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**Agenda - Final**

**Thursday, May 26, 2022**

**10:00 AM**

To give written or live public comment, please see the top of page 4

# Board of Directors - Regular Board Meeting

***Hilda L. Solis, Chair***
***Ara Najarian, 1st Vice Chair***
***Jacquelyn Dupont-Walker, 2nd Vice Chair***
***Kathryn Barger***
***Mike Bonin***
***James Butts***
***Fernando Dutra***
***Eric Garcetti***
***Janice Hahn***
***Paul Krekorian***
***Sheila Kuehl***
***Holly Mitchell***
***Tim Sandoval***
***Tony Tavares, non-voting member***

***Stephanie Wiggins, 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.

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

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

**DISCLOSURE OF CONTRIBUTIONS**

The State Political Reform Act (Government Code Section 84308) requires that a party to a proceeding before an agency involving a license, permit, or other entitlement for use, including all contracts (other than competitively bid, labor, or personal employment contracts), shall disclose on the record of the proceeding any contributions in an amount of more than $250 made within the preceding 12 months by the party, or his or her agent, to any officer of the agency, additionally PUC Code Sec. 130051.20 requires that no member accept a contribution of over ten dollars ($10) in value or amount from a construction company, engineering firm, consultant, legal firm, or any company, vendor, or business entity that has contracted with the authority in the preceding four years. Persons required to make this disclosure shall do so by filling out a "Disclosure of Contribution" form which is available at the LACMTA Board and Committee Meetings. Failure to comply with this requirement may result in the assessment of civil or criminal penalties.

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Upon request, sign language interpretation, materials in alternative formats and other accommodations are available to the public for MTA-sponsored meetings and events. All requests for reasonable accommodations must be made at least three working days (72 hours) in advance of the scheduled meeting date. Please telephone (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800) 252-9040.

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**323.466.3876**
**x2** *Español (Spanish)*
**x3** 中文 *(Chinese)*
**x4** 한국어 *(Korean)*
**x5** Tiếng Việt *(Vietnamese)*
**x6** 日本語 *(Japanese)*
**x7** русский *(Russian)*
**x8** Հայերէն *(Armenian)*

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

## Live Public Comment Instructions:

Live public comment can only be given by telephone.

The Board Meeting begins at 10:00 AM Pacific Time on May 26, 2022; you may join the call 5 minutes prior to the start of the meeting.

Dial-in: 888-251-2949 and enter
English Access Code: 8231160#
Spanish Access Code: 4544724#

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

## Instrucciones para comentarios publicos en vivo:

Los comentarios publicos en vivo solo se pueden dar por telefono.

La Reunion de la Junta comienza a las 10:00 AM, hora del Pacifico, el 26 de Mayo de 2022. Puedes unirte a la llamada 5 minutos antes del comienso de la junta.

Marque: 888-251-2949 y ingrese el codigo
Codigo de acceso en ingles: 8231160#
Codigo de acceso en espanol: 4544724#

***Los comentarios del público se tomaran cuando se toma cada tema. Para dar un comentario público sobre una tema ingrese # 2 (Tecla de numero y dos) cuando se le solicite. Tenga en cuenta que la transmisión de video en vivo se retrasa unos 30 segundos con respecto a la reunión real. No hay retraso en la línea de acceso telefónico para comentarios públicos.***

## Written Public Comment Instruction:

Written public comments must be received by 5PM the day before the meeting.
Please include the Item # in your comment and your position of “FOR,” “AGAINST,” "GENERAL COMMENT," or "ITEM NEEDS MORE CONSIDERATION."
Email: BoardClerk@metro.net
Post Office Mail:
Board Administration
One Gateway Plaza
MS: 99-3-1
Los Angeles, CA 90012

## CALL TO ORDER

## ROLL CALL

1. APPROVE Consent Calendar Items: 2, 5, 6, 7, 8, 10, 13, 17, 18, 25, 27, 29, 30, and 34.

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

All Consent Calendar items are listed at the end of the agenda, beginning on page 9.

**NON-CONSENT**

**3. SUBJECT: REMARKS BY THE CHAIR** 2022-0365

**RECOMMENDATION**

RECEIVE remarks by the Chair.

**4. SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER** 2022-0366

**RECOMMENDATION**

RECEIVE report by the Chief Executive Officer.

**PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):**

**9. SUBJECT: I-710 SOUTH CORRIDOR MOTION** 2022-0355

**RECOMMENDATION**

APPROVE Motion by Directors Hahn, Solis, Mitchell, and Dutra that:

Given that the 710 Task Force will very soon be finalizing the project's Vision Statement, Guiding Principles, and Goals, the Chief Executive Officer shall report back on the Task Force's recommendations for these project directives in June 2022 for Board consideration and approval.

Given the 710 Task Force's pending Vision Statement, Guiding Principles, and Goals, we, further direct that the 710 South Corridor Project shall be renamed, in consultation with the 710 Task Force and corridor stakeholders, in order to be more inclusive of the priorities and approaches that will be advanced in the future of this project, with attention to more than just the freeway, with a new name to be presented to the Board for consideration and approval in September 2022.

Given that capacity expansion freeway widening will not get support from Caltrans or the U.S. EPA, we adopt as Board policy that capacity expansion

freeway widening will no longer be in the project.

We, therefore, further direct the Chief Executive Officer to:

A. Develop and Implement a project Investment Plan, which:

   1. Incorporates feedback from the 710 Task Force and its Working Groups and Community Leadership Committee, the Corridor Cities, and the Gateway Cities Council of Governments, and community stakeholders;

   2. Aligns initiatives with funding opportunities, including:

      a. An Early Investment Plan for a minimum of three initiatives that will apply for available State and Federal funding opportunities in Calendar Year 2022; and

      b. A Mid- and Long-Term Investment Plan for initiatives that can reasonably apply for Federal and State funding opportunities in out years;

   3. Leverages applicable Measure R and Measure M funds to maximize deliverables and Federal and State funding matches;

   4. Provides a suite of major investments that can be completed no later than 2028;

   5. Identifies Federal funding opportunities that can be incorporated into the Infrastructure Investment and Jobs Act “Grants Strategy and 5-Year Implementation Plan” currently under development for presentation to the Metro Board;

B. Engage the California Department of Transportation and State Transportation Agency, California Air Resources Board, California Energy Commission, and the U.S. Departments of Energy and Transportation and U.S. Environmental Protection Agency, to develop guidance around the Mid- and Long-Term Investment Plan.

C. Engage city, county, and regional partners, including the South Coast Air Quality Management District and Los Angeles Cleantech Incubator, to organize and support local initiatives as part of the project’s Investment Plan; and

D. Report back in September 2022 on the development and implementation of this Investment Strategy, including the minimum of three initiatives applying for available State and Federal funding in Calendar Year 2022.

**FINANCE, BUDGET, AND AUDIT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):**

**15. SUBJECT: FISCAL YEAR 2023 (FY23) BUDGET** 2022-0243

**RECOMMENDATION**

CONSIDER:

A. ADOPTING the proposed FY23 Budget as presented in the budget document (provided in a separate transmittal and posted on metro.net <https://www.metro.net/about/financebudget/>);

1. AUTHORIZING $8.8 billion annual consolidated expenditures to achieve goals and objectives set forth by the Board adopted mission and goals; and

2. AUTHORIZING a total of 10,596 FTEs with 8,778 Represented FTEs and 1,818 Non-Represented FTEs; and

3. AUTHORIZING an average 3.5% performance-based merit increase for Non-Represented employees. The wage increases for Represented employees, in accordance with the pre-negotiated Collective Bargaining Agreements, is an average 3.5% (except for SMART); and

4. APPROVING the Life of Project (LOP) budgets for new capital projects; new capital projects with LOP exceeding $5.0 million are presented in Attachment A; and

5. AMENDING the proposed budget to include any Board approved actions currently under consideration, from now to the end of fiscal year (June 30, 2022); and

6. AMENDING the proposed budget by $3.2 million, taking it from $6.8 million to $10.0 million for Crenshaw Northern for a technical correction; and

B. APPROVING the Reimbursement Resolution declaring Metro's intention to issue debt in FY23 for capital projects, as shown in Attachment B, with the provision that actual debt issuance will require separate Board approval; and

C. APPROVING the addition of one new Non-Represented pay grade to alleviate the pay progression and maintain a consistent pay range from mid-point to mid-point as shown in Attachment E; and

D. APPROVING pay grade upgrade for the Board Clerk job classification.

***Attachments:*** Attachment A - FY23 New Capital Projects
Attachment B - FY23 Reimbursement Resolution
Attachment C - FY23 Public Outreach (Public Comments)
Attachment D - Public Inquiry and Board Follow-Ups
Attachment E - FY23 New Non-Represented Pay Grade
Presentation

**FINANCE, BUDGET, AND AUDIT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):**

**16. SUBJECT: PROPOSITION C BONDS** 2022-0114

**RECOMMENDATION**

ADOPT a Resolution (Attachment A) that authorizes the issuance and sale of up to $67 million in aggregate principal amount of the Proposition C Sales Tax Revenue Refunding Bonds in one or more series, and the taking all other actions necessary in connection with the issuance of the refunding bonds.

**(REQUIRES SEPARATE, SIMPLE MAJORITY BOARD VOTE)**

***Attachments:*** Attachment A - Authorizing Resolution

**35. SUBJECT: RESPONSE TO MOTION 24: POLICING ON THE METRO BUS AND RAIL TRANSIT SYSTEM** 2022-0288

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to:

A. RECEIVE and FILE the Safety Contingency Plan for Law Enforcement; and

B. DELEGATE authority to the Chief Executive Officer to take any and all actions necessary and appropriate to implement the contingency plan if the Los Angeles County Sheriff's Department (LASD) fails to meet its contractual obligations over the course of the next 12 months.

***Attachments:*** Attachment A - Motion 24

**END ON NON-CONSENT**

**36. SUBJECT: CLOSED SESSION** 2022-0367

A. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9(d)(1)
   1. Amir Golshani v. LACMTA, Case No. 20STCV00725
   2. Guadalupe Zamundio-Serafin v. LACTMA, Case No. 19STCV14421
   3. Mei Wong v. LACMTA, Case No. 19STCV43291
   4. Jobs To Move America v. New Flyer of America, Inc., Case No. 18STCV06276

B. Conference with Labor Negotiator - G.C. 54957.6
   Agency Designated Representative: Robert Bonner and Cristian Leiva, or designees.
   Employee Organization: SMART

**CONSENT CALENDAR**

**2. SUBJECT: MINUTES** 2022-0368

**RECOMMENDATION**

APPROVE Minutes of the Regular Board Meeting held April 28, 2022.

***Attachments:*** MINUTES - April 28, 2022 RBM
April 2022 Public Comments

**PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):**

**5. SUBJECT: MATCH REQUIREMENT FOR FEDERAL TRANSIT ADMINISTRATION LOW OR NO EMISSION PROGRAM AND BUSES & BUS FACILITIES PROGRAM GRANT APPLICATIONS** 2022-0239

**RECOMMENDATION**

APPROVE the programming of $108.79 million in state and local funds to commit local match for Metro's grant applications to the Federal Transit Administration (FTA) to procure up to 160 battery-electric buses and supportive charging infrastructure and for related workforce development activities, as detailed in the funding plan in Attachment A.

***Attachments:*** Attachment A - Funding Plan
Attachment B - Project Eligibility and Evaluation Criteria

**PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):**

**6. SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM ANNUAL UPDATE - NORTH COUNTY SUBREGION** 2022-0198

**RECOMMENDATION**

CONSIDER:

A. APPROVING:

1. programming of an additional $550,000 within the capacity of Measure M Multi-Year Subregional Program (MSP) - Active Transportation Program (Attachment A);

2. programming of an additional $3,449,000 within the capacity of Measure M MSP - Transit Program (Attachment B);

3. inter-program borrowing and programming of an additional $2,400,000 from the Subregion's Measure M MSP - Active Transportation Program to the Highway Efficiency Program (Attachment C); and

B. REPROGRAMMING of projects previously approved to meet environmental, design, right-of-way, and construction time frames; and

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

***Attachments:*** Attachment A - Active Transportation Program Project List
Attachment B - Transit Program Project List
Attachment C - Highway Efficiency Program Project List

**PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):**

**7. SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM UPDATE - SAN GABRIEL VALLEY SUBREGION** 2022-0234

**RECOMMENDATION**

CONSIDER:

A. APPROVING:

1. programming of an additional $150,000 within the capacity of Measure M Multi-Year Subregional Program (MSP) - Bus System Improvement

Program, (Attachment A);

2. programming of an additional $6,452,974 within the capacity of Measure M MSP - Active Transportation Program (Attachment B);

3. inter-program borrowing and programming of an additional $8,395,000 from Measure M MSP - Active Transportation and Highway Demand Based Programs to the First/Last Mile and Complete Streets Program (Attachment C); and

4. programming of $1,000,000 within the capacity of Measure M MSP - Highway Demand Based Program (Attachment E); and

B. REPROGRAMMING of projects previously approved in order to meet environmental, design, right-of-way, and construction time frames; and

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

***Attachments:*** Attachment A - Bus System Improvement Program Project List
Attachment B - Active Transportation Program Project List
Attachment C - First Last Mile and Complete Streets Program Project List
Attachment D - Highway Efficiency Program Project List
Attachment E - Highway Demand Based Program Project List

**PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):**

**8. SUBJECT: I-710 SOUTH CORRIDOR PROJECT** 2022-0100

**RECOMMENDATION**

CONSIDER:

A. Alternative 1, the “No Build” alternative, as the new Locally Preferred Alternative for the I-710 South Corridor Project Final Environmental Document; and

B. RECEIVING AND FILING overview of 710 Task Force and development of the I-710 South Corridor Investment Plan in place of the previous I-710 South Corridor Project.

***Attachments:*** Presentation

**PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):**

**10. SUBJECT: CAP-AND-TRADE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP)** 2022-0094

**RECOMMENDATION**

APPROVE the Resolution in Attachment A that:

A. AUTHORIZES the Chief Executive Officer (CEO) or their designee to claim $51,241,974 in fiscal year (FY) 2021-22 LCTOP grant funds for the Crenshaw/LAX Transit Corridor Operations Project and/or the Fareless System Initiative (FSI) Pilot;

B. CERTIFIES that Metro will comply with LCTOP certification and assurances and the authorized agent requirements; and

C. AUTHORIZES the CEO or their designee to execute all required documents and any amendment with the California Department of Transportation.

***Attachments:*** Attachment A - Resolution to Execute LCTOP Project

**FINANCE, BUDGET, AND AUDIT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):**

**13. SUBJECT: MANAGEMENT AUDIT SERVICES FY 2022 THIRD QUARTER REPORT AND AUDIT CHARTER** 2022-0251

**RECOMMENDATION**

CONSIDER:

A. RECEIVING AND FILING the Management Audit Services FY 2022 third quarter report; and

B. ADOPTING the Management Audit Services Audit Charter (Attachment B).

***Attachments:*** Attachment A - FY 2022 Third Quarter Report
Attachment B - MAS Audit Charter
Presentation

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):**

**17. SUBJECT: PS51220, ZEBGO PARTNERS, JOINT VENTURE, ZERO EMISSIONS PROGRAM MASTER PLAN** 2021-0814

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to:

A. EXECUTE Modification No. 8 with ZEBGO Partners, JV, to continue technical consultant services for the Zero Emission Bus (ZEB) Program Master Plan and as needed tasks for ZE implementation support at the cost-plus fixed fee price of $3,500,624, increasing the Contract value from $7,139,376 to $10,640,000 thus allowing for an 18 month period of performance extension from June 30, 2022 to January 1, 2024; and

B. INCREASE Contract Modification Authority by $350,062 for a total of $3,850,687 to facilitate the as needed tasks for ZE implementation support under Modification No. 8.

***Attachments:*** Attachment A - Board Motion 50
Attachment B - Procurement Summary
Attachment C - Contract Modification Change Order
Attachment D - DEOD Summary

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):**

**18. SUBJECT: GLASS REPLACEMENT AND INSTALLATION SERVICES** 2022-0185

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Modification No. 4 to Contract No. OP1405120003367 with Los Angeles Glass Company, Inc. for Glass Replacement, and Installation services in the amount of $1,440,000, increasing the contract four-year base authority from $2,795,911 to $4,235,911.

***Attachments:*** Attachment A - Procurement Summary
Attachment B - Contract Modification - Change Order Log
Attachment C - DEOD Summary

**CONSTRUCTION COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):**

**25. SUBJECT: LINK UNION STATION PROJECT** 2021-0773

**RECOMMENDATION**

APPROVE:

A. The California High Speed Rail Authority Project Management Funding Agreement (PMFA) in the amount of $423.335 million for the Link US Phase A Project and authorize the CEO to execute the Project Management Funding Agreement (PMFA) pursuant to Senate Bill 1029; and

B. A Partial Preconstruction Phase Life of Project Budget in the amount of $297.818 million, including $121.382 million for the new Preconstruction Work and $176.436 million for work previously approved by the Board since 2015.

***Attachments:***
Attachment A - CHSRA Final Resolution Link US Phase A PMFA
Attachment B - State DOF Proposition 1A Agreement Approval
Attachment C - Lifecycle of CMGC Project Delivery Method
Attachment D - Link US Partial Preconstruction LOP Budget
Attachment E - Motion and Board Report on Delegated LOP Authority
Presentation

**EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (6-0):**

**27. SUBJECT: METRO ADVISORY BODY COMPENSATION POLICY UPDATE** 2022-0090

**RECOMMENDATION**

CONSIDER:

A. APPROVING proposed amendments to the Metro Advisory Body Compensation Policy (ABC Policy) (Attachment A); and

B. DELEGATING authority to the CEO or their designee to amend the ABC Policy, with the exception of the advisory body tiers and respective compensation amounts, as-needed to implement the policy.

***Attachments:***
Attachment A - Amended Advisory Body Compensation Policy
Attachment B - File #: 2021-0509 Metro Advisory Body Compensation Policy
Attachment C - Metro Advisory Body Policy

**EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (6-0):**

**29. SUBJECT: SUBREGIONAL EQUITY PROGRAM GUIDELINES** 2020-0501

**RECOMMENDATION**

APPROVE guidelines for the use of the Subregional Equity Program funds (Attachment A).

***Attachments:*** Attachment A - Proposed Subregional Equity Program Guidelines
Attachment B - Motion 38.1

**EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (6-0):**

**30. SUBJECT: 48 BY '28: INCREASING SMALL AND DISADVANTAGED BUSINESS PARTICIPATION** 2022-0101

**RECOMMENDATION**

CONSIDER:

A. RECEIVING and FILING the report back to Motion 43 on a 48 by 2028 Policy Objective to Increase Small and Disadvantaged Business Participation; and

B. ADOPTING the Top 8 for 48 by '28 Plan.

***Attachments:*** Attachment A - Motion 43 (December 2, 2021 Board Meeting)

**34. SUBJECT: FINDINGS REQUIRED TO CONTINUE TO MEET VIA TELECONFERENCE IN COMPLIANCE WITH AB 361 WHILE UNDER A STATE OF EMERGENCY AND WHILE STATE AND LOCAL OFFICIALS CONTINUE TO PROMOTE SOCIAL DISTANCING** 2022-0369

**RECOMMENDATION**

CONSIDER making the following findings:

Pursuant to AB 361, the Metro Board, on behalf of itself and other bodies created by the Board and subject to the Ralph M. Brown Act, including Metro's standing Board committees, advisory bodies, and councils, finds:

The Metro Board has reconsidered the circumstances of the state of emergency, and that:

A. The state of emergency continues to directly impact the ability of the members to meet safely in person, and

B. State or local officials continue to impose or recommend measures to promote social distancing.

Therefore, all such bodies will continue to meet via teleconference subject to the requirements of AB 361.

**SUBJECT: GENERAL PUBLIC COMMENT** 2022-0370

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

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

Metro

# Board Report

**File #:** 2022-0243, **File Type:** Public Hearing **Agenda Number:** 15.

**REVISED**
**BUDGET PUBLIC HEARING**
**FINANCE, BUDGET AND AUDIT COMMITTEE**
**MAY 18, 2022**

**SUBJECT: FISCAL YEAR 2023 (FY23) BUDGET**

**ACTION: ADOPT THE FY23 BUDGET**

## RECOMMENDATION

CONSIDER:

A. ADOPTING the proposed FY23 Budget as presented in the budget document (provided in a separate transmittal and posted on metro.net <https://www.metro.net/about/financebudget/>);

1. AUTHORIZING $8.8 billion annual consolidated expenditures to achieve goals and objectives set forth by the Board adopted mission and goals; and

2. AUTHORIZING a total of 10,596 FTEs with 8,778 Represented FTEs and 1,818 Non-Represented FTEs; and

3. AUTHORIZING an average 3.5% performance-based merit increase for Non-Represented employees. The wage increases for Represented employees, in accordance with the pre-negotiated Collective Bargaining Agreements, is an average 3.5% (except for SMART); and

4. APPROVING the Life of Project (LOP) budgets for new capital projects; new capital projects with LOP exceeding $5.0 million are presented in Attachment A; and

5. AMENDING the proposed budget to include any Board approved actions currently under consideration, from now to the end of fiscal year (June 30, 2022); and

6. AMENDING the proposed budget by $3.2 million, taking it from $6.8 million to $10.0 million for Crenshaw Northern for a technical correction; and

B. APPROVING the Reimbursement Resolution declaring Metro's intention to issue debt in FY23 for capital projects, as shown in Attachment B, with the provision that actual debt issuance will require separate Board approval; and

C. APPROVING the addition of one new Non-Represented pay grade to alleviate the pay progression and maintain a consistent pay range from mid-point to mid-point as shown in Attachment E; and

D. APPROVING pay grade upgrade for the Board Clerk job classification.

**SOLIS AMENDMENT:** With that, I would like propose an amendment to this item that directs Metro staff to explore, if feasible, utilizing that excess $35 million for non-freeway purposes in the San Gabriel Valley.

I would like staff to report back in August on if and how that funding can be used to support non-freeway projects like bus lanes or even support some partner agencies like ACE.

## ISSUE

California Public Utilities Code Section 130105 requires Metro to adopt an annual budget to manage the revenues and expenses of the Agency's projects and programs. The budget is the legal authorization to obligate and spend funds and to implement Board policy. It includes all operating, capital, planning and programming, subsidy funds, debt service requirements, and general fund activities for the fiscal year. The legal level of control is at the fund level. Total annual expenditures cannot exceed the final appropriation by the Board at the fund level except for capital expenditures, which is authorized on a life of project basis.

Since February 2022, staff has provided a series of status updates on the FY23 Budget development process to the Board. Before kickoff to the budget development process, an extensive public outreach process was launched in October 2021 with the first of three telephone town halls to communicate the budget proposal and to collect public comments for consideration in the budget development. On May 3, 2022, the FY23 Proposed Budget in its entirety was made available to the public at www.metro.net <http://www.metro.net>, in printed copies through the Records Management Center (RMC) at RMC@metro.net <mailto:RMC@metro.net>, and on the plaza level of the Gateway building. The public hearing is scheduled on May 18, 2022. On April 21, 2022, advanced public notifications of the Budget Public Hearing were issued through advertisements posted in more than 10 news publications and in various languages.

## DISCUSSION

### Budget Summary

The proposed $8.8 billion budget for FY23 is balanced and centers on restoring and enhancing transit service back to pre-pandemic levels with a clear focus on the customer experience and resuming Metro's core business of planning, operations, and construction activities through an equity

lens. This year's budget started with early, improved and expanded public engagement and incorporated comments received through this process. Metro's budget, representing an 8.8% increase over FY22, is making more investments in core businesses.

Thanks to the American Rescue Plan Act (ARPA) one-time federal funding for the Metro Transit Program, the FY23 Proposed Budget can not only restore transit services to pre-pandemic levels but also enhance the customer experience through a cleanliness surge, reimagining public safety, and continue to make Bus/Rail improvements. However, FY23 represents the final year of Federal relief funding for COVID-19. By the end of FY23, Metro will consume all ARPA funding, and with no additional relief funding available, Metro will face immediate financial challenges in the short run, starting in FY24.

Also, in the FY23 Proposed Budget plan, Metro will continue to advance transportation by keeping transit assets in a state of good repair and progressing Measure R and M projects as several are moving into the construction phase while projects in the planning phase are moving towards shovel readiness for new transportation infrastructure projects. Funding will continue according to the forecasted economic recovery for local cities and operators under regional transportation activities.

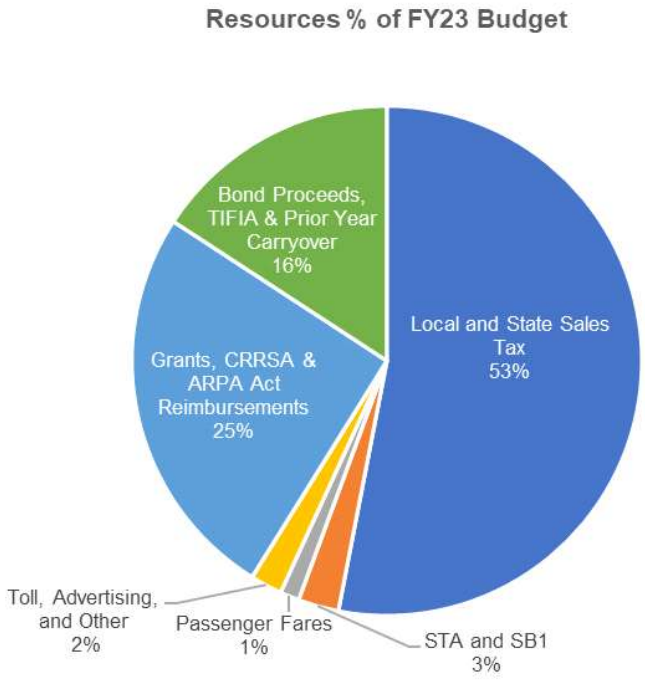
FY23 Budget Summary and Document can be accessed at:
<https://www.metro.net/about/financebudget/>

**Resources Summary**

The FY23 Proposed Budget ensures resources are available to meet the planned Metro program and project delivery schedules for the upcoming fiscal year. Revenue projections are based on the current socio-economic conditions such as the continuing impacts of the pandemic, economic growth projections in FY23, leading regional forecasting sources, and recent transit system usage. The total FY23 Proposed Budget planned resources are $8.8 billion which is 8.8% more than the FY22 Budget. The increase in sales tax revenues is based on the positive FY22 year to date actual receipt. Strong economic growth continues to rebound from the depths of the pandemic, the impacts of Federal stimulus funding on personal consumption and inflation have been the primary factors.

| | Resources ($ in millions) | FY22 Budget | FY23 Proposed | $ Change | % Change |
|---|---|---|---|---|---|
| 1 | Local and State Sales Tax | $ 3,892.5 | $ 4,643.1 | $ 750.6 | 19.3% |
| 2 | STA and SB1 | 127.8 | 225.6 | 97.8 | 76.5% |
| 3 | **Sales Tax and STA/SB1 Revenues Subtotal** | **$ 4,020.3** | **$ 4,868.7** | **$ 848.4** | **21.1%** |
| 4 | Passenger Fares | 73.2 | 106.5 | 33.3 | 45.5% |
| 5 | Toll, Advertising, and Other | 179.9 | 177.0 | (2.9) | -1.6% |
| 6 | **Operating & Other Revenues Subtotal** | **$ 253.1** | **$ 283.5** | **$ 30.4** | **12.0%** |
| 7 | Grant, CRRSA & ARPA Act Reimbursements | 1,857.5 | 2,216.8 | 359.3 | 19.3% |
| 8 | Bond Proceeds, TIFIA & Prior Year Carryover [1] | 1,909.3 | 1,382.3 | (527.0) | -27.6% |
| 9 | **Capital & Bond Resources Subtotal** | **$ 3,766.8** | **$ 3,599.2** | **$ (167.7)** | **-4.5%** |
| 10 | **Resources Total** | **$ 8,040.2** | **$ 8,751.4** | **$ 711.2** | **8.8%** |

[1] Represents use of Bond Proceeds and sales tax revenues received and unspent in prior years.
Note: Totals may not add up due to rounding.




## Expenditure Summary

The total proposed budget of $8.8 billion, is aligned with Board priorities of service restoration and enhancement, as well as improving the customer experience and public safety through an equity lens. Each program, function, and department budget were developed accordingly to reflect the new

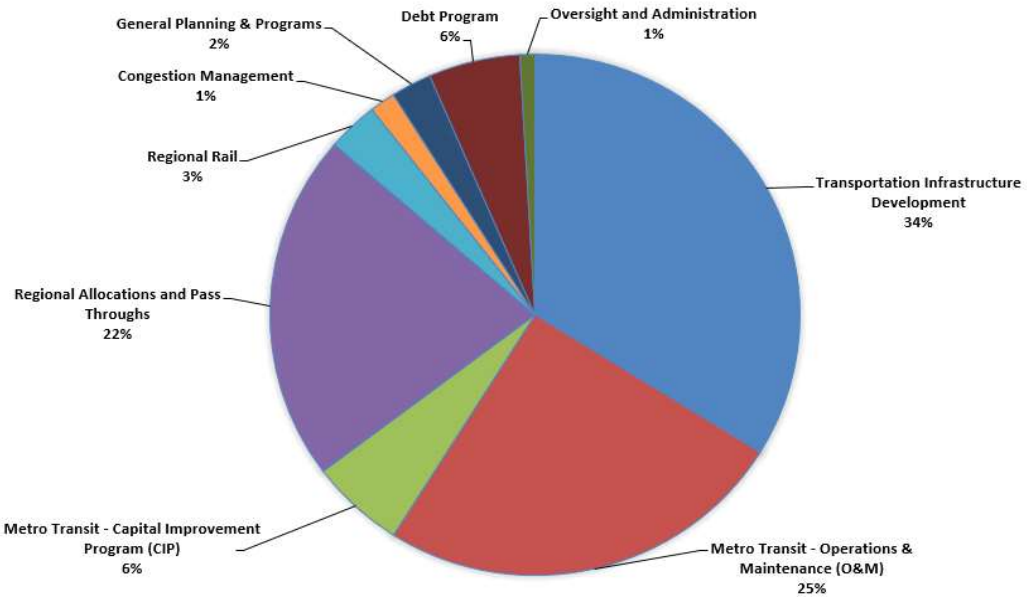
economic realities and progress on projects. The table below illustrates the expenditures by program type in FY23 Proposed Budget.

| | **Expenditures by Program Type** ($ in millions) | **FY22 Budget** | **FY23 Proposed** | **$ Change** | **% Change** |
|---|---|---|---|---|---|
| 1 | Transportation Infrastructure Development | $ 3,012.1 | $ 2,961.5 | $ (50.6) | -1.7% |
| 2 | Metro Transit | 2,558.3 | 2,704.9 | 146.6 | 5.7% |
| 3 | Metro Transit - Operations & Maintenance (O&M) | 2,067.1 | 2,198.8 | 131.7 | 6.4% |
| 4 | Metro Transit - Capital Improvement Program (CIP) | 491.2 | 506.1 | 14.9 | 3.0% |
| 5 | Regional Allocations and Pass Throughs | 1,380.9 | 1,888.8 | 507.9 | 36.8% |
| 6 | Regional Rail [1] | 233.0 | 273.3 | 40.3 | 17.3% |
| 7 | General Planning & Programs | 166.1 | 216.6 | 50.5 | 30.4% |
| 8 | Congestion Management | 104.4 | 137.1 | 32.7 | 31.3% |
| 9 | Debt Program | 515.6 | 489.2 | (26.4) | -5.1% |
| 10 | Oversight and Administration | 69.8 | 80.1 | 10.3 | 14.7% |
| 11 | **Total Proposed Budget** | **$ 8,040.2** | **$ 8,751.4** | **$ 711.2** | **8.8%** |

Note: Totals may not add up because of rounding.

[1] Metrolink's FY23 Proposed Budget is preliminary, pending the transmittal of Metrolink's official budget request.

**EXPENDITURE % OF FY23 PROPOSED BUDGET**



## Full-Time Equivalent (FTE) Summary

The FY23 Proposed FTE Budget includes a total of 10,596 FTEs, an increase of 246 FTEs from FY22. The 246 new additions consist of 98 Non-Represented FTEs and 148 Represented FTEs.

Non-Represented FTEs for FY23 total 1,818 including the addition of 98 new positions to service our core focuses: Customer Experience, Performance Management, Mega Project Management Model, and Valuing our People.

| | Agencywide FTEs | Customer Experience | Performance Management | Mega Project Mgmt Model | Valuing Our People | New Positions |
|---|---|---|---|---|---|---|
| 1 | **Chief Executive Office & Chief of Staff** | | 2 | | 3 | **5** |
| 2 | **Chief People Office** | 2 | | | 2 | **4** |
| 3 | **Chief Safety Office** | 4 | | | | **4** |
| 4 | **Customer Experience** | 10 | | | 2 | **12** |
| 5 | **Office of Innovation** | | | | 1 | **1** |
| 6 | **Operations** | 5 | 2 | | 1 | **8** |
| 7 | **Planning and Development** | | 12 | | | **12** |
| 8 | **Program Management** | | | 35 | | **35** |
| 9 | **Strategic Financial Management** | 2 | 7 | | 5 | **14** |
| 10 | **Board of Directors:** County Counsel, Ethics, Inspector General, & Office of Board Administration | | | | 3 | **3** |
| 11 | **Non-Represented** | **23** | **23** | **35** | **17** | **98** |

** Customer Experience encompass: CX Plan, Homeless Outreach, Reimagine Public Safety and Nextgen*

*** Performance Management include: Process Improvement, Risk Mitigation, Data Management*

Represented FTEs for FY23 total 8,778 including 148 new positions for cleaning programs, pre-revenue service operations, increasing efficiency and reliability of the transit system, and reimagining public safety by adding unarmed security personnel.

| | Agencywide FTEs | Cleaning Bus/Rail | K Line (Crenshaw/ LAX) | Regional Connector | Metro Micro | Nextgen | Reimagining Public Safety | New Positions |
|---|---|---|---|---|---|---|---|---|
| 1 | **Finance and Budget--TAP** | | **1** | | | | | **1** |
| 2 | **Operations** | **26** | **4** | **52** | **31** | **4** | | **117** |
| 3 | **Procurement and Supply Chain Management** | | **2** | | | | | **2** |
| 4 | **System Security and Law Enforcement** | | **3** | | | | **25** | **28** |
| 5 | **Represented** | **26** | **10** | **52** | **31** | **4** | **25** | **148** |

**Total of 56 Represented FTEs for Cleaning initiatives: 26 FTEs for Bus and Rail system and 30 FTEs to upkeep K Line (Crenshaw/LAX) and Regional Connector*

## Labor Summary

The FY23 Proposed Budget includes contract wage increases of an average of 3.5% according to the pre-negotiated Collective Bargaining Agreements with the represented union groups AFSCME,

ATU, TCU, and Teamsters. Collective bargaining for a new contract to begin in FY23 for SMART-represented employees is in progress. An average 3.5% performance increase is included for non-represented employees which will be distributed on a merit-based system.

Health and welfare benefits for represented employees are based on Collective Bargaining Agreements. Non-represented medical and dental benefits reflect the carrier contract rates previously approved by the Board.

**Life of Project (LOP) Budgets**

New capital projects with LOP budgets exceeding $5.0 million must be approved by the Board as separate Board actions.

Attachment A includes a detailed listing of new capital projects for FY23 with LOP in excess of $5.0 million. These new capital projects in the FY23 Proposed Budget include New Flyer/El Dorado Bus Midlife, Closed-Circuit Television (CCTV) System Upgrade, NextGen Cloud-Based Transit Signal Priority (TSP), Metro C (Green) Line Substation Replacement, Advanced Transportation Management System II, as well as other new State of Good Repair projects.

**Reimbursement Resolution**

Per Federal tax law, bond proceeds can only be used for capital expenditures incurred after the issuance of bonds. Metro must pass a resolution indicating the intent to issue bonds at a later date, in order to reimburse expenditures incurred prior to the bond issuance. See Attachment B for Reimbursement Resolution.

**Debt Program**

Debt financing is one of the budget tools Metro uses to help deliver projects. Debt issuance is authorized by applicable state and federal legislation and the local sales tax ordinances. The Board-adopted Debt Policy establishes parameters for the issuance and management of debt that follow best practices and set affordability limits.

Debt is not an additional source of revenue. It must be paid back with interest using existing funding sources, in most cases local sales tax revenues. However, it is a way to spread out over multiple years the impact of large spikes in capital costs. For this reason, most of Metro's large projects have utilized, or are expected to utilize debt during the construction phase to facilitate delivery.

As of July 2022, Metro has $5.5 billion of outstanding debt for previously completed and current on-going capital investments. The annual debt service cost in FY23 is estimated at $485.9 million, a decrease of 5% over last year, primarily due to the savings from Prop C refunding. In FY23, it is anticipated that Crenshaw/LAX, Airport Metro Connector, Westside D Line (Purple) Section 1,2, 3 & Division 20 Turnback and portal, Rail Infrastructure & Rail Cars procurement, East San Fernando Rapidway, Regional Surface Trans & Local Traffic System, and Rail to Rail, among other projects, will

utilize debt proceeds.

**Early, Improved & Expanded Public Engagement**

As an industry leader in equity, the CEO helped lay the groundwork for more equitable outcomes as Metro developed the FY23 Budget. The public engagement on the FY23 budget began early with Telephone Town Hall meetings in September 2021, October 2021, and March 2022. Over 11,000 callers, including Spanish callers, participated, and Metro's senior leadership was there to listen and respond to community concerns. In addition, Metro held stakeholder outreach meetings with 24 committees or councils participating.

This year, OMB collaborated with the Office of Equity and Race (OER), Communications, and Customer Experience to develop a budget survey. Metro targeted the equity focused and other communities throughout LA County via social media (Facebook, Twitter, NextDoor) and email lists. The budget survey received over 8,000 responses and over 4,100 written comments. OMB staff summarized the written comments, and per the CEO's direction they were used to initiate conversations between departments while developing their budgets. Budget survey results and other budgetary information are available on the new Metro budget portal at metrobudget.net.

The budget public hearing is legally required, pursuant to California PUC codes 130106 which states "*Notice of time and place of the public hearing for the adoption of the annual budget shall be published pursuant to Section 6061 of the Government Code, and shall be published not later than the 15th day prior to the date of the hearing."*

A summary of the public comments and stakeholder outreach efforts are shown in Attachment C.

Public interest increased in the FY23 Budget process since the kickoff. Various committee meetings, sub-committee meetings and stakeholder meetings brought about public inquiries and Board follow-up items. The 4 main items that surfaced were NextGen and Bus Capital Improvement project list, NextGen Bus Plan update, Reimagining Public Safety resource deployment details, and Bus Stop Shading "Shade for All" Campaign found in Attachment D.

**New Non-Represented Pay Grade**

The Non-Represented salary structure was last adjusted in July 2021. To support the addition of the Deputy Chief Officer job classifications, the Chief People Office will be adjusting the current salary structure by adding a pay grade between the current HCC and HDD. The current Pay Grade HCC will be renamed to HCC1 and will retain its current minimum, mid-point, and maximum values. The new pay grade will be called HCC2 and will be created by averaging the minimum, mid-point, and maximum values of Pay Grades HCC and HDD. There will be no salary adjustment to any current employees due to the addition of this pay grade. The proposed salary structure improves the pay progression and maintains a consistent spread from mid-point to mid-point between pay grades. After implementation, the pay progression between HCC1 and HCC2 will be 11% and the pay progression

between HCC2 and HDD will be 10%, which is consistent with the majority of the salary grades. The spread for each grade will be maintained at approximately 50%, which is consistent with all other pay grades in the structure. Please refer to Attachment E for more details.

**Board Clerk Pay Grade Upgrade**

As a result of the CEO's realignment, it is recommended that the Board Clerk position be upgraded from Pay Grade H1P to Pay Grade HAA for the following reasons:

- The addition of the Research Department to the Office of Board Administration, which includes the Dorothy Peyton Gray Research Library & Archive, the Records Management Center, and Systems/Electronic Records
- Board Administration staffing has more than doubled from 9 to 22 employees
- Board Administration budget has significantly increased from $500K to $2.3M

## EQUITY ASSESSMENT

Starting in the FY21 Mid-Year budget process, Metro has applied the Metro Budget Equity Assessment Tool (MBEAT) to its budget requests for operations costs and capital projects. With the launch of the Equitable Zero-Based Budgeting (EZBB) process for the FY23 budget, the MBEAT scope was significantly expanded to assess every budget request and capital project across the agency. The FY23 EZBB MBEAT was applied to nearly 1,300 budget requests and over 750 capital project budgets.

The FY23 EZBB MBEAT process also increased equity fluency amongst staff by challenging program and project managers to consider and articulate how seemingly neutral budget requests, such as bus midlife repair program funds, might impact marginalized groups and communities. The MBEAT continues to evolve through the iterative process of implementing equity at Metro, including how Metro defines and measures equity as well as how staff further understand and implement equity in their work.

To further prioritize equity through the FY23 budget process, OER provided four Equity Principles (1. Focus & Deliver, 2. Listen & Learn, 3. Define & Measure, 4. Train and Grow) to guide staff on how to advance equity under Metro's Equity Platform Framework. Staff were instructed to consider and prioritize projects, programs, and services that support the Equity Principles. Budget highlights that support these four principles were included in the FY23 Proposed Budget (pg. 12-15) earlier this month.

## DETERMINATION OF SAFETY IMPACT

This recommendation will not have an impact on safety standards at Metro.

## FINANCIAL IMPACT

The FY23 Proposed Budget (provided in a separate submittal) at $8.8 billion is balanced and appropriates the resources necessary to fund them. The proposed budget demonstrates Metro's ongoing commitment to meeting its capital and operating obligations, which is essential in receiving subsidies from federal and state governments and to administer regional transportation funding to local cities and municipal operators.

## IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation supports the following Metro Strategic Plan Goal:

Goal # 5: Provide responsive, accountable, and trustworthy governance within the Metro Organization.

## ALTERNATIVES CONSIDERED

The annual budget serves as the legal authority to obligate and spend funds. Failure to adopt the budget would severely impact Metro's stated goal of improving transportation in Los Angeles County.

## NEXT STEPS

Upon Board authorization and adoption of the FY23 Proposed Budget, Metro will make funds available for the planned transit and transportation programs outlined in this document and program funding to regional transit/transportation partnering agencies, cities and recipients.

Staff will closely monitor the financial situation and provide regular performance updates to the Board.

