

Metro

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



Agenda - Final

Thursday, November 21, 2019

9:00 AM

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

Operations, Safety, and Customer Experience Committee

Mike Bonin, Chair

Mark Ridley-Thomas, Vice Chair

Jacquelyn Dupont-Walker

John Fasana

Robert Garcia

John Bulinski, non-voting member

Phillip A. Washington, Chief Executive Officer

METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES

(ALSO APPLIES TO BOARD COMMITTEES)

PUBLIC INPUT

A member of the public may address the Board on agenda items, before or during the Board or Committee's consideration of the item for one (1) minute per item, or at the discretion of the Chair. A request to address the Board 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.

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

REMOVAL FROM THE BOARD ROOM The Chair shall order removed from the Board Room any person who commits the following acts with respect to any meeting of the MTA Board:

- a. Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.
- b. A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.
- c. Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and
- d. Any other unlawful interference with the due and orderly course of said meeting.

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

DISCLOSURE OF CONTRIBUTIONS

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323.466.3876 x2

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日本語

中文

русский

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General Information/Rules of the Board - (213) 922-4600

Internet Access to Agendas - www.metro.net

TDD line (800) 252-9040

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

CALL TO ORDER

ROLL CALL

21. **SUBJECT: OPERATIONS EMPLOYEES OF THE MONTH** [2019-0580](#)

RECOMMENDATION

Operations Employees of the Month.

Attachments: [Presentation](#)

22. **SUBJECT: ORAL REPORT ON A LINE OPENING AND UPDATE ON
RIGHT OF WAY CLEANLINESS** [2019-0581](#)

RECOMMENDATION

RECEIVE oral report on A Line Opening and Update on Right of Way Cleanliness.

Attachments: [Presentation](#)

23. **SUBJECT: ENGINEERING SUPPORT FOR RAIL MAINTENANCE
SERVICES** [2019-0728](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 4 to Contract No. PS46172000, with Gannett Fleming Transit & Rail Systems, for engineering support of rail maintenance to exercise the first-year option, for an amount of \$5,000,000, increasing the total contract not-to-exceed amount from \$16,000,000 to \$21,000,000, through April 2021.

Attachments: [Attachment A - List of Supported Project Uses](#)
[Attachment B - Procurement Summary](#)
[Attachment C - Contract Modification Change Order Log](#)
[Attachment D - DEOD Summary](#)

24. SUBJECT: SHOP TOWELS (WYPALLS)

[2019-0742](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a two-year, Indefinite Delivery, Indefinite Quantity (IDIQ) Contract No. CY63850000 to JWL Supplies, the lowest responsive and responsible bidder for Shop Towels (Wypalls). The Contract one-year base amount is \$686,565 inclusive of sales tax, and the one-year option amount is \$730,453, inclusive of sales tax, for a total contract amount of \$1,417,018, subject to resolution of protest(s), if any.

Attachments: [Attachment A - Procurement Summary](#)
 [Attachment B - DEOD Summary](#)

25. SUBJECT: LIQUID WASTE REMOVAL SERVICES

[2019-0777](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a five-year, firm fixed unit rate Contract No. OP64570000 to Western Environmental Services for Liquid Waste Removal Services in an amount not-to-exceed \$6,961,410, effective December 16, 2019, subject to resolution of protest(s), if any.

Attachments: [Attachment A - Procurement Summary](#)
 [Attachment B - DEOD Summary](#)

**26. SUBJECT: MEMBERSHIP ON METRO SAN GABRIEL VALLEY
SERVICE COUNCIL**

[2019-0752](#)

RECOMMENDATION

APPROVE Leonard Pieroni for membership on Metro's San Gabriel Valley Service Council.

Attachments: [Attachment A - Listing of Qualifications 12-5-2019.pdf](#)
 [Attachment B - Nomination Letter 12-5-2019.pdf](#)

**27. SUBJECT: ORDINANCE FOR ENFORCEMENT OF TOLL VIOLATIONS
FOR THE METRO EXPRESSLANES**

[2019-0628](#)

RECOMMENDATION

APPROVE amendment to Title 7 of the Ordinance for Enforcement of Toll Violations (Attachment A). The ordinance will become effective January 5, 2020.

Attachments: [Attachment A - Ordinance for Enforcement of Toll Violations](#)

28. **SUBJECT: MONTHLY UPDATE ON TRANSIT SAFETY AND SECURITY PERFORMANCE** [2019-0786](#)

RECOMMENDATION

RECEIVE AND FILE Transit Safety and Security Report.

Attachments: [Attachment A - System-Wide Law Enforcement Overview September 2019](#)
 [Attachment B - MTA Supporting Data September 2019](#)
 [Attachment C - Key Performance Indicators September 2019](#)
 [Attachment D - Transit Police Summary September 2019](#)

(ALSO ON EXECUTIVE MANAGEMENT COMMITTEE)

- SUBJECT: GENERAL PUBLIC COMMENT** [2019-0812](#)

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 #: 2019-0580, **File Type:** Oral Report / Presentation

Agenda Number: 21.

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE
NOVEMBER 21, 2019**

SUBJECT: OPERATIONS EMPLOYEES OF THE MONTH

RECOMMENDATION

Operations Employees of the Month.

DISCUSSION

Operations Employees of the Month recognizes Transportation, Maintenance and Logistics frontline employees for their outstanding leadership contributions to the Operations Department.

November Employees of the Month

Employees of the Month



Transportation

Bus Operator

Treva White



Division 7 – West Hollywood

Maintenance

Equipment Maintenance Supervisor

Peter Nguyen

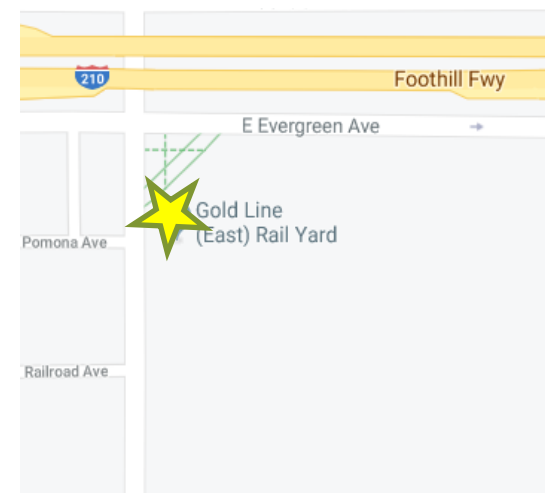


Division 7 – West Hollywood

Logistics

Material Supervisor

Roger Potter



Division 24 – Monrovia



Metro

Los Angeles County
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Los Angeles, CA

Board Report

File #: 2019-0581, **File Type:** Oral Report / Presentation

Agenda Number: 22.

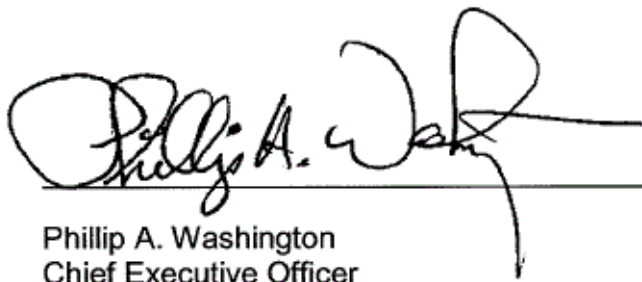
OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE NOVEMBER 21, 2019

**SUBJECT: ORAL REPORT ON A LINE OPENING AND UPDATE ON RIGHT OF WAY
CLEANLINESS**

ACTION: RECEIVE ORAL REPORT

RECOMMENDATION

RECEIVE oral report on A Line Opening and Update on Right of Way Cleanliness.



Phillip A. Washington
Chief Executive Officer

A Line Opening & Cleanliness Program Update

A Line Reopening

A Line Opening - November 2, 2019

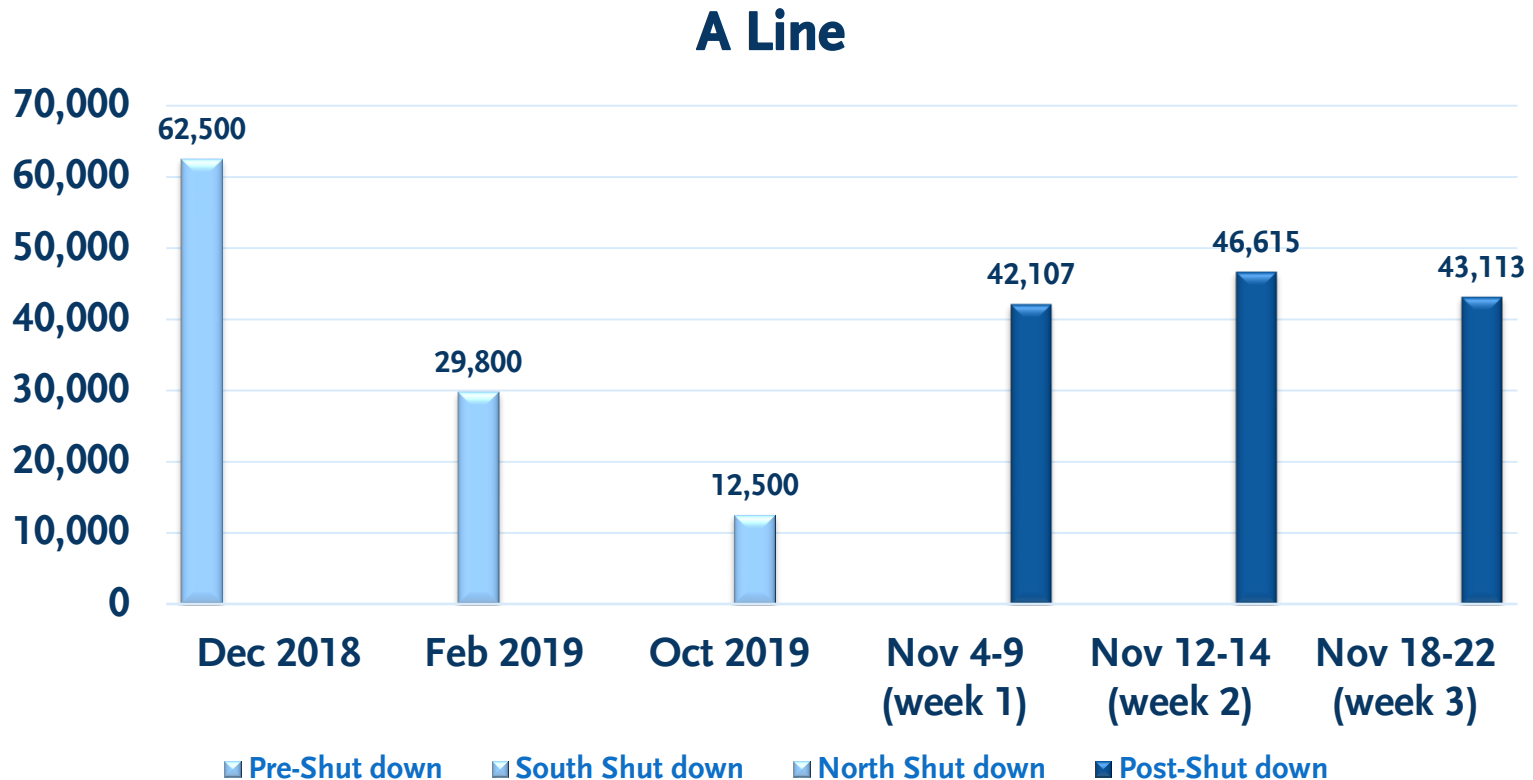
- A Line Service Levels: 6 minute headway during peak times; 12 minute headway during off-peak

Service Enhancements

- Line 456: Launched as a 6 month pilot utilizing the Line 860 route between DTLA and Long Beach
- Flower Street Bus Only Lane: Under evaluation for another 5 months



A Line Weekly Average Ridership



**A Line post-shutdown ridership:
gradually increasing**

A Line – Operations Initiatives

Deployed Task Force

- Rail Fleet Services technicians
- Rail Operations supervisors
- Maintenance & Engineering signals and traction power technical personnel
- Strategically placed staff along the trunk during peak hours to quickly respond issues on A Line & Expo

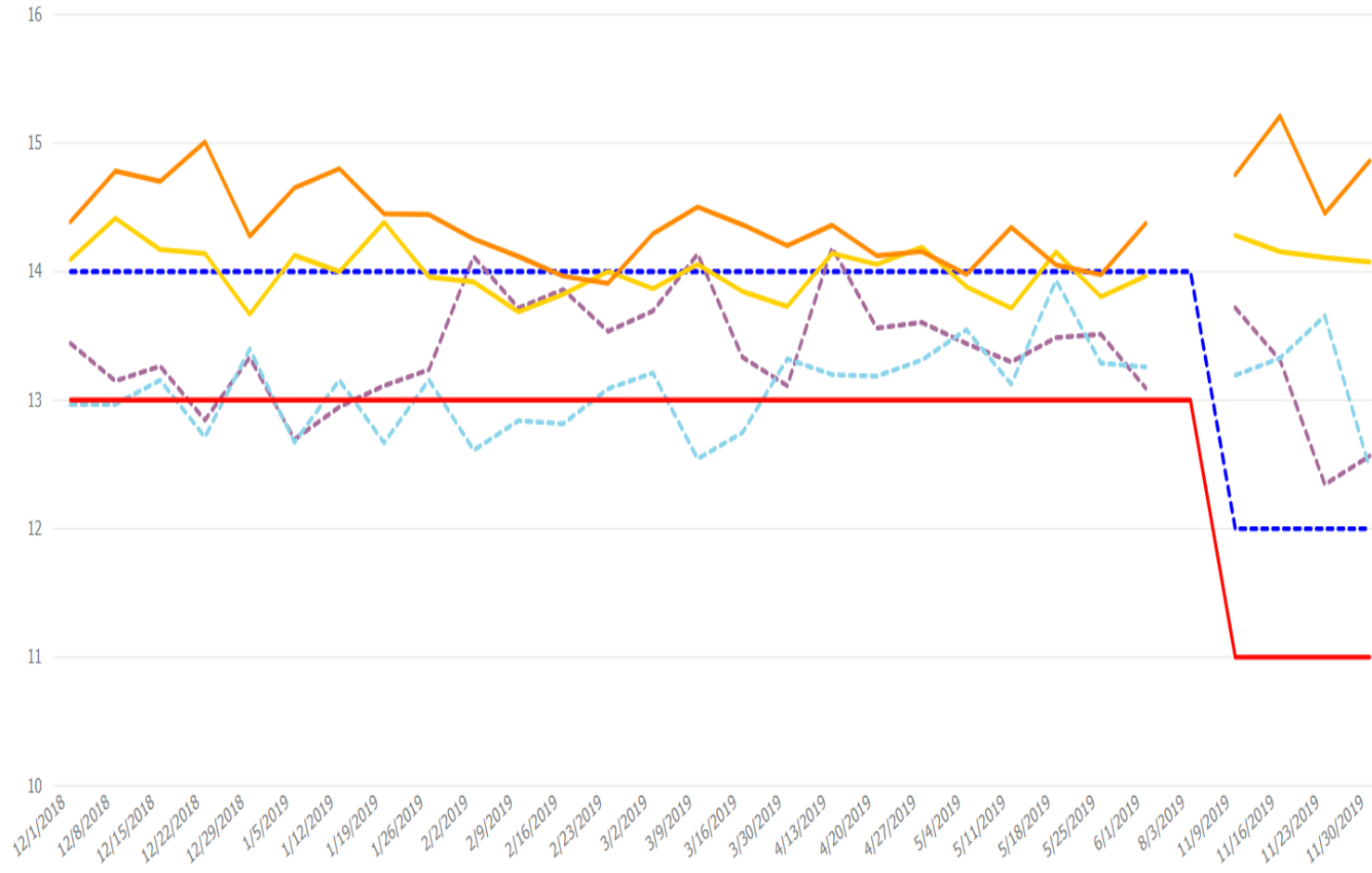
Work Program

- Review entire A Line rail car fleet

A Line Average Run Time – Weekly

A Line Average Runtime: 7th/Metro - Washington, DX Only

--- North - Sched Run Time --- NORTH_AM - North_PM --- South - Sched Run Time --- South_AM --- SOUTH_PM



Northbound:

- Close to schedule

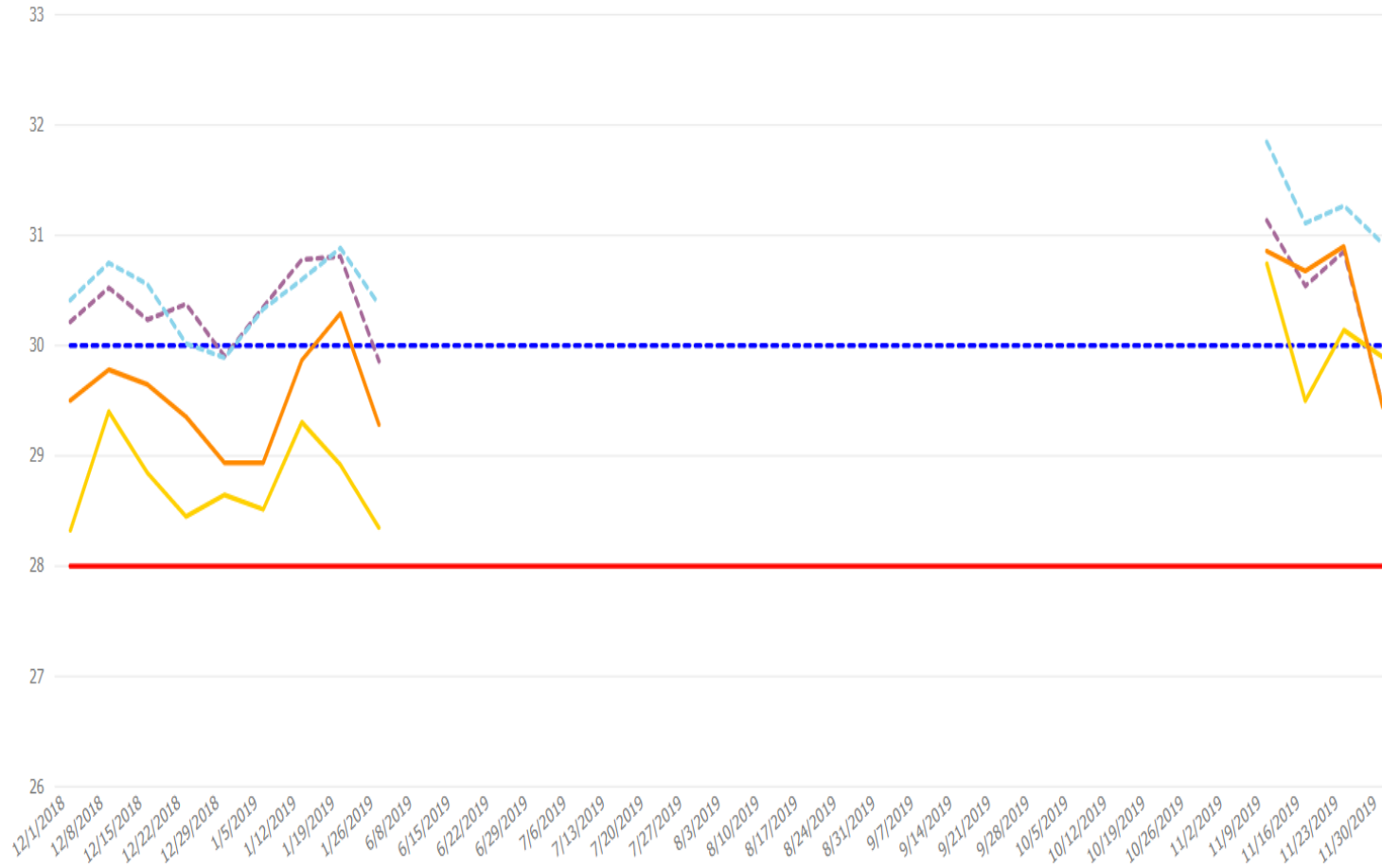
Southbound:

- Mixed results

A Line Run Time – Weekly Analysis

A Line Average Runtime: Washington - Willow, DX Only

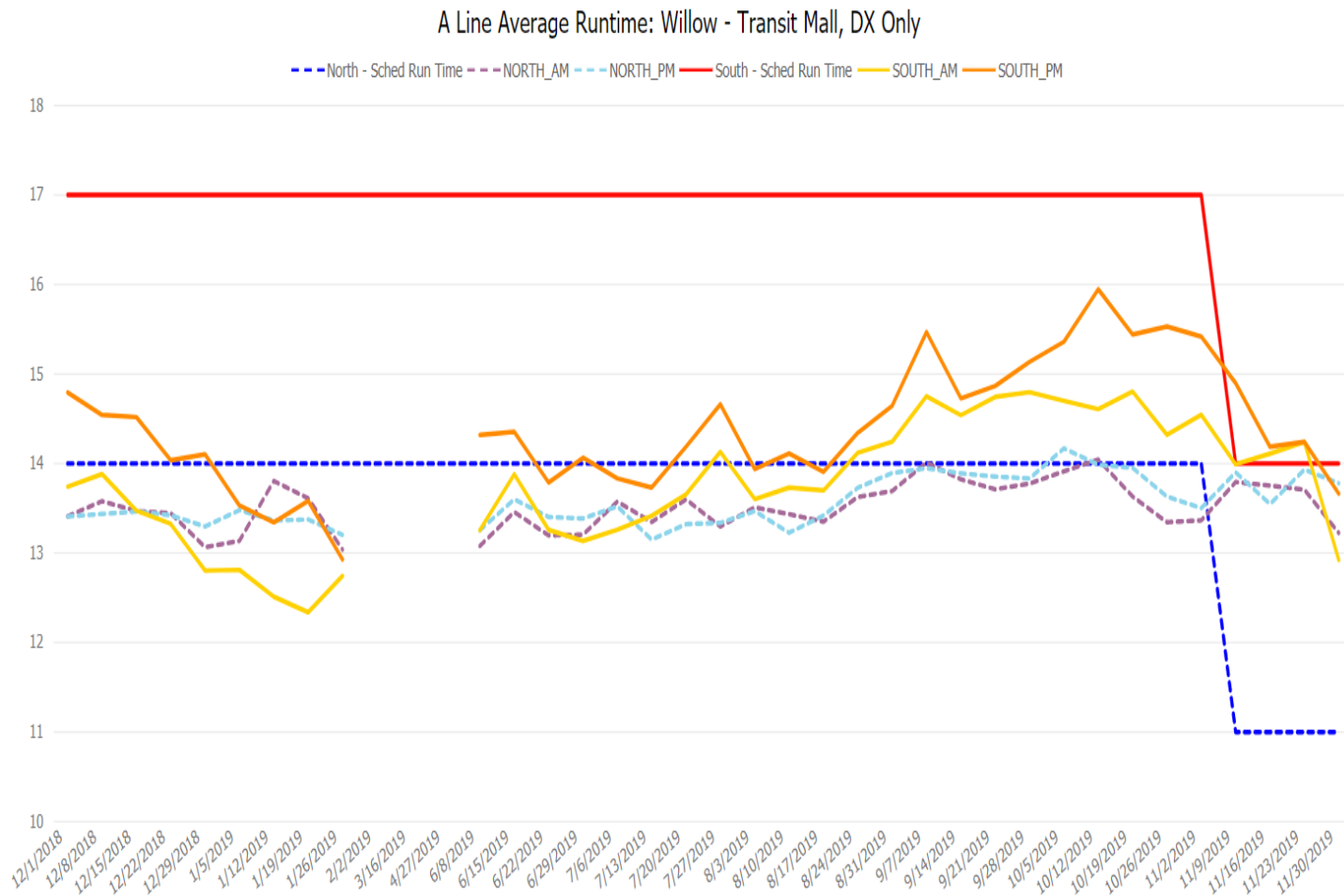
--- North - Sched Run Time --- NORTH_AM - - NORTH_PM --- South - Sched Run Time --- SOUTH_AM --- SOUTH_PM



