	\$3,713,192	\$1,920,143	49.38%	51.71%	Yes	Closed
A&P Development and Construction, Inc	C1122 C21603C1122	\$1,818,882	\$1,818,882	\$1,649,955	\$1,650,320	100.00%	100.02%	Yes	Closed
A&P Development and Construction, Inc	C1126 C23414C1126	\$2,192,158	\$663,785	\$2,192,157	\$1,543,691	30.28%	70.42%	Yes	Closed
A&P Development and Construction, Inc	C1165000	\$644,200	\$403,076	\$644,200	\$407,600	62.57%	63.27%	Yes	Closed
A&P Development and Construction, Inc	DB1782100C1090	\$496,871	\$360,480	\$496,871	\$440,571	72.55%	88.67%	Yes	Closed
A&P Development and Construction, Inc	C1107	\$631,512	\$292,769	\$631,512	\$37,912	46.36%	6.00%	No	Closed
A&P Development and Construction, Inc	C1110	\$5,848,523	\$4,487,572	\$5,602,421	\$614,055	76.73%	10.96%	No	Closed
A&P Development and Construction, Inc	C1163-2000	\$2,649,000	\$2,588,338	\$0	\$0	97.71%		No	Closed
A&P Development and Construction, Inc	C23949C1123-2	\$1,362,500	\$1,334,841	\$2,685,000	\$1,605,851	97.97%	59.81%	No	Closed
A&P Development and Construction, Inc	HUB-11335	\$601,328	\$497,539	\$601,331	\$428,714	82.74%	71.29%	No	Closed
Total		\$20,256,749	\$14,472,251	\$18,468,816	\$8,894,795		48.16%		

B. Feasibility of considering a proposer’s/bidder’s business utilization scorecard as part of evaluation criteria for future contract awards;

Federal procurements are clear that utilization performance shall not result in punitive actions and many solicitations, with the exception of RFPs, are made based on price, thus limiting the implementation and effectiveness of trying to include this in an evaluation criterion. The results of a proposer’s scorecard that measures business utilization would not be feasible in all conditions. Staff has reached out to various transit agencies and have found significant inconsistencies using this information as part of an evaluation criteria. However, many of these agencies do track utilization and use the information to monitor performance. It is key to recognize that Metro can only rely on utilization information from its contract awards and commitments. Metro only has access to its specific set of data, that if used in evaluation criteria, could be limiting to fully understanding a firm’s overall utilization potential. Also, firms with no history with Metro presents a concern that a lack of information is inadequate to assess a firm’s capability, potentially posing a negative impact on a firm’s competitive position.

Additionally, staff considered comments from the Transportation Business Advisory Council (TBAC) and the Southern California Chapter of the Associated General Contractors (AGC) on using a contractor’s past performance as an evaluation criterion. Many concerns were

consistent with Metro's findings above, while others will be considered as part of Metro's recommended Recognition Program.

C. Any additional recommendations to encourage better utilization of Disadvantaged Business, Small Business, and Disabled Veteran Business Enterprises, as well as recommendations to increase disadvantaged and female worker participation as part of Metro contracts.

It is recommended that Metro implement the dashboard to collect and track utilization performance and provide a visual representation that illustrates the Vendor's past performance. This information will be used during overall performance reviews including closing out a contract. Also, it is important for Metro to ensure timely data accuracy reported by Vendors and internal contract updates. While it is not recommended that this information is used in evaluation criteria, staff recommends the development of a Metro Connect recognition program for firms that have met or exceeded their goals (based on the letter grading system developed in support of the dashboard) to highlight and recognize high performers and try to drive overall improvements against goal attainment. In addition, Metro recognizes that for a Vendor to be successful in meeting its goals that it must do so in such a manner that supports its obligations to promptly pay its subcontractors. Since monitoring prompt payment extends to all subcontractors, staff will research developing an additional tracking and grading tool to track and capture this information to evaluate how it can support results for utilization.

DETERMINATION OF SAFETY IMPACT

The recommendation does not impact the safety of Metro employees, passengers and/or customers.

FINANCIAL IMPACT

There is no immediate budget impact to this Recommendation report

EQUITY PLATFORM

Staff recommendations are to enhance equity by providing greater transparency in the utilization of small, disadvantaged, and disabled veteran-owned business participation on Metro contracts. A framework to report prime contractor performance in meeting its contract commitments throughout the life of the contract ensures that certified small businesses, most of which are minority and/or women-owned, are utilized, and projects get the benefit of diverse collaboration and contribute to the economic recovery of small businesses in the region. As Metro continues to establish progressive goals on projects to increase opportunities, the new recommendations will help to reinforce the importance of awardees honoring their participation commitments.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This report supports strategic plan Goal 5.5, "Expanding opportunities for businesses and external organizations to work with Metro."

NEXT STEPS

Staff will continue with the implementation of the dashboard to illustrate the Contractor's utilization participation and recognition program, targeted to launch Q3 FY22.

ATTACHMENTS

Attachment A - Motion 41 (July 22, 2021 Board Meeting)

Prepared by: Tashai Smith, Deputy Executive Officer, DEOD (213) 922-2128
Michael Gonzales, Executive Officer, V/CM, Administrative Business Services
(213) 213-481-3106

Miguel Cabral, Executive Officer, DEOD (213) 418-3270

Reviewed by: Debra Avila, Deputy Chief Vendor/Contract Management Officer, (213) 418-3051


Stephanie N. Wiggins
Chief Executive Officer

**Board Report**

File #: 2021-0501, **File Type:** Motion / Motion Response**Agenda Number:** 41.

**REGULAR BOARD MEETING
JULY 22, 2021****Motion by:****DIRECTORS SOLIS, BUTTS, NAJARIAN, DUPONT-WALKER, AND SANDOVAL****Developing a Business Utilization Scorecard to Encourage DBE, SBE and DVBE Participation**

Small businesses are the lifeblood of our economy, making up over 90% of businesses in Los Angeles County. Over the last year, our small business community has seen disproportionate impacts caused by the pandemic. The County has lost more than 400,000 jobs and saw 7,500 small businesses permanently close as a result of local, state and federal public health orders. As the County begins recovering from the pandemic, Metro can utilize its resources to re-invigorate the business community.

During any contract solicitation preparation process, Metro staff considers whether or not to establish a Disadvantaged Business, Small Business, and Disabled Veteran Business Enterprise participation goal based on various factors such as funding type (local, state or federal) and availability of subcontracting opportunities. When these participation goals are established, they become a mandatory condition of award and awardees are expected to meet or exceed their participation goals over the duration of the contract. On U.S. Dot funded contracts with Disadvantaged Business goals, it is understood that Metro, by law, is required to consider good faith efforts to meet goals. Additionally, the Board does not have data available for primes and/or first-tier sub-contractors that have previously contracted with Metro to assess how often awardees actually meet their Small, Disadvantaged and/or Disabled Veteran business utilization commitments. Developing a business utilization scorecard framework for all primes and first-tier sub-contractors doing business with Metro can encourage more small, disadvantaged, and disabled veteran-owned business participation and provide transparency on whether or not awardees have historically honored their participation commitments.

SUBJECT: DEVELOPING A BUSINESS UTILIZATION SCORECARD TO ENCOURAGE DBE, SBE, AND DVBE PARTICIPATION

RECOMMENDATION

APPROVE Motion by Directors Solis, Butts, Najarian, Dupont-Walker, and Sandoval that the Board of Directors direct the Chief Executive Officer or her designee to report back in November 2021 with the following:

- A. A certified Small, Disadvantaged, and Disabled Veteran business utilization scorecard framework for applicable primes and first-tier subcontractors doing business with Metro that demonstrates how often the firms have met their previous Disadvantaged Business, Small Business, and Disabled Veteran Business Enterprise participation commitments on Metro contracts (certified in accordance with Metro standards);
- B. Feasibility of considering a proposer's/bidder's business utilization scorecard as part of evaluation criteria for future contract awards; and
- C. Any additional recommendations to encourage better utilization of Disadvantaged Business, Small Business, and Disabled Veteran Business Enterprises, as well as recommendations to increase disadvantaged and female worker participation as part of Metro contracts.



Board Report

File #: 2021-0701, **File Type:** Informational Report

Agenda Number: 37.

**EXECUTIVE MANAGEMENT COMMITTEE
NOVEMBER 18, 2021**

SUBJECT: EXPANDING METRO'S EAT SHOP PLAY PROGRAM TO SUPPORT ECONOMIC RECOVERY AND RESTORE RIDERSHIP

ACTION: RECEIVE AND FILE

RECOMMENDATION

RECEIVE AND FILE report on the expansion of Metro's Eat, Shop, Play Program.

ISSUE

Small businesses have been disproportionately impacted by the public health measures that have been in place to mitigate the spread of COVID-19 over the last year and a half. With 93 percent of businesses in Los Angeles County having less than 20 employees, Metro has an opportunity to aid with economic recovery by promoting these small businesses along transit corridors in communities that the pandemic has most impacted.

Several plans and programs currently exist to help support recovery efforts. To best leverage resources, Metro's partnership with existing programs serving LA County will be considered. To convey and support the level of urgency for recovery efforts - programs like the Los Angeles County Economic Development Corporation's Together for LA, and funding from State and Federal resources can be used to augment and expand programming that supports small businesses that have been disproportionately devastated by COVID-19.

BACKGROUND

At the July 22, 2021, Regular Board Meeting, the Board approved a motion (Attachment A) to expand the ESP program to support economic recovery and restore ridership. The Board requested for Metro to report back in November 2021 with the following:

- A. Focusing on small businesses located near existing major transit stops in communities whom the pandemic has disproportionately impacted. Communities should be identified by referencing factors including, but not limited to, number of COVID-19 cases and deaths, economic impacts, household income, transit dependency, pollution burden, and race/ethnicity, and other resources such as redlining maps;

B. Developing additional strategies to assist small businesses through recovery, including, but not limited to, developing walking maps that showcase destinations near transit lines while leveraging existing funding and programs in LA County.

The motion is also consistent with Metro's Recovery Task Force recommendation to "reimagine" Destination Discounts. The Recovery Task Force recommended reimagining Destination Discounts to help rebuild Metro ridership and keep areas around Metro stops and stations vibrant and healthy. Promoting ridership to local businesses and events can boost sales, employment and sales tax revenue. It can also help promote an equitable economic recovery and increase transit ridership. To make up for the likely loss of peak period ridership due to continued telecommuting after COVID-19 ends, this program could help Metro build off-peak ridership.

DISCUSSION

Eat Shop Play (ESP) is a Metro construction mitigation program for the agency's capital construction projects. The program is managed and implemented by Metro's Community Relations. The program's objective is to mitigate reduced customer traffic by dedicating outreach and resources to promote small businesses during construction. ESP activities follow the path of construction to spotlight impacted businesses using a toolkit customized to each construction impact. Eligible businesses are those located on or near a major Metro transit construction project. Eligible businesses may participate in the program at no cost and may apply free at www.metro.net/eatshopplay. The ESP toolkit includes social media, system-wide advertising, videos, street-level banners and in-store promotions, and other tactics to highlight businesses directly impacted by construction activities. It is one program in our Metro toolbox for partnering with the small business community. The ESP team closely coordinates with Metro's Business Interruption Fund and Metro's Business Solutions Center to complete a menu of mitigation options.

ESP staff produce, organize, and promote participating businesses using a variety of programming and tactics. This programming and tactics are tailored for each business and construction impact and include:

- Organized "Meet ups" and "Mixers" at participating businesses
- Digital media listings (Google, Waze, Yelp, banners, other)
- Eblasts and newsletter blurbs in Metro and affiliate publications
- Photo caption spotlights at Metro facilities and locations (station, bus, train, billboards, collaterals, etc.)
- Print media ads and articles (advertorials)
- Paid social media spotlights (Facebook, Twitter & Instagram)
- TAP card customer promotion
- Video spotlights of participating businesses
- Walking map guides of participating business
- Listing and promotion on Metro's ESP webpage - metro.net/eatshopplay
- Booth space, free (i.e., Vendor Days at Metro's Union Station and Gateway Headquarter Building)
- Catering opportunities at Metro and contractors' events and meetings

In addition to the Community Relations team, Metro's Marketing and Design Studio teams provide support by developing advertising collaterals, and they retain the responsibility for maintaining the program branding for print and web products.