## ATTACHMENTS

FY23 Budget Summary and Document can be accessed at:
<https://www.metro.net/about/financebudget/>
Attachment A - FY23 New Capital Projects
Attachment B - Reimbursement Resolution of Metro for FY23
Attachment C - FY23 Public Outreach (Public Comments)
Attachment D - Public Inquiry and Board Requests
Attachment E - FY23 New Non-Represented Pay Grade

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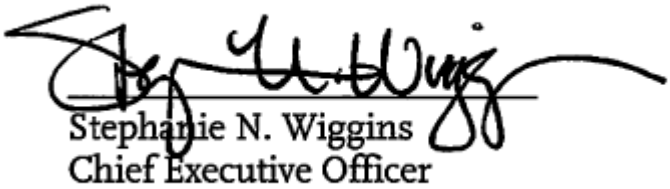

Stephanie N. Wiggins
Chief Executive Officer

**ATTACHMENT A**

# FY23 New Capital Projects

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**ATTACHMENT A**

# FY23 New Capital Projects

## Capital Improvement Program (CIP)

| | |
|---|---|
| 1 | PROJECT: New Flyer/El Dorado Bus Midlife |
| | PROJECT OWNER: Operations - Bus Maintenance |
| | LOP: $205,000,000 Budget Request: $37,842,100 |
| | SCOPE: The Bus Midlife Program provides preventive midlife maintenance service to Metro buses. The maintenance services provided include: engine package change-out, suspension and steering system rebuild, wheelchair securement and lift system retrofit, body repair, painting, interior refurbishment, and graffiti abatement. |
| | JUSTIFICATION: The Bus Midlife Program improves the safety, performance, and reliability of Metro buses. The buses in the Midlife program should be midlifed by the 7th or 8th year of service. The improved overall condition of the program's vehicles also helps to reduce ongoing maintenance costs and the amount of maintenance work performed at the Metro Bus Operating divisions. The program promotes the efficient use of Metro and Central Maintenance resources by having each bus series go through a planned production process in which labor, material and facilities are scheduled, versus reacting to unplanned problems as they arise. The planned maintenance program also enables Central Maintenance to manage demand for heavy bus repairs. |
| | ELIGIBLE FUNDING SOURCE: $17.3M Sec 5339 Bus and Bus Facilities Formula Grants. $20.8M TDA 4 |

| | |
|---|---|
| 2 | PROJECT: Advanced Transportation Management System II (ATMS) |
| | PROJECT OWNER: Operations - Bus Maintenance |
| | LOP: $117,000,000 Budget Request: $2,605,500 |
| | SCOPE: Improvement and modernization to the Advanced Transportation Management System (ATMS) program. The ATMS II program will deploy Metro's second generation ATMS using computer-aided dispatch (CAD) and automatic vehicle location (AVL) technologies to manage its fixed-route bus, light rail vehicle (LRV), and heavy rail vehicle (HRV) operations. ATMS II shall be fully integrated with Metro's IT and network environment. |
| | JUSTIFICATION: Metro's ATMS Bus Fleet Management system is over 20 years old and in need of replacement. The current hardware is obsolete and cannot be upgraded to meet current technology and fleet demands. |
| | ELIGIBLE FUNDING SOURCE: TDA Article 4 |

| | |
|---|---|
| 3 | PROJECT: Metro C (Green) Line Substation Replacement |
| | PROJECT OWNER: Operations - Rail Maintenance |
| | LOP: $98,500,000 Budget Request: $350,000 |
| | SCOPE: Replacement of C (Green) Line Traction Power Substations that have exceeded their useful life. |
| | JUSTIFICATION: The traction power substations are starting to age which is starting to create a challenge for Maintenance of Way (MOW) to keep them operational and maintain them in a state of good repair. New technology is reaching the market place making maintenance of the new traction power substations easier and more efficient. |
| | ELIGIBLE FUNDING SOURCE: Prop A 35% Bond Proceed |

| | |
|---|---|
| 4 | PROJECT: Metro B (Red) Line Vital Processor Upgrade |
| | PROJECT OWNER: Operations - Rail Maintenance |
| | LOP: $50,100,000 Budget Request: $300,000 |
| | SCOPE: Metro B (Red) Line Train Control Vital Processor Replacement and Track Module Upgrade. |
| | JUSTIFICATION: The Train Control Vital Processor and Track Modules are aging and starting to create a challenge for maintenance of way (MOW) to keep operational and in a state of good repair. The manufacturer notified Metro that some of the circuit boards will no longer be manufactured by the end of 2022 and others will be obsolete in the near future. |
| | ELIGIBLE FUNDING SOURCE: Prop A 35% Bond Proceed |

| | |
|---|---|
| 5 | PROJECT: P3010 Fleet Component Overhaul |
| | PROJECT OWNER: Operations - Rail Vehicle Maintenance |
| | LOP: $36,000,000 Budget Request: $520,000 |
| | SCOPE: Component Overhaul of the P3010 light rail vehicles as recommended by the manufacturer (Kinkyshario) to ensure safe and reliable operation of the rail vehicles. The manufacturer's component overhaul recommendations have been reviewed by the Rail Fleet Service Component Overhaul Project Team, Rail Fleet Services, Rail Vehicle Engineering and Consultants to determine the viability of this project. |
| | JUSTIFICATION: Component Overhaul of noted vehicle systems is recommended by the vehicle manufacturer (Kinkyshario) at the 600,000 mile interval. This project is in accordance with Metro's state of good repair principles and regulatory mandates to keep the fleet in a safe operating condition with good reliability. |
| | ELIGIBLE FUNDING SOURCE: PA 35% Cash |

| | |
|---|---|
| 6 | PROJET: Environmental Compliance Capital Project (FY23 - FY27) |
| | PROJECT OWNER: Program Management |
| | LOP: $35,000,000 Budget Request: $5,698,400 |
| | SCOPE: Effectuate upgrades to under/above ground storage tanks and other systems as identified by the State Water Board per the Consent Decree. Upgrade Meto operations systems as necessary to comply with various environmental regulatory bodies such as Air Quality Management District, State and Regional Water Resource Board and California Air Resources Board. Upgrade all Veeder Root systems with INCON monitoring systems. |
| | JUSTIFICATION: This is the next five-year segment of the capital investment to effectuate the environmental compliance as Metro operates its transit services. This project keeps Metro's storage tanks and appurtenances, HVAC systems, storm and waste water drainage systems, and other regulatory related equipment and/or systems in a state of good repair. |
| | ELIGIBLE FUNDING SOURCE: TDA Article 4, Green Fund 20% |

| | |
|---|---|
| 7 | PROJECT: Closed-Circuit Television (CCTV) System Upgrade |
| | PROJECT OWNER: Operations - Rail Maintenance |
| | LOP: $15,630,000 Budget Request: $500,000 |
| | SCOPE: Replacement of current CCTV (Closed-Circuit Television) System with a new Video Management System and replacement of local station video recorders and video cameras. |
| | JUSTIFICATION: This project will replace obsolete analog cameras, video recorders and network devices installed on rail lines, and the G (Orange) Line. There is a high failure rate on the obsolete analog cameras, video recorders, and related network devices. There are no replacement parts available for those obsolete parts. This project will replace CCTV system components (cameras, video recorders), selected network devices, and cables/wiring to build a more efficient and effective system. This system will meet current Federal and State safety and security requirements for public transit, and will provide improved real time visibility of the stations and wayside facilities for the Rail Operations staff and Rail Operations Control (ROC). |
| | ELIGIBLE FUNDING SOURCE: Prop A 35% Bond Proceed |

| 8 | PROJECT: NextGen Cloud-Based Transit Signal Priority (TSP) | |
|---|---|---|
| | PROJECT OWNER: Operations | |
| | LOP: $15,000,000 | Budget Request: $1,901,900 |
| | SCOPE: Replacement of the existing Transit Signal Priority (TSP) system which uses loop-based technology with transponders on the Metro Rapid arterial network. Metro in partnership with LADOT will replace the loop-based technology with implementation of a wireless cloud-based TSP system within the City of Los Angeles to support the NextGen Transit First Bus Plan. This project includes the development and implementation of an upgraded Wireless Cloud-Based Transit Signal Priority system, and the addition of 200 traffic signals to the wireless system on the NextGen Tier one Corridors in the City of Los Angeles. Upgraded software on over 2,000 Transit Metro buses, allowing them to communicate with the wireless cloud-based TSP systems along the NextGen Tier 1 Corridors within the City of Los Angeles. | |
| | JUSTIFICATION: LADOT's existing transit signal priority (TSP) system uses loop-based technology with transponders on the previous Metro Rapid arterial network. Metro in partnership with LADOT will replace the loop-based technology with the implementation of a wireless cloud-based TSP system within the City of Los Angeles. This project will develop a new cloud-based software, install a software upgrade on over 2,000 Metro buses to allow real-time bus locations to the cloud service and install ethernet communication equipment at 200 traffic signals and communication hubs. This project will enable the TSP function with a resilient traffic control communication system, improving the speed and schedule adherence of Tier One bus service. | |
| | ELIGIBLE FUNDING SOURCE: TDA Article 4 | |

| 9 | PROJECT: FY23 Non-Revenue Vehicle and Equipment Replacement | |
|---|---|---|
| | PROJECT OWNER: Operations - Central Maintenance | |
| | LOP: $13,700,000 | Budget Request: $500,000 |
| | SCOPE: This includes: trucks, vans, sedans, carts, forklifts, generators, hi-rail support vehicles, rail bound support vehicles, floor scrubbers, compressors, tractors, trailers, tow motors and other vehicles and equipment. This effort is agency-wide and includes all department vehicles and equipment. The vehicles and equipment being replaced have reached their useful life. | |
| | JUSTIFICATION: The vehicles identified for replacement have exceeded their useful life in age and mileage. They are in poor operating condition and are now scheduled for retirement. Further, the cost of repairs, downtime, safety, and the impact to support department’s ability to respond to repair/service activities reduces operational effectiveness. | |
| | ELIGIBLE FUNDING SOURCE: TDA Article 4 | |

| 10 | PROJECT: Core Server and Ticket Vending Machine Upgrade |
|---|---|
| | PROJECT OWNER: Strategic Financial Management |
| | LOP: $13,300,000 Budget Request: $2,000,000 |
| | SCOPE: Update the current version of software and equipment of the Univeral Fare System (UFS), remediate the TAP systems software versions reaching end of life as well as addressing PCI Compliance requirements. |
| | JUSTIFICATION: The current equipment and software for the UFS are at end of life and are no longer supported by vendors. The project is to update the current version of software and equipment, refresh and introduce major new components such as a new version of the certified payment gateway, a new Merchant Acquirer. Other components to upgrade include various software, the single board computer on TVMS, PIN pads on Ticket Vending Machines (TVMs), the DIP reader, Windows OS for TMVs and security and monitoring systems. Failing to update the equipment and software may render the system unable to perform transactions at an acceptable rate, impact Metro's ability to process payment via credit and debit cards, and to remain PCI compliant. |
| | ELIGIBLE FUNDING SOURCE: TDA Article 4 and PC 40% |

| 11 | PROJECT: Light Rail Protective Relay |
|---|---|
| | PROJECT OWNER: Operations - Rail Maintenance |
| | LOP: $12,600,000 Budget Request: $294,100 |
| | SCOPE: Upgrade and replacement of light rail substation protective relays. |
| | JUSTIFICATION: The existing protective relays are 10 to 20 years old. Spare parts for some of the oldest relays are no longer available. These protective relays are safety sensitive devices required for safe and reliable service. |
| | ELIGIBLE FUNDING SOURCE: Prop A 35 Bond proceed |

| 12 | PROJECT: Union Station Gateway (USG) Building Complex Drainage Pipe Replacement |
|---|---|
| | PROJECT OWNER: Facilities Maintenance |
| | LOP: $11,260,000 Budget Request: $340,000 |
| | SCOPE: Replacement of all Union Station Gateway (USG) building complex's drainage piping (Plaza Level 4 - 28th floor) including sewer, storm and overflow piping positioned horizontally or vertically. |
| | JUSTIFICATION: The sewer, storm & overflow drainage piping throughout the USG complex are original to the facility and in the last few years have needed emergency repairs due to cracks and breakage which have resulted in substantial costs and loss of operating time. This piping replacement will help ensure many additional years of uninterruptible operation. This will also avoid periodic down time and it will mitigate breakdowns and emergency repair costs. |
| | ELIGIBLE FUNDING SOURCE: PC 40% Cash |

| 13 | PROJECT: Metro A Line (Blue) Train Control Non-Vital Relay Replacement |
|---|---|
| | PROJECT OWNER: Operations - Rail Maintenance |
| | LOP: $11,100,000 Budget Request: $200,000 |
| | SCOPE: This project will obtain an outside consultant to evaluate the existing non-vital relay systems used throughout the transit agency. The consultant will generate a biddable scope of work to implement required or recommended changes to the existing non-vital system. Once the biddable package is complete, this project will go out for bid and a contract will be awarded. After the contract is awarded, the project manager will execute and implement the contract. |
| | JUSTIFICATION: The non-vital relays associated with the train control system are starting to age and are beginning to reach obsolescence. Some components are no longer supported by the original equipment manufacturer. This project will keep the non-vital relay system current with the latest technologies related to non-vital relay systems. Failure of existing parts will cause delays and may impact service reliability, passenger safety, and comfort. |
| | ELIGIBLE FUNDING SOURCE: Prop A 35% Bond Proceed |

| 14 | PROJECT: A650 Low Voltage Power Supply and Friction Brake Overhaul |
|---|---|
| | PROJECT OWNER: Operations - Rail Vehicle Maintenance |
| | LOP: $11,000,000 Budget Request: $1,500,000 |
| | SCOPE: Component overhaul program for the heavy rail A650 fleet addressing next cycle overhauls of the following systems: coupler, friction brake, gearbox, and includes procurement of new static converter equipment. |
| | JUSTIFICATION: The friction brake/air compressor and coupler overhauls are replaced on a time based (5 year) interval as mandated by the car builder and California Public Utilities Commission (CPUC) regulations. The gearbox overhaul is mileage based targeting replacement at 600,000 miles. The static converters cannot be repaired due to parts obsolescence. |
| | ELIGIBLE FUNDING SOURCE: Prop A 35% Bond Proceed |

| 15 | PROJECT: Countywide Transit Signal Priority (TSP) Upgrade and Expansion |
|---|---|
| | PROJECT OWNER: Operations |
| | LOP: $10,620,000 Budget Request: $4,114,896 |
| | SCOPE: Countywide Wireless Transit Signal Priority Improvement and Expansion Project to install, replace and improve the existing wireless transit signal priority infrastructure at 367 intersections in the Los Angeles County area outside of the City of Los Angeles. |
| | JUSTIFICATION: This is a NextGen project to improve the speed and reliability of Metro services. Metro and other municipalities have installed a wireless transit signal priority system on select corridors outside of the City of Los Angeles. The NextGen Transit First Service Plan introduces an expanded number of high-frequency bus corridors that will require transit signal priority at additional intersections to achieve increased service speeds. Increasing the number of intersections with transit signal priority on high-frequency corridors will reduce travel time for buses as they significantly reduce dwell times for buses at signalized intersections. This project will allow Metro and municipal bus operators to operate faster and more efficient service. |
| | ELIGIBLE FUNDING SOURCE: TDA Article 4 |

| 16 | PROJECT: Rail Communication System UPS and Battery Replacement |
|---|---|
| | PROJECT OWNER: Operations - Rail Maintenance |
| | LOP: $10,300,000 Budget Request: $1,100,000 |
| | SCOPE: Replace obsolete Uninterrupted Power Supply (UPS) units and batteries on Metro rail communications system facilities (rooms, cabinets, buildings) system-wide. |
| | JUSTIFICATION: The replacement of UPS units and batteries for the Metro rail system is necessary to maintain the system in a state of good repair. The battery chargers for the Metro rail system are at the end of their useful life. Replacement of batteries/battery charger units and UPS units ensure trains will remain fully operational without interruption to rail service. |
| | ELIGIBLE FUNDING SOURCE: Prop A 35% Bond Proceed |

| 17 | PROJECT: Emergency Power Replacement |
|---|---|
| | PROJECT OWNER: Operations - Rail Maintenance |
| | LOP: $10,100,000 Budget Request: $450,000 |
| | SCOPE: Improve and replace emergency power and lighting at light rail stations. |
| | JUSTIFICATION: The existing emergency systems consists of emergency lights & Uninterrupted Power Supplies (UPS). These emergency lights are 10 to 20 years old, not reliable, and require intensive maintenance for proper functioning. |
| | ELIGIBLE FUNDING SOURCE: Prop A 35% Bond Proceed |

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|---|---|
| 18 | PROJECT: Division 1 Street Closure |
| | PROJECT OWNER: Program Management |
| | LOP: $9,500,000 Budget Request: $1,169,500 |
| | SCOPE: Remove the existing street and sidewalk currently bi-secting Division 1 Bus Facility. Relocate utilities and replace the street to match existing Division 1 hardscape. |
| | JUSTIFICATION: The proposed action addresses both an operational necessity and a legal obligation pursuant to the Public Streets, Highways and Service Easements Vacation Law. The City of Los Angeles has completed its review of Metro's application for the Industrial Street Vacation between Alameda Street and Central Avenue (within the Division 1 Bus Facility). In July 2021, the City of LA proposed that for Metro paying the bike/ATP improvements from Alameda to Kohler Street, the City of Los Angeles would waive BOE Report Conditions 5, 6, 12, and 13 as Metro acquires Industrial Street as private driveway. Those conditions were part of the permit the City granted Metro to close Industrial Street. The permit is good for two years and one year has passed since Metro received the permit.<br><br>This project increases efficiency by combining Division 1 Bus Facility parcels that are physically separated by Industrial Street. This increases efficiency at the division and provides safe movement for staff, buses and equipment between two separate parcels on either side of the city street. |
| | ELIGIBLE FUNDING SOURCE: TDA Article 4, PC 25% |

| | |
|---|---|
| 19 | PROJECT: Metro L (Pasadena Gold) Line Weight Poles and Air Brakes |
| | PROJECT OWNER: Operations - Rail Maintenance |
| | LOP: $9,200,000 Budget Request: $960,000 |
| | SCOPE: Replacement of Overhead Catenary Systems (OCS) parts/materials - weight stacks with spring tension unit and air brakes with section insulators. |
| | JUSTIFICATION: The existing L (Pasadena Gold) Line Overhead Catenary Systems (OCS) poles are short and cannot maintain proper tension on OCS contact wires during hot weather, causing trains to slow down, mitigating pantograph entanglement. These weight stacks need to change to spring tension units, enabling them to handle hot weather. Additionally, air brake system contact cables are sagging during high temperatures and require new section insulators to improve safety and reliability. |
| | ELIGIBLE FUNDING SOURCE: Prop A 35% Bond Proceed |

| | |
|---|---|
| 20 | PROJECT: Metro B (Red) Line SEG-3 Supervisory Control and Data Acquisition (SCADA) System Equipment Replacement |
| | PROJECT OWNER: Operations - Rail Maintenance |
| | LOP: $8,300,000 Budget Request: $100,000 |
| | SCOPE: Replacement of Metro Rail SCADA systems including Fire/Emergency Management (FEM) Programmable Logic Controllers (PLC) and Local Emergency Management Panels (EMP). |

| |
|---|
| JUSTIFICATION: The majority of the Metro B (Red) Line Segment 3 equipment is obsolete and spare parts are no longer available. Equipment is Fire/Life/Safety critical and must be replaced. |
| ELIGIBLE FUNDING SOURCE: Prop A 35% Bond Proceed |

| | |
|---|---|
| 21 | PROJECT: LA Union Station Electrical System Upgrade |
| | PROJECT OWNER: Planning |
| | LOP: $6,325,000 Budget Request: $725,000 |
| | SCOPE: Construct a new Vault 5 to step down existing 5Kv power to lower voltage to increase accessibility to adequate power for future development such as Forecourt/Esplanade, Link US and tenants/events, upgrade existing 25 year old Electrical Vaults 1-4 switchgear, fuse disconnects, and downstream equipment. These improvements will increase equipment life expectancy and mitigate the risk of station-wide power system failure. |
| | JUSTIFICATION: High risk mitigation and to prevent potentially catastrophic power failures. |
| | ELIGIBLE FUNDING SOURCE: PC 40% Cash |

| | |
|---|---|
| 22 | PROJECT: Maintenance of Way (MOW) Vehicles and Equipment - Replacement & Expansion |
| | PROJECT OWNER: Operations - Rail Maintenance |
| | LOP: $6,100,000 Budget Request: $100,000 |
| | SCOPE: This project is for the expansion and replacement of MOW non-revenue vehicles and equipment. This project includes vehicles and equipment for the Track Maintenance, Signals, Rail Communications and Signals Departments. |
| | JUSTIFICATION: These Maintenance of Way vehicles and equipment have exceeded their useful life in age and mileage, or are in poor operating condition and are now scheduled for retirement. Replacement and expansion vehicles/equipment are critically needed to efficiently address any MOW activities on the various Metro rail lines. |
| | ELIGIBLE FUNDING SOURCE: Prop A 35% Bond Proceed |

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|---|---|
| 23 | PROJECT: Metro G (Orange) Line Communication Transmission System (CTS) Nodes Replacement |
| | PROJECT OWNER: Operations - Rail Maintenance |
| | LOP: $5,650,000 Budget Request: $1,100,000 |
| | SCOPE: Replacement of the Metro G (Orange) Line Communication Transmission System (CTS) Nodes including UPS upgrades, cabling, wiring installation, HVAC cooling, and integration with the Rail CTS Network. |
| | JUSTIFICATION: Existing CTS nodes are no longer supported by the vendor and there are no spare parts or technical support available. Replacing with standard Fujitsu CTS nodes similar to one used in rail communications system. Unification will reduce spare parts cost, maintenance cost, and training costs. |
| | ELIGIBLE FUNDING SOURCE: Prop A 35% Bond Proceed |

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|---|---|
| 24 | PROJECT: Metro L (Gold) Line ElectroCode 5/Vital Harmon Logic Processor Upgrade |
| | PROJECT OWNER: Operations - Rail Maintenance |
| | LOP: $5,580,000 Budget Request: $150,000 |
| | SCOPE: Replacement of vital processors and track circuit equipment that control the gate grade crossing and interlocking of the switch machine on Metro L (Gold) Line with like equipment. |
| | JUSTIFICATION: The ElectroCode 5/ Vital Harmon Logic Control (EC5/VHLC) equipment is at the end of its useful life. The replacement of equipment is required for continued rail operations processes. VHLC controls grade crossing gates and interlocking switch machines. |
| | ELIGIBLE FUNDING SOURCE: Prop A 35% Bond Proceed |

**Transportation Infrastructure Development (TID)**

| | |
|---|---|
| 1 | PROJECT: Beverly Hills North Portal |
| | PROJECT OWNER: Program Management - Purple Line Extension Section 2 |
| | LOP: $29,250,000 Budget Request: $0 |
| | SCOPE: This project will provide the funding necessary to assist the City of Beverly Hills in designing and constructing a new half-portal at the future Wilshire Rodeo Station of the Purple (D Line) Extension Section 2 Project. Upon completion, this new half-portal will consist of stairs, one “up” escalator, and two elevators located on the west side of North Beverly Drive in the City of Beverly Hills, within the existing street and sidewalk right-of-way, north of Wilshire Boulevard. The footprint will be approximately 9,200 square feet and extend from Wilshire Boulevard approximately 165 feet north up North Beverly Drive. The adjacent sidewalk on the west side of Beverly Drive will be widened. |
| | JUSTIFICATION: This project satisfies the terms and conditions set forth in a Settlement Agreement executed by and between LA Metro and City of Beverly Hillson November 10, 2020. The Agreement requires Metro to assist the City in designing and constructing a new half portal to the future Wilshire/Rodeo Station (One of the Stations on Metro’s Purple “D” Line Extension) on the north side of Wilshire Boulevard, also known as the “City’s Project”, and contributing up to 50% of the Agreement’s total not to exceed $78,500,000 inclusive of all in-kind services and funding contributions. (FY23 cashflow, if required, will be addressed through WPLE Section 2; LOP required for multiyear encumbrance transactions.) |
| | ELIGIBLE FUNDING SOURCE: MR 35% Transit |

| | |
|---|---|
| 2 | PROJECT: Regional Connector Catch-All |
| | PROJECT OWNER: Program Management |
| | LOP: $10,000,000 Budget Request: $10,000,000 |
| | SCOPE: Claims management and smaller scale task orders and efforts to wrap up the main project. |
| | JUSTIFICATION: As the main Regional Connector project reaches substantial completion, smaller task orders become apparent to neatly wrap up the project. Rather than engaging the original contractor to provide the task order work, Metro can benefit from having a different contractor engaged in smaller work orders. |
| | ELIGIBLE FUNDING SOURCE: MR 35% Transit |

**DRAFT**

**ATTACHMENT B**

REIMBURSEMENT RESOLUTION

OF THE

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

FOR FISCAL YEAR 2023

WHEREAS, the Los Angeles County Metropolitan Transportation Authority (the "Metro") desires and intends to finance certain costs relating to (i) the design, engineering, construction, equipage and acquisition of light rail lines including the Crenshaw/LAX Transit Corridor project ; (ii) the design, engineering, construction, equipage and acquisitions for the Rail and Bus State of Good Repair Program including station improvements and rail gating installations; (iii) the design, engineering, construction, equipage related to Purple Line Extension Sections 1, 2, and 3; (iv) the engineering, construction, renovation, maintenance, and/or acquisition of various capital facilities and equipment, including buses and rail cars, related to service operation; (v) the engineering, construction, renovation, maintenance, and/or acquisition of various highway/surface transportation assets; and (vi) other transit related projects (each a "Project" and collectively, the "Projects");

WHEREAS, to the extent that federal and/or state grant funding budgeted to be received during FY22 is delayed or reduced, the Los Angeles County Metropolitan Transportation Authority desires and intends to finance certain costs relating to the Projects;

WHEREAS, Metro expects to issue debt through the issuance of tax-exempt bonds to pay for these expenditures, each bond issue will have its own separate security source, Proposition A, Proposition C, Measure R and Measure M sales tax revenues, respectively, or grant revenues to finance the costs of the Projects on a permanent basis (the "Debt");

WHEREAS, Metro expects to expend moneys of the Enterprise Fund (other than moneys derived from the issuance of bonds) on expenditures relating to the costs of the Projects prior to the issuance of the Debt, which expenditures will be properly chargeable to a capital account under general federal income tax principles;

WHEREAS, Metro reasonably expects to reimburse certain of such capital expenditures with the proceeds of the Debt;

WHEREAS, Metro expects that the amount of Debt that will be issued to pay for the costs of the Projects will not exceed $200.0 million for Proposition A, $100.0 million for

Proposition C, $100.0 million for Measure R, $350.0 million for Measure M and $100 million for grant revenues.

WHEREAS, at the time of each reimbursement, Metro will evidence the reimbursement in writing, which identifies the allocation of the proceeds of the Debt to Metro, for the purpose of reimbursing Metro for the capital expenditures made prior to the issuance of the Debt;

WHEREAS, Metro expects to make reimbursement allocations no later than eighteen (18) months after the later of (i) the date on which the earliest original expenditure for the Project is paid or (ii) the date on which the Project is placed in service (or abandoned), but in no event later than three (3) years after the date on which the earliest original expenditure for the Project is paid;

WHEREAS, Metro will not, within one (1) year of the reimbursement allocation, use the proceeds of the Debt received by way of a reimbursement allocation in a manner that will result in the creation of replacement proceeds of the Debt or another issue (e.g., Metro will not pledge or use the proceeds received as reimbursement for the payment of debt service on the Debt or another issue, except that the proceeds of the Debt can be deposited in a bona fide debt service fund); and

WHEREAS, this Resolution is intended to be a "declaration of official intent" in accordance with Section 1.150-2 of the Treasury Regulations.

NOW THEREFORE, BE IT RESOLVED, that (i) all of the foregoing recitals are true and correct and (ii) in accordance with Section 1.150-2 of the Treasury Regulations, Metro declares its intention to issue Debt in an amount not to exceed $200.0 million for Proposition A, $100.0 million for Proposition C, $100.0 million for Measure R, $350.0 million for Measure M and $100 million for grant revenues; the proceeds of which will be used to pay for the costs of the Projects, including the reimbursement to Metro for certain capital expenditures relating to the Projects made prior to the issuance of the Debt.

# FY23 Proposed Budget - Summary of Public Comments

## Public Engagement Tactics

The FY23 Proposed Budget Public Engagement effort began in Fall 2021, prior to the start of the budget development process to ensure community, stakeholder, and rider feedback was incorporated to the greatest extent possible. Under the direction of the CEO, expanded and strategic public engagement for the FY23 Proposed Budget was comprised of several different tactics for obtaining a broad range of stakeholder input. Below is a listing of the engagement tactics employed: Telephone Town Hall (TTH) meetings, a budget survey that allowed written open-ended comments to be submitted, an email address for comment submittal, an increased schedule of stakeholder and public engagement meetings, and an online Budget portal where interested parties can visit to obtain information on the budget development schedule, public meeting times and locations, survey results, past budget documents and current reports as presented to the Board.

| **September 2021 – May 2022** | |
|---|---|
| **Public Engagement** | **FY23 Participation** |
| Telephone Town Hall #1 - *September 2021* | 4,025 |
| Telephone Town Hall #2 - *October 2021* | 3,763 |
| Telephone Town Hall #3 - *March 2022* | 3,412 |
| Budget Survey Responses | >8,000 |
| Budget Survey Comments | >4,300 |
| Budget Portal Visits – metrobudget.net | >7,000 (as of May 15, 2022) |
| Email Blasts | >300,000 |
| Stakeholder & Public Engagement Meetings | 24 |

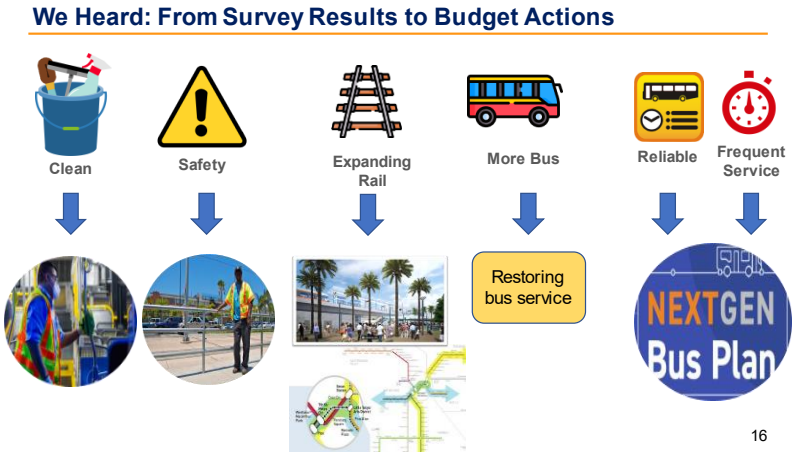
## Incorporating Feedback

Overall, the key areas of concern in the feedback received included: transit system cleanliness, system safety, rail expansion, and bus service levels including issues related to service reliability and frequency. Based on the public comments received, the proposed budget includes resources for initiatives that seek to address these issues.

For example, to improve system cleanliness, the budget includes funding to implement a cleaning surge on the bus and rail system comprised of accelerating replacement of fabric seats with vinyl throughout the system, power washing hot-spot areas, and instituting enhanced bus interior and end-of-line rail car cleaning. Safety is also a major priority in the proposed budget and proposes funding for Metro's Reimagining Public Safety initiative which will double the Transit Ambassador Program, expand the current unhoused outreach efforts including mental health assistance, and add 15 unarmed security officers to the system.

The proposed budget also includes the anticipated opening of the Crenshaw/LAX and Regional Connector rail projects, funding for the development and construction of

several rail lines that expand the Metro Rail system including Westside Subway Extension (Sections 1, 2 & 3), Airport Metro Connector, Foothill Extension in East San Gabriel Valley, East San Fernando Valley Line, West Santa Ana Branch and the Sepulveda Transit Corridor. To increase bus service levels, the budget includes funding that restores bus service hours to pre-pandemic levels. In addition, the budget proposes resources to continue implementation of NextGen capital improvements that enhance service reliability and frequency by constructing bus priority lanes, installing fare collection equipment to support all-door boarding and give traffic signal preference to Metro buses traveling in priority lanes.

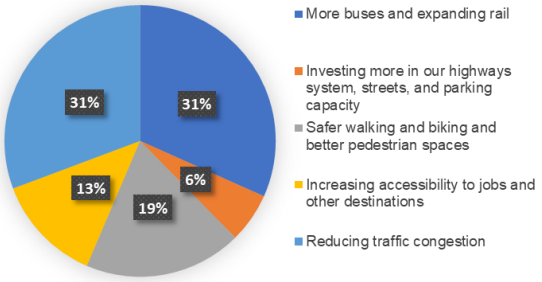



## Telephone Town Hall (TTH)

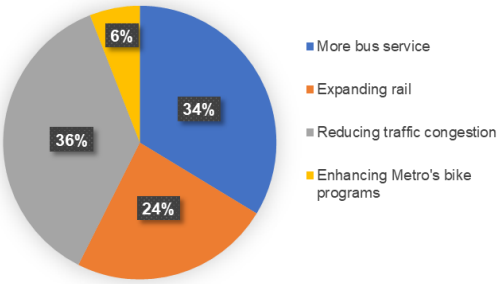
This year, three TTH meetings were conducted (September 2021, October 2021, and March 2022) with the first two held early to listen directly from the public and to provide guidance on developing Metro's FY23 budget. Recordings of these TTH meetings are available on the Budget Portal. The third TTH was held in March, as a circle back to inform the public on what Metro heard and how their comments have been addressed in this upcoming budget. With opening remarks by the Metro Board Chair, and hosting by the Chair of the Finance, Budget & Audit Committee, our CEO and her entire senior leadership participated in each TTH. As the budget development progressed, each leader was requested to reflect how, and in what ways, they considered public comments in their departmental budgets. The TTH was available in Spanish and included a total of over 11,000 participants, including over 700 Spanish listeners.

The following polling results are the combined responses from the September and October TTHs:

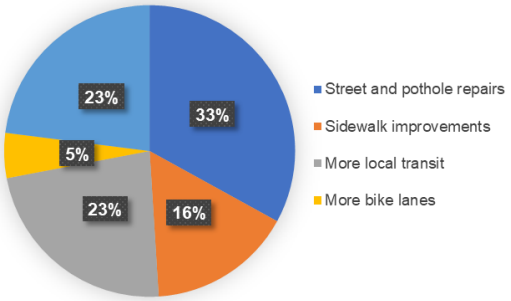
**What is your top regional transportation priority?**



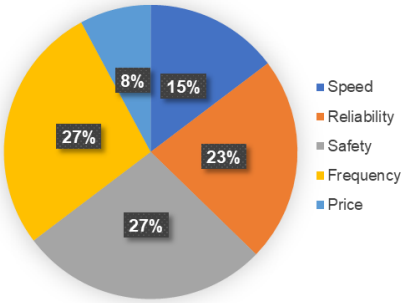

**Please choose your top transit priority.**




**What type of improvement project would you find most useful?**

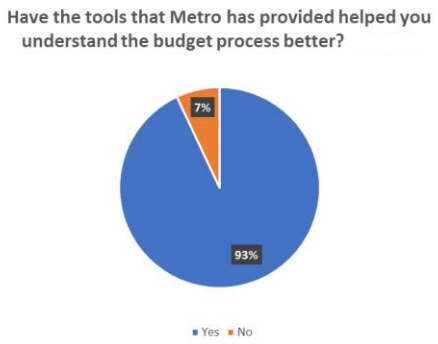


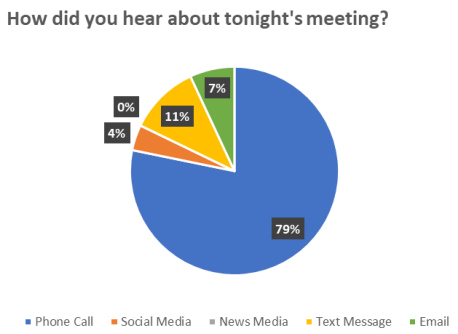

**Of the 5 categories, please select what is most important to you.**




The priorities reflected in the TTH comments are similar to those received through the budget survey. However, while the same priorities were echoed in both forums, there were a broad range of opinions on how to achieve these priorities. One of the lessons learned from the TTH is that while phone calls and texts were the best way to reach our riders for these events, Metro will seek to increase scope and frequency of messaging to continue to expand public participation. Metro also learned that most of our attendees at the TTH have found our methods to be successful in our mission of informing and educating the public. Metro will continue to improve and expand outreach efforts.

The following polling results are the responses from the March 29, 2022 TTH:



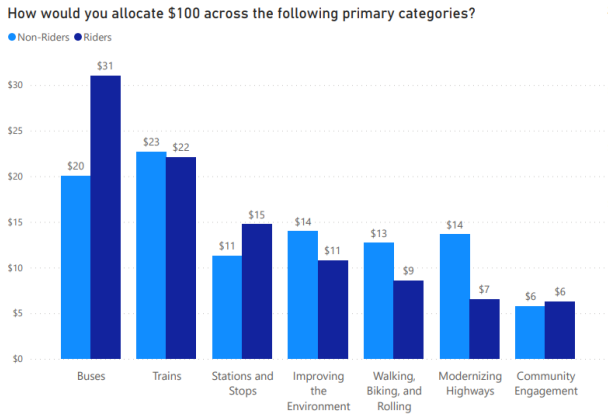



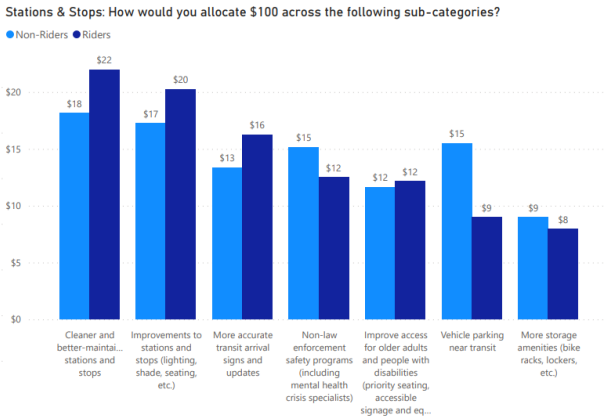

## FY23 Budget Survey

In a collaborative effort between OMB, the Office of Equity and Race, Communications, and Customer Experience, a new survey was developed and launched in early January 2022 with the goal of engaging customer and key stakeholders early in the budget development process. The effort was made to enhance budget outreach so that Metro's budget reflects the priorities and values of riders and key stakeholders. Additionally, Metro targeted our equity focused communities throughout LA County via social media (Facebook, Twitter, NextDoor) and email lists. The new budget survey received over 8,000 responses and more than 4,100 written comments.

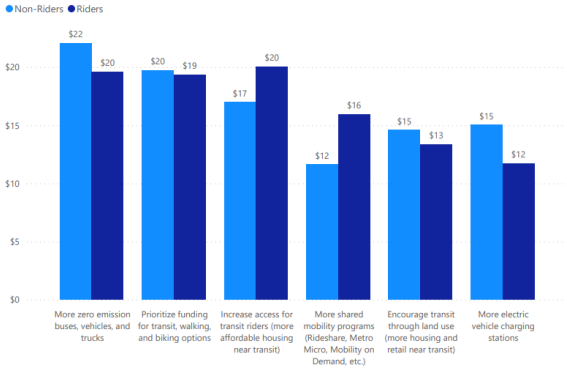
## Below are the results of the survey:

These results can be found at metrobudget.net

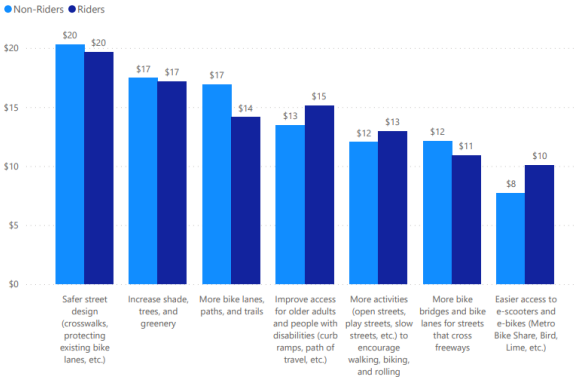


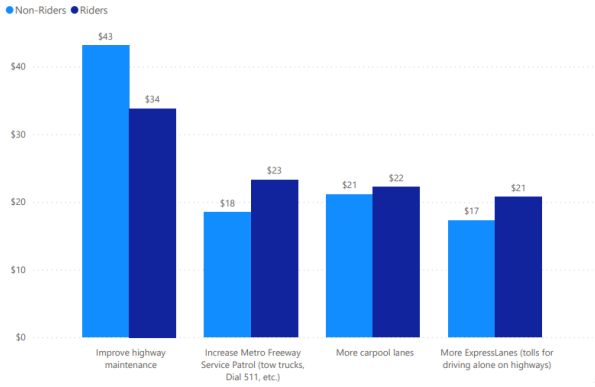
Environment: How would you allocate $100 across the following sub-categories?



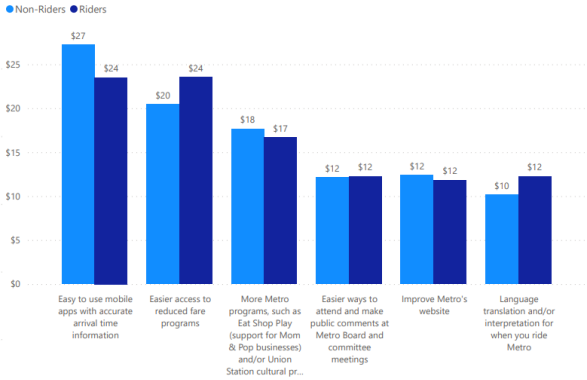

Walking, Biking, & Rolling: How would you allocate $100 across the following sub-categories?



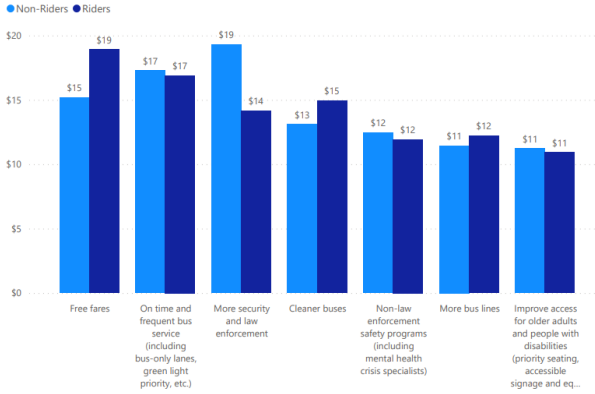

Highways: How would you allocate $100 across the following sub-categories?



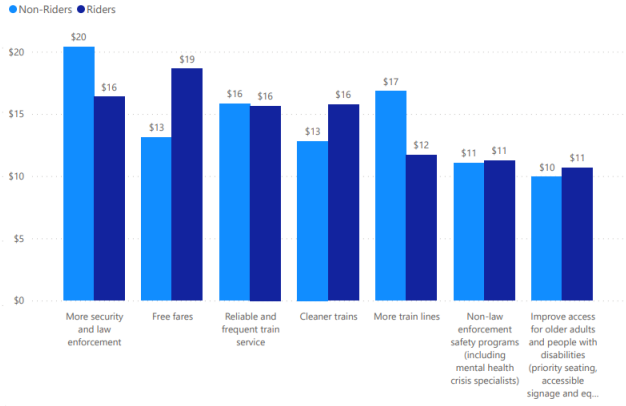

Community Engagement: How would you allocate $100 across the following sub-categories?



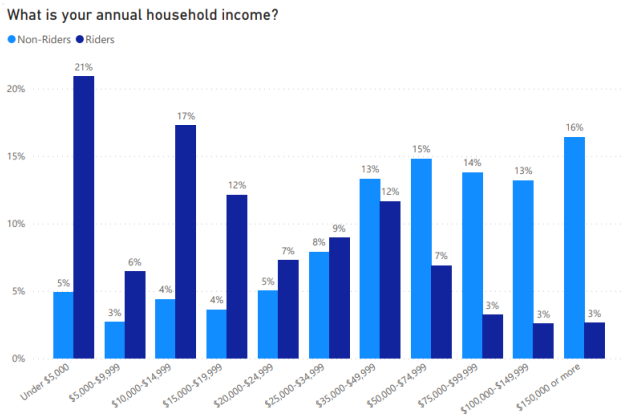

Buses: How would you allocate $100 across the following sub-categories?

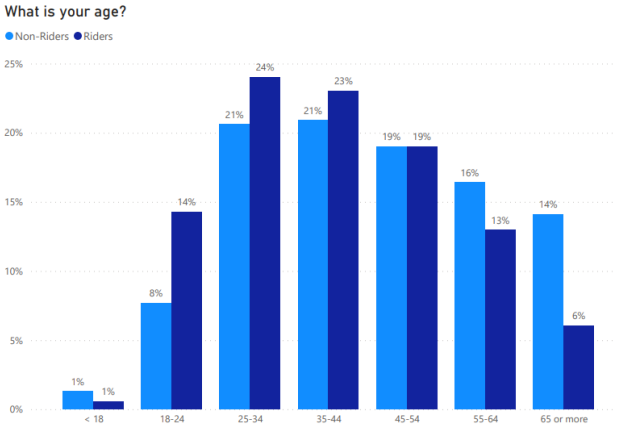


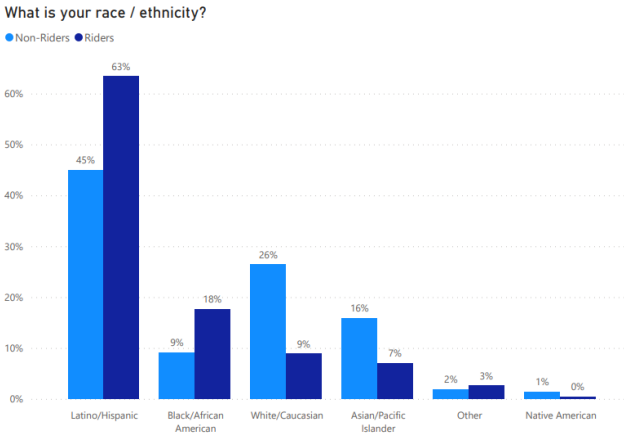

Trains: How would you allocate $100 across the following sub-categories?

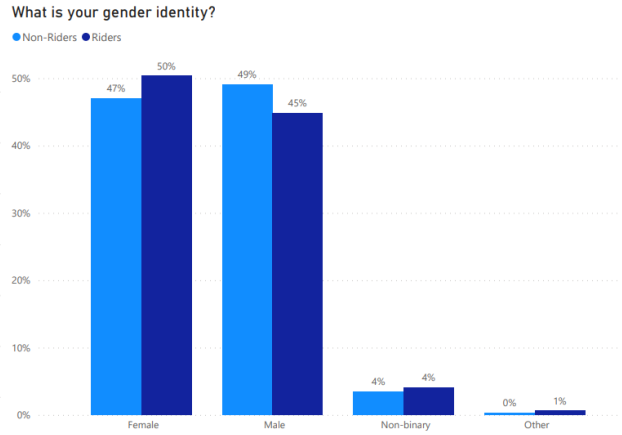


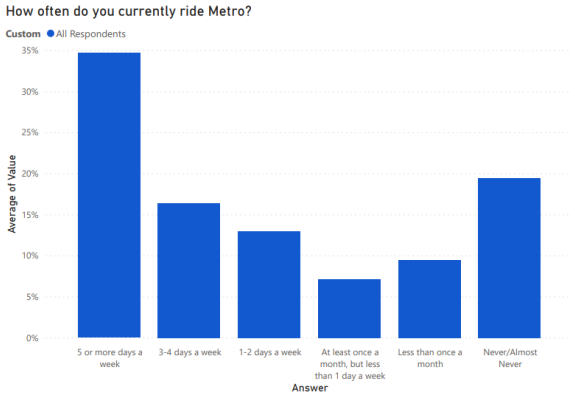
## Below are the demographic question results:

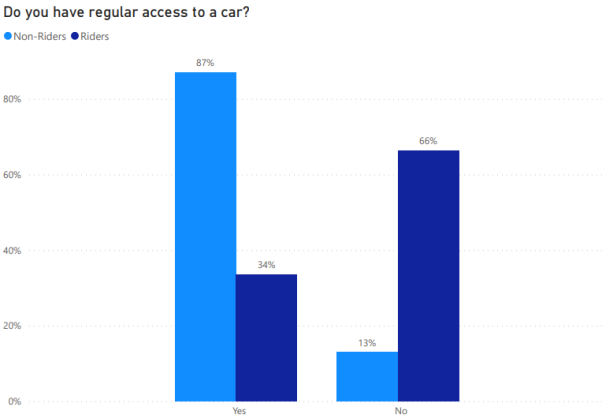


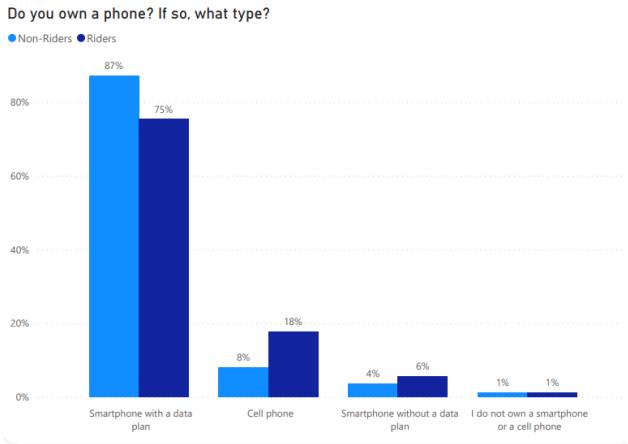



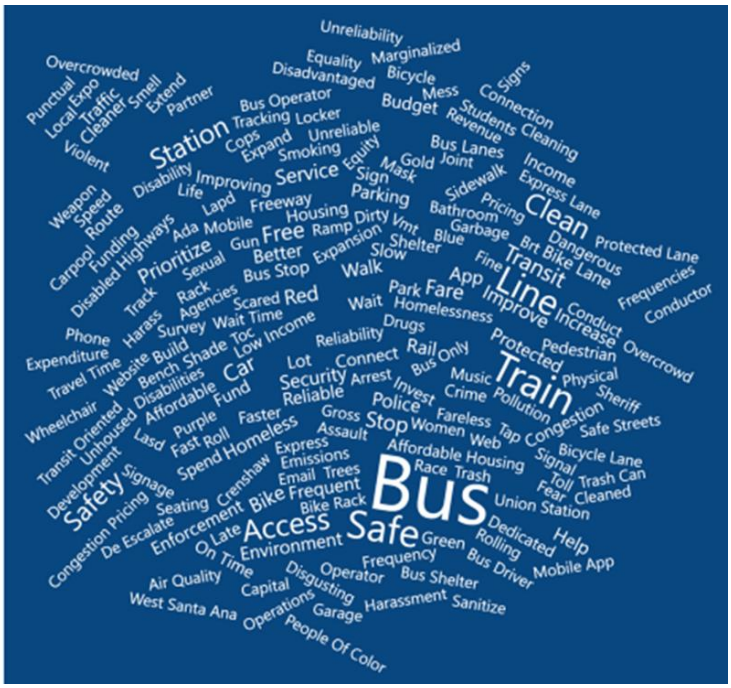



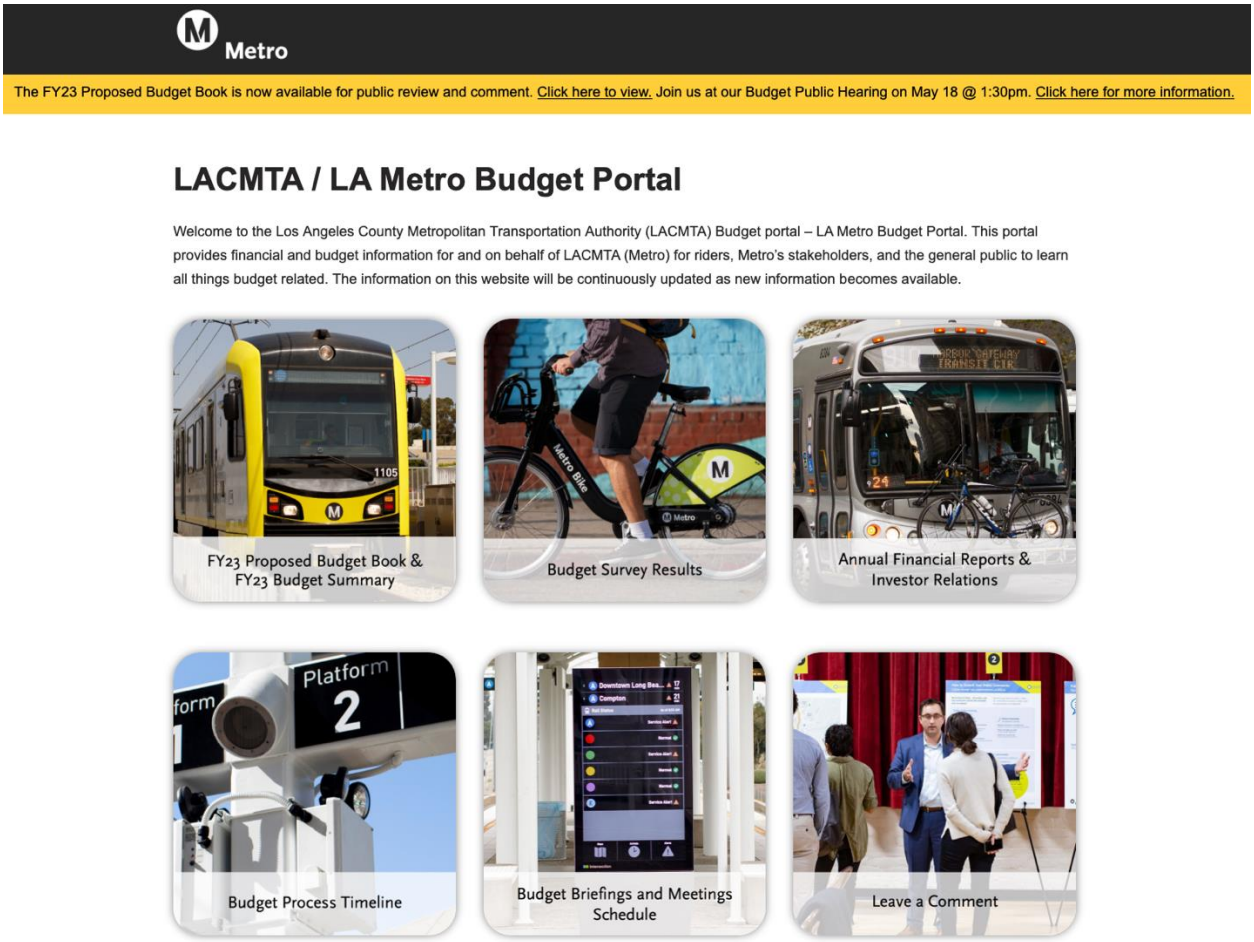



This year, our efforts are focused on closing the loop and showing how comments have helped shape Metro's budget. These 4,100+ comments have been sorted by department/SLT and manually distributed to departments to review for the FY23 Budget development process. To help review and assess these comments, Metro created word clouds to identify the most frequent words and themes from the comments. The word cloud below visually illustrates the over 4,100+ comments Metro received, with bus identified as the number one priority. Departments can drill down further and filter to specific projects and programs to review specific comments. Metro departments are reviewing all comments for consideration as they develop their FY23 budgets.