Washington –
Willow
Segment

- Running times above expected

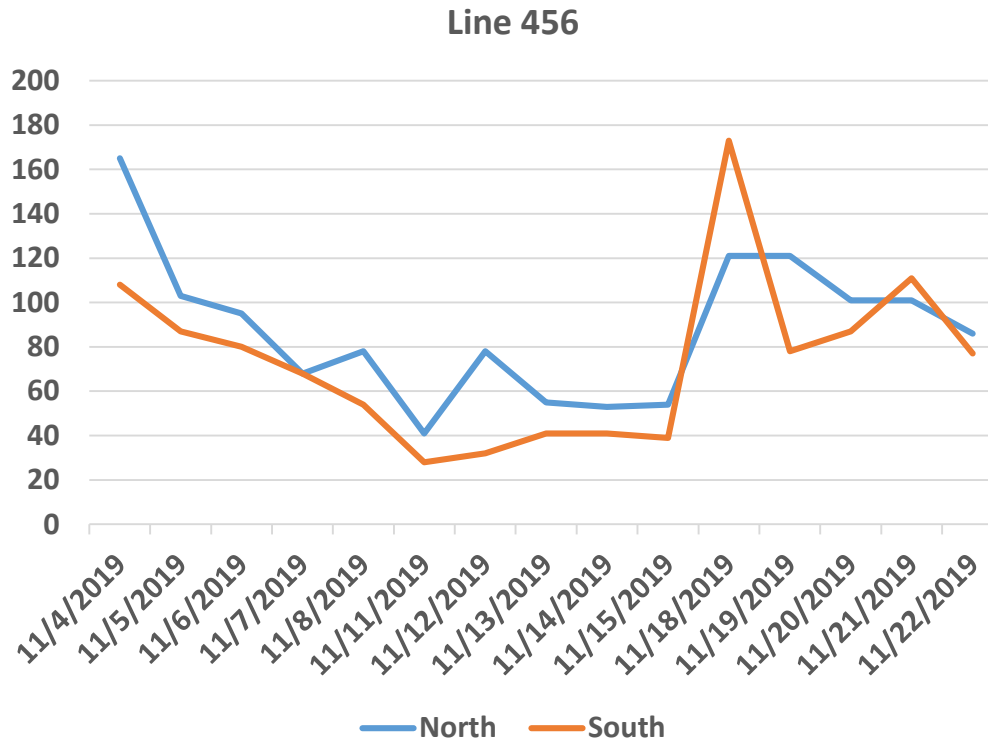
A Line Run Time – Weekly Analysis



Long Beach

- Improved travel times in Long Beach as a result of improvements to the signaling system by City of Long Beach
- Southbound service is slower than expected

Line 456 Ridership – Weekdays



Date	North	South	Average Per Trip
Week 1			
11/4/19	165	108	34
11/5/19	103	87	24
11/6/19	95	80	22
11/7/19	68	68	17
11/8/19	78	54	17
Week 2			
11/11/19	41	28	8
11/12/19	78	32	13
11/13/19	55	41	11
11/14/19	53	41	10
11/15/19	54	39	10
Week 2			
11/18/19	121	173	37
11/19/19	121	78	25
11/20/19	101	87	24
11/21/19	101	111	27
11/22/19	86	77	20

Early trend: Mixed

Cleanliness Program Update

Ongoing

- Adherence to regularly scheduled cleanliness & maintenance levels
- Continued coordinated efforts with partners to improve shared right-of-way (ROW) cleanliness
- Measure status and report back regularly

Rail Station & Bus Terminal Cleaning Program

Daily

- All rail stations are cleaned at a minimum of twice daily, 7 days/week which includes:
 - Empty trash receptacles
 - Spot sweep and mop (floors and stairs)
 - Dust and wipe ticket machines, map cases, handrails, and pylons
 - Elevator inspections and cleaning
 - Odor mitigation

Weekly

- All heavy/light rail stations are pressure washed at a minimum of once per week which includes the use of a heated and high-pressure water spray to clean and disinfect surfaces and structures:
 - Grime
 - Dirt
 - Gum
 - Human waste



Rail & Bus Equipment Cleaning Program

Daily Exterior

- Equipment washed every other day or as needed
- Division supervision performs daily cleanliness inspections

Daily Interior

- Thoroughly blowout/ vacuum interior
- Sweep and mop floors
- Remove graffiti
- Windows and stanchions wipe down
- Clean and or replace seat inserts
- Remove gum

Bi-Weekly

- Treatment with pesticides

Monthly

- Interior deep cleaning and detailing: including floor scrubbing, fabric seat insert deep cleaning or replacement, panel scrub, and paint touch-ups
- Replace window vandal film as required



ROW, Station, Facilities and Lots Cleaning Program

Daily & As-Needed

- Graffiti abatement services at Rail Stations

Weekly

- Landscape and irrigation maintenance
- Trash and weed removal at Rail Stations
- Waste management services
- Power sweeping services

Monthly

- Glass and stainless steel anti-graffiti film replacement services
- Pest and bird control services



Before – A Line



After – A Line



Before – Red Line



After – Red Line



Before – Green Line
Line



After – Green Line

ROW, Station, Facilities and Lots Cleaning Program

Quarterly

- Herbicide application, trash, weed and graffiti removal along the ROW operating envelope

As-Needed Services In Addition to Regularly Scheduled Maintenance

- Homeless encampment clean-up
- Artificial ivy installation as a graffiti deterrent on an as-needed basis
- Tree trimming services
- Fencing repairs
- Graffiti abatement along the ROW
- Glass replacement services
- Red and Gold Line tunnel washing services



Path Forward - Partnerships & Collaborative Joint Efforts

Cleanliness

- Continue cooperation and collaboration with external partner agencies to improve the overall cleanliness conditions of our facilities, equipment, and along shared ROWs & Railroads
- Continue to prioritize multi-agency ROW clean-up efforts using the current clean-up encampment procedure and documenting lessons learned
- Continue to rely on Metro Community Service Workers to help keep our system clean and collaborate with Caltrans for potential program enhancements

Graffiti

- Provide partner agencies and private property owners information regarding external mural programs and use of artificial ivy as options for graffiti deterrent



Board Report

File #: 2019-0728, **File Type:** Contract

Agenda Number: 23.

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE NOVEMBER 21, 2019

SUBJECT: ENGINEERING SUPPORT FOR RAIL MAINTENANCE SERVICES

ACTION: APPROVE CONTRACT MODIFICATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 4 to Contract No. PS46172000, with Gannett Fleming Transit & Rail Systems, for engineering support of rail maintenance to exercise the first-year option, for an amount of \$5,000,000, increasing the total contract not-to-exceed amount from \$16,000,000 to \$21,000,000, through April 2021.

ISSUE

Metro Maintenance and Engineering has limited scope and depth of engineering and technical resources to develop and execute capital projects and meet the day-to-day engineering needs necessary to maintain and improve railway infrastructure assets and systems. Contract No. PS46172000 has been providing significant engineering support that's enabled Metro to augment internal resources on an on-call basis in situations where either Metro does not have sufficient capacity or the expertise necessary to perform a task.

The base term for Contract No. PS46172000 is approaching its initial contract authority. A contract modification is required to exercise the first-year option to continue providing engineering support.

BACKGROUND

In April 2018, the Board of Directors approved the award of Contract No. PS46172000 for Rail Maintenance and Engineering support in a total not-to exceed amount of \$31,000,000, inclusive of \$16,000,000 for the initial two-year base, and \$5,000,000 for each of the three, one-year options. This task order based contract provides for a range of services that includes train control, traction power, communications, track, mechanical, electrical, plumbing, civil design, and fare collection. Also included are support services for project management, construction management, and computer aided design and drafting (CADD).

DISCUSSION

The State of Good Repair (SGR) for the Maintenance of Way and Facilities Maintenance work

program is approximately \$21 million per fiscal year. Maintenance and Engineering has determined that a support cost of 10-15% is reasonable in order to deliver capital projects on time and on budget. Contract No.PS46172000 is presently in the second of the two base years and has awarded task orders totaling \$14,615,000 to date.

A Disadvantaged Business Enterprise (DBE) commitment of 25% was established as part of this contract. The DBE participation is based on the aggregate of all task orders awarded. To date, Gannett Fleming Transit & Rail Systems has 62.28% DBE participation by subcontracting to DBE certified firms.

This contract continues to support the planning, implementation, and execution of SGR projects. Refer to Attachment A for a list of SGR projects this contract is supporting.

Prior to each task order authorization, Maintenance and Engineering develops the scope of work, schedule and independent cost estimate. Metro's Vendor/Contract Management (V/CM) will then request proposal details and pricing information and negotiate a fair and reasonable amount in accordance with agreed upon Metro terms and conditions.

DETERMINATION OF SAFETY IMPACT

The engineering support services for rail maintenance are not directly related to a specific safety issue. However, the services provided via this contract will contribute to maintaining the transit system in a state of good repair as recommended by Metro's Transit Asset Management (TAM) Plan, which is essential to providing a safe and reliable service for riders who use the Metro rail system daily.

FINANCIAL IMPACT

The total for the first-year option is \$5,000,000. For FY20, funding is included in the operating and capital project budget(s) under various cost centers and projects, including cost centers: 3910 - Maintenance and Engineering, 3922 - Rail Communications Systems, 3926 - Rail Signal Systems, 3927 - Rail MOW Track Maintenance, 3928 - Rail Traction Power Systems, 3960 - Rail Transit Engineering, and 3929 - Rail MOW Engineering, Account 50316 -Professional and Technical Services. As additional task orders become necessary to execute, they will be funded through the appropriate capital projects.

Since this is a multi-year contract, the Project Manager will ensure that the balance of funds is budgeted in future fiscal years.

Impact to Budget

The source of funds for this action are Federal, State, and Local funds including fares that are eligible for Operations and Maintenance. For capital related task orders, the source of funds will be dependent on the specific capital project funding. Use of all related funding will maximize the use of allowable funding allocations given approved funding guidelines and provisions.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of this recommendation supports the following Metro Strategic Plan Goals:

1. Provide high-quality mobility options that enable people to spend less time traveling.
2. Deliver outstanding trip experiences for all users of the transportation system.

This engineering support services contract will help maintain safety, service and reliability standards in an effort to provide a world-class transportation system that enhances quality of life for all who live, work, and play within Los Angeles County.

ALTERNATIVES CONSIDERED

1) Solicit competitive bids for each individual task order as it becomes required. This is not recommended as it would require extensive additional staff time to process each request and result in project delays due to the lead time required to complete each procurement cycle. Additionally, procuring these services on a per-assignment basis would impose additional burden on the Vendor/Contract Management (V/CM) department.

2) Utilize existing Engineering staff to provide the required technical support. This is not feasible as the current budgeted MOW Engineering capacity is fully utilized to maintain Metro's existing systems and oversee the acceptance of the new rail lines. Also, there would not be sufficient existing staff to re-assign to provide technical support to the various capital projects concurrently.

NEXT STEPS

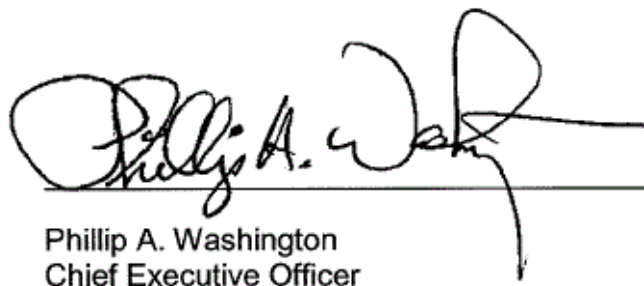
Upon Board approval, staff will execute Modification No. 4 to Contract No. PS46172000 with Gannett Fleming Transit & Rail Systems to provide engineering support for Rail Maintenance and Engineering on an as needed, task-orders basis.

ATTACHMENTS

Attachment A - List of Supported Project Uses
Attachment B - Procurement Summary
Attachment C - Contract Modification/Change Order Log
Attachment D - DEOD Summary

Prepared by: Marshall Epler, DEO, Systems Engineering, (213) 617-6232
Geyner Paz, Senior Administrative Analyst, (213) 617-6251

Reviewed by: James T. Gallagher, Chief Operations Officer, (213) 418-3108
Debra Avila, Chief Vendor/Contract Management Officer, (213) 418-3051



Phillip A. Washington
Chief Executive Officer

ATTACHMENT A**LIST OF SUPPORTED PROJECT USES****ENGINEERING SUPPORT FOR RAIL MAINTENANCE SERVICES / PS46172000**

Description
Support for Door Enable System
Project to implement an Overhead Catenary System (OCS) Monitoring System
Support for MRL Gas Analyzer Upgrade Project
Project to upgrade Transit Passenger Information System (TPIS)
Support for various TPSS/COM/TP/UPS Battery Replacement Projects
Computer Aided Design (CAD) Support to Capture System Configuration
Project for SCADA to monitor Manual and Motor Operated OCS Section Switches
Project for Communication Based Train Control (CBTC) Upgrade to EXPO Line
Support for Corrosion Protection Project
Support for System Security and Law Enforcement Projects
Support for MGL Train Control and TWC Replacement Project
Support for Bus and Rail Facility Maintenance Projects
Support for MRL Train to Wayside Communication (TWC) Rehabilitation Project
Support for Radio Replacement Project
Support for Rehabilitation of MBL Emergency Trip System (ETS) Project
Support for various Rail Maintenance and Engineering Initiatives
Support for Rail Maintenance and Engineering Acceptance of Various Mega Projects
Support for Rail Maintenance and Engineering Capital Program
Support for various Safe-7 projects
Support for Analysis of Traction Power system along Red / Purple Line trunked corridor
Assessments and Inspections of Critical Fire/Life/Safety Elements and Infrastructure
Assessments and Inspections of Critical Wayside Control and Power Systems

PROCUREMENT SUMMARY

ENGINEERING SUPPORT FOR RAIL MAINTENANCE SERVICES / PS46172000

1.	Contract Number: PS46172000			
2.	Contractor: Gannett Fleming Transit & Rail Systems			
3.	Work Description: Exercise Option Year 1 for On-Call Engineering Support Services in support of Maintenance of Way projects.			
4.	Contract Work Description: On-Call Engineering Support Services in support of Maintenance of Way projects.			
5.	The following data is current as of: October 14, 2019			
6.	Contract Completion Status		Financial Status	
	Contract Awarded:	April 26, 2018	Contract Award Amount:	\$16,000,000
	Notice to Proceed (NTP):	N/A	Total of Modifications Approved:	\$0
	Original Complete Date:	April 26, 2020	Pending Modifications (including this action):	\$5,000,000
	Current Est. Complete Date:	April 26, 2021	Current Contract Value (with this action):	\$21,000,000
7.	Contract Administrator: Victor Zepeda		Telephone Number: (213) 922-1458	
8.	Project Manager: Marshall Epler		Telephone Number: (213) 617-6232	

A. Procurement Background

This Board Action is to authorize the CEO to approve Contract Modification No. 4 to exercise option year one in support of Rail Maintenance and Engineering to continue providing the engineering and rail maintenance support, extending the period of performance through April 2021.

This Contract Modification will be processed in accordance with Metro's Acquisition Policy and the contract type is firm fixed unit rates.

On April 26, 2018, the Board approved a two-year base, and three, one-year options Contract No. PS46172000 to provide on-call engineering support services on a task order basis with Gannett Fleming Transit & Rail Systems, in an amount not-to-exceed \$16,000,000 for the two-year base.

Refer to Attachment C, Contract Modification/Change Order Log.

B. Cost/Price Analysis

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

ENGINEERING SUPPORT FOR RAIL MAINTENANCE SERVICES / PS46172000

Mod. No.	Description	Status (approved or pending)	Date	Amount
1	Revise the Approved Subcontractors (SP-04), revise the insurance requirements to minimize Metro's risk, and revise the approved unit rates for the newly added Subcontractors.	Approved	10/22/18	\$0.00
2	Revise the Approved Subcontractors and revise the approved unit rates for the newly added Subcontractors.	Approved	2/11/19	\$0.00
3	Revise the approved unit rates for Year 2 and adjust the retention rate.	Approved	6/11/19	\$0.00
4	Exercise Option Year 1 extending Period of Performance through April 2021.	PENDING	12/5/19	\$5,000,000
	Modification Total:			\$5,000,000
	Original Contract:		4/26/18	\$16,000,000
	Total:			\$21,000,000

DEOD SUMMARY

ENGINEERING SUPPORT FOR RAIL MAINTENANCE SERVICES / PS46172000

A. Small Business Participation

DEOD established a 25% Disadvantaged Business Enterprise (DBE) goal for this Task Order contract for the participation of DBE certified firms. Gannet Fleming made a 25% DBE overall commitment for this contract. The overall DBE participation is based on the cumulative value of all task orders issued.

To date, thirty-four (34) task orders have been awarded. Based on payments reported, Gannet Fleming is exceeding its commitment with a DBE participation of 62.28%.

Small Business Commitment	25% DBE	Small Business Participation	62.28% DBE
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	DBE Subcontractors	Ethnicity	Current Participation¹
1.	Acumen Building Enterprise	African American	4.34%
2.	Armand Consulting	Caucasian Female	11.64%
3.	C2PM, Inc.	Asian Pacific American	12.20%
4.	Colmena Engineering	Hispanic American	9.06%
5.	GC Tech, Inc.	African American	7.90%
6.	Mammoth Associates, LLC	Caucasian Female	5.83%
7.	Pacific Railway Enterprises	Caucasian Female	5.36%
8.	PacRim Engineering Inc.	Asian Pacific American	4.51%
9.	Rani Engineering, Inc.	Hispanic American	1.44%
Total			62.28%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime.

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is not applicable to this contract.

C. Prevailing Wage Applicability

Prevailing Wage requirements are applicable to this project. DEOD will continue to monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and, if federally funded, the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA). Trades that may be covered

include: surveying, potholing, field, soils and materials testing, building construction inspection, construction management and other support trades.

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 #: 2019-0742, **File Type:** Contract

Agenda Number: 24.

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE NOVEMBER 21, 2019

SUBJECT: SHOP TOWELS (WYPALLS)

ACTION: CONTRACT AWARD

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a two-year, Indefinite Delivery, Indefinite Quantity (IDIQ) Contract No. CY63850000 to JWL Supplies, the lowest responsive and responsible bidder for Shop Towels (Wypalls). The Contract one-year base amount is \$686,565 inclusive of sales tax, and the one-year option amount is \$730,453, inclusive of sales tax, for a total contract amount of \$1,417,018, subject to resolution of protest(s), if any.

ISSUE

Shop towels are used on a day-to-day basis to clean and maintain facilities, equipment, and rolling stock by the rail and bus maintenance and operations departments. Metro staff throughout the agency require the shop towels to maintain safe work environments and the cleanliness of the rail and bus fleet to ensure the highest quality of customer experience when riding Metro. Award of this contract will ensure an adequate inventory of shop towels for bus and rail operations.

BACKGROUND

The Material Management usage reports revealed that on an annual basis approximately 12,000 cases of shop towels were issued throughout the rail and bus operating divisions and at other facilities and work sites to maintain the cleanliness of facilities, equipment, rolling stock, and to ensure safety for our employees. The shop towels purchased under this procurement will be maintained in inventory and managed by Materiel Management.

DISCUSSION

Shop towels have multiple uses which include efforts to meet customer facing and internal cleanliness goals and objectives. The shop towels are used primarily by maintenance personnel at bus and rail divisions. Mechanics, service attendants, and custodians support the use of these shop towels because the product's absorbent qualities and cloth like characteristics are needed to clean surfaces, and to pick up oil and grease. The towels are also used at the operating divisions to clean the windshields and side windows of buses and rail cars.

The shop towels are used by janitorial staff for the daily cleaning of facilities throughout the Metro system, and for general purpose cleaning functions based on their individual consumption

requirements.

The Metro staff whose job functions require the use of shop towels are provided training on the proper use of these materials, and management tracks the consumption of the shop towels using the Maintenance and Materials Management (M3) system to ensure that employees are avoiding waste and using these products responsibly.

The Contract to be awarded is a “requirements type” agreement in which Metro commits to order up to the specified quantity for a specific duration of time, but there is no obligation or commitment for Metro to order all of the shop towels that may be anticipated. The bid quantities are estimates only, with deliveries to be ordered and released as required. The Diversity and Economic Opportunity Department (DEOD) documented a sixty percent (60%) SBE commitment by JWL Supplies and verified that they are meeting the Small Business Prime Set-Aside requirements established for this procurement.

These paper products will be purchased, maintained in inventory and managed by Materiel Management. As the shop towels are issued, the appropriate budget project numbers and accounts will be charged.

DETERMINATION OF SAFETY IMPACT

Award of this contract will ensure that all operating divisions have adequate inventory to maintain the bus and rail fleets, facilities, equipment, and supplies for other general-purpose cleaning and maintenance activities according to Metro Maintenance and facility standards, and OSHA standards.

FINANCIAL IMPACT

The twelve (12) month funding of \$686,565 for shop towels is included in the FY20 budget in various cost centers for Administration and Bus and Rail Operations. The paper products will be funded from each cost center's Material and Supplies budget line item number 50431 under multiple operating projects.

Since this is potentially a multi-year Contract, the Cost Center Managers and respective SBU Chief will be accountable for budgeting the cost in future fiscal years.

Impact to Budget

The source of funds for this procurement will come from Federal, State and local funding sources, including fares, that are eligible for Bus and Rail Operating or Capital Projects. These funding sources will maximize the use of funds for these activities given approved funding provisions and guidelines.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The procurement of shop towels supports Strategic Goal 1: Provide high-quality mobility options that enable people to spend less time traveling. The shop towels will assist in maintaining the safety, cleanliness, and reliability of the rail and bus fleet and ensure the highest quality of service to our customers who expect clean vehicles that arrive at their destinations in accordance with the scheduled service intervals for Metro rail and bus operations.