Each project has an ESP Community Relations outreach team that works closely on engagement and establishing a relationship with the businesses. Responsibilities and Activities of the Community Relations team include coordination on outreach and assistance that follow Metro's initiative to bring focused attention to local businesses within the communities. Current businesses engagement is determined by the location and level of impact where Metro's construction is occurring.

The Community Relations teams work closely with impacted businesses to learn about their business practices, products, existing advertising approaches, and serve as a resource for working closely with the contractor to further mitigate construction impacts. This information is then used to develop a high-level communications and marketing approach that incorporates the ESP programming.

Community Relations provides Marketing direction for business promotions based on construction impacts. Marketing creates and maintains the branding for ESP across all neighborhoods. To ensure that objectives and goals are reached, all activities are documented. Program measurements include reviewing the total number of businesses who have been engaged/contacted, businesses that have participated in an ESP program activity, and businesses that request additional marketing activities. Community Relations also tracks businesses that sign up for ESP programming but do not participate (even with documented communications between Metro staff and the business). This information is used to refine or identify additional communication approaches.

Considerations

To implement a successful expansion of the ESP program, Metro staff identified three elements for consideration:

1. Pilot Project Areas
2. ESP Program Elements
3. Partnership Opportunities

Pilot Areas

According to the Los Angeles County Economic Development Corporation, Los Angeles County is home to more than 1.3 million small businesses, including more women and Black, Indigenous, People of Color (BIPOC) owned small businesses than any other county in the nation.

Based on the Board's direction to focus "on small businesses located near existing major transit stops in communities who have been disproportionately impacted by the pandemic", Metro Communications and Metro's Office of Equity and Race used data to identify three potential pilot project areas in Los Angeles County. Data was culled from the Home Owner's Loan Corporation Neighborhood Redlining, Los Angeles County 2020 Median Household Income, Environmental Justice Screening Method, the total Covid-19 cases and deaths, and the Los Angeles County Economic Development Corporation. Screening elements included the following reference factors:

- Small businesses located near existing major transit stops
- Communities impacted by COVID-19 cases and deaths
- Communities with higher hazardous components
- Environmental justice communities
- Redlining maps
- Race and ethnicity

Based on this data, Metro recommends four transportation corridors to initiate a pilot program in early 2022 and conclude at the end of the fiscal year 2023. The communities where the pilot program will be implemented are all unique, with distinct neighborhood character, varied types of businesses, and socio-economic factors that will demand more defined approaches to address the disproportionate impacts. In addition, Metro will link Eat Shop Play to methods to attract riders in line with Metro's overall ridership growth strategy.

The four pilot corridors are:

1. Vermont Boulevard: West Anaheim Street to Los Feliz Boulevard
2. Valley Boulevard: North Mission Road to North East End Avenue
3. Slauson Avenue: Sepulveda Boulevard to Santa Fe Springs Road
4. Sherman Way: Fallbrook Avenue to Vineland Avenue

The four identified corridors have a high number of small businesses located near transit stops and are in neighborhoods that are majority people of color who have experienced a disproportionate impact by Covid-19 (both in cases and death). Additionally, the four corridors are each identified as Environmental Justice and formerly redlined communities.

The four pilot corridors would be in addition to the ESP programming that would be budgeted and implemented as part of Metro's Construction Mitigation Programming. Other corridors considered include San Fernando Road, Rosemead Boulevard, Sierra Highways, and Central Avenue.

Eat Shop Play Program Elements

Metro staff recommends using select elements of Metro's existing Eat Shop Play program that can be scaled and implemented along the four pilot corridors. These strategies include:

- Walking/Transit Guides of that include participating businesses
- Video Spotlights of participating businesses
- In-kind Media sponsorship and promotion on Metro's Eat Shop Play webpage
- Digital media listings (Google, Waze, Yelp, banners, other)
- Organized "Meet ups" and "Mixers" at participating businesses
- Photo caption spotlights at Metro facilities and locations (station, bus, train, billboards, collaterals, etc.)
- Eblasts and newsletter blurbs in Metro and partner publications
- Print media ads and articles in community based publications (advertorials)
- Paid social media spotlights (Facebook, Twitter & Instagram)
- TAP card customer promotion

Community-Based Organization (CBO) Partnering

In the proposed expansion, ESP program elements will be implemented by Metro staff and by partnering with local Community-Based Organizations (CBOs). CBOs will be financially contracted to identify, recruit and enroll businesses, formulate, implement, and evaluate the ESP program. With support and direction from Metro staff, the CBOs will assist with the development of program materials, messages, outreach, and tactics, while coordinating with related local and state small business support and recovery programs. In addition, Metro staff will solicit and implement culturally competent, new and innovative ideas from our CBO partners, based on their experience in each community.

Among the hardest hit of the small business community are arts and cultural venues, with 72% of LA County arts and cultural CBOs reporting severe financial impact because of COVID. As part of the four-area pilot program, Metro Art staff will explore partnership opportunities with community-based arts and cultural organizations to implement innovative programs that accelerate recovery and provide greater and more equitable access to arts and culture for our ridership.

Institutional Partnership

We are not alone in the work of supporting small business recovery in Los Angeles County and this Board motion is a prompt to affirm where Metro leads and where Metro partners. In our effort to align our core mission of transportation and mobility, we seek to leverage our technical expertise while building upon the existing work of our county colleagues.

On a regional level, Metro's expanded ESP Program will partner and coordinate with the Los Angeles County Economic Development Corporation's Together for LA Program. Together for LA is a strategic partnership aimed at strengthening and supporting women and diverse-owned small businesses in LA County, as they recover from the COVID-19 pandemic. While Together for LA provides no-cost technical assistance and connections to small business resources, Metro's ESP Program will provide direct marketing assistance and business promotion to support a more equitable recovery. Metro's Eat, Shop, Play will leverage information and resources to better target businesses along each corridor. Together for LA partners with Los Angeles County Economic Development Corporation (LAEDC), The Los Angeles Area Chamber of Commerce, Local Initiatives Support Corporation Los Angeles (LISC LA), The Dr. Lucy Jones Center for Science and Society, The Institute for Sustainable Development (ISD), Los Angeles area large employers, City of Los Angeles and Los Angeles County.

Metro's expanded ESP Program will seek to partner with individual economic development corporations on each of the proposed corridors on a local community level. These economic development corporations have been conducting outreach to businesses along each corridor before, during and after the Covid-19 pandemic. Partnering with these organizations will provide Metro and our CBO partners with valuable community information, knowledge, and expertise.

These include:

- Los Angeles Economic Development Corporation (LAEDC)

- Vermont-Slauson Economic Development Corporation (VSEDC)
- Valley Economic Development Corporation (VEDC)

When possible, the expanded program will coordinate with existing and new Metro programs including Metro’s Business Solutions Center, Metro Art, and Metro’s Transit Oriented Communities Small Business Loan Program.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an adverse impact on safety standards for Metro.

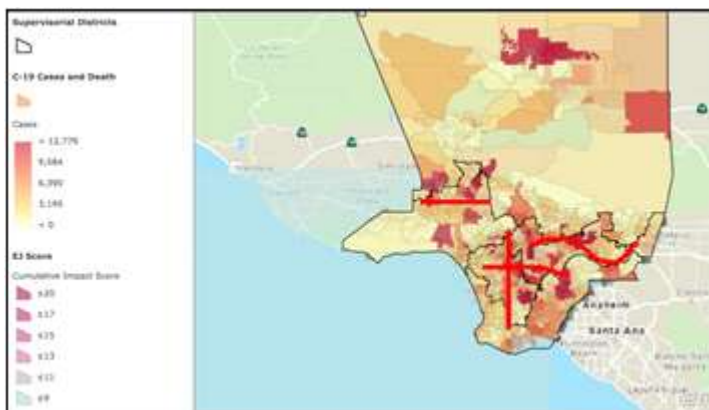
FINANCIAL IMPACT

There is no financial impact to this action at this time. A staffing plan and proposed budget will be prepared for board consideration in February 2022.

Impact to Budget

A staffing plan and proposed budget will be prepared for board consideration at a later date.

EQUITY PLATFORM



Covid-19 has disproportionately impacted the initial corridors identified for the recommended pilot in cases and deaths, are areas with low household median incomes, high levels of pollution burden, and are in marginalized or disadvantaged communities. Metro Communications worked closely with the Office of Equity and Race (OER) and used similar data sources being used to update Metro’s Equity Focused Communities (EFCs) definition.

By focusing on areas with higher transit access, we are working to connect transit riders with adjacent businesses.

The intention is also to help educate and support businesses as they access services. Many of the businesses the program seeks to engage may need technical assistance to access a government program. The nature of this program is very grassroots and will require a large amount of one-on-one

relationship building, which is time intensive. Working with CBOs will be essential to the success of the pilot. Should this pilot move forward, it is the intention to partner with and financially compensate CBOs.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The project supports the following strategic goals:

3.2 Metro will leverage its transit investments to catalyze transit-oriented communities and help stabilize neighborhoods where these investments are made.

4.1 Metro will work with partners to build trust and make decisions that support the goals of the Vision 2028 Plan.

5.5 Metro will expand opportunities for businesses and external organizations to work with us.

ALTERNATIVES CONSIDERED

The Board may direct staff to pursue a program that is wholly designed and implemented by Metro staff. Staff does not recommend this approach, as it is our belief that community-based organizations (CBO's) have expertise and capacity to assist with program development and implementation. Further, staff believes that pursuing CBO partners is consistent with Metro's CBO Partnering strategy and will positively engage the private industry.

NEXT STEPS

Staff will create a Statement of Work (SOW) and solicit input from community-based organizations for the implementation of the program. Following development of the SOW and response from CBO's a complete project budget including labor and non-labor costs, and a staffing plan will be presented to the Board for review and adoption. Staff anticipates the following next steps:

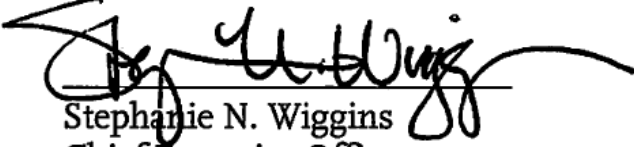
- December: Engage CBO's, develop workplan, and budget
- February 2021: Board Review and Authorization of Budget and Staffing
- Potential April 2022: Launch Pilot Program

ATTACHMENTS

Attachment A - Eat Shop Play Board Motion

Prepared by: Anthony Crump, Deputy Executive Officer, (213) 418-3292

Reviewed by: Yvette Rapose, Chief Communications Officer, (213) 418-3154



Stephanie N. Wiggins
Chief Executive Officer

**Board Report**

File #: 2021-0500, **File Type:** Motion / Motion Response**Agenda Number:** 40.

**REGULAR BOARD MEETING
JULY 22, 2021****Motion by:****DIRECTORS SOLIS, BUTTS, NAJARIAN, DUPONT-WALKER, AND SANDOVAL****Expanding Metro's Eat Shop Play Program to Support Economic Recovery and Restore Ridership**

Small businesses have been disproportionately impacted by the public health measures that were put in place to mitigate the spread of COVID-19 over the last year. Thousands of small businesses in California have closed either temporarily or permanently. Many small businesses that rely on in-person services to sustain themselves have low cash reserves and lack the online presence possessed by more sophisticated businesses, especially in disadvantaged communities of color. This is of particular concern in Los Angeles County where 93 percent of businesses have less than 20 employees.

With an \$8 billion annual budget, Metro has the resources to accelerate recovery within the small business community while pursuing the goal of restoring ridership. Metro already has existing programs that support businesses during construction of megaprojects. Programs such as "Eat Shop Play" can be expanded to support businesses through recovery and to encourage those businesses' visitors to take transit. Eat Shop Play can be extended to existing rail and high-quality transit corridors in communities that have been most impacted by the pandemic, which are also often communities with many transit-dependent households. Metro can explore strategies such as enhancing businesses' internet presence, developing walking maps that feature businesses and how to access them via transit, and launching social media and email marketing promotions which will activate station areas and encourage transit ridership. Low-income communities need targeted assistance as they continue to experience higher unemployment as a direct result of the pandemic relative to high-income communities. Expansion of Eat Shop Play will not only assist local businesses in hard-hit communities, but it will also rebuild Metro ridership by activating Metro station areas and attracting more riders.