## Metro Budget Portal

Our new Budget Portal metrobudget.net was created to distribute information about Metro's budget to our riders, stakeholders, and the public. It includes process timelines, documents, schedules, survey results, and more. The portal was designed with ease of use and accessibility in mind to make information easily comprehensible. The Budget Portal has a unique subscribers list and sign-up so budget related content can be widely disseminated in virtually real-time.



## Stakeholder Meetings and Outreach Efforts

Our stakeholder outreach meetings, conducted to update each group on the status of the budget, highlight issues of interest, and receive continued feedback increased over previous year's efforts and will continue up to the scheduled budget Public Hearing and the Metro Board's consideration for adoption at its regularly scheduled meeting in the May 2022 Metro Board meeting. See below for list of meetings.

| FY23 Proposed Budget<br>Public Engagement | | | |
|---|---|---|---|
| **Completed** | **Meeting** | **Date** | **Time** |
| ✓ | Telephone Town Hall Meeting | Sept. 29, 2021 | 6:00-7:00 pm |
| ✓ | Telephone Town Hall Meeting | Oct. 5, 2021 | 6:00-7:00 pm |
| ✓ | Public Safety Advisory Council (PSAC) | Feb 2, 2022 | 5:00-7:00 pm |
| ✓ | Regional Service Councils – Budget Briefing | Mar. 3, 2022 | 6:30 pm |
| ✓ | Federal Transit Administration | Apr. 27, 2022 | 10:00 am |
| ✓ | Policy Advisory Council (PAC)<br>*Note: PAC meets quarterly, requested follow-up scheduled at next quarterly meeting* | Mar. 8, 2022 | 1:30 pm |
| ✓ | Telephone Town Hall Meeting | Mar. 29, 2022 | 6:00-7:00 pm |
| ✓ | San Gabriel Valley COG (SGVCOG) | Apr. 14, 2022 | 4:00 pm |
| ✓ | Bus Operators Subcommittee (BOS) | Apr. 19, 2022 | 9:30 am |
| ✓ | Street & Freeways Committee (S & F) | Apr. 21, 2022 | 9:30 am |
| ✓ | Regional Service Councils – Budget Briefing | Apr. 26, 2022 | 6:30 – 8:00 pm |
| ✓ | Community Advisory Committee-General Assembly (CAC) | Apr. 27, 2022 | 6:00 pm |
| ✓ | Technical Advisory Committee (TAC) | May 4, 2022 | 9:30 am |
| ✓ | Valley Industry & Commerce Association (VICA) ***JUST ADDED*** | May 10, 2022 | 8:00 am |
| ✓ | Local Transit Systems Subcommittee (LTSS) | May 11, 2022 | 1:30 – 3:00 pm |
| ✓ | Accessibility Advisory Committee (AAC) | May 12, 2022 | 10:00 am |
| ✓ | San Gabriel Valley COG (SGVCOG) ***JUST ADDED*** | May 12, 2022 | 4:00 pm |
| | FY23 Proposed Budget - Public Hearing | May 18, 2022 | 1:30 pm |
| | Metro Board of Directors Meeting | May 26, 2022 | 9:00 am |

Schedules for public meetings and updated budget information will be provided in advance on the Budget Portal at metrobudget.net.

**ATTACHMENT D**

# Public Inquiry and Board Requests

## NextGen and Bus Capital Improvement Projects

| | Bus Capital Improvement ($ in thousands) | FY22 Budget | FY23 Proposed | $ Change | % Change |
|---|---|---|---|---|---|
| 1 | **NextGen** | | | | |
| 2 | Bus Mobile Validators (BMV) (All Door Boarding) | $ - | $ 7,000.9 | $ 7,000.9 | #DIV/0! |
| 3 | Camera Bus Lane Enforcement[1] | - | 3,261.6 | $ 3,261.6 | #DIV/0! |
| 4 | Countywide Transit Signal Priority (TSP) Upgrade and Expansion[2] | 1,000.0 | 4,114.9 | $ 3,114.9 | 311% |
| 5 | NextGen Bus Lanes & Tactical Improvements[3] | 7,333.9 | 11,148.2 | $ 3,814.4 | 52% |
| 6 | NextGen Cloud Based Transit Signal Priority (TSP)[2] | - | 1,901.9 | $ 1,901.9 | #DIV/0! |
| 7 | **NextGen Subtotal** | **$ 8,333.9** | **$ 27,427.6** | **$ 19,093.7** | **229%** |
| 8 | **Bus Acquisition** | | | | |
| 9 | 40' Battery Electric Zero Emission Buses | $ 34,272.1 | $ 70,754.4 | $ 36,482.2 | 106% |
| 10 | 40' Compressed Natural Gas Buses | 53,335.3 | 5,602.7 | (47,732.6) | -89% |
| 11 | 60' Battery Electric Zero Emission Buses | 742.0 | 4,820.3 | 4,078.4 | 550% |
| 12 | 60' Battery Electric Zero Emission Buses - Grant Funded | 4,144.5 | 490.0 | (3,654.5) | -88% |
| 13 | 60' Compressed Natural Gas Buses | 596.2 | 455.5 | (140.7) | -24% |
| 14 | **Bus Acquisition Subtotal** | **$ 93,090.1** | **$ 82,122.9** | **$ (10,967.2)** | **-12%** |
| 15 | **Bus Facilities Improvements** | | | | |
| 16 | Automated Storage Retrieval System (ASRS) Upgrade | $ 1,096.9 | $ 2,348.8 | $ 1,251.9 | 114% |
| 17 | Bus Division Improvements IV | 2,000.0 | 3,342.3 | 1,342.3 | 67% |
| 18 | Bus Facility Improvements III | 684.7 | 676.7 | (8.0) | -1% |
| 19 | Division 1 Improvements (Bus Operations Subcommittee Funded) | 5,826.6 | 155.6 | (5,671.0) | -97% |
| 20 | Division 1 Street Closure[2] | - | 1,169.5 | 1,169.5 | #DIV/0! |
| 21 | Environmental Compliance Capital Project (FY23-FY27)[2] | - | 5,698.4 | 5,698.4 | #DIV/0! |
| 22 | Fire Alarm Panel Replacement Throughout Metro Facilities | 1,419.6 | 1,295.3 | (124.3) | -9% |
| 23 | Fuel Storage Tanks | 5,239.2 | 3,359.6 | (1,879.6) | -36% |
| 24 | G Line (Orange) Line In-Road Warning Lights | 32.9 | 35.5 | 2.5 | 8% |
| 25 | Pavement Replacement | 10.4 | - | (10.4) | -100% |
| 26 | Metro Orange Line Reclaimed Water Project | 176.2 | - | (176.2) | -100% |
| 27 | Bus Facility Lighting Retrofit | 9.1 | - | (9.1) | -100% |
| 28 | Division 4 Concrete Pavement | 2.6 | - | (2.6) | -100% |
| 29 | Union Station Cesar Chavez Bus Stop | 166.9 | - | (166.9) | -100% |
| 30 | **Bus Facilities Improvements Subtotal** | **$ 16,665.1** | **$ 18,081.6** | **$ 1,416.4** | **8%** |
| 31 | **Bus Maintenance** | | | | |
| 32 | Bus Engine Replacements | $ 3,202.6 | $ 3,065.8 | $ (136.8) | -4% |
| 33 | Bus Tools Replacement[2] | - | 300.0 | 300.0 | #DIV/0! |
| 34 | Collision Avoidance Demo | 745.6 | 287.3 | (458.3) | -61% |
| 35 | Live View Monitor System | 595.0 | - | (595.0) | -100% |
| 36 | Faarebox Upgrade (FY19) | 1,983.3 | - | (1,983.3) | -100% |
| 37 | CMF Acquisition of Equpment | 19.4 | - | (19.4) | -100% |
| 38 | NABI Compo and New Flyer Midlife | 40,352.2 | - | (40,352.2) | -100% |
| 39 | New Flyer/El Dorado Bus Midlife[2] | - | 37,842.1 | 37,842.1 | #DIV/0! |
| 40 | **Bus Maintenance Subtotal** | **$ 46,898.1** | **$ 41,495.3** | **$ (5,402.8)** | **-12%** |
| 41 | **Regional & Hubs** | | | | |
| 42 | Passenger Screen-Facility Hardening | $ 250.0 | $ 600.0 | $ 350.0 | 140% |
| 43 | **Regional & Hubs Subtotal** | **$ 250.0** | **$ 600.0** | **$ 350.0** | **140%** |
| 44 | **Technology** | | | | |
| 45 | Advanced Transportation Management System II (ATMS) Bus System Replacement[2] | $ - | $ 2,605.5 | $ 2,605.5 | #DIV/0! |
| 46 | Connected Buses With Wi-Fi | 35.6 | 36.2 | 0.6 | 2% |
| 47 | **Technology Subtotal** | **$ 35.6** | **$ 2,641.6** | **$ 2,606.0** | **7316%** |
| 48 | **Transit Improvements/Modernization (TIM)** | | | | |
| 49 | Electric Bus Charging Infrastructure J (Silver) Line | $ - | $ 10,802.2 | $ 10,802.2 | #DIV/0! |
| 50 | Patsaouras Bus Plaza Station Improvements | 706.1 | 456.2 | (249.9) | -35% |
| 51 | Rosa Parks/Willowbrook Station[4] | 6,269.8 | 4,679.8 | (1,590.0) | -25% |
| 52 | **Transit Improvements/Modernization (TIM) Subtotal** | **$ 6,975.9** | **$ 15,938.3** | **$ 8,962.3** | **128%** |
| 53 | **Transit Construction** | | | | |
| 54 | G Line (Orange) BRT Improvements: Construction[1] | $ 18,060.3 | $ 56,693.2 | $ 38,632.9 | 214% |
| 55 | G Line (Orange) BRT Improvements: Planning[1] | 632.2 | 756.2 | 123.9 | 20% |
| 56 | **Transit Construction Subtotal** | **$ 18,692.6** | **$ 57,449.4** | **$ 38,756.8** | **207%** |
| 57 | **Transit Planning[5]** | | | | |
| 58 | BRT Connector B Line (Red)/G Line (Orange) to L Line (Gold) | $ 2,883.8 | $ 7,218.5 | $ 4,334.7 | 150% |
| 59 | North San Fernando Valley BRT | 1,827.2 | 5,451.6 | 3,624.4 | 198% |
| 60 | San Gabriel Valley Transit Feasibility Study[6] | 1,551.0 | 1,875.3 | 324.4 | 21% |
| 61 | Vermont Transit Corridor | 3,586.0 | 2,673.8 | (912.2) | -25% |
| 62 | **Transit Planning Subtotal** | **$ 9,847.9** | **$ 17,219.3** | **$ 7,371.4** | **75%** |
| 63 | **Bus Capital Improvement Total** | **$ 200,789.2** | **$ 262,975.9** | **$ 62,186.6** | **31%** |

Note: Totals may not add up because of rounding.

(1) Projects are cumulatively funded on an annual basis until the Board adopts a Life of Project (LOP) budget.

(2) New project proposed for Board adoption.

(3) Includes Bus Priority Lanes, Layover Optimization, Tactical Treatment & Service Enhancements, and Bus Stop Improvements.

(4) Partially bus-related.

(5) No Board LOP during planning phase; project is funded on an annual basis.

(6) BRT concepts being studied.

## NextGen Bus Plan Update

Metro's NextGen Bus Plan approved by the Metro Board in October 2020 included the framework for a bus speed and reliability program of strategic capital investment to support more efficient and effective bus services in LA County. The updated NextGen Bus Speed and Reliability Program fulfills several speed and service quality recommendations in the Better Bus Program, addresses Time Competitiveness and Connectivity action items in the Customer Experience Plan, and will be explained in further detail in the May 2022 Operations, Safety, and Customer Experience Committee meeting within the May S&R Quarterly Report.

The original $1B budget estimate for the NextGen Bus Speed and Reliability Program began by applying the speed improvement tools widely based on planning level order of magnitude costs applied over the full extent of the plan's most frequent bus lines. More detailed implementation planning has identified several key opportunities to improve the cost/benefit of the Bus Speed and Reliability Program. One of these is in ensuring the speed improvement tools such as bus lanes are focused primarily on the locations where they are needed most. Another significant efficiency for new bus lanes has been achieved through coordinating their installation with other street improvement installations such as new bike lanes or road repaving.

Also included in the original $1 billion estimate was a forecast need of 14 FTE needs in Operations, Community Relations and Planning departments, as outlined in the Better Bus Program. Together with the assessment of implementation, CEO was able to reallocate existing vacancies to address the immediate need to augment the program implementation. To date in FY22, there have been two positions recruited specifically for this purpose. In addition, there are 5 new positions (1 non-contract and 4 AFSME) proposed in the FY23 Budget.

Another program efficiency will be achieved with locations selected for bus bulbs. These will focus on the most congested and highest ridership locations where a bulb can be accommodated, on corridors where bus lanes cannot be installed. Bus stop relocations are also moving ahead where they are determined to be implementable.

Another area of implementation efficiency is in the use of a cloud-based technology for signal priority, rather than relying on older legacy loop-based technology. Metro has also moved ahead this year to purchase all door boarding validators to service all NextGen tier 1 and 2 lines. Metro currently estimates that a revised program delivering travel time and reliability improvements could be completed under $350M. Given the iterative survey and engineering process of this quick-build program, this estimated figure will continue to evolve; therefore, Metro will continue to bring forward an annual program to the Board that reflects more accurate cost figures tailored to the nature of this tactical transit infrastructure program.

## Reimaging Public Safety - Detail

| | Reimagining Public Safety ($ in millions) | FY22 Budget | FY23 Proposed | $ Change | % Change |
|---|---|---|---|---|---|
| 1 | **Resource Deployment** | | | | |
| 2 | Transit Ambassadors | $ 20.0 | $ 40.0 | $ 20.0 | 100.0% |
| 3 | Homeless Outreach | 10.7 | 15.3 | 4.6 | 43.2% |
| 4 | Metro Transit Security | 27.6 | 30.9 | 3.3 | 12.1% |
| 5 | Private Security | 23.7 | 24.5 | 0.8 | 3.3% |
| 6 | Law Enforcement | 165.0 | 170.0 | 5.0 | 3.0% |
| 7 | **Resource Deployment Subtotal** | **$ 247.0** | **$ 280.7** | **$ 33.7** | **5.4%** |
| 8 | Accountability & Transparency | $ - | $ 0.1 | $ 0.1 | 100.0% |
| 9 | Communications & Public Education | 0.2 | 0.4 | 0.2 | 146.7% |
| 10 | Security Design | 13.4 | 10.4 | (3.0) | (22.5)% |
| 11 | Tools & Technology | 0.3 | 4.1 | 3.8 | 1532.4% |
| 12 | Training & Procedures | 3.0 | 1.0 | (2.0) | (66.7)% |
| 13 | **Reimagining Public Safety Total** | **$ 263.7** | **$ 296.6** | **$ 32.9** | **12.5%** |

Note: Totals may not add up because of rounding.

## Bus Stop Shading – "Shade for All" Campaign

We know that better bus stops can retain and encourage ridership. There are more than 12,200 Metro bus stop locations, and countywide, there are almost 25,000 used by Metro and Municipal operators. Bus shelters are an essential part of our transit system. To provide an exceptional customer experience to over 70% of riders who take the bus, we must provide the best facilities to our riders. In FY 23, Metro will complete a Bus Stop Sketch Planning process to identify the planning, capital, operations and maintenance, and funding requirements of the bus stop shade and lighting improvement program.

As bus shelters are owned and maintained by the cities throughout the county, Metro will partner with cities and the community to make the necessary enhancements to the bus stops. Staff will identify high priority bus stops using ridership volume, reported safety concerns, adjacency to street lighting, high heat days, and Equity Focused Communities.

The program will include robust outreach with input from city and community partners, customers, and the COGs to ensure the ground-truthing of our technical analysis. This program could be expanded to include Muni bus stops at a later point in the program. Staff will seek to leverage available Metro funding with outside grant opportunities. In the FY 23 budget, the Chief of Staff Administration, through the Office of Sustainability, has identified a total of $4.2 million budget for this program, inclusive of $1.2 million in 5307 funding for lighting improvements.

**ATTACHMENT E**

# FY23 New Non-Represented Pay Grade

Effective July 1, 2022, the Chief People Office will be adjusting the current Non-Represented salary structure by adding a new pay grade called HCC2 and renaming the current HCC pay grade to HCC1. Below is the proposed FY23 Salary Structure.

| FY22 Salary Structure | | | |
|---|---|---|---|
| Pay Grade | Minimum (Annual) | Midpoint (Annual) | Maximum (Annual) |
| HFF | $348,566.40 | $435,947.20 | $523,348.80 |
| HEE | $278,844.80 | $348,545.60 | $418,246.40 |
| HDD | $222,664.00 | $278,844.80 | $335,025.60 |
| HCC | $183,123.20 | $228,904.00 | $274,684.80 |
| HBB | $159,182.40 | $198,723.20 | $238,264.00 |
| HAA | $141,918.40 | $177,923.20 | $213,907.20 |
| H1Q | $127,940.80 | $159,910.40 | $191,880.00 |
| H1P | $115,169.60 | $143,936.00 | $172,702.40 |
| H1O | $104,083.20 | $130,124.80 | $156,124.80 |
| H1N | $94,494.40 | $118,102.40 | $141,752.00 |
| H1M | $86,153.60 | $107,681.60 | $129,209.60 |
| H1L | $78,873.60 | $98,592.00 | $118,289.60 |
| H1K | $72,529.60 | $90,646.40 | $108,763.20 |
| H1J | $67,100.80 | $83,886.40 | $100,692.80 |
| H1I | $62,316.80 | $77,875.20 | $93,454.40 |
| H1H | $58,115.20 | $72,633.60 | $87,152.00 |
| H1G | $52,728.00 | $65,894.40 | $79,060.80 |
| H1F | $47,902.40 | $59,883.20 | $71,884.80 |
| H1E | $43,763.20 | $54,704.00 | $65,644.80 |
| H1D | $40,206.40 | $50,232.00 | $60,278.40 |
| H1C | $37,107.20 | $46,384.00 | $55,660.80 |
| H1B | $34,320.00 | $42,889.60 | $51,480.00 |
| H1A | $31,990.40 | $39,998.40 | $48,006.40 |

| Proposed FY23 Salary Structure | | | |
|---|---|---|---|
| Pay Grade | Minimum (Annual) | Midpoint (Annual) | Maximum (Annual) |
| HFF | $348,566.40 | $435,947.20 | $523,348.80 |
| HEE | $278,844.80 | $348,545.60 | $418,246.40 |
| HDD | $222,664.00 | $278,844.80 | $335,025.60 |
| HCC2 | **$202,904.00** | **$253,884.80** | **$304,865.60** |
| HCC1 | $183,123.20 | $228,904.00 | $274,684.80 |
| HBB | $159,182.40 | $198,723.20 | $238,264.00 |
| HAA | $141,918.40 | $177,923.20 | $213,907.20 |
| H1Q | $127,940.80 | $159,910.40 | $191,880.00 |
| H1P | $115,169.60 | $143,936.00 | $172,702.40 |
| H1O | $104,083.20 | $130,124.80 | $156,124.80 |
| H1N | $94,494.40 | $118,102.40 | $141,752.00 |
| H1M | $86,153.60 | $107,681.60 | $129,209.60 |
| H1L | $78,873.60 | $98,592.00 | $118,289.60 |
| H1K | $72,529.60 | $90,646.40 | $108,763.20 |
| H1J | $67,100.80 | $83,886.40 | $100,692.80 |
| H1I | $62,316.80 | $77,875.20 | $93,454.40 |
| H1H | $58,115.20 | $72,633.60 | $87,152.00 |
| H1G | $52,728.00 | $65,894.40 | $79,060.80 |
| H1F | $47,902.40 | $59,883.20 | $71,884.80 |
| H1E | $43,763.20 | $54,704.00 | $65,644.80 |
| H1D | $40,206.40 | $50,232.00 | $60,278.40 |
| H1C | $37,107.20 | $46,384.00 | $55,660.80 |
| H1B | $34,320.00 | $42,889.60 | $51,480.00 |
| H1A | $31,990.40 | $39,998.40 | $48,006.40 |

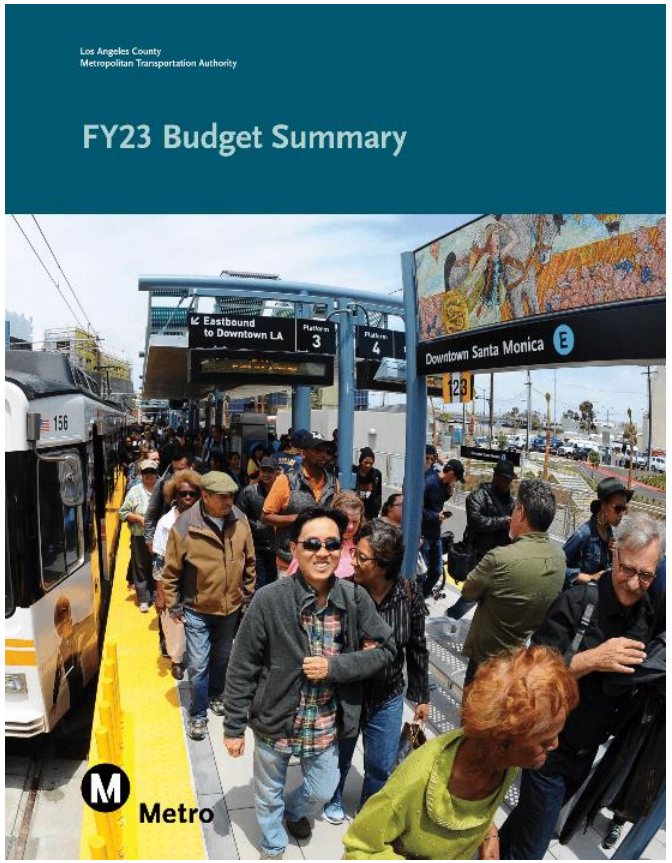
Item # 15

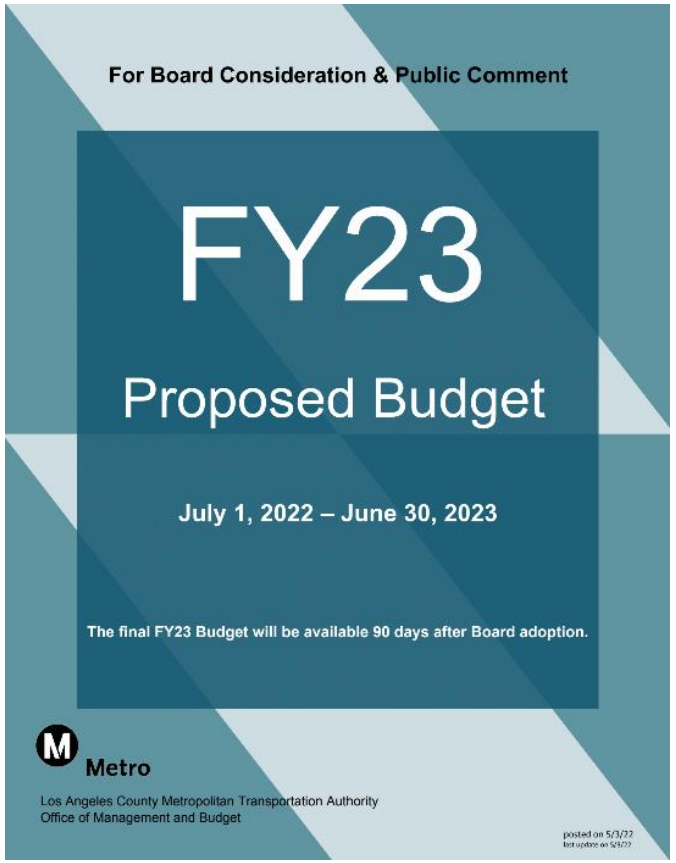
# Metro
# Fiscal Year 2023 Proposed Budget

**Public Hearing**

**May 18, 2022**

# FY23 Budget Summary and Proposed Budget Book



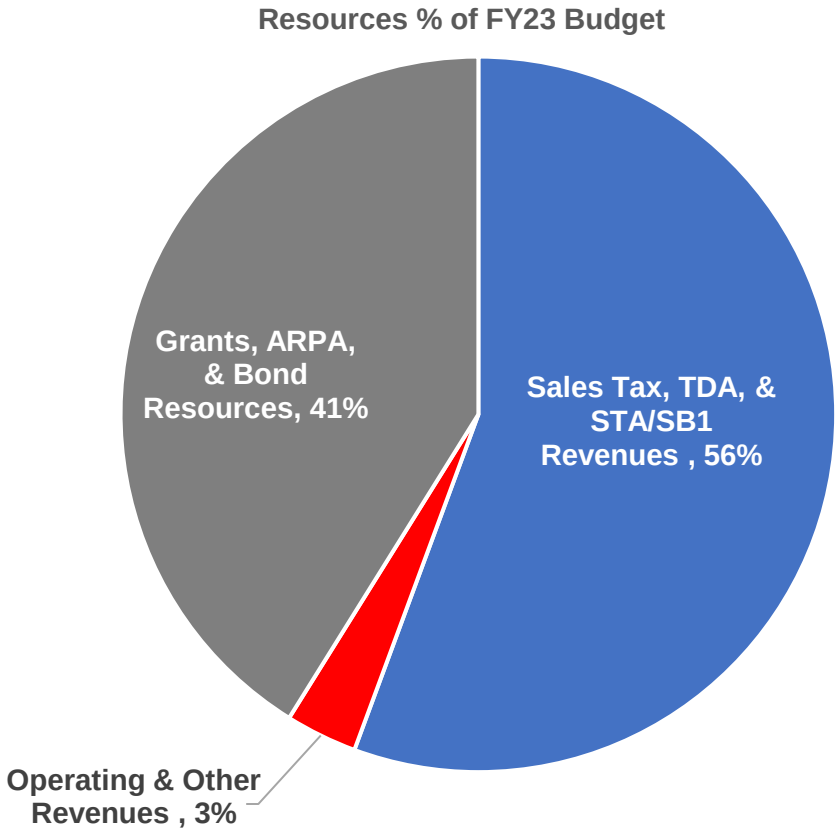

- The proposed budget document is legally required to be made available for public review 15 days prior to the public hearing
- A summary section in the Proposed Budget Book highlights the budgets related to what we heard from the public on specialized topics
- FY23 budget proposal is balanced and has many firsts:
  - Focused on People First and Quality Investments to our community, to the riders, to the partners and cultivating the next generation of riders.
  - Early and enhanced public outreach that interact directly with equity focused community; collaborated with Office of Equity on budget survey to be customer focused
  - Equitable Zero-Based Budgeting (EZBB) process starts a cost control tool to closely monitor our financial state after the last of the federal stimulus funds are used up by FY23

Metro

# Revenue Summary

| | Resources ($ in millions) | FY22 Budget | FY23 Proposed | $ Change | % Change |
|---|---|---|---|---|---|
| 1 | Sales Tax, TDA, & STA/SB1 Revenues | $ 4,020.3 | $ 4,868.7 | $ 848.4 | 21.1% |
| 2 | Operating & Other Revenues | 253.1 | 283.5 | 30.4 | 12.0% |
| 3 | Grants, ARPA, & Bond Resources | 3,766.8 | 3,599.2 | (167.7) | (4.5)% |
| 4 | **Resources Total** | **$ 8,040.2** | **$ 8,751.4** | **$ 711.2** | **8.8%** |

Note: Totals may not add up because of rounding.




- Sales Tax funds 56% of the FY23 proposed budget. The 21% variance is due to lower estimate of sales tax assumed in the FY22 budget.

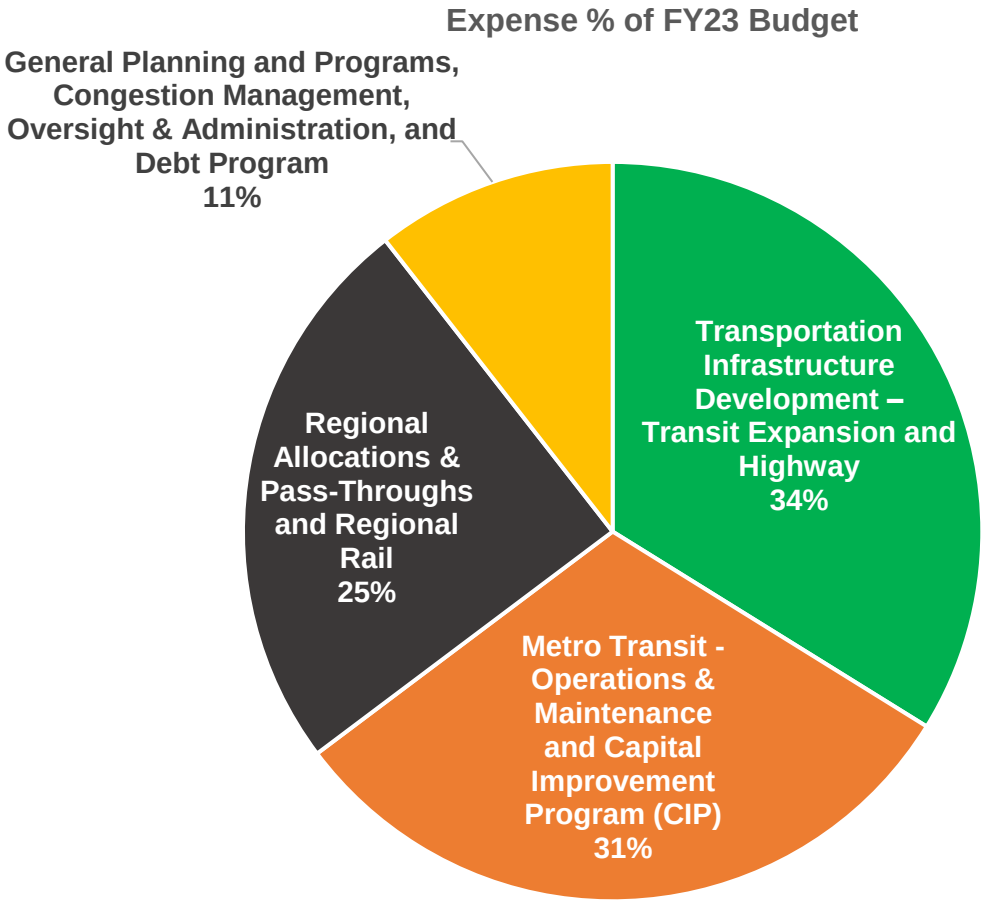
- One-time Federal Stimulus for ARPA is $1,096.9 million for FY23
  - Reimbursement for operating costs to maintain service, fare loss, and preserve jobs due to COVID-19 impact
  - By the end of FY23, Metro will deplete all Federal stimulus and relief fundings for the pandemic

- Fare revenues are expected at $106.5 million
  - 45.5% increase form the FY22 Budget, but approximately $150 million lower than the pre-pandemic level
  - Reflecting ridership recovery, FSI phase 1, and LIFE enhancement

# Expense Summary

| | Program Type ($ in millions) | FY22 Budget | FY23 Proposed | $ Change | % Change |
|---|---|---|---|---|---|
| 1 | Transportation Infrastructure Development | $ 3,012.1 | $ 2,961.5 | $ (50.6) | (1.7)% |
| 2 | Metro Transit - Operations & Maintenance and Capital Improvement Program | 2,558.3 | 2,704.9 | 146.6 | 5.7% |
| 3 | Regional Allocations & Pass-Throughs and Regional Rail | 1,613.9 | 2,162.1 | 548.2 | 34.0% |
| 4 | Gen Planning, Cong Mgmt, Oversight & Admin, and Debt Prgm | 855.9 | 923.0 | 67.1 | 7.8% |
| 5 | **Grand Total** | **$ 8,040.2** | **$ 8,751.4** | **$ 711.2** | **8.8%** |

Note: Totals may not add up because of rounding.




- The FY23 budget continues to make progress on planning and constructing new transit projects for LA county
- The budget restores transit services to pre-pandemic levels and plans to open two new rail segments Crenshaw/LAX and Regional Connector
- The budget enhances the customer experience through a cleanliness surge, reimagine public safety and continues to make Nextgen and other bus improvements
- Regional Allocations and Pass-Throughs based on increased sales tax revenue projections
- The Consumer Price Index (CPI), as measured by the Bureau of Labor Statistics, is projected to increase by 3.3% in FY23 for the Los Angeles area

# Early, Expanded, and Enhanced Public Engagement Summary

September 29, 2021, October 4, 2021 & March 29, 2022,
>11,000 Listeners English & Spanish

**FY23 Budget Survey**
>8,000 responses received

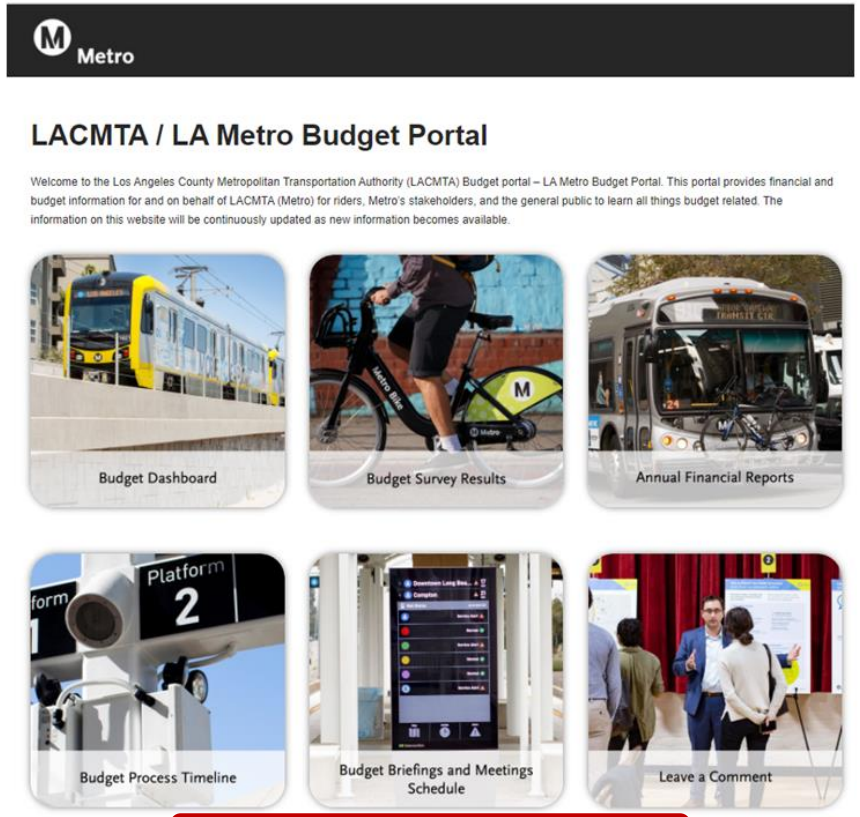
**+ 6,350**

FY23 Budget Survey
>4,100 written responses received

**+ 3,400**

Stakeholder, Public, and Community Meetings
24 Budget meetings

**+ 7 Meetings**



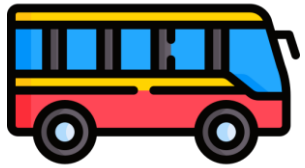

**NEW! >9,000 Visits**

# We Heard: From Survey Results to Budget Actions

Clean

Safety

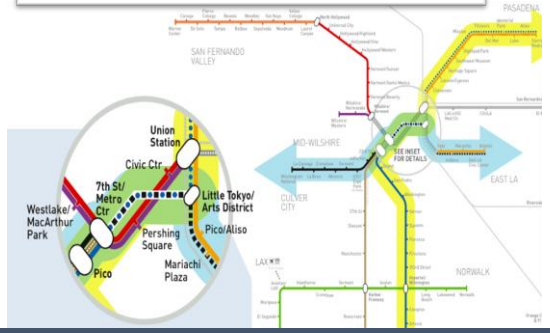
Expanding Rail



More Bus

Reliable

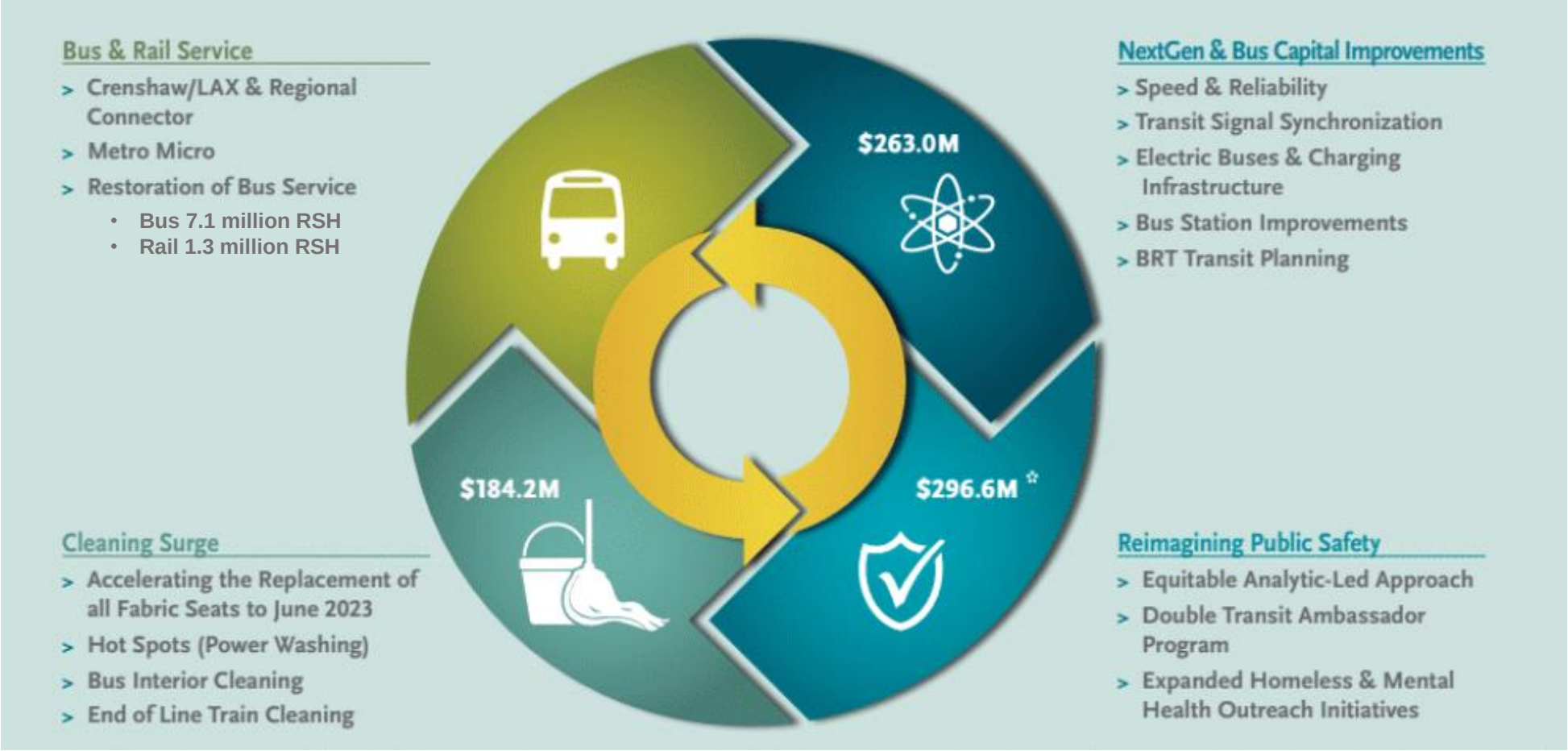
Frequent Service




Restoring bus service

NEXTGEN Bus Plan

# Customer Experience (CX)




*Some initiatives are included in multiple department budgets and may not be reflected in the estimated amounts, as they are being done within existing resources.

| | Reimagining Public Safety ($ in millions) | FY22 Budget | FY23 Proposed | $ Change | % Change |
|---|---|---|---|---|---|
| 1 | **Resource Deployment** | | | | |
| 2 | Transit Ambassadors | $ 20.0 | $ 40.0 | $ 20.0 | 100.0% |
| 3 | Homeless/Mental Health Outreach | 10.7 | 15.3 | 4.6 | 43.2% |
| 4 | Metro Transit Security | 27.6 | 30.9 | 3.3 | 12.1% |
| 5 | Private Security | 23.7 | 24.5 | 0.8 | 3.3% |
| 6 | Law Enforcement | 165.0 | 170.0 | 5.0 | 3.0% |
| 7 | **Resource Deployment Subtotal** | **$ 247.0** | **$ 280.7** | **$ 33.7** | **5.4%** |
| 8 | Accountability & Transparency | $ - | $ 0.1 | $ 0.1 | 100.0% |
| 9 | Communications & Public Education | 0.2 | 0.4 | 0.2 | 146.7% |
| 10 | Security Design | 13.4 | 10.4 | (3.0) | (22.5)% |
| 11 | Tools & Technology | 0.3 | 4.1 | 3.8 | 1532.4% |
| 12 | Training & Procedures | 3.0 | 1.0 | (2.0) | (66.7)% |
| 13 | **Reimagining Public Safety Total** | **$ 263.7** | **$ 296.6** | **$ 32.9** | **12.5%** |

Note: Totals may not add up because of rounding.

* Includes $1 million for Room 2 Work

- All initiatives from Reimagining Public Safety are prioritized in FY23 Budget
- Equitable analytics-led approach to enhancing public safety
- Transit ambassador program doubling
- Homeless/mental health outreach growing by 43.2%
- Adding unarmed security officers to the system

# REIMAGINING PUBLIC SAFETY

# NEXTGEN AND BUS CAPITAL IMPROVEMENTS

| | Bus Capital Improvement ($ in thousands) | FY22 Budget | FY23 Proposed | $ Change | % Change |
|---|---|---|---|---|---|
| 1 | NextGen | $ 8,333.9 | $ 27,427.6 | $ 19,093.7 | 229.1% |
| 2 | Bus Acquisition | 93,090.1 | 82,122.9 | (10,967.2) | -11.8% |
| 3 | Bus Facilities Improvements | 16,665.1 | 18,081.6 | 1,416.4 | 8.5% |
| 4 | Bus Maintenance | 46,898.1 | 41,495.3 | (5,402.8) | -11.5% |
| 5 | Regional & Hubs | 250.0 | 600.0 | 350.0 | 140.0% |
| 6 | Technology | 35.6 | 2,641.6 | 2,606.0 | 7316.3% |
| 7 | Transit Improvements/Modernization (TIM) | 6,975.9 | 15,938.3 | 8,962.3 | 128.5% |
| 8 | Transit Construction | 18,692.6 | 57,449.4 | 38,756.8 | 207.3% |
| 9 | Transit Planning | 9,847.9 | 17,219.3 | 7,371.4 | 74.9% |
| 10 | **Bus Capital Improvement Total** | **$ 200,789.2** | **$ 262,975.9** | **$ 62,186.6** | **31.0%** |

Note: Totals may not add up because of rounding.

**31% more investments year over year**

- Speed & Reliability is a priority
- NextGen Updated Plan: identified several key opportunities
  - Revised program: current estimates under $350M
  - Additional information will be provided to Operations, Safety, and Customer Experience Committee in Fall 2022
- NextGen investments of $27.4 million, 229.1% increase over FY22
- See Appendix V of Proposed Book - Detailed list of NextGen and Bus Capital Improvement projects

Metro

# Measure R and Measure M Transit Construction and Planning Projects

**Transit Expansion Program** ($ in millions)

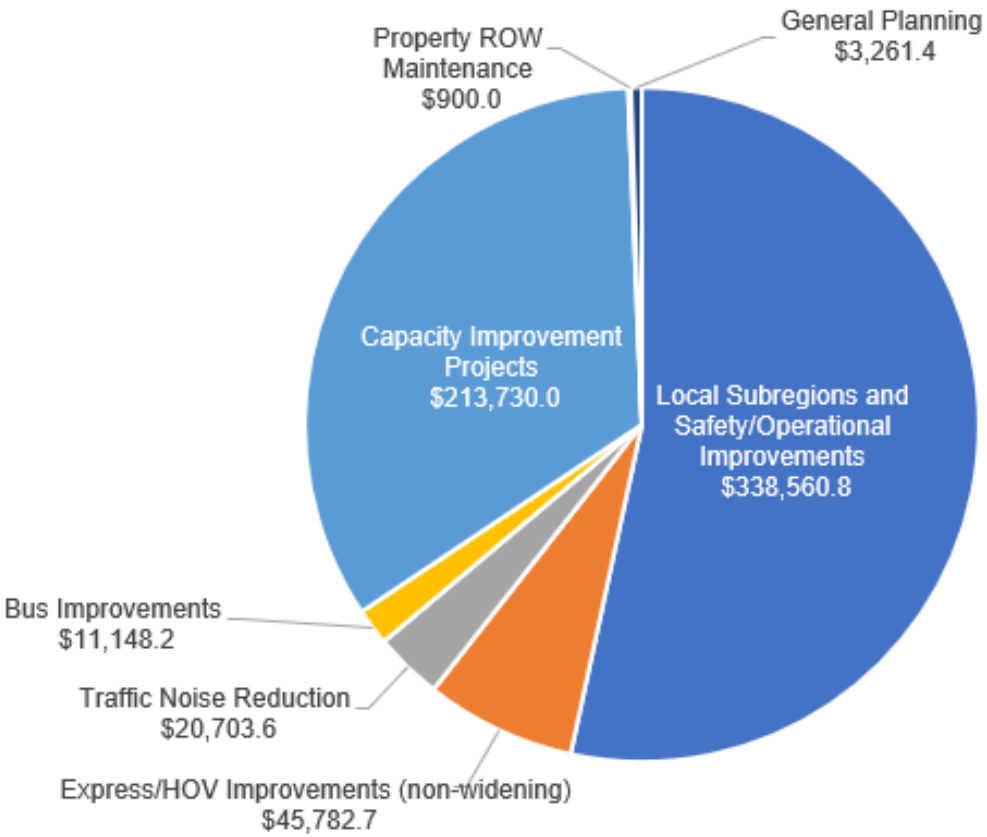
| | Project | MR/MM Start Date | Forecasted Exp thru FY22 | FY23 Proposed | LOP Budget |
|---|---|---|---|---|---|
| 1 | **MR/MM Transit Construction** | | | | |
| 2 | E Line (Expo) Light Rail Transit | 2007 | $ 2,295.6 | $ 3.7 | $ 2,301.1 |
| 3 | K Line (Crenshaw/LAX) Light Rail Transit | 2015 | 2,385.6 | 55.7 | 2,392.5 |
| 4 | Regional Connector | 2016 | 1,768.7 | 98.4 | 1,817.5 |
| 5 | D (Purple) Line Extension | 2017 | 5,998.3 | 1,125.8 | 9,680.8 |
| 6 | Airport Metro Connector | 2018 | 309.2 | 242.8 | 898.6 |
| 7 | L (Gold) Line Foothill Extension 2A & 2B | 2019 | 1,562.5 | 283.0 | 2,330.5 |
| 8 | G (Orange) Line BRT | 2019 | 42.7 | 57.4 | - |
| 9 | East San Fernando Valley | 2021 | 328.2 | 248.2 | - |
| 11 | **MR/MM Transit Construction Sum** | | **$ 14,690.9** | **$ 2,115.1** | **$ 19,421.0** |
| 12 | **MR/MM Transit Planning** | | | | |
| 13 | Eastside Access | 2008 | 31.5 | 8.8 | |
| 14 | North San Fernando Valley BRT | 2019 | 8.1 | 5.5 | |
| 15 | BRT Connector G/B Line to L Line | 2020 | 13.2 | 7.2 | |
| 16 | West Santa Ana Branch Corridor | 2022 | 81.7 | 29.1 | |
| 17 | Sepulveda Corridor | 2024 | 82.9 | 81.5 | |
| 18 | Vermont Transit Corridor | 2024 | 6.3 | 2.7 | |
| 19 | C (Green) Line South Bay | 2026 | 36.6 | 11.6 | |
| 20 | Eastside Extension* | 2029 | 92.9 | 13.9 | |
| 21 | SGV Feasibility Study | | 1.6 | 1.9 | |
| 22 | Crenshaw Northern ** | 2041 | 19.2 | 6.8 | |
| 23 | **MR/MM Transit Planning Sum** | | **$ 374.0** | **$ 169.0** | |
| 24 | Business Solutions Center | | 8.7 | 2.5 | |
| 25 | **Total MR/MM Transit Expansion** | | **$ 15,073.6** | **$ 2,286.6** | |

* Forecasted Expenditures thru FY22 includes $33.3M of Board authorized vehicle purchase.