ALTERNATIVES CONSIDERED

The alternative is to not award the contract and to procure shop towels on an as-needed basis. This approach is not recommended since it does not provide a commitment from the supplier to ensure availability and price stability.

NEXT STEPS

Metro's requirements for shop towels will be fulfilled under the provisions of the contract.

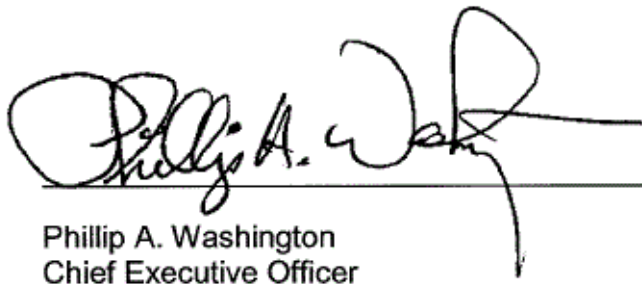
ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

Prepared By: James D. Pachan, Superintendent of Maintenance, (213) 922-5804

Reviewed by: Debra Avila, Chief, Vendor/Contract Management (213) 418-3051
James T. Gallagher, Chief Operations Officer (213) 418-3108



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

PURCHASE OF SHOP TOWELS (WYPALLS)

CONTRACT NO. CY6385000

1.	Contract Number: CY6385000	
2.	Recommended Vendor: JWL Supplies	
3.	Type of Procurement (check one): <input checked="" type="checkbox"/> IFB <input type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	Procurement Dates :	
	A. Issued: 6/21/19	
	B. Advertised/Publicized: 6/21/19	
	C. Pre-proposal/Pre-Bid Conference: N/A	
	D. Proposals/Bids Due: 8/22/19	
	E. Pre-Qualification Completed: 9/30/19	
	F. Conflict of Interest Form Submitted to Ethics: 9/12/19	
	G. Protest Period End Date: 11/21/19	
5.	Solicitations Picked up/Downloaded: 5	Bids/Proposals Received: 34
6.	Contract Administrator: Tanya Allen	Telephone Number: 213/922-1018
7.	Project Manager: Alex DiNuzzo	Telephone Number: 213/922-5860

A. Procurement Background

This Board Action is to approve Contract No. CY6385000 for the procurement of Shop Towels (Wypalls). Board approval of contract awards are subject to resolution of any properly submitted protest.

IFB No. CY63850 was issued in accordance with Metro's Acquisition Policy and the contract type is Indefinite Delivery, Indefinite Quantity (IDIQ).

This solicitation was issued under Metro's Small Business Enterprise (SBE) Set-Aside Program where only Metro certified SBE firms are eligible for participation. All certified SBEs must also meet the program's Commercially Useful Function (CUF) requirements to be considered fully Responsive to the IFB.

One amendment was issued during the solicitation phase of this IFB:

- Amendment No. 1, issued on July 16, 2019, provided a revised bid opening date.

A total of five (5) bids were received on May 30, 2019 and they are listed in alphabetical order:

1. Advantage Solutions, LLC
2. Bash Boy Enterprises, Inc.
3. JWL Supplies
4. Los Angeles Chemical Co., Inc.
5. Supply Solutions

B. Evaluation of Bids

This procurement was conducted in accordance and complies with LACMTA's Acquisition Policy for a competitive sealed bid. There were three bids that were deemed responsive and responsible to the IFB requirements. However, Supply Solutions the apparent low bidder was deemed non-responsive due to not requesting evaluation of their product, as an approved-equal, prior to the defined deadline specified in the IFB. Bash Boy Enterprises, Inc. was deemed non-responsive because they did not meet the Commercial Useful Function (CUF) requirements.

JWL Supplies (JWL) the lowest responsible responsive bidder was found to be in full compliance in meeting the bid and technical requirements of the IFB.

C. Price Analysis

The recommended bid price from JWL has been determined to be fair and reasonable based upon adequate price competition and current market value of shop towels.

Low Bidder Name	Bid Amount	Metro ICE
JWL Supplies	\$1,417,017.60	\$1,232,642
Los Angeles Chemical Co., Inc.	\$1,522,663.20	
Advantage Solutions, LLC	\$2,152,332.00	

D. Background on Recommended Contractor

The recommended firm, JWL Supplies located in Los Angeles, California has been in business for seven (7) years as a lead distributor in janitorial and industrial supplies. JWL has provided extensive experience in supplying show towels (Wypalls) to other municipalities and companies such as Dallas Authority Transit District (DART), Pomona and Compton Unified School Districts, Department of General Services (DGS), VA Hospital – Long Beach, and CBS Studios. JWL has provided satisfactory products and services to Metro.

DEOD SUMMARY**SHOP TOWELS (WYPALLS)/ CY63850000****A. Small Business Participation**

Pursuant to Metro's Board-approved policy, competitive acquisitions with three or more Small Business Enterprise (SBE) certified firms within the specified North American Industry Classification System (NAICS) as identified for the project scope shall constitute a Small Business Set-Aside procurement. Accordingly, the Contract Administrator advanced the solicitation, including posting the solicitation on Metro's website, advertising, and notifying certified small businesses as identified by NAICS code(s) that this solicitation was open to **SBE Certified Small Businesses Only**.

JWL Supplies, an SBE Prime, is performing 100% of the work with its own workforce. JWL Supplies made a 60% SBE commitment as a regular dealer.

SMALL BUSINESS PRIME (SET-ASIDE)

	SBE Prime Contractor	SBE % Committed
	JWL Supplies	60%
	Total Commitment	60%

B. Living/Prevailing Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is not applicable to this contract.

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this contract.

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 #: 2019-0777, **File Type:** Contract

Agenda Number: 25.

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE NOVEMBER 21, 2019

SUBJECT: LIQUID WASTE REMOVAL SERVICES

ACTION: APPROVE CONTRACT AWARD

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a five-year, firm fixed unit rate Contract No. OP64570000 to Western Environmental Services for Liquid Waste Removal Services in an amount not-to-exceed \$6,961,410, effective December 16, 2019, subject to resolution of protest(s), if any.

ISSUE

The liquid waste removed from Metro facilities must be evacuated from the wastewater processing systems by a licensed transporter and transported to a fully permitted Treatment, Storage and Disposal Facility (TSDF). This contract award for liquid waste removal services will ensure that Metro facilities are safely disposing of liquid waste and remain in compliance with hazardous and non-hazardous material laws and regulations.

On July 30, 2019, invitation for bid was issued in accordance with Metro's Acquisition Policy and the contract type is a firm fixed unit price. A Pre-Bid Conference was held on August 7, 2019. One bid was received on the due date of August 26, 2019 from Western Environmental Services, current contractor, which was determined to be responsive and responsible to the minimum qualification requirements.

BACKGROUND

Metro Bus and Rail Operation facilities generate approximately 1.7 million gallons of liquid waste each year during the servicing of wastewater processing systems (e.g., clarifiers, sump pits, storage tanks, stormceptors and caustic tanks). These wastewater processing systems collect liquid waste associated with the steam cleaning of bus and rail car components, chassis jet cleaning of buses, interior and exterior washing of buses and rail cars, stormceptors and waste storage tanks.

DISCUSSION

As a generator of hazardous and non-hazardous liquid waste, Metro is required to comply with federal, state and local environmental laws and regulations. This includes ensuring the waste is

legally removed and transported by a licensed transporter to a permitted TSDf for proper treatment and disposal. Additionally, the routine servicing of the various wastewater processing systems shall ensure their efficient and effective operation as well as ensure Metro is compliant with applicable hazardous and non-hazardous laws and regulations.

Metro's compliance with environmental laws and regulations will greatly reduce Metro's liability, minimizing the possibility of regulatory fines/notice to comply orders and negative publicity. Furthermore, Metro will preserve and protect the safety of the environment, the public and Metro staff.

DETERMINATION OF SAFETY IMPACT

The approval of this contract will ensure that hazardous and non-hazardous liquid waste is properly transported and disposed at permitted and fully licensed facilities. The services provided under this contract shall ensure Metro facilities accumulate and schedule the removal of hazardous and non-hazardous liquid waste in compliance with federal, state and local environmental regulations.

FINANCIAL IMPACT

The funding of \$625,000 for this service is included in the FY20 budget in cost center 3120, Quality Assurance, Service Contract Services, under project number 306002, 300022, 300033, 300044, 300055 and 300066 Bus and Rail Operation Maintenance.

Since this is a multi-year contract, the cost center manager and Senior Executive Officer, Maintenance will be accountable for budgeting the cost in future years.

Impact to Budget

The current year funding for this action will come from Enterprise operating fund. The source of funds for this procurement will come from Federal, State and local funding sources including sales tax and fares that are eligible for Bus and Rail Operating Projects. These funding sources will maximize the use of funds for these activities.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended contract award supports Metro Vision 2028 Strategic Goal 5: Provide responsive, accountable, and trustworthy governance; Initiative 5.2- Metro will exercise good public policy judgement and sound fiscal stewardship. The approval of this contract will ensure that Metro is compliant with all local, state and federal laws and regulations, and ensure compliance with Metro environmental compliance policies and procedures.

ALTERNATIVES CONSIDERED

Metro may engage the services of a contractor to provide liquid waste removal services on an as-needed basis. This alternative is not recommended because without fixed unit-rate pricing and a routine service schedule, costs can vary, and pick-up schedules may not meet Metro's service

requirements.

We also considered providing the services through Metro in-house staff. However, this alternative is not recommended since a licensed transporter is required to remove and transport hazardous and non-hazardous liquid waste from Metro facilities. Furthermore, the treatment and disposal of the liquid waste can only be performed by a permitted TSDF. Metro does not have the necessary vehicles, facilities, equipment, licenses, permits or trained personnel to transport or dispose of hazardous and non-hazardous liquid waste.

NEXT STEPS

Upon approval by the Board, staff will execute Contract No. OP64570000 with Western Environmental Services, for liquid waste removal service.

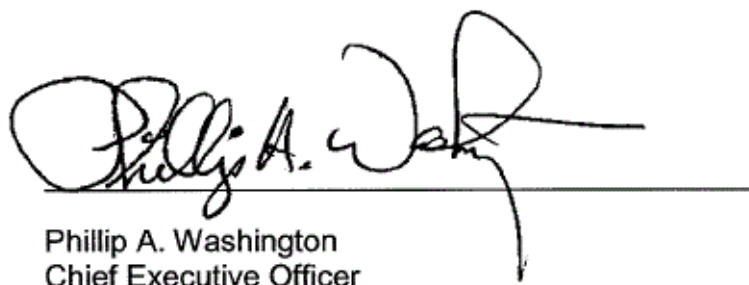
ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

Prepared by: Daniel Ramirez, Division Maintenance Superintendent, (213) 922-5197
James Jimenez, Sr. Manager Environmental Compliance & Services, (213) 922-5870

Reviewed by: James T. Gallagher, Chief Operations Officer, (213) 418-3108
Debra Avila, Chief, Vendor/Contract Management Officer, (213) 418-3051



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

LIQUID WASTE REMOVAL SERVICES/OP64570000

1.	Contract Number: OP64570000	
2.	Recommended Vendor: Western Environmental Services	
3.	Type of Procurement (check one): <input checked="" type="checkbox"/> IFB <input type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	Procurement Dates:	
	A. Issued: July 30, 2019	
	B. Advertised/Publicized: July 29, 2019	
	C. Pre-Bid Conference: August 7, 2019	
	D. Bids Due: August 26, 2019	
	E. Pre-Qualification Completed: September 12, 2019	
	F. Conflict of Interest Form Submitted to Ethics: August 26, 2019	
	G. Protest Period End Date: November 25, 2019	
5.	Solicitations Picked up/Downloaded: 15	Bids Received: 1
6.	Contract Administrator: Greg Baker	Telephone Number: (213) 922-7577
7.	Project Manager: James Jimenez	Telephone Number: (213) 922-5870

A. Procurement Background

This Board Action is to approve the award of Contract No. OP64570000 to Western Environmental Services to remove, transport and dispose of hazardous and non-hazardous liquid waste from Metro clarifiers, sump pits, trenches, hoists, pits, water/oil separators, waste fuel tanks, elevators and escalators pits, storage tanks and caustic tanks at various Metro facilities throughout Los Angeles County. Board approval of contract awards are subject to the resolution of any properly submitted protest.

On July 30, 2019, Invitation for Bid (IFB) No. OP64570 was issued in accordance with Metro's Acquisition Policy and the contract type is a firm fixed unit price.

One amendment was issued during the solicitation phase of this IFB:

- Amendment No. 1, issued on August 5, 2019 clarified the contact information for the DEOD representative.

A Pre-Bid Conference was held on August 7, 2019. However, no potential bidders attended.

A total of 15 firms downloaded the IFB and were included on the planholders' list. Two questions were received from potential bidders and responses were provided prior to the bid due date.

One bid was received on the due date of August 26, 2019 from Western Environmental Services (WES).

Metro staff canvassed fourteen potential bidders on the planholders' list to determine why no other bids were received. The following is a summary of the results of the market survey:

1. Potential bidder was tied up on other projects and has limited staff to pursue this project as a prime contractor;
2. Potential bidder lost track of the procurement timeline due to personnel changes;
3. Potential bidder does not possess the required licenses, certifications and credentials to provide the services;
4. Potential bidder does not have the necessary equipment to perform the required services; and
5. Potential bidder finds its firm's capabilities does not align with the requested services and that paperwork required by Metro is too onerous.

B. Evaluation of Bid

This procurement was conducted in accordance with Metro's Acquisition Policy for competitive sealed bids. WES' bid was determined to be responsive and responsible to the minimum qualification requirements of the IFB. WES also committed to meeting the 10% DBE goal required by the solicitation.

Qualifications Summary of Firm

Western Environmental Services, Inc. (WES) has been in business for 22 years providing a wide range of waste disposal needs. WES is the incumbent and currently provides liquid waste removal services to Metro. Industries served by WES include construction, trucking/freight, food processing, hospitals, schools, manufacturing and pipeline/refineries.

C. Price Analysis

The bid price from WES has been determined to be fair and reasonable based upon price analysis, independent cost estimate, and technical analysis.

Bidder Name	Bid Amount	Metro ICE
Western Environmental Services	\$6,961,410	\$7,472,632

D. Background on Recommended Contractor

The recommended firm, WES, located in Glendora, California, is a waste service and management company specializing in handling, packaging, transporting, and

disposing of hazardous, non-hazardous, industrial and universal waste. WES provides a 24-hour emergency response, waste minimization, waste characterization, transportation, regulation and compliance and steam cleaning/pressure washing services (stormwater regulations). WES is the incumbent, a Metro certified SBE, currently providing liquid waste removal services and has performed satisfactorily.

DEOD SUMMARY**LIQUID WASTE REMOVAL SERVICES/OP64570000****A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 10% Disadvantaged Business Enterprise (DBE) goal for this solicitation. Western Environmental Services exceeded the goal by making a 10.80% DBE commitment.

Small Business Goal	10% DBE	Small Business Commitment	10.80% DBE
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	DBE Subcontractors	Ethnicity (Only Applicable For DBE Contract)	% Committed
1.	First Fuel	Caucasian Female	10.80%
Total Commitment			10.80%

B. Living/Prevailing Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is not applicable to this contract.

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this contract.

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 #: 2019-0752, File Type: Appointment

Agenda Number: 26.

OPERATIONS, SAFETY AND CUSTOMER EXPERIENCE COMMITTEE
NOVEMBER 21, 2019

SUBJECT: MEMBERSHIP ON METRO SAN GABRIEL VALLEY SERVICE COUNCIL

ACTION: APPROVE NOMINATION

RECOMMENDATION

APPROVE Leonard Pieroni for membership on Metro's San Gabriel Valley Service Council.

ISSUE

A member of the San Gabriel Valley Service Council submitted his resignation effective September 23, 2019. The term of the now-vacant seat is July 1, 2017 - June 30, 2020.

DISCUSSION

Metro seeks to appoint Service Council members reflective of the demographics of each respective region. The 2016 American Community Survey demographics of each of the Service Council regions are as follows:

Region	Hispanic	White	Asian	Black	Other	Total
Gateway Cities	65.2%	15.2%	9.0%	8.3%	2.3%	100.0%
San Fernando Valley	41.7%	40.9%	11.0%	3.5%	3.0%	100.0%
San Gabriel Valley	49.9%	18.3%	26.2%	3.3%	2.3%	100.0%
South Bay Cities	43.7%	22.8%	12.3%	17.2%	4.0%	100.0%
Westside Central	43.2%	31.0%	13.3%	9.3%	3.1%	100.0%
Metro Service Area Total	48.9%	25.8%	14.6%	7.8%	2.9%	100.0%

The following individual has been nominated to serve by the City of La Cañada Flintridge and approved by the Cities of Pasadena and Sierra Madre, all of whom serve as the appointing authorities for this vacant seat. If approved by the Board, this appointment will serve the remainder of the seat's three-year term. A brief listing of qualifications and the nomination letter are provided.

San Gabriel Valley

A. Leonard Pieroni, San Gabriel Valley Service Council, New Appointment

Nominated by: Cities of La Cañada Flintridge, Pasadena, and Sierra Madre
Term Ending: June 30, 2020

The demographic makeup of the San Gabriel Valley Service Council with the appointment of this nominee will consist of three (3) Hispanic members, five (5) White members, and one (1) Asian member as self-identified by the members in terms of racial/ethnic identity. The gender breakdown of the Council will be seven (7) men and two (2) women.

DETERMINATION OF SAFETY IMPACT

Maintaining the full complement of representatives on each Service Council to represent each service area is important. As each representative is to be a regular user of public transit, and each Council is composed of people from diverse areas and backgrounds, this enables each Council to better understand the needs of transit consumers including the need for safe operation of transit service and safe location of bus stops.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of this recommendation supports the following Metro Strategic Plan Goal: 30 Enhance communities and lives through mobility and access to opportunity.

ALTERNATIVES CONSIDERED

The alternative to approving this appointment would be for this nominee to not be approved for appointment. To do so would result in reduced effectiveness of the Service Council, as it would increase the difficulty of obtaining the quorum necessary to allow the Service Council to formulate and submit their recommendations to the Board. It would also result in the Service Council having less diverse representation of their respective service area.

NEXT STEPS

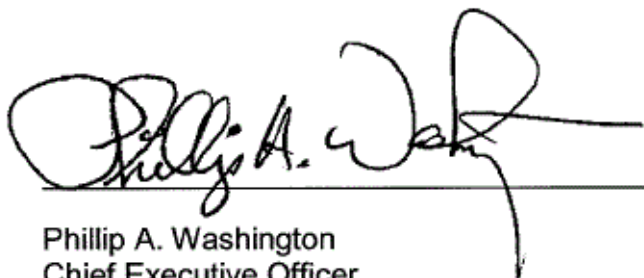
Staff will continue to monitor the major contributors to the quality of bus service from the customer's perspective, and share that information with the Service Councils for use in their work to plan and to implement and improve bus service in their areas and the customer experience using our bus service.

ATTACHMENTS

Attachment A - Nominee's Listing of Qualifications
Attachment B - Nomination Letter

Prepared by: Conan Cheung, Sr. Executive Officer, Service Development, Scheduling
and Analysis, (213) 418-3034
Dolores Ramos, Chief Administrative Analyst, Regional Service Councils,
(213) 922-1210

Reviewed by: James T. Gallagher, Chief Operations Officer, (213) 418-3108

A handwritten signature in black ink, appearing to read "Phillip A. Washington", is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke extending to the right.

Phillip A. Washington
Chief Executive Officer

NEW APPOINTEE BIOGRAPHY AND QUALIFICATIONS

Leonard Pieroni, Nominee for San Gabriel Valley Service Council



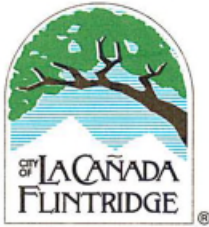
Mayor Leonard Pieroni has lived in La Cañada Flintridge since 5th grade attending Paradise Canyon Elementary School. Prior to joining the La Canada Flintridge City Council in 2015, Mayor Pieroni served on the City's Public Works and Traffic Commission.

Mayor Pieroni is currently employed as the Section Manager for NASA's Jet Propulsion Laboratory's Facilities Engineering and Construction division. He holds a Bachelor of Science degree in mechanical engineering from California Polytechnic State

University – San Luis Obispo.

Len and his wife Brenda have two teenage children. He is involved in several local groups including the Boy Scouts of America and is currently president of the Crescenta Valley Sheriff's Support Group.

APPOINTING AUTHORITY NOMINATION LETTER



City Council
Leonard Pieroni, Mayor
Gregory C. Brown, Mayor Pro Tem
Jonathan C. Curtis
Michael T. Davitt
Terry M. Walker

October 1, 2019

Ms. Dolores Ramos
Metro Service Councils
One Gateway Plaza, MS99-7-2
Los Angeles, CA 90012

Dear Ms. Ramos:

Sent via email to: ramosd@metro.net

Dear Ms. Ramos:

The City of La Cañada Flintridge nominates Mayor Leonard Pieroni to fill the unexpired term of office ending June 30, 2020 on the San Gabriel Valley Service Council. Please advise if there is any further information you require.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark R. Alexander".

Mark R. Alexander
City Manager

c: City Council
The Honorable John Harabedian, Mayor, City of Sierra Madre
Gabriel England, City Manager, City of Sierra Madre
The Honorable Terry Tornek, Mayor, City of Pasadena
Steve Mermell, City Manager, City of Pasadena
Phillip A Washington, Chief Executive Officer



Board Report

File #: 2019-0628, **File Type:** Motion / Motion Response

Agenda Number: 27.

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE NOVEMBER 21, 2019

SUBJECT: ORDINANCE FOR ENFORCEMENT OF TOLL VIOLATIONS FOR THE METRO EXPRESSLANES

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

APPROVE amendment to Title 7 of the Ordinance for Enforcement of Toll Violations (Attachment A). The ordinance will become effective January 5, 2020.

ISSUE

Toll evasion penalties are regulated by the California Vehicle Code (CVC) Section 40258. In order for appropriate penalties to be enforced, the Metro Board must adopt an ordinance establishing the administrative procedures, processing fees, and penalties to ensure compliance with statute.

BACKGROUND

As a requirement for implementing the I-10 and I-110 ExpressLanes, the Metro Board initially adopted the Ordinance to Establish the LACMTA Administration of Tolls and Enforcement of Toll Violations for the Metro ExpressLanes in April 2012. This original ordinance established administrative procedures and penalties associated with ExpressLanes violations. Per the California Vehicle Code, changes affecting violations on the ExpressLanes must be reflected in an ordinance adopted by the operating agency. As a result, in order to incorporate the changes required to deploy the Board adopted Occupancy Detection System and the Pay as You Go program, the Board must adopt the updated Ordinance for Enforcement of Toll Violation provided as Attachment A. Changes from the original ordinance are shown in Attachment A as blue-strikeout text (i.e., deletions) and as red-bolded text (i.e., additions).