SUBJECT: EXPANDING METRO'S EAT SHOP PLAY PROGRAM TO SUPPORT ECONOMIC RECOVERY AND RESTORE RIDERSHIP**RECOMMENDATION****APPROVE** Motion by Directors Solis, Butts, Najarian, Dupont-Walker, and Sandoval that the Board of

Directors direct the Chief Executive Officer or her designee to provide a report back in November 2021 that includes recommendations to expand the Eat Shop Play program to support small businesses in communities that have been most impacted by the COVID-19 pandemic. The report should consider the following:

- A. Focusing on small businesses located near existing major transit stops in communities who have been disproportionately impacted by the pandemic. Communities should be identified by referencing factors including, but not limited to, number of COVID-19 cases and deaths, economic impacts, household income, transit dependency, pollution burden, and race/ethnicity, and other resources such as redlining maps;
- B. Developing additional strategies to assist small businesses through recovery including, but not limited to, developing walking maps that showcase destinations near transit lines, creating promotional videos for businesses, and supporting businesses' online presence; and
- C. Potential funding sources such as American Rescue Plan Act funding.

**Board Report**

File #: 2021-0709, **File Type:** Motion / Motion Response**Agenda Number:** 38.

**EXECUTIVE MANAGEMENT COMMITTEE
NOVEMBER 18, 2021****SUBJECT: UPDATE ON DEVELOPMENT OF METRO STREET SAFETY POLICY****ACTION: RECEIVE AND FILE****RECOMMENDATION**

RECEIVE AND FILE update on development of Metro Street Safety Policy.

ISSUE

Metro's Board of Directors passed a motion instructing staff to develop a street safety policy (See Attachment A). Metro staff formed an internal working group and conducted outreach to advisory bodies. This update references key challenges and opportunities to reduce deaths and injuries from collisions. Vehicle collisions are a leading cause of death and injury in Los Angeles County, with higher rates of harm for Black and Latino residents, for people walking and biking, and for unhoused people. Street safety also impacts Metro's mission of providing world-class transportation because people are less likely to take transit or use active transportation if they feel they cannot safely access and use these modes of travel. The update also 1) summarizes progress in identifying roles for Metro through which the agency can contribute to greater street safety; 2) notes that the main responsibility for street regulation and safety will still rest with local jurisdictions; 3) lists key themes that staff have heard from advisory boards; and 4) shares next steps.

BACKGROUND

In January 2021, the Metro Board of Directors adopted the Street Safety Policy Motion (File 2020-0928) instructing staff to report back on development of a Street Safety Policy, a countywide street safety data collection program, and assessment of internal risk and liability to safety of all Metro-provided public transportation services. The motion emphasized that this would build upon Goal 1.2 of Metro's strategic plan and that the safety of street users is a public health issue and a key factor in people's willingness to travel by transit and active transportation. The Motion also recommended that in developing a policy, staff should focus on Metro roles that intersect with street safety.

DISCUSSION**Consequences of Unsafe Streets**

According to state data, 719 people were killed and 88,068 people were injured by vehicle collisions in LA County in 2019. Vehicle collisions are the fourth leading cause of **premature** death in the County, ahead of homicides, strokes, and lung cancer. This is due to the fact that collisions harm people of all ages. Crashes are in fact the leading cause of death for children aged 5-14, the second leading cause of death for ages 15-24 and the fourth leading cause of death for those 25-45.

Deaths from collisions are also not equitably distributed. According to research by UCLA, Black people, who are 8.6 percent of Los Angeles City's population, were 14.1 percent of those killed by collisions between 2013 and 2017. People experiencing homelessness in LA County were 16 times more likely to die from transportation related causes than the general public, with 164 deaths in 2019. 329 of those killed across LA County in 2019 were walking or cycling. This represents 46% of those who lost their lives, a disproportionate number given that the walk and bike share of trips in LA County is approximately 15 percent for non-commute trips and just 5 percent for commute trips.

For references for the above data, additional data on street safety and a discussion of Vision Zero principles, see Attachment B: Street Safety Trends.

Roles for Metro Under Consideration to Advance Street Safety

How can Metro best contribute to street safety? *Metro does not control the design of streets, the speed limits for vehicles on streets, nor enforcement of traffic laws. Therefore, Metro's Street Safety Policy will not look like a local jurisdiction's street safety plan.* It will instead, as suggested in Board Motion 2020-0928 (see Attachment A), focus on Metro roles that allow the agency to contribute to and partner on safer streets. Through staff deliberations to date, we have identified the 2014 Complete Streets Policy as precedent to the intended Street Safety Policy with similar goals around directing various Metro functions to influence the design and safety of public rights-of-way. As such, we intend to approach the development of this policy as, in part, an update and addition to the adopted Complete Streets Policy.

The staff working group has identified the following roles as an initial framework for policy development:

- **Operator.** Metro operates bus service, Metro Micro, street running BRT and light rail and provides bike share. All of these services give the agency insights about street safety from operators' observations and from data on collision incidents involving Metro vehicles. Staff will further discuss and develop the potential to analyze these insights to help jurisdictions identify unsafe conditions and to recommend improvements that could help reduce collisions. *It will also be important to promote complete street designs which can simultaneously reduce dangerous vehicle speeds and speed up buses through bus prioritization measures.*
- **Planner and Builder.** Metro plans and/or builds rail, BRT, highway and active transportation projects. The agency also creates regional scale plans that address different modes of travel on public rights-of-way, including BRT, bus lanes and other prioritization measures, active transportation and goods movement, among others. Within Metro's transit project delivery functions, the first/last mile program provides a focus on street safety surrounding future stations and establishes clear partnership roles between Metro and local agencies. That focus

can be sharpened and enhanced within the street safety policy. Metro also has a Strategic Plan and Long Range and Short Range Transportation Plans, providing an opportunity to develop, refine, and track street safety goals at the countywide scale. Staff will further develop how these projects and plans can continue to help provide safe, multi-modal ways to travel in LA County. *Staff also note that work on and potential adoption of a Street Safety Policy does not change Metro's Board Adopted 2013 Supplementary Modifications to Transit Projects Policy, which addresses requests for Metro to pay for upgrades to third party facilities (betterments).*

- **Funder.** Metro provides large amounts of pass-through funding that is available to local jurisdictions to spend on street improvements and safety enhancements, including Local Return and Measure M's Sub-Regional Programs. Metro also manages smaller discretionary funding programs. As noted above, 2014 Complete Streets Policy was intended to influence the design and function of public right-of-way within Metro discretionary funding programs. The staff working group will further develop ways to publicize and promote use of the non-discretionary funds to advance street safety as well as fine-tune the street safety focus of discretionary/competitive programs.
- **Legislative advocate.** Metro's 2021 State and Federal Legislative Programs include a goal to "[m]onitor and support legislation that would authorize the cities and unincorporated areas of Los Angeles County to develop and implement strategies to reach Vision Zero goals of improving safety and eliminating traffic-related fatalities." At the state level, Metro supported AB 43 (Friedman- greater local authority to set speed limits), AB 550 (Chiu- pilot speed camera programs), and funding for active transportation projects from the budget surplus. Metro also sponsored SB 917 (Bloom- camera enforcement of bus lanes), which is primarily intended to speed up buses but would likely have secondary safety benefits by reducing bus-vehicle conflicts. At the federal level, Metro has supported proposals for additional grant funds for safe streets and provided comments on FHWA's update of the Manual of Uniform Traffic Control Devices. Staff will further discuss and develop how Metro could support additional legislation that would protect pedestrians and other vulnerable road users.
- **Data provider.** Metro gathers and shares information on its services and programs and hosts Los Angeles County Regional Integration of Intelligent Transportation Systems (RIITS), which provides data sets related to arterial traffic. For information on collisions, deaths and injuries, the statewide Transportation Injury Mapping System (TIMS) is the chief data source. To report back on the second goal of this motion on a countywide street safety data collection program, the staff working group are discussing how Metro and RIITS could help improve the quality of data provided by local agencies to TIMS, and how to help analyze and share LA County data from TIMS in formats that promote greater awareness of street safety and help identify key trends and unsafe segments of the road network as well as potential mitigations.
- **Educator.** Metro's Community Education & Mobility Programs (MCE) Team is responsible for increasing transit safety awareness and providing education to residents of Los Angeles County who interact with Metro's public transportation system through various safety programs. This includes safety for Metro's rail lines, bus system, bicycles and pedestrians. Through its Transit Safety Program, educational site-specific safety training, hands on travel

training and continuous local community engagement is provided to K-12 schools. One on one and peer to peer travel training is provided to senior centers and independent living facilities throughout LA County. Staff will further discuss and develop whether and how additional partnerships and outreach methods could help advance street safety.

- **Innovator.** Metro's mission is to provide world-class transportation and the agency operates pilot projects to test transportation approaches. The staff working group is discussing how to learn lessons from places that have successfully reduced deaths and injuries, and how new technologies can advance street safety.

Input from Advisory Bodies

Over the summer of 2021, Metro staff briefed eleven advisory bodies, including the Policy Advisory Committee, all Service Councils, and the Public Safety Advisory Committee about the goals of the motion and the Metro roles that staff were considering leveraging. Advisory bodies provided feedback on this potential framework. Comments were supportive of Metro helping improve street safety in a partnering role. Some recommendations included:

- Connect to regional and city efforts
- "Put teeth" into funding
- Don't disadvantage cities that have already invested in safety
- Talk to advocates working on traffic safety
- Pay attention to challenges faced by those with disabilities
- Explore how to advance vehicle safety improvements
- Try social media campaigns to promote street safety

FINANCIAL IMPACT

Receiving and filing an update on progress on a Metro street safety policy does not have financial costs.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This update provides a status report of progress towards a Metro Street Safety Policy. Completion of the process and adoption and implementation of a new street safety policy will specifically advance Goal 1.2 which calls for Metro to "reduce roadway collisions and injuries." Safer streets would also advance Goals 1 and 2 by making people feel safer and more comfortable in using transit and active transportation, and Goal 4 through Metro partnering to advance public policies and safer street networks.

EQUITY PLATFORM

Completion of the process and adoption and implementation of a new street safety policy that helps reduce collisions, deaths and injuries is expected to disproportionately save the lives of vulnerable residents of Los Angeles County, specifically when implemented with intentional equity considerations and consultations with disproportionately impacted groups." Staff development of a proposed Metro Street Safety Policy includes consideration of how policy implementation will prioritize and address unique needs of marginalized communities who currently experience

disproportionate impacts from traffic violence, often connected to historic and ongoing exclusion and disinvestment. A street safety policy will also be based on a broader analysis of safety in public spaces, which intersects with issues such as public safety, law enforcement, and environmental design.

Additional ways to maximize equity benefits and avoid disproportionate burdens being explored including how to:

- Conduct outreach that prioritizes Equity Focus Communities, historically marginalized communities, and vulnerable road users;
- Have nuanced conversations on enforcement, including connecting this effort to the work of the Public Safety Advisory Committee;
- Use funding as an equity tool;
- Improve regional data collection and sharing in a manner that helps local jurisdictions identify and address disparities in harm from vehicle collisions.

NEXT STEPS

Staff will conduct outreach to the public and stakeholders, then draft a street safety policy based on staff research and discussions as well as input from the Board, advisory bodies and the public. This draft will be shared for additional public feedback, then brought to the Board for consideration.

ATTACHMENTS

Attachment A - Motion 2020-0928

Attachment B - Street Safety Trends

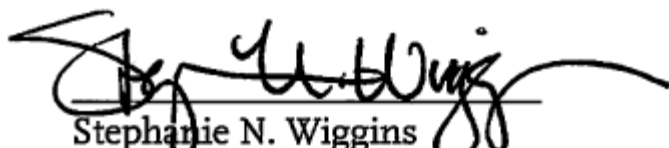
Prepared by: Mark Vallianatos, Executive Officer, Office of Extraordinary Innovation (626) 375 8293

Reviewed by:

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James de La Loza, Chief Planning Officer, (213) 922-2920

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Stephanie N. Wiggins
Chief Executive Officer



Board Report

File #: 2020-0928, **File Type:** Motion / Motion Response

Agenda Number: 55.