** Crenshaw Northern increases from $6.8 million to $10.0 million due to technical correction

- Projects listed according to Measure R and Measure M Start Date
- Continue all major construction projects with executed contracts
- Substantial completion of construction Crenshaw & Regional Connector
- Maintaining Measure M schedules for planning projects currently funded in LRTP or grant funded
- Crenshaw Northern increases from $6.8 million to $10.0 million due to technical correction

# Highway Modernization Projects By Category

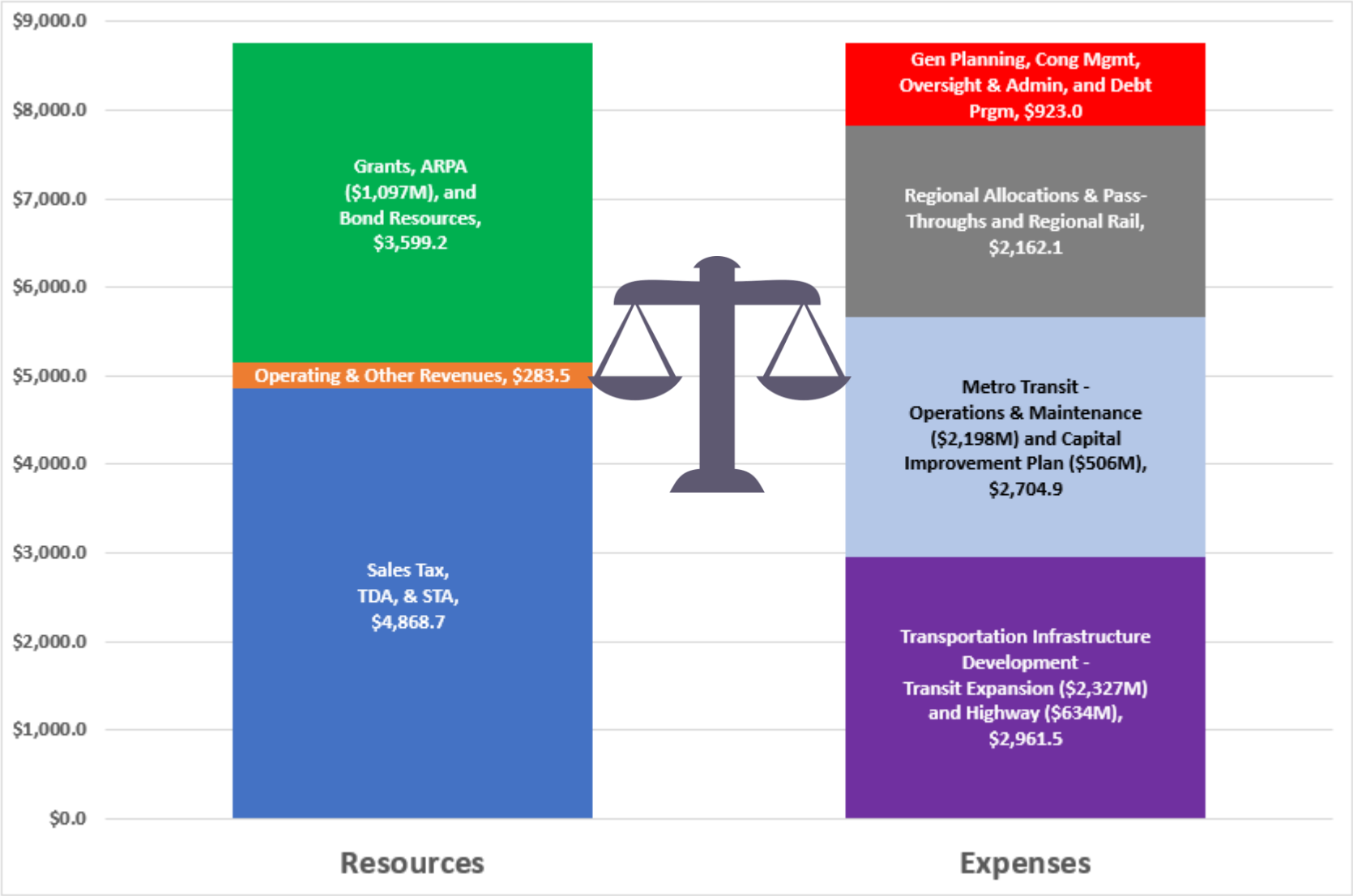



- Vast majority (98.2%) of the projects are Measure R and Measure M Ordinance totaling Highway Program budget of $634.1 million

- Metro's Highway Modernization Projects provide local and safety improvements such as:
  - Local Subregions includes street improvements, on-off ramp improvements, signal synchronization, bikeway/pedestrian safety and sidewalk improvements
  - Express Lanes or HOV Improvements can convert existing lanes without any widening
  - Traffic Noise Reduction with the Soundwall Program benefiting homes/businesses along freeway corridors alleviating traffic noise
  - Bus Improvements include NextGen Bus lanes support
  - Capacity Improvement Projects can include a variety of purposes such as:
    - Soundwall program, extension of truck lanes, HOV lanes, bridge repair and replacement, and Intelligent Transportation System (ITS)

# FY23 Proposed Budget – $8.8B

($ in millions)




- Metro's $8.8 billion Fiscal Year 2023 (FY23) Proposed Budget is balanced
- FY23 Proposed Budget includes many new and innovative projects that will have meaningful impacts on Los Angeles County's 10 million residents.
- Transit industry nationwide, including Metro, faces financial challenges within the next few years when federal funding is exhausted
- Metro EZBB is initial step in strengthening cost controls and identifying other mitigation strategies

# MAY BOARD REPORT FY23 BUDGET ADOPTION

A. ADOPTING the proposed FY23 Budget as presented in the budget document (provided in a separate transmittal and posted on metro.net);

1. AUTHORIZING $8.8 billion annual consolidated expenditures to achieve goals and objectives set forth by the Board adopted mission and goals; and

2. AUTHORIZING a total of 10,596 FTEs with 8,778 Represented FTEs and 1,818 Non-Represented FTEs; and

3. AUTHORIZING an average 3.5% performance-based merit increase for Non-Represented employees. The wage increases for Represented employees, in accordance with the pre-negotiated Collective Bargaining Agreements, is an average 3.5% (except for SMART); and

4. APPROVING the Life of Project (LOP) budgets for new capital projects; new capital projects with LOP exceeding $5.0 million are presented in Attachment A; and

5. AMENDING the proposed budget to include any Board approved actions currently under consideration, from now to the end of fiscal year (June 30, 2022); and

6. AMENDING the proposed budget by $3.2 million, taking it from $6.8 million to $10.0 million for Crenshaw Northern for a technical correction; and

B. APPROVING the Reimbursement Resolution declaring Metro's intention to issue debt in FY23 for capital projects, as shown in Attachment B, with the provision that actual debt issuance will require separate Board approval; and

C. APPROVING the addition of one new Non-Represented pay grade to alleviate the pay progression and maintain a consistent pay range from mid-point to mid-point as shown in Attachment E; and

D. APPROVING pay grade upgrade for the Board Clerk job classification

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

Metro

# Board Report

**File #:** 2022-0114, **File Type:** Resolution **Agenda Number:** 16.

**FINANCE, BUDGET AND AUDIT COMMITTEE**
**MAY 18, 2022**

**SUBJECT: PROPOSITION C BONDS**

**ACTION: APPROVE RECOMMENDATIONS**

## RECOMMENDATION

ADOPT a Resolution (Attachment A) that authorizes the issuance and sale of up to $67 million in aggregate principal amount of the Proposition C Sales Tax Revenue Refunding Bonds in one or more series, and the taking all other actions necessary in connection with the issuance of the refunding bonds.

**(REQUIRES SEPARATE, SIMPLE MAJORITY BOARD VOTE)**

## ISSUE

Metro may lower its debt service costs by refunding, on a current basis, the outstanding Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-A and Series 2012-B (the “2012-A&B Bonds”). Approximately $54.57 million of the outstanding 2012-A&B Bonds are eligible for refunding. Under current market conditions, the issuance of the Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds (the “Refunding Bonds”) could achieve approximately $2.6 million in net present value savings over the six (6) plus year life of the bonds.

## BACKGROUND

The 2012-A&B Bonds may be current refunded in mid May 2022 as their call date is July 1, 2022. The Debt Policy establishes criteria to evaluate refunding opportunities. The refunding of the 2012-A&B Bonds is currently estimated to provide net present value savings in excess of the minimum 3% of the refunded par amount set forth in the Debt Policy criteria for evaluating refunding opportunities.

## DISCUSSION

The Refunding Bonds will be structured as fixed rate bonds and will be sold using a negotiated sale method. If market conditions change suddenly, a negotiated sale provides Metro the flexibility to alter the sale date and/or bond structure, as needed. A negotiated sale method also allows Metro to advance its DBE/SBE/DVBE firm participation goals. The underwriters will pre-market the issue to target as many investors as possible, assist with the credit rating process and advise on market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conditions for optimal bond pricing.

Consistent with the Metro Debt Policy, underwriters for this transaction will be selected by a competitive Request for Proposal ("RFP") process conducted by Public Resources Advisory Group ("PRAG"), Metro's Transaction Municipal Advisor. Hawkins Delafield & Wood LLP and Kutak Rock LLP were selected by Treasury staff and County Counsel to serve as Bond Counsel and Disclosure Counsel, respectively.

## DETERMINATION OF SAFETY IMPACT

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

## FINANCIAL IMPACT

The costs of issuance for the Refunding Bonds will be paid from proceeds of the financing and will be budget neutral. Savings from the Refunding Bonds will be reflected in future budgets under principal account 51101 and the bond interest account 51121.

## EQUITY PLATFORM

Approval of this item is intended to reduce financial risk and maintain planned funding and schedules for Metro capital projects funded by Proposition C. At this time, there are no equity concerns anticipated as a result of this action.

## IMPLEMENTATION OF STRATEGIC PLAN GOALS

Recommendation supports the following Metro Strategic Plan Goal:

Goal #5: Provide responsive, accountable, and trustworthy governance within the Metro organization.

## ALTERNATIVES CONSIDERED

The Board could defer the issuance of the Refunding Bonds to a later time or indefinitely. This is not recommended because we cannot predict that interest rates will remain low enough to generate comparable benefit. Federal Reserve Bank actions and all other market and economic conditions may push interest rates higher and result in a loss of refunding savings.

## NEXT STEPS

- Obtain ratings on the Refunding Bonds
- Complete legal documentation and distribute the preliminary official statement to potential investors, initiate the pre-marketing effort
- Negotiate the sale of the Bonds with the underwriters

## ATTACHMENTS


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Attachment A - Authorizing Resolution

Prepared by: Rodney Johnson, Deputy Executive Officer, Finance
(213) 922-3417
Biljana Seki, Assistant Treasurer, (213) 922-2554
Michael Kim, Debt Manager, (213) 922-4026

Reviewed by: Nalini Ahuja, Chief Financial Officer, (213) 922-3088

Stephanie N. Wiggins
Chief Executive Officer

**ATTACHMENT A**

## Authorizing Resolution

RESOLUTION OF THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY AUTHORIZING THE ISSUANCE AND SALE OF ONE OR MORE SERIES OF ITS LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY PROPOSITION C SALES TAX REVENUE REFUNDING BONDS, APPROVING THE EXECUTION AND DELIVERY OF A SUPPLEMENTAL TRUST AGREEMENT, CONTINUING DISCLOSURE CERTIFICATE, NOTICE OF INTENTION TO SELL BONDS, NOTICE INVITING BIDS, BOND PURCHASE AGREEMENT, AS APPLICABLE, ESCROW AGREEMENT, PRELIMINARY AND FINAL OFFICIAL STATEMENT, AND THE TAKING OF ALL OTHER ACTIONS NECESSARY IN CONNECTION THEREWITH.

**(PROPOSITION C SALES TAX)**

W I T N E S S E T H :

WHEREAS, the Los Angeles County Metropolitan Transportation Authority (the "LACMTA"), as successor to the Los Angeles County Transportation Commission (the "Commission"), is authorized, under Chapter 5 of Division 12 of the California Public Utilities Code (the "Act"), to issue bonds to finance and refinance the acquisition, construction or rehabilitation of facilities to be used as part of a countywide transit system; and

WHEREAS, pursuant to the provisions of Section 130350 of the California Public Utilities Code, the Commission was authorized to adopt a retail transactions and use tax ordinance applicable in the incorporated and unincorporated territory of the County of Los Angeles (the "County") subject to the approval by the voters of the County; and

WHEREAS, the Commission, by Ordinance No. 49 adopted August 28, 1990 ("Ordinance No. 49"), imposed a ½ of 1% retail transactions and use tax upon retail sales of tangible personal property and upon the storage, use or other consumption of tangible personal property in the County, the proceeds of the tax to be used for public transit purposes (the "Proposition C Tax"), and such tax was approved by the electors of the County on November 6, 1990; and

WHEREAS, the revenues received by the LACMTA from the imposition of the transactions and use tax are, by statute, directed to be used for public transit purposes, which purposes include a pledge of such tax to secure any bonds issued pursuant to the Act and include the payments or provision for the payment of the principal of the bonds and any premium, interest on the bonds and the costs of issuance of the bonds; and

WHEREAS, the LACMTA is planning and engineering a Countywide rail, bus and highway transit system (the "Rail, Bus and Highway Transit System") to serve the County and has commenced construction of portions of the Rail, Bus and Highway Transit System; and

WHEREAS, to facilitate the development and construction of the Rail, Bus and Highway Transit System, the LACMTA, as authorized by the Act, pursuant to the terms of the Amended and Restated Trust Agreement, dated as of January 1, 2010, as amended and supplemented (the

"Trust Agreement"), by and between the LACMTA and U.S. Bank Trust Company, National Association, as successor to U.S. Bank National Association, as trustee (the "Trustee"), has issued multiple series of bonds, including its Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-A (the "Series 2012-A Bonds"); Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-B (the "Series 2012-B Bonds"); Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2013-A; Proposition C Sales Tax Revenue Bonds, Senior Bonds, Series 2013-B; Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2013-C; Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2014-A; Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2016-A; Proposition C Sales Tax Revenue Bonds, Senior Bonds, Series 2017-A; Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2018-A; Proposition C Sales Tax Revenue Bonds, Senior Bonds, Series 2019-A (Green Bonds); Proposition C Sales Tax Revenue Bonds, Senior Bonds, Series 2019-B; Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2019-C; Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2020-A and Proposition C Sales Tax Revenue Bonds, Senior Bonds, Series 2021-A (collectively, the "Prior Senior Bonds"); and

WHEREAS, the Trust Agreement permits the issuance of additional bonds subject to the limitations, and upon the terms, set forth therein, specifies applicable defaults and remedies, and provides for the procedures by which it may be amended and supplemented; and

WHEREAS, the LACMTA now desires to provide for the issuance of one or more series of its Proposition C Sales Tax Refunding Revenue Bonds, Senior Bonds, from time to time and in one or more transactions (collectively, the "Refunding Bonds") to: (a) current refund all or a portion of the outstanding Series 2012-A Bonds (the Series 2012-A Bonds so refunded shall be referred to herein as the "Refunded Series 2012-A Bonds") and the outstanding Series 2012-B Bonds (the Series 2012-B Bonds so refunded shall be referred to herein as the "Refunded Series 2012-B Bonds" and, together with the Refunded Series 2012-A Bonds, the "Refunded Bonds"), provided that the refunding of the Refunded Bonds is consistent with the Debt Policy of the LACMTA (the "Debt Policy") as in effect at the time of pricing of the applicable series of Refunding Bonds; and (b) pay certain costs of issuance related thereto (collectively, the "Financing"); and

WHEREAS, in connection with each issuance of Refunding Bonds, the LACMTA may either (a) enter into one or more Bond Purchase Agreements (a "Purchase Agreement"), to be dated as of sale of the Refunding Bonds, between the LACMTA and one or more municipal broker-dealers, banking and financial institutions and/or other persons (each, an "Underwriter") as the Designated Officer (as defined in Section 2 of this Resolution) deems necessary or desirable or (b) undertake a competitive process for the sale of the Refunding Bonds to one or more Underwriters; and

WHEREAS, the sale of the Refunding Bonds shall be in accordance with the Debt Policy of the LACMTA; and

WHEREAS, the forms of the following documents are on file with the Board Clerk or Acting Board Clerk (the "Clerk") of the Board of Directors of the LACMTA (the "Board") and have been made available to the members of the Board:

(a) a Supplemental Trust Agreement (the "Refunding Supplemental Trust Agreement"), which will be by and between the LACMTA and the Trustee, which would supplement the Trust Agreement for purposes of providing the terms and conditions of the Refunding Bonds;

(b) a Preliminary Official Statement (the "Preliminary Official Statement"), which will provide information about the Refunding Bonds, the LACMTA, the Proposition C Tax and certain other related matters, and will be used, from time to time, in connection with the offer and sale of the Refunding Bonds;

(c) a Notice of Intention to Sell Bonds (the "Notice of Intention to Sell Bonds"), which will provide notice of the LACMTA's intent to sell the Refunding Bonds, advertise the Refunding Bonds for sale, invite sealed bids on the Refunding Bonds and be published in connection with any proposed sale of the Refunding Bonds;

(d) a Notice Inviting Bids (the "Notice Inviting Bids"), which will set forth the terms and the manner in which proposals from qualified bidders for the purchase of the Refunding Bonds shall be received;

(e) a Purchase Agreement, which will set forth the terms and the manner in which the LACMTA will sell and issue the Refunding Bonds and the Underwriters thereunder, to be selected by the Designated Officer, that will purchase the Refunding Bonds, if the Refunding Bonds are sold on a negotiated basis; and

(f) a Continuing Disclosure Certificate (the "Continuing Disclosure Certificate"), which will be executed by the LACMTA and used to assist the Underwriters of the Refunding Bonds in complying with the Securities and Exchange Commission Rule 15c2-12(b)(5), and which will provide for the annual and periodic update of certain financial information and operating data with respect to the LACMTA and the collection of the Proposition C Tax, among other things, and certain enumerated events; and

(g) an Escrow Agreement (the "Escrow Agreement"), among the LACMTA, the Trustee and U.S. Bank Trust Company, National Association, as escrow agent, which will be executed and delivered in connection with the refunding and defeasance of the Refunded Bonds;

WHEREAS, the LACMTA hereby acknowledges that said documents will be modified and amended to reflect the various details applicable to the Refunding Bonds, whether the Refunding Bonds are issued in a single issuance or multiple issuances, and that said documents are subject to completion to reflect the results of the sale of the Refunding Bonds; and

WHEREAS, the LACMTA has pledged the Proposition C Tax (less the 20% local allocation and the California Department of Tax and Fee Administration's costs of administering such tax) (the "Pledged Taxes") pursuant to the terms of the Trust Agreement to secure the Prior Senior Bonds and certain other obligations of the LACMTA, and once issued, the Refunding Bonds will be "Bonds" and "Senior Bonds" as defined in the Trust Agreement and will be secured by the pledge of the Pledged Revenues under the Trust Agreement; and

WHEREAS, the LACMTA desires to designate the Chief Financial Officer of the LACMTA, the Treasurer of the LACMTA, any Deputy Executive Officer, Finance of the LACMTA, any Assistant Treasurer of the LACMTA (or such other titles as the LACMTA may from time to time assign for such respective positions), and any such officer serving in an acting or interim capacity, and any written designee of any of them as an "Authorized Authority Representative" for all purposes under the Trust Agreement, the Refunding Supplemental Trust Agreement, and the Subordinate Trust Agreement, dated as of June 1, 1993, as amended and supplemented (the "Subordinate Trust Agreement"), by and between LACMTA and U.S. Bank Trust Company, National Association, as successor to U.S. Bank National Association, as trustee, and as an "Authorized Representative" under the Second Amended and Restated Revolving Credit Agreement, dated as of April 1, 2019 (the "Second Amended and Restated Revolving Credit Agreement"), by and between the LACMTA and Wells Fargo Bank, National Association, relating to the Proposition C Revolving Obligations, and any related documents; and

WHEREAS, Section 5852.1 of the California Government Code requires that the governing body of a public body obtain from an underwriter, financial advisor or private lender and disclose, prior to authorizing the issuance of bonds with a term of greater than 13 months, good faith estimates of the following information in a meeting open to the public: (a) the true interest cost of the bonds, (b) the sum of all fees and charges paid to third parties with respect to the bonds, (c) the amount of proceeds of the bonds expected to be received net of the fees and charges paid to third parties and any reserves or capitalized interest paid or funded with proceeds of the bonds, and (d) the sum total of all debt service payments on the bonds calculated to the final maturity of the bonds plus the fees and charges paid to third parties not paid with the proceeds of the bonds; and

WHEREAS, the LACMTA is duly authorized and empowered, pursuant to each and every requirement of law, to authorize the Financing and to authorize the execution and delivery of the Refunding Supplemental Trust Agreement, the Continuing Disclosure Certificate, the Notice of Intention to Sell Bonds, the Notice Inviting Bids, the Purchase Agreement, as applicable, the Escrow Agreement, the preparation of the Preliminary Official Statement and the preparation, execution and delivery of the Official Statement (as hereinafter defined) for the purposes, in the manner and upon the terms provided; and

WHEREAS, terms used in this Resolution and not otherwise defined herein shall have the meanings assigned to them in the Trust Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, AS FOLLOWS:

**Section 1. Findings**. The LACMTA hereby finds and determines that:

(a) The issuance of one or more series of its Refunding Bonds under the Trust Agreement to current refund all or a portion of the Refunded Bonds (provided that the refunding of the Refunded Bonds is consistent with the Debt Policy as in effect at the time of pricing of the applicable series of Refunding Bonds) and pay certain costs related to the issuance of the Refunding Bonds, is in the public interest.

(b) Under the provisions of Ordinance No. 49, all of the Pledged Taxes are revenues of the LACMTA available for rail, bus and highway transit purposes and are available to be and are, by the terms of the resolutions and the Trust Agreement under which the Prior Senior Bonds were issued, pledged, along with the Pledged Revenues, to secure the Prior Senior Bonds and are pledged to secure the Refunding Bonds, and, by this Resolution, such pledge is reaffirmed.

(c) The provisions contained in the Trust Agreement, as previously amended and supplemented, and as to be supplemented as set forth in the Refunding Supplemental Trust Agreement, are reasonable and proper for the security of the holders of the Refunding Bonds.

**Section 2. Issuance of Refunding Bonds**. The Board hereby authorizes the issuance by the LACMTA of one or more series of Refunding Bonds, from time to time and in one or more transactions, for the purposes of (a) current refunding all or a portion of the Refunded Bonds (provided that the refunding of the Refunded Bonds is consistent with the Debt Policy as in effect at the time of pricing of the Refunding Bonds as determined and calculated at the discretion of the Treasurer of the LACMTA, which shall be conclusive for all purposes of this Resolution), and (b) paying certain costs of issuance related to the issuance of the Refunding Bonds. The aggregate principal amount of the Refunding Bonds issued by the LACMTA shall not exceed an amount sufficient (taking into account any original issue discount) to refund all or a portion of the Refunded Bonds and pay certain costs related to the issuance of the Refunding Bonds (including, but not limited to, underwriters' discount), and in any event the aggregate principal amount of all Refunding Bonds shall not exceed $67,000,000. The True Interest Cost of the Refunding Bonds shall not exceed 3.00%, as such shall be calculated by the LACMTA's municipal advisor as of the date of delivery of each series of the Refunding Bonds. The Refunding Bonds shall not mature later than the final maturity date of the Refunded Bonds that are being refunded with proceeds of the Refunding Bonds.

The Refunding Bonds shall be issued in a manner by which the interest thereon is excludable from gross income under the Internal Revenue Code of 1986, as amended. The Chief Executive Officer of the LACMTA, the Chief Financial Officer of the LACMTA, the Treasurer of the LACMTA, any Deputy Executive Officer, Finance of the LACMTA, any Assistant Treasurer of the LACMTA (or such other titles as the LACMTA may from time to time assign for such respective positions), and any such officer serving in an acting or interim capacity, and any written designee of any of them (each, a "Designated Officer"), acting in accordance with this Section 2, are each hereby severally authorized to determine the actual aggregate principal amount of the Refunding Bonds to be issued (not in excess of the maximum amount set forth above), and to direct the execution and authentication of the Refunding Bonds in such amount. Such direction shall be conclusive as to the principal amounts hereby authorized. The Refunding Bonds shall be in fully registered form and shall be issued as Book-Entry Bonds as provided in the Refunding Supplemental Trust Agreement. Payment of the principal of, interest on and premium, if any, on the Refunding Bonds shall be made at the place or places and in the manner provided in each Refunding Supplemental Trust Agreement.

As used herein, the term "True Interest Cost" shall be the interest rate (compounded semiannually) necessary to discount the debt service payments from their respective payment dates

to the dated date of the Refunding Bonds and to the principal amount and original issue premium, if any, less underwriters' discount and original issue discount, if any, of the Refunding Bonds. For the purpose of calculating the True Interest Cost, the principal amount of the Refunding Bonds scheduled for mandatory sinking fund redemption as part of a term bond shall be treated as a serial maturity for such year. The calculation of the True Interest Cost shall include such other reasonable assumptions and methods as determined by the LACMTA's municipal advisor.

**Section 3. Terms of Refunding Bonds**. The Refunding Bonds shall be issued as current interest bonds and shall be available in denominations of $5,000 and integral multiples thereof. The Refunding Bonds, when issued, shall be in the aggregate principal amounts and shall be dated as shall be provided in the Refunding Supplemental Trust Agreement. The Refunding Bonds may be issued as serial bonds or as term bonds or as both serial bonds and term bonds, all as set forth in the Refunding Supplemental Trust Agreement. Interest on the Refunding Bonds shall be paid at the rates and on the dates set forth in the Refunding Supplemental Trust Agreement; *provided, however*, that, no Refunding Bond shall bear interest at a rate in excess of 5.0% per annum.

Execution and delivery of the Refunding Supplemental Trust Agreement, which document will contain the maturities, principal amounts, interest rates and the payment obligations of the LACMTA within parameters set forth in this Resolution, shall constitute conclusive evidence of the LACMTA's approval of such maturities, principal amounts, interest rates and payment obligations.

**Section 4. Special Obligations**. The Refunding Bonds shall be special obligations of the LACMTA secured by and payable from the Pledged Revenues and from the funds and accounts held by the Trustee under the Trust Agreement. The Refunding Bonds shall also be secured by and be paid from such other sources as the LACMTA may hereafter provide.

**Section 5. Form of Refunding Bonds**. The Refunding Bonds and the Trustee's Certificate of Authentication to appear thereon shall be in substantially the form set forth in Exhibit A to the Refunding Supplemental Trust Agreement on file with the Clerk of the Board and made available to the Board, with such necessary or appropriate variations, omissions and insertions as permitted or required by the Trust Agreement or the Refunding Supplemental Trust Agreement or as appropriate to adequately reflect the terms of such Refunding Bonds and the obligation represented thereby.

**Section 6. Execution of Refunding Bonds**. Each of the Refunding Bonds shall be executed on behalf of the LACMTA by any Designated Officer and any such execution may be by manual or facsimile signature, and each bond shall be authenticated by the endorsement of the Trustee or an agent of the Trustee. Any facsimile signature of such Designated Officer(s) shall have the same force and effect as if such officer(s) had manually signed each of such Refunding Bonds.

**Section 7. Approval of Documents; Authorization for Execution**. The forms, terms and provisions of the Refunding Supplemental Trust Agreement, the Notice of Intention to Sell Bonds, the Notice Inviting Bids, the Purchase Agreement, the Continuing Disclosure Certificate and the Escrow Agreement on file with the Clerk of the Board and made available to the Board within the parameters set forth in this Resolution are in all respects approved, and each of the

Designated Officers is hereby severally authorized, empowered and directed to execute, acknowledge and deliver in the name of and on behalf of the LACMTA one or more Refunding Supplemental Trust Agreements, one or more Notices of Intention to Sell Bonds, one or more Notices Inviting Bids, one or more Purchase Agreements, as applicable, one or more Continuing Disclosure Certificates and one or more Escrow Agreements, including counterparts thereof. The Refunding Supplemental Trust Agreement(s), the Notice(s) of Intention to Sell Bonds, the Notice(s) Inviting Bids, the Purchase Agreement(s), as applicable, the Continuing Disclosure Certificate(s) and the Escrow Agreement(s), as executed and delivered, shall be in substantially the forms now on file with the Clerk of the Board and made available to the Board and hereby approved, or with such changes therein as shall be approved by the Designated Officer executing the same; the execution thereof shall constitute conclusive evidence of the Board's approval of any and all changes or revisions therein from the form of the Refunding Supplemental Trust Agreement, the Notice of Intention to Sell Bonds, the Notice Inviting Bids, the Purchase Agreement, the Continuing Disclosure Certificate and Escrow Agreement now on file with the Clerk of the Board and made available to the Board; and from and after the execution and delivery of each Refunding Supplemental Trust Agreement, each Notice of Intention to Sell Bonds, each Notice Inviting Bids, each Purchase Agreement, as applicable, and each Continuing Disclosure Certificate, the officers, agents and employees of the LACMTA are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of each Refunding Supplemental Trust Agreement, each Notice of Intention to Sell Bonds, each Notice Inviting Bids, each Continuing Disclosure Certificate and each Escrow Agreement.

**Section 8. Sale of Refunding Bonds**.

(a) The LACMTA hereby authorizes the sale of the Refunding Bonds from time to time in one or more series through one or more competitive sales and/or one or more private, negotiated sales to one or more Underwriters, as determined by a Designated Officer.

(b) The Refunding Bonds, if sold to the Underwriter or Underwriters, shall be sold subject to an underwriters' discount (excluding original issue discount) not to exceed $6 per $1,000 of principal amount of Refunding Bonds and subject to the terms and conditions set forth in the Purchase Agreement or the published bid notice.

(c) If a Designated Officer determines to sell some or all of the Bonds in one or more competitive sales, the Designated Officers are each authorized and directed to:

(i) From time to time, choose such times and dates as such Designated Officer shall, in his or her discretion, deem to be necessary or desirable to provide for the sale of the Refunding Bonds, to receive proposals from qualified bidders for the purchase of the Refunding Bonds (through the receipt of bids through the use of computerized bidding systems) upon the terms and in the manner set forth in each Notice Inviting Bids.

(ii) Execute one or more Notices Inviting Bids, from time to time, in such form as the Designated Officer executing the same shall approve, and call for

bids for the sale of the Refunding Bonds from qualified bidders in accordance with each such Notice Inviting Bids.

(iii) Cause each Notice of Intention to Sell Bonds to be published from time to time (after completion, modification or correction thereof reflecting the terms of each series of the Refunding Bonds, as approved by said Designated Officer, such approval to be conclusively evidenced by such publication) (A) in *The Bond Buyer* (or such other publication as may be selected by a Designated Officer and approved by Bond Counsel), a financial publication generally circulated throughout the State of California or reasonably expected to be disseminated among prospective bidders for the Refunding Bonds, at least five days prior to the sale of each series of the Refunding Bonds in accordance with Section 53692 of the Government Code of the State of California and (B) in the *Los Angeles Journal* (or such other publication as may be selected by a Designated Officer and approved by Bond Counsel), a newspaper of general circulation circulated within the boundaries of the LACMTA, at least ten days prior to the sale of each series of the Refunding Bonds in accordance with Section 53583 of the Government Code of the State of California, and any such action previously taken is hereby confirmed, ratified and approved.

(iv) Distribute each Notice Inviting Bids (including via electronic methods) to such municipal broker-dealers, banking and financial institutions and other persons as such Designated Officer deems necessary or desirable, and any such action previously taken is hereby confirmed, ratified and approved.

(v) On behalf of the LACMTA, accept the best bid for the Refunding Bonds received from qualified bidders pursuant to and subject to the terms and conditions set forth in this Resolution and the Notice(s) Inviting Bids herein approved and to award the Refunding Bonds, from time to time, to such best bidder(s).

(d) If a Designated Officer determines to sell some or all of the Refunding Bonds in one or more negotiated sales, each Designated Officer shall be authorized to appoint an Underwriter or Underwriters following a competitive request for proposal process or competitive request for proposal processes conducted by the LACMTA's municipal advisor or another process deemed appropriate by a Designated Officer.

(e) Take any other action such Designated Officer determines is necessary or desirable to cause any such sale to comply with the LACMTA's Debt Policy and applicable law.

**Section 9. Preliminary Official Statement and Official Statement**. One or more Preliminary Official Statements shall be used by the LACMTA in connection with the sale and issuance of the Refunding Bonds. The form of the Preliminary Official Statement on file with the Clerk of the Board and made available to the Board is hereby approved. The Preliminary Official Statement shall be substantially in the form of the Preliminary Official Statement on file with the Clerk of the Board and made available to the Board with such changes as a Designated Officer

approves (such approval to be conclusively evidenced by the execution and delivery of the certificate referenced in the following sentence). The Preliminary Official Statement shall be circulated (via printed format and/or through electronic means) for use in selling the Refunding Bonds at such time or times as a Designated Officer shall deem such Preliminary Official Statement to be final within the meaning of Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended, said determination to be conclusively evidenced by a certificate signed by said Designated Officer to said effect. The Preliminary Official Statement shall contain a description of the finances and operations of the LACMTA, a description of the Proposition C Tax and a description of historical receipts of sales tax revenues substantially in the form of the Preliminary Official Statement on file with the Clerk of the Board and made available to the Board with such changes as any Designated Officer determines are appropriate or necessary. The Preliminary Official Statement shall also contain a description of the Refunding Bonds and the terms and conditions of the Trust Agreement and the Refunding Supplemental Trust Agreement together with such information and description as a Designated Officer determines is appropriate or necessary.

Upon the sale of the Refunding Bonds, one or more of the Designated Officers shall provide for the preparation, publication, execution and delivery of one or more final Official Statements in substantially the form of the Preliminary Official Statement deemed final by a Designated Officer with such changes as any Designated Officer approves, such approval to be conclusively evidenced by the execution of such final Official Statement. Any Designated Officer is hereby authorized and directed to execute and deliver one or more final Official Statements in the name and on behalf of the LACMTA. One or more supplements to the final Official Statement(s) or revised final Official Statement(s) may be prepared and delivered reflecting updated and revised information as any Designated Officer deems appropriate or necessary. Each final Official Statement shall be circulated (via printed format and/or through electronic means) for use in selling the Refunding Bonds at such time or times as a Designated Officer deems appropriate after consultation with LACMTA's municipal advisor, LACMTA's Disclosure Counsel and LACMTA's Bond Counsel and such other advisors as a Designated Officer believes to be useful.

**Section 10. Trustee, Paying Agent and Registrar**. U.S. Bank Trust Company, National Association is hereby appointed as Trustee, Paying Agent and Registrar for the Refunding Bonds. Such appointments shall be effective upon the issuance of the Refunding Bonds and shall remain in effect until the LACMTA, by supplemental agreement, resolution or other action, shall name a substitute or successor thereto.

**Section 11. Escrow Agent**. U.S. Bank Trust Company, National Association is hereby appointed as Escrow Agent under the Escrow Agreement. Such appointment shall be effective upon the issuance of the Refunding Bonds and shall remain in effect until the LACMTA, by supplemental agreement, resolution or other action, shall name a substitute or successor thereto.

**Section 12. Authorized Authority Representative**. The Board hereby designates each of the Chief Financial Officer of the LACMTA, the Treasurer of the LACMTA, any Deputy Executive Officer, Finance of the LACMTA, any Assistant Treasurer of the LACMTA, and any such officer serving in an acting or interim capacity, as an "Authorized Authority Representative" for all purposes under the Trust Agreement, the Refunding Supplemental Trust Agreement, and any amendments or supplements to the Trust Agreement or the Refunding Supplemental Trust

Agreement, and any related documents. Such appointment shall remain in effect until modified by resolution. The prior designation of officers, including the Chairperson of the Board and the Chief Executive Officer of the LACMTA, as Authorized Authority Representatives under the Trust Agreement and any amendments or supplements thereto shall continue.

**Section 13. Additional Authorization**. The Designated Officers, for and on behalf of the LACMTA, are authorized and directed to do any and all things necessary to effect the issuance of the Refunding Bonds, and the execution and delivery of each Refunding Supplemental Trust Agreement, each Notice of Intention to Sell Bonds, each Notice Inviting Bids, each Purchase Agreement, as applicable, each Continuing Disclosure Certificate, and each Escrow Agreement, and to carry out the terms thereof. The Designated Officers and all other officers, agents and employees of the LACMTA are further authorized and directed, for and on behalf of the LACMTA, to execute all papers, documents, certificates and other instruments and take all other actions that may be required in order to carry out the authority conferred by this Resolution or the provisions of the Trust Agreement, each Refunding Supplemental Trust Agreement, each Notice of Intention to Sell Bonds, each Notice Inviting Bids, each Purchase Agreement, as applicable, each Continuing Disclosure Certificate, and each Escrow Agreement or to evidence said authority and its exercise. The foregoing authorization includes, but is in no way limited to, the direction (from time to time) by a Designated Officer of the investment of the proceeds of the Refunding Bonds and of the Pledged Revenues and other amounts held under the Trust Agreement, if any, including the execution and delivery of investment agreements or purchase agreements related thereto, the execution by a Designated Officer and the delivery of one or more tax certificates as required by each Refunding Supplemental Trust Agreement for the purpose of complying with the rebate requirements and arbitrage restrictions of the Internal Revenue Code of 1986, as amended; the execution and delivery of documents required by The Depository Trust Company in connection with the Book-Entry Bonds. All actions heretofore taken by the officers, agents and employees of the LACMTA in furtherance of this Resolution are hereby confirmed, ratified and approved.

Any Designated Officer, on behalf of the LACMTA, is further authorized and directed to cause written notice(s) to be provided to the California Debt and Investment Advisory Commission ("CDIAC") of the proposed sale of the Refunding Bonds, said notice(s) to be provided in accordance with Section 8855 et seq. of the California Government Code, to file the notice(s) of final sale with CDIAC, to file the rebates and notices required under section 148(f) and 149(e) of the Internal Revenue Code of 1986, as amended, if necessary, and to file such additional notices and reports as are deemed necessary or desirable by such Designated Officer in connection with the Refunding Bonds, and any such notices are hereby ratified, confirmed and approved.

**Section 14. Continuing Authority of Designated Officers**. The authority of any individual serving as a Designated Officer under this Resolution by a written designation signed by the Chief Executive Officer, the Chief Financial Officer, the Treasurer, any Deputy Executive Officer, Finance, or any Assistant Treasurer (or such other titles as the LACMTA may from time to time assign for such respective positions), shall remain valid notwithstanding the fact that the individual officer of the LACMTA signing such designation ceases to be an officer of the LACMTA, unless such designation specifically provides otherwise.

**Section 15. Investments**. From and after the delivery of the Refunding Bonds, each Designated Officer is hereby authorized to invest the proceeds of the Refunding Bonds in

accordance with the Trust Agreement and the Refunding Supplemental Trust Agreement, the Escrow Agreement and the LACMTA's Investment Policy and is further authorized to enter into or to instruct the Trustee to enter into one or more investment agreements, float contracts, swaps or other hedging products (hereinafter collectively referred to as the "Investment Agreement") providing for the investment of moneys in any of the funds and accounts created under the Trust Agreement and the Refunding Supplemental Trust Agreement, on such terms as the Designated Officer shall deem appropriate. In accordance with Section 5922 of the California Government Code, the LACMTA hereby finds and determines that the Investment Agreement is designed to reduce the amount or duration of payment, rate, spread or similar risk or result in a lower cost of borrowing when used in combination with the Refunding Bonds or enhance the relationship between risk and return with respect to investments.

**Section 16. Good Faith Estimates**. In accordance with Section 5852.1 of the California Government Code, good faith estimates of the following are set forth in Exhibit A attached hereto: (a) the true interest cost of the Refunding Bonds, (b) the sum of all fees and charges paid to third parties with respect to the Refunding Bonds, (c) the amount of proceeds of the Refunding Bonds expected to be received net of the fees and charges paid to third parties and any reserves or capitalized interest paid or funded with proceeds of the Refunding Bonds, and (d) the sum total of all debt service payments on the Refunding Bonds calculated to the final maturity of the Refunding Bonds plus the fees and charges paid to third parties not paid with the proceeds of the Refunding Bonds.

**Section 17. Further Actions**. The Designated Officers and each of them are hereby authorized and directed to amend, supplement or otherwise modify each document authorized or authorized to be amended by this Resolution at any time and from time to time and in any manner determined to be necessary or desirable by the Designated Officer executing such amendment, supplement, or modification, upon consultation with the LACMTA's municipal advisor and LACMTA's Bond Counsel, the execution of such amendment, supplement or other modification being conclusive evidence of the LACMTA's approval thereof. The Designated Officers and each of them are further authorized and directed to amend, supplement or otherwise modify any investment agreement associated with the Refunded Bonds in any manner determined to be necessary or desirable by the Designated Officer executing such amendment, supplement, or modification, upon consultation with the LACMTA's municipal advisor and LACMTA's Bond Counsel, the execution of such amendment, supplement or other modification being conclusive evidence of the LACMTA's approval thereof.

**Section 18. Costs of Issuance**. The LACMTA authorizes funds of the LACMTA, together with the proceeds of the Refunding Bonds, to be used to pay costs of issuance of the Refunding Bonds, including, but not limited to, costs of attorneys, accountants, municipal advisors, trustees, the costs associated with rating agencies, printing, publication and mailing expenses and any related filing fees.

**Section 19. Severability**. The provisions of this Resolution are hereby declared to be severable, and, if any section, phrase or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereof.

**Section 20. Effective Date**. This Resolution shall be effective upon adoption and shall be effective with respect to the Refunding Bonds issued on or before December 31, 2022.

CERTIFICATION

The undersigned, duly qualified and acting as Board Clerk of the Los Angeles County Metropolitan Transportation Authority, certifies that the foregoing is a true and correct copy of the Resolution adopted at a legally convened meeting of the Board of Directors of the Los Angeles County Metropolitan Transportation Authority held on _____, 2022.

[SEAL]

By _____
Board Clerk, Los Angeles County
Metropolitan Transportation Authority

Dated: _____, 2022

## EXHIBIT A

## GOOD FAITH ESTIMATES

The following information was obtained from Public Resources Advisory Group (the "Municipal Advisor") with respect to the bonds (the "Refunding Bonds") approved in the attached Resolution, and is provided in compliance with Section 5852.1 of the California Government Code with respect to the Refunding Bonds:

**Section 1. True Interest Cost of the Refunding Bonds**. Based on market interest rates prevailing at the time of preparation of this information, a good faith estimate of the true interest cost of the Refunding Bonds, which means the rate necessary to discount the amounts payable on the respective principal and interest payment dates to the purchase price received for the Refunding Bonds, is 2.245802%.

**Section 2. Finance Charge of the Refunding Bonds**. Based on market interest rates prevailing at the time of preparation of this information, a good faith estimate of the finance charge of the Refunding Bonds, which means the sum of all fees and charges paid to third parties (or costs associated with the Refunding Bonds), is $362,556.42 as follows:

| | | |
|---|---|---|
| (a) | Underwriters' Discount | $ 124,582.50 |
| (b) | Bond Counsel and Disbursements | 30,000.00 |
| (c) | Disclosure Counsel and Disbursements | 48,500.00 |
| (d) | Municipal Advisor and Disbursements | 60,000.00 |
| (e) | Rating Agencies | 61,537.00 |
| (f) | Other | 37,936.92 |
| | Total | $ 362,556.42 |

**Section 3. Amount of Proceeds to be Received**. Based on market interest rates prevailing at the time of preparation of this information, a good faith estimate of the amount of proceeds expected to be received by the LACMTA for sale of the Refunding Bonds less the finance charge of the Refunding Bonds described in Section 2 above and any reserves or capitalized interest paid or funded with proceeds of the Refunding Bonds, is $43,827,502.98.

**Section 4. Total Payment Amount**. Based on market interest rates prevailing at the time of preparation of this information, a good faith estimate of the total payment amount, which means the sum total of all payments the LACMTA will make to pay debt service on the Refunding Bonds plus the finance charge of the Refunding Bonds described in Section 2 above not paid with the proceeds of the Refunding Bonds, calculated to the final maturity of the Refunding Bonds, is $46,786,854.17.

Attention is directed to the fact that the foregoing information constitutes good faith estimates only. The actual interest cost, finance charges, amount of proceeds and total payment amount may vary from the estimates above due to variations from these estimates in the timing of Refunding Bonds sales, the amount of Refunding Bonds sold, the amortization of the Refunding Bonds sold and market interest rates at the time of each sale. The date of sale and the amount of Refunding Bonds sold will be determined by the LACMTA based on need to provided funds for

the Financing and other factors. The actual interest rates at which the Refunding Bonds will be sold will depend on the bond market at the time of each sale. The actual amortization of the Refunding Bonds will also depend, in part, on market interest rates at the time of sale. Market interest rates are affected by economic and other factors beyond the LACMTA's control. The LACMTA has approved the issuance of the Refunding Bonds with a maximum true interest cost of 3.0%.

**HDW – 5/2/22 Draft**

# NOTICE OF INTENTION TO SELL BONDS

## $[Preliminary Par]*
## LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
## PROPOSITION C SALES TAX REVENUE REFUNDING BONDS,
## SENIOR BONDS, SERIES 2022-A

On [Day of Week], [Pricing Date], the Los Angeles County Metropolitan Transportation Authority ("***LACMTA***") intends to receive bids for the above-referenced bonds (the "***Series 2022-A Bonds***") until 8:30 a.m., California Time, through the electronic bidding services of Grant Street Group's MuniAuction platform ("MuniAuction").

Electronic bids received by LACMTA will be considered by LACMTA at the time described above at One Gateway Plaza, Treasury Department, 21st Floor, Los Angeles, California 90012. The award and/or rejection of bids for the Series 2022-A Bonds will take place in accordance with the provisions of the Notice Inviting Bids (the "***Notice Inviting Bids***").

LACMTA reserves the right, in its sole discretion, to reject any and all bids and, to the extent permitted by law, to waive any irregularity or nonconformity in any bid. LACMTA also reserves the right to modify or amend the Notice Inviting Bids, as set forth therein, including to modify the size or structure of the transaction. LACMTA reserves the right, in its sole discretion, to postpone, from time to time, the date or time established for the receipt of bids as more fully set forth in the Notice Inviting Bids. Any such modification, amendment, or postponement will be announced via Thomson Municipal Market Monitor (www.tm3.com) ("***TM3***") and MuniAuction not later than 1:00 p.m. (California time) on the business day prior to the date the bids are to be received. Failure of any potential bidder to receive notice of any modification, amendment or postponement will not affect the sufficiency of any such notice or the legality of the sale.

The Series 2022-A Bonds will be dated their date of delivery. The principal amount of Series 2022-A Bonds sold may be adjusted after the award of the Series 2022-A Bonds, as set forth in the Notice Inviting Bids.

On or about [Day of Week], [POS Date], copies (in electronic format) of the Notice Inviting Bids, the Preliminary Official Statement with respect to the Series 2022-A Bonds, the Resolution of LACMTA authorizing the issuance of the Series 2022-A Bonds, the Amended and Restated Trust Agreement and the form of the Thirty-Third Supplemental Trust Agreement related thereto will be available from the offices of LACMTA's municipal advisor: Public Resources Advisory Group, 11500 W. Olympic Blvd., Suite 400, Los Angeles, California 90064; Telephone: (310) 477-7098; Attention: Louis Choi. On or about Wednesday, [POS Date], copies of the Preliminary Official Statement and the Notice Inviting Bids also will be available in electronic format at www.MuniOS.com.

LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY

Dated: _____, __, 2022

By: /s/Rodney Johnson
Rodney Johnson,
Deputy Executive Officer, Finance

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* *Preliminary; subject to change.*

# NOTICE INVITING BIDS

$[Par Amount]*
Los Angeles County Metropolitan Transportation Authority
Proposition C Sales Tax Revenue Refunding Bonds,
Senior Bonds, Series 2022-A

NOTICE IS HEREBY GIVEN that electronic bids will be received by the Los Angeles County Metropolitan Transportation Authority ("***LACMTA***") for the purchase of $[Par Amount]* aggregate principal amount of its Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2022-A (the "***Series 2022-A Bonds***"). Electronic bids for the purchase of the Series 2022-A Bonds will be accepted through the use of the electronic bidding system of Grant Street Group's MuniAuction. The bids for the Series 2022-A Bonds will be received on the date and up to the time specified below:

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|---|---|
| Date and Time: | [Pricing Date]<br>8:30 a.m. until 8:45 a.m. (California Time), unless extended in accordance with the Two Minute Rule, as described under "TERMS OF SALE – Information Regarding Electronic Bids." |
| Submission of Electronic Bids: | Only electronic bids submitted through the website of Grant Street Group's MuniAuction (the "***Approved Provider***"). The Approved Provider will not act as an agent of LACMTA in connection with the submission of bids and LACMTA assumes no responsibility or liability for bids submitted through the Approved Provider. **None of LACMTA, Public Resources Advisory Group ("*Municipal Advisor*") or Hawkins Delafield & Wood LLP ("*Bond Counsel*") shall be responsible for, and each bidder expressly assumes the risk of, any incomplete, inaccurate or untimely bid submitted through the Approved Provider by such bidder, including, without limitation, by reason of garbled transmissions, mechanical failure, engaged telephone or telecommunications lines or any other cause arising from delivery through the Approved Provider.** See "TERMS OF SALE—Information Regarding Electronic Bids" herein.<br><br>**No written bids or facsimile bids will be accepted.** |

All electronic bids shall be deemed to incorporate the provisions of the Bid Form attached hereto. See instructions under "TERMS OF SALE—Form of Bid; Interest Rate" and "TERMS OF SALE—Additional Information" herein.

Bids will be considered by LACMTA at the time set forth above at One Gateway Plaza, Treasury Department, 21st Floor, Los Angeles, California 90012. Action will be taken awarding the Series 2022-A Bonds or rejecting all bids for the Series 2022-A Bonds as set forth herein.

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* Preliminary; subject to change.

## DESCRIPTION OF THE SERIES 2022-A BONDS

### Security; Purpose

The Series 2022-A Bonds will be issued under the terms of the Amended and Restated Trust Agreement, dated as of January 1, 2010, as amended and supplemented (the "***Trust Agreement***"), by and between LACMTA and U.S. Bank National Association, as trustee (the "***Trustee***"). In connection with the issuance of the Series 2022-A Bonds, LACMTA will enter into a Thirty-Third Supplemental Trust Agreement, to be dated as of June 1, 2022 (the "***Thirty-Third Supplemental Agreement***"), by and between LACMTA and the Trustee, to provide for the issuance of the Series 2022-A Bonds and related matters. This Notice Inviting Bids refers to the Trust Agreement and the Thirty-Third Supplemental Agreement as the "***Agreement***."

The Series 2022-A Bonds are limited obligations of LACMTA payable from and secured by a first lien on and a pledge of the "***Pledged Revenues***," which are (a) moneys collected as a result of the imposition of a certain 1/2 of 1% retail transactions and use tax applicable in the County of Los Angeles (the "***County***") pursuant to Ordinance No. 49, which the electors of the County approved on November 6, 1990 (the "***Proposition C Sales Tax***"), less 20% thereof which is allocated to local jurisdictions for public transit, paratransit and related services and less an administrative fee paid to the California Department of Tax and Fee Administration (formerly the California State Board of Equalization) in connection with the collection and disbursement of the Proposition C Sales Tax; and (b) certain other limited amounts held by the Trustee under the Agreement, all as further described in the Preliminary Official Statement for the Series 2022-A Bonds (the "***Preliminary Official Statement"***). LACMTA is not obligated to make payments of principal of and interest on the Series 2022-A Bonds from any other source of funds.

**NEITHER THE FAITH AND CREDIT NOR THE TAXING POWER OF THE COUNTY, THE STATE OF CALIFORNIA OR ANY POLITICAL SUBDIVISION OR PUBLIC AGENCY THEREOF, OTHER THAN LACMTA TO THE EXTENT OF THE PLEDGED REVENUES AND CERTAIN OTHER AMOUNTS HELD BY THE TRUSTEE UNDER THE AGREEMENT, WILL BE PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF OR INTEREST ON THE SERIES 2022-A BONDS. LACMTA HAS NO POWER TO LEVY PROPERTY TAXES TO PAY THE PRINCIPAL OF OR INTEREST ON THE SERIES 2022-A BONDS.**

**The Series 2022-A Bonds are limited obligations of LACMTA and are payable, as to both principal and interest, solely from a first lien on and pledge of the Pledged Revenues and certain other amounts held by the Trustee under the Agreement. Other than Pledged Revenues and such other amounts held by the Trustee under the Agreement, the general fund of LACMTA is not liable, and neither the credit nor the taxing power of LACMTA is pledged, for the payment of the principal of or interest on the Series 2022-A Bonds.**

The Series 2022-A Bonds will be issued for the purposes of (a) current refund all or a portion of the outstanding Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-A and the outstanding Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-B (collectively, the "Refunded Bonds") and (b) paying certain costs of issuance related to the issuance of the Series 2022-A Bonds; and

LACMTA has previously issued several series of its Proposition C Sales Tax Revenue Bonds payable from the Pledged Revenues on a parity with the Series 2022-A Bonds of which $[Outstanding Prop C Bonds] in aggregate principal amount remains outstanding as of May 1, 2022 (including the Refunded Bonds). Additional future series of parity bonds are expected to be issued by LACMTA, from time to time, with a lien on the Pledged Revenues on a parity with the Series 2022-A Bonds subject to the

terms and conditions set forth in the Agreement. Bidders are referred to the Agreement and the Preliminary Official Statement for further particulars.

**Payment; Book-Entry-Only**

The Series 2022-A Bonds will be issued in registered form only, without coupons, in denominations of $5,000 or any integral multiple thereof. The Series 2022-A Bonds will initially be issued in book-entry form only, registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("***DTC***"). Purchasers will not receive certificates from LACMTA representing their interest in the Series 2022-A Bonds. Payments of principal and interest will be made by the Trustee to DTC for subsequent disbursement to DTC participants to then be remitted to the beneficial owners of the Series 2022-A Bonds. See the discussion of the Book-Entry-Only System in Appendix G to the Preliminary Official Statement.

**Interest Payment Dates**

The Series 2022-A Bonds will be dated their date of delivery ([Closing Date])* (the "***Date of Delivery***"). The Series 2022-A Bonds will bear interest from such date and such interest shall be payable on January 1, 2021 and semiannually thereafter on each July 1 and January 1 until maturity. The Series 2022-A Bonds shall bear interest at the rate to be fixed upon the sale thereof.

**Principal Amount**

The Series 2022-A Bonds will be issued in the aggregate principal amount of $[Par Amount],* with the principal amount thereof payable as set forth in the Bid Form (subject to adjustment as described below).

**Adjustment of Principal Amount**

The principal amount set forth in the Bid Form for the Series 2022-A Bonds will reflect certain estimates of LACMTA and the Municipal Advisor with respect to the likely interest rate of the winning bid and the premium/discount contained in the winning bid. After selecting the winning bid, the principal amount contained in the Bid Form may be adjusted as necessary in the determination of the Municipal Advisor in $5,000 increments to reflect the actual interest rates and any premium/discount in the winning bid, and/or to accommodate the structuring preferences or sizing requirements of LACMTA's Proposition C bonds (including the Series 2022-A Bonds). The dollar amount bid for the Series 2022-A Bonds by the winning bidder will be adjusted, if applicable, to reflect any such adjustment in the principal amount. The adjusted bid price will reflect changes in the dollar amount of the underwriter's discount and original issue discount/premium, if any, but will not change the per bond underwriter's discount provided in the winning bid. Any such adjustment will be communicated to the winning bidder within twenty-seven (27) hours after the opening of the bid.

Changes in the principal amount made as described above will not affect the determination of the winning bidder or give the winning bidder any right to reject the Series 2022-A Bonds.

**Serial Bond Only**

[The Series 2022-A Bonds will be issued only as serial bonds.]

* Preliminary; subject to change.

**No Redemption**

The Series 2022-A Bonds will not be subject to redemption prior to their stated maturity.

## TERMS OF SALE

**Form of Bid; Interest Rate**

Bidders must bid to purchase all and not part of the Series 2022-A Bonds, and must submit their bids through electronic means as provided in this Notice Inviting Bids. All electronic bids shall be deemed to incorporate the provisions of the Bid Form attached hereto. Bidders must specify one, and only one, rate of interest for the Series 2022-A Bonds they are bidding on. No interest rate on the Series 2022-A Bonds shall exceed [5.00%] per annum and each interest rate must be expressed in multiples of 1/8 or 1/20 of 1%.

Bidders may bid to purchase the Series 2022-A Bonds from LACMTA at a discount or with a premium. LACMTA reserves the right to reject any and all bids. Each bid must be in accordance with the terms and conditions set forth in this Notice Inviting Bids.

**Information Regarding Electronic Bids**

Electronic bids must be submitted through the Approved Provider. Any electronic bid submitted through any other means shall be disregarded.

Bidders may change and submit bids as many times as they wish during the bidding period; provided, however, that each bid submitted subsequent to a bidder's initial bid must result in a lower true interest cost to LACMTA, when compared to the immediately preceding bid of such bidder. The last bid submitted by a bidder before the end of the auction will be compared to all other final bids submitted by others to determine the winning bidder. During the bidding, no bidder will see any other bidder's bid but each bidder will be able to see its ranking (*e.g.*, "Leader", "Cover", "3rd", etc.).

Bidders are permitted to submit bids for the Series 2022-A Bonds during the bidding time period, provided that if any bid becomes a leading bid within two minutes prior to the scheduled end of the bidding, then the time period for submission of bids will automatically extend by two minutes from the time such new leading bid was received (the "Two Minute Rule"). The Two-Minute Rule will remain in effect as long as bids received by MuniAuction meet the requirements of the Two-Minute Rule.

Each electronic bid submitted via the Approved Provider for the purchase of the Series 2022-A Bonds shall be deemed an offer to purchase the Series 2022-A Bonds in response to this Notice Inviting Bids, and shall be binding upon the bidder as if made by a signed, sealed bid delivered to the LACMTA. By submitting a bid for the Series 2022-A Bonds, a bidder represents and warrants to LACMTA that the bidder's bid is submitted for and on behalf of such bidder by an officer or agent who is duly authorized to bind the bidder to a legal, valid and enforceable contract for the purchase of the Series 2022-A Bonds.

If any provisions of this Notice Inviting Bids conflict with information provided by the Approved Provider, this Notice Inviting Bids shall control. The time as maintained by the Approved Provider shall constitute the official time with respect to all bids submitted.

"Rules of MuniAuction" can be viewed on the Approved Provider's Website (see "TERMS OF SALE – Right to Modify or Amend" herein) and, as amended and supplemented from time to time, are

incorporated herein by reference. Bidders will be required to verify that they have read the "Rules of MuniAuction" prior to submitting bids. In the event of a conflict between the Rules of MuniAuction and this Notice Inviting Bids, the provisions of this Notice Inviting Bids shall prevail.

In order to ensure that there is sufficient time to verify their eligibility to bid, bidders must visit the Approved Provider's Website on or before 10:00 a.m. California time on [Day Before Pricing], or such other time or date as required by the Approved Provider, where, if they have never registered with Grant Street Group, they can register and then request admission to bid. There is no charge for registration with Grant Street Group. Only FINRA registered broker-dealers and dealer banks with DTC clearing arrangements shall be eligible to bid. Bidders will be notified prior to the scheduled bidding time of their eligibility to bid. Bidders who have already registered with the Approved Provider may call auction support at (412) 391-5555 ext. 5370 to confirm their ID number and password.

LACMTA, the Municipal Advisor and Bond Counsel are not responsible for the proper operation of, and shall not have any liability for any delays or interruptions of or any damages caused by, the Approved Provider. Each bidder expressly assumes the risk of any incomplete, inaccurate or untimely bid submitted through the Approved Provider, including, without limitation, by reason of garbled transmissions, mechanical failure, slow or engaged telephone or telecommunications lines or any other cause. LACMTA is using the Approved Provider as a communications mechanism and not as LACMTA's agent to conduct electronic bidding for the Series 2022-A Bonds. LACMTA is not bound by any advice and determination of the Approved Provider to the effect that any particular bid complies with the terms of this Notice Inviting Bids. All costs and expenses incurred by prospective bidders in connection with their submission of bids through the Approved Provider are the sole responsibility of the bidders and LACMTA is not responsible for any of such costs or expenses. Further information about the Approved Provider, including any fee charged, may be obtained from Grant Street Group's MuniAuction, Customer Service Telephone: (412) 246-1370. LACMTA assumes no responsibility or liability for bids submitted through the Approved Provider. To the extent any instructions or directions set forth by the Approved Provider conflict with this Notice Inviting Bids, the terms of this Notice Inviting Bids shall control.

LACMTA may regard the electronic submission of a bid through the Approved Provider (including information about the purchase price for the Series 2022-A Bonds and interest rate to be borne by the Series 2022-A Bonds and any other information included in such transmission) as though the same information were submitted by the bidder on the Bid Form and executed on the bidder's behalf by a duly authorized signatory. If such bid is accepted by LACMTA, this Notice Inviting Bids, the Bid Form and the information that is electronically transmitted through the Approved Provider shall form a contract and the winning bidder shall be bound by the terms of such contract.

**Good Faith Deposit**

A Good Faith Deposit (the "***Deposit***") in the amount of $[500,000] is required of the winning bidder for the Series 2022-A Bonds.

The winning bidder for the Series 2022-A Bonds is required to submit the Deposit payable to the order of "Los Angeles County Metropolitan Transportation Authority" in the form of a wire transfer as instructed by LACMTA or the Municipal Advisor not later than four (4) hours after LACMTA has notified the winning bidder of the award. If not so received, the bid of the lowest bidder will be rejected and LACMTA may direct the second lowest bidder to submit a Deposit and thereafter may award the sale of the Series 2022-A Bonds to the same. **No interest on a Deposit will accrue to the winning bidder.** The Deposit will be deposited in an escrow fund and applied to the purchase price of the Series 2022-A Bonds at the time of delivery of the Series 2022-A Bonds.

If after the award of the Series 2022-A Bonds, the winning bidder fails to complete the purchase on the terms stated in its bid, the Deposit received from such bidder by LACMTA will be retained by LACMTA as stipulated liquidated damages. No interest will be paid upon the Deposit made by any bidder. If the aggregate principal amount of the Series 2022-A Bonds is adjusted as described under the caption "DESCRIPTION OF THE SERIES 2022-A BONDS—Adjustments of Principal Amount," the winning bidder will not be required to make an additional deposit and will not be entitled to the return of any portion of the wire transfer previously delivered except as described in this paragraph.

**Best Bid**

If a satisfactory bid is received for the Series 2022-A Bonds, the Series 2022-A Bonds will be awarded to the lowest responsible bidder, considering the rate specified and the discount bid or premium offered, if any. The lowest responsible bidder shall be the bidder submitting a price for the Series 2022-A Bonds that results in the lowest true interest cost to LACMTA. The true interest cost shall be computed by doubling the semiannual interest rate (compounded semiannually) necessary to discount the debt service payments from their respective payment dates to the Date of Delivery of the Series 2022-A Bonds and to the price bid (including any premium or discount) not including accrued interest, if any. In the event two or more bids offer the same lowest true interest cost for the Series 2022-A Bonds, LACMTA reserves the right to exercise its own discretion and judgment in making the award. In the event multiple bids are received from a single Bidder, LACMTA shall accept the best of such bids, and each Bidder agrees by submitting any bid to be bound by its best bid. LACMTA shall have the sole and absolute right to determine the lowest responsible bid in accordance with this Notice Inviting Bids. Upon accepting the best bid, LACMTA shall notify the bidder submitting such bid and shall reject all other bids. LACMTA's determination of the best bid shall be binding and final absent manifest error.

**Opening of Bids; Award**

The electronic bids for the Series 2022-A Bonds will be retrieved at the time shown above. LACMTA intends to take action awarding the Series 2022-A Bonds or rejecting the bids for the Series 2022-A Bonds not later than twenty-seven (27) hours after the time herein prescribed for the receipt of bids, unless such time of award is waived by the winning bidder. LACMTA will notify the winning bidder of its decision to award the Series 2022-A Bonds to the winning bidder through delivery (via facsimile or other electronic means) of a signed Certificate of Award. Such Certificate of Award will be promptly delivered to the winning bidder after the award is made.

**Establishment of Issue Price**

(a) The winning bidder shall assist LACMTA in establishing the issue price of the Series 2022-A Bonds and shall execute and deliver to LACMTA on the Date of Delivery of the Series 2022-A Bonds an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price of the Series 2022-A Bonds, together with the supporting pricing wires or equivalent communications, substantially in the form attached hereto as Exhibit B, with such modifications as may be appropriate or necessary, in the reasonable judgment of the winning bidder, LACMTA and Bond Counsel.

(b) LACMTA intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Series 2022-A Bonds) will apply to the initial sale of the Series 2022-A Bonds (the "competitive sale requirements") because:

(1) LACMTA shall disseminate this Notice Inviting Bids to potential underwriters in a manner that is reasonably designed to reach potential underwriters;

(2) all bidders shall have an equal opportunity to bid;

(3) LACMTA may receive bids for the Series 2022-A Bonds from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and

(4) LACMTA anticipates awarding the sale of the Series 2022-A Bonds to the bidder who submits a firm offer to purchase the Series 2022-A Bonds at the highest price (or lowest interest cost), as set forth in this Notice Inviting Bids.

Any bid submitted pursuant to this Notice Inviting Bids shall be considered a firm offer for the purchase of the Series 2022-A Bonds, as specified in the bid.

**IN THE EVENT THAT THE COMPETITIVE SALE REQUIREMENTS ARE NOT SATISFIED, LACMTA WILL REJECT ALL BIDS AND CANCEL THE SALE.**

**BIDDERS SHOULD PREPARE THEIR BIDS ON THE ASSUMPTION THAT THE ISSUE PRICE OF THE SERIES 2022-A BONDS WILL BE THE REASONABLY EXPECTED INITIAL OFFERING PRICE TO THE PUBLIC.**

**Right to Reject Bids; Waive Irregularities**

LACMTA reserves the right, in its discretion, to reject any and all bids and, to the extent permitted by law, to waive any irregularity or nonconformity in any bid.

**Delivery and Payment; Book-Entry-Only**

Delivery of the Series 2022-A Bonds is expected to be made in the name of Cede & Co., as nominee of The Depository Trust Company in New York, New York on or about [Closing Date][*] (the Date of Delivery) and will be available to the winning bidder in book-entry form only, as more fully set forth in the Preliminary Official Statement. The winning bidder shall pay for the Series 2022-A Bonds in Los Angeles in immediately available federal funds on the Date of Delivery of the Series 2022-A Bonds to DTC. Any expense of providing federal funds shall be borne by the winning bidder.

**Right of Cancellation**

The winning bidder shall have the right, at its option, to cancel the contract of purchase if LACMTA shall fail to deliver the Series 2022-A Bonds within sixty (60) days from the date of sale thereof, and in such event the winning bidder shall be entitled to the return of the Deposit accompanying its bid.

**Equal Opportunity**

IT IS THE POLICY OF LACMTA TO ENSURE THAT DISADVANTAGED BUSINESS ENTERPRISE ("***DBE***"), SMALL BUSINESS ENTERPRISE ("***SBE***"), AND DISABLED VETERAN BUSINESS ENTERPRISE ("***DVBE***") FIRMS AND ALL OTHER BUSINESS ENTERPRISES HAVE AN EQUAL OPPORTUNITY TO RECEIVE AND PARTICIPATE IN THE PERFORMANCE OF ALL LACMTA CONTRACTS. BIDDERS ARE REQUESTED TO ASSIST LACMTA IN IMPLEMENTING THIS POLICY BY TAKING ALL REASONABLE STEPS TO ENSURE THAT

[*] Preliminary; subject to change.

ALL BUSINESS ENTERPRISES, INCLUDING DBES, SBES AND DVBES, HAVE AN EQUAL OPPORTUNITY TO PARTICIPATE IN ANY SYNDICATE SUBMITTING A BID.

**CUSIP number; Fees**

It is anticipated that CUSIP number will be printed on the Series 2022-A Bonds, but neither failure to print such numbers on any Series 2022-A Bonds nor any error with respect thereto shall constitute cause for a failure or refusal by the winning bidder thereof to accept delivery of and pay for the Series 2022-A Bonds. The Municipal Advisor will apply for CUSIP number for the proposed maturity of the Series 2022-A Bonds and submit the CUSIP number to the Approved Provider which will provide the CUSIP number to all bidders. It will be the responsibility of the winning bidder to notify the CUSIP Service Bureau of the final principal amount of the Series 2022-A Bonds. The CUSIP Service Bureau charge for assignment of the CUSIP number shall be paid for by the winning bidder.

**Official Statement**

LACMTA has delivered a Preliminary Official Statement relating to the Series 2022-A Bonds and has authorized the use of said Preliminary Official Statement in connection with the sale of the Series 2022-A Bonds. The Preliminary Official Statement has been "deemed final" by LACMTA for purposes of Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended ("***Rule 15c2-12***"). Upon the sale of the Series 2022-A Bonds, LACMTA will prepare an Official Statement substantially in the same form as the Preliminary Official Statement subject to such amendments as are necessary, and will deliver such Official Statement to the winning bidder within seven (7) business days of the acceptance of bids by LACMTA. An electronic copy of the Official Statement will be supplied to the winning bidder of the Series 2022-A Bonds for this purpose at the expense of LACMTA. Printed copies may be obtained at the expense of the winning bidder.

**Continuing Disclosure**

LACMTA will covenant and agree to enter into a written agreement or contract, constituting an undertaking to provide ongoing disclosure about LACMTA, for the benefit of the Bondholders on or before the Date of Delivery of the Series 2022-A Bonds as required by Section (b)(5)(i) of Rule 15c2-12, which undertaking shall be in the form as summarized in the Preliminary Official Statement, with such changes as may be agreed to in writing by the winning bidder.

Digital Assurance Certification, LLC ("DAC") has been engaged by LACMTA to review and prepare a report on LACMTA's compliance with its continuing disclosure undertakings with respect to its bonds during the past five years. Prospective bidders may obtain access to DAC's report on its website by sending a written request via email to LACMTA (TreasuryDept@metro.net), referencing "Prop. C. 2022-A Bonds" in the email subject line, by no later than 12:00 noon California time on June 8, 2020. LACMTA will then request that DAC provide those bidders access to its online report. LACMTA can give no assurance as to the timeliness with which DAC will provide access to the report online or that the procedures performed by DAC in developing the report are sufficient for any purpose.

**Ratings in Effect**

Each bid will be understood to be conditioned upon there being in place at the Date of Delivery of the Series 2022-A Bonds the same (or higher) rating or ratings, if any, as were in place with respect to the Series 2022-A Bonds on the date and at the time fixed for receiving bids.

**Change in Tax-Exempt Status**

At any time before the Series 2022-A Bonds are tendered for delivery, the winning bidder may disaffirm and withdraw its bid if the interest received by private holders of obligations of the same type and character of the Series 2022-A Bonds (as determined by Bond Counsel) shall be declared to be includible in gross income under present federal income tax laws, either by a ruling of the Internal Revenue Service or by a decision of any federal court, or shall be declared taxable by the terms of any federal income tax law enacted subsequent to the date of this Notice Inviting Bids.

**Information Required From Winning Bidder; Reoffering Price**

By making a bid for the Series 2022-A Bonds, the winning bidder agrees to provide to LACMTA, via facsimile or e-mail, within two (2) hours of the acceptance of its bid, price and yield information for the Series 2022-A Bonds, the aggregate production, the amount to be retained by the bidder as compensation (*i.e.*, the underwriter's discount), and such other information as is reasonably requested by Bond Counsel.

Additionally, by making a bid for the Series 2022-A Bonds, the winning bidder agrees (a) to provide all information necessary to complete the Official Statement; (b) to disseminate to all members of the underwriting syndicate copies of the Official Statement, including any supplements prepared by LACMTA; (c) to promptly file a copy of the final Official Statement, including any supplements prepared by LACMTA, with the Municipal Securities Rulemaking Board's ("***MSRB***") Electronic Municipal Market Access system; and (d) to take any and all other actions necessary to comply with applicable Securities and Exchange Commission and MSRB rules governing the offering, sale and delivery of the Series 2022-A Bonds to ultimate purchasers.

**California Debt and Investment Advisory Commission Fee**

All bidders are advised that pursuant to Section 8856 of the California Government Code, it will be the responsibility of the winning bidder to pay the statutory fee to the California Debt and Investment Advisory Commission ("***CDIAC***") with respect to the Series 2022-A Bonds. CDIAC will invoice the winning bidder.

**DTC Fee**

All fees due DTC with respect to the Series 2022-A Bonds shall be paid by the winning bidder.

**Legal Opinion; Closing Documents**

Each bid will be understood to be conditioned upon LACMTA furnishing to the winning bidder, without charge, concurrently with payment and delivery of the Series 2022-A Bonds, the following closing papers, each dated the Date of Delivery:

(a) ***Legal Opinion; Tax-Exempt Status***. An opinion of Bond Counsel in substantially the form attached to the Preliminary Official Statement as Appendix E.

(b) ***No Litigation Certificate***. A certificate of an official of LACMTA that there is no litigation pending concerning the validity of the Series 2022-A Bonds, the corporate existence of LACMTA or the entitlement of the officers legally responsible for the authorization, execution and delivery of the Series 2022-A Bonds to their respective offices.

(c) ***Official Statement Certificate***. A certificate of an official of LACMTA stating that as of the date thereof and as of the Date of Delivery, to the best of the knowledge and belief of said official after reading and reviewing the Official Statement and any amendments thereto, the Official Statement together with any amendments thereto does not contain an untrue statement of a material fact or omit to state any material fact necessary, in order to make the statements made therein, in the light of the circumstances under which they were made, not misleading.

(d) ***Continuing Disclosure Certificate***. A Continuing Disclosure Certificate, in substantially the form attached to the Preliminary Official Statement as Appendix F, pursuant to which LACMTA will agree to provide certain financial information and operating data annually and notice of certain enumerated events.

(e) ***Receipt***. A receipt of the Trustee showing that the purchase price of the Series 2022-A Bonds has been received by the Trustee.

(f) ***Verification Report***. A verification report to be received by LACMTA with respect to the current refunding of the Refunded Bonds.

**Right to Modify or Amend**

LACMTA reserves the right to modify or amend this Notice Inviting Bids and the Bid Form, including, but not limited to, the right to adjust and change the principal amount of the Series 2022-A Bonds being offered and/or the structure of the offering; however, such notifications or amendments shall be made not later than 2:00 p.m., California Time, on the last business day prior to any date scheduled for receipt of bids and communicated through Thomson Municipal Market Monitor (www.tm3.com) ("***TM3***") and via the Grant Street Group's MuniAuction at the website address www.GrantStreet.com (the "***Approved Provider's Website***") and by facsimile transmission to any bidder timely requesting such notice.

**Postponement; Rejection of Bids**

LACMTA reserves the right to postpone, from time to time, the date established for the receipt of bids. Any such postponement will be announced through TM3 and via the Approved Provider's Website. If any date fixed for the receipt of bids and the sale of the Series 2022-A Bonds is postponed, any alternative sale date will be announced through TM3 and via the Approved Provider's Website at least twenty-four (24) hours prior to such alternative sale date and will be provided by facsimile transmission to any bidder timely requesting such notice. In addition, LACMTA reserves the right, on the date established for the receipt of bids, to reject all bids and establish a subsequent date on which bids for purchase of the Series 2022-A Bonds will again be received. If all bids are rejected and a subsequent date for receipt of bids is established, notice of the subsequent sale date will be announced via TM3 and via the Approved Provider's Website at least twenty-four (24) hours prior to such subsequent sale date and will be provided by facsimile transmission to any bidder timely requesting such notice. On any such alternative sale date, any bidder may submit an electronic bid for the purchase of the Series 2022-A Bonds in conformity in all respects with the provisions of this Notice Inviting Bids except for the date of sale and except for the changes announced through TM3 and via the Approved Provider's Website at the time the sale date and time are announced.

**Withdrawal of Series 2022-A Bonds for Sale**

LACMTA may, with prior notice, withdraw the Series 2022-A Bonds for sale.

**Blue Sky Laws**

The winning bidder will be responsible for the clearance or exemption with respect to the status of the Series 2022-A Bonds for sale under the securities or "Blue Sky" laws of the several states and the preparation of any surveys or memoranda in connection therewith.

**Governing Law**

This Notice Inviting Bids and the Series 2022-A Bonds shall be governed by and construed in accordance with the laws of the State of California.

**Additional Information**

For further information respecting the terms and conditions of the Series 2022-A Bonds, bidders are referred to the Trust Agreement, the Thirty-Third Supplemental Agreement and the Preliminary Official Statement. An electronic copy of the Preliminary Official Statement and other information concerning the proposed financing will be furnished upon request made to the Municipal Advisor: Public Resources Advisory Group, 11500 W. Olympic Blvd., Suite 400, Los Angeles, California 90064; Telephone: (310) 477-7098; Attention: Louis Choi. Additionally, an electronic copy of the Preliminary Official Statement and this Notice Inviting Bids can be obtained in electronic format at www.MuniOS.com.

Given by order of the Los Angeles County Metropolitan Transportation Authority on _____, 2022.

LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY

By ____/s/ Rodney Johnson_____
Deputy Executive Officer, Finance

**EXHBIT A**

**BID FORM**

**Los Angeles County Metropolitan Transportation Authority**
**Proposition C Sales Tax Revenue Refunding Bonds,**
**Senior Bonds, Series 2022-A**

[Pricing Date]

The Honorable Board of Directors of
the Los Angeles County Metropolitan
Transportation Authority
c/o Treasurer
One Gateway Plaza, 21st Floor
Treasury Department
Los Angeles, CA 90012

Ladies and Gentlemen:

Subject to the provisions of and in accordance with the terms of the Notice Inviting Bids, dated [NIB Date], of the Los Angeles County Metropolitan Transportation Authority ("***LACMTA***") for its Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2022-A (the "***Series 2022-A Bonds***"), which is incorporated herein and hereby made a part hereof:

We hereby offer to purchase all, but not less than all, of the $[Par Amount][*] aggregate principal amount of the Series 2022-A Bonds described in the Notice Inviting Bids and to pay therefor the amount of $_____. This offer is for the Series 2022-A Bonds bearing interest at the rate as follows:

| **Maturity Date July 1** | **Principal Amount*** | **Interest Rate** |
|---|---|---|
| [To Come] | $[Par Amount] | |

This bid is subject to acceptance not later than twenty-seven (27) hours after the expiration of the time established for the final receipt of bids.

In accordance with the Notice Inviting Bids, we agree that if we are the winning bidder, we will send a wire transfer of immediately available federal funds in the amount of $500,000 not later than four (4) hours after being informed by LACMTA that we are the winning bidder.

We acknowledge and agree that after we submit this bid, LACMTA may modify the aggregate principal amount of the Series 2022-A Bonds, subject to the limitations set forth in the Notice Inviting Bids.

We further acknowledge and agree that in the event that any adjustments are made to the principal amount of the Series 2022-A Bonds, we agree to purchase all of the Series 2022-A Bonds, taking into account such adjustments on the above specified terms of this bid for the Series 2022-A Bonds.

[*] Aggregate principal amount may be adjusted as set forth in the Notice Inviting Bids.

If we are the winning bidder, we will (a) within two (2) hours after being notified of the award of the Series 2022-A Bonds, advise LACMTA of the initial public offering price of the Series 2022-A Bonds; and (b) timely furnish the additional information described under the caption "TERMS OF SALE—Information Required from Winning Bidder; Reoffering Price" in the Notice Inviting Bids.

If we are the winning bidder and LACMTA so requests, we agree to provide to LACMTA a complete list of syndicate members, the actual allocation of the Series 2022-A Bonds and the orders placed by the syndicate members.

We have noted that payment of the purchase price is to be made in immediately available funds at the time of delivery of the Series 2022-A Bonds.

This bid is a firm offer for the purchase of the Series 2022-A Bonds, on the terms set forth in this Bid Form and the Notice Inviting Bids, and is not subject to any conditions, except as permitted by the Notice Inviting Bids. By submitting this bid, we confirm that we have an established industry reputation for underwriting new issuances of municipal bonds.

We understand that we may obtain printed copies of the Official Statement at our own expense.

We represent that we have full and complete authority to submit this bid on behalf of our bidding syndicate and that the undersigned will serve as the lead manager for the group if the Series 2022-A Bonds are awarded pursuant to this bid. We further certify (or declare) under penalty of perjury under the laws of the State of California that this bid is genuine, and not a sham or collusive, nor made in the interest of or on behalf of any person not herein named, and that the bidder has not directly or indirectly induced or solicited any other bidder to put in a sham bid or any other person, firm or corporation to refrain from bidding, and that the bidder has not in any manner sought by collusion to secure for itself an advantage over any other bidder.

Respectfully submitted,

By _____
Account Manager
Company Name:_____
Telephone _____
Facsimile _____

**EXHIBIT B**

**WINNING BIDDER'S ISSUE PRICE CERTIFICATE**

The undersigned, on behalf of _____ ("[UNDERWRITER]"), hereby certifies as set forth below with respect to the sale of the Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2022-A (the "Bonds").

1. ***Reasonably Expected Initial Offering Price***.

(a) As of the Sale Date, the reasonably expected initial offering price of the Bonds to the Public by [UNDERWRITER] are the price listed in Schedule A attached hereto (the "Expected Offering Price"). The Expected Offering Price is the price for the Maturity of the Bonds used by [UNDERWRITER] in formulating its bid to purchase the Bonds. Attached as Schedule C hereto is a true and correct copy of the bid provided by [UNDERWRITER] to purchase the Bonds.

(b) [UNDERWRITER] was not given the opportunity to review other bids prior to submitting its bid.

(c) The bid submitted by [UNDERWRITER] constituted a firm offer to purchase the Bonds.

2. ***Pricing Wire or Equivalent Communication***. A copy of the pricing wire or equivalent communication for the Bonds is attached to this certificate as Schedule B

3. ***Defined Terms***.

"*Authority*" means the Los Angeles County Metropolitan Transportation Authority.

"*Maturity*" means Bonds with the same credit and payment terms.

"*Public*" means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a Related Party to an Underwriter.

"*Related Party*". A purchaser of any Bonds is a "Related Party" to an Underwriter if the Underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (ii) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (iii) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other).

"*Sale Date*" means the first day on which there is a binding contract in writing for the sale of the Bonds. The Sale Date of the Bonds is [Pricing Date].

"*Underwriter*" means (i) any person that agrees pursuant to a written contract with the Authority (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents [UNDERWRITER]'s interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The undersigned understands that the foregoing information will be relied upon by the Authority with respect to certain of the representations set forth in the Tax Certificate and with respect to compliance with the federal income tax rules affecting the Bonds, and by Hawkins Delafield & Wood LLP, Bond Counsel to the Authority, in connection with rendering its opinion that the interest on the Bonds is excluded from gross income for federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other federal income tax advice that it may give to the Authority from time to time relating to the Bonds.

IN WITNESS WHEREOF, the undersigned has set their hand as of the date set forth below.

Dated: [Closing Date]

[UNDERWRITER]

By: _____
Name: _____
Title: _____

**SCHEDULE A**

**INITIAL OFFERING PRICE OF BONDS**

(*Attached*)

**SCHEDULE B**

**PRICING WIRE OR EQUIVALENT COMMUNICATION**

(*Attached*)

**SCHEDULE C**

**BID OF WINNING BIDDER**

(*Attached*)

# THIRTY-THIRD SUPPLEMENTAL TRUST AGREEMENT

by and between

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**

and

**U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION,**
as Trustee

relating to:

$[Principal Amount]
Los Angeles County Metropolitan Transportation Authority
Proposition C Sales Tax Revenue Refunding Bonds,
Senior Bonds, Series 2022-A

Dated as of June 1, 2022

(Supplemental to the Amended and Restated Trust Agreement dated as of January 1, 2010)

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THIRTY-THIRD SUPPLEMENTAL TRUST AGREEMENT

$[Principal Amount]
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
PROPOSITION C SALES TAX REVENUE BONDS,
SENIOR BONDS, SERIES 2022-A

THIS THIRTY-THIRD SUPPLEMENTAL TRUST AGREEMENT (this "*Thirty-Third Supplemental Agreement*"), dated as of June 1, 2022, is made by and between the LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (the "*Authority*"), the successor agency to the Southern California Rapid Transit District (the "*District*") and the Los Angeles County Transportation Commission (the "*Commission*"), duly organized and existing pursuant to Chapter 2, Division 12 of the California Public Utilities Code (commencing with Section 130050.2 thereof) (the "*Act*"), and U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION, a national banking association organized and existing under the laws of the United States of America, as trustee (the "*Trustee*"), and supplements that certain Amended and Restated Trust Agreement, dated as of January 1, 2010 (the "*Agreement*"), by and between the Authority and the Trustee;

W I T N E S S E T H :

WHEREAS, Section 130051.13 of the Act provides that the Authority shall succeed to any or all of the powers, duties, obligations, liabilities, indebtedness, bonded and otherwise, immunities and exemptions of the District and the Commission;

WHEREAS, Section 2.09 of the Agreement provides for the issuance of Bonds, and Section 10.02 of the Agreement provides for the execution and delivery of a Supplemental Agreement setting forth the terms of the Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2022-A (the "*Series 2022-A Bonds*"); and

WHEREAS, for the purposes of (a) refunding the Refunded Bonds (as hereinafter defined), and (b) paying the Costs of Issuance (as hereinafter defined), by execution and delivery of this Thirty-Third Supplemental Agreement and in compliance with the provisions of the Agreement, the Authority hereby sets forth the terms of the Series 2022-A Bonds, provides for the deposit and use of the proceeds of the Series 2022-A Bonds and makes other provisions relating to the Series 2022-A Bonds;

NOW, THEREFORE, the Authority and the Trustee, each in consideration of the representations, warranties, covenants and agreements of the other as set forth herein, mutually represent, warrant, covenant and agree as follows:

## ARTICLE I

## DEFINITIONS

**Section 1.01 Definitions**. The following definitions shall apply to the terms used in this Thirty-Third Supplemental Agreement unless the context clearly requires otherwise.

"*Act of 1998*" means the Metropolitan Transportation Authority (MTA) Reform and Accountability Act of 1998, as approved by the voters of the County of Los Angeles on November 3, 1998.

"*Agreement*" means the Amended and Restated Trust Agreement, dated as of January 1, 2010, by and between the Authority and the Trustee, under which the Series 2022-A Bonds are authorized and secured, together with all amendments and supplements thereto.

"*Authorized Denomination*" means, with respect to the Series 2022-A Bonds, $5,000 or any integral multiple thereof.

"*Beneficial Owner*" means, whenever used with respect to a Series 2022-A Bond, the person in whose name such Series 2022-A Bond is recorded as the beneficial owner of such Series 2022-A Bond by a Participant on the records of such Participant or such person's subrogee.

"*Bond Register*" means the book or books of registration kept by the Trustee in which are maintained the names and addresses and principal amounts registered to each registered Owner.

"*Book-Entry Bonds*" means the Series 2022-A Bonds held by DTC (or its nominee) as the registered Owner thereof pursuant to the terms and provisions of Section 3.02 hereof.

"*Business Day*" means any day other than (a) a Saturday or Sunday; or (b) a day on which commercial banks in New York, New York or Los Angeles, California are authorized or required by law to close.

"*Continuing Disclosure Certificate*" means the Continuing Disclosure Certificate, dated June 2, 2022, entered into by the Authority in order to assist the underwriter of the Series 2022-A Bonds in complying with Securities and Exchange Commission Rule 15c2-12.

"*Corporate Trust Office*" means the corporate trust office of the Trustee in Los Angeles, California; provided, however, for transfer, registration, exchange, payment and surrender of the Series 2022-A Bonds, it shall mean the corporate trust office of the Trustee in St. Paul, Minnesota. The Trustee may hereafter designate alternate Corporate Trust Offices and any successor Trustee shall designate its Corporate Trust Office by written notice delivered to the Authority.

"*Costs of Issuance*" means all costs and expenses incurred by the Authority in connection with the issuance of the Series 2022-A Bonds, including, but not limited to, costs and expenses of printing and copying documents and the Series 2022-A Bonds, and the fees, costs and expenses of rating agencies, the Trustee, bond counsel, disclosure counsel, verification agent, accountants, financial advisors and other consultants.

"*DTC*" means The Depository Trust Company, a limited-purpose trust company organized under the laws of the State of New York, and its successors and assigns.

"*EMMA System*" means the Municipal Securities Rulemaking Board's Electronic Municipal Market Access system or any successor nationally recognized municipal securities information repositories recognized by the Securities and Exchange Commission.

"*Escrow Account*" means, as applicable, the escrow account established within the Escrow Fund for the purpose of providing the payment and redemption of the Series 2012-A Bonds and the escrow account established within the Escrow Fund for the purpose of providing the payment and redemption of the Series 2012-B Bonds.

"*Escrow Agent*" means U.S. Bank Trust Company, National Association, as escrow agent under the Escrow Agreement, and its successors.

"*Escrow Agreement*" means the Escrow Agreement, dated as of June 1, 2022, by and between the Authority, the Trustee and the Escrow Agent.

"*Escrow Fund*" means the fund held by the Escrow Agent under the terms of the Escrow Agreement, which fund is established and held for the purpose of providing for the payment and redemption of the Refunded Bonds.

"*Holder*" or "*Bondholder*" or "*Owner*" means the registered owner of any Series 2022-A Bond, including DTC or its nominee as the sole registered owner of Book-Entry Bonds.

"*Interest Payment Date*" means each January 1 and July 1, commencing January 1, 2023, the dates upon which interest on the Series 2022-A Bonds becomes due and payable.

"*Opinion of Bond Counsel*" means a written opinion of a law firm of recognized national standing in the field of public finance selected by the Authority.

"*Participant*" means the participants of DTC which include securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations.

"*Prior Outstanding Senior Bonds*" has the meaning given such term in Exhibit D attached hereto.

"*Prior Supplemental Agreements*" has the meaning given such term in Exhibit E attached hereto.

"*Rebate Requirement*" shall have the meaning as set forth in the Tax Certificate.

"*Record Date*" means for a January 1 Interest Payment Date the immediately preceding December 15 and for a July 1 Interest Payment Date the immediately preceding June 15. Such dates shall be Record Dates notwithstanding if such dates are not a Business Day.

"*Refunded Bonds*" means the Series 2012-A Bonds and the Series 2012-B Bonds set forth in Exhibit C hereto.

"*Registrar*" means, for purposes of this Thirty-Third Supplemental Agreement, the Trustee.

"*Representation Letter*" means the Blanket Issuer Letter of Representations from the Authority to DTC as supplemented and amended from time to time.

"*Securities Depositories*" means The Depository Trust Company, 55 Water Street, New York, New York 10041, Telephone: (212) 855-1000, Facsimile: (212) 855-7232, or, in accordance with then-current guidelines of the Securities and Exchange Commission, such other addresses and/or such other securities depositories as the Authority may designate in a certificate of the Authority delivered to the Trustee.

"*Series 2012-A Bonds*" means the $14,635,000 original principal amount of Senior Bonds issued under the Agreement and the Twenty-Second Supplemental Agreement and designated as "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-A."

"*Series 2012-A Account of the Reserve Fund*" has the meaning set forth in the Twenty-Second Supplemental Agreement.

"*Series 2012-B Bonds*" means the $74,885,000 original principal amount of Senior Bonds issued under the Agreement and the Twenty-Second Supplemental Agreement and designated as "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-B."

"*Series 2012-B Account of the Reserve Fund*" has the meaning set forth in the Twenty-Second Supplemental Agreement.

"*Series 2012 Subaccount of the Senior Bond Interest Account*" has the meaning set forth in the Twenty-Second Supplemental Agreement.

"*Series 2012 Subaccount of the Senior Bond Principal Account*" has the meaning set forth in the Twenty-Second Supplemental Agreement.

"*Series 2022-A Bonds*" means the $[Principal Amount] original principal amount of Senior Bonds issued under the Agreement and this Thirty-Third Supplemental Agreement and designated as "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2022-A" and described in Article II hereof.

"*Series 2022-A Costs of Issuance Fund*" means the Series 2022-A Costs of Issuance Fund established and maintained pursuant to Section 6.01 hereof.

"*Series 2022-A Rebate Fund*" means the Series 2022-A Rebate Fund established and maintained pursuant to Section 7.01 hereof.

"*Series 2022-A Subaccount of the Senior Bond Interest Account*" means the Series 2022-A Subaccount established and maintained within the Senior Bond Interest Account of the Senior Debt Service Fund pursuant to Section 6.02 hereof.

"*Series 2022-A Subaccount of the Senior Bond Principal Account*" means the Series 2022-A Subaccount established and maintained within the Senior Bond Principal Account of the Senior Debt Service Fund pursuant to Section 6.03 hereof.

"*Tax Certificate*" means the Tax Compliance Certificate executed and delivered by the Authority at the time of issuance and delivery of the Series 2022-A Bonds, as the same may be amended or supplemented in accordance with its terms.

"*Thirty-Third Supplemental Agreement*" means this Thirty-Third Supplemental Trust Agreement, dated as of June 1, 2022, by and between the Authority and the Trustee.

"*Twenty-Second Supplemental Agreement*" means the Twenty-First Supplemental Trust Agreement, dated as of July 1, 2012, by and between the Authority and the Trustee.

"*Trustee*" means U.S. Bank Trust Company, National Association, and its successors.

**Section 1.02 Incorporation of Definitions Contained in the Agreement**. Capitalized terms not otherwise defined in Section 1.01 hereof or elsewhere in this Thirty-Third Supplemental Agreement shall have the same meanings as set forth in the Agreement.

**Section 1.03 Article and Section References**. Except as otherwise indicated, references to Articles and Sections are to Articles and Sections of this Thirty-Third Supplemental Agreement.

## ARTICLE II

## THE SERIES 2022-A BONDS

**Section 2.01 Designation of Series 2022-A Bonds; Principal Amount; Purpose of Issue**. The Series 2022-A Bonds authorized to be issued under the Agreement and this Thirty-Third Supplemental Agreement shall be designated as "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Bonds, Senior Bonds, Series 2022-A" and shall be issued in the original principal amount of $[Principal Amount].

The Series 2022-A Bonds are being issued to current refund and defease the Refunded Bonds and pay the Costs of Issuance of the Series 2022-A Bonds.

**Section 2.02 Series 2022-A Bonds Under the Agreement; Security; Lien Priority**. The Series 2022-A Bonds are issued under and subject to the terms of the Agreement and are secured by and payable solely from Pledged Revenues and such other amounts as described in Section 4.01 of the Agreement as Senior Bonds on a parity with the Prior Outstanding Senior Bonds and the Parity Debt in accordance with the terms of the Agreement.

**Section 2.03 Terms of the Series 2022-A Bonds**. The Series 2022-A Bonds shall, upon initial issuance, be dated the date of delivery thereof. Each Series 2022-A Bond shall bear interest from the most recent Interest Payment Date to which interest has been paid or duly provided for, unless such Interest Payment Date is a date of authentication, in which event such Series 2022-A Bond shall bear interest from the date of authentication, or unless such date of authentication is after a Record Date and before the next succeeding Interest Payment Date, in which event such Series 2022-A Bond shall bear interest from such succeeding Interest Payment Date, or unless no interest thereon has been paid or duly provided for such Series 2022-A Bond, in which event such Series 2022-A Bond shall bear interest from the dated date thereof. If interest on the Series 2022-A Bonds shall be in default, Series 2022-A Bonds issued in exchange for Series 2022-A Bonds

surrendered for transfer or exchange shall bear interest from the last Interest Payment Date on which interest has been paid in full on such Series 2022-A Bonds surrendered. The Series 2022-A Bonds shall be issued in registered form in Authorized Denominations.

Interest on the Series 2022-A Bonds shall be paid on January 1, 2023 and semiannually thereafter on each July 1 and January 1. Interest on the Series 2022-A Bonds will be calculated on the basis of a 360-day year consisting of twelve 30-day months.