The Occupancy Detection System is a proof of concept that would allow the toll system to verify the number of occupants declared in the vehicle at the time of travel and compare it to the system's observed occupancy. The registered owner of the vehicle would be responsible for the correct toll amount plus a \$4 processing fee.

The Pay as You Go pilot program allows drivers to use the Metro ExpressLanes without a FasTrak transponder which has been a program requirement to date. The registered owner of the vehicle would be charged the toll and a \$4 processing fee.

DISCUSSION

An update to the Ordinance for Enforcement of Toll Violation for Metro ExpressLanes is required to allow implementation of the Occupancy Detection System and Pay as You Go program. Both programs follow the same violation process once the transaction is flagged. This ordinance update also includes several minor language changes throughout, for added clarity, consistency, and precision of meaning.

The following outlines the steps associated with the Occupancy Detection System process:

1. If the system detects the number of occupants declared in the vehicle was less than the number verified by the system the transaction is flagged as a violation.
2. An "Occupancy Correction Notice of Toll Evasion Violation" will be mailed to the registered owner of the vehicle within 21 days of the transaction. The first notice will include the correct toll amount plus a \$4 processing fee.
3. If payment is not received within 30 days, there will be an additional \$21 penalty added to the total and a "Past Due Notice of Toll Evasion Violation" will be mailed.
4. If payment is not received within 30 days after the second notice, a third notice, "Delinquent Notice of Toll Evasion Violation" is mailed out with an additional \$30 penalty.
5. If payment is not received 30 days after the third notice a hold may be placed on the vehicle's registration and/or the violation will be sent to collections.

The following steps illustrate the Pay as You Go process:

1. If a vehicle drives through the I-10 and I-110 ExpressLanes without a transponder the transaction is flagged as a violation.
2. A "Pay as You Go Notice of Toll Evasion Violation" will be mailed to the registered owner of the vehicle within 21 days of the transaction. The first notice will include the correct toll amount plus a \$4 processing fee.
3. If payment is not received within 30 days, there will be an additional \$21 penalty added to the total and a "Past Due Notice of Toll Evasion Violation" will be mailed.
4. If payment is not received within 30 days after the second notice, a third notice, "Delinquent Notice of Toll Evasion Violation" is mailed out with an additional \$30 penalty.
5. If payment is not received 30 days after the third notice a hold may be placed on the vehicle's registration and/or the violation will be sent to collections.

For both types of toll evasion violations, customers will be provided two levels of review for contesting these notices: an Investigative Review and/or an Administrative Hearing. A customer may request an Investigative Review at any time during the violation escalation process provided the violation has not been placed on DMV Hold or sent to collections. Administrative Hearings can be requested after an Investigative Review has been completed and are held before an impartial Hearing Officer who will render a decision based on the facts of the case and applicable laws. The Administrative Hearing process utilizes the same procedures as the Metro Transit Court, and gives the appellant an opportunity to present evidence, witness statements, and arguments as to the reason(s) a particular violation should be dismissed. Violations that are deemed invalid either by the system or through the contest processes will be dismissed.

Metro staff is following a tailored outreach strategy and educational campaign for both the Occupancy Detection System and the Pay as You Go program. For the Occupancy Detection System, customers were sent initial notification of the upcoming changes through mailed statement inserts and e-mail on October 1, 2019, and the Metro ExpressLanes web site was simultaneously updated with new information about the system. Customers will be sent additional correspondence with more information about the Occupancy Detection System one month in advance of its activation. Furthermore, for the first two months of operation (i.e., the “grace period”), informational notices will be mailed in place of actual toll evasion violations to any customers found to be mis-representing their vehicle occupancies.

Outreach for the Pay as You Go program will similarly include notifications sent to existing ExpressLanes account-holders through mailed statement inserts and e-mail, along with updates to the Metro ExpressLanes web site. Furthermore, because much of the target audience for the Pay as You Go program is non-customers traveling on the I-10 and I-110 ExpressLanes corridors, outreach will also include a series of portable Changeable Message Signs placed in the freeway shoulders near ExpressLanes access points to notify corridor users of the change in policy for drivers accessing the ExpressLanes without transponders. Specific locations for these portable Changeable Message Signs are being determined in coordination with Caltrans and are subject to final Caltrans approval. Outreach for the Pay as You Go program will occur after the program has become active, to prevent customer confusion regarding which access options are currently available and which take effect at a future date.

FINANCIAL IMPACT

There is no cost related to the adoption of this ordinance. Staff will continue to monitor the performance of the ExpressLanes to make sure the program goals are achieved.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation supports strategic plan Goal 1: Provide high-quality mobility options that enable people to spend less time traveling. ExpressLanes provides drivers with the option of a more reliable trip while improving the overall operational efficiency of the freeway network.

ALTERNATIVES CONSIDERED

The Board may elect not to adopt an ordinance establishing an updated toll evasion process and penalties for the program. This alternative is not recommended because without adoption of the changes identified in the ordinance, Metro is precluded from implementing the Occupancy Detection System and Pay as You Go program.

NEXT STEPS

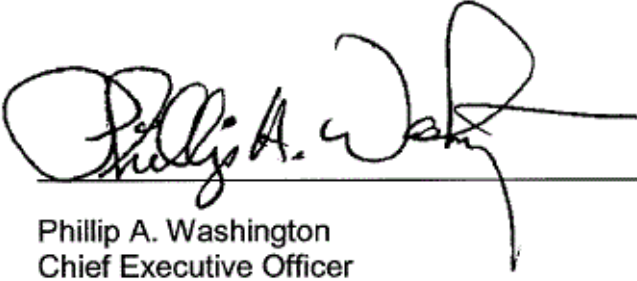
Upon Board approval, staff will take the necessary steps to implement the new ordinance and continue performing the marketing/outreach plans for the Occupancy Detection System and Pay as You Go program as described above.

ATTACHMENTS

Attachment A - Ordinance for Enforcement of Toll Violations

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Phillip A. Washington
Chief Executive Officer

Attachment A:

Ordinance for Enforcement of Toll Violations

**AN ORDINANCE TO ESTABLISH
THE LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY ADMINISTRATION OF
TOLLS AND ENFORCEMENT OF TOLL VIOLATIONS
FOR THE METRO EXPRESSLANES**

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY:

SECTION 1: Effective January 5, 2020, The Los Angeles County Metropolitan Authority Administrative Code Title 7, **Administration of Tolls and Enforcement of Toll Violations for the** Metro ExpressLanes ~~Toll Violations~~, is hereby established to read as follows:

Title 7
Preamble

Los Angeles County Metropolitan Transportation Authority (“Metro”) is authorized pursuant to California Streets and Highways Code section 149.9 to operate high occupancy toll facilities, the “Metro ExpressLanes”. The implementation and operation of the Metro ExpressLanes is intended to reduce congestion, ~~improving~~ **and improve** travel ~~and safety~~ for the motoring public. While traveling in the Metro ~~Expresslanes, motorists~~ **ExpressLanes, Motorists** are required to have a properly mounted transponder associated with a valid FasTrak® Account to facilitate ~~vehicle~~ **Vehicle** occupancy validation and the toll collection process pursuant to California Vehicle Code section 23302 et. seq. Motorists **using a FasTrak Account are also required to properly declare the Vehicle’s occupancy. Metro Board of Directors established a twelve-month pilot program to enable a three-notice Violation enforcement process, referred to as “Pay as You Go”. The Pay as You Go pilot may be extended to a new date certain or indefinitely by the Board of Directors. Vehicles traveling on the Metro ExpressLanes without a valid FasTrak Account will receive a Pay as You Go Notice of Toll Evasion Violation. Vehicles traveling on Metro ExpressLanes whose operators have declared less occupants than the number verified at time of the Violation, will receive an Occupancy Correction Notice of Toll Evasion Violation. Vehicles** who evade the payment of tolls while travelling on the Metro ExpressLanes shall be subject to civil penalties to encourage proper use of the Metro ExpressLanes, pursuant to California Vehicle Code section 40250. This ordinance establishes the administrative procedures and penalties, enacted pursuant to Article 4, Chapter 1 of Division 17 of the California Vehicle Code, to ensure compliance with statute and fairness in the treatment of violators.

Definitions

07-01-020 Definitions

- A. **“Affidavit of Non-Liability” shall mean the required document, located on the reverse of every Notice of Toll Evasion Violation, to be submitted by the recipient of any Metro ExpressLanes Notice of Toll Evasion Violation that provides the written reason the recipient is not liable for the Violation.**
- B. **“Code” shall mean the California Vehicle Code.**
- C. **“Delinquent Notice of Toll Evasion Violation” shall mean the written notice provided to the registered owner of a Vehicle when payment for a Past Due Notice of Toll Evasion Violation has not been received by Metro by the Due Date.**
- D. **“Delinquent Penalty” is the ~~penalty~~ amount ~~accessed~~ assessed when a Violation is deemed to be delinquent ~~as set forth in section 07-01-035~~.**
- E. **“Department” shall mean the California Department of Motor Vehicles.**
- F. **“Digital Declaration” shall mean the electronic means established by Metro through a bona fide authorized internet site or other such authorized application for the purpose of enabling the Motorist with a FasTrak Account and a Transponder that is not a Switchable Transponder to self-declare the number of vehicle occupants at least 30 minutes prior to travel on the Metro ExpressLanes.**
- G. **“DMV Hold Fee” is the amount assessed when a Delinquent Notice of Toll Evasion Violation remains unpaid more than 60 days and a vehicle registration hold is placed with the Department until such time that payment for the notice is received by Metro or the Department.**
- H. **“Due Date” shall mean the date specified in the ~~Notice of Toll Evasion Violation and Pay as You Go~~ Notice of ~~Delinquent Toll Evasion Violation, Occupancy Correction Notice of Toll Evasion Violation, Past Due Notice of Toll Evasion Violation, and Delinquent Notice of Toll Evasion Violation~~ by which payment of the ~~Penalty or toll plus processing fee, past due penalty, and delinquent penalty~~ must be received by Metro, or a written explanation of contest ~~must be received~~ submitted to Metro.**
- I. **“FasTrak Account” shall mean an account established with any of the California toll operators to administer the payment of tolls.**
- J. **“Metro” ~~means~~ shall mean the Los Angeles County Metropolitan Transportation Authority and its subsidiary, the Public Transportation Services Corporation, and their contractors.**
- K. **“Metro ExpressLanes” shall mean the toll facilities on the I-110 and I-10.**
- L. **“Motorists” shall mean and include the registered owner, rentee, lessee and driver of a Vehicle.**
- M. **“Notice of ~~Delinquent~~ Toll Evasion Violation” ~~shall mean the written~~ is any notice provided such as Pay as You Go, Occupancy Correction, Past Due or Delinquent Notice of Toll Evasion Violation sent by the Processing Agency to the registered owner of a Vehicle when a Penalty has not been timely received by Metro or other responsible party informing them of the evasion of toll payment on the Metro ExpressLanes.**
 - A. **“~~Occupancy Correction~~ Notice of Toll Evasion Violation” shall mean the written notice provided to the registered owner of a Vehicle ~~which has committed a Violation~~.**

- N. ~~“Penalty” shall mean the monetary amounts assessed to each toll Violation, including the unpaid Tolls,~~**when a Motorist declares more vehicle occupants than were present at the Toll Evasion Penalty and time of travel on the Delinquent Penalty, and constitutes a toll evasion penalty under Code section 40252 Metro ExpressLanes.**
- O. **“Past Due Notice of Toll Evasion Violation” shall mean the written notice provided to the registered owner of a Vehicle when payment for a Pay as You Go Notice of Toll Evasion Violation or an Occupancy Correction Notice of Toll Evasion Violation has not been received by Metro by the Due Date.**
- P. **“Past Due Penalty” is the penalty amount assessed when a Violation is deemed to be past due.**
- Q. **“Pay as You Go Notice of Toll Evasion Violation” shall mean the written notice provided to the registered owner of a Vehicle when a Motorist uses the Metro ExpressLanes without a valid FasTrak account.**
- R. **“Penalty” is the amount assessed under section 07-01-035.**
- S. “Processing Agency” shall mean Metro, or the contractor or vendor designated by Metro, as the party responsible for the processing of the notices of toll evasion.
- T. **“Processing Fee” is the fee amount assessed on the Pay as You Go Notice of Toll Evasion Violation or the Occupancy Correction Notice of Toll Evasion Violation.**
- U. “Repeat Violator” ~~means~~**shall mean** any registered owner for whom more than **five (5)** Notices of Toll Evasion Violation have been issued in any calendar month within the preceding 12- month period.
- V. “Switchable Transponder” shall mean a **FasTrak** Transponder with a switch ~~which~~**that** allows the ~~motorists~~**Motorists** to self-declare the number of vehicle occupants.
- W. “Terms and Conditions” shall mean the obligations of Metro and a FasTrak customer ~~with regard to~~**regarding** the usage and maintenance of a FasTrak Account as published by Metro from time to time.
- X. “Toll” shall mean the monetary charges established by Metro for use of the Metro ExpressLanes.
- ~~B. “Toll Evasion Penalty” is the amount assessed under section 07-01-035.~~
- Y. “Transponder” shall mean a FasTrak electronic device issued by any of the California toll operators that meets the specifications ~~of California Code of Regulations Title 21 and is~~ used to pay tolls electronically **within the State of California.**
- Z. “Vehicle” shall mean any vehicle as defined in Code section 670.
- AA. “Violation” shall mean the commission of any activity proscribed ~~in sections 07-01-025 and 07-01-030~~**by section 07-01-030 hereof or the failure to comply with any duty mandated by section 07-01-025** hereof.

07-01-025 Metro ExpressLanes Usage Requirements

- A. While traveling in the Metro ExpressLanes, ~~Motorists~~**Vehicles** shall have a properly mounted ~~transponder~~**Transponder** associated with a valid FasTrak Account. **Motorists must use either a Switchable Transponder or the Metro authorized Digital Declaration systems to facilitate identify the number of Vehicle occupants when traveling on the Metro ExpressLanes. Vehicles that travel on the Metro ExpressLanes without a valid funded FasTrak Account shall be issued a Pay as You Go Notice of Toll Evasion Violation with associated tolls and Processing**

Fees consistent with the posted toll rates for a single occupant toll plus any associated Processing Fees.

- B. Vehicles with an associated valid FasTrak Account that meet the minimum vehicle occupancy ~~validation and the toll collection process.~~ requirement for travel on a Metro ExpressLanes are high-occupancy Vehicles and eligible for the reduced Toll, consistent with the posted rates at the time of travel. A Vehicle occupancy-declaration must be made prior to using the Metro ExpressLanes consistent with published requirements for making Vehicle occupancy declarations.**
- C. Motorists traveling in the Metro ExpressLanes ~~with~~**without** the minimum number of ~~vehicle~~**Vehicle** occupants to qualify for high-~~occupancy lane use at that time must have a Switchable Transponder set to the required number of occupants or they-~~**occupancy Toll rates** will be charged the posted single-occupancy Toll.
 - (1) Metro ExpressLanes users with a Switchable Transponder shall set the self-declaration switch to the actual number of vehicle occupants prior to travel.
 - (2) Metro ExpressLanes users ~~without~~**with a Transponder that is not** a Switchable Transponder will be charged the posted single occupancy Toll rate **unless the Motorist declares the vehicle occupancy by following Metro's published rules for vehicle occupancy declaration, or Digital Declaration.**
 - (3) Vehicle occupancy violations, including falsely self-declaring the vehicle occupancy, are subject to citation by the California Highway Patrol **or the issuance of an Occupancy Correction Notice of Toll Evasion Violation by Metro.**
- D. The FasTrak Account associated with the Transponder must have a balance sufficient to pay the charged Tolls at the time a Vehicle enters the Metro ExpressLanes.
- E. Metro ExpressLanes FasTrak accountholders shall adhere to the Terms and Conditions provided at the time of account opening, **and** as updated thereafter with notification to the accountholders.

07-01-030 Liability for Failure to Pay Toll

- A. ~~No~~**Except as otherwise exempted in advance of travel by Metro, no** person shall cause a Vehicle to enter the Metro ExpressLanes without payment of the Toll ~~for the Vehicle~~ by use of a Transponder, issued by Metro or any California toll agency, which is associated with a FasTrak Account with a balance sufficient to pay those Tolls. **No person shall cause a Vehicle to enter the Metro ExpressLanes with fewer vehicle occupants than self-declared using a Switchable Transponder or Digital Declaration.**
- B. Except as provided herein, the registered owner and the driver, rentee or lessee of a Vehicle which is the subject of any Violation shall be jointly and severally liable for the **Toll, Processing Fee and** Penalty imposed under this ordinance, unless the registered owner can **sufficiently** demonstrate that the Vehicle was used without the express or implied consent of the registered owner. Anyone who pays any **Toll, Processing Fee or** Penalty pursuant to this ordinance shall have the right to recover the same from the driver, rentee or lessee.
- C. The driver, rentee or lessee of a Vehicle who is not the owner of the Vehicle may contest the Notice of Toll Evasion Violation in accordance with this ordinance.

- D. Any **Vehicle owner or** Motorist assessed a Penalty for a Violation shall be deemed to be charged with a non-criminal, civil violation.

07-01-035 Penalties and Processing of Violation(s)

- A. The ~~Toll Evasion~~ **Processing Fee and** Penalty for a Violation of this ordinance shall ~~initially be \$25 for each~~ **be set forth in Table 1 – Schedule of** Violation ~~and the Delinquent Penalty shall be an additional \$30 for each unpaid Violation deemed delinquent.~~ **Penalties.** These **Processing Fee and** Penalty amounts, may be increased or decreased by Metro's Chief Executive Officer ~~up to 5% annually,~~ provided the calculated amount does not exceed the amount set forth in Code section 40258(A). Any amendments to the **Processing Fee and** Penalty amounts shall be posted on the Metro website 90 days in advancement of enactment.
- B. If a Vehicle is found, by automated devices, by visual observation, or otherwise, to have evaded ~~tolls~~ **Tolls** on the Metro ExpressLanes, a **Pay as You Go** Notice of Toll Evasion Violation shall be mailed by first class mail to the registered owner **of the Vehicle at the address as shown on the record of the Department within 21 days of the Violation. If a Vehicle is found, by automated devices, by visual observation, or otherwise, to have declared more Vehicle occupants that are verified by Metro systems, an Occupancy Correction Notice of Toll Evasion Violation shall be mailed by first class mail to the registered owner of the Vehicle** at the address as shown on the record of the Department within 21 days of the Violation. If accurate information concerning the identity and address of the registered owner **of the Vehicle** is not available within 21 days from the Violation, the Processing Agency shall have an additional 45 calendar days to obtain such information and forward **either the Pay as You Go Notice of Toll Evasion Violation;** ~~provided that where~~ **or the Occupancy Correction Notice of Toll Evasion Violation. Where** the registered owner is a Repeat Violator, the Processing Agency shall forward ~~the~~ **either the Pay as You Go Notice of Toll Evasion Violation or the Occupancy Correction** Notice of Toll Evasion Violation within 90 calendar days of the Violation.

Table 1
Schedule of Violation Penalties

Processing Fee	\$4 per Violation
Past Due Penalty	\$21 per Violation¹
Delinquent Penalty	\$30 per Violation²
DMV Hold Fee	\$3 per Violation³
The amounts in this table are effective January 5, 2020	

¹ The Past Due Penalty is additive to the Toll and Processing Fee issued with the Pay as You Go Notice of Toll Evasion Violation **or the Occupancy Correction Notice of Toll Evasion Violation**

² The Delinquent Penalty is additive to the Toll, Processing Fee, and Past Due Penalty issued with the Past Due Notice of Toll Evasion Violation

³ The DMV Hold Fee is additive to the Toll, Processing Fee, Past Due Penalty, and Delinquent Penalty issued with the Delinquent Notice of Toll Evasion Violation

07-01-040 Pay as You Go Notice of Toll Evasion Violation

- A. The Pay as You Go Notice of Toll Evasion Violation shall contain (1) the date, time and location of the alleged unpaid Toll, (2) the Toll and Processing Fee due for the Violation, (3) the identity and address of the registered owner of the Vehicle, (4) the Vehicle make and license plate number, (5) the procedure to follow for payment of the amount due, (6) a statement in bold print that payments may be sent in the mail, (7) the date and time within which the Pay as You Go Notice of Toll Evasion Violation must be paid before escalation to a Past Due Notice of Toll Evasion Violation with Past Due Penalty added to the Violation, (8) a clear and concise explanation of the procedures for filing an Affidavit of Non-Liability in those circumstances set forth in section 07-01-040 C, D, E, and F and for contesting the alleged Notice of Toll Evasion in accordance with section 07-01-085 and appealing an adverse decision in accordance with section 07-01-095 and (9) the Due Date, which is also the date by which the written explanation of contest must be received by Metro.
- B. The Pay as You Go Notice of Toll Evasion Violation shall contain, or be accompanied with, an Affidavit of Non-Liability and information of what constitutes non-liability, information as to the effect of executing the affidavit, and instructions for returning the affidavit to the Processing Agency.
- C. If the Affidavit of Non-Liability is returned to the Processing Agency by the Due Date of the Pay as You Go Notice of Toll Evasion Violation together with satisfactory proof that the driver at the time of the Violation did not possess express or implied consent to drive the Vehicle as evidenced by a stolen vehicle police report, if the Processing Agency is satisfied that the registered owner is not responsible for the Violation, the Processing Agency shall cancel the Pay as You Go Notice of Toll Evasion Violation and make an adequate record of the reasons.
- D. If the Affidavit of Non-Liability is returned to the Processing Agency by the Due Date with satisfactory proof that the registered owner of the Vehicle given the Pay as You Go Notice of Toll Evasion Violation had made a bona fide sale or transfer of the Vehicle and had delivered possession thereof to the purchaser prior to the date of the alleged Violation and either (1) has complied with section 5602 of the Code, or (2) the Processing Agency is satisfied with evidence that establishes that the transfer of ownership and possession of the Vehicle occurred prior to the date of the alleged Violation, and has obtained verification from the Department, then the Processing Agency shall terminate proceedings against the originally served registered owner and proceed against the new owner of the Vehicle.
- E. If the Affidavit of Non-Liability is returned to the Processing Agency by the Due Date of the Pay as You Go Notice of Toll Evasion Violation together with satisfactory proof of an executed written rental agreement or lease between a bona fide renting or leasing company and its customer that identifies the rentee or lessee and provides the name and address of the rentee or lessee, the Processing Agency shall serve or mail to the rentee or lessee identified in the Affidavit of Non-Liability a Pay as You Go Notice of Toll Evasion Violation.