REGULAR BOARD MEETING JANUARY 28, 2021

Motion by:

DIRECTORS GARCETTI, SOLIS, MITCHELL, AND BONIN

Metro Street Safety Policy

Street safety is a growing concern for communities across the globe. L.A. County vehicle crashes injured more than 91,000 people and killed 860 people in 2017. Traffic crashes are the leading cause of death for children ages 5-14 and the fourth-leading cause of premature death overall. In low-income communities and communities of color, impacts of vehicle crashes are often more severe because of inadequate infrastructure and higher vehicular speeds resulting from decades of inequitable transportation investments. To address street safety, L.A. County and many cities within the county have adopted street safety policies.

Metro's Vision 2028 Strategic Plan includes initiative 1.2.E to improve safety on the transit system and reduce roadway collisions and injuries. This initiative will be of increasing importance as the agency recovers from the COVID-19 pandemic. Safety and perception of safety will influence mode choice as people return to more daily travel. Street users need to feel safe accessing the Metro system. The risk of increasing Vehicle Miles Traveled during COVID-19 recovery is a pending threat to meeting the aggressive climate goals dictated by SB 375. Metro will benefit from working with state and local efforts to make streets safer.

Metro does not regulate local streets but can support safer streets within L.A. County through:

- Interfacing with the local public right-of-way, especially through Metro Bus Rapid Transit, Active Transportation Corridors, First/Last Mile projects, and Highway projects
- Funding priorities for local projects
- Transportation operations, Transportation Demand Management, and public outreach and engagement
- State and federal advocacy

SUBJECT: METRO STREET SAFETY POLICY

RECOMMENDATION

APPROVE Motion by Directors Garcetti, Solis, Mitchell, and Bonin that the Board of Directors direct the CEO, in consultation with the Executive Officer for Equity and Race, to report back on:

- A. Developing a Street Safety Policy addressing the points discussed above;
- B. Creating a countywide data collection program, working in partnership with SCAG, L.A. County Department of Public Health, RIITS, and any other local, state, or federal partners, to design a program to document and analyze serious injuries and fatalities from transportation; and
- C. Assessing internal risk and liability to safety of all Metro-provided public transportation services.

Attachment B

Street Safety Trends Update on Development of Metro Street Safety Policy

Consequences of unsafe streets

According to state data, 719 people were killed and 88,068 people were injured by vehicle collisions in LA County in 2019.¹ Vehicle collisions are the fourth leading cause of **premature** death in the County, ahead of homicides, strokes, and lung cancer.² This is due to the fact that collisions harm people of all ages. Crashes are in fact the leading cause of death for children aged 5-14, the second leading cause of death for ages 15-24 and the fourth leading cause of death for those 25-45.

Deaths from collisions are also not equitably distributed. According to research by UCLA, Black people, who are 8.6 percent of Los Angeles City's population, were 14.1 percent of those killed by collisions between 2013 and 2017.³ People experiencing homelessness in LA County were 16 times more likely to die from transportation related causes than the general public, with 164 deaths in 2019.⁴ 329 of those killed across LA County in 2019 were walking or cycling.⁵ This represents 46% of those who lost their lives, a disproportionate number given that the walk and bike share of trips in LA County is approximately 15 percent for non-commute trips and just 5 percent for commute trips.⁶

During 2020, when there was significantly less driving, deaths from collisions in the City of Los Angeles were just three percent lower than in 2019. LADOT officials attribute this to a "pandemic of speeding" during times when fewer cars were on the road.⁷

Pedestrian deaths in particular have increased in Los Angeles County and nationwide in recent years.⁸ Some likely causes of this rise are an increase in the size, height and engine power of

¹ Transportation Injury Mapping System (TIMS), *Safe Transportation Research and Education Center, University of California, Berkeley*. 2021. <https://tims.berkeley.edu/>

² County of Los Angeles Department of Public Health. *Patterns of Mortality in Los Angeles County, 2008-2017*. Appendixes B3, C1 and C3. December 2019.

³ Madeline Brozen and Annaleigh Yahata Ekman. *The Need to Prioritize Black Lives in LA's Traffic Safety Efforts*. UCLA Lewis Center for Regional Policy Studies. December 2020. <https://www.lewis.ucla.edu/research/black-lives-la-traffic-safety/>

⁴ Los Angeles County Department of Public Health, Center for Health Impact Evaluation, *Recent Trends In Mortality Rates and Causes of Death Among People Experiencing Homelessness in Los Angeles County*, January 2021. http://www.publichealth.lacounty.gov/chie/reports/HomelessMortality2020_CHIEBrief_Final.pdf

⁵ Transportation Injury Mapping System (TIMS)

⁶ US Census 2018 for commute; National Household Travel Survey - California 2017 for other trips.

⁷ Ryan Fonseca. "Traffic Was Historically Low In 2020. The Death Toll On LA's Streets Was Not." LAist. April 29, 2021. <https://laist.com/news/transportation/2020-traffic-deaths-los-angeles-pandemic>

⁸ Fonseca. "Traffic Was Historically Low In 2020."

passenger vehicles, which contribute to more deadly vehicle-pedestrian collisions;⁹ driver distraction from smart phone use; increasing numbers of people experiencing homelessness who are likely to live near roadways;¹⁰ as well as relatively slow progress by jurisdictions in transforming the road grid in LA County into complete streets with infrastructure that is safe for all road users.¹¹

76 percent of Metro transit riders get to their first bus or train of the day by walking, and another 4 percent by bike or skateboard.¹² The reality and perception of safe streets therefore can impact people's willingness to use transit in addition to their willingness to use active transportation.

Vision Zero strategies

Vision Zero plans and policies are considered the best practice to reduce deaths and injuries from vehicle collisions. The core goal of Vision Zero is to eliminate roadway deaths, because society has an ethical obligation to ensure that people do not die when traveling. Vision Zero's logic is that humans are not perfect, that mistakes can never be eliminated from transportation, and that *therefore the best way to reduce harm is to design streets and vehicles in a manner that ensures that mistakes do not lead to deaths or serious injury*. For example, making the road network into complete streets with safe space for all users (bus-only lanes, protected lanes for cycling, sidewalks and safe crosswalks, vehicle lanes) reduces conflict between larger, faster vehicles and vulnerable road users. Lower speed limits and streets physically designed to make speeding difficult also save lives by lowering the chance that a mistake and collision results in death or serious injury. Vision Zero strategies have also traditionally included strengthening enforcement of traffic laws. Increased inclusion of diverse and community-based perspectives have led street safety experts and practitioners to pursue a more nuanced approach that recognizes that increased law enforcement has a disproportionate impact on communities of color.¹³

Vision Zero policies originated in Sweden in 1997, when the approach was adopted by that nation's parliament. Its implementation resulted in a 60 percent reduction in roadway fatalities

⁹ Justin Tyndall, Pedestrian deaths and large vehicles, *Economics of Transportation*, Volumes 26–27, 2021, 100219, <https://www.sciencedirect.com/science/article/pii/S2212012221000241>

¹⁰ Transportation related causes of deaths for people experiencing homelessness rose 60 percent between 2014 and 2018. LA County Department of Public Health. *Recent Trends In Mortality Rates and Causes of Death Among People Experiencing Homelessness in Los Angeles County*.

¹¹ Susan Carpenter. "LA is less bike friendly than NYC and San Francisco, new study says." *Spectrumnews1*. June 7, 2021.

<https://spectrumnews1.com/ca/la-west/transportation/2021/06/07/la-is-less-bike-friendly-than-nyc-and-san-francisco>

¹² Metro On-Board Customer Satisfaction Survey. October-November 2019.

http://media.metro.net/projects_studies/research/images/infographics/system_results_fall_2019.pdf

¹³ Vision Zero Network. "Safe Mobility is a Right. Vision Zero Communities Should Commit to Equity From the Start." <https://visionzeronetwork.org/resources/equity/>

between 2000 and 2019.¹⁴ Vision Zero policies have been successfully used elsewhere. In 2019, there were zero pedestrian or cyclist deaths in Helsinki, Finland and in Oslo, Norway, and no children younger than 16 died in vehicle crashes in all of Norway.¹⁵ LA County has ten million residents while these two cities each have fewer than 700,000; and neither place centered motor vehicles in their planning as strongly as greater LA did during the 20th century. Still, their success shows what can be accomplished when road design aims at safety for all.

The City of Los Angeles adopted a Vision Zero plan in 2015 aiming for zero deaths by 2025;¹⁶ LA County's 2019 Vision Zero plan seeks zero deaths on unincorporated County roads by 2035.¹⁷ Since deaths and injuries are still high, Metro can play a useful role as partner to local jurisdictions towards the goal of making streets safer.

..Prepared_by

Prepared by: Mark Vallianatos, Executive Officer, Office of Extraordinary Innovation (626) 375 8293

¹⁴ Swedish Transport Administration. Vision Zero timeline.

https://www.roadsafetysweden.com/contentassets/7ecbcb46d4684a9982b1f85c3bd8cb1e/4950x2500mm_mont_er-nollvisionen_tidslinje_20100219.pdf

¹⁵ Jessica Murray. "How Helsinki and Oslo cut pedestrian deaths to zero." March 16, 2020.

<https://www.theguardian.com/world/2020/mar/16/how-helsinki-and-oslo-cut-pedestrian-deaths-to-zero>

¹⁶ Vision Zero Los Angeles- 2015/2025. <https://view.joomag.com/vision-zero-los-angeles/0915902001459876247?short>

¹⁷ Vision Zero Los Angeles County: a Plan for Safer Roadways, 2020-2025.

<https://pw.lacounty.gov/visionzero/docs/SCAG-LACounty-VZ-Action-Plan-ver-D-hiRes-single-11-25-2019-rev.pdf>



Metro Street Safety Policy

Background / Metro Roles / Discussion

November 2021



Metro

BACKGROUND: Board Motion 2020-0928, adopted January 2021

THREE GOALS:

1. Develop a Street Safety Policy
2. Create a countywide data collection program
3. Assess internal risk and liability to safety of all Metro-provided public transportation services

Recommends building on METRO ROLES

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

M Metro
Board Report

File #: 2020-0928, **File Type:** Motion / Motion Response **Agenda Number:** 55.

**REGULAR BOARD MEETING
JANUARY 28, 2021**

Motion by:
DIRECTORS GARCETTI, SOLIS, MITCHELL, AND BONIN

Metro Street Safety Policy

Street safety is a growing concern for communities across the globe. L.A. County vehicle crashes injured more than 91,000 people and killed 860 people in 2017. Traffic crashes are the leading cause of death for children ages 5-14 and the fourth-leading cause of premature death overall. In low-income communities and communities of color, impacts of vehicle crashes are often more severe because of inadequate infrastructure and higher vehicular speeds resulting from decades of inequitable transportation investments. To address street safety, L.A. County and many cities within the county have adopted street safety policies.

Metro's Vision 2028 Strategic Plan includes initiative 1.2.E to improve safety on the transit system and reduce roadway collisions and injuries. This initiative will be of increasing importance as the agency recovers from the COVID-19 pandemic. Safety and perception of safety will influence mode choice as people return to more daily travel. Street users need to feel safe accessing the Metro system. The risk of increasing Vehicle Miles Traveled during COVID-19 recovery is a pending threat to meeting the aggressive climate goals dictated by SB 375. Metro will benefit from working with state and local efforts to make streets safer.

Metro does not regulate local streets but can support safer streets within L.A. County through:

- Interfacing with the local public right-of-way, especially through Metro Bus Rapid Transit, Active Transportation Corridors, First/Last Mile projects, and Highway projects
- Funding priorities for local projects
- Transportation operations, Transportation Demand Management, and public outreach and engagement
- State and federal advocacy

SUBJECT: METRO STREET SAFETY POLICY

RECOMMENDATION

Significance of street safety

Public health crisis

719 deaths, 88,068 injuries in 2019.