The Series 2022-A Bonds shall mature in the years and in the amounts and bear interest at the rates set forth in the following schedule:

| Maturity Date (July 1) | Principal Amount | Interest Rate |
|---|---|---|
| 2023 | $ | % |
| 2024 | | |
| 2025 | | |
| 2027 | | |
| 2028 | | |

Payment of the principal of the Series 2022-A Bonds shall be made upon surrender of the Series 2022-A Bonds to the Trustee or its agent at its Corporate Trust Office; provided that with respect to Series 2022-A Bonds which are Book-Entry Bonds, the Trustee may make other arrangements for payment of principal as provided in the Representation Letter. Payment of interest on Series 2022-A Bonds which are not Book-Entry Bonds shall be paid by check of the Trustee mailed by first-class mail to the person who is the registered Owner thereof on the Record Date, and such payment shall be mailed to such Owner at its address as it appears on the registration books of the Registrar, provided, that Owners of $1,000,000 or more in aggregate principal amount of Series 2022-A Bonds may arrange for payment by wire transfer of immediately available funds upon written request given to the Trustee at least fifteen (15) days prior to the applicable Interest Payment Date. The payment of interest on Book-Entry Bonds shall be made as provided in Section 3.02 hereof with respect to all Series 2022-A Bonds, and interest due and payable on any Interest Payment Date shall be paid to the person who is the registered Owner as of the Record Date. The Series 2022-A Bonds shall be substantially in the form of Exhibit A attached hereto.

If the principal of a Series 2022-A Bond becomes due and payable, but shall not have been paid, or provision shall not have been made for its payment, then such Series 2022-A Bond shall bear interest at the same rate after such default as on the day before such default occurred.

The debt service schedule for the Series 2022-A Bonds is attached hereto as Exhibit B.

## ARTICLE III

## EXCHANGE OF SERIES 2022-A BONDS; BOOK-ENTRY BONDS

**Section 3.01 Exchange of Series 2022-A Bonds**. Subject to Section 3.02 hereof, Series 2022-A Bonds which are delivered to the Registrar for exchange may be exchanged for an equal

total principal amount of Series 2022-A Bonds of the same Series and maturity but of different Authorized Denominations.

The Registrar will not, however, be required to transfer or exchange any such Series 2022-A Bond during the period beginning on a Record Date and ending on the next Interest Payment Date.

**Section 3.02 Book-Entry Bonds**.

(a) Except as provided in paragraph (c) of this Section, the registered Owner of all of the Series 2022-A Bonds shall be DTC and the Series 2022-A Bonds shall be registered in the name of Cede & Co., as nominee for DTC. Payment of principal and redemption price of and interest on any Series 2022-A Bond registered in the name of Cede & Co. shall be made by wire transfer of New York Clearing House or equivalent next day funds or by wire transfer of same day funds to the account of Cede & Co. at the address indicated on the regular Record Date or special record date for Cede & Co. in the registration books of the Registrar.

(b) The Series 2022-A Bonds shall be initially issued in the form of separate single authenticated fully registered bond certificates for each separate stated maturity of the Series 2022-A Bonds. Upon initial issuance, the ownership of such Series 2022-A Bonds shall be registered in the registration books of the Registrar in the name of Cede & Co., as nominee of DTC. The Trustee, the Registrar and the Authority may treat DTC (or its nominee) as the sole and exclusive owner of the Series 2022-A Bonds registered in its name for the purposes of payment of the principal and redemption price of or interest on the Series 2022-A Bonds, giving any notice permitted or required to be given to Bondholders under the Agreement or this Thirty-Third Supplemental Agreement, registering the transfer of Series 2022-A Bonds, obtaining any consent or other action to be taken by Bondholders and for all other purposes whatsoever, and none of the Trustee, the Registrar or the Authority shall be affected by any notice to the contrary. None of the Trustee, the Registrar or the Authority shall have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Series 2022-A Bonds under or through DTC or any Participant, or any other person which is not shown on the registration books as being a Bondholder, with respect to the accuracy of any records maintained by DTC or any Participant; the payment by DTC or any Participant of any amount in respect of the principal and redemption price of or interest on the Series 2022-A Bonds; any notice which is permitted or required to be given to Bondholders under the Agreement or this Thirty-Third Supplemental Agreement; any consent given or other action taken by DTC as Bondholder; or any other purpose. The Trustee shall pay all principal and redemption price of and interest on the Series 2022-A Bonds only to or "upon the order of" DTC (as that term is used in the Uniform Commercial Code as adopted in the State of California), and all such payments shall be valid and effective to fully satisfy and discharge the Authority's obligations with respect to the principal and redemption price of and interest on the Series 2022-A Bonds to the extent of the sum or sums so paid. No person other than DTC shall receive an authenticated Series 2022-A Bond evidencing the obligation of the Authority to make payments of principal and redemption price and interest pursuant to the Agreement. Upon delivery by DTC to the Trustee of written notice to the

effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions herein with respect to Record Dates, the name "Cede & Co." in this Thirty-Third Supplemental Agreement shall refer to such new nominee of DTC.

(c) In the event the Authority determines that it is in the best interest of the Beneficial Owners that they be able to obtain bond certificates, and notifies DTC, the Trustee and the Registrar of such determination, then DTC will notify the Participants of the availability through DTC of bond certificates. In such event, the Trustee shall authenticate and the Registrar shall transfer and exchange bond certificates as requested by DTC and any other Bondholders in appropriate amounts. DTC may determine to discontinue providing its services with respect to the Series 2022-A Bonds at any time by giving notice to the Authority and the Trustee and discharging its responsibilities with respect thereto under applicable law. Under such circumstances (if there is no successor securities depository), the Authority and the Trustee shall be obligated to deliver bond certificates as described in this Thirty-Third Supplemental Agreement. In the event bond certificates are issued, the provisions of the Agreement and this Thirty-Third Supplemental Agreement shall apply to, among other things, the transfer and exchange of such certificates and the method of payment of principal and redemption price of and interest on such certificates. Whenever DTC requests the Authority and the Trustee to do so, the Trustee and the Authority will cooperate with DTC in taking appropriate action after reasonable notice (i) to make available one or more separate certificates evidencing the Series 2022-A Bonds to any Participant having Series 2022-A Bonds credited to its DTC account or (ii) to arrange for another securities depository to maintain custody of certificates evidencing the Series 2022-A Bonds.

(d) Notwithstanding any other provision of the Agreement and this Thirty-Third Supplemental Agreement to the contrary, so long as any Series 2022-A Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal and redemption price of and interest on such Series 2022-A Bond and all notices with respect to such Series 2022-A Bond shall be made and given, respectively, to DTC as provided in the Representation Letter.

(e) In connection with any notice or other communication to be provided to Bondholders pursuant to the Agreement and this Thirty-Third Supplemental Agreement by the Authority or the Trustee with respect to any consent or other action to be taken by Bondholders, the Authority or the Trustee, as the case may be, shall establish a record date for such consent or other action and give DTC notice of such record date not less than fifteen (15) calendar days in advance of such record date to the extent possible. Notice to DTC shall be given only when DTC is the sole Bondholder.

NEITHER THE AUTHORITY NOR THE TRUSTEE WILL HAVE ANY RESPONSIBILITY OR OBLIGATION TO PARTICIPANTS, INDIRECT PARTICIPANTS OR BENEFICIAL OWNERS WITH RESPECT TO: THE PAYMENT BY DTC, ANY PARTICIPANT OR ANY INDIRECT PARTICIPANT OF THE PRINCIPAL AND REDEMPTION PRICE OF OR INTEREST ON THE SERIES 2022-A BONDS; THE PROVIDING OF NOTICE TO PARTICIPANTS, INDIRECT PARTICIPANTS OR BENEFICIAL OWNERS; THE ACCURACY OF ANY RECORDS MAINTAINED BY DTC,

ANY PARTICIPANT OR ANY INDIRECT PARTICIPANT; OR ANY CONSENT GIVEN OR OTHER ACTION TAKEN BY DTC AS OWNER OF THE SERIES 2022-A BONDS.

**Section 3.03 Transfers Outside Book-Entry System**. In the event (a) the Securities Depository determines not to continue to act as securities depository for the Series 2022-A Bonds; or (b) the Authority determines that the Securities Depository shall no longer so act, and delivers a written certificate to the Trustee and the Securities Depository to that effect, then the Authority will discontinue the book-entry system with the Securities Depository. If the Authority determines to replace the Securities Depository with another qualified securities depository, the Authority shall prepare or direct the preparation of a new, single, separate, fully registered Series 2022-A Bond for each of the maturities and interest rates of the Series 2022-A Bonds registered in the name of such successor or substitute qualified securities depository or its nominee or make such other arrangement acceptable to the Authority and the Securities Depository as are not inconsistent with the terms of the Agreement or this Thirty-Third Supplemental Agreement. If the Authority fails to identify another qualified securities depository to replace the Securities Depository, then the Series 2022-A Bonds shall no longer be restricted to being registered in the Register in the name of the Nominee, but shall be registered in such authorized denominations and names as the Securities Depository shall designate in accordance with the provisions of this Article III.

**Section 3.04 Bond Register**. The Trustee shall keep or cause to be kept at its Corporate Trust Office sufficient books for the registration of, and registration of transfer of, the Series 2022-A Bonds, which Bond Register shall at all times during regular business hours be open to inspection by the Authority. Upon presentation for registration of transfer, the Trustee shall, as provided herein and under such reasonable regulations as it may prescribe subject to the provisions hereof, register or register the transfer of the Series 2022-A Bonds, or cause the same to be registered or cause the registration of the same to be transferred, on such Bond Register.

## ARTICLE IV

## NO REDEMPTION

**Section 4.01 No Redemption of Series 2022-A Bonds**. The Series 2022-A Bonds are not subject to redemption prior to their stated maturities.

## ARTICLE V

## APPLICATION OF PROCEEDS AND PAYMENT OF SERIES 2022-A BONDS

**Section 5.01 Application of Proceeds and Other Funds**.

(a) The Trustee shall deposit or transfer the proceeds of the sale of the Series 2022-A Bonds received by the Trustee equal to $[Purchase Price] (which is equal to the principal amount of the Series 2022-A Bonds of $[Principal Amount], plus an original issue premium of $[OIP] and less an underwriter's discount of $[UW Discount]), to the following fund and subaccounts:

(i) $[COI Deposit] shall be deposited into the Series 2022-A Costs of Issuance Fund;

(ii) $[Escrow Deposit for 2012-A Bonds] shall be transferred to the Escrow Agent for deposit into the account established in the Escrow Account within the Escrow Fund for the Series 2012-A Bonds for the payment and redemption of the Series 2012-A Bonds; and

(iii) $[Escrow Deposit for 2012-B Bonds] shall be transferred to the Escrow Agent for deposit into the account established in the Escrow Account within the Escrow Fund for the Series 2012-B Bonds for the payment and redemption of the Series 2012-B Bonds.

(b) Additionally, on the date of delivery of the Series 2022-A Bonds, the Authority hereby instructs the Trustee to, and the Trustee shall, transfer (i) $[2012-A Interest Release] from the Series 2012 Subaccount of the Senior Bond Interest Account to the Escrow Agent for deposit in the Escrow Account for the Series 2012-A Bonds, (ii) $[2012-A Reserve Release] from the Series 2012-A Account of the Reserve Fund to the Escrow Agent for deposit in the Escrow Account for the Series 2012-A Bonds, (iii) $[2012-B Interest Release] from the Series 2012 Subaccount of the Senior Bond Interest Account to the Escrow Agent for deposit in the Escrow Account for the Series 2012-B Bonds, (ii) $[2012-B Reserve Release] from the Series 2012-B Account of the Reserve Fund to the Escrow Agent for deposit in the Escrow Account for the Series 2012-B Bonds.

(c) The Trustee may, in its discretion, establish temporary funds or accounts on its books and records to facilitate the deposits and transfers described under (a) and (b) above.

**Section 5.02 Sources of Payment of Series 2022-A Bonds**. The Series 2022-A Bonds shall be secured by a prior lien on, and are payable from, Pledged Revenues and such other amounts as provided in the Agreement. The Authority may, but is not obligated to, provide for payment of principal of and interest on the Series 2022-A Bonds from any other source or from any other funds of the Authority.

## ARTICLE VI

## CREATION AND USE OF SERIES 2022-A FUNDS, ACCOUNTS AND SUBACCOUNTS; SERIES 2022-A BONDS NOT SECURED BY RESERVE FUND OR A DEBT SERVICE RESERVE FUND

**Section 6.01 Creation of Series 2022-A Costs of Issuance Fund; Payment of Costs of Issuance**. The "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Bonds, Senior Bonds, Series 2022-A Costs of Issuance Fund" (the "*Series 2022-A Costs of Issuance Fund*") is hereby established, which shall be held by the Trustee as provided in the Agreement and this Thirty-Third Supplemental Agreement, and all moneys and securities in such fund shall be pledged to secure the Series 2022-A Bonds, until expended in accordance with the provisions of this Section. As provided in Section 5.01(a)(i) hereof, at the time of issuance of the Series 2022-A Bonds, a portion of the proceeds of the Series 2022-A Bonds shall be deposited into the Series 2022-A Costs of Issuance Fund. Other amounts may be deposited into the Series 2022-A Costs of Issuance Fund as directed by the Authority. Amounts on deposit in the Series 2022-A Costs of Issuance Fund shall be used to pay or to reimburse the Authority for the payment of Costs of Issuance. Amounts in the Series 2022-A Costs of Issuance Fund shall be disbursed by the Trustee upon written requisition executed by an Authorized Authority Representative. Each such requisition shall state:

(a) the requisition number;

(b) the amount to be paid to the Authority or to its designee and the method of payment;

(c) that each item to be paid with the requisitioned funds represents either incurred or due and payable Costs of Issuance which constitute Costs of the Project as permitted by the Act;

(d) that such Costs of Issuance have not been paid from other funds withdrawn from the Series 2022-A Costs of Issuance Fund; and

(e) to the best of the signatory's knowledge, no Event of Default has occurred and is continuing under the Agreement or any Supplemental Agreement thereto.

Each such written requisition of the Authority shall be sufficient evidence to the Trustee of the facts stated therein and the Trustee shall have no duty to confirm the accuracy of such facts.

Upon the earlier of (a) 180 days from the delivery date of the Series 2022-A Bonds; or (ii) at such time as the Authority delivers to the Trustee written notice that all Costs of Issuance have been paid or otherwise notifies the Trustee in writing that no additional amounts from the Series 2022-A Costs of Issuance Fund will be needed to pay Costs of Issuance, the Trustee shall transfer all amounts then remaining in the Series 2022-A Costs of Issuance Fund to the Series 2022-A Subaccount of the Senior Bond Interest Account established and held pursuant to this

Thirty-Third Supplemental Agreement. At such time as no amounts remain in the Series 2022-A Costs of Issuance Fund, such fund shall be closed.

**Section 6.02 Creation of Series 2022-A Subaccount in the Senior Bond Interest Account of the Senior Debt Service Fund**. A separate Subaccount to be held by the Trustee is hereby created within the Senior Bond Interest Account of the Senior Debt Service Fund to be designated as the "*Series 2022-A Subaccount of the Senior Bond Interest Account*." Amounts in the Series 2022-A Subaccount of the Senior Bond Interest Account shall be disbursed to pay interest on the Series 2022-A Bonds pursuant to the Agreement and this Thirty-Third Supplemental Agreement.

The Trustee shall deposit into the Series 2022-A Subaccount of the Senior Bond Interest Account (a) amounts with respect to interest on the Series 2022-A Bonds received from the Authority, as provided in the Agreement, and (b) any other amounts deposited with the Trustee for deposit in the Series 2022-A Subaccount of the Senior Bond Interest Account or transferred from other funds and accounts for deposit therein. Earnings on all amounts in the Series 2022-A Subaccount of the Senior Bond Interest Account shall be retained in such Subaccount. The Trustee shall establish separate sub-accounts in the Series 2022-A Subaccount of the Senior Bond Interest Account for each source of deposit (including any investment income thereon) made into the Series 2022-A Subaccount of the Senior Bond Interest Account so that the Trustee may at all times ascertain the date of deposit, the amounts, and the source of the funds in each sub-account.

**Section 6.03 Creation of Series 2022-A Subaccount in the Senior Bond Principal Account of the Senior Debt Service Fund**. A separate Subaccount to be held by the Trustee is hereby created within the Senior Bond Principal Account of the Senior Debt Service Fund to be designated as the "*Series 2022-A Subaccount of the Senior Bond Principal Account*." Amounts in the Series 2022-A Subaccount of the Senior Bond Principal Account will be disbursed to pay principal of the Series 2022-A Bonds at maturity pursuant to the Agreement and this Thirty-Third Supplemental Agreement.

The Trustee shall deposit into the Series 2022-A Subaccount of the Senior Bond Principal Account (a) amounts with respect to principal of the Series 2022-A Bonds received from the Authority, as provided in the Agreement, and (b) any other amounts deposited with the Trustee for deposit in the Series 2022-A Subaccount of the Senior Bond Principal Account or transferred from other funds and accounts for deposit therein. Earnings on all amounts in the Series 2022-A Subaccount of the Senior Bond Principal Account shall be retained in such Subaccount. The Trustee shall establish separate sub-accounts in the Series 2022-A Subaccount of the Senior Bond Principal Account for each source of deposit (including any investment income thereon) made into the Series 2022-A Subaccount of the Senior Bond Principal Account so that the Trustee may at all times ascertain the date of deposit, the amounts, and the source of the funds in each sub-account.

**Section 6.04 Series 2022-A Bonds Not Secured by Reserve Fund or Debt Service Reserve Fund**. In accordance with Section 4.11 of the Agreement, neither a deposit to the Reserve Fund nor to a Debt Service Reserve Fund shall be required with respect to the Series 2022-A Bonds, and the Series 2022-A Bonds shall not be secured by the Reserve Fund or a Debt Service Reserve Fund.

## ARTICLE VII

## TAX COVENANTS

**Section 7.01 Series 2022-A Rebate Fund**.

(a) The Authority hereby agrees that it will instruct the Trustee to establish and maintain a fund, if necessary, separate from any other fund established and maintained hereunder designated as the "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Bonds, Senior Bonds, Series 2022-A Rebate Fund" (the "*Series 2022-A Rebate Fund*"), which will be funded if so required under the Tax Certificate, and amounts in the Series 2022-A Rebate Fund will be held and disbursed in accordance with the terms and requirements of the Tax Certificate. The Trustee shall not be required to create and establish the Series 2022-A Rebate Fund until the Authority gives written instruction to the Trustee to do so. Subject to the transfer provisions provided in paragraph (d) below, all money at any time deposited in the Series 2022-A Rebate Fund, if created, shall be held by the Trustee for the account of the Authority in trust, to the extent required to pay the Rebate Requirement, for payment to the federal government of the United States of America, and neither the Trustee nor any Owner of Series 2022-A Bonds shall have any rights in or claim to such money. All amounts deposited into or on deposit in the Series 2022-A Rebate Fund shall be governed by this Thirty-Third Supplemental Agreement and by the Tax Certificate (which is incorporated herein by reference). The Authority hereby covenants to comply with the directions contained in the Tax Certificate and the Trustee hereby covenants to comply with all written instructions of the Authority delivered to the Trustee pursuant to the Tax Certificate (which instructions shall state the actual amounts to be deposited in or withdrawn from the Series 2022-A Rebate Fund and shall not require the Trustee to make any calculations with respect thereto). The Trustee shall be deemed conclusively to have complied with the provisions of this Section 7.01(a) if it follows such instructions of the Authority, and the Trustee shall have no liability or responsibility to enforce compliance by the Authority with the terms of the Tax Certificate nor to make computations in connection therewith.

(b) Amounts shall be deposited in the Series 2022-A Rebate Fund as provided in this Article VII and the Tax Certificate so that the balance of the amount on deposit thereto shall be equal to the Rebate Requirement. Computations of the Rebate Requirement shall be furnished by or on behalf of the Authority to the Trustee in accordance with the Tax Certificate.

(c) The Trustee shall invest all amounts held in the Series 2022-A Rebate Fund pursuant to written instructions of the Authority in accordance with Article VI of the Agreement, and subject to the restrictions set forth in the Tax Certificate.

(d) Upon receipt of the instructions required to be delivered to the Trustee by the Tax Certificate, the Trustee shall remit part or all of the balances in the Series 2022-A Rebate Fund to the federal government of the United States of America, as so directed. In addition, if such instructions so direct, the Trustee will deposit moneys into or transfer moneys out of the Series 2022-A Rebate Fund from or into such accounts or funds. Any

funds remaining in the Series 2022-A Rebate Fund after payment of all of the Series 2022-A Bonds and payment and satisfaction of the Rebate Requirement shall be withdrawn and remitted to the Authority in accordance with a request of the Authority.

(e) Notwithstanding any other provision of the Agreement and this Thirty-Third Supplemental Agreement, the obligation to pay the Rebate Requirement to the federal government of the United States of America and to comply with all other requirements of this Article VII and the Tax Certificate shall survive the defeasance or payment in full of the Series 2022-A Bonds. The Authority shall retain all records with respect to the calculations and instructions required by this Section 7.01 for at least four years after the date on which the last of the principal of and interest on the Series 2022-A Bonds has been paid.

**Section 7.02 Tax Covenants**. To maintain the exclusion from gross income for federal income tax purposes of interest on the Series 2022-A Bonds, the Authority hereby covenants to comply with each applicable requirement of Section 103 and Sections 141 through 150 of the Internal Revenue Code of 1986, as amended (the "*Code*"). In furtherance of these covenants, the Authority agrees to comply with the covenants contained in the Tax Certificate with respect to the Series 2022-A Bonds. The Authority hereby agrees to deliver instructions to the Trustee as may be necessary in order to comply with the Tax Certificate. The Trustee, by acceptance of its duties hereunder, agrees to comply with any instructions received from the Authority which the Authority indicates must be followed in order to comply with the Tax Certificate. The failure of the Authority to comply with the Tax Certificate, Section 7.01 hereof, or this Section 7.02 shall be an Event of Default.

Notwithstanding any provision of this Section and Section 7.01 hereof, if the Authority shall receive an Opinion of Bond Counsel to the effect that any action required under this Section 7.02 and Section 7.01 hereof is no longer required, or to the effect that some further action is required, to maintain the exclusion from gross income of the interest on the Series 2022-A Bonds pursuant to Section 103 of the Code, the Authority and the Trustee may rely conclusively on such opinion in complying with the provisions hereof, and the covenants hereunder shall be deemed to be modified to that extent.

## ARTICLE VIII

## COMPLIANCE WITH ORDINANCE NO. 49 AND ACT OF 1998

The Authority hereby covenants to comply with and to carry out the provisions of Ordinance No. 49 and the Act of 1998, including, without limitation, to allocate the Proposition C Sales Tax (including the proceeds of bonds secured by Proposition C Sales Tax) for the uses and in accordance with the percentages specified in Section 4(b) of Ordinance No. 49.

## ARTICLE IX

## MISCELLANEOUS

**Section 9.01 Limited Obligation**. Neither the faith and credit nor the taxing power of the County of Los Angeles, the State of California or any political subdivision or agency thereof, other than the Authority to the extent of the Pledged Revenues and certain other amounts held by the Trustee under the Agreement and this Thirty-Third Supplemental Agreement, is pledged to the payment of the principal of or interest on the Series 2022-A Bonds. The Authority has no power to levy property taxes to pay the principal of or interest on the Series 2022-A Bonds.

The Series 2022-A Bonds are limited obligations of the Authority and are payable, both as to principal and interest, solely from the Pledged Revenues and by certain other amounts held by the Trustee under the Agreement. Other than Pledged Revenues and such amounts, the general fund of the Authority is not liable, and neither the credit nor the taxing power of the Authority is pledged, for the payment of the Series 2022-A Bonds or their interest.

**Section 9.02 Trustee's Agents**. The Trustee or the Authority (with written notice to the Trustee) may from time to time appoint other banks, trust companies or other financial institutions to perform functions described in this Thirty-Third Supplemental Agreement. Such agents may include, but shall not be limited to, authenticating agents and paying agents. Any reference in this Thirty-Third Supplemental Agreement to the Trustee shall also refer to any agent appointed by the Trustee or the Authority to such duty in addition to the Trustee or shall, instead, refer only to any agent appointed by the Trustee or the Authority to perform such duty in place of the Trustee.

**Section 9.03 Notices**.

(a) Any notice, request, direction, designation, consent, acknowledgment, certification, appointment, waiver, or other communication required or permitted by this Thirty-Third Supplemental Agreement or the Series 2022-A Bonds must be in writing except as expressly provided otherwise in this Thirty-Third Supplemental Agreement or the Series 2022-A Bonds.

(b) Any notice or other communication, unless otherwise specified, shall be sufficiently given and deemed given when delivered by hand or mailed by first-class mail, postage prepaid, addressed to the Authority or the Trustee at the addresses set forth below. Any addressee may designate additional or different addresses for purposes of this Section.

| | |
|---|---|
| to the Authority: | Los Angeles County Metropolitan Transportation Authority<br>One Gateway Plaza, 21st Floor<br>Los Angeles, CA 90012<br>Attention: Treasury Department |
| to the Trustee: | U.S. Bank Trust Company, National Association<br>633 West Fifth Street, 24th Floor<br>Los Angeles, CA 90071<br>Attention: Global Corporate Trust<br>Ref. Los Angeles County MTA Prop. C Bonds |

(c) The Trustee shall give written notice to Moody's and S&P if at any time a successor Trustee is appointed under the Agreement, if there is any amendment to the Agreement or this Thirty-Third Supplemental Agreement or if the defeasance of the Series 2022-A Bonds shall occur. Notice in the case of an amendment shall include a copy of any such amendment. Notices sent to Moody's shall be addressed to Moody's Investors Service, 7 World Trade Center, 250 Greenwich Street, New York, New York 10007, Attention: Public Finance Department, or to such other address as Moody's shall supply to the Trustee. Notices sent to S&P shall be addressed to S&P Global Ratings, 55 Water Street, New York, New York 10041, or to such other address as S&P shall supply to the Trustee.

**Section 9.04 Investments**. Notwithstanding anything to the contrary in the Agreement, any moneys held by the Trustee in the funds and accounts created under this Thirty-Third Supplemental Agreement may be invested (a) in any investments permitted by the California Government Code; and (b) in any investment agreement, deposit agreement or any such other similar agreement as approved by any Authorized Authority Representative.

The Authority acknowledges that to the extent regulations of the Comptroller of the Currency or other applicable regulatory entity grant the Authority the right to receive brokerage confirmations of security transactions as they occur, the Authority specifically waives receipt of such confirmations to the extent permitted by law. The Trustee will furnish the Authority periodic cash transaction statements which shall include detail for all investment transactions made by the Trustee hereunder.

**Section 9.05 Limitation of Rights**. Nothing expressed or implied in this Thirty-Third Supplemental Agreement or the Series 2022-A Bonds shall give any person other than the Trustee, the Authority and the Bondholders any right, remedy or claim under or with respect to this Thirty-Third Supplemental Agreement.

**Section 9.06 Severability**. If any provision of this Thirty-Third Supplemental Agreement shall be determined to be unenforceable, such determination shall not affect any other provision of this Thirty-Third Supplemental Agreement.

**Section 9.07 Payments or Actions Occurring on Nonbusiness Days**. If a payment date is not a Business Day at the place of payment or if any action required hereunder is required on a date that is not a Business Day, then payment may be made at that place on the next Business Day or such action may be taken on the next Business Day with the same effect as if payment were made on the action taken on the stated date, and no interest shall accrue for the intervening period.

**Section 9.08 Governing Law**. This Thirty-Third Supplemental Agreement shall be governed by and construed in accordance with the laws of the State of California.

**Section 9.09 Captions**. The captions in this Thirty-Third Supplemental Agreement are for convenience only and do not define or limit the scope or intent of any provisions or Sections of this Thirty-Third Supplemental Agreement.

**Section 9.10 Counterparts**. This Thirty-Third Supplemental Agreement may be signed in several counterparts. Each will be an original, but all of them together constitute the same instrument.

**Section 9.11 Continuing Disclosure**. The Authority hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate as originally executed and as it may be amended from time to time in accordance with the terms thereof. Notwithstanding any other provision of this Thirty-Third Supplemental Agreement, failure of the Authority to comply with the Continuing Disclosure Certificate shall not be considered an Event of Default, however, any Series 2022-A Bondholder may take such actions, as provided in the Continuing Disclosure Certificate, as may be necessary and appropriate to cause the Authority to comply with its obligations under the Continuing Disclosure Certificate.

**Section 9.12 Effectiveness of Remainder of Agreement**. Except as otherwise amended herein, or in the Prior Supplemental Agreements, the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Thirty-Third Supplemental Trust Agreement by their officers thereunto duly authorized as of the date first above written.

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

By_____
Rodney Johnson,
Deputy Executive Officer, Finance

U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION,
as Trustee

By_____
Bradley E. Scarbrough
Vice President

[Signature page to Thirty-Third Supplemental Trust Agreement]

## EXHIBIT A

## FORM OF SERIES 2022-A BOND

UNLESS THIS CERTIFICATE IS PRESENTED BY AN AUTHORIZED REPRESENTATIVE OF THE DEPOSITORY TRUST COMPANY, A NEW YORK CORPORATION ("DTC"), TO THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY OR ITS AGENT FOR REGISTRATION OF TRANSFER, EXCHANGE OR PAYMENT, AND ANY CERTIFICATE ISSUED IS REGISTERED IN THE NAME OF CEDE & CO. OR IN SUCH OTHER NAME AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC (AND ANY PAYMENT IS MADE TO CEDE & CO. OR TO SUCH OTHER ENTITY AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL INASMUCH AS THE REGISTERED OWNER HEREOF, CEDE & CO., HAS AN INTEREST HEREIN.

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**
**PROPOSITION C SALES TAX REVENUE REFUNDING BONDS,**
**SENIOR BONDS, SERIES 2022-A**

Neither the faith and credit nor the taxing power of the County of Los Angeles, the State of California or any public agency, other than the Los Angeles County Metropolitan Transportation Authority to the extent of Pledged Revenues, is pledged to the payment of the principal of, or interest on, this Bond.

No. R-___ $_____

| Interest Rate Per Annum | Maturity Date | Dated Date | CUSIP |
|---|---|---|---|
| % | July 1, 20__ | [Closing Date] | 54466H___ |

REGISTERED OWNER: _____

PRINCIPAL AMOUNT: _____ Dollars

The LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, a public entity, duly organized and existing under and pursuant to the laws of the State of California (the "Authority"), for value received, hereby promises to pay to the registered owner named above, or registered assigns, but solely from the sources hereinafter mentioned, on the Maturity Date specified above, the Principal Amount shown above and to pay interest hereon, but solely from the sources hereinafter referred to, at the rate set forth above from the most recent Interest Payment Date (as defined in the Thirty-Third Supplement, as defined below) to which interest has been paid or duly provided for, or from the date of authentication hereof if such Interest Payment Date is a date of authentication, or from the next succeeding Interest Payment Date if such date of authentication is after a Record Date and before the next succeeding Interest Payment Date, or from the Dated Date specified above if no interest has been paid or duly provided for, such payments of interest to be made on each January 1 and July 1, commencing on January 1,

2022, until the principal hereof has been paid or duly provided for as aforesaid. The principal of and interest on this Bond may be paid in any coin or currency of the United States of America which, at the time of payment, is legal tender for the payment of public or private debts. The principal of this Bond is payable to the registered owner hereof upon presentation and surrender hereof at the principal corporate trust office of U.S. Bank Trust Company, National Association, as trustee (together with any successor as trustee under the Agreement, as defined below, the "Trustee"), in St. Paul, Minnesota, or such other place as designated by the Trustee, in lawful money of the United States of America. Capitalized terms used in this Bond and not defined herein shall have the meanings given them in the Agreement (as defined below).

This Bond is one of a duly authorized issue of the Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2022-A (the "Series 2022-A Bonds"). This Bond is issued pursuant to an Amended and Restated Trust Agreement, dated as of January 1, 2010 (the "Trust Agreement"), by and between the Authority and the Trustee, and a Thirty-Third Supplemental Trust Agreement, dated as of June 1, 2022 (the "Thirty-Third Supplement"), by and between the Authority and the Trustee, setting forth the terms and authorizing the issuance of the Series 2022-A Bonds (said Trust Agreement as amended and supplemented, including as supplemented by the Thirty-Third Supplement, being the "Agreement"). Said authorized issue of Bonds is limited in aggregate principal amount as provided in the Agreement, and consists or may consist of one or more series of varying denominations, dates, maturities, interest rates and other provisions, as in said Agreement provided, all issued and to be issued pursuant to the provisions of Section 130500 et seq. of the California Public Utilities Code, as amended from time to time (the "Act"). The Series 2022-A Bonds constitute Senior Bonds under the Agreement. Reference is hereby made to the Agreement and to the Act for a description of the terms on which the Series 2022-A Bonds are issued and to be issued, the provisions with regard to the nature and extent of the Pledged Revenues (as that term is defined in the Agreement), and the rights of the Registered Owners of the Series 2022-A Bonds. All the terms of the Agreement and the Act are hereby incorporated herein and constitute a contract between the Authority and the Registered Owner from time to time of this Bond, and to all the provisions thereof the Registered Owner of this Bond, by its acceptance hereof, consents and agrees.

Additional Senior Bonds and Senior Parity Debt may be issued or incurred on a parity with the Series 2022-A Bonds of this authorized issue, but only subject to the conditions and limitations contained in the Agreement.

The Senior Bonds currently outstanding and hereafter issued by the Authority, and the interest thereon, are payable from, and are secured by a charge and lien on, the Pledged Revenues derived by the Authority from the Proposition C Sales Tax. All of the Senior Bonds, including the Series 2022-A Bonds, and Senior Parity Debt are equally secured by a pledge of, and charge and lien upon, all of the Pledged Revenues, and the Pledged Revenues constitute a trust fund for the security and payment of the interest on and principal of the Series 2022-A Bonds; but nevertheless out of Pledged Revenues certain amounts may be applied for other purposes as provided in the Agreement.

The Series 2022-A Bonds are limited obligations of the Authority and are payable, both as to principal and interest, solely from the Pledged Revenues and by certain other amounts held by the Trustee under the Agreement.

The general fund of the Authority is not liable, and neither the credit nor the taxing power of the Authority is pledged (other than as described above), for the payment of the Series 2022-A Bonds or their interest. The Series 2022-A Bonds are not secured by a legal or equitable pledge of, or charge, lien or encumbrance upon, any of the property of the Authority or any of its income or receipts, except the Pledged Revenues.

This Bond shall be issued pursuant to a book-entry system administered by DTC (together with any successor thereto, "Securities Depository"). The book-entry system will evidence beneficial ownership of the Series 2022-A Bonds with transfers of ownership effected on the register held by the Securities Depository pursuant to rules and procedures established by the Securities Depository. So long as the book-entry system is in effect, transfer of principal and interest payments, and provisions of notices or other communications, to beneficial owners of the Series 2022-A Bonds will be the responsibility of the Securities Depository as set forth in the Agreement.

The Series 2022-A Bonds are not subject to redemption prior to their stated maturities.

This Bond is transferable or exchangeable for other Authorized Denominations upon surrender of this Bond at the corporate trust office of the Trustee in St. Paul, Minnesota, or such other place as designated by the Trustee, accompanied by a written instrument of transfer or authorization for exchange, in form and with guaranty of signature satisfactory to the Authority and the Registrar, duly executed by the registered owner hereof or by his duly authorized attorney, but only in the manner, subject to the limitations and upon payment of the charges provided in the Agreement, and upon surrender and cancellation of this Bond. Upon such transfer a new fully authenticated and registered Series 2022-A Bond or Series 2022-A Bonds without coupons, of Authorized Denomination or Authorized Denominations, of the same series, tenor, maturity and interest rate for the same aggregate principal amount will be issued to the transferee in exchange herefor.

The Authority, the Trustee and any paying agent may deem and treat the registered owner hereof as the absolute owner hereof for all purposes, and the Authority, the Trustee and any paying agent shall not be affected by any notice to the contrary.

The rights and obligations of the Authority and of the holders and registered owners of the Series 2022-A Bonds may be modified or amended at any time in the manner, to the extent and upon the terms provided in the Agreement, which provide, in certain circumstances, for modifications and amendments without the consent of or notice to the registered owners of the Series 2022-A Bonds.

It is hereby certified and recited that any and all acts, conditions and things required to exist, to happen and to be performed, precedent to and in the incurring of the indebtedness evidenced by this Bond, and in the issuing of this Bond, do exist, have happened and have been performed in due time, form and manner, as required by the Constitution and statutes of the State

of California, and that this Bond, together with all other indebtedness of the Authority pertaining to the Pledged Revenues, is within every debt and other limit prescribed by the Constitution and the statutes of the State of California, and is not in excess of the amount of Bonds permitted to be issued under the Agreement or the Act.

This Bond shall not be entitled to any benefit under the Agreement, or become valid or obligatory for any purpose, until the certificate of authentication hereon endorsed shall have been manually signed by the Trustee.

IN WITNESS WHEREOF, THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY has caused this Bond to be executed in its name and on its behalf by its _____ as of the _____ day of _____, 20___.

LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY

By_____
Title:_____

## CERTIFICATE OF AUTHENTICATION

This Bond is one of the Proposition C Sales Tax Revenue Bonds, Senior Bonds, Series 2022-A Bonds of the Los Angeles County Metropolitan Transportation Authority described in the within mentioned Agreement.

Dated: _____, 20___

U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION, as Trustee

By_____
Authorized Officer

## FORM OF ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers to

_____

(Please insert Social Security or Identification Number of Transferee)

_____

(Please print or typewrite name and address, including zip code of Transferee)

_____

_____

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

_____

attorney to register the transfer of the within Bond on the books kept for registration thereof, all power of substitution in the premises.

Dated:

Signature Guaranteed:

| | |
|---|---|
| NOTICE: Signature guarantee shall be made by a guarantor institution participating in the Securities Transfer Agents Medallion Program or in such other guarantee program acceptable to the Trustee. | NOTICE: The signature above must correspond with the name of the Owner as it appears upon the front of this Bond in every particular, without alteration or enlargement or any change whatsoever. |

**EXHIBIT B**

**DEBT SERVICE SCHEDULE**

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**
**PROPOSITION C SALES TAX REVENUE BONDS,**
**SENIOR BONDS, SERIES 2022-A**

| Date | Principal | Interest | Total Principal and Interest |
|---|---|---|---|

## EXHIBIT C

## REFUNDED BONDS

1. Los Angeles County Metropolitan Transportation Authority"
   Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-A

2. Los Angeles County Metropolitan Transportation Authority
   Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-B

## EXHIBIT D

## PRIOR OUTSTANDING SENIOR BONDS

"Prior Outstanding Senior Bonds" means and includes all of the following:

"Series 2012-A Bonds" means the $14,635,000 original principal amount of Senior Bonds issued under the Agreement and the Twenty-Second Supplemental Agreement and designated as "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-A."

"Series 2012-B Bonds" means the $74,885,000 original principal amount of Senior Bonds issued under the Agreement and the Twenty-Second Supplemental Agreement and designated as "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-B."

"Series 2013-A Bonds" means the $138,960,000 original principal amount of Senior Bonds issued under the Agreement and the Twenty-Third Supplemental Agreement and designated as "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2013-A."

"Series 2013-B Bonds" means the $313,490,000 original principal amount of Senior Bonds issued under the Agreement and the Twenty-Fourth Supplemental Agreement and designated as "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Bonds, Senior Bonds, Series 2013-B."

"Series 2013-C Bonds" means the $63,785,000 original principal amount of Senior Bonds issued under the Agreement and the Twenty-Fourth Supplemental Agreement and designated as and "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2013-C."

"Series 2014-A Bonds" means the $61,180,000 original principal amount of Senior Bonds issued under the Agreement and the Twenty-Fifth Supplemental Agreement and designated as "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2014-A."

"Series 2016-A Bonds" means the $86,570,000 original principal amount of Senior Bonds issued under the Agreement and the Twenty-Sixth Supplemental Agreement and designated as "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2016-A."

"Series 2017-A Bonds" means the $454,845,000 original principal amount of Senior Bonds issued under the Agreement and the Twenty-Seventh Supplemental Agreement and designated as "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Bonds, Senior Bonds, Series 2017-A."

"Series 2018-A Bonds" means the $54,965,000 original principal amount of Senior Bonds issued under the Agreement and the Twenty-Eighth Supplemental Agreement and designated as

"Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2018-A."

"Series 2019-A Bonds" means the $418,575,000 original principal amount of Senior Bonds issued under the Agreement and the Twenty-Ninth Supplemental Agreement and designated as "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Bonds, Senior Bonds, Series 2019-A (Green Bonds)."

"Series 2019-B Bonds" means the $126,425,000 original principal amount of Senior Bonds issued under the Agreement and the Twenty-Ninth Supplemental Agreement and designated as "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Bonds, Senior Bonds, Series 2019-B."

"Series 2019-C Bonds" means the $47,830,000 original principal amount of Senior Bonds issued under the Agreement and the Thirtieth Supplemental Agreement and designated as "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Bonds, Senior Bonds, Series 2019-C."

"Series 2020-A Bonds" means the $28,265,000 original principal amount of Senior Bonds issued under the Agreement and the Thirty-First Supplemental Agreement and designated as "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2020-A."

"Series 2021-A Bonds" means the $321,905,000 original principal amount of Senior Bonds issued under the Agreement and the Thirty-Second Supplemental Agreement and designated as "Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Bonds, Senior Bonds, Series 2021-A."

## EXHIBIT E

## PRIOR SUPPLEMENTAL AGREEMENTS

"Prior Supplemental Agreements" means and includes all of the following:

"Eighteenth Supplemental Agreement" means the Eighteenth Supplemental Trust Agreement, dated as of August 1, 2009, by and between the Authority and the Trustee.

"Sixteenth Supplemental Agreement" means the Sixteenth Supplemental Trust Agreement, dated as of June 1, 2009, by and between the Authority and the Trustee.

"Thirtieth Supplemental Agreement" means the Thirtieth Supplemental Trust Agreement, dated as of June 1, 2019, by and between the Authority and the Trustee.

"Thirty-First Supplemental Agreement" means the Thirty-First Supplemental Trust Agreement, dated as of June 1, 2020, by and between the Authority and the Trustee.

"Thirty-Second Supplemental Agreement" means the Thirty-Second Supplemental Trust Agreement, dated as of April 1, 2021, by and between the Authority and the Trustee.

"Twenty-Eighth Supplemental Agreement" means the Twenty-Eighth Supplemental Trust Agreement, dated as of April 1, 2018, by and between the Authority and the Trustee.

"Twenty-Fifth Supplemental Agreement" means the Twenty-Fifth Supplemental Trust Agreement, dated as of June 1, 2014, by and between the Authority and the Trustee.

"Twenty-First Supplemental Agreement" means the Twenty-First Supplemental Trust Agreement, dated as of January 1, 2010, by and between the Authority and the Trustee.

"Twenty-Fourth Supplemental Agreement" means the Twenty-Fourth Supplemental Trust Agreement, dated as of December 1, 2013, by and between the Authority and the Trustee.

"Twenty-Ninth Supplemental Agreement" means the Twenty-Ninth Supplemental Trust Agreement, dated as of February 1, 2019, by and between the Authority and the Trustee.

"Twenty-Second Supplemental Agreement" means the Twenty-Second Supplemental Trust Agreement, dated as of July 1, 2012, by and between the Authority and the Trustee.

"Twenty-Seventh Supplemental Agreement" means the Twenty-Seventh Supplemental Trust Agreement, dated as of February 1, 2017, by and between the Authority and the Trustee.

"Twenty-Sixth Supplemental Agreement" means the Twenty-Sixth Supplemental Trust Agreement, dated as of June 1, 2016, by and between the Authority and the Trustee.

"Twenty-Third Supplemental Agreement" means the Twenty-Third Supplemental Trust Agreement, dated as of May 1, 2013, by and between the Authority and the Trustee.

## APPENDIX F

## FORM OF CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the "Certificate") is executed and delivered by the Los Angeles County Metropolitan Transportation Authority (the "Authority") in connection with the issuance of its $_____ Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2022-A (the "Series 2022-A Bonds") pursuant to the terms of the Agreement (as defined herein). The Authority covenants and agrees as follows:

**Section 1. Definitions.**

"*Agreement*" means, collectively, the Amended and Restated Trust Agreement, dated as of January 1, 2010, as amended, by and between the Authority and U.S. Bank Trust Company, as successor in interest to U.S. Bank National Association, as trustee (the "Trustee"), and the Thirty-Third Supplemental Trust Agreement, dated as of June 1, 2022, by and between the Authority and the Trustee.

"*Annual Information*" means the information specified in Section 4 hereof.

"*EMMA System*" means the MSRB's Electronic Municipal Market Access system or any successor nationally recognized municipal securities information repositories recognized by the Securities and Exchange Commission for the purposes referred to in Rule 15c2-12.

"*Financial Obligation*" means (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii). The term Financial Obligation shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12.

"*Holder*" means any registered owner of Series 2022-A Bonds and any beneficial owner of Series 2022-A Bonds within the meaning of Rule 13d-3 under the Securities Exchange Act of 1934, as amended.

"*Listed Events*" means any of the events listed in Section 5 hereof.

"*MSRB*" means the Municipal Securities Rulemaking Board established in accordance with the provisions of Section 15B(b)(1) of the Securities Exchange Act of 1934, as amended.

"*Official Statement*" means the Official Statement, dated _____, 2022, prepared and distributed in connection with the initial sale of the Series 2022-A Bonds.

"*Rule 15c2-12*" means Rule 15c2-12, as amended through the date of this Certificate, as promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended.

**Section 2. Purpose of the Certificate**. This Certificate is being executed and delivered by the Authority pursuant to Rule 15c2-12 for the benefit of the Holders of the Series 2022-A Bonds in order to assist the participating underwriters in complying with Rule 15c2-12.

**Section 3. Provision of Annual Information**.

(a) The Authority shall, not later than 195 days following the end of each Fiscal Year of the Authority (which Fiscal Year currently ends on June 30) (resulting in a deadline of January 11 of each year), commencing with the report for Fiscal Year ended June 30, 2022 (which is due no later than January 11, 2023), provide to the MSRB through the EMMA System, in an electronic format and accompanied by identifying information all as prescribed by the MSRB, the Annual Information relating to the immediately preceding Fiscal Year that is consistent with the requirements of Section 4 hereof, which Annual Information may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 hereof; provided that any audited financial statements may be submitted separately from the balance of the Annual Information and later than the date required above for the filing of the Annual Information if they are not available by that date. If the Fiscal Year for the Authority changes, the Authority shall give notice of such change in the same manner as for a Listed Event under Section 5(e) hereof.

(b) If in any year, the Authority does not provide the Annual Information to the MSRB by the time specified above, the Authority shall instead timely file a notice to the MSRB through the EMMA System stating that the Annual Information has not been timely completed and, if known, stating the date by which the Authority expects to file the Annual Information.

**Section 4. Content of Annual Information**. The Annual Information shall contain or incorporate by reference the following:

(a) The audited financial statements of the Authority for the prior Fiscal Year, prepared in accordance with generally accepted accounting principles as in effect from time to time and as applied to governmental units. If the Authority's audited financial statements are not available by the time the Annual Information is required to be filed pursuant to Section 3(a) hereof, the Annual Information shall contain unaudited financial statements and the audited financial statements shall be filed in the same manner as the Annual Information when they become available.

(b) Updated historical information of the type set forth in "TABLE 3—Historical Net Proposition C Sales Tax Revenues, Local Allocations, Pledged Revenues and Debt Service Coverage" of the Official Statement; and

(c) Updated information of the type set forth in "TABLE 6—Los Angeles County Metropolitan Transportation Authority, Combined Proposition C Debt Service Schedule Senior Bonds" of the Official Statement, but only the information in the column entitled "Total Debt Service" and the information under the column entitled "Combined Total Debt Service Senior Bonds" and only to the extent the information in these columns has changed.

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the Authority or related public entities, that have been submitted to the MSRB through the EMMA System.

**Section 5. Reporting of Listed Events**.

(a) The Authority shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Series 2022-A Bonds not later than ten business days after the occurrence of the event:

1. Principal and interest payment delinquencies;

2. Unscheduled draws on debt service reserves reflecting financial difficulties;

3. Unscheduled draws on credit enhancements reflecting financial difficulties;

4. Substitution of credit or liquidity providers, or their failure to perform;

5. Adverse tax opinions with respect to the tax status of the Series 2022-A Bonds or the issuance by the Internal Revenue Service of proposed or final determination of taxability or of a Notice of Proposed Issue (IRS Form 5701 TEB) with respect to the Series 2022-A Bonds;

6. Tender offers;

7. Defeasances;

8. Rating changes;

9. Bankruptcy, insolvency, receivership or similar event of the Authority; or

   Note: For the purposes of the event identified in subparagraph (a)(9), the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Authority in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Authority, or if such jurisdiction has been assumed by leaving the existing governmental body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Authority.

10. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the Authority, any of which reflect financial difficulties.