- F. If the description of the Vehicle in the Pay as You Go Notice of Toll Evasion Violation does not match the corresponding information on the registration card for that Vehicle, the Processing Agency may, on written request of the registered owner of the Vehicle, cancel the Pay as You Go Notice of Toll Evasion Violation without the necessity of appearance by that registered owner.**

07-01-045 Dismissal of Pay as You Go Notice of Toll Evasion Violation

- A. If, after a copy of the Pay as You Go Notice of Toll Evasion Violation has been sent to the registered owner of the Vehicle, and the Processing Agency determines that due to failure of proof of the Violation, the Pay as You Go Notice of Toll Evasion Violation should be dismissed, the Processing Agency shall cancel the Pay as You Go Notice of Toll Evasion Violation, and the registered owner of the Vehicle shall be notified by first-class mail.**
- B. If the full amount of the Pay as You Go Notice of Toll Evasion Violation is received by the Due Date by the entity authorized to receive the payment and there is no contest as to that notice, proceedings under this ordinance shall terminate.**
- C. If the registered owner of the Vehicle provides satisfactory proof to the Processing Agency that he or she was not the registered owner of the Vehicle on the date of the Violation as set forth in section 07-01-040, proceedings against the notifying party shall terminate. This shall not limit the right of the Processing Agency to pursue collection of the Pay as You Go Notice of Toll evasion Violation from the person who was the registered owner of the Vehicle on the date of the alleged Violation.**

07-01-050 Occupancy Correction Notice of Toll Evasion Violation

- A. The Occupancy Correction Notice of Toll Evasion Violation shall contain (1) the date, time and location of the alleged unpaid Toll, (2) the Toll and Processing Fee due for the Violation, (3) the identity and address of the registered owner of the Vehicle, (4) the Vehicle make and license plate number, (5) the procedure to follow for payment of the amount due, (6) a statement in bold print that payments may be sent in the mail, (7) the date and time within which the Occupancy Correction Notice of Toll Evasion Violation must be paid before escalation to a Past Due Notice of Toll Evasion Violation with Past Due Penalty added to the Violation, (8) a clear and concise explanation of the procedures for filing an Affidavit of Non-Liability in those circumstances set forth in section 07-01-050 C, D, E, and F and for contesting the alleged Notice of Toll Evasion in accordance with section 07-01-085 and appealing an adverse decision in accordance with section 07-01-085 and (9) the Due Date, which is also the date by which the written explanation of contest must be received by Metro.**
- B. The Occupancy Correction Notice of Toll Evasion Violation shall contain, or be accompanied with, an Affidavit of Non-Liability and information of what constitutes non-liability, information as to the effect of executing the affidavit, and instructions for returning the affidavit to the Processing Agency.**
- C. If the Affidavit of Non-Liability is returned to the Processing Agency within 30 days of the issuance of the Occupancy Correction Notice of Toll Evasion**

Violation together with satisfactory proof that the driver at the time of the Violation did not possess express or implied consent to drive the Vehicle as evidenced by a stolen vehicle police report, if the Processing Agency is satisfied that the registered owner of the Vehicle is not responsible for the Violation, the Processing Agency shall cancel the Occupancy Correction Notice of Toll Evasion Violation and make an adequate record of the reasons.

- D. If the Affidavit of Non-Liability is returned to the Processing Agency by the Due Date with satisfactory proof that the registered owner given the Occupancy Correction Notice of Toll Evasion Violation has made a bona fide sale or transfer of the Vehicle and has delivered possession thereof to the purchaser prior to the date of the alleged Violation and either (1) has complied with section 5602 of the Code, or (2) the Processing Agency is satisfied with evidence that establishes that the transfer of ownership and possession of the Vehicle occurred prior to the date of the alleged Violation, and has obtained verification from the Department, then the Processing Agency shall terminate proceedings against the originally served registered owner and proceed against the new owner of the Vehicle.
- E. If the Affidavit of Non-Liability is returned to the Processing Agency by the Due Date of the Occupancy Correction Notice of Toll Evasion Violation together with satisfactory proof of an executed written rental agreement or lease between a bona fide renting or leasing company and its customer that identifies the rentee or lessee and provides the name and address of the rentee or lessee, the Processing Agency shall serve or mail to the rentee or lessee identified in the Affidavit of Non-Liability an Occupancy Correction Notice of Toll Evasion Violation.
- F. If the description of the Vehicle in the Occupancy Correction of Toll Evasion Violation does not match the corresponding information on the registration card for that Vehicle, the Processing Agency may, on written request of the registered owner, cancel the Pay as You Go Notice of Toll Evasion Violation without the necessity of appearance by that person.

07-01-055 Dismissal of Occupancy Correction Notice of Toll Evasion Violation

- A. If, after a copy of the Occupancy Correction Notice of Toll Evasion Violation has been sent to the registered owner of the vehicle, and the Processing Agency determines that due to failure of proof of the Violation, the notice should be dismissed, the Processing Agency shall cancel the Occupancy Correction Notice of Toll Evasion Violation, and the registered owner of the Vehicle shall be notified by first-class mail.
- B. If the full amount of the Occupancy Correction Notice of Toll Evasion Violation is received by the entity authorized to receive the payment of the Occupancy Correction Notice Toll Evasion Violation by the Due Date and there is no contest as to that Occupancy Correction Notice of Toll Evasion Violation, proceedings under this ordinance shall terminate.
- C. If the registered owner of the Vehicle provides satisfactory proof to the Processing Agency that he or she was not the registered owner on the date of the Violation as set forth in sections 07-01-050, proceedings against the notifying

party shall terminate. This shall not limit the right of the Processing Agency to pursue collection of the Occupancy Correction Notice of Toll Evasion Violation from the person who was the registered owner of the Vehicle on the date of the alleged Violation.

07-01-060 Past Due Notice of Toll Evasion Violation

- A. **The Past Due** Notice of Toll Evasion Violation shall contain (1) the date, time and location of the alleged Violation, (2) the section of the Code allegedly violated, (3) the Penalty due for that Violation, (4) the identity and address of the registered owner, (5) the Vehicle make and license plate number, (6) the procedure to follow for payment of the amount due, (7) a statement in bold print that payments may be sent in the mail, (8) the date and time within which the ~~Penalty~~ **Past Due Notice of Toll Evasion Violation** must be paid, (9) a clear and concise explanation of the procedures for filing an ~~affidavit~~ **Affidavit** of ~~non-liability~~ **Non-Liability** in those circumstances set forth in section 07-01-~~040060~~ B, C, **D** and ~~DE~~ and for contesting the alleged Violation and appealing an adverse decision in accordance with section 07-01-~~055085~~ and (10) the Due Date, which is also the date by which the written explanation of contest must be received by Metro.
- B. The **Past Due** Notice of Toll Evasion Violation shall contain, or be accompanied with, an ~~affidavit~~ **Affidavit** of ~~non-liability~~ **Non-Liability** and information of what constitutes non-liability, information as to the effect of executing the affidavit, and instructions for returning the affidavit to the Processing Agency.
- C. If the ~~affidavit~~ **Affidavit** of ~~non-liability~~ **Non-Liability** is returned to the Processing Agency within ~~21~~ **30** days of the issuance of the **Past Due** Notice of Toll Evasion Violation together with **satisfactory** proof that the driver at the time of the Violation did not possess express or implied consent to drive the Vehicle as evidenced by a stolen vehicle police report, if the Processing Agency is satisfied that the registered owner is not responsible for the Violation, the Processing Agency shall cancel the **Past Due** Notice of Toll Evasion Violation and make an adequate record of the reasons.
- D. If the ~~affidavit~~ **Affidavit** of ~~non-liability~~ **Non-Liability** is returned to the Processing Agency by the Due Date with **satisfactory** proof that the registered owner given the **Past Due** Notice of Toll Evasion Violation has made a bona fide sale or transfer of the Vehicle and has delivered possession thereof to the purchaser prior to the date of the alleged Violation and either (1) has complied with section 5602 of the Code, or (2) the Processing Agency is satisfied with evidence that establishes that the transfer of ownership and possession of the Vehicle occurred prior to the date of the alleged Violation, and has obtained verification from the Department, then the Processing Agency shall terminate proceedings against the originally served registered owner and proceed against the new owner of the Vehicle.
- E. If the ~~affidavit~~ **Affidavit** of ~~non-liability~~ **Non-Liability** is returned to the Processing Agency by the Due Date of the **Past Due** Notice of Toll Evasion Violation together with ~~the~~ **satisfactory** proof of an executed written rental agreement or lease between a bona fide renting or leasing company and its customer that identifies the rentee or lessee and provides the driver's license number, name and address of the rentee or lessee, the Processing Agency shall serve or mail to the rentee or lessee identified in

the ~~affidavit~~**Affidavit** of ~~non-liability~~**Non-Liability** a **Past Due** Notice of Toll Evasion Violation.

- F. If payment of the ~~Penalty~~**Past Due Notice of Toll Evasion Violation** is not received by Processing Agency by the Due Date ~~on the Notice of Toll Evasion Violation~~, the Processing Agency shall deliver by first- class mail a ~~Notice of~~ Delinquent **Notice of** Toll Evasion Violation.
- G. If the description of the Vehicle in the **Past Due** Notice of Toll Evasion Violation does not match the corresponding information on the registration card for that Vehicle, the Processing Agency may, on written request of the ~~Motorist~~**registered owner**, cancel the **Past Due** Notice of Toll Evasion Violation without the necessity of appearance by that person.

07-01-~~045~~**065** Dismissal of **Past Due** Notice of Toll Evasion Violation

- A. If, after a copy of the **Past Due** Notice of Toll Evasion Violation has been sent to the ~~Motorist~~**registered owner**, the Processing Agency determines that due to failure of proof of apparent Violation the **Past Due** Notice of Toll Evasion Violation shall be dismissed, the Processing Agency shall cancel the **Past Due** Notice of Toll Evasion Violation, and the ~~Motorist~~**registered owner** shall be notified by first-class mail.
- B. If the full amount of the ~~Penalty~~**Past Due Notice of Toll Evasion Violation** is received by the ~~person~~**entity** authorized to receive the payment ~~of the Penalty~~ by the Due Date and there is no contest as to that Violation, proceedings under this ordinance shall terminate.
- C. If the registered owner of the Vehicle provides **satisfactory** proof to the Processing Agency that he or she was not the registered owner on the date of the Violation as set forth in sections 07-01-~~040~~ and 07-01-~~050~~**060**, proceedings against the notifying party shall terminate. This shall not limit the right of the Processing Agency to pursue collection of the ~~delinquent toll evasion Penalty~~**Past Due Notice of Toll Evasion Violation** from the person who was the registered owner of the Vehicle on the date of the alleged Violation.

07-01-~~050~~ ~~Notice of~~ **070** Delinquent **Notice of** Toll Evasion Violation

- A. If the payment of the ~~Penalty~~**Past Due Notice of Toll Evasion Violation** is not received by the Processing Agency by the Due Date ~~on the Notice of Toll Evasion Violation~~, and there is no contest as to that Violation as set forth in section 07-01-~~060~~**085**, the Processing Agency shall deliver by first-class mail to the registered owner of the Vehicle a ~~Notice of~~ Delinquent **Notice of** Toll Evasion Violation.
- B. Metro shall establish a procedure for providing, upon request, a ~~photo-~~**static photostatic** copy of the original **Past Due** Notice of Toll Evasion Violation, **and/or the original Pay as You Go Notice of Toll Evasion Violation or Occupancy Correction Notice of Toll Evasion Violation**, or an electronically produced facsimile of the ~~original Notice of Toll Evasion Violation documents~~ within 15 days of **Metro's receipt of** a request. Metro may charge a fee sufficient to recover the actual costs of providing the copy not to exceed two dollars (\$2) **for each document**, to be established by the Chief Executive Officer of Metro. Until the Processing Agency complies with a request for a copy of the original notice ~~of~~

~~Violation~~, the Processing Agency may not proceed to collection of amounts covered by such notice(s).

- C. The ~~Notice of Delinquent~~ **Notice of** Toll Evasion Violation shall contain the information required to be contained in the original **Past Due** Notice of Toll Evasion Violation and, additionally, shall contain a notice to the registered owner that, unless the registered owner pays the ~~Penalty, amounts in the Delinquent Notice of Toll Evasion Violation~~, contests the Violation pursuant to the procedure set forth in the **Delinquent** Notice of Toll Evasion Violation, or completes and returns to the Processing Agency an ~~affidavit~~ **Affidavit** of ~~non-liability~~ **Non-Liability**, as provided with the **Delinquent** Notice of Toll Evasion Violation and in compliance with section 07-01-~~045070~~ D, E and F, within **1530** days after the mailing of the ~~Notice of~~ **Delinquent** **Notice of** Toll Evasion Violation (the Due Date): (1) the Penalty shall be considered a debt due and owing Metro, (2) the renewal of the Vehicle registration shall be contingent upon compliance with the ~~Notice of Delinquent~~ **Notice of** Toll Evasion Violation at Metro's election, and (3) Metro may seek to recover in any lawful manner, as provided for in section 07-01-~~075100~~.
- D. The ~~Notice of Delinquent~~ **Notice of** Toll Evasion Violation shall contain, or be accompanied with, an ~~affidavit~~ **Affidavit** of ~~non-liability~~ **Non-Liability** and information of what constitutes non-liability, information as to the effect of executing the affidavit, and instructions for returning the affidavit to the Processing Agency.
- E. If the ~~affidavit~~ **Affidavit** of ~~non-liability~~ **Non-Liability** is returned to the Processing Agency within **1530** days of the mailing of the ~~Notice of Delinquent~~ **Notice of** Toll Evasion Violation (the Due Date) together with **satisfactory** proof that the driver at the time of the Violation did not possess express or implied consent to drive the Vehicle as evidenced by a stolen vehicle police report, if the Processing Agency is satisfied that the registered owner is not responsible for the Violation, the Processing Agency shall cancel the **Delinquent** Notice of Toll Evasion Violation and make an adequate record of the reasons.
- F. If the ~~affidavit~~ **Affidavit** of ~~non-liability~~ **Non-Liability** is returned to the Processing Agency by the Due Date with **satisfactory** proof that the registered owner given the **Delinquent** Notice of Toll Evasion Violation has made a bona fide sale or transfer of the Vehicle and has delivered possession thereof to the purchaser prior to the date of the alleged Violation and either (1) has complied with section 5602 of the Code, or (2) the Processing Agency is satisfied with evidence that establishes that the transfer of ownership and possession of the Vehicle occurred prior to the date of the alleged Violation, and has obtained verification from the Department, then the Processing Agency shall terminate proceedings against the originally served ~~Motorists~~ **registered owner** and proceed against the unauthorized driver at the time of the Violation, or the new owner of the Vehicle.
- G. If the ~~affidavit~~ **Affidavit** of ~~non-liability~~ **Non-Liability** is returned to the Processing Agency within **1530** days of the mailing of the **Delinquent** Notice of ~~Delinquent~~ Toll Evasion Violation (the Due Date set forth in the **Delinquent** Notice of ~~Delinquent~~ Toll Evasion Violation) together with ~~the~~ **satisfactory** proof of an executed written rental agreement or lease between a bona fide renting or leasing company and its customer that identifies the rentee or lessee and provides the driver's license number, name, and address of the rentee or lessee, the Processing Agency shall mail to the

rentee or lessee identified in the ~~affidavit~~**Affidavit** of ~~non-liability~~**Non-Liability** a ~~Notice of Delinquent~~**Notice of** Toll Evasion Violation. If payment is not received within ~~15~~**30** days of such mailing of the ~~Notice of Delinquent~~**Notice of** Toll Evasion Violation, the Penalty shall be considered a debt due and owing Metro and Metro may seek to recover in any lawful manner, as provided for in section 07-01-075, from the rentee or lessee.

07-01-~~055~~**080** Payment After Notice

- A. If a ~~Motorist~~**registered owner** who was mailed a **Past Due** Notice of ~~Delinquent~~ Toll Evasion Violation pursuant to section 07-01-~~050~~**060**, or any other person who presents the **Past Due Notice of Toll Evasion Violation, deposits the Toll and Penalty due with an entity authorized to receive it, then the Processing Agency shall terminate all proceedings where the amount deposited satisfies the amount due. If the entity authorized to receive payments for the Processing Agency receives full payment of the Pay as You Go Notice of Toll Evasion Violation or** ~~Notice of Occupancy Correction Notice of Toll Evasion Violation~~ **within 15 days of the date of the of the Past Due Notice of Toll Evasion Penalty, the Penalty shall consist of the amount of the original Pay as You Go Notice of Toll Evasion Violation or the Occupancy Correction Notice of Toll Evasion Violation without any additional administrative fees or charges.**
- B. **If a registered owner who was mailed a Delinquent Notice of Toll Evasion Violation pursuant to section 07-01-070, or any other person who presents the Delinquent Notice of Toll Evasion Violation, deposits the Penalty due with a** ~~person~~**an entity** authorized to receive it, then the Processing Agency shall terminate all proceedings where the amount deposited satisfies the amount due. If the ~~registered owner, by appearance or by mail, makes payment~~ **entity authorized to receive payments for the Processing Agency receives full payment of the Past Due Notice of Toll Evasion Violation** within 15 days of the ~~mailing~~**date** of the ~~Notice of the~~ Delinquent **Notice of** Toll Evasion Penalty, the Penalty shall consist of the amount of the original ~~penalty~~**Past Due Notice of Toll Evasion Violation** without any additional administrative fees or charges.
- C. If the ~~Notice of Delinquent~~ **Notice of** Toll Evasion Violation has been filed with the Department pursuant to subdivision (b) of Code section 40267 or a civil judgment has been entered pursuant to Code section 40267 and **full** payment of the ~~Penalty~~**Delinquent Notice of Toll Evasion Violation** together with the ~~administrative fee of the Department and the administrative service fee of the Processing Agency for costs of service and any applicable assessment~~**DMV Hold Fee** is received, the Processing Agency shall immediately transmit the payment information to the Department in the manner prescribed by the Department, **and terminate proceeding, including termination of any associated civil judgment entered pursuant to Code section 40267, on the** ~~Notice of Delinquent~~ **Notice of** Toll Evasion Violation.

07-01-~~060~~**085** Contest of **Pay as You Go** Notice of Toll Evasion Violation ~~or,~~ **Occupancy Correction** Notice of ~~Delinquent~~ Toll Evasion Violation, **Past Due Notice of Toll Evasion Violation or Delinquent Notice of Toll Evasion Violation**

- A. A person may contest a **Pay as You Go Notice of Toll Evasion Violation, Occupancy Correction Notice of Toll Evasion Violation, Past Due** Notice of Toll Evasion Violation or ~~Notice of Delinquent~~ **Notice of Toll Evasion Violation** within ~~21~~**30** days of the ~~issuance~~**date** of the **Pay as You Go Notice of Toll Evasion Violation, Occupancy Correction Notice of Toll Evasion Violation, Past Due** Notice of Toll Evasion Violation, or ~~within 15 days of the issuance of the Notice of Delinquent~~ **Toll Evasion Violation, whichever occurs later** **Notice of Toll Evasion Violation by providing to the Processing Agency, within the 30 day period, a written explanation of contest that states all facts and circumstances with satisfactory proof that supports such contest.**
- B. The Processing Agency shall establish a fair and impartial investigation process to investigate the ~~circumstance of the notice with respect to the contestant's written explanation of reasons for contesting a Violation~~ **circumstances of the Pay as You Go Notice of Toll Evasion Violation, Occupancy Correction Notice of Toll Evasion Violation, Past Due Notice of Toll Evasion Violation or Delinquent Notice of Toll Evasion Violation.** The Processing Agency shall investigate with its own records and staff the circumstances of the ~~notice with respect to the contestant's written explanation of reasons for contesting the Violation~~ **contest.** If based upon the results of that investigation, the Processing Agency is satisfied that the Violation did not occur or that the registered owner was not responsible for the Violation, the Processing Agency shall cancel the **Pay as You Go Notice of Toll Evasion Violation, Occupancy Correction Notice of Toll Evasion Violation, Past Due** Notice of Toll Evasion Violation or ~~Notice of Delinquent~~ **Notice of Toll Evasion Violation** and make an adequate record of the reasons for cancelling the notice. The Processing Agency shall mail the **written** results of the investigation to the person who contested the **Pay as You Go Notice of Toll Evasion Violation, Occupancy Correction Notice of Toll Evasion Violation, Past Due** Notice of Toll Evasion Violation or the ~~Notice of Delinquent~~ **Notice of Toll Evasion Violation.**
- C. A person who contests a **Pay as You Go Notice of Toll Evasion Violation, Occupancy Correction Notice of Toll Evasion Violation, Past Due** Notice of Toll Evasion Violation or ~~Notice of Delinquent~~ **Notice of Toll Evasion Violation** and is not satisfied with the results of the investigation may, within ~~15~~**30** days of the mailing of the results of the investigation, deposit the amount of the Penalty as set forth in section 07-01-~~065-D~~**035** and request an administrative review. An administrative review shall be held within 90 calendar days following the receipt of the request for an administrative review accompanied by the required deposit amount. The person requesting the administrative review may request one continuance, not to exceed 21 calendar days. The person requesting the administrative review shall indicate to the Processing Agency his or her election for a review by mail or personal conference.
- D. The deposit for requesting an administrative review shall be as follows:
- 1) Except as provided herein, an individual seeking an administrative review shall deposit the full amount of the ~~Penalty~~**Toll, Processing Fee and Penalties** due at the time of the request.
 - 2) For Violations arising out of the same set of operative facts and belonging to the same registered vehicle owner, the maximum amount of ~~Penalty~~**Tolls, Processing**

- Fees, and Penalties** required to be deposited shall be (a) \$250 or (b) \$250 plus 10 percent of Penalty above \$1,000, whichever is greater.
- 3) Individuals unable to pay the required deposit may apply for a hardship exception.
 - E. If the person requesting an administrative review is a minor, that person shall be permitted to appear at an administrative review or admit responsibility for a Violation without the necessity of the appointment of a guardian. The Processing Agency may proceed against that person in the same manner as if that person were an adult.
 - F. As evidence of the Violation the Processing Agency shall produce the **Pay as You Go Notice of Toll Evasion Violation, Occupancy Correction Notice of Toll Evasion Violation, Past Due Notice of Toll Evasion Violation, Delinquent** Notice of Toll Evasion Violation or a copy thereof, information received from the Department identifying the registered owner of the Vehicle, and a statement under penalty of perjury from the **person/entity** authorized to issue a notice of Violation that the Tolls or other charges and any applicable fees **and penalties** were not paid in accordance with Metro's policies. This documentation in proper form shall be prima facie evidence of the Violation.
 - G. The reviews shall be conducted **by Metro Transit Court** in accordance with the written procedures established by the Metro Transit Court which shall ensure a fair and impartial review of the contested Violations. The Metro Transit Court shall provide its decision by first-class mail to the contestant. If a notice of appeal to the California Superior Court is not filed within the period set forth in section 07-01-~~070~~**095**, the decision shall be deemed final.