Disproportionately Black, Latino, pedestrians, cyclists, people experiencing homelessness

Pedestrian deaths have risen

incomplete streets, larger vehicles, homelessness


Impacts Metro's mission

Safety concerns discourage active transportation + transit use



Los Angeles Times Subscribe Now \$1 for 6 months

Op-Ed: People of color are dying from traffic violence at a much higher rate. Here's why



To help reduce fatal traffic crashes, the city of L.A. has added new crosswalks that extend further into the street, such as this one at 43rd and Broadway. (Al Seib / Los Angeles Times)

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Staff working group have focused on relevant Metro roles

Metro does not control street design, speed limits, or enforcement. To help Metro collaborate to advance street safety, staff have considered how to leverage Metro's roles as:

Operator

Planner & Builder*

Funder

Data Provider

Legislative Advocate

Educator

Innovator

*This policy is not meant to change Metro's 2013 Supplementary Modifications to Transit Projects Policy, which addresses requests for Metro to pay for upgrades to third party facilities (betterments).



KEY OPPORTUNITIES + EQUITY CONSIDERATIONS

- Update Complete Streets Policy
- Help advance safety and increase bus speeds
- Gather/ share data to enhance state information

To maximize equity benefits and avoid disproportionate burdens:

- Outreach to Equity Focus Communities and vulnerable road users
- Nuanced conversations on enforcement
- Use Funding and data as equity tools

Next Steps

- Broader public outreach, including CBOs + advocacy groups
- Staff develop draft policy
- 2nd round of outreach for comments
- Take to Board

Thank you! Contact for street safety work:

Mark Vallianatos, EO, Office of Extraordinary Innovation

Vallianatosm@metro.net



Board Report

File #: 2021-0691, **File Type:** Informational Report

Agenda Number: 39.

**EXECUTIVE MANAGEMENT
NOVEMBER 18, 2021**

SUBJECT: NEW FOSTERING AN INCLUSIVE CULTURE POLICY

ACTION: RECEIVE AND FILE

RECOMMENDATION

RECEIVE AND FILE status report on the new Fostering an Inclusive Culture Policy (Attachment A).

ISSUE

Metro seeks to recognize, observe, and celebrate holidays, diversity heritage months, cultural days, awareness days, and religious observances that reflect the diversity of its employees and customers and help foster an environment of inclusion and belonging. The CEO has developed a new administrative policy - Fostering an Inclusive Culture -to guide Metro staff in commemorating cultural heritage months and scheduling major events and public meetings around religious and cultural holidays.

BACKGROUND

Metro is committed to fostering an environment that values diversity, equity, and inclusion, and reflects the community it serves. Diversity is all the ways in which people differ and encompasses all the different characteristics that make one individual or group different from another. It recognizes everyone and every group as part of the diversity that should be valued. This includes race, ethnicity, gender, age, national origin, religion, ability, sexual orientation, socioeconomic status, education, marital status, language, veteran status, and physical appearance. It also recognizes the varying ideas, perspectives and values regarding them.

Metro has policies that establish guidelines for paid holidays and religious accommodations. However, there are holidays, cultural days, cultural heritage months, awareness days, and religious observances that are significant to our diverse employees and customers, and for which Metro seeks to observe and celebrate in other ways. To ensure this is applied in a consistent, equitable, and inclusive manner, the CEO has directed developed the Fostering an Inclusive Culture Policy ("Policy").

Metro staff, with consideration to the agency's workforce and customer demographics, evaluated culturally significant, religious and other awareness dates and months to determine how Metro can

be more inclusive in the scheduling of major events and public meetings and foster a sense of belonging. Metro historically has also partnered with community organizations and other partners on recognizing cultural heritage months and other major events on Metro's limited edition commemorative TAP cards.

Holidays and heritage months were considered based on a combination of the following*:

- Federal or state holidays already observed at Metro
- Federal or state holidays that are in the process of being observed at Metro
- Demographics of the customers Metro serves
- Demographics of Metro's workforce
- Feedback received from employees at CEO listening sessions

As noted in the policy, requests for consideration of additional cultural days or religious observances may be submitted to the Director of Civil Rights Programs, Diversity & Inclusion for review.

DISCUSSION

The Fostering an Inclusive Culture Policy provides Metro staff with processes and guidelines for acknowledging holidays, diversity heritage months, cultural days, awareness days, and religious observances in internal and external communications efforts. The Policy also established a Diversity & Inclusion Meeting Exemption Calendar ("Attachment B") to guide staff in scheduling considerations, commemorative TAP card production, and related communications. This information will be available online internally so that all Metro staff can access the information about the policy and calendar and will be updated periodically by the Office of Civil Rights, Racial Equity, and Inclusion - Diversity and Inclusion Unit. The calendar attached is a simplified and printable version.

Scheduling Major Events and Public Meetings

Beyond Metro's observed holidays, there are significant holidays, cultural days, and religious observances that are celebrated by our staff and the communities we serve. Under this Policy, Metro staff will be advised to avoid scheduling major events and/or public meetings during those holidays, cultural days, and religious observances, as identified in the Diversity & Inclusion Meeting Exemption Calendar. The calendar will be updated and easily accessible for Metro staff to use during planning efforts. It will also be considered when determining the number of days/deadlines for public comment periods. Metro staff will review and consider these recognized observances in their planning processes and will make scheduling adjustments as needed.

Commemorative TAP Card Production

Metro designs and distributes commemorative TAP cards to recognize diversity heritage months and cultural days based on Metro's TAP card guidelines. This Policy provides guidance for the annual determination of which diversity heritage months and cultural days to commemorate with TAP cards. It also provides guidelines to ensure the designs are inclusive and in line with the Metro's diversity, equity, and inclusion goals.

Diversity Heritage Months, Cultural Days, and Religious Observance Communications

Lastly, the Policy formalizes and expands Metro's practice of preparing communications highlighting diversity heritage months, awareness days and cultural days in internal and external communications, as appropriate. The goal of these communications is to recognize, celebrate, and educate the Metro community to foster a sense of belonging. Metro staff will seek input from the represented groups in developing relevant communications.

The implementation of this policy will help to make Metro more consistent in its practice as an inclusive workplace and service provider. This policy is just one of a number of initiatives aimed at ensuring Metro's decision-making is culturally informed, inclusive and reflects the diverse needs of the communities in Los Angeles county.

EQUITY PLATFORM

The Fostering an Inclusive Culture Policy helps Metro recognize the rich diversity of the broader Metro community and its various culturally significant practices and observances. It encourages staff to consider these significant practices and observances to reduce barriers to participation in our internal and public processes. It also creates clearer avenues for Metro to recognize, celebrate, and educate our workforce and community, supporting the cultural change needed to help advance equitable outcomes.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This recommendation supports strategic plan goals 3.3 and 5.7 by signaling that Metro recognizes and embraces diversity of the Los Angeles Community and aims to support a diverse, inspired, and high performing workforce.

NEXT STEPS

The policy will be disseminated agency-wide. The Diversity & Inclusion Unit will maintain and update the Diversity & Inclusion Meeting Exemption Calendar and heritage months, which is accessible via the link included in the policy. A manual form of the meeting exemption calendar will be disseminated to divisions for posting. The TAP department will develop a budget and prepare designs for the established heritage months.

ATTACHMENTS

Attachment A - Fostering an Inclusive Policy
Attachment B - Diversity & Inclusion Meeting Exemption Calendar
Attachment C - TAP Card Commemorative Heritage Months

Prepared by:
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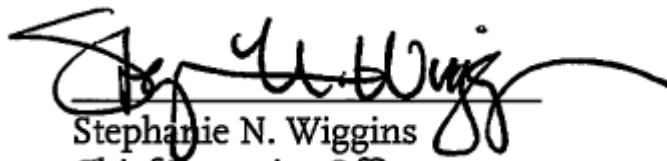
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Stephanie N. Wiggins
Chief Executive Officer



CIVIL RIGHTS

Fostering an Inclusive Culture

POLICY STATEMENT

The Los Angeles County Metropolitan Transportation Authority (LACMTA) is committed to an environment that values diversity, equity and inclusion, and reflects the community it serves. Diversity is all the ways in which people differ and encompasses all the different characteristics that make one individual or group different from another. This encompasses race, ethnicity, gender, age, national origin, religion, ability, sex, sexual orientation, socioeconomic status, education, marital status, language, veteran status, and physical appearance. It also includes varying ideas, perspectives and values.

LACMTA acknowledges and celebrates the contributions of diverse constituent groups by, among other things, recognizing various holidays and other observances and celebrations through paid time off or otherwise.

PURPOSE

This policy identifies how LACMTA will recognize federal and state holidays, cultural days and events, and diversity heritage months in an effort to nurture a diverse, inspired, and high-performing workforce and foster a culture of belonging. This policy provides guidance on when to avoid the scheduling of major and/or public meetings, programs and events during these occasions; and outlines LACMTA's commitment to the production of inclusive commemorative TAP cards for recognized diversity heritage months.

APPLICATION

This policy applies to all LACMTA employees. Should this policy conflict with a collective bargaining agreement (CBA), the CBA will prevail.

APPROVED: County Counsel or N/A

Department Head

ADOPTED: CEO

Effective Date: _____

1.0 GENERAL

LACMTA values the diversity of its constituents, including employees and customers and is purposeful in fostering an environment of inclusion. An inclusive environment provides a sense of belonging for LACMTA employees and the diverse communities we serve. Applicable federal and state holidays, diversity heritage months, and cultural days that reflect the diversity of Los Angeles County and/or the LACMTA workforce will be acknowledged and recognized.

2.0 Procedures

This policy provides processes and guidelines for acknowledging diversity heritage months, cultural days, and holidays. This includes taking these days into consideration when scheduling major and/or public LACMTA meetings, when determining the number of days for public comment periods, and when celebrating heritage months for commemorative TAP card designs.

All decisions are made with the intent of actively fostering an intentional organizational culture committed to valuing diversity, inclusion, and belonging.

2.1 Scheduling

LACMTA will attempt to avoid scheduling major and/or public meetings during the cultural days and federal/state holidays referenced in the following link, [Diversity & Inclusion Meeting Exemption Calendar](#). Departments scheduling major and/or public meetings, programs or any LACMTA events must review and consider these recognized observances in the planning process. The Exemption Calendar will also serve as a guideline on which holidays to consider when determining the number of days for public comment periods.

Requests for consideration of additional cultural days or federal/state holidays may be submitted to the Director of Civil Rights Programs, Diversity & Inclusion for review.

2.2 Commemorative TAP Card Production

Commemorative TAP cards will be created to recognize diversity heritage months and cultural days based on LACMTA's TAP card guidelines. The Office of Civil Rights, Racial Equity & Inclusion will work with related Employee Resource Groups and stakeholders to review and approve heritage month/cultural day designs of the commemorative TAP cards to ensure designs are in line with diversity, equity and inclusion goals. Efforts to develop and disseminate commemorative TAP cards should be included in the TAP department's budget development.

2.3 Diversity Heritage Months and Cultural Days Communications

LACMTA's Diversity & Inclusion unit within the Office of Civil Rights, Racial Equity & Inclusion will prepare announcements describing diversity heritage months and cultural days to the Communications Department for dissemination to employees and external constituent groups, as appropriate.

Recommendations or draft documents for distribution may be submitted to the Director of Civil Rights Programs, Diversity & Inclusion for review and consideration to ensure alignment with LACMTA's diversity, equity and inclusion goals.

2.4 Paid Time Off

LACMTA may establish paid holidays for its workforce that align with federal and/or state designated holidays. Employee pay for holidays is subject to the Holidays (HR 39) policy. Additionally, employees may request time off for religious observances pursuant to the Religious Accommodation policy (HR 20).

3.0 DEFINITION OF TERMS

Cultural Days – Days that the federal or California government recognizes for celebration of an event or matter of importance associated with a cultural group, that impacts the community at large.

Diversity – Diversity includes all the ways in which people differ and encompasses the various characteristics that distinguish an individual or group. It is all-inclusive and recognizes each individual or group as a valuable component of the broader community. Diversity may include differences in race, ethnicity, and/or gender — the groups that most often come to mind when the term "diversity" is used — but also age, national origin, religion, ability, sexual orientation, socioeconomic status, education, marital status, language, veteran status, and physical appearance. It also involves different ideas, perspectives, and values

Diversity & Inclusion Meeting Exemption Calendar – Displays the identified holidays when major or public meetings should not be scheduled. Calendar will be maintained and updated by the Diversity & Inclusion Unit within the Office of Civil Rights, Racial Equity & Inclusion.