(b) The Authority shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Series 2022-A Bonds, if material, not later than ten business days after the occurrence of the event:

1. Unless described in paragraph 5(a)(5), adverse tax opinions or other material notices or determinations by the Internal Revenue Service with respect to the tax status of the Series 2022-A Bonds or other material events affecting the tax status of the Series 2022-A Bonds;

2. Modifications to rights of the Owners of the Series 2022-A Bonds;

3. Optional, unscheduled or contingent bond calls;

4. Release, substitution or sale of property securing repayment of the Series 2022-A Bonds;

5. Non-payment related defaults;

6. The consummation of a merger, consolidation, or acquisition involving the Authority or the sale of all or substantially all of the assets of the Authority, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms;

7. Appointment of a successor or additional trustee or the change of name of a trustee; or

8. Incurrence of a Financial Obligation of the Authority, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the Authority, any of which affect security holders.

(c) The Authority shall give, or cause to be given, in a timely manner, notice of a failure to provide the annual financial information on or before the date specified in Section 3(a) hereof, as provided in Section 3 hereof.

(d) Whenever the Authority obtains knowledge of the occurrence of a Listed Event described in Section 5(b) hereof, the Authority shall determine if such event would be material under applicable federal securities laws.

(e) If the Authority learns of an occurrence of a Listed Event described in Section 5(a) hereof, or determines that knowledge of a Listed Event described in Section 5(b) hereof would be material under applicable federal securities laws, the Authority shall within ten business days of occurrence file a notice of such occurrence with the MSRB through the EMMA System in electronic format, accompanied by such identifying information as is prescribed by the MSRB. Notwithstanding the foregoing, notice of the Listed Event described in subsections (a)(7) or (b)(3) need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to Holders of affected Series 2022-A Bonds pursuant to the Agreement.

**Section 6. Remedies**. If the Authority shall fail to comply with any provision of this Certificate, then any Holder may enforce, for the equal benefit and protection of all Holders similarly situated, by mandamus or other suit or proceeding in law or in equity, this Certificate against the Authority and any of the officers, agents and employees of the Authority, and may compel the Authority or any such officers, agents or employees to perform and carry out their duties under this Certificate; provided that the sole and exclusive remedy for breach of this Certificate shall be an action to compel specific performance of the obligations of the Authority hereunder and no person or entity shall be entitled to recover monetary damages hereunder under any circumstances, and, provided further, that any challenge to the adequacy of any information provided pursuant to Section 4 or 5 hereof may be brought only by the Holders of 25% in aggregate principal amount of the Series 2022-A Bonds at the time outstanding. A failure by the Authority to comply with the provisions of this Certificate shall not constitute an Event of Default under the Agreement.

**Section 7. Parties in Interest**. This Certificate is executed and delivered solely for the benefit of the Holders. No other person shall have any right to enforce the provisions hereof or any other rights hereunder.

**Section 8. Amendment**. Without the consent of any Holders of Series 2022-A Bonds, the Authority at any time and from time to time may enter into any amendments or changes to this Certificate for any of the following purposes:

(a) to comply with or conform to any changes in Rule 15c2-12 or any authoritative interpretations thereof by the Securities and Exchange Commission or its staff (whether required or optional);

(b) to add a dissemination agent for the information required to be provided hereby and to make any necessary or desirable provisions with respect thereto;

(c) to evidence the succession of another person to the Authority and the assumption by any such successor of the covenants of the Authority hereunder;

(d) to add to the covenants of the Authority for the benefit of the Holders, or to surrender any right or power herein conferred upon the Authority; or

(e) to modify the contents, presentation and format of the Annual Information from time to time as a result of a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of the Authority, or type of business conducted; provided that (i) the certificate, as amended, would have complied with the requirements of Rule 15c2-12 at the time of the offering of the Series 2022-A Bonds, after taking into account any amendments or authoritative interpretations of the Rule, as well as any change in circumstances; and (ii) the amendment or change does not materially impair the interests of Holders, as determined either by a party unaffiliated with the Authority (such as bond counsel), or by the vote or consent of Holders of a majority in outstanding principal amount of the Series 2022-A Bonds on or prior to the time of such amendment or change.

**Section 9. Termination of Obligation**. This Certificate shall remain in full force and effect until such time as all principal of and interest on the Series 2022-A Bonds shall have been paid in full or legally defeased pursuant to the Agreement. Upon any such legal defeasance, the Authority shall provide notice of such defeasance to the EMMA System. Such notice shall state whether the Series 2022-A Bonds have been defeased to maturity or to redemption and the timing of such maturity or redemption.

**Section 10. Governing Law**. THIS CERTIFICATE SHALL BE GOVERNED BY THE LAWS OF CALIFORNIA DETERMINED WITHOUT REGARD TO PRINCIPLES OF CONFLICT OF LAW.

IN WITNESS WHEREOF, the undersigned has executed this Continuing Disclosure Certificate this [•] day of June, 2022.

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

By: _____
Name _____
Title _____

This Preliminary Official Statement and the information contained herein are subject to completion or amendment. These securities may not be sold nor may offers to buy be accepted prior to the time the Official Statement is delivered in final form. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or a solicitation of an offer to buy nor shall there be any sale of these securities in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of any such jurisdiction.



**PRELIMINARY OFFICIAL STATEMENT DATED MAY [•], 2022**

**NEW ISSUE—BOOK-ENTRY ONLY**
**[DAC Logo]**

**Ratings: Moody's: "[•]"**
**S&P: "[•]"**
**See "RATINGS" herein.**

*In the opinion of Hawkins Delafield & Wood LLP, Bond Counsel to LACMTA, under existing statutes and court decisions and assuming continuing compliance with certain tax covenants described herein, (i) interest on the Series 2022-A Bonds is excluded from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), and (ii) interest on the Series 2022-A Bonds is not treated as a preference item in calculating the alternative minimum tax under the Code. In addition, in the opinion of Bond Counsel, under existing statutes, interest on the Series 2020-A Bonds is exempt from personal income taxes imposed by the State of California. For a more complete description, see "TAX MATTERS" herein.*

[LACMTA Logo]

# $[PARA]*
# LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
## Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2022-A

**Dated: Date of Delivery** **Due: As shown on the inside cover**

The Los Angeles County Metropolitan Transportation Authority ("LACMTA") is issuing its Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2022-A (the "Series 2022-A Bonds"). The Series 2022-A Bonds are being issued pursuant to the Amended and Restated Trust Agreement, dated as of January 1, 2010, as amended (the "Trust Agreement"), by and between LACMTA and U.S. Bank Trust Company, National Association, as successor in interest to U.S. Bank National Association, as trustee (the "Trustee"), and the Thirty-Third Supplemental Trust Agreement, to be dated as of June 1, 2022 (the "Thirty-Third Supplemental Agreement," and together with the Trust Agreement, the "Agreement"), by and between LACMTA and the Trustee. The Series 2022-A Bonds are limited obligations of LACMTA payable solely from and secured by a first lien on and pledge of "Pledged Revenues" and by other amounts held by the Trustee under the Agreement. "Pledged Revenues" are receipts from the Proposition C Sales Tax, less amounts described in this Official Statement. See "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS" and "PROPOSITION C SALES TAX AND COLLECTIONS" herein. LACMTA will use the proceeds of the Series 2022-A Bonds and other available funds to (a) refund and defease the Refunded Bonds and (b) pay the costs of issuance of the Series 2022-A Bonds.

The Series 2022-A Bonds will be issued in denominations of $5,000 and integral multiples thereof. The Series 2022-A Bonds will be issued in fully registered form and will be registered in the name of Cede & Co., as registered owner and nominee of The Depository Trust Company, New York, New York ("DTC"), the securities depository for the Series 2022-A Bonds. Individual purchases and sales of the Series 2022-A Bonds may be made in book-entry form only. See "APPENDIX G—BOOK-ENTRY-ONLY SYSTEM." The Series 2022-A Bonds will mature in the principal amounts and will bear interest at the rates set forth on the inside front cover. LACMTA will pay interest on the Series 2022-A Bonds on each January 1 and July 1, commencing on January 1, 2023.

The Series 2022-A Bonds are not subject to redemption prior to maturity.

**Neither the faith and credit nor the taxing power of the County of Los Angeles, the State of California or any political subdivision or public agency thereof, other than LACMTA to the extent of the Pledged Revenues and certain other amounts held by the Trustee under the Agreement, is pledged to the payment of the principal of or interest on the Series 2022-A Bonds. Other than Pledged Revenues and such other amounts held by the Trustee under the Agreement, the general fund of LACMTA is not liable, and neither the credit nor the taxing power of LACMTA is pledged, to the payment of the principal of or interest on the Series 2022-A Bonds. LACMTA has no power to levy property taxes to pay the principal of or interest on the Series 2022-A Bonds.**

This cover page contains certain information for general reference only. It is not intended to be a summary of the terms of, or the security for, the Series 2022-A Bonds. Investors are advised to read this Official Statement in its entirety to obtain information essential to the making of an informed investment decision. Capitalized terms used on this cover page and not otherwise defined have the meanings set forth herein.

LACMTA is offering the Series 2022-A Bonds when, as and if it issues the Series 2022-A Bonds. The issuance of the Series 2022-A Bonds is subject to the approval as to their validity by Hawkins Delafield & Wood LLP, Bond Counsel to LACMTA. The Los Angeles County Counsel, as General Counsel to LACMTA, and Kutak Rock LLP, as Disclosure Counsel, will pass on certain legal matters for LACMTA. Certain legal matters will be passed upon for the Underwriters by their counsel, [•]. LACMTA

* Preliminary; subject to change.

anticipates that the Series 2022-A Bonds will be available for delivery through the book-entry facilities of DTC on or about June [•], 2022.

**[Underwriters]**

Date of Official Statement:

**[INSERT MAP OF LACMTA SYSTEM]**

## MATURITY SCHEDULE*

**$[PARA]***
**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**
**Proposition C Sales Tax Revenue Refunding Bonds,**
**Senior Bonds, Series 2022-A**

| Maturity Date (July 1)* | Principal Amount* | Interest Rate | Yield | Price | CUSIP No.† |
|---|---|---|---|---|---|

* Preliminary; subject to change.

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**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**

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Nalini Ahuja, Chief Financial Officer

**LACMTA General Counsel**

Office of the County Counsel
Los Angeles, California

**MUNICIPAL ADVISOR**

Public Resources Advisory Group
Los Angeles, California

**BOND COUNSEL**

Hawkins Delafield & Wood LLP

**DISCLOSURE COUNSEL**

Kutak Rock LLP

**TRUSTEE**

U.S. Bank Trust Company, National Association
Los Angeles, California

**VERIFICATION AGENT**

Robert Thomas CPA, LLC

LACMTA has not authorized any dealer, broker, salesperson or other person to give any information or to make any representation in connection with the offer or sale of the Series 2022-A Bonds other than as set forth in this Official Statement and, if given or made, such other information or representation must not be relied upon. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, nor will there be any sale of the Series 2022-A Bonds, by a person in any jurisdiction in which it is unlawful for such person to make such an offer, solicitation or sale.

This Official Statement is not a contract with the purchasers or owners of the Series 2022-A Bonds. Statements contained in this Official Statement which involve estimates, projections or matters of opinion, whether or not expressly so described in this Official Statement, are intended solely as such and are not to be construed as representations of facts.

The Underwriters have provided the following sentence for inclusion in this Official Statement. The Underwriters have reviewed the information in this Official Statement in accordance with, and as part of, their respective responsibilities to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the Underwriters do not guarantee the accuracy or completeness of such information.

References to website addresses presented herein are for informational purposes only and may be in the form of a hyperlink solely for the reader's convenience. Unless specified otherwise, such websites and the information or links contained therein are not incorporated into, and are not part of, this Official Statement.

The information and expressions of opinion in this Official Statement are subject to change without notice, and the delivery of this Official Statement and any sale made pursuant to this Official Statement do not, under any circumstances, imply that the information and expressions of opinion in this Official Statement and other information regarding LACMTA have not changed since the date hereof. LACMTA is circulating this Official Statement in connection with the sale of the Series 2022-A Bonds and this Official Statement may not be reproduced or used, in whole or in part, for any other purpose.

In making an investment decision, investors must rely on their own examination of the terms of the offering and the security and sources of payment of the Series 2022-A Bonds, including the merits and risks involved. The Series 2022-A Bonds have not been registered under the Securities Act of 1933, as amended, nor has the Agreement been qualified under the Trust Indenture Act of 1939, as amended, in reliance upon exemptions contained in such acts. Neither the U.S. Securities and Exchange Commission nor any other federal, state or other governmental securities regulatory agency, has passed upon the merits of the Series 2022-A Bonds or the accuracy or completeness of this Official Statement. The Series 2022-A Bonds have not been recommended by any federal or state securities commission or regulatory authority. Any representation to the contrary may be a criminal offense.

This Official Statement contains statements relating to future results that are "forward looking statements." When used in this Official Statement, the words "estimate," "forecast," "projection," "intend," "expect" and similar expressions identify forward looking statements. Any forward looking statement is subject to uncertainty and risks that could cause actual results to differ, possibly materially, from those contemplated in such forward looking statements. Some assumptions used to develop forward looking statements inevitably will not be realized, and unanticipated events and circumstances may occur. Therefore, investors should be aware that there are likely to be differences between forward looking statements and actual results; those differences could be material.

The Underwriters may offer and sell the Series 2022-A Bonds to certain dealers and others at yields higher or prices lower than the public offering yields and/or prices stated on the inside cover page of this Official Statement, and such public offering yields and/or prices may be changed from time to time by the Underwriters.

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**OFFICIAL STATEMENT**

**$[PARA]***
**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**
**Proposition C Sales Tax Revenue Refunding Bonds,**
**Senior Bonds, Series 2022-A**

## INTRODUCTION

This Official Statement, which includes the cover page and the appendices hereto, sets forth information in connection with the offering by the Los Angeles County Metropolitan Transportation Authority ("LACMTA") of $[PARA]* aggregate principal amount of its Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2022-A (the "Series 2022-A Bonds"). This Introduction is qualified by the more complete and detailed information contained in this entire Official Statement and the documents summarized or described in this Official Statement. Prospective investors should review this entire Official Statement, including the cover page and appendices, before they make an investment decision to purchase the Series 2022-A Bonds. LACMTA is only offering the Series 2022-A Bonds to potential investors by means of this entire Official Statement. Capitalized terms used but not defined herein have the meanings ascribed to them in "APPENDIX D—SUMMARY OF LEGAL DOCUMENTS; DEFINITIONS—DEFINITIONS."

### LACMTA

LACMTA was established in 1993 pursuant to the provisions of Section 130050.2 et seq. of the California Public Utilities Code (the "LACMTA Act"). LACMTA is the consolidated successor entity to both the Southern California Rapid Transit District (the "District") and the Los Angeles County Transportation Commission (the "Commission"). As the consolidated successor entity, LACMTA succeeded to all powers, duties, rights, obligations, liabilities, indebtedness, bonded or otherwise, immunities and exemptions of the District and the Commission, including the Commission's responsibility for planning, engineering and constructing a county wide rail transit system. The Commission was authorized, subject to approval by the electorate of the County of Los Angeles (the "County"), to adopt a retail transactions and use tax ordinance, with the revenues of such tax to be used for public transit purposes. On November 6, 1990, the voters of the County approved the "Proposition C Sales Tax." The Proposition C Sales Tax is a one half of 1 percent sales tax imposed on the gross receipts of retailers from the sale of tangible personal property sold at retail in the County and a use tax at the same rate upon the storage, use or other consumption in the County of such property purchased from any retailer for storage, use or other consumption in the County, subject to certain limited exceptions, and is not limited in duration. For more information regarding the Proposition C Sales Tax, see "PROPOSITION C SALES TAX AND COLLECTIONS—The Proposition C Sales Tax."

For further discussion of LACMTA, its other sources of revenues, the services it provides and the projects it is undertaking, see "APPENDIX A—LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY." The information provided in APPENDIX A is intended as general information only. The Series 2022-A Bonds are limited obligations of LACMTA payable from Pledged Revenues, which consist primarily of proceeds of the Proposition C Sales Tax. See "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS." For certain economic and demographic

* Preliminary; subject to change.

data about the County, see "APPENDIX C—LOS ANGELES COUNTY ECONOMIC AND DEMOGRAPHIC INFORMATION."

**Purpose of the Series 2022-A Bonds**

LACMTA will use the proceeds of the Series 2022-A Bonds, together with other available funds, to (a) refund and defease the Refunded Bonds (as defined under "PLAN OF REFUNDING AND APPLICATION OF THE SERIES 2022-A BOND PROCEEDS—Use of Proceeds; Plan of Refunding"), and (b) pay the costs of issuance of the Series 2022-A Bonds. For a more detailed description of LACMTA's proposed use of the proceeds of the Series 2022-A Bonds, see "PLAN OF REFUNDING AND APPLICATION OF THE SERIES 2022-A BOND PROCEEDS."

**Description of the Series 2022-A Bonds**

The Series 2022-A Bonds are limited obligations of LACMTA to be issued pursuant to, and secured under, the Amended and Restated Trust Agreement, dated as of January 1, 2010, as amended (the "Trust Agreement"), by and between LACMTA and U.S. Bank Trust Company, National Association, as successor in interest to U.S. Bank National Association, as trustee (the "Trustee"). In connection with the issuance of the Series 2022-A Bonds, LACMTA will enter into the Thirty-Third Supplemental Trust Agreement, to be dated as of June 1, 2022 (the "Thirty-Third Supplemental Agreement"), by and between LACMTA and the Trustee, to provide for the terms of the Series 2022-A Bonds and related matters. The Trust Agreement, as supplemented by the Thirty-Third Supplemental Agreement, is referred to in this Official Statement as the "Agreement."

The Series 2022-A Bonds will be issued in registered form, in denominations of $5,000 or any integral multiple thereof. The Series 2022-A Bonds will be dated their initial date of delivery and will mature on the dates and in the principal amounts and will bear interest at the rates per annum as shown on the inside cover page hereof, computed on the basis of a 360-day year consisting of twelve 30-day months. The Series 2022-A Bonds will be delivered in book-entry-only form and will be registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the Series 2022-A Bonds. See "APPENDIX G—BOOK-ENTRY-ONLY SYSTEM."

**Security and Sources of Payment for the Series 2022-A Bonds**

The Series 2022-A Bonds are limited obligations of LACMTA payable solely from and secured by a first lien on and pledge of "Pledged Revenues," which are moneys collected as a result of the imposition of the Proposition C Sales Tax (the imposition of which is not limited in duration), less 20% thereof which is allocated to local jurisdictions for public transit, paratransit and related services (the "Local Allocation"), and less an administrative fee paid to the California Department of Tax and Fee Administration (formerly the California State Board of Equalization) ("CDTFA") in connection with the collection and disbursement of the Proposition C Sales Tax (the "Pledged Tax"), plus interest, profits and other income received from the investment of such amounts held by the Trustee (other than amounts in the Rebate Fund). In addition, the Series 2022-A Bonds are secured by all other amounts held by the Trustee under the Agreement except for amounts held in any debt service reserve fund, the Rebate Fund and the Redemption Fund. See "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS" and "PROPOSITION C SALES TAX AND COLLECTIONS."

**Proposition C Sales Tax Obligations**

Under the Agreement, LACMTA may issue Senior Bonds and incur debt and other obligations payable on a parity with Senior Bonds ("Senior Parity Debt," described in greater detail in APPENDIX D), which are secured by a first lien on and pledge of Pledged Revenues. Senior Bonds and Senior Parity Debt are referred to collectively in this Official Statement as "Senior Obligations." The Series 2022-A Bonds are Senior Bonds and are payable on a parity with all other Senior Bonds and any Senior Parity Debt. See "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS—Proposition C Sales Tax Obligations."

As of May 1, 2022, LACMTA had Senior Bonds outstanding in the aggregate principal amount of $1,888,960,000, including the principal of the Refunded Bonds. See "PROPOSITION C SALES TAX OBLIGATIONS." LACMTA presently does not have any Senior Parity Debt outstanding.

LACMTA may issue additional Senior Bonds and incur additional Senior Parity Debt upon the satisfaction of certain additional bonds tests contained in the Agreement. See "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS—Proposition C Sales Tax Obligations—*Senior* Obligations. LACMTA's Short Range Financial Forecast assumes the issuance of approximately $1.3 billion in additional Senior Bonds from Fiscal Year 2023 through Fiscal Year 2032. For further discussion of the Short Range Financial Forecast, see "FUTURE TRANSPORTATION IMPROVEMENTS—Capital Planning" in APPENDIX A.

LACMTA has covenanted in the Trust Agreement not to issue or incur any obligations with a pledge of or lien on Pledged Revenues prior or superior to that of the Senior Bonds (including the Series 2022-A Bonds) and any Senior Parity Debt.

Under the Agreement, LACMTA also is authorized to create a charge or lien on Pledged Revenues ranking junior and subordinate to the charge or lien of the Senior Obligations (including the Series 2022-A Bonds). Pursuant to the Subordinate Trust Agreement, dated as of June 1, 1993, as amended and supplemented (the "Subordinate Trust Agreement"), by and between LACMTA and U.S. Bank Trust Company, National Association, as successor in interest to U.S. Bank National Association, as trustee, LACMTA has issued obligations (the "Subordinate Lien Obligations") which are payable from and secured by a pledge and lien on the Pledged Revenues remaining after the payment of the principal of and interest on the Senior Obligations and any Pledged Revenues required to fund a debt service reserve fund for the Senior Bonds (collectively, the "Net Pledged Revenues"). See "PROPOSITION C SALES TAX OBLIGATIONS—Subordinate Lien Obligations" for a description of LACMTA's outstanding Subordinate Lien Obligations. See also "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS—Proposition C Sales Tax Obligations—*Subordinate Lien Obligations.*"

In addition, LACMTA has incurred other obligations which are secured by the Proposition C Sales Tax revenues that remain after the payment of Senior Bonds, Senior Parity Debt and Subordinate Lien Obligations. See "PROPOSITION C SALES TAX OBLIGATIONS—Other Obligations."

**The Series 2022-A Bonds Are Limited Obligations of LACMTA Only**

Neither the faith and credit nor the taxing power of the County, the State of California (the "State") or any political subdivision or public agency thereof, other than LACMTA to the extent of the Pledged Revenues and certain other amounts held by the Trustee under the Agreement, is pledged to the payment of the principal of or interest on the Series 2022-A Bonds. LACMTA has no power to levy property taxes to pay the principal of or interest on the Series 2022-A Bonds.

The Series 2022-A Bonds are limited obligations of LACMTA and are payable, as to both principal and interest, solely from and secured by a first lien on and pledge of Pledged Revenues and certain other amounts held by the Trustee under the Agreement. Other than Pledged Revenues and such other amounts held by the Trustee under the Agreement, the general fund of LACMTA is not liable, and neither the credit nor the taxing power of LACMTA is pledged, to the payment of the principal of or interest on the Series 2022-A Bonds.

**No Reserve Fund for the Series 2022-A Bonds**

Prior to 2019, all of the Senior Bonds were supported by a reserve fund established by the Trust Agreement (the "Reserve Fund"), and the outstanding Senior Bonds issued on or prior to June 15, 2016 are secured by the Reserve Fund. However, the Series 2022-A Bonds will not be secured by the Reserve Fund or any other debt service reserve fund. See "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS—The Series 2022-A Bonds Are Not Secured by Any Debt Service Reserve Fund."

**Continuing Disclosure**

In connection with the issuance of the Series 2022-A Bonds, for purposes of assisting the Underwriters (as defined under "UNDERWRITING") in complying with Rule 15c2-12 (the "Rule") promulgated by the U.S. Securities and Exchange Commission ("SEC") under the Securities Exchange Act of 1934, as amended, LACMTA will agree to provide, or cause to be provided, to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access system (the "EMMA System"), certain annual financial information and operating data relating to LACMTA and notice of certain enumerated events. See "CONTINUING DISCLOSURE" and "APPENDIX F—FORM OF CONTINUING DISCLOSURE CERTIFICATE."

**Impact of Global COVID-19 Outbreak**

As a part of the State's response to the global outbreak of a novel coronavirus (together with variants thereof, "COVID-19"), the Governor of the State (the "Governor") declared a state of emergency in the State on March 4, 2020. On March 11, 2020, the World Health Organization declared the COVID-19 outbreak a global pandemic, and on March 13, 2020, the President of the United States declared a national state of emergency. The State, the City of Los Angeles and the County imposed significant restrictions on economic and other activity within the County beginning in March 2020. The economic shut-down caused by the COVID-19 pandemic and the related government restrictions on activity, materially reduced consumer spending and sales tax collections in the County. As of [May], 2022, nearly all restrictions imposed by the State, the City of Los Angeles, and the County (including physical distancing and capacity limits on businesses) have been terminated.

The Governor issued several executive orders in response to the COVID-19 pandemic. On March 12, 2020, the Governor issued Executive Order N-25-20, requiring CDTFA, which administers sales and use taxes in the State, to use its administrative powers where appropriate to provide extensions for filing, payment, audits, billing, notices, assessments, claims for refund, and relief from subsequent penalties and interest to individuals and businesses impacted by complying with a state or local public health official's imposition or recommendation of social distancing measures related to COVID-19. On March 30, 2020, the Governor issued Executive Order N-40-20, which provided a three-month extension for tax returns and tax payments for all businesses filing a return for less than $1,000,000 in taxes. This Order also extended the statute of limitations to file a claim for refund for taxes and fees administered by CDTFA, and extended the timeframe to file for appeal with CDTFA. On April 2, 2020, the Governor announced a one-year reprieve on the payment of sales and use taxes for small businesses allowing them to request to defer

payment on up to $50,000 of sales and use tax liability. The executive orders described above have expired, but during their effectiveness, sales tax receipts payable to LACMTA (including Proposition C Sales Tax revenues) were negatively affected.

Proposition C Sales Tax receipts for Fiscal Year 2020 were $836.7 million compared to $865.9 million for Fiscal Year 2019, a 3.4% decrease. However, Proposition C Sales Tax receipts for Fiscal Year 2021 were $869.2 million compared to $865.9 million for Fiscal Year 2019, a 0.4% increase. The increase of Proposition C Sales Tax receipts in Fiscal Year 2021 was a direct result of COVID-19 vaccines becoming more widely available and restrictions on businesses being phased out. Proposition C Sales Tax receipts have continued to recover during Fiscal Year 2022. Proposition C Sales Tax receipts through the first ten months of Fiscal Year 2022 (July 2021 through April 2022) were $891.5 million as compared to $710.4 million for the same period in Fiscal Year 2021 (July 2020 through April 2021), a 25.5% increase. See "PROPOSITION C SALES TAX AND COLLECTIONS—Historical Proposition C Sales Tax Collections."

During the COVID-19 pandemic, ridership on LACMTA's bus and rail systems has declined significantly. Average weekday ridership for Fiscal Year 2021 was approximately 580,700 compared to 951,700 for Fiscal Year 2020, a 39.0% decrease. For the first nine months of Fiscal Year 2022, average weekly ridership on LACMTA's bus and rail systems increased to approximately 771,600 compared to 558,100 for the first nine months of Fiscal Year 2021. LACMTA cannot predict when, if ever, ridership on its bus and rail systems will return to pre-COVID-19 levels. The Series 2022-A Bonds are limited obligations of LACMTA payable from Pledged Revenues, which consist primarily of proceeds of the Proposition C Sales Tax, and are not payable from farebox revenues collected from riders of LACMTA's bus and rail systems or other revenues of LACMTA.

Beginning in Fiscal Year 2021, LACMTA has received federal grant assistance under the Coronavirus Aid, Relief, and Economic Security ("CARES") Act, the Coronavirus Response and Relief Supplemental Appropriations Act (the "CRRSAA") and the American Rescue Plan Act ("ARPA") to partially offset losses in sales tax revenues and other operational and capital costs. Through March 31, 2022, LACMTA has received $862 million in funding under the CARES Act, $771 million under CRRSAA and $657 million under ARPA. LACMTA continues to mitigate the risks of all its patrons and employees through the use of personal protective equipment and strengthened cleaning regimes on all vehicles, stations, and terminals.

The COVID-19 outbreak is ongoing, and its dynamic nature leads to uncertainties, including (i) the geographic spread of the virus; (ii) the severity of the disease; (iii) the duration of the outbreak; (iv) existing actions that have been taken, and new actions that may be taken in the future, by governmental authorities to contain or mitigate the outbreak; (v) the acceptance of and effectiveness (especially against any new variants of the virus) of vaccines; (vi) the impact of the outbreak on the local, national or global economy; (vii) the impact of the outbreak and actions taken in response to the outbreak on LACMTA's revenues, expenses and financial condition; and (viii) temporary and permanent changes to consumers' spending habits.

**Additional Information**

Brief descriptions of the Series 2022-A Bonds, the Agreement and certain other documents are included in this Official Statement and the appendices hereto. Such descriptions do not purport to be comprehensive or definitive. All references herein to such documents and any other documents, statutes, reports or other instruments described herein are qualified in their entirety by reference to each such document, statute, report or other instrument. The information herein is subject to change without notice, and the delivery of this Official Statement will under no circumstances create any implication that there has

been no change in the affairs of LACMTA since the date hereof. This Official Statement is not to be construed as a contract or agreement between LACMTA and the purchasers or Owners of any of the Series 2022-A Bonds. LACMTA maintains a website, an investor relations page through a third-party, and social media accounts, the information on which is not part of this Official Statement, has not and is not incorporated by reference herein, and should not be relied upon in deciding whether to invest in the Series 2022-A Bonds.

Copies of the Agreement may be obtained from LACMTA at One Gateway Plaza, 21st Floor, Treasury Department, Los Angeles, California 90012, or by emailing TreasuryDept@metro.net, or by calling (213) 922-2554.

## PLAN OF REFUNDING AND APPLICATION OF THE SERIES 2022-A BOND PROCEEDS

### Use of Proceeds; Plan of Refunding

LACMTA will use the proceeds of the Series 2022-A Bonds, together with other available funds to be released from funds and accounts related to the Refunded Bonds, to (a) refund and defease the Refunded Bonds and (b) pay the costs of issuance of the Series 2022-A Bonds.

LACMTA will apply a portion of the proceeds of the Series 2022-A Bonds, together with other available funds, to refund and defease all or a portion of its outstanding (a) Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-A (the portion so refunded, the "Refunded Series 2012-A Bonds"), and (b) Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-B (the portion so refunded, the "Refunded Series 2012-B Bonds," and together with the Refunded Series 2012-A Bonds, the "Refunded Bonds"), as set forth in more detail in the following table. The specific amount, if any, to be refunded will depend on market conditions.

**REFUNDED BONDS***

| Series | Maturity Date (July 1) | Principal Amount | Interest Rate | Payment/ Redemption Date | CUSIP Number[1] |
|---|---|---|---|---|---|
| 2012-A | 2027 | $ 7,210,000 | 3.000% | July 1, 2022 | 5447123Z3 |
| 2012-A | 2028 | 7,425,000 | 3.125 | July 1, 2022 | 5447124A7 |
| 2012-B | 2022 | 12,175,000 | 5.000 | July 1, 2022 | 5447124D1 |
| 2012-B | 2023 | 12,720,000 | 5.000 | July 1, 2022 | 5447124E9 |
| 2012-B | 2024 | 13,300,000 | 5.000 | July 1, 2022 | 5447124F6 |
| 2012-B | 2025 | 13,915,000 | 5.000 | July 1, 2022 | 5447124G4 |

* Preliminary; subject to change.

[1] CUSIP numbers are provided only for the convenience of the reader. LACMTA does not undertake any responsibility for the accuracy of such CUSIP numbers or for any changes or errors in the list of CUSIP numbers.

A portion of the proceeds of the Series 2022-A Bonds, together with other available funds, will be deposited with U.S. Bank [Trust Company], National Association, as trustee and escrow agent, and will be held in (i) an escrow account for the Refunded Series 2012-A Bonds (the "Series 2012-A Escrow Account"), and (ii) an escrow account for the Refunded Series 2012-B Bonds (the "Series 2012-B Escrow Account," and together with the Series 2012-A Escrow Account, the "Escrow Accounts") to be created under the terms of an escrow agreement to be entered into between LACMTA and U.S. Bank [Trust Company], National Association, as trustee and escrow agent. All amounts deposited into the Escrow

Accounts will be held uninvested and will be used on July 1, 2022 to (1) redeem the Refunded Bonds maturing on and after July 1, 2023 at a redemption price of 100% of the principal amount thereof, plus accrued interest thereon, and (2) pay the principal of and interest on the Refunded Series 2012-B Bonds maturing on July 1, 2022.

Robert Thomas CPA, LLC, will verify that the amounts deposited to the Escrow Accounts will be sufficient to pay the principal and redemption price of and interest on the Refunded Bonds on July 1, 2022. See "VERIFICATION OF MATHEMATICAL COMPUTATIONS" herein.

**Estimated Sources and Uses of Funds**

The following table sets forth the estimated sources and uses of funds in connection with the issuance of the Series 2022-A Bonds.

| | |
|---|---|
| **Sources** | |
| Principal Amount | $ |
| Original Issue Premium/(Discount) | |
| Other Available Moneys[1] | |
| Total Sources | $ |
| **Uses** | |
| Deposit to Escrow Accounts | $ |
| Costs of Issuance[2] | |
| Total Uses | $ |

[1] Includes funds released from the Reserve Fund and from the debt service accounts for the Refunded Bonds.

[2] Includes Underwriter's discount, legal fees, rating agency fees, municipal advisor fees, printer costs, and other costs of issuance.

## RISK FACTORS

*The following factors, together with all other information provided in this Official Statement, should be considered by potential investors in evaluating the purchase of the Series 2022-A Bonds. The discussion below does not purport to be, nor should it be construed to be, complete nor a summary of all factors which may affect LACMTA, the Proposition C Sales Tax revenues, or the Series 2022-A Bonds. In addition, the order in which the following information is presented is not intended to reflect the relative importance of any such risks.*

**Economic Factors May Cause Declines in Proposition C Sales Tax Revenues**

The Series 2022-A Bonds are limited obligations of LACMTA payable solely from and secured by a first lien on and pledge of Pledged Revenues, consisting primarily of certain revenues of the Proposition C Sales Tax and other amounts that are held by the Trustee under the Agreement. The level of Proposition C Sales Tax revenues collected depends on the level of taxable sales transactions within the County, which, in turn, depends on the level of general economic activity in the County. In Fiscal Years 2009 and 2010, the national economic recession and regional general economic conditions resulted in reductions in economic activity and taxable sales within the County, and correspondingly Proposition C Sales Tax revenues received by LACMTA declined. Proposition C Sales Tax revenues increased in Fiscal Years 2011 through 2019.

The COVID-19 pandemic, and the resulting governmentally imposed business shutdowns, negatively affected the collection of Proposition C Sales Tax revenues during the last three months of Fiscal Year 2020 (April 2020 through June 2020) and the first nine months of Fiscal Year 2021. See "INTRODUCTION—Impact of Global COVID-19 Outbreak." However, during the last three months of Fiscal Year 2021 and the first nine months of Fiscal Year 2022, as COVID-19 restrictions were eased and ultimately terminated, Proposition C Sales Tax revenues increased to historical levels. In the event of new outbreaks of COVID-19 variants and the reimposition of restrictions on businesses, Proposition C Sales Tax revenues could decline in the future, reducing amounts available to pay the principal of and interest on the Series 2022-A Bonds.

To project future Proposition C Sales Tax revenues for budgetary purposes, LACMTA incorporates actual long-term experience combined with forecasts from local economists and other publicly available sources of data. LACMTA does not itself develop forecasts of current or future economic conditions. Furthermore, CDTFA does not provide LACMTA with any forecasts of Proposition C Sales Tax revenues for future periods. Therefore, LACMTA is unable to predict with certainty future levels of Proposition C Sales Tax revenues. In addition, the County is located in a seismically active region. A major earthquake, pandemic, epidemic, or other natural disaster could adversely affect the economy of the County and the amount of Proposition C Sales Tax revenues. Future significant declines in the amount of Proposition C Sales Tax revenues could ultimately impair the ability of LACMTA to pay principal of and interest on the Series 2022-A Bonds. See "PROPOSITION C SALES TAX AND COLLECTIONS—Historical Proposition C Sales Tax Collections." Also see "APPENDIX C—LOS ANGELES COUNTY ECONOMIC AND DEMOGRAPHIC INFORMATION." Also see "INTRODUCTION—Impact of Global COVID-19 Outbreak."

**California State Legislature or Electorate or Federal Law May Change Items Subject to Proposition C Sales Tax**

With limited exceptions, the Proposition C Sales Tax is imposed on the same transactions and items subject to the general sales tax levied throughout the State. In the past, the California State Legislature and the California State electorate have made changes to the transactions and items subject to the State's general sales tax and, therefore, the Proposition C Sales Tax. In 1991, the California State Legislature enacted legislation which expanded the transactions and items subject to the general statewide sales tax to include fuel for aviation and shipping, bottled water, rental equipment and newspapers and magazines. In 1992, the California State electorate approved an initiative which eliminated candy, gum, bottled water and confectionery items as items subject to the California State's general sales tax. In each case, the same changes were made to transactions or items subject to the Proposition C Sales Tax. In the future, the California State Legislature or the California State electorate could further change the transactions and items upon which the statewide general sales tax and the Proposition C Sales Tax are imposed. Such a change could either increase or decrease Proposition C Sales Tax revenues depending on the nature of the change. See "PROPOSITION C SALES TAX AND COLLECTIONS."

Federal law may also cause transactions and items to be excluded from the State's general sales tax, and, therefore, the Proposition C Sales Tax. For example, under federal law, local taxes on aviation fuel (except taxes in effect on December 30, 1987) must be used for airport-related purposes, as a condition for receiving federal funding for airports. On November 7, 2014, the Federal Aviation Administration (the "FAA") adopted an amendment to its "Policy and Procedures Concerning the Use of Airport Revenue" (the "FAA Policy"), which clarifies that local sales taxes derived from aviation fuel are subject to the airport use restriction and must be used for airport-related purposes. The FAA definition of local sales tax includes the Proposition C Sales Tax, as well as the Measure R Sales Tax and the Measure M Sales Tax (see "PROPOSITION C SALES TAX AND COLLECTIONS—The Proposition C Sales Tax" for descriptions of these sales taxes). While LACMTA cannot be certain of the overall impact that the FAA Policy will

have on Proposition C Sales Tax revenues, it does not expect that Proposition C Sales Tax revenues will be reduced as a result of the FAA Policy since the amount of revenues that LACMTA expends on airport-related purposes exceeds the amount of local taxes, including Proposition C Sales Tax revenues, it derives from aviation fuel. However, LACMTA cannot guarantee that Proposition C Sales Tax revenues will not be adversely affected by the FAA Policy. The FAA Policy is illustrative of federal laws that may affect which transactions and items are subject to the State's general sales tax.

**Increases in Sales Tax Rate May Cause Declines in Proposition C Sales Tax Revenues**

Increases in sales tax rates, whether by the electorate of a municipality within the County, the County or the State or by the State Legislature, may affect consumer spending decisions and as a result adversely impact sales transactions in the County and, thereby, reduce Proposition C Sales Tax revenues. Several increases in sales tax rates have occurred in recent years.

In November 2008, County voters approved Measure R, which increased the sales tax rate within the County by ½ of 1% for a period of 30 years to fund LACMTA transportation projects and operations. Collection of the additional sales tax rate (known as the Measure R Sales Tax) commenced in July 1, 2009.

At the election held on November 8, 2016, more than two-thirds of the electors of the County voting on the issue approved an additional transportation and use tax (known as the Measure M Sales Tax) to improve transportation and ease traffic congestion. The Measure M Sales Tax is a new one-half cent sales tax that started on July 1, 2017 that increases to one cent in 2039 when the Measure R Sales Tax expires. The Measure M Sales Tax does not have a scheduled expiration date. Proposition A Sales Tax (as defined herein) revenues, Measure R Sales Tax revenues and Measure M Sales Tax revenues are separate from Proposition C Sales Tax revenues and do not secure the Senior Bonds, including the Series 2022-A Bonds, or Senior Parity Debt.

On March 7, 2017, County voters approved a ¼ of 1% sales tax increase known as the Measure H Sales Tax for Homeless Services and Prevention to fund programs to assist the County's homeless population. The Measure H Sales Tax went into effect in October, 2017 and such tax expires in 2027. See "PROPOSITION C SALES TAX AND COLLECTIONS—The Proposition C Sales Tax" for further discussion of Measure H and other current sales taxes in the County.

Additional increases in sales tax rates that will impact the County, while not currently pending, can be expected to be proposed and imposed, from time to time.

**Increased Internet Use May Reduce Proposition C Sales Tax Revenues**

The increasing use of the Internet to conduct electronic commerce may affect the levels of Proposition C Sales Tax revenues. Internet sales of physical products by businesses located in the State, and Internet sales of physical products delivered to the State by businesses located outside of the State are generally subject to the retail transactions and use tax imposed by Proposition C. Legislation passed as part of the California Budget Act of 2011 imposes a use tax collection responsibility for certain out-of-state, and particularly Internet, retailers that meet certain criteria. The new responsibility took effect in September 2012.

Further, the Supreme Court of the United States (the "Supreme Court") decided a case on June 21, 2018 (*South Dakota v. Wayfair Inc., et al*) concerning out of jurisdiction collection of sales taxes. The Supreme Court ruled that state and local governments have the authority to require out-of-state vendors with no local physical presence in a state to collect and remit sales taxes to state and local governments. Since April 1, 2019, retailers located outside of California have been required to register with CDTFA,

collect the California use tax, and pay the tax to CDTFA based on the amount of their sales into California, even if they do not have a physical presence in the state, with exceptions for retailers with California sales below certain volume and dollar amount thresholds. Effective October 1, 2019, marketplace facilitators (such as Internet shopping websites) are treated as retailers for purposes of determining whether such thresholds are met, and marketplace facilitators are required to collect and remit sales and use tax on the sale of tangible personal property sold through their marketplace for delivery to California customers if they meet certain volume and dollar amount thresholds. LACMTA believes that some Internet transactions currently avoid taxation and in the future may continue to avoid taxation, and this potentially reduces the amount of Proposition C Sales Tax revenues.

**No Acceleration of the Series 2022-A Bonds**

In the event of a default by LACMTA, the Agreement does not contain a provision allowing for the acceleration of the principal of and interest due on the Series 2022-A Bonds. In the event of a default by LACMTA, each Owner of the Series 2022-A Bonds will have the right to exercise the remedies, subject to the limitations thereon, set forth in the Agreement. See "APPENDIX D—SUMMARY OF LEGAL DOCUMENTS; DEFINITIONS—TRUST AGREEMENT—Events of Default and Remedies."

**No Reserve Fund for the Series 2022-A Bonds**

The Series 2022-A Bonds will not be secured by a debt service reserve fund.

**Additional Senior Bonds**

LACMTA expects to issue additional debt secured by Proposition C Sales Tax revenues, including additional Senior Bonds. The Short Range Financial Forecast assumes the issuance of approximately $1.3 billion in additional Senior Bonds from Fiscal Year 2023 through Fiscal Year 2032. For further discussion of the Short Range Financial Forecast, see "APPENDIX A—LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY—FUTURE TRANSPORTATION IMPROVEMENTS—Capital Planning." LACMTA has several major transit projects under construction and has future plans for additional major capital projects. LACMTA may ultimately issue more Senior Bonds to finance these projects than its current plans presently anticipate, particularly if costs of completing projects are higher than expected or other funding sources are not available as planned. In addition, LACMTA is likely to undertake additional capital projects in the future, and additional Senior Bonds may be issued to finance these projects. LACMTA may issue additional Senior Bonds only if the additional bonds tests described under "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS—Proposition C Sales Tax Obligations—*Senior Obligations*" are satisfied.

**Impact of Bankruptcy of LACMTA**

As a municipal entity, LACMTA is authorized to file a petition for relief under Chapter 9 of the United States Bankruptcy Code ("Chapter 9") under certain circumstances. Should LACMTA file for bankruptcy relief, there could be adverse effects on the holders of the Series 2022-A Bonds.

If the Pledged Tax constitutes "special revenues" under the Bankruptcy Code, then Pledged Tax collected before and after the date of the bankruptcy filing should be subject to the lien of the Agreement. "Special revenues" are defined to include taxes specifically levied to finance one or more projects or systems, and also to include receipts from the ownership, operation, or disposition of projects or systems that are primarily used or intended to be used primarily to provide transportation, utility or other services, as well as other revenues or receipts derived from particular functions of the debtor, but the Bankruptcy

Code excludes receipts from general property, sales, or income taxes levied to finance the general purposes of the governmental entity.

The results of Chapter 9 bankruptcy proceedings are difficult to predict. If a court determined that the Proposition C Sales Tax was levied to finance the general purposes of LACMTA rather than specific projects, then the Pledged Tax would not be special revenues. No assurance can be given that a court would hold that the Pledged Tax constitutes special revenues or that the Series 2022-A Bonds are of a type protected by the "special revenues" provisions of the Bankruptcy Code. If a bankruptcy court were to determine that the Pledged Tax were not "special revenues," then Pledged Tax collected after the commencement of the bankruptcy case would likely not be subject to the lien of the Agreement. If a bankruptcy court were to so hold, the owners of the Senior Bonds (including the Series 2022-A Bonds) would no longer be entitled to any special priority to the Pledged Tax and could be treated as general unsecured creditors of LACMTA without a lien as to the Pledged Tax. The holders of the Senior Bonds (including the Series 2022-A Bonds) may not be able to assert a claim against any property of LACMTA other than the Pledged Tax, and if the Pledged Tax were no longer subject to the lien of the Agreement, there may be no amounts from which the holders of the Senior Bonds (including the Series 2022-A Bonds) are entitled to be paid.

If the revenues pledged under the Agreement are determined to be special revenues, the Bankruptcy Code provides (in order to maintain the revenue-generating capacity of the municipal entity) that a special revenues lien is subject to the necessary operating expenses of the project or system from which the special revenues are derived, which expenses are to be paid before other obligations (including to bondholders). This rule applies regardless of the provisions of the transaction documents. The law is not clear, however, (i) as to whether, or to what extent, the Pledged Tax would be considered to be "derived" from a project or system, or (ii) precisely which expenses would constitute necessary operating expenses. To the extent that the Pledged Tax is determined to be derived from a project or system, LACMTA may be able to use Pledged Tax to pay necessary operating expenses, before the remaining Pledged Tax is turned over to the Trustee to pay amounts owed to the holders of the Series 2022-A Bonds.

If LACMTA files for relief under Chapter 9, the parties (including the Trustee and the holders of the Series 2022-A Bonds) may be prohibited from taking any action to collect any amount from LACMTA or to enforce any obligation of LACMTA, unless the permission of the bankruptcy court is obtained. These restrictions may also prevent the Trustee from making payments to the holders of the Series 2022-A Bonds from funds in the Trustee's possession. In addition, the procedure pursuant to which the Pledged Tax is paid directly to the Trustee by CDTFA may no longer be enforceable, and LACMTA may be able to require that the Pledged Tax be paid directly to it by CDTFA.

If LACMTA has possession of Pledged Tax (whether collected before or after commencement of the bankruptcy case) and if LACMTA does not voluntarily pay such moneys to the Trustee, it is not entirely clear what procedures the Trustee or the holders of the Series 2022-A Bonds would have to follow to attempt to obtain possession of such Pledged Tax, how much time it would take for such procedures to be completed, or whether such procedures would ultimately be successful.

The obligations of LACMTA under the Agreement, including its obligations to pay principal of and interest on the Series 2022-A Bonds, are limited obligations and are payable solely from the Pledged Revenues and certain other amounts held by the Trustee under the Agreement. Accordingly, if LACMTA filed for relief under Chapter 9, the owners of the Series 2022-A Bonds may not have any recourse to any assets or revenues of LACMTA other than the Pledged Revenues and other amounts.

In the event of a LACMTA bankruptcy filing, LACMTA may be able to borrow additional money that is secured by a lien on any of its property (including the Pledged Revenues), which lien could have

priority over the lien of the Agreement, as long as the bankruptcy court determines that the rights of the owners of the Series 2022-A Bonds will be adequately protected. LACMTA may also be able to cause some of the Pledged Revenues to be released to it, free and clear of lien of the Agreement, as long as the bankruptcy court determines that the rights of the Trustee and the owners of the Series 2022-A Bonds will be adequately protected.

Through a Chapter 9 proceeding LACMTA may also be able, without the consent and over the objection of the Trustee and the owners of the Series 2022-A Bonds, to alter the priority, principal amount, interest rate, payment terms, collateral, maturity date, payment sources, covenants (including tax-related covenants), and other terms or provisions of the Agreement and the Series 2022-A Bonds, as long as the bankruptcy court determines that the alterations are fair and equitable.