07-01-~~065~~**090** Hearing Officers

Metro's Chief Executive Officer shall designate the Metro Transit Court hearing officers as the hearing officer(s) appointed to conduct administrative reviews. The hearing officers shall demonstrate the qualifications, training and objectivity necessary to perform fair and impartial reviews. The hearing officer's employment, performance evaluation, compensation and benefits shall not be directly or indirectly linked to the outcome of reviews or the revenue generated by such reviews. Hearings shall be conducted according to such written procedures as may be approved from time to time by the Chief Executive Officer. The hearing shall provide an independent, objective, fair and impartial review of contested violations.

07-01-~~070~~**095** Appeal to Superior Court

A person who requests an administrative review and is not satisfied with the results of the review, may within 20 days after the mailing of the Metro Transit Court's final decision seek review by filing an appeal to the California Superior Court, where the case shall be heard de novo, except that the contents of the Processing Agency's file in the case on appeal shall be received in evidence. For the purposes of computing the 20-day period, section 1013 of the Code of Civil Procedure shall be applicable. The Processing Agency shall admit into evidence as prima facie evidence of the facts stated therein, a copy of the **Past Due** Notice of Toll Evasion Violation and/or ~~Notice of Delinquent~~ **Notice of** Toll Evasion Violation. A copy of the notice of appeal shall be served in person or by first-class mail upon the Processing Agency by the contestant. Notwithstanding section 72055 of the Government Code, the fee for filing the notice of appeal shall be \$25. If the

appellant prevails, this fee, together with the deposit of the Penalty made by the contestant, shall be promptly refunded by the Processing Agency in accordance with the judgment of the court.

07-01-~~075~~100 Collection of Unpaid **Tolls, Processing Fees and Penalties**

If payment is not received within the time periods set forth herein, and no **written contest explaining all facts, circumstances and satisfactory proof supporting such written** contest has been timely filed, or has been resolved, Metro and the Processing Agency are authorized to proceed under one or more of the following options for the collection of unpaid ~~Penalties~~ **Toll, Processing Fee, Past Due Penalty and Delinquent Penalty**:

- A. Transmit an itemization of unpaid **Tolls, Processing Fees and Penalties** with the Department for collection with the registration of the Vehicle, **precluding the registered owner from renewing their Vehicle registration until such Tolls, Processing Fees and Penalties are paid or resolved pursuant to this ordinance.** Metro shall pay the fees assessed by the Department associated with the recording of the ~~Notice of Delinquent~~ **Notice of Toll Evasion Violation** and may charge the amount of the ~~fee~~ **DMV Hold Fee** to the ~~Motorists~~ **registered owner** to be collected by the Department **or by Metro.**
- B. If more than four hundred dollars (\$400) in unpaid Penalties have been accrued by any person or registered owner, Metro may file proof of that fact with the Superior Court with the same effect as a civil judgment. Execution may be levied and other measures may be taken for the collection of the judgment as are authorized for the collection of any unpaid civil judgments entered against a defendant in an action on a debt. The court may assess costs against a judgment debtor to be paid upon satisfaction of the judgment. The Processing Agency shall mail a notice by first-class mail to the person or registered owner indicating that a judgment shall be entered for the unpaid Penalties and that after 30 days from the date of the mailing of the notice, the judgment shall have the same effect as an entry of judgment against a judgment debtor. The notice shall include all information required by Code section 40267. The filing fee and any costs of the collection shall be added to the judgment amount.
- C. If the Processing Agency has determined that registration of the Vehicle has not been renewed for 60 days beyond the renewal date, and the Penalty has not been collected by the Department pursuant to section 4770 of the Code, **Metro may** file proof of unpaid Penalties with the court with the same effect as a civil judgment as provided above, except that if the amount of the unpaid Penalty is not more than four hundred dollars (\$400), the filing fee shall be collectible by the court from the debtor.
- D. Contract with a collection agency to collect Penalty amounts.
- E. Submit a request to the California State Controller for an offset of unpaid Penalty owing by a ~~Motorist~~ **registered owner** against any amount owing the person or entity by a claim for a refund from the Franchise Tax Board under Personal Income Tax Law or the Bank and Corporation Law or from winnings in the California State Lottery, as authorized by California Government Code section 124 19.10. Metro shall provide notice of intent to request an offset by first-class mail to the ~~Motorist~~ **registered owner** 30 days prior to the request date.

F. Pursue such other remedies and enforcement procedures that are authorized under the laws of the State of California.

07-01-~~080~~105 Termination of Proceedings

The Processing Agency shall terminate proceedings on the ~~Notice of~~ Delinquent **Notice of** Toll Evasion Violation, in any of the following cases:

Upon receipt of collected penalties remitted by the Department under Code section 4772 for that ~~Notice of~~ Delinquent **Notice of** Toll Evasion Violation. If the ~~Notice of~~ Delinquent **Notice of** Toll Evasion Violation was returned to the Processing Agency pursuant to Code section 4774 and five years have elapsed since the date of the Violation. The Processing Agency receives information that the Penalties have been paid to the Department pursuant to Code section 4772.

07-01-~~085~~110 Confidentiality

Any information obtained during the enforcement of Violations shall not be used for any purpose other than to pursue the collection of Violations or process Tolls.

07-01-~~090~~115 Other Notices

Nothing herein shall prohibit Metro or the Processing Agency from establishing informal methods of notifying Motorists **and registered owners** of Violations and from collecting Tolls, **Fees** and Penalties for Violations through such means.

07-01-~~95~~120 Implementation

The Chief Executive Officer of Metro is hereby authorized and directed to develop procedures, forms, documents and directives which may be necessary to implement the terms of this ordinance and may delegate his duties and obligations under this ordinance to the Executive Officer, Congestion Reduction Initiative or the Chief Hearing Officer.

07-01-~~100~~125 Severability

If any term, covenant or condition of this ordinance shall be held by a court of competent jurisdiction to be invalid or unenforceable, then the remainder of this ordinance shall not be affected and each remaining provision shall be valid and enforceable to the fullest extent permitted by law unless any of the stated purposes of this ordinance would be defeated.



Board Report

File #: 2019-0786, **File Type:** Informational Report

Agenda Number: 28.

**OPERATIONS, SAFETY AND CUSTOMER EXPERIENCE COMMITTEE
EXECUTIVE MANAGEMENT COMMITTEE
NOVEMBER 21, 2019**

SUBJECT: MONTHLY UPDATE ON TRANSIT SAFETY AND SECURITY PERFORMANCE

ACTION: RECEIVE AND FILE

RECOMMENDATION

RECEIVE AND FILE Transit Safety and Security Report.

ISSUE

This report reflects September 2019 performance data as reported under the transit policing deployment strategy which is a combination of in-house fare compliance officers, private security for fixed assets and a multi-agency law enforcement deployment strategy by the Los Angeles Police Department (LAPD), Los Angeles County Sheriff's Department (LASD), and Long Beach Police Department (LBPD). The information in this report summarizes Crimes Against Persons, Crimes Against Property, and Crimes Against Society data under Uniform Crime Reporting (UCR) Program, average emergency response times, assaults on bus operators, and Metro's fare compliance and homeless outreach efforts. The Six Key Performance Indicators (KPI) are Uniform Crime Reporting guidelines, Average Emergency Response Times, Percentage of Time Spent on the System, Ratio of Staffing Levels vs Vacant Assignments, Ratio of Proactive vs Dispatched Activity, and Number of Grade Crossing Operations.

BACKGROUND

UCR is a National Incident-Based Reporting System from the US Department of Justice. It captures crime offenses in one of three categories: Crimes Against Persons, Crimes Against Property, and Crimes Against Society.

DISCUSSION

Crime stats are as follows:

Crimes Against Persons

For the month of September 2019, crimes against persons increased by 2 crimes system-wide compared to the same period last year.

Crimes Against Property

For the month of September 2019, crimes against property decreased by 24 crimes system-wide compared to the same period last year.

Crimes Against Society

For the month of September 2019, crimes against society increased by 5 crimes system-wide compared to the same period last year.

Bus Operator Assaults

There were 5 bus operator assaults reported in September, which is 3 fewer compared to the same period last year.

Average Emergency Response Times:

Emergency response times averaged 4.46 minutes for the month of September.

Physical Security Improvements:

The Systems Security and Law Enforcement division continues to provide a secure and safe environment for our patrons and employees. The New Blue Line North construction started on June 1st, and an effective policing plan for the bus-only lanes in Los Angeles was developed. We worked closely with the LAPD, LA Sheriff and Metro to provide coverage for the bus-only lanes and the heavily-trafficked area South of Olympic Blvd.

The New Blue Line North construction team was confronted with multiple thefts of copper wire along the tracks during August. Metro Construction and Security teamed up to deploy law enforcement, contract security and Metro personnel along the Blue Line to thwart the thefts, which would have affected the opening date of the New Blue Line if they continued.

We deployed the Thruvision explosive detection device on September 25th at the North Hollywood rail station. We worked closely with the Los Angeles Police Department and Metro Security to develop a concept of the operation for the deployment.

We continue to improve our new Transit Watch application, and we hope to have the prototype ready this winter.

The Red Line ancillary area surge continues, and we are making progress with securing our underground rail stations.

Metro's Homeless Efforts:

In spring 2016, Metro created the Metro Homeless Task Force to address the displaced persons that have turned to Metro system and property for alternative shelter. Out of the Task Force, Metro created the Metro Transit Homeless Action Plan which was presented to the Metro Board of Directors in February 2017. The Action Plan's goals are to enhance the customer experience, maintain a safe and secure system, and provide coordinated outreach. Components of the plan include Metro's coordination with County and City Measure H and Measure HHH. The plan also called for the hiring of two C3 teams (County, City, Community) through the County Department of Health Services as indicated by Metro's Board of Directors. The C3 teams are to provide coordinated and responsive

outreach to the homeless and to ultimately get them in housing resources.

Metro's C3 Homeless Outreach Teams:

Metro's C3 Homeless Outreach teams' twelve-month pilot program began on May 22, 2017 with initial homeless outreach on the Red Line. Since the launch of Metro's C3 Homeless Outreach teams they have provided substantial homeless outreach-with 6,000 total unduplicated homeless contacts, 1,578 of whom have been linked to permanent housing solutions with a total of 150 homeless persons permanently housed. In FY19 Metro expanded the C3 teams from two to eight teams to cover rail, bus and Union Station.

C3 Homeless Outreach September 1, 2019 through October 4, 2019:

Performance Measure	September Number Served	Project Year to date Number Served
Number of unduplicated individuals' initiated contact (pre-engagement phase)	182	6,000
Number of Unduplicated individuals engaged (engagement phase)	55	3,126
Number of unduplicated individuals who are provided services or who successfully attained referrals*	82	2,544
Number of unduplicated individuals engaged who successfully attained an interim housing resource (this includes crisis and/or bridge housing)	31	1,065
Number of unduplicated individuals engaged who are successfully linked to a permanent housing program	5	363
Number of unduplicated individuals engaged who are permanently housed	5	150

For the month of September, a total of 11 people were placed in a motel. Of these, 3 were families and 8 were individuals. The total cost, \$10,307.

PATH Impact Story resulting in Stable Housing

Participant is a 34 year-old male who had been a heroin addict for the past six years, five of those years he had experienced homelessness. Participant has experienced significant mental health issues for much of his adult life which had gone untreated for the most part. Participant developed a chronic illness with severe symptoms as a result of his addiction.

Based on the participant's chronic physical illness, mental health issues and substance use disorder, a referral was made to DHS HFH IH and he was placed at the Weingart Center a few days later.

C3 Coordination with Law Enforcement

With Metro System Security and Law Enforcement personnel as the lead, Metro's C3 teams coordinate with LAPD's Homeless Outreach and Protective Engagement (HOPE) Teams, LASD's Mental Evaluation Teams (MET), Long Beach PD, and Metro's Transit Security Officers, in an effort to engage the homeless and provide placement into services. These law enforcement entities provide gap service on the lines for homeless outreach when the C3 Teams are off duty or working another

portion of the system.

LAPD Outreach

There are a variety of small successes that include a few long-term cases being managed:

- One involves a female that might get her own apartment.
- A family with a child might get an apartment, but the process is still in progress.
- We've provided welcome home kits to DMH partner and recently secured a new bed for a newly house individual that had lost his bed and furniture due to bed bugs.
- Homeless woman observed at Union Station by law enforcement to have maggots pouring out of one of her legs. She was placed on a hold then transferred to receive much needed medical treatment. LAPD's Mental Evaluation Unit is working to have the homeless woman evaluated through the Detective section of LAPD's Mental Evaluation Unit for conservatorship consideration. Meanwhile PATH is working on housing options.

Sheriff Mental Evaluation Team (MET) Contacts September 1, 2019 through October 5, 2019

These monthly statistics only include contacts of the Transit MET Units. They do not include contacts made by other Transit Services Bureau personnel. In addition to the data reported below, Transit MET Units:

- Transported 23 clients to other homeless outreach connection services.
- 3 teams assessed a homeless encampment at Florence Pax, Blue Line - 09/06/2019.
- 2 teams assisted MTA post No Trespassing notices at a homeless encampment on 61st Street/Holmes Avenue, Los Angeles, CA Blue Line - 09/11/2019.
- TMET assisted MTA post No Trespassing notices at a homeless encampment on 190th Street/Hawthorne Boulevard, Torrance, CA 90503 - 09/18/2019.
- TMET and TIU team assisted Metro personnel with a homeless encampment clean-up at 61st St/Holmes Avenue, Los Angeles, Blue Line - 09/25/2019.

Long Beach Quality of Life Officers Update September 2019

In addition to the data reported below, Quality of Life Officers engaged on these dates:

- Saturday, September 5th there was a Metro complaint regarding a person experiencing homelessness at a Metro property located at 142 elm Ave. When engaged by Quality of Life Officers, the subject refused service and said that he was working with the Long Beach Health department Multi Service Center. Quality of Life Officers moved him along.
- Tuesday, September 10th, Metro Quality of Life Officers assisted the Public Works Department at 20th Street and Long Beach Boulevard with persons experiencing homelessness encampment clean-up. This area is adjacent to but not part of Metro property.
- Thursday, September 26th, a Long Beach Quality of Life Officer was able to place an elderly male subject at the Long Beach Reserve Mission. The Mission assigned the subject temporary housing for one week.

September 2019 Law Enforcement Homeless Outreach

ACTION	LAPD HOPE	LASD MET	LBPB
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Contacts	829	669	358
Referrals	30	376	118
5150 Holds	9	24	2
Mental Illness	27	249	73
Substance Abuse	90	161	56
Veterans	3	10	0
Shelter	3	3	12
Motel Housing Plan	3	0	2
VA Housing	1	0	0
Return to Family	0	1	2
Transitional Long Term Housing	2	0	1
Detox	3	0	0
Rehab	1	0	0

Metro ROW Encampment:

- Expo Line - Exposition Blvd and Veteran on the north side of the Expo ROW - September 10, 2019
- Harbor Division - Along Slauson between Hyde Park and Western - September 11, 2019
- Harbor Sub-division - Between 190th St and Hawthorne Blvd - September 18, 2019
- Gold Line - North of Highland Park Station - Between Ave. 59 and 60 - September 25, 2019
- Metro Blue Line - Slauson Station Fly Over - located at Holmes Ave and 61st St. Cul-de-sac - September 26, 2019

Metro Encampments Outside, Adjacent to Metro ROW: None**Measure H Generalist:**

Metro's Homeless Action Plan integrates itself into the work provided under Measures H and HHH. Part of the E6 Strategies of Measure H includes 40 additional outreach workers otherwise known as "generalists" to conduct outreach on government properties including Metro, and countywide parks, libraries, beaches and harbors. These generalists do not go past the fare gates and their data, per the county will not be extrapolated for Metro. However, these generalists currently work with the C3 teams to provide outreach services.

Connect Days

Connect Days provide comprehensive homeless resources at location sites throughout LA County. These resource opportunity events are led by Council Districts (CD) and are utilized by Metro's C3 and Measure H teams when the Connect Days are adjacent to Metro properties. CD1 hosts a standing Connect Day at MacArthur Park that was utilized in September by Metro's C3 teams to provide comprehensive resources to the homeless.

Mental Health Outreach Workers:

The LA County Department of Mental Health has provided a mental health clinician and an intern to one of Metro's contracted HOPE teams. Mental Health professionals are paired with all MET Teams.

Faith Based Partnership

Since January 2019, Metro has hosted seven regional faith leader roundtable discussions to identify ways that Metro and the Faith based community in LA County may partner to serve the homeless. There is a major opportunity for faith based groups to provide additional resources to homeless contacts on Metro in several ways: hosting Connect Days; partnering with entities that provide necessities (food, shelter, clothing) and providing referral information. Metro invites faith based groups and local nonprofits interested in providing resources to transit located homeless to contact Metro's System Security and Law Enforcement Department.

Peace over Violence

In 2014, a Los Angeles County Metropolitan Transportation Authority survey of nearly 20,000 passengers asked whether they felt unsafe during the last month while riding Metro due to "unwanted touching, exposure, comments, or any other form of unwanted sexual behavior." About 21% of rail passengers and 18% of bus passengers said yes. About 17% of bus riders and 13% of train riders said they felt unsafe while waiting at bus stops or train stations.

In December 2016, Metro approached Peace Over Violence (POV) to help address the response of safety and sexual harassment. Together both entities decided to create the Sexual Harassment Off Limits Hotline, which is 1-844-OFF-LIMITS or 1-844-633-5464. The Off Limits Hotline is a toll-free hotline for victims/Metro Transit customers who have experienced sexual harassment on the bus, bus stop, train or platform. The Off Limits Hotline is publicized by Metro on their buses, Metro lines, etc. for riders to make them aware of the support that is available to them. This hotline is customized to address the needs of Metro customers and Metro transportation. Peace Over Violence also distributes the Off Limits Hotline number throughout the community, whether that is through trainings, presentations, networking events, etc. POV maintains advertising of the hotline.

From August 2017 to September 30, 2019, POV has received a total of **1,140 calls** through the Off Limits Hotline. In addition to the 24-hour response via the hotline, Peace Over Violence also provides:

- 72 hour follow up
- Advocacy on behalf of the caller to report an incident or address any specific needs (with law enforcement, Metro representatives, other service providers)
- Counseling

Our comprehensive case management services for survivors of sexual violence plus our emergency response services to survivors at local police stations, Sexual Assault Centers and ER hospitals is also offered to callers. Customized services that our POV representatives also provide are:

- Assisting callers in reporting abuse/harassment
- Processing complaints against bus drivers/operators

The Off Limits Hotline has been able to provide Metro riders with additional resources to report and receive support after sexual violence or trauma. Advocates have been able to provide immediate crisis intervention, safety planning and continuation of services for Metro customers.

Performance Measure	September 2019
	Number Served
Total Number of individuals that contacted POV Line	26
Number of individuals that contacted POV Line regarding sexual harassment	6
Number of individuals that requested counseling services	6
Number of police reports filed or intended to file regarding sexual harassment	6
Number of active cases	6

Emergency Management: September 2019

The Office of Emergency Management has the responsibility of comprehensively planning for, responding to and recovering from large-scale emergencies and disasters that impact Los Angeles County Metropolitan Transportation Authority and our stakeholders.

Operations, Response, & Recovery:

- **September 17-18, 2019 - Emergency Operations Center Activation:** In response to the President's visit to downtown Los Angeles, the Emergency Operations Center activated to a Level 4 (normal readiness) to support operations, transit security, and local law enforcement for the two-day visit. An EMD representative also deployed to the Unified Command Post to serve as a liaison. No major issues to report.

Training & Exercise:

- **September 11, 2019 - CPUC 2016-2019 Rail Exercises Audit:** No audit findings. CPUC noted exceptional presentation of exercise program and demonstrations of upcoming safety and response training; video and virtual reality systems.
- **September 14, 2019 - Expo Line Training and Criminal Activity / Active Shooter Exercises:** Conducted 11 Rail Familiarization Trainings and 12 Functional Exercises with five LAPD Divisions (60 officers) including LAPD SWAT and Emergency Services Bureau, with logistical support from LADOT. Objectives were to provide familiarity for law enforcement of Metro light rail trains, emergency equipment and interagency response coordination and communication, during an on-train incident.

Outreach & Preparedness

National Preparedness Month observance: Metro's first observance of National Preparedness Month. Hosted a lunch & learn with panel guests representing LA County Office of Emergency Management, LA City Emergency Management Department, and Riverside Transit Agency. Conducted outreach at all Bus/Rail Yards, Non-Revenue Locations, and Gateway. Disseminated agency wide weekly preparedness Email Blasts and provided staff tours of the Mobile Operations Command Control. Over 2,000 employee interactions.