Diversity Heritage Months – Periods designated to celebrate and acknowledge various ethnic and/or marginalized groups. These are times not only to celebrate, but also to provide education about the histories and contributions of diverse populations to American History.

Employee Resource Group – Employee resource groups (ERGs) are groups of employees who join together in their workplace based on shared characteristics or life experiences. ERGs are generally intended to provide support, foster cultural awareness, enhance career development, and contribute to personal development in the work environment.

Equity – Equity is both an outcome and a process to address racial, socio-economic, and gender disparities, to ensure fair and just access – with respect to where one begins and the capacity to improve from that starting point – to opportunities, including jobs, housing, education, mobility options and healthier communities. Equity is achieved when one’s outcomes in life are not predetermined, in a statistical or experiential sense, on their racial, economic or social identities; and it requires community-informed and needs-based provision, implementation and impact of services, programs and policies that reduce and ultimately prevent disparities.

Inclusion – Providing equal opportunity to all people to fully engage themselves in creating an environment and a cultural attitude whereby everyone and every group feels accepted, has value, and is supported by a foundation built on trust and mutual respect. Authentically bringing traditionally excluded individuals and/or groups into processes, activities, and decision/policy making in a way that shares power.

Major Meeting – A gathering where the majority of the team has been convened for the purpose of making policy changes or other important decisions, bringing consensus, and/or providing important updates. Major Meetings may occur face-to-face or virtually. The term “Major Meetings” also applies to events, workshops, training courses, team-building sessions, town hall meetings, and kick-off events that are open to 10 or more, individuals. One-on-one meetings that do not involve an employee observing an event on the Diversity & Inclusion Meeting Exemption Calendar do not apply to this policy. Major meetings designed to celebrate and/or support an event listed on the Diversity & Inclusion Meeting Exemption Calendar are permissible.

Public Meeting – A meeting, hearing, workshop, or other public gathering of persons to obtain comments from the public, stakeholders, or other agencies. A public meeting may include, but is not limited to, a Board meeting, a design review meeting, a committee meeting, or a scoping meeting on a draft environmental impact statement.

4.0 RESPONSIBILITIES

Communications Department receives and distributes communications from the Office of Civil Rights, Racial Equity & Inclusion regarding recognized diversity heritage months, cultural days, and religious observances.

Management actively fosters an intentional organizational culture committed to inclusion, belonging, and dignity by avoiding the scheduling of LACMTA meetings during diversity celebratory days and religious observances.

TAP Card Office prepares commemorative TAP cards for recognized diversity heritage months and cultural days.

The Office of Civil Rights, Racial Equity & Inclusion prepares announcements for diversity heritage months, cultural days and commemorative TAP cards for dissemination to Agency personnel and external constituent groups as appropriate. The Office of Civil Rights, Racial Equity & Inclusion will also maintain the Diversity &

Inclusion Meeting Exemption Calendar, which displays the applicable observances when meetings should not be scheduled.

The Marketing Department approves commemorative TAP card designs for recognized diversity heritage months.

5.0 FLOWCHART

Not Applicable

6.0 REFERENCES

- [Diversity & Inclusion Meeting Exemption Calendar](#)
- Time Off With Pay (HR 16)
- Religious Accommodation (HR 20)
- Holidays (HR 39)

7.0 ATTACHMENTS

- Attachment 1: Heritage Months for Tap Commemorative Production, [Diversity Heritage Months](#)

8.0 PROCEDURE HISTORY

11/01/2021-New Policy

(November 2021 – October 2022)

Diversity & Inclusion Meeting Exemption Calendar

This calendar identifies cultural days and events referenced in the Fostering an Inclusive Culture policy (CIV 14). The CIV 14 policy, provides guidance on when to avoid the scheduling of major or public meetings, programs and events during these occasions. As noted in the policy, requests for consideration of additional cultural days or religious observances may be submitted to the Director of Civil Rights Programs, Diversity & Inclusion for review.

= Dates to Avoid

November '21						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December '21						
S	M	T	W	T	F	S
			1	2	3	4
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

January '22						
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February '22						
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

March '22						
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April '22						
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May '22						
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June '22						
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22	23	24	25	26	27	28
29	30	31				

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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July '22						
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24	25	26	27	28	29	30
31						

August '22						
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September '22						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October '22						
S	M	T	W	T	F	S
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November 2021

- 11/11 – Veterans Day
- 11/25 – Thanksgiving Day
- 11/26 – Day After Thanksgiving

December 2021

- 12/24 – Christmas Eve
- 12/25 – Christmas Day

January 2022

- 1/1 – New Year’s Day
- 1/17 – Martin Luther King, Jr. Day

February 2022

- 2/21 – Presidents’ Day

March 2022

- 3/22 – Cesar Chavez Day

April 2022

- 4/15 Good Friday
- 4/15 to 1/16 – Passover
- 4/17 – Easter

May 2022

- 5/30 – Memorial Day

June 2022

- 6/4 to 6/6 – Shavuot
- 6/19 – Juneteenth
- 6/20 – Juneteenth (observed)

July 2022

- 7/4 – Independence Day

September 2022

- 9/5 – Labor Day
- 9/25 to 9/27 – Rosh Hashanah

October 2022

- 10/4 to 10/5 – Yom Kippur
- 10/9 to 10/11 – Sukkot

Diversity Heritage Months

Fostering an Inclusive Culture Policy (CIV 14)

This document identifies the diversity heritage months referenced in the Fostering an Inclusive Culture policy (CIV 14). Commemorative TAP cards will be created to recognize the diversity heritage months listed below. The Office of Civil Rights, Racial Equity & Inclusion will work with related Employee Resource Groups and stakeholders to review and approve heritage month/cultural day designs of the commemorative TAP cards to ensure designs are in line with diversity, equity and inclusion goals.

Commemorative TAP cards will be created for the following Diversity Heritage Months:

- **FEBRUARY** Black History Month / Chinese New Year
- **MARCH** Women’s History Month / Persian New Year
- **APRIL** National Arab American Heritage Month
- **MAY** Asian Pacific-American Heritage Month / Jewish American Heritage Month
- **JUNE** LGBTQ+ Pride Month / Caribbean American Heritage Month
- **SEPTEMBER** National Hispanic Heritage Month
- **OCTOBER** National Disability Employment Awareness Month /
National Filipino American History Month / Diwali
- **NOVEMBER** National American Indian and Alaskan Native Heritage Month



Board Report

File #: 2021-0732, **File Type:** Informational Report

Agenda Number: 40.

**EXECUTIVE MANAGEMENT COMMITTEE
NOVEMBER 18, 2021**

SUBJECT: LIFE PROGRAM STRATEGIC DOUBLE ENROLLMENT PLAN

ACTION: RECEIVE AND FILE

RECOMMENDATION

RECEIVE AND FILE the Low-Income is Easy Fare (LIFE) Program Strategic Double Enrollment Plan in response to Motion 40.

ISSUE

Increasing enrollment in the LIFE Program is an important interim step for an expansion of the Fareless System Initiative (FSI). Staff has developed the LIFE Program Strategic Double Enrollment Plan (Enrollment Plan) to serve as a framework for strategies, tactics and activities to double the number of LIFE Program enrollees by the end of 2022.

BACKGROUND

At its September 2021 meeting, the Board approved the FSI funding plan for Phase I (K-14) and Motion 40 by Directors Mitchell, Solis, Garcetti, Sandoval, Bonin, and Dupont-Walker, revamping the LIFE Program (Attachment A). Recognizing the expansion and enhancement of the LIFE Program will alleviate the impact of fares on low-income riders while Metro continues to seek funding to implement FSI Phase 2 (low-income adults), the Enrollment Plan outlines tactical and strategic actions that lead to increasing enrollments into the LIFE program and furthering access to public transit for low-income riders.

As directed in Motion 40, staff is to develop a plan to double the number of LIFE Program enrollees by the end of 2022. Prior to the COVID-19 pandemic, Metro customers took more than 1 million daily trips on the bus and rail system. This includes 67,625 riders participating in the LIFE program. As of September 23, 2021, Metro customers took more than 700,000 daily trips on the bus and rail system, which included 91,739 participants in the LIFE program.

DISCUSSION

The Enrollment Plan has been developed with a focus on increasing enrollments in the LIFE Program through transformative approaches such as:

- A streamlined LIFE application process that enables on-the-spot enrollment and allows applicants to self-certify;
- Online application enrollment;
- Allows low-income applicants to gain access to the program through direct enrollment and co-enrollment with existing County of Los Angeles and city social services programs;
- Deep discounts such as the three months of fareless transit to new enrollees once fare collection resumes; and
- Recognizing the goal to increase program enrollment during the ongoing challenges and complexities of the COVID-19 pandemic which has disproportionately impacted vulnerable people, households, and communities, the Enrollment Plan is centered with the core themes to inform, identify and enroll low-income people throughout Los Angeles County in a manner that meets people where they are in life.

Double Enrollment Plan Core Strategies:

- **Identify:** Employ wide-ranging efforts to identify qualifying program participants.
- **Inform:** Leverage Metro’s coordinated, proactive outreach and engagement plan to inform low-income riders, people and households about the enhanced LIFE program and discounted transit benefits to support program enrollment.
- **Enroll:** Mobilize LIFE Program community partners, public agencies and Metro staff to facilitate networked resources to create a seamless and streamlined process for people to apply, self-certify and enroll in the LIFE Program through either direct enrollment or co-enrollment.

Furthermore, the Enrollment Plan is being implemented through multi-pronged tactics to support Metro’s goal to double life enrollment to up to 183,478 enrollments by December 2022. The plan is focused on three tactical areas:

- Direct Enrollment
- Co-Enrollment and Agency Partnerships
- Marketing, Promotion and Referrals.

The multi-pronged tactics are summarized in a matrix in Attachment B.

I. Direct Enrollment

Direct Enrollment focuses on in-person outreach and “on the spot” enrollment in the LIFE program. The direct enrollment activities will be facilitated through personal engagement activities that will support direct outreach and “on the spot” enrollment for applicants through Metro hosted regional pop-up events, as well as through the contracted LIFE Program administrators, FAME Assistance Corporation (FAME) and the International Institute of Los Angeles (IILA). Direct enrollment is also available to applicants at designated enrollment centers such as Metro Customer Care Centers and the Big Blue Bus Transit Store.

- **Regional Pop-up Events:** Metro hosted pop-up events will be staffed by Metro, FAME, IILA and their community-based organization (CBO) and service provider partners to allow for on-the-spot enrollment. Metro staff, in collaboration with CBO partners, has also developed a schedule of outreach events that will be held throughout the County and at various locations, including high traffic transit centers, walk-up food basket distributions, faith-based events, and other potential sites including County and Los Angeles City operated housing developments.

Furthermore, in effort to maximize outreach at transit corridors, Staff has identified the highest use transit centers in order to directly connect with current riders that will benefit the most from program benefits. Each site will be advertised up to 7 days in advance through a series of onsite flyer distributions, web-site announcements, blast emails, and other promotional activities.

Timeline: There are 20 pop-up and outreach events scheduled beginning November 2021 through December 2022. Events are currently being scheduled for early 2022. The event list will be updated monthly. The event locations will continue to be identified with consideration to equity focus communities (EFC) throughout Los Angeles County (Attachment C). The scheduled pop-up and outreach events are referenced in the Enrollment Pop-Up and Outreach Events Schedule (Attachment D).

- **LIFE Program Administrator Events** : The LIFE Program is administered by FAME and IILA which oversee a network of approximately 500 non-profit and CBOs including homeless centers, hospitals, senior centers, low-income housing agencies, educational institutions, food banks, faith-based organizations, including other non-profits, and referral agencies. Metro's LIFE program administrators will be conducting in-person outreach and on-the-spot enrollment at community events, support service centers, and other client focused locations throughout the region.

Timeline: Beginning November 2021 through December 2022

- **Designated Enrollment Centers:** LIFE applicants are able to submit the application for enrollment in the LIFE Program through designated enrollment centers such as Metro Customer Care Centers and the Big Blue Bus Transit Store. Although the designated enrollment centers do not support on-the-spot enrollment the centers provide applicants the opportunity to submit applications through the self-certify process, receive guided support and assistance from customer care staff, and easily gain access to the LIFE program during transit commutes at designated transit centers.

Timeline: Launched October 2021 through December 2022

- **Individual Direct Enrollments:** Due to the limits of on-site enrollments and pre-scheduled events, Metro has launched an online-application portal that supports unlimited enrollment

through an easy-to-use web-based portal. The online portal supports direct enrollment at any time and location, and at the ease and discretion of the applicant. The portal as well as the streamlined application process allow applicants to self-certify eligibility.

Completed: Launched November 1, 2021

II. Co-Enrollment and Agency Partnership

Recognizing the possible constraints of direct enrollment and specifically on-site enrollment, Metro continues to collaborate with partner agencies to identify solutions to identify, inform, and co-enroll eligible low-income clients in the LIFE Program. Metro is collaborating with CBOs, including County and City of LA agencies to assist with mass enrollment. Leveraging existing public support systems and programs will serve as an opportunity to further streamline the LIFE eligibility and enrollment process, therefore Metro is pursuing high-touch opportunities to facilitate co-enrollment for low-income

clients of public agency service providers such as the Los Angeles County Department of Public Social Services (DPSS) which oversees and administers various relief programs through the County as well as the Los Angeles County Development Authority (LACDA), which serves as the administrator and operators of County owned and operated housing facilities and Section 8 rental subsidy programs.

- **Social Services Co-Enrollments:** The opportunity to co-enroll pre-qualified low-income clients of public agencies' social services programs will provide automatic access to the LIFE Program benefits for more than 1 million County residents. Therefore, through the LIFE Enrollment Plan, Staff will focus efforts on developing collaborations with designated public agency service providers to establish procedures and/or partnering agreements to allow clients to auto qualify and enroll in the LIFE Program. If automatic enrollment is not feasible due to technical or privacy considerations, Metro staff will collaborate with agency partners to distribute enrollment materials and information to participants in programs such as but not limited to:
 - Angeleno Card program
 - Electronic Benefit Transfer (EBT) card program
 - California Work Opportunity and Responsibility to Kids (CalWORKs)
 - Cash Assistance Program for Immigrants (CAPI)
 - CalFresh
 - Basic Income Guaranteed: L.A. Economic Assistance Pilot.

Timeline: Efforts will be initiated in November 2021 through December 2022

- **Transit Operator Partnerships:** Recognizing the LIFE program is a regional program that offers discounts for low-income riders throughout Los Angeles County, Metro is collaborating with the participating transit operators in promoting the program with the riders, identifying pop

up locations and requesting transit stores to accept and/or screen LIFE applications. Currently, 13 transit operators, including Metro are participating:

- o Antelope Valley Transit
- o Big Blue Bus
- o Culver City Bus
- o Foothill Transit
- o Gardena Transit
- o Long Beach Transit
- o Los Angeles DOT
- o Montebello Transit
- o Norwalk Transit
- o Pasadena Transit
- o Santa Clarita Transit
- o Torrance Transit

III. Public Engagement and Marketing Program:

To support the direct enrollment and co-enrollment activities, Staff is implementing a robust, multicultural, multi-channel public engagement and marketing program to inform, identify and support the enhanced LIFE Program. Through the following activities Metro will:

- Execute a multi-cultural marketing/advertising campaign that will inform and educate the residents of Los Angeles County on fare resumption, half off passes and the LIFE program, with a strong emphasis on driving sign-ups to the LIFE program. This campaign will utilize in-language local print media, radio and TV as well as social and digital media assets. It will also include Metro-owned assets, including digital, bus and rail cards, posters, Metro.net and Metro's Blog.
- Highlight promotional passes and other discount programs at point of sale (POS) locations, including TVMs, Metro Customer Care centers, and TAP website.
- Integrate fare resumption message into NextGen/December shake up materials where space is available
- Utilize point of level communication tactics to inform customers of the LIFE program, fare collection, including ambassadors, signage at bus stops, alert banner on Metro.net, push alerts to 70,000 Transit app users and all other digital assets
- Utilize seat drops on the Metro bus system to distribute LIFE Program information
- Utilize Metro's Street Teams on the bus and rail system to distribute materials and information directly to riders

- Drive enrollees to the online portal via earned and paid media channels that 30-Day, 7-Day and 1-Day passes are half price for a promotional limited time.
- Educate and inform current cash-paying customers of the LIFE program, including additional discounts available as part of the half-off passes promotion.
- Drive awareness to LIFE participants that their passes will be deeply discounted.
- Update the application to be “mobile first” moving away from using a PDF to complete the application; and conduct other tactical and strategic activities.

In effort to achieve the enrollment goal, Staff will pursue robust engagement, collaboration and partnering opportunities with civic organizations, CBOs and elected officials such as:

- Partnering with elected officials, civic organizations, and CBO’s to:
 - Provide general information on Metro’s discounted fare programs, with targeted communication on additional pass discounts to LIFE participants and current pass holders.
 - Encourage the inclusion of LIFE materials and links to the online portal through established email and newsletter distribution lists
- Partnering with community-based organizations to educate and identify potential LIFE participants on the bus and rail system.
- Partnering with community-based organizations to identify and conduct outreach and engagement at culturally appropriate community gathering places such as barber shops, salons, shopping centers, and community events.
- Engage Metro advisory bodies including Metro Service Councils, Community Advisory Committee, Public Safety Advisory Committee to promote and distribute information about the LIFE program
- Incorporate LIFE program messaging into blast emails and communications for Metro projects, programs, and initiatives in the planning and construction phase.

Timeline: Efforts will be initiated in November 2021 through December 2022

LIFE Enrollment Projections

Preliminary LIFE enrollment projections have been established based on the current levels of enrollment from the online portal, pop-up events, FAME/IILA and partnering CBO agencies’ enrollments, and the expected enrollment through partnerships with County agencies and public

service providers. The current enrollment levels are expected to increase as a result of the expanded marketing campaigns which will increase program visibility, the 90-day free transit pass enrollment incentive, and easier sign-ups with the self-certify option. It is anticipated that enrollments will significantly increase upon fare collection resumption in January 2022. The projected enrollments as result of coordinated efforts initiated in October 2021 are summarized in the LIFE Monthly Enrollment Projections Chart (Attachment E).

Metro staff will continue to assess the effectiveness of the Enrollment Plan over the next fourteen months through December 2022, and staff will make needed adjustments based on enrollment results. Staff in collaboration with the contracted LIFE Program administrators, FAME and IILA, will monitor the projected enrollment targets, the actual enrollments, develop and program performance metrics that will be assessed monthly and reported quarterly.

Timeline: Efforts initiated beginning October 2021 through December 2022

EQUITY PLATFORM

The LIFE Program Strategic Double Enrollment Plan is a multi-pronged plan centered on partnering with the LIFE program administrators, CBOs, and public agency service providers within Los Angeles County's diverse communities and specific geographic areas to build awareness of the LIFE Program and the benefits afforded through enrollment; including to identify qualifying low-income riders, people and households; and to help facilitate the enrollment or co-enrollment of vulnerable people in the LIFE Program. The Enrollment Plan will be supported by a communications and public engagement plan that commits to providing non-English translation and multilingual, culturally appropriate materials. Additionally, the plan seeks to meet community members where they are to reduce barriers to Metro updates and information. These efforts will target messaging and access to enrollment to economically vulnerable people in our communities and improve access to transit through discounted passes and the enhanced LIFE Program.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The Enrollment Plan supports strategic goal #3 “Enhancing communities and lives through mobility and access to opportunity” by providing financial relief by reducing the cost of riding transit for all riders, especially the most economically vulnerable people in our communities.

NEXT STEPS

Over the next two-weeks staff will continue to focus efforts in preparation for the formal 45-day LIFE Program enrollment period which commences November 26, 2021. Recognizing staff has initiated early actions to facilitate the “soft-launch” of the enhanced self-certify application process, over the next 30 days staff will continue to focus efforts on formalizing partnerships with community-based organizations and public agency service providers such as the DPSS, LACDA, and others in support of co-enrollment and/or mass distribution of LIFE Program information to existing clients and/or program applicants. Lastly, staff will return to the Board in January with an update.

ATTACHMENTS

Attachment A - Motion 40 - Fareless Systems Initiative (FSI)

Attachment B - LIFE Program Enrollment Activity Matrix

Attachment C - LIFE Outreach Events Equity Focus Communities Map

Attachment D - LIFE Program Enrollment Pop-Up and Outreach Events Schedule

Attachment E - LIFE Monthly Enrollment Projections Chart

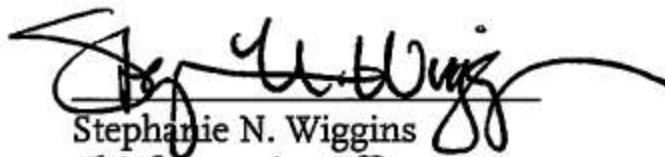
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Stephanie N. Wiggins
Chief Executive Officer

Metro

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



Board Report

File #: 2021-0627, **File Type:** Motion / Motion Response

Agenda Number: 40.

REVISED
REGULAR BOARD MEETING
SEPTEMBER 23, 2021

Motion by:

DIRECTORS MITCHELL, SOLIS, GARCETTI, SANDOVAL, BONIN, AND DUPONT-WALKER

Related to Item 35: Fareless System Initiative (FSI)

Effective March 23, 2020, former LA Metro CEO Phil Washington ordered that all passengers shall board the rear door when entering an LA Metro bus and, accordingly, removed the requirement for bus passengers to use the fare box. This practice was established to reduce the risk of COVID-19 transmissions on transit and to protect transit operators at the front of the bus from potential exposure to COVID-19. While put in place as a health pandemic response, this practice has been one of the most effective strategies in our region to respond to the economic pandemic our communities face.

Riders and community advocates quickly embraced LA Metro's fare free bus service and in August 2020, CEO Washington announced the formation of the Fareless System Initiative (FSI) Task Force to study the potential for continuing fare-free service as a recovery strategy to continue after the pandemic. The Task Force's research confirmed what riders already know; that LA Metro's riders are overwhelmingly low-income people of color for whom transit fares are an economic burden and for whom fare enforcement perpetuates racial disparities. Furthermore, the Task Force found that a fareless system would grow ridership and help the region meet its mobility, congestion reduction, and sustainability goals more effectively than almost any other LA Metro initiative. Buoyed by these findings, on May 27, 2021, the Board directed staff to proceed with FSI, subject to a final financial plan, which is before the Board for consideration today.

The financial plan identifies funding for free student passes as Phase 1 of FSI. Staff has moved quickly to build on the previously existing U-Pass program to expand free student passes to students in every participating school district throughout the county. However, the financial plan does not identify the funding needed to move forward and launch Phase 2 of FSI, which would serve all low-income riders. In the interim, staff proposes to build on the existing LIFE Program as a first step toward FSI Phase 2, until additional funding can be secured.

Increasing enrollment in the LIFE Program is an important interim step for an expansion of FSI. If implemented, it will create a pre-qualified pool of applicants for FSI Phase 2. While enrollment has grown since its launch in 2019, the LIFE Program still falls far short of its intended impact, largely due

to intimidating, restrictive, and tedious enrollment barriers. The current LIFE Program design will require an overhaul to meet the needs of eligible low-income riders. Namely, the LIFE Program must be far easier to enroll in, more accessible, easier to pay for, and truly affordable for low-income riders.

Our communities are still faced with a dual economic and health pandemic that racial and economic inequalities have further exacerbated. Programs across this region-created to support families in need-will be expiring later this year, despite evidence that these programs have collectively spurred a record drop in poverty (as much as half according to the Urban Institute). Costs will quickly escalate for families, many of whom are still unemployed, taking care of children and loved ones at home, and paying off rental debt. LA Metro must do more to prevent the resumption of fares from exacerbating economic distress among economically vulnerable people in our communities. Removing financial barriers for those who cannot afford transportation creates a lifeline for those who need access to essential travel.

Revamping the LIFE Program will alleviate the impact of fares on low-income riders while preparing LA Metro to implement FSI Phase 2.