ATTACHMENTS

Attachment A - System-Wide Law Enforcement Overview September 2019

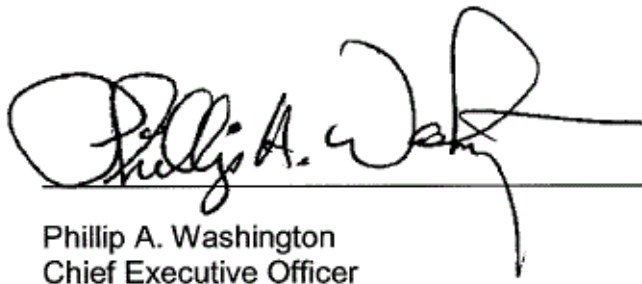
Attachment B - MTA Supporting Data September 2019

Attachment C - Key Performance Indicators September 2019

Attachment D - Transit Police Summary September 2019

Prepared by: Jimmy Abarca, Senior Administrative Analyst, System Security and Law Enforcement,
(213) 922-2615

Reviewed by: Aston T. Greene, Interim Chief, System Security and Law Enforcement, (213) 922-
2599



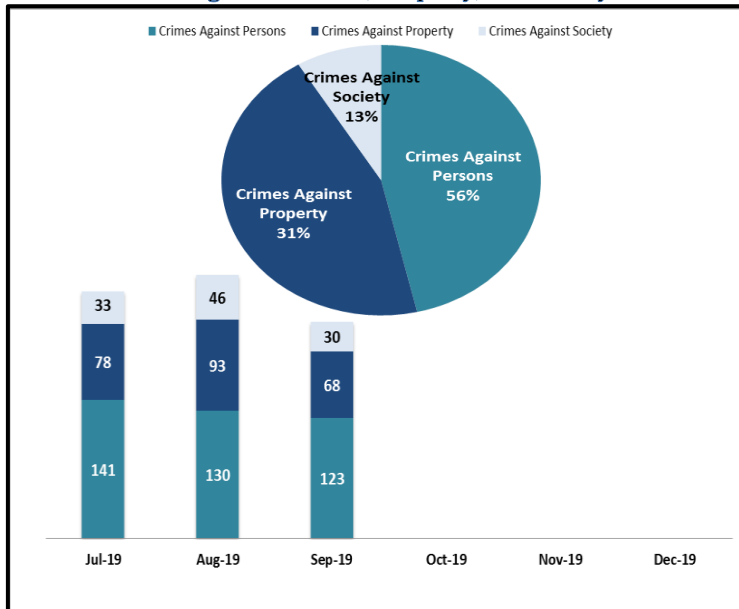
Phillip A. Washington
Chief Executive Officer

SYSTEM-WIDE LAW ENFORCEMENT OVERVIEW

SEPTEMBER 2019

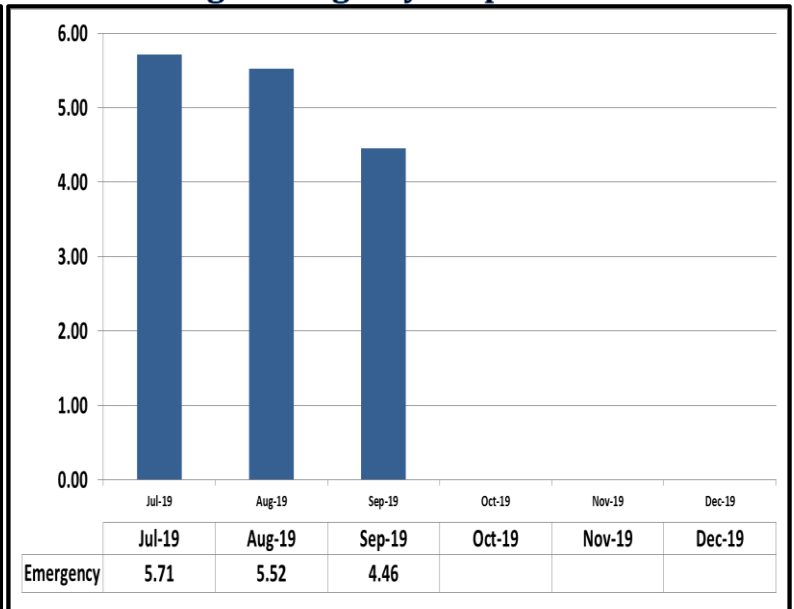
Attachment A

Crimes Against Persons, Property, and Society



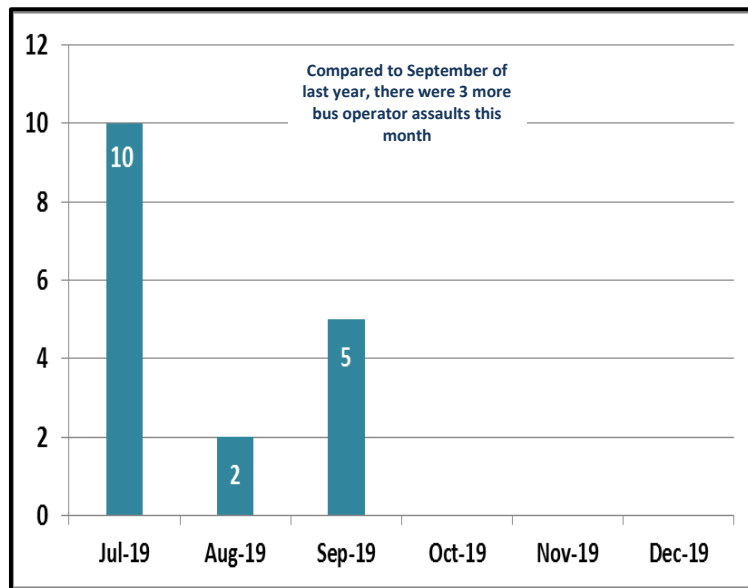
When compared to the same period last year, Crimes Against Persons increased by 2 crimes, Crimes Against Property decreased by 24 crimes, and Crimes Against Society increased by 5 crimes.

Average Emergency Response Times

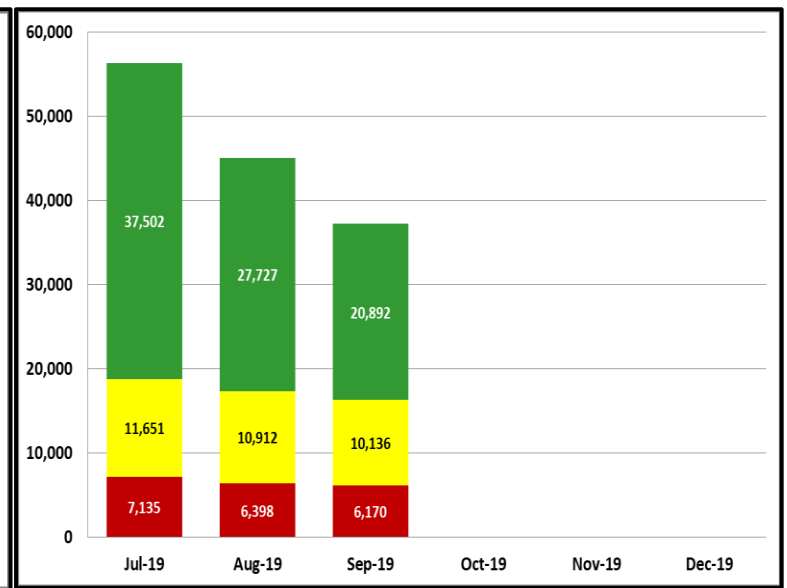


Average emergency response time was 4.46 mins.

Bus Operator Assaults



Fare Compliance



Green Checks- Occurs when a patron has valid fare

Yellow Checks- Occurs when a patron has valid fare, but did not tap at transfer station

Red Checks- Occurs when a patron has invalid fare

MONTHLY UPDATE ON TRANSIT POLICING PERFORMANCE - SEPTEMBER 2019

REPORTED CRIME				
CRIMES AGAINST PERSONS	LAPD	LASD	LBPDP	FYTD
Homicide	0	0	0	0
Rape	0	0	0	0
Robbery	0	1	0	8
Aggravated Assault	1	0	0	4
Aggravated Assault on Operator	0	0	0	0
Battery	5	0	1	14
Battery Rail Operator	0	0	0	0
Sex Offenses	0	1	0	2
SUB-TOTAL	6	2	1	28
CRIMES AGAINST PROPERTY	LAPD	LASD	LBPDP	FYTD
Burglary	0	0	1	1
Larceny	0	5	2	10
Bike Theft	0	0	0	0
Motor Vehicle Theft	0	1	0	2
Arson	0	0	0	0
Vandalism	0	1	0	4
Other	0	0	0	0
SUB-TOTAL	0	7	3	17
CRIMES AGAINST SOCIETY	LAPD	LASD	LBPDP	FYTD
Weapons	0	0	1	7
Narcotics	0	3	2	17
Trespassing	0	1	0	5
SUB-TOTAL	0	4	3	29
TOTAL	6	13	7	74

CRIMES PER STATION				
STATION	CRIMES AGAINST PERSONS	CRIMES AGAINST PROPERTY	CRIMES AGAINST SOCIETY	FYTD
7th St/Metro Ctr	5	0	0	6
Pico	0	0	0	0
Grand/LATTC	0	0	0	0
San Pedro St	0	0	0	0
Washington	0	0	0	0
Vernon	1	0	0	1
Slauson	0	2	1	8
Florence	0	0	0	5
Firestone	0	0	0	1
103rd St/Watts Towers	0	0	0	0
Willowbrook/Rosa Parks	2	1	1	16
Compton	0	2	1	15
Artesia	0	1	1	7
Del Amo	0	1	0	2
Wardlow	0	1	0	1
Willow St	0	2	0	2
PCH	0	0	0	4
Anaheim St	0	0	1	2
5th St	0	0	0	1
1st St	0	0	0	0
Downtown Long Beach	1	0	1	2
Pacific Av	0	0	1	1
Blue Line Rail Yard	0	0	0	0
Total	9	10	7	74

ARRESTS				
AGENCY	LAPD	LASD	LBPDP	FYTD
Felony	2	8	11	90
Misdemeanor	13	35	30	250
TOTAL	15	43	41	340

CITATIONS				
AGENCY	LAPD	LASD	LBPDP	FYTD
Other Citations	1,188	36	41	4,220
Vehicle Code Citations	989	11	113	3,208
TOTAL	2,177	47	154	7,428

CALLS FOR SERVICE				
AGENCY	LAPD	LASD	LBPDP	FYTD
Routine	0	68	5	228
Priority	13	63	29	305
Emergency	1	6	15	75
TOTAL	14	137	49	608

DISPATCHED VS. PROACTIVE			
AGENCY	LAPD	LASD	LBPDP
Dispatched	19%	2%	3%
Proactive	81%	98%	97%
TOTAL	100%	100%	100%

PERCENTAGE OF TIME ON THE RAIL SYSTEM	
Blue Line-LAPD	87%
Blue Line-LASD	57%
Blue Line-LBPDP	70%

GRADE CROSSING OPERATIONS				
LOCATION	LAPD	LASD	LBPDP	FYTD
Washington St	2	0	0	19
Flower St	1	0	0	9
103rd St	1	0	0	2
Wardlow Rd	0	0	2	7
Pacific Ave.	0	0	0	1
Willowbrook	0	53	0	99
Slauson	0	4	0	16
Firestone	0	6	0	12
Florence	0	13	0	28
Compton	0	34	0	100
Artesia	0	4	0	12
Del Amo	0	2	0	7
Long Beach Blvd	1	0	0	1
TOTAL	5	116	2	313

LEGEND	
Los Angeles Police Department	
Los Angeles County Sheriff's Department	
Long Beach Police Department	

MONTHLY UPDATE ON TRANSIT POLICING PERFORMANCE - SEPTEMBER 2019

REPORTED CRIME			
CRIMES AGAINST PERSONS	LAPD	LASD	FYTD
Homicide	0	0	0
Rape	0	0	0
Robbery	2	1	11
Aggravated Assault	0	0	3
Aggravated Assault on Operator	0	0	0
Battery	0	6	16
Battery Rail Operator	0	0	0
Sex Offenses	0	1	2
SUB-TOTAL	2	8	32
CRIMES AGAINST PROPERTY	LAPD	LASD	FYTD
Burglary	0	0	0
Larceny	1	0	6
Bike Theft	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Vandalism	0	1	3
SUB-TOTAL	1	1	9
CRIMES AGAINST SOCIETY	LAPD	LASD	FYTD
Weapons	0	3	6
Narcotics	0	2	10
Trespassing	0	0	0
SUB-TOTAL	0	5	16
TOTAL	3	14	57

CRIMES PER STATION				
STATION	CRIMES AGAINST PERSONS	CRIMES AGAINST PROPERTY	CRIMES AGAINST SOCIETY	FYTD
Redondo Beach	0	0	0	2
Douglas	0	0	0	0
El Segundo	0	0	0	1
Mariposa	0	0	0	0
Aviation/LAX	0	0	0	0
Hawthorne/Lennox	0	0	1	1
Crenshaw	2	1	0	5
Vermont/Athens	1	0	1	6
Harbor Fwy	2	1	0	3
Avalon	0	0	0	3
Willowbrook/Rosa Parks	3	0	1	18
Long Beach BI	0	0	2	8
Lakewood BI	2	0	0	6
Norwalk	0	0	0	6
Total	10	2	5	59

ARRESTS			
AGENCY	LAPD	LASD	FYTD
Felony	0	7	21
Misdemeanor	1	34	114
TOTAL	1	41	135

CITATIONS			
AGENCY	LAPD	LASD	FYTD
Other Citations	1	48	161
Vehicle Code Citations	8	5	53
TOTAL	9	53	214

CALLS FOR SERVICE			
AGENCY	LAPD	LASD	FYTD
Routine	0	97	298
Priority	14	75	260
Emergency	1	9	35
TOTAL	15	181	593

DISPATCHED VS. PROACTIVE		
AGENCY	LAPD	LASD
Dispatched	21%	4%
Proactive	79%	96%
TOTAL	100%	100%

PERCENTAGE OF TIME SPENT ON THE RAIL SYSTEM	
Green Line-LAPD	84%
Green Line-LASD	84%

LEGEND
Los Angeles Police Department
Los Angeles County Sheriff's Department

MONTHLY UPDATE ON TRANSIT POLICING PERFORMANCE - SEPTEMBER 2019

REPORTED CRIME			
CRIMES AGAINST PERSONS	LAPD	LASD	FYTD
Homicide	0	0	0
Rape	0	0	0
Robbery	1	0	3
Aggravated Assault	1	0	5
Aggravated Assault on Operator	0	0	0
Battery	8	2	17
Battery Rail Operator	0	0	0
Sex Offenses	1	1	4
SUB-TOTAL	11	3	29
CRIMES AGAINST PROPERTY	LAPD	LASD	FYTD
Burglary	0	1	1
Larceny	6	2	28
Bike Theft	1	0	8
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Vandalism	0	0	1
SUB-TOTAL	7	3	38
CRIMES AGAINST SOCIETY	LAPD	LASD	FYTD
Weapons	0	0	1
Narcotics	0	0	0
Trespassing	0	0	1
SUB-TOTAL	0	0	2
TOTAL	18	6	69

CRIMES PER STATION				
STATION	CRIMES AGAINST PERSONS	CRIMES AGAINST PROPERTY	CRIMES AGAINST SOCIETY	FYTD
7th St/Metro Ctr	1	0	0	2
Pico	0	0	0	0
LATTC/Ortho Institute	0	1	0	18
Jefferson/USC	1	1	0	4
Expo Park/USC	1	0	0	2
Expo/Vermont	0	1	0	4
Expo/Western	1	0	0	6
Expo/Crenshaw	1	1	0	4
Farmdale	3	0	0	7
Expo/La Brea	3	1	0	6
La Cienega/Jefferson	0	1	0	2
Culver City	1	0	0	3
Palms	0	0	0	0
Westwood/Rancho Park	0	0	0	0
Expo/Sepulveda	0	0	0	4
Expo/Bundy	0	1	0	8
26th St/Bergamot	0	1	0	2
17th St/SMC	0	1	0	1
Downtown Santa Monica	2	1	0	6
Expo Line Rail Yard	0	0	0	0
Total	14	10	0	79

ARRESTS			
AGENCY	LAPD	LASD	FYTD
Felony	4	3	10
Misdemeanor	11	4	29
TOTAL	15	7	39

CITATIONS			
AGENCY	LAPD	LASD	FYTD
Other Citations	37	8	78
Vehicle Code Citations	28	1	46
TOTAL	65	9	124

CALLS FOR SERVICE			
AGENCY	LAPD	LASD	FYTD
Routine	1	52	145
Priority	47	38	239
Emergency	6	7	30
TOTAL	54	97	414

DISPATCHED VS. PROACTIVE		
AGENCY	LAPD	LASD
Dispatched	20%	8%
Proactive	80%	92%
TOTAL	100%	100%

PERCENTAGE OF TIME SPENT ON THE RAIL SYSTEM	
Expo Line-LAPD	87%
Expo Line-LASD	80%

GRADE CROSSING OPERATIONS			
LOCATION	LAPD	LASD	FYTD
Exposition Blvd	82	0	233
Santa Monica	0	1	97
Culver City	0	0	4
TOTAL	82	1	334

LEGEND	
Los Angeles Police Department	
Los Angeles County Sheriff's Department	

MONTHLY UPDATE ON TRANSIT POLICING PERFORMANCE - SEPTEMBER 2019

REPORTED CRIME		
CRIMES AGAINST PERSONS	LAPD	FYTD
Homicide	0	0
Rape	0	0
Robbery	1	9
Aggravated Assault	2	16
Aggravated Assault on Operator	0	0
Battery	16	54
Battery Rail Operator	0	0
Sex Offenses	3	7
SUB-TOTAL	22	86
CRIMES AGAINST PROPERTY	LAPD	FYTD
Burglary	0	0
Larceny	10	34
Bike Theft	1	4
Motor Vehicle Theft	0	0
Arson	0	0
Vandalism	1	4
SUB-TOTAL	12	42
CRIMES AGAINST SOCIETY	LAPD	FYTD
Weapons	0	0
Narcotics	0	0
Trespassing	3	8
SUB-TOTAL	3	8
TOTAL	37	136

ARRESTS		
AGENCY	LAPD	FYTD
Felony	21	93
Misdemeanor	99	300
TOTAL	120	393

CITATIONS		
AGENCY	LAPD	FYTD
Other Citations	522	1,866
Vehicle Code Citations	180	611
TOTAL	702	2,477

CALLS FOR SERVICE		
AGENCY	LAPD	FYTD
Routine	6	9
Priority	82	156
Emergency	7	14
TOTAL	95	179

DISPATCHED VS. PROACTIVE	
AGENCY	LAPD
Dispatched	28%
Proactive	72%
TOTAL	100%

PERCENTAGE OF TIME SPENT ON THE RAIL SYSTEM	
Red Line- LAPD	76%

LEGEND
Los Angeles Police Department

CRIMES PER STATION				
STATION	CRIMES AGAINST PERSONS	CRIMES AGAINST PROPERTY	CRIMES AGAINST SOCIETY	FYTD
Union Station	1	1	1	19
Civic Center/Grand Park	0	0	0	0
Pershing Square	1	0	0	13
7th St/Metro Ctr	2	0	0	11
Westlake/MacArthur Park	4	2	0	19
Wilshire/Vermont	1	2	0	12
Wilshire/Normandie	0	1	0	1
Vermont/Beverly	1	2	0	11
Wilshire/Western	1	1	0	4
Vermont/Santa Monica	2	1	0	8
Vermont/Sunset	1	1	1	4
Hollywood/Western	2	1	0	7
Hollywood/Vine	3	0	0	5
Hollywood/Highland	2	0	0	6
Universal City/Studio City	1	0	0	4
North Hollywood	0	0	1	12
Red Line Rail Yard	0	0	0	0
Total	22	12	3	136

GOLD LINE

ATTACHMENT B

MONTHLY UPDATE ON TRANSIT POLICING PERFORMANCE - SEPTEMBER 2019

REPORTED CRIME			
CRIMES AGAINST PERSONS	LAPD	LASD	FYTD
Homicide	0	0	0
Rape	0	0	0
Robbery	1	2	7
Aggravated Assault	1	1	4
Aggravated Assault on Operator	0	0	0
Battery	1	2	7
Battery Rail Operator	0	0	0
Sex Offenses	0	0	1
SUB-TOTAL	3	5	19
CRIMES AGAINST PROPERTY	LAPD	LASD	FYTD
Burglary	0	0	0
Larceny	1	0	12
Bike Theft	1	1	5
Motor Vehicle Theft	0	1	2
Arson	0	0	0
Vandalism	0	1	8
SUB-TOTAL	2	3	27
CRIMES AGAINST SOCIETY	LAPD	LASD	FYTD
Weapons	0	0	1
Narcotics	0	1	4
Trespassing	0	0	0
SUB-TOTAL	0	1	5
TOTAL	5	9	51

ARRESTS			
AGENCY	LAPD	LASD	FYTD
Felony	3	4	16
Misdemeanor	0	10	61
TOTAL	3	14	77

CITATIONS			
AGENCY	LAPD	LASD	FYTD
Other Citations	37	12	192
Vehicle Code Citations	4	4	47
TOTAL	41	16	239

CALLS FOR SERVICE			
AGENCY	LAPD	LASD	FYTD
Routine	1	199	350
Priority	22	113	432
Emergency	2	14	49
TOTAL	25	326	831

DISPATCHED VS. PROACTIVE		
AGENCY	LAPD	LASD
Dispatched	20%	5%
Proactive	80%	95%
TOTAL	100%	100%

CRIMES PER STATION				
STATION	CRIMES AGAINST PERSONS	CRIMES AGAINST PROPERTY	CRIMES AGAINST SOCIETY	FYTD
APU/Citrus College	0	1	0	3
Azusa Downtown	0	0	0	1
Irwindale	0	0	0	3
Duarte/City of Hope	0	0	0	5
Monrovia	0	1	0	3
Arcadia	0	0	0	0
Sierra Madre Villa	0	0	0	2
Allen	2	0	0	3
Lake	1	0	0	3
Memorial Park	0	1	0	3
Del Mar	0	0	0	1
Fillmore	0	0	0	1
South Pasadena	1	0	0	2
Highland Park	0	1	0	3
Southwest Museum	0	0	0	1
Heritage Square	0	0	0	0
Lincoln/Cypress	1	0	0	1
Chinatown	0	0	0	1
Union Station	0	0	0	2
Little Tokyo/Arts Dist	0	1	0	3
Pico/Aliso	0	0	0	1
Mariachi Plaza	1	0	0	1
Soto	1	0	0	4
Indiana (both LAPD & LASD)	0	0	0	1
Maravilla	1	0	0	1
East LA Civic Ctr	0	0	0	0
Atlantic	0	0	1	2
Total	8	5	1	51

PERCENTAGE OF TIME SPENT ON THE RAIL SYSTEM	
Gold Line-LAPD	87%
Gold Line-LASD	72%

GRADE CROSSING OPERATIONS			
LOCATION	LAPD	LASD	FYTD
Marmion Way	58	0	266
Arcadia Station	0	16	43
Irwindale	0	6	8
Monrovia	0	9	26
City of Pasadena	0	22	51
Magnolia Ave	0	0	0
Duarte Station	0	2	6
City Of Azusa	0	9	41
South Pasadena	0	14	52
City Of East LA	0	9	25
Figuerroa St	18	0	120
TOTAL GOAL= 10	76	87	638

LEGEND
Los Angeles Police Department
Los Angeles County Sheriff's Department

MONTHLY UPDATE ON TRANSIT POLICING PERFORMANCE - SEPTEMBER 2019

REPORTED CRIME		
CRIMES AGAINST PERSONS	LAPD	FYTD
Homicide	0	1
Rape	0	0
Robbery	1	2
Aggravated Assault	1	2
Aggravated Assault on Operator	0	0
Battery	4	9
Battery Bus Operator	0	0
Sex Offenses	0	0
SUB-TOTAL	6	14
CRIMES AGAINST PROPERTY	LAPD	FYTD
Burglary	0	0
Larceny	0	2
Bike Theft	1	2
Motor Vehicle Theft	0	0
Arson	0	0
Vandalism	1	1
SUB-TOTAL	2	5
CRIMES AGAINST SOCIETY	LAPD	FYTD
Weapons	0	0
Narcotics	0	0
Trespassing	0	0
SUB-TOTAL	0	0
TOTAL	8	19