SUBJECT: AMENDMENT TO FARELESS SYSTEM INITIATIVE (FSI)

RECOMMENDATION

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

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

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

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

BONIN AMENDMENT:

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

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

KUEHL AMENDMENT:

Report back on the communication plan.

LIFE PROGRAM ENROLLMENT EXPANSION

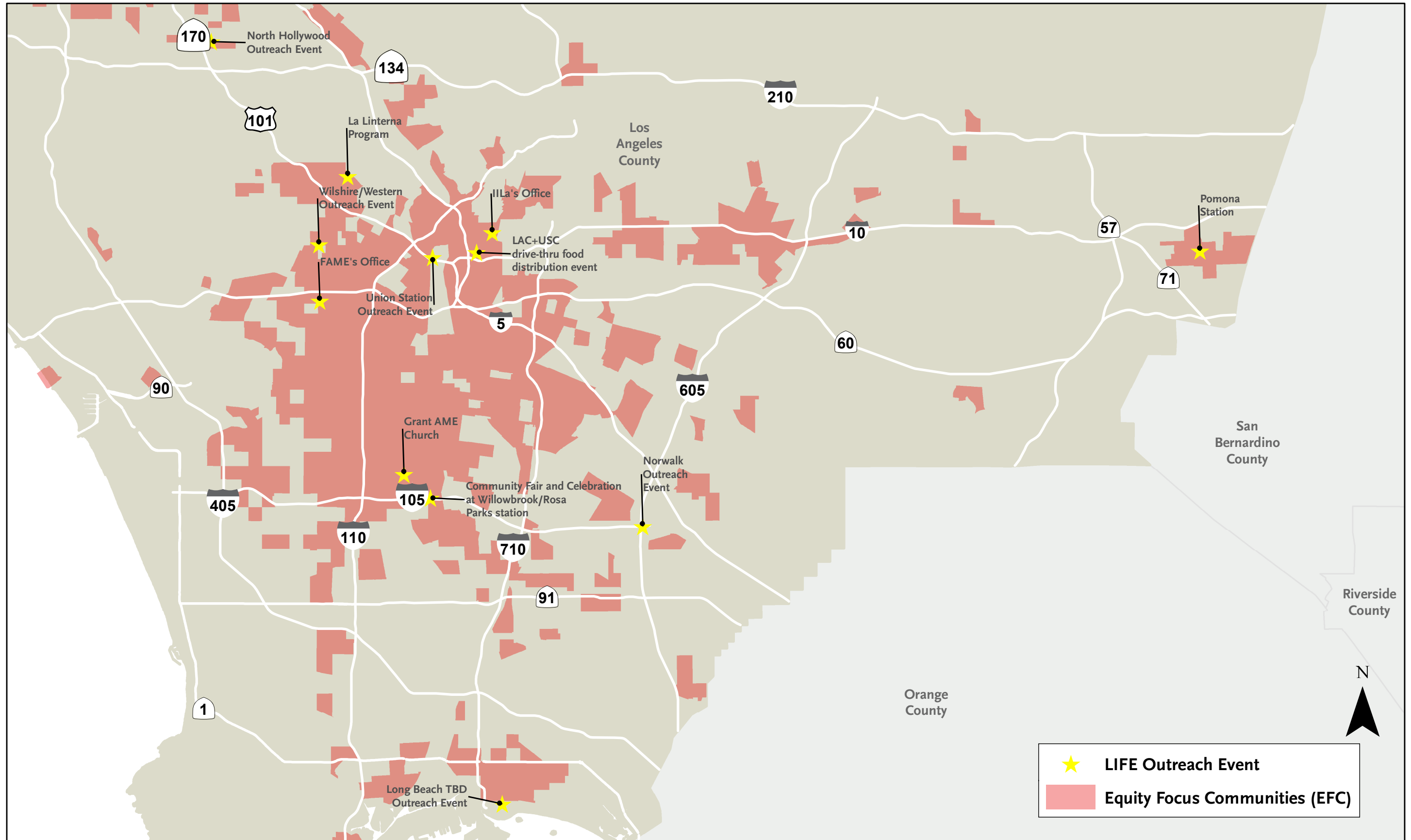
Activity Matrix

November 2021

Activity/Timeline	November – December 2021	January – March 2022	April-June 2022	July – September 2022	October – December 2022
<i>Direct Enrollment Activities</i>					
<i>Regional Pop-Up Events</i>	●	●	●	●	●
<i>Administrator/CBO Partner Events</i>	●	●	●	●	●
<i>Enrollment Centers</i>	●	●	●	●	●
<i>LIFE Online Portal</i>	●	●	●	●	●
<i>Co-Enrollment Activities</i>					
<i>LA County DPSS</i>	●	●	●	●	●
<i>LA City Basic Income Program</i>	●	●	●	●	●
<i>Transit Operator Partnership</i>	●	●	●	●	●
<i>Public Engagement and Marketing Program</i>					
<i>Paid and Earned Media</i>	●	●	●	●	●
<i>Street Teams</i>	●	●	●	●	●
<i>NextGen Shakeup</i>	●				
<i>Transit App/POS</i>	●	●	●	●	●
<i>Seat Drops</i>	●	●	●	●	●
<i>CBO Partners</i>	●	●	●	●	●

LIFE Outreach Events

ATTACHMENT C



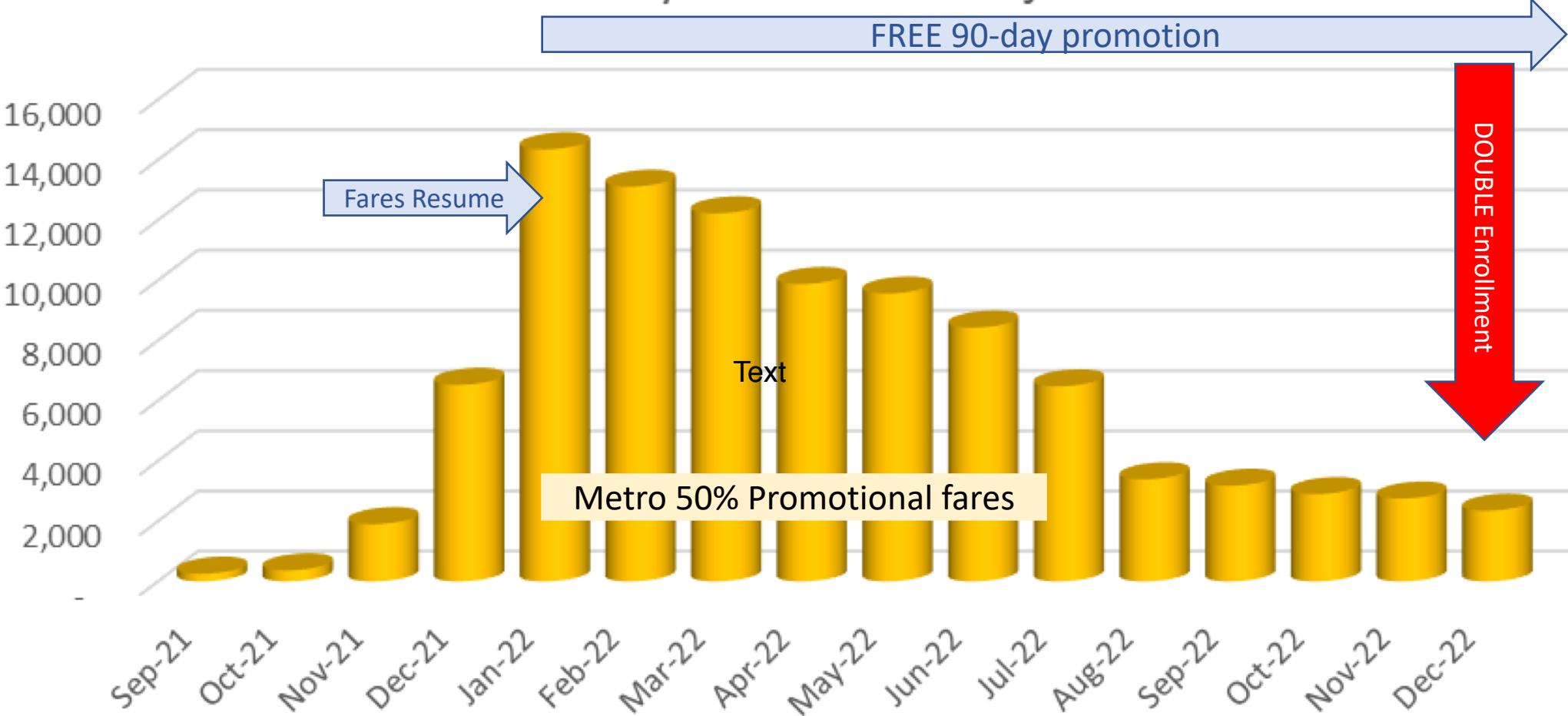
LIFE PROGRAM ENROLLMENT EXPANSION
Pop-up & Outreach Events
As of November 2021

	EVENT LOCATION	ADDRESS	EVENT DATE	SCHEDULED TIME	Equity Focus Community
1.	La Linterna Program	4650 Sunset Blvd, Los Angeles, CA 90027	November 5, 2021	8:00am-3:00pm	X
2.	IIa's Office	3845 Selig Place, Los Angeles, CA 90031	November 12, 2021	9:00am-2:00pm	X
3.	LAC+USC drive-through food distribution event	1200 N State Street Los Angeles, CA 90033	November 12, 2021	12:00pm-2:00pm	X
4.	Grant AME Church	10435 S. Cental Ave., Los Angeles, CA 90002	November 12, 2021	10:00am-2:30pm	X
5.	FAME's Office	1968 W. Adams Blvd., Los Angeles CA 90018	November 15, 2021	10:00am-3:00pm	X
6.	Union Station Outreach Event	One Gateway Plaza, LA CA 90012	November 17, 2021	10:00am-2:30pm	
7.	LAC+USC walk-up food distribution event	1200 N State Street Los Angeles, CA 90033	November 17, 2021	8:00am-12:00pm	X
8.	La Linterna Program	4650 Sunset Blvd, Los Angeles, CA 90027	November 19, 2021	8:00am-3:00pm	X
9.	Community Fair and Celebration at Willowbrook/Rosa Parks Station	11611 Willowbrook Ave, Los Angeles, CA 90059	November 19, 2021	10:00am-2:30pm	X
10.	Norwalk Outreach Event	12901 Hoxie Ave, Norwalk, CA 90650	December 1, 2021	8:00am-3:30pm	
11.	North Hollywood Outreach Event	5391 Lankershim Blvd, North Hollywood, CA 91601	December 2, 2021	8:30am-3:30pm	

ATTACHMENT D

12.	IIla's Office	3845 Selig Place, Los Angeles, CA 90031	December 3, 2021	9:00am-2:00pm	X
13.	La Linterna Program	4650 Sunset Blvd, Los Angeles, CA 90027	December 3, 2021	8:00am-3:00pm	X
14.	Pomona Station	100 W Commercial St, Pomona, CA 91768	December 6, 2021	8:00am-4:00pm	X
15.	Wilshire/Western Outreach Event	3775 Wilshire Blvd, Los Angeles, CA 90005	December 8, 2021	10:00am-2:30pm	X
16.	Pomona Outreach Event	100 W Commercial St, Pomona, CA 91768	December 9, 2021	8:00am-3:30pm	X
17.	LAC+USC walk-up food distribution event	1200 N State Street Los Angeles, CA 90033	December 15, 2021	8:00am-12:00pm	X
18.	Long Beach TBD Outreach Event	130 E. First Street, Long Beach, CA 90802	December 16, 2021	8:00am-3:30pm	
19.	La Linterna Program	4650 Sunset Blvd, Los Angeles, CA 90027	December 17, 2021	8:00am-3:00pm	X
20.	Pomona Station	100 W Commercial St, Pomona, CA 91768	December 20, 2021	8:00am-4:00pm	X

LIFE Monthly Enrollment Projections



- 1. Expect significant uptick when fare resumes in January
- 2. Nov/Dec are holiday months which will impact enrollment (anticipated uptick with the extensive marketing campaign)
- 3. County partnerships will play significant role in increased enrollment