CRIMES PER STATION				
STATION	CRIMES AGAINST PERSONS	CRIMES AGAINST PROPERTY	CRIMES AGAINST SOCIETY	FYTD
North Hollywood	2	0	0	5
Laurel Canyon	0	0	0	0
Valley College	0	0	0	0
Woodman	0	0	0	0
Van Nuys	1	0	0	2
Sepulveda	0	0	0	0
Woodley	0	0	0	1
Balboa	0	0	0	1
Reseda	1	0	0	1
Tampa	0	1	0	1
Pierce College	0	0	0	0
De Soto	0	0	0	0
Canoga	0	0	0	1
Warner Center	0	0	0	0
Sherman Way	0	0	0	0
Roscoe	0	0	0	1
Nordhoff	0	0	0	2
Chatsworth	2	1	0	4
Total	6	2	0	19

ARRESTS		
AGENCY	LAPD	FYTD
Felony	4	7
Misdemeanor	1	12
TOTAL	5	19

CITATIONS		
AGENCY	LAPD	FYTD
Other Citations	243	617
Vehicle Code Citations	229	607
TOTAL	472	1224

CALLS FOR SERVICE		
AGENCY	LAPD	FYTD
Routine	0	0
Priority	22	53
Emergency	2	4
TOTAL	24	57

DISPATCHED VS. PROACTIVE	
AGENCY	LAPD
Dispatched	20%
Proactive	80%
TOTAL	100%

PERCENTAGE OF TIME SPENT ON THE BUS SYSTEM	
Orange Line- LAPD	86%

LEGEND
Los Angeles Police Department

MONTHLY UPDATE ON TRANSIT POLICING PERFORMANCE - SEPTEMBER 2019

REPORTED CRIME			
CRIMES AGAINST PERSONS	LAPD	LASD	FYTD
Homicide	0	0	0
Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	2	0	2
Aggravated Assault on Operator	0	0	0
Battery	0	0	1
Battery Bus Operator	0	0	0
Sex Offenses	0	0	0
SUB-TOTAL	2	0	3
CRIMES AGAINST PROPERTY	LAPD	LASD	FYTD
Burglary	0	0	0
Larceny	1	0	2
Bike Theft	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Vandalism	0	0	0
SUB-TOTAL	1	0	2
CRIMES AGAINST SOCIETY	LAPD	LASD	FYTD
Weapons	0	0	0
Narcotics	0	1	1
Trespassing	0	0	0
SUB-TOTAL	0	1	1
TOTAL	3	1	6

CRIMES PER STATION				
STATION	CRIMES AGAINST PERSONS	CRIMES AGAINST PROPERTY	CRIMES AGAINST SOCIETY	FYTD
El Monte	0	0	1	1
Cal State LA	0	0	0	0
LAC/USC Medical Ctr	0	0	0	0
Alameda	0	0	0	0
Downtown	0	0	0	1
37th St/USC	0	0	0	0
Slauson	0	0	0	0
Manchester	0	0	0	0
Harbor Fwy	1	0	0	1
Rosecrans	0	0	0	0
Harbor Gateway Transit Ctr	1	1	0	2
Carson	0	0	0	0
PCH	0	0	0	0
San Pedro/Beacon	0	0	0	1
Total	2	1	1	6

ARRESTS			
AGENCY	LAPD	LASD	FYTD
Felony	0	0	0
Misdemeanor	18	4	32
TOTAL	18	4	32

CITATIONS			
AGENCY	LAPD	LASD	FYTD
Other Citations	312	0	729
Vehicle Code Citations	265	0	752
TOTAL	577	0	1481

CALLS FOR SERVICE			
AGENCY	LAPD	LASD	FYTD
Routine	1	0	6
Priority	11	1	30
Emergency	1	0	2
TOTAL	13	1	38

DISPATCHED VS. PROACTIVE		
AGENCY	LAPD	LASD
Dispatched	17%	0%
Proactive	83%	100%
TOTAL	100%	100%

PERCENTAGE OF TIME SPENT ON THE BUS SYSTEM	
Silver Line- LAPD	88%
Silver Line- LASD	86%

LEGEND
Los Angeles Police Department
Los Angeles County Sheriff's Department

MONTHLY UPDATE ON TRANSIT POLICING PERFORMANCE - SEPTEMBER 2019

REPORTED CRIME			
CRIMES AGAINST PERSONS	LAPD	LASD	FYTD
Homicide	0	0	0
Rape	0	0	0
Robbery	5	0	20
Aggravated Assault	7	2	23
Aggravated Assault on Operator	0	1	2
Battery	20	2	74
Battery Bus Operator	4	0	15
Sex Offenses	0	0	11
SUB-TOTAL	36	5	145
CRIMES AGAINST PROPERTY	LAPD	LASD	FYTD
Burglary	0	0	0
Larceny	13	2	62
Bike Theft	1	0	5
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Vandalism	1	3	11
SUB-TOTAL	15	5	78
CRIMES AGAINST SOCIETY	LAPD	LASD	FYTD
Weapons	0	1	4
Narcotics	0	7	30
Trespassing	0	1	4
SUB-TOTAL	0	9	38
TOTAL	51	19	261

LASD's Crimes per Sector		
Sector		FYTD
Westside	0	3
San Fernando	1	1
San Gabriel Valley	3	11
Gateway Cities	7	32
South Bay	8	33
Total	19	80

LAPD's Crimes per Sector		
Sector		FYTD
Valley Bureau		
Van Nuys	1	5
West Valley	0	1
North Hollywood	1	6
Foothill	0	0
Devonshire	0	3
Mission	0	3
Topanga	0	2
Central Bureau		
Central	10	34
Rampart	0	8
Hollenbeck	0	2
Northeast	0	1
Newton	10	21
West Bureau		
Hollywood	0	3
Wilshire	1	12
West LA	0	4
Pacific	2	5
Olympic	4	16
Southwest Bureau		
Southwest	9	28
Harbor	0	0
77th Street	7	18
Southeast	6	9
Total	51	181

ARRESTS			
AGENCY	LAPD	LASD	FYTD
Felony	1	11	34
Misdemeanor	7	58	211
TOTAL	8	69	245

CITATIONS			
AGENCY	LAPD	LASD	FYTD
Other Citations	8	71	315
Vehicle Code Citations	2	56	116
TOTAL	10	127	431

CALLS FOR SERVICE			
AGENCY	LAPD	LASD	FYTD
Routine	6	82	284
Priority	31	166	533
Emergency	1	22	54
TOTAL	38	270	871

DISPATCHED VS. PROACTIVE			
AGENCY	LAPD	LASD	
Dispatched	20%	2%	
Proactive	80%	98%	
TOTAL	100%	100%	

PERCENTAGE OF TIME SPENT ON THE BUS SYSTEM	
LAPD BUS	86%
LASD BUS	76%

LEGEND	
Los Angeles Police Department	
Los Angeles County Sheriff's Department	

MONTHLY UPDATE ON TRANSIT POLICING PERFORMANCE - SEPTEMBER 2019

REPORTED CRIME		
CRIMES AGAINST PERSONS	LAPD	FYTD
Homicide	0	0
Rape	0	0
Robbery	1	2
Aggravated Assault	1	5
Aggravated Assault on Operator	0	0
Battery	8	25
Battery Rail Operator	0	0
Sex Offenses	1	4
SUB-TOTAL	11	36
CRIMES AGAINST PROPERTY	LAPD	FYTD
Burglary	0	1
Larceny	4	17
Bike Theft	1	1
Motor Vehicle Theft	0	0
Arson	0	0
Vandalism	1	2
SUB-TOTAL	6	21
CRIMES AGAINST SOCIETY	LAPD	FYTD
Weapons	0	0
Narcotics	0	0
Trespassing	4	10
SUB-TOTAL	4	10
TOTAL	21	67



ARRESTS		
AGENCY	LAPD	FYTD
Felony	2	12
Misdemeanor	12	48
TOTAL	14	60

CITATIONS		
AGENCY	LAPD	FYTD
Other Citations	11	75
Vehicle Code Citations	34	56
TOTAL	45	131

CALLS FOR SERVICE		
AGENCY	LAPD	FYTD
Routine	7	25
Priority	57	139
Emergency	1	7
TOTAL	65	171

DISPATCHED VS. PROACTIVE	
AGENCY	LAPD
Dispatched	12%
Proactive	88%
TOTAL	100%

PERCENTAGE OF TIME SPENT AT UNION STATION	
LOCATION	LAPD
Union Station	82%

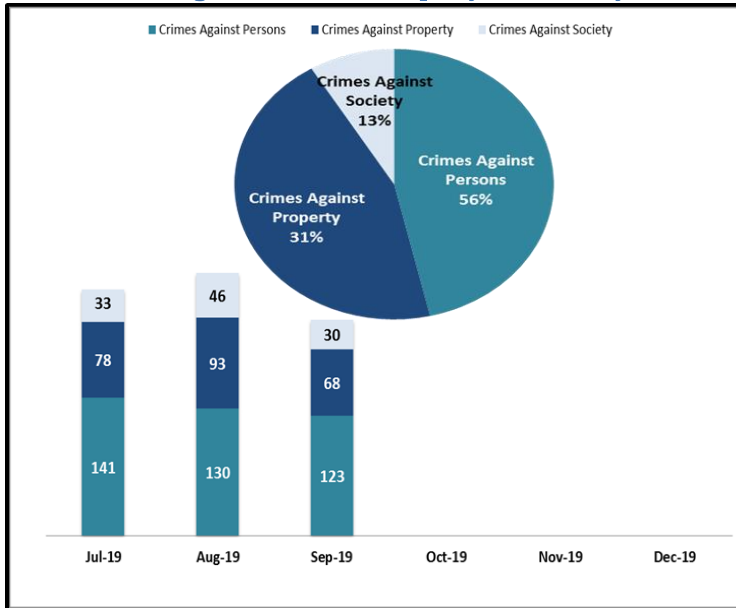
LEGEND	
Los Angeles Police Department	

KEY PERFORMANCE INDICATORS

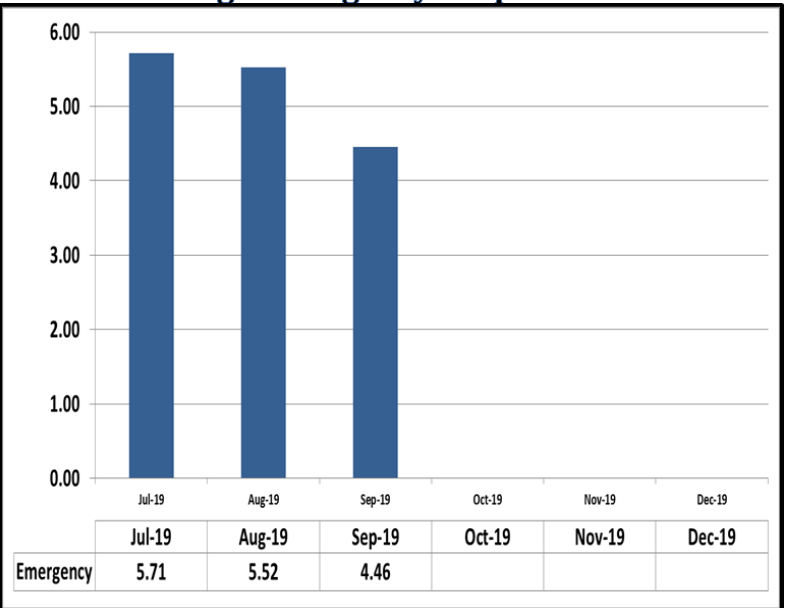
SEPTEMBER 2019

Attachment C

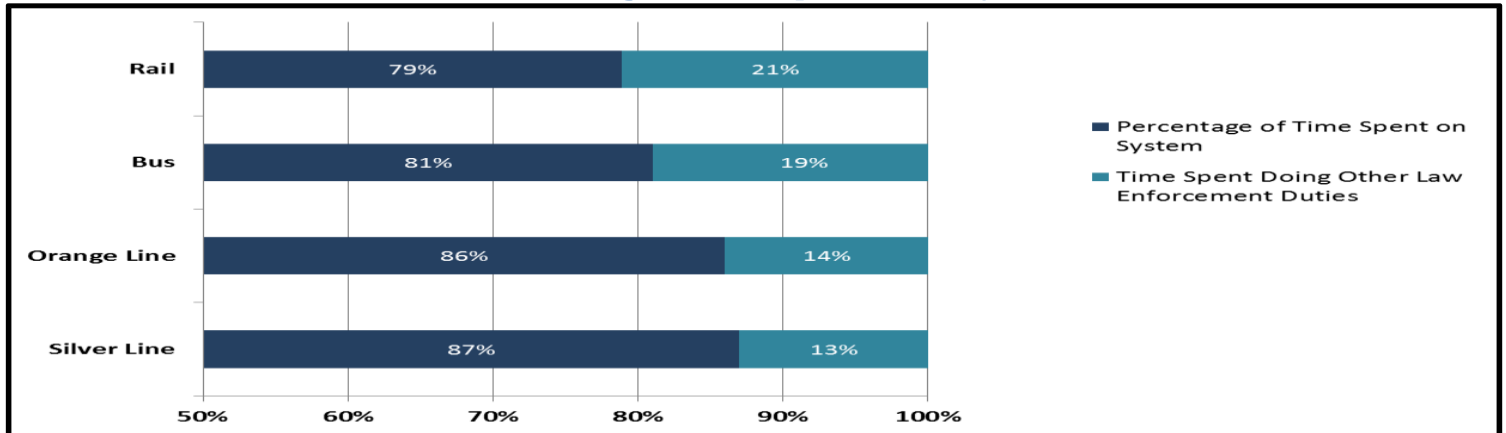
Crimes Against Persons, Property, and Society



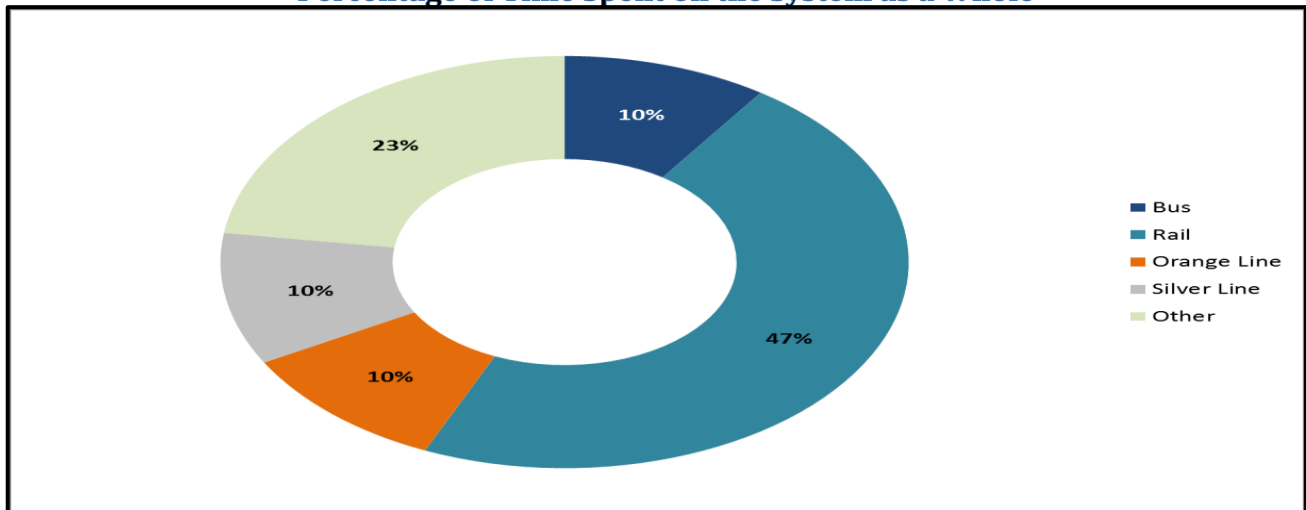
Average Emergency Response Times



Percentage of Time Spent on the System



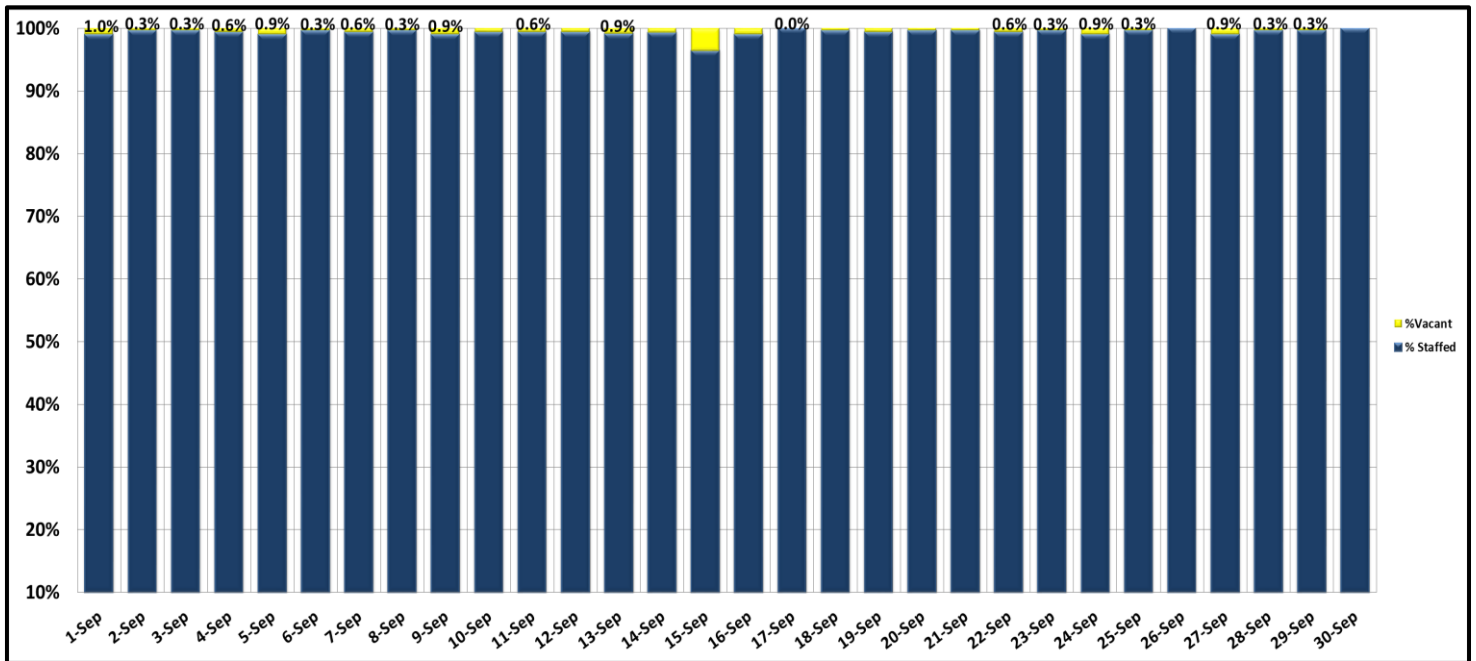
Percentage of Time Spent on the System as a Whole



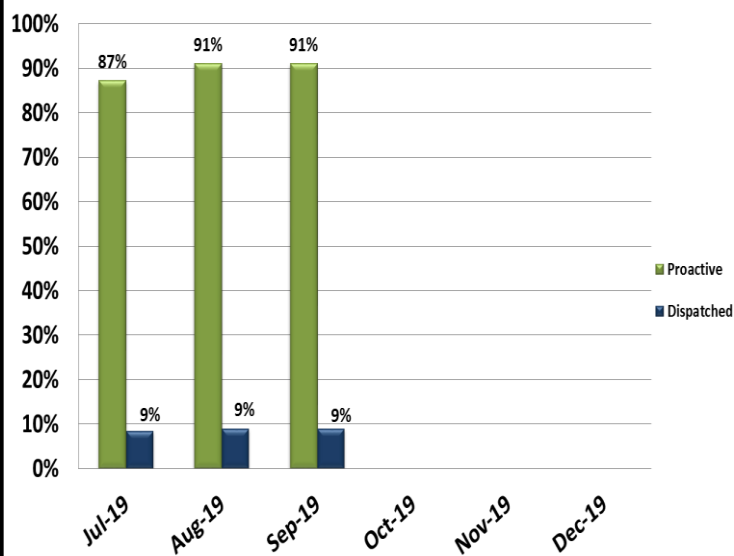
KEY PERFORMANCE INDICATORS

SEPTEMBER 2019

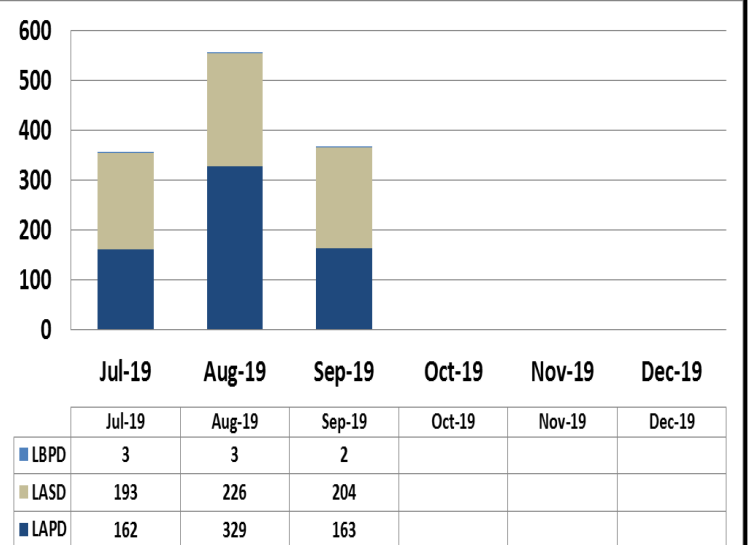
Ratio of Staffing Levels vs Vacant Assignments



Ratio of Proactive vs Dispatched Activity



Grade Crossing Operations



Grade Crossing Operation Locations September:

1. Blue Line Stations (123)
2. Expo Line Stations (83)
3. Gold Line Stations (163)

Transit Police

Monthly Crime Report



Attachment D

	2018	2019
	September	September
CRIMES AGAINST PERSONS		
Homicide	0	0
Rape	1	0
Robbery	24	16
Aggravated Assault	27	19
Aggravated Assault on Operator	2	1
Battery	53	75
Battery Rail Operator	6	4
Sex Offenses	8	8
SUB-TOTAL	121	123
CRIMES AGAINST PROPERTY		
Burglary	0	2
Larceny	57	47
Bike Theft	13	7
Motor Vehicle Theft	4	2
Arson	0	0
Other	0	0
Vandalism	18	10
SUB-TOTAL	92	68
CRIMES AGAINST SOCIETY		
Weapons	2	5
Narcotics	21	16
Trespassing	2	9
SUB-TOTAL	25	30
TOTAL	238	221
ENFORCEMENT EFFORTS		
Arrests	225	418
Citations	1,801	4,504
Fare Checks	311,142	37,198
Calls for Service	984	1,404



Metro

To provide excellence in service and support