As noted in its 2021 Financial Statements (as defined under "FINANCIAL STATEMENTS"), (see "Note III—DETAILED NOTES ON ALL FUNDS—I. Employees' Retirement Plans" in the Notes to the Financial Statements and the related Required Supplementary Schedules in "APPENDIX B—LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2021"), LACMTA has been informed that it has unfunded pension plan actuarial accrued liabilities. In a bankruptcy of LACMTA, the amounts of current and, if any, accrued (unpaid) contributions owed to the California Public Employees' Retirement System ("CalPERS"), the LACMTA-administered plans, or to any other pension system (collectively the "Pension Systems"), as well as future material increases in required contributions, could create additional uncertainty as to LACMTA's ability to pay debt service on the Series 2022-A Bonds. Given that municipal pension systems in California are usually administered pursuant to state constitutional provisions and, as applicable, other state and/or municipal law, the Pension Systems may take the position, among other possible arguments, that their claims enjoy a higher priority than all other claims, that Pension Systems are instrumentalities of the State and have the right to enforce payment by injunction or other proceedings outside of a LACMTA bankruptcy case, and that Pension System claims cannot be the subject of adjustment or other impairment under the Bankruptcy Code because that would purportedly constitute a violation of state statutory, constitutional and/or municipal law. It is uncertain how a bankruptcy judge in a bankruptcy of LACMTA would rule on these matters. In addition, this area of law is presently very unsettled. This is because, though the issues of pension underfunding claim priority, pension contribution enforcement, and related bankruptcy plan treatment of such claims (among other pension-related matters) have been the subject of litigation in the Chapter 9 cases of several California municipalities, including Stockton and San Bernardino, the relevant disputes have not been litigated to decision in the Federal circuit appellate courts, and thus there are no rulings from which definitive guidance can be taken on pension matters in Chapter 9.

There may be delays in payments on the Series 2022-A Bonds while the court considers any of these issues, and any of these issues could result in delays or reductions in payments on, or other losses with respect to, the Series 2022-A Bonds. There may be other possible effects of a bankruptcy of LACMTA that could result in delays or reductions in payments on the Series 2022-A Bonds, or result in losses to the holders of the Series 2022-A Bonds. Regardless of any specific adverse determinations in a LACMTA bankruptcy proceeding, the fact of a LACMTA bankruptcy proceeding could have an adverse effect on the liquidity and market value of the Series 2022-A Bonds.

**Liability for CalPERS Retirement Funding**

LACMTA participates in CalPERS, and is a member of the Southern California Regional Rail Authority ("Metrolink"), a joint powers authority that participates in CalPERS. Participants in CalPERS may terminate their participation, and CalPERS may, following notice and cure periods, terminate participants that fail to make required contributions or provide required information or no longer exist.

California law provides that a terminated agency is liable to CalPERS for any deficit in funding for earned benefits, plus interest and collection costs, and that CalPERS will have a lien on assets of the terminated participant, subject only to a prior lien for wages, for such deficit, interest and costs. Similar provisions impose liability and liens on members of joint powers authorities for the retirement obligations of the joint powers authority. As of June 30, 2021, LACMTA's net pension liability with respect to the CalPERS administered plan in which LACMTA participates was approximately $201 million according to LACMTA's audited financial statements (see APPENDIX B) and as of June 30, 2021, Metrolink's net pension liability was approximately $16 million, according to Metrolink's audited financial statements. While LACMTA expects to make its required contributions to CalPERS and to strive to ensure that no funding deficit exists in the event of the termination or dissolution of Metrolink or any other joint powers authority of which it becomes a member (or if a funding deficit does exist, to make alternate arrangements to address it), it is possible that a lien could be placed on all of LACMTA's assets, including the Proposition C Sales Tax Revenues, in the amount of any funding deficit, plus interest and collection costs, and any such lien on Proposition C Sales Tax Revenues would be senior to that securing the Senior Bonds. Also see "—Impact of Bankruptcy of LACMTA."

**Voter Initiatives and California State Legislative Action May Impair Proposition C Sales Tax**

Voters have the right to place measures before the electorate in the County or the State and the California State Legislature may take actions to limit the collection and use of the Proposition C Sales Tax. Such initiatives or actions may impact various aspects of the security, source of payment and other credit aspects of the Series 2022-A Bonds. See "PROPOSITION C SALES TAX AND COLLECTIONS—Initiatives and Changes to Proposition C Sales Tax."

## DESCRIPTION OF THE SERIES 2022-A BONDS

**General**

The Series 2022-A Bonds are limited obligations of LACMTA to be issued pursuant to and secured under the Agreement. In connection with the issuance of the Series 2022-A Bonds, LACMTA will enter into the Thirty-Third Supplemental Agreement to provide the terms of the Series 2022-A Bonds and related matters.

The Series 2022-A Bonds will bear interest at the rates and mature in the principal amounts and on the dates shown on the inside cover of this Official Statement. LACMTA will pay interest on each January 1 and July 1, beginning January 1, 2023. Interest on the Series 2022-A Bonds will be calculated on the basis of a 360-day year consisting of twelve 30-day months.

The Series 2022-A Bonds will be issued in fully registered form in denominations of $5,000 or any integral multiple thereof. Upon initial issuance, the Series 2022-A Bonds will be registered in the name of Cede & Co. as registered owner and nominee of DTC. As long as the Series 2022-A Bonds are registered in such name or in the name of a successor nominee, the ownership of the Series 2022-A Bonds will be evidenced by book-entry as described in "APPENDIX G—BOOK-ENTRY-ONLY SYSTEM." Purchasers will not receive certificated Series 2022-A Bonds. So long as Cede & Co. is the registered owner of the Series 2022-A Bonds, reference herein to the Bondholders or registered owners will mean Cede & Co. as aforesaid and will not mean the Beneficial Owners of the Series 2022-A Bonds.

So long as Cede & Co. is the registered owner of the Series 2022-A Bonds, principal of and interest on the Series 2022-A Bonds are payable by wire transfer of funds by the Trustee to Cede & Co., as nominee of DTC. DTC is obligated, in turn, to remit such amounts to its participants as described herein for subsequent disbursement to the Beneficial Owners. If the Series 2022-A Bonds cease to be held by DTC

or by a successor securities depository, the principal of the Series 2022-A Bonds will be payable at maturity upon presentation and surrender of the Series 2022-A Bonds at the corporate trust office or agency of the Trustee, and interest on the Series 2022-A Bonds will be payable by check mailed by first-class mail on each Interest Payment Date to the Owners of the Series 2022-A Bonds as of the Record Date; provided, that Owners of $1,000,000 or more in aggregate principal amount of Series 2022-A Bonds may arrange for payment by wire transfer of immediately available funds upon written request given to the Trustee at least 15 days prior to an Interest Payment Date.

**No Redemption**

The Series 2022-A Bonds are not subject to redemption prior to maturity.

## SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS

**Security for the Series 2022-A Bonds**

The Series 2022-A Bonds are limited obligations of LACMTA payable from and secured by a first lien on and pledge of the "Pledged Revenues," which consist of Pledged Tax plus interest, profits and other income received from the investment of such amounts held by the Trustee (other than amounts in the Rebate Fund). "Pledged Tax" consists of moneys collected as a result of the imposition of the Proposition C Sales Tax, less 20% thereof which constitutes the Local Allocation, less an administrative fee paid to CDTFA in connection with the collection and disbursement of the Proposition C Sales Tax. In addition, the Series 2022-A Bonds are secured by all other amounts held by the Trustee under the Agreement except for amounts held in any debt service reserve fund, the Rebate Fund and the Redemption Fund. Additionally, the Agreement provides that Pledged Tax also includes any Local Allocation that a local jurisdiction authorizes to be pledged to secure the Series 2022-A Bonds, plus such additional sources of revenue, if any, which are hereafter pledged to pay the Series 2022-A Bonds under a subsequent supplemental trust agreement. As of the date of this Official Statement, no local jurisdiction has authorized to be pledged any of its Local Allocation to secure any Senior Bonds, including the Series 2022-A Bonds. Pledged Revenues do not include any Proposition C Sales Tax revenues that are released by the Trustee to (a) the payment of the Proposition C Revolving Obligations (as defined under "PROPOSITION C SALES TAX OBLIGATIONS—Subordinate Lien Obligations") or any other Subordinate Lien Obligations; (b) LACMTA for the payment, if necessary, of the General Revenue Bonds (as defined under "PROPOSITION C SALES TAX OBLIGATIONS—Other Obligations"); or (c) LACMTA for any other lawful purposes of LACMTA. LACMTA is not obligated to make payments of principal of and interest on the Series 2022-A Bonds from any other source of funds. The Series 2022-A Bonds are payable from and secured by Pledged Revenues on a parity with LACMTA's outstanding Senior Bonds and additional Senior Bonds and Senior Parity Debt that may be issued in the future. See "—Proposition C Sales Tax Obligations—Senior Obligations" and "PROPOSITION C SALES TAX OBLIGATIONS—Senior Bonds and Senior Parity Debt." For a description of the Proposition C Sales Tax and collections related thereto, see "PROPOSITION C SALES TAX AND COLLECTIONS."

**Neither the faith and credit nor the taxing power of the County, the State or any political subdivision or public agency thereof, other than LACMTA to the extent of the Pledged Revenues and certain other amounts held by the Trustee under the Agreement, is pledged to the payment of the principal of or interest on the Series 2022-A Bonds. LACMTA has no power to levy property taxes to pay the principal of or interest on the Series 2022-A Bonds.**

**The Series 2022-A Bonds are limited obligations of LACMTA and are payable, as to both principal and interest, solely from a first lien on and pledge of the Pledged Revenues and certain other amounts held by the Trustee under the Agreement. Other than Pledged Revenues and such**

**other amounts held by the Trustee under the Agreement, the general fund of LACMTA is not liable, and neither the credit nor the taxing power of LACMTA is pledged, to the payment of the principal of or interest on the Series 2022-A Bonds.**

**Proposition C Sales Tax Obligations**

Under the Agreement, LACMTA may issue Senior Bonds and incur Senior Parity Debt, which are secured by a first lien on and pledge of Pledged Revenues. The Series 2022-A Bonds are Senior Bonds. See "—*Senior Obligations*" below.

Pursuant to the Trust Agreement, LACMTA has covenanted and agreed not to issue or incur any obligations that would have a lien on Pledged Revenues senior to the Senior Bonds (including the Series 2022-A Bonds) or any Senior Parity Debt.

Under the Agreement, LACMTA also is authorized to create a charge or lien on Pledged Revenues ranking junior and subordinate to the charge or lien of the Senior Obligations (including the Series 2022-A Bonds). Pursuant to the Subordinate Trust Agreement, LACMTA has issued Subordinate Lien Obligations which are payable from and secured by a pledge and lien on Net Pledged Revenues. See "—*Subordinate Lien Obligations and Other Obligations*" below.

***Senior Obligations***. Pursuant to the Agreement, LACMTA may issue additional Senior Bonds or incur Senior Parity Debt, which would be payable from and secured by a first lien on and pledge of Pledged Revenues on a parity basis with the Series 2022-A Bonds, if LACMTA delivers to the Trustee a certificate prepared by a Consultant showing that the Pledged Tax collected for any 12 consecutive months out of the 18 consecutive months immediately preceding the issuance of such Senior Bonds or incurrence of Senior Parity Debt, as applicable, was at least equal to 130% of Maximum Annual Debt Service for all Senior Bonds and Senior Parity Debt which will be Outstanding immediately after the proposed issuance of Senior Bonds or incurrence of Senior Parity Debt. This certificate need not be delivered if the Senior Bonds or Senior Parity Debt are being issued or incurred for the purpose of refunding Outstanding Senior Bonds or Senior Parity Debt and certain conditions are met as described in "APPENDIX D—SUMMARY OF LEGAL DOCUMENTS; DEFINITIONS—TRUST AGREEMENT—Additional Senior Bonds." For a description of the Senior Bonds currently outstanding, see "PROPOSITION C SALES TAX OBLIGATIONS—Senior Bonds and Senior Parity Debt."

Under the Trust Agreement, "Maximum Annual Debt Service" generally means the greatest amount of principal and interest becoming due and payable on all Senior Bonds and Senior Parity Debt in the Fiscal Year in which the calculation is made or in any subsequent Fiscal Year. For the full definition of Maximum Annual Debt Service, including additional details regarding the process for calculation, see "APPENDIX D—SUMMARY OF LEGAL DOCUMENTS; DEFINITIONS—DEFINITIONS."

***Subordinate Lien Obligations and Other Obligations***. Under the Agreement and the Subordinate Trust Agreement, LACMTA may issue additional Subordinate Lien Obligations secured by Net Pledged Revenues. See "PROPOSITION C SALES TAX OBLIGATIONS—Subordinate Lien Obligations."

In addition, LACMTA has other outstanding obligations which are secured by certain "remaining" Proposition C Sales Tax cash receipts. See "PROPOSITION C SALES TAX OBLIGATIONS—Other Obligations."

**Flow of Funds**

Pursuant to an agreement between LACMTA and CDTFA, CDTFA is required to remit the Proposition C Sale Tax receipts directly to the Trustee monthly after deducting CDTFA's costs of administering the Proposition C Sales Tax. The Trustee immediately transfers the Local Allocation (20% of net Proposition C Sales Tax cash receipts) to LACMTA for disbursement. Under the Agreement, the Trustee is required to deposit into the Revenue Fund and to apply the remaining moneys received from CDTFA (80% of net Proposition C Sales Tax cash receipts), as needed, taking into consideration any other funds previously deposited or applied in such month for such purposes, as follows:

FIRST, to the credit of the Senior Bond Interest Account, an amount equal to the Aggregate Accrued Senior Interest for the current calendar month (which, in general, is equal to 1/6 of the interest coming due on the next Interest Payment Date (see "APPENDIX D—SUMMARY OF LEGAL DOCUMENTS; DEFINITIONS—DEFINITIONS")) less any Senior Excess Deposit made with respect to the last preceding calendar month plus any Senior Deficiency existing on the first day of the calendar month plus any amount of interest which has become due and has not been paid and for which there are insufficient funds in the Senior Bond Interest Account or another special account to be used to make such payment;

SECOND, to the credit of the Senior Bond Principal Account, an amount equal to the Aggregate Accrued Senior Principal for the current calendar month (which, in general, is equal to 1/12 of the principal maturing within the next year (see "APPENDIX D—SUMMARY OF LEGAL DOCUMENTS; DEFINITIONS—DEFINITIONS")) less any Senior Excess Deposit made with respect to the last preceding calendar month plus any Accrued Senior Premium and any Senior Deficiency existing on the first day of such calendar month plus any amount of principal which has become due and has not been paid and for which there are insufficient funds in the Senior Bond Principal Account or another special account to be used to make such payment;

THIRD, to the credit of the Reserve Fund and any other Debt Service Reserve Funds such portion of the balance, if any, remaining after making the deposits to the Senior Bond Interest Account and the Senior Bond Principal Account as described above, to increase the amount on deposit in the Reserve Fund and such other Debt Service Reserve Funds to an amount equal to the Reserve Fund Requirement for all Reserve Fund Participating Bonds Outstanding and the applicable Debt Service Reserve Fund Requirements, respectively (including such amounts required to reimburse draws on any Reserve Fund Insurance Policy), or if the entire balance is less than the amount necessary, then the entire balance is to be deposited into the Reserve Fund and the Debt Service Reserve Funds on a pro-rata basis with respect to the Outstanding principal amounts of the applicable Senior Bonds secured by the Reserve Fund and the other Debt Service Reserve Funds, and such amounts are to be used to reimburse draws on the applicable Reserve Fund Insurance Policy prior to replenishing the cash or Permitted Investments formerly on deposit therein (The Series 2022-A Bonds are not secured by the Reserve Fund or any other Debt Service Reserve Fund. See "—The Series 2022-A Bonds Are Not Secured by Any Debt Service Reserve Fund"); and

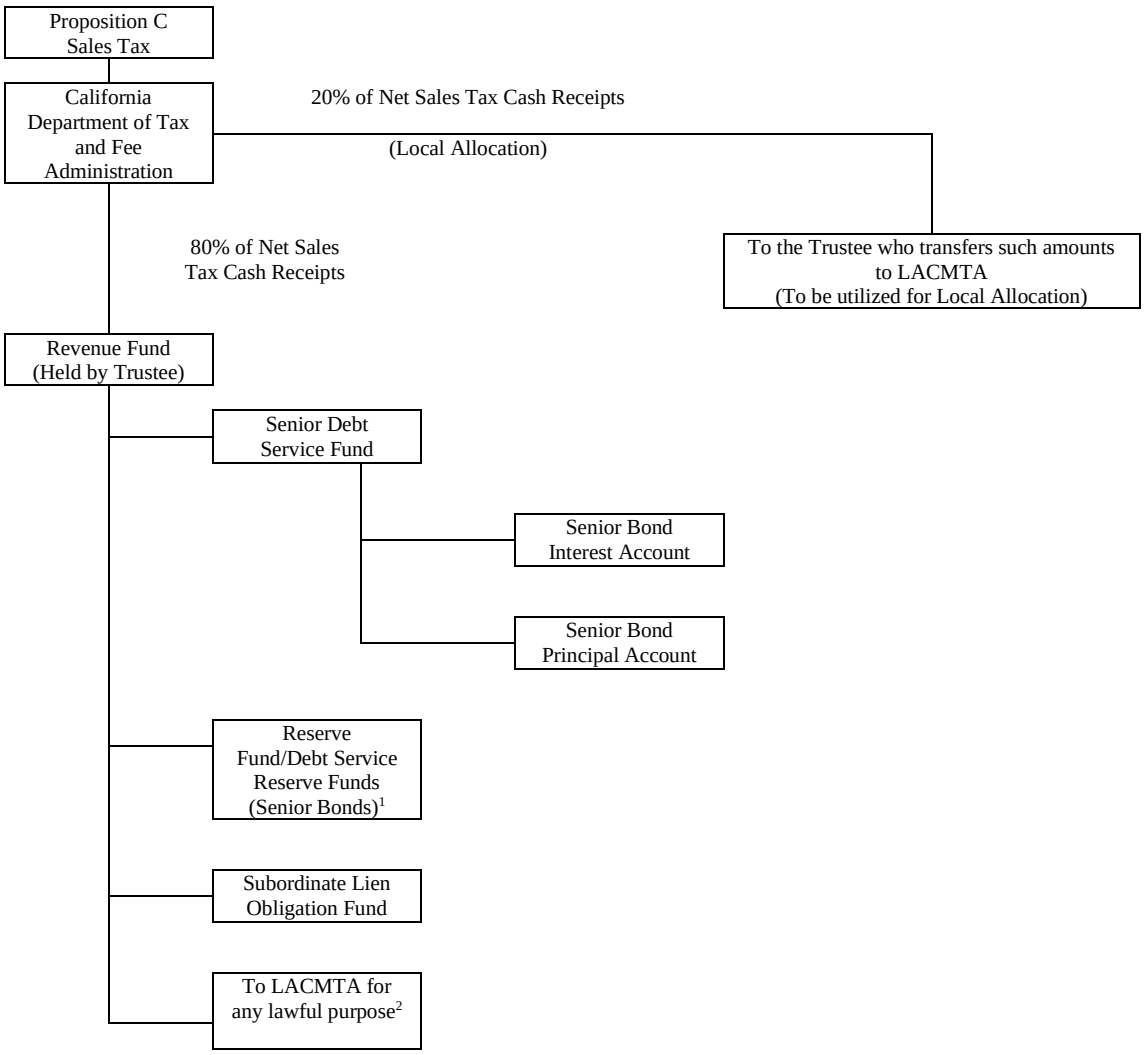
FOURTH, to the accounts in the Subordinate Lien Obligation Fund, amounts sufficient to pay the Subordinate Lien Obligations as further described in the Agreement. Notwithstanding the foregoing, however, if there are insufficient Pledged Revenues in any Fiscal Year to make all of the foregoing deposits, such Pledged Revenues will be allocated to the accounts within the Subordinate Lien Obligation Fund on a pro rata basis based on the amounts required to be deposited therein during such Fiscal Year among all such Subordinate Lien Obligations issued or entered into on a parity basis and in accordance with the rank of the pledge created by such Subordinate Lien Obligations.

After setting aside amounts to be deposited in the Rebate Fund, any remaining funds will then be transferred to LACMTA and will be available to be used for any lawful purpose (including the payment of General Revenue Bonds), and will no longer be pledged to pay debt service on the Senior Bonds.

For additional information regarding withdrawals from the Revenue Fund, see "APPENDIX D—SUMMARY OF LEGAL DOCUMENTS; DEFINITIONS—TRUST AGREEMENT—Funds and Accounts."

The following table provides a graphic presentation of the flow of funds for Proposition C Sales Tax cash receipts as of the date of issuance of the Series 2022-A Bonds.

**TABLE 1**
**Proposition C Sales Tax**
**Flow of Funds**




[1] The Series 2022-A Bonds are not secured by the Reserve Fund or any other Debt Service Reserve Fund. See "—The Series 2022-A Bonds Are Not Secured by Any Debt Service Reserve Fund."

[2] All remaining funds are transferred to LACMTA, are released from the lien established under the Trust Agreement, and are thereafter no longer Pledged Revenues under the Trust Agreement.

### The Series 2022-A Bonds Are Not Secured by Any Debt Service Reserve Fund

The Series 2022-A Bonds are not secured by the Reserve Fund or any other Debt Service Reserve Fund. At the time of issuance of the Series 2022-A Bonds, only the outstanding Senior Bonds issued on or before June 15, 2016 will be secured by the Reserve Fund. See Table 5 under "PROPOSITION C SALES TAX OBLIGATIONS—Senior Bonds and Senior Parity Debt" for additional information on the Senior Bond secured by the Reserve Fund.

## PROPOSITION C SALES TAX AND COLLECTIONS

### The Proposition C Sales Tax

Under the California Public Utilities Code, LACMTA is authorized to adopt retail transactions and use tax ordinances applicable in the incorporated and unincorporated territory of the County in accordance with California's Transaction and Use Tax Law (California Revenue and Taxation Code Section 7251 et seq.), upon authorization by a specified percentage of the electors voting on the issue. In accordance with the County Transportation Commissions Act (Section 130000 et seq. of the California Public Utilities Code (the "Transportation Commissions Act")), the Commission, the predecessor to LACMTA, on August 8, 1990, adopted Ordinance No. 49 ("Ordinance No. 49") which imposed a retail transactions and use tax for public transit purposes. Ordinance No. 49 was submitted to the electors of the County in the form of Proposition C ("Proposition C") and approved at an election held on November 6, 1990. Ordinance No. 49 imposes a tax, effective April 1, 1991, of ½ of 1% of the gross receipts of retailers from the sale of tangible personal property sold at retail in the County and a use tax at the same rate upon the storage, use or other consumption in the County of such property purchased from any retailer for storage, use or other consumption in the County, subject to certain limited exceptions. The retail transactions and use tax imposed by Ordinance No. 49 and approved by the voters with the passage of Proposition C is referred to in this Official Statement as the "Proposition C Sales Tax." As approved by the voters, the Proposition C Sales Tax is not limited in duration. The validity of the Proposition C Sales Tax was upheld in 1992 by the California Court of Appeal in Vernon v. State Board of Equalization. See "LITIGATION." See also "APPENDIX A—LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY—LITIGATION."

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Collection of the Proposition C Sales Tax is administered by CDTFA, which imposes a charge for administration. Such charge is based on the actual costs incurred by CDTFA in connection with the administration of the collection of the Proposition C Sales Tax. In accordance with Ordinance No. 49, LACMTA is required to allocate the proceeds of the Proposition C Sales Tax as follows:

**TABLE 2**
**Allocation of Proposition C Sales Tax**

| Uses | Percentage |
|---|---|
| To local jurisdictions for local transit based on population (Local Allocation) | 20% |
| To LACMTA for construction and operation of the bus transit and rail system[1] | 40 |
| To LACMTA to expand rail and bus security | 5 |
| To LACMTA for commuter rail, construction of transit centers, park and ride lots and freeway bus stops | 10 |
| To LACMTA for transit related improvements to freeways and state highways | 25 |
| Total | 100%[2] |

[1] Pursuant to the Act of 1998 (as defined below) LACMTA is prohibited from spending Proposition C Sales Tax revenues on the costs of planning, design, construction or operation of any New Subway (as defined below), including debt service on bonds, notes or other evidences of indebtedness issued for such purposes after March 30, 1998. See "—Initiatives and Changes to Proposition C Sales Tax—The Act of 1998" below. The Act of 1998 does not prohibit the use of Measure R Sales Tax or Measure M Sales Tax to pay costs of planning, design, construction or operation of a New Subway.

[2] Up to 1.5% of the non-Local Allocation portion of the Proposition C Sales Tax revenues received by LACMTA may be used by LACMTA to pay administrative costs. Administrative costs are payable only from Proposition C Sales Tax revenues that have been released to LACMTA and are no longer Pledged Revenues. See "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS—Flow of Funds" above.

Source: LACMTA

CDTFA has agreed to remit the Proposition C Sale Tax receipts directly to the Trustee monthly after deducting CDTFA's costs of administering the Proposition C Sales Tax. The Trustee immediately transfers the Local Allocation (20% of net Proposition C Sales Tax cash receipts) to LACMTA for disbursement. After application of the remaining amounts received from CDTFA (80% of net Proposition C Sales Tax receipts) to certain funds and accounts related to the Senior Bonds in accordance with the Agreement, the Trustee is required to transfer the remaining unapplied Proposition C Sales Tax revenues for deposit to the funds and accounts established and maintained for the Subordinate Lien Obligations. Any Proposition C Sales Tax revenues remaining after the deposits described above are released to LACMTA to be used by LACMTA first, if necessary, to pay debt service on the General Revenue Bonds, and second, for any lawful purposes (subject to the allocation requirements set forth in Ordinance No. 49). The Senior Bonds do not have a lien on and are not secured by any Proposition C Sales Tax revenues that are released by the Trustee and deposited to the funds and accounts established and maintained for the Subordinate Lien Obligations, or the General Revenue Bonds or transferred to LACMTA to be used for any lawful purposes of LACMTA.

The amount retained by CDTFA from collections of Proposition C Sales Tax is based on the total local entity cost reflected in the annual budget of the State, and includes direct, shared and central agency costs incurred by CDTFA. The amount retained by CDTFA is adjusted to account for the difference between CDTFA's recovered costs and its actual costs during the prior two Fiscal Years. For Fiscal Years 2017 through 2021, CDTFA's fee for administering the Proposition C Sales Tax was as follows:

| Fiscal Year Ended (June 30) | Fee ($'s in millions) | Percentage of Proposition C Sales Tax Receipts |
|---|---|---|
| 2017 | $9.2 | 1.2% |
| 2018 | 8.7 | 1.1 |
| 2019 | 8.9 | 1.0 |
| 2020 | 9.2 | 1.1 |
| 2021 | 7.1 | 0.8 |

Source: LACMTA

CDTFA has advised LACMTA that its fee for Fiscal Year 2022 is estimated to be $8.7 million. LACMTA assumes that the CDTFA fee may increase incrementally each year. CDTFA can change the fee at its discretion in the future.

Under the Agreement, LACMTA covenants that (a) it will not take any action which will have a material adverse effect upon the Pledged Revenues or the pledge thereof under the Agreement, or the rights of the Owners of the Senior Bonds, including the Series 2022-A Bonds; and (b) it will be unconditionally and irrevocably obligated, so long as any of the Senior Bonds, including the Series 2022-A Bonds, are outstanding and unpaid, to take all lawful action necessary or required to continue to entitle LACMTA to receive the Pledged Revenues at the same rates as provided by law (as of October 1, 1992), to pay from the Pledged Revenues the principal of and interest on the Senior Bonds and to make the other payments provided for in the Agreement.

Under the Act, the State pledges to, and agrees with, the holders of any bonds issued under the Act and with those parties who may enter into contracts with LACMTA pursuant to the Act that the State will not limit or alter the rights vested by the Act in LACMTA until such bonds, together with the interest thereon, are fully met and discharged and the contracts are fully performed on the part of LACMTA. However, the State is not precluded from limiting or altering rights if and when adequate provision has been made by law for the protection of the bondholders or those entering into contracts with LACMTA. Further, such pledge and agreement does not preclude the State from changing the transactions and items subject to the statewide general sales tax and concurrently thereby altering the amount of Proposition C Sales Tax collected. See "RISK FACTORS—California State Legislature or Electorate or Federal Law May Change Items Subject to Proposition C Sales Tax."

The ½ of 1% Proposition C Sales Tax imposed by LACMTA in the County is in addition to the general sales tax levied statewide by the State (currently 7.25%), the ½ of 1% sales tax imposed by LACMTA pursuant to Ordinance No. 16 of the Commission known as "Proposition A" (such sales tax is referred to herein as the "Proposition A Sales Tax"), the 30-year ½ of 1% sales tax approved by County voters in November 2008 to fund LACMTA transportation projects and operations known as the "Measure R Sales Tax," the ½ of 1% (increasing to 1% upon the expiration of the Measure R Sales Tax) sales tax approved by County voters in November 2016 to fund LACMTA transportation projects and operations known as the "Measure M Sales Tax," the 10-year ¼ of 1% sales tax approved by County voters in March 2017 to fund programs to assist the County's homeless population known as "Measure H Sales Tax," and the taxes that apply only within certain cities in the County. The cities of Avalon, Downey, El Monte, Inglewood and La Puente in the County have each enacted a sales tax of ½ of 1% applicable to transactions within their respective city limits. The cities of Alhambra, Arcadia, Azusa, Bell Gardens, Bellflower, Burbank, Carson, Commerce, Covina, Cudahy, Culver City, Duarte, Gardena, Glendale, Glendora, Hawaiian Gardens, Hawthorne, Huntington Park, Irwindale, La Verne, Lakewood, Lancaster, Lawndale,

Lomita, Monrovia, Montebello, Norwalk, Palmdale, Paramount, Pasadena, Pomona, San Fernando, San Gabriel, Sierra Madre, Signal Hill, Vernon, West Hollywood and Whittier in the County have each enacted a sales tax of ¾ of 1% applicable to transactions within their respective city limits. The cities of Compton, Long Beach, Lynwood, Pico Rivera, Santa Fe Springs, Santa Monica and South Gate in the County have each enacted a sales tax of 1% applicable to transactions within the city's limits. The combined various sales taxes described above results in (a) transactions within the County, and outside the cities of Avalon, Downey, El Monte, Inglewood, La Puente, Alhambra, Arcadia, Azusa, Bell Gardens, Bellflower, Burbank, Carson, Commerce, Covina, Cudahy, Culver City, Duarte, Gardena, Glendale, Glendora, Hawaiian Gardens, Hawthorne, Huntington Park, Irwindale, La Verne, Lakewood, Lancaster, Lawndale, Lomita, Monrovia, Montebello, Norwalk, Palmdale, Paramount, Pasadena, Pomona, San Fernando, San Gabriel, Sierra Madre, Signal Hill, Vernon, West Hollywood, Whittier, Compton, Long Beach, Lynwood, Pico Rivera, Santa Fe Springs, Santa Monica and South Gate currently being taxed at an effective rate of 9.50%, (b) transactions within the cities of Avalon, Downey, El Monte, Inglewood and La Puente currently being taxed at an effective rate of 10.00%, (c) transactions within the cities of Alhambra, Arcadia, Azusa, Bell Gardens, Bellflower, Burbank, Carson, Commerce, Covina, Cudahy, Culver City, Duarte, Gardena, Glendale, Glendora, Hawaiian Gardens, Hawthorne, Huntington Park, Irwindale, La Verne, Lakewood, Lancaster, Lawndale, Lomita, Monrovia, Montebello, Norwalk, Palmdale, Paramount, Pasadena, Pomona, San Fernando, San Gabriel, Sierra Madre, Signal Hill, Vernon, West Hollywood, Whittier, Compton, Long Beach, Lynwood, Pico Rivera, Santa Monica and South Gate currently being taxed at an effective rate of 10.25%, and (d) transactions within the city of Santa Fe Springs currently being taxed at an effective rate of 10.50% (the Measure H Sales Tax does not apply to transactions in Compton, Long Beach, Lynwood, Pico Rivera, Santa Monica and South Gate because in those cities the sales tax is already at the maximum allowed by law). These tax rates and the items subject to the Proposition C Sales Tax are subject to change. See "RISK FACTORS—California State Legislature or Electorate or Federal Law May Change Items Subject to Proposition C Sales Tax" and "—Increases in Sales Tax Rate May Cause Declines in Proposition C Sales Tax Revenues." See also "APPENDIX A—LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY—OUTSTANDING DEBT."

**Initiatives and Changes to Proposition C Sales Tax**

***Proposition 218***. In 1996, the voters of the State approved Proposition 218, known as the "Right to Vote on Taxes Act." Proposition 218 added Articles XIIIC and XIIID to the California State Constitution. Among other things, Article XIIIC removes limitations, if any, that exist on the initiative power in matters of local taxes, assessments, fees and charges. Even though LACMTA's enabling legislation did not limit the initiative power of the electorate prior to Proposition 218, Proposition 218 has affirmed the right of the voters to propose initiatives that could impact the Proposition C Sales Tax.

***The Act of 1998***. One such initiative was approved by the voters of the County in 1998 in the form of the "Metropolitan Transportation Authority Reform and Accountability Act of 1998" (the "Act of 1998"). The Act of 1998 prohibits the use of Proposition C Sales Tax and Proposition A Sales Tax (but not the use of Measure R Sales Tax or Measure M Sales Tax) to pay any costs of planning, design, construction or operation of any "New Subway," including debt service on bonds, notes or other evidences of indebtedness issued for such purposes after March 30, 1998. "New Subway" is defined in the Act of 1998 to mean any rail line which is in a tunnel below the grade level of the earth's surface (including any extension or operating segment thereof), except for Segment 1, Segment 2 and Segment 3 (North Hollywood) of the Red Line. The Act of 1998 does not limit the use of Proposition C Sales Tax or Proposition A Sales Tax revenues to provide public mass transit improvements to railroad right of ways. The Act of 1998 does not limit in any way the collection of the Proposition C Sales Tax or the Proposition A Sales Tax; it only limits the uses of such taxes. LACMTA believes that the proceeds of all obligations previously issued by LACMTA which are secured by the Proposition C Sales Tax and/or the Proposition A Sales Tax have been used for permitted purposes under the Act of 1998. **Therefore, the Act of 1998**

**has no effect on LACMTA's ability to continue to use the Proposition C Sales Tax or the Proposition A Sales Tax to secure payment of its outstanding obligations secured by the Proposition C Sales Tax or the Proposition A Sales Tax. Additionally, LACMTA will covenant not to use the proceeds of the Series 2022-A Bonds in a manner inconsistent with the provisions of the Act of 1998, and the Act of 1998 will not limit the ability of LACMTA to secure payment of the Series 2022-A Bonds with a pledge of the Proposition C Sales Tax.**

As required by the Act of 1998, LACMTA contracted with an independent auditor to complete an audit with respect to the receipt and expenditure of Proposition A Sales Tax and Proposition C Sales Tax between the effective dates of Proposition A and Proposition C and June 30, 1998. The independent auditor completed the audit in November 1999. The Act of 1998 further requires LACMTA to contract for an independent audit each subsequent Fiscal Year to determine LACMTA's compliance with the provisions of Proposition A, Proposition C and the Act of 1998 relating to the receipt and expenditure of Proposition A Sales Tax revenues and Proposition C Sales Tax revenues. For Fiscal Years 1999 through 2021, the independent auditors determined that LACMTA was in compliance with Proposition A, Proposition C and the Act of 1998 for each such respective Fiscal Year (the "Annual Act of 1998 Audit").

In connection with each Annual Act of 1998 Audit, the independent auditor annually audits how LACMTA spends Proposition C Sales Tax revenues during the related Fiscal Year to ensure that it spends those revenues for the categories of use set forth in Proposition C. See "—The Proposition C Sales Tax" above. Each Fiscal Year, a substantial portion of the Proposition C Sales Tax revenues are spent on the payment of principal of and interest on the Senior Bonds. See "COMBINED SENIOR BONDS DEBT SERVICE SCHEDULE." For purposes of determining LACMTA's compliance with the categories of use set forth in Proposition C, LACMTA allocates the annual payments of principal and interest with respect to each series of Senior Bonds to the categories of use for which such series of Senior Bonds financed or refinanced.

The Act of 1998 also established the "Independent Citizens' Advisory and Oversight Committee" (the "Committee") whose responsibilities include reviewing LACMTA's annual audit of its receipt and expenditure of Proposition C Sales Tax and Proposition A Sales Tax, the holding of public hearings regarding the annual audit and issuing reports based upon those audits and public hearings. The Committee is made up of five members, of which one member is appointed by the chair of the Los Angeles County Board of Supervisors, one member is appointed by the chair of the Board, one member is appointed by the Mayor of the City of Los Angeles, one member is appointed by the Mayor of the City of Long Beach, and one member is appointed by the Mayor of the City of Pasadena.

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**Historical Proposition C Sales Tax Collections**

The following table presents, among other things, collections of net Proposition C Sales Tax revenues and corresponding Pledged Revenues and Senior Bonds debt service coverage ratios for the Fiscal Years ended June 30, 2012 through June 30, 2021.

**TABLE 3**
**Historical Net Proposition C Sales Tax Revenues,**
**Local Allocations, Pledged Revenues and Debt Service Coverage**
**(Dollars in Millions)[1]**

| Fiscal Year Ended June 30 | Net Sales Tax Revenue | Annual Percentage Change | Allocations to Local Governments | Pledged Revenues[2] | Senior Bonds Debt Service Coverage[3] |
|---|---|---|---|---|---|
| 2012 | $648.8 | 7.78% | $129.8 | $519.0 | 4.62x |
| 2013 | 687.3 | 5.94 | 137.5 | 549.9 | 4.81 |
| 2014 [4] | 717.2 | 4.34 | 143.4 | 573.7 | 4.46 |
| 2015 | 745.6 | 3.96 | 149.1 | 596.5 | 4.40 |
| 2016 | 763.6 | 2.41 | 152.7 | 610.9 | 4.52 |
| 2017 | 789.3 | 3.37 | 157.9 | 631.4 | 4.44 |
| 2018 | 836.5 | 5.98 | 167.3 | 669.2 | 4.06[5] |
| 2019 | 846.5 | 1.20 | 169.3 | 677.2 | 4.06 |
| 2020 | 824.6 | (2.59) | 164.9 | 659.7 | 3.58[6] |
| 2021 | 911.3 | 10.51 | 182.3 | 729.0 | 4.23 |

[1] Reflects Proposition C Sales Tax revenues, reported according to accrual basis accounting, as presented in LACMTA's audited financial statements, less the administrative fee paid to CDTFA but before required allocations to local governments for transit purposes. Rounded to the closest $100,000.

[2] Proposition C Sales Tax receipts for the Fiscal Years shown, reported according to accrual basis accounting, less required allocations to local governments for transit purposes and less the administrative fee paid to CDTFA.

[3] Based on Senior Bonds debt service for the 12 months ending the immediately following July 1.

[4] LACMTA's Fiscal Year 2014 audited financial statements include an increase in Proposition C Sales Tax revenues and Pledged Revenues of $61.4 million due to an accounting accrual adjustment resulting in a one-time increase to the reported amount. Amounts shown for Fiscal Year 2014 in this Table 3 are reported and calculated excluding the $61.4 million accounting accrual adjustment.

[5] The decrease in coverage from Fiscal Year 2017 reflects the issuance of $454.8 million of LACMTA's Proposition C Sales Tax Revenue Bonds, Senior Bonds, Series 2017-A in Fiscal Year 2017.

[6] Coverage in Fiscal Year 2020 decreased because of the COVID-19 pandemic and the resulting economic shut-down that began in March 2020. See "INTRODUCTION—Impact of Global COVID-10 Outbreak."

Source: LACMTA

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The following table sets forth the amount of Proposition C Sales Tax receipts, on a cash basis, received for the most recent nine quarters and the changes in such amounts from the corresponding period in the prior year. Proposition C Sales Tax receipts, on a cash basis for a quarterly period, are determined by Proposition C Sales Tax revenues generated by sales activity generally occurring in the previous quarter, less any amount previously advanced, plus an advance for the first month of the next quarter. For example, for the quarter ending March 31, 2022, reported according to cash basis accounting, Proposition C Sales Tax receipts were approximately $279.7 million, which receipts generally represented sales activity occurring in October, November and December 2021, less the advances previously received for those quarterly sales, plus an advance for January 2022 sales (received in March).

**TABLE 4**
**Selected Actual Proposition C Sales Tax Receipts Information**
**(values are cash basis)**

| Quarter Ended | Quarterly Receipts ($ millions) | Change from Same Period of Prior Year | Rolling 12 Months Receipts ($ millions) | Change from Same Period of Prior Year |
|---|---|---|---|---|
| March 31, 2022 | $279.7[1] | 30.5% | $1,041.6 | 30.2% |
| December 31, 2021 | 262.7[1] | 24.3 | 976.3 | 19.3 |
| September 30, 2021 | 268.3[1] | 26.2 | 925.0 | 11.5 |
| June 30, 2021 | 230.8[1] | 43.1 | 869.3 | 3.9 |
| March 31, 2021 | 214.4[2] | (8.0) | 799.7 | (8.9) |
| December 31, 2020 | 211.4[2] | (5.0) | 818.3 | (5.8) |
| September 30, 2020 | 212.6[2] | (3.3) | 829.4 | (3.7) |
| June 30, 2020 | 161.3[2] | (20.3) | 836.7 | (3.4) |
| March 31, 2020 | 233.0 | 3.9 | 877.9 | 3.0 |

[1] Proposition C Sales Tax receipts began to recover after March 31, 2021 as COVID-19 vaccines became more widely available and restrictions on businesses were phased out. See "INTRODUCTION—Impact of Global COVID-10 Outbreak."

[2] Proposition C Sales Tax receipts decreased between March 31, 2020 and March 31, 2021 because of the COVID-19 pandemic and the resulting economic shut-down that began in March 2020. See "INTRODUCTION—Impact of Global COVID-10 Outbreak."

Source: LACMTA

Proposition C Sales Tax receipts fluctuate based on general economic conditions within the County. To project future Proposition C Sales Tax receipts for budgetary purposes, LACMTA relies on reports from local economists and other publicly available sources of data. LACMTA does not itself develop forecasts of current or future economic conditions. Furthermore, CDTFA does not provide LACMTA with any forecasts of Proposition C Sales Tax receipts for future periods. Therefore, LACMTA is unable to predict with certainty future levels of Proposition C Sales Tax receipts. See "RISK FACTORS—Economic Factors May Cause Declines in Proposition C Sales Tax Revenues" above. Also see "INTRODUCTION—Impact of Global COVID-19 Outbreak."

## PROPOSITION C SALES TAX OBLIGATIONS

### General

LACMTA has two priority levels of obligations secured by the Proposition C Sales Tax: its Senior Bonds (which includes the Series 2022-A Bonds) and Senior Parity Debt, and its Subordinate Lien

Obligations. In addition, LACMTA has incurred other obligations, which are secured by certain "remaining" Proposition C Sales Tax cash receipts. See "—Other Obligations" below.

**Senior Bonds and Senior Parity Debt**

***Senior Bonds***. LACMTA had the following Senior Bonds outstanding as of May 1, 2022, all of which are fixed rate bonds:

**TABLE 5**
**Los Angeles County Metropolitan Transportation Authority**
**Proposition C Sales Tax Revenue Bonds, Senior Bonds**
**(Outstanding as of May 1, 2022)**

| Senior Bonds | Outstanding Principal Amount |
|---|---|
| Sales Tax Revenue Bonds, Senior Bonds, Series 2021-A | $ 321,905,000 |
| Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2020-A | 28,265,000 |
| Sales Tax Revenue Bonds, Senior Bonds, Series 2019-A (Green Bonds) | 418,575,000 |
| Sales Tax Revenue Bonds, Senior Bonds, Series 2019-B | 126,425,000 |
| Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2019-C | 36,625,000 |
| Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2018-A | 27,990,000 |
| Sales Tax Revenue Bonds, Senior Bonds, Series 2017-A | 413,775,000 |
| Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2016-A[1] | 62,210,000 |
| Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2014-A[1] | 61,180,000 |
| Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2013-A[1] | 33,170,000 |
| Sales Tax Revenue Bonds, Senior Bonds, Series 2013-B[1] | 253,005,000 |
| Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2013-C[1] | 31,090,000 |
| Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-A[1,2] | 14,635,000 |
| Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-B[1,2] | 52,110,000 |
| Total | $1,880,960,000 |

[1] Secured by Reserve Fund.
[2] Upon the issuance of the Series 2022-A Bonds, all or a portion of the Series 2012-A Bonds and/or the Series 2012-B Bonds will be refunded and defeased. See "PLAN OF REFUNDING AND APPLICATION OF THE SERIES 2022-A BOND PROCEEDS—Use of Proceeds; Plan of Refunding."
Source: LACMTA

LACMTA may issue additional Senior Bonds upon the satisfaction of certain conditions contained in the Agreement. See "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS—Proposition C Sales Tax Obligations—*Senior Obligations*." See "FUTURE TRANSPORTATION IMPROVEMENTS—Capital Planning" in APPENDIX A for a discussion of the Short Range Financial Forecast and LACMTA's expectation that it will issue additional Senior Bonds in the future to finance certain transit projects.

***Senior Parity Debt***. "Senior Parity Debt" would consist of indebtedness, installment sale obligations, lease obligations or other obligations for borrowed money, or payment obligations under interest swaps or other arrangements having an equal lien and charge upon Pledged Revenues and payable on parity with the Senior Bonds. LACMTA currently has no Senior Parity Debt outstanding. LACMTA may incur Senior Parity Debt upon the satisfaction of certain additional bonds tests. See "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS—Proposition C Sales Tax Obligations—*Senior Obligations*." Also see "APPENDIX D—SUMMARY OF LEGAL DOCUMENTS; DEFINITIONS—THE TRUST AGREEMENT—Additional Senior Bonds."

## Subordinate Lien Obligations

***Proposition C Revolving Obligations***. On June 9, 1993, the Board of Directors of LACMTA authorized the issuance of Subordinate Lien Obligations (in the form of bonds, commercial paper notes and other obligations) that may be outstanding, at any one time, in a principal amount not to exceed $150,000,000. The Subordinate Lien Obligations are payable from and secured by Net Pledged Revenues. See "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS—Proposition C Sales Tax Obligations—*Subordinate Lien Obligations*." LACMTA is currently authorized to issue, from time to time, and have outstanding, at any one time, up to $150,000,000 in aggregate principal amount of Subordinate Lien Obligations in the form of Subordinate Proposition C Sales Tax Revenue Revolving Obligations (the "Proposition C Revolving Obligations"). As of May 1, 2022, LACMTA had $30 million in aggregate principal amount of the Proposition C Revolving Obligations outstanding. LACMTA expects to issue additional Proposition C Revolving Obligations in the future.

All Proposition C Revolving Obligations issued by LACMTA are currently purchased by Wells Fargo Bank, National Association, in accordance with the terms of a revolving credit agreement (the "Proposition C Revolving Credit Agreement"). The Proposition C Revolving Obligations bear interest at variable rates determined pursuant to the terms of the Proposition C Revolving Credit Agreement.

The following table sets forth certain terms of the Proposition C Revolving Obligations.

**Proposition C Revolving Obligations[1]**

| | |
|---|---|
| **Revolving Obligations Bank** | Wells Fargo Bank, National Association |
| **Principal Amount** | [$150,000,000] |
| **Expiration/Maturity Date** | July 22, 2022[2] |

[1] On or about June 1, 2022, LACMTA expects to replace the revolving credit agreement currently provided by Wells Fargo Bank, National Association, with a revolving credit agreement provided by Bank of the West. The revolving credit agreement expected to be provided by Bank of the West will be in the principal amount of $150 million and will have an expiration/maturity date of [June 1, 2025].

[2] Can be converted to a term loan payable in equal quarterly installments beginning nine months after the Expiration/Maturity Date and ending five years after the Expiration/Maturity Date if specified conditions are satisfied.

## Other Obligations

***General Revenue Bonds***. As of May 1, 2022, there was $61,370,000 aggregate principal amount of LACMTA's General Revenue Refunding Bonds (Union Station Gateway Project), Series 2015 (the "General Revenue Bonds") outstanding. The General Revenue Bonds are secured by a pledge of farebox revenues, fee and advertising revenues (collectively, "General Revenues") and Proposition A Sales Tax and Proposition C Sales Tax revenues that remain after the application of those revenues to the payment of principal and interest on certain Proposition A Sales Tax-secured obligations, in the case of the Proposition A Sales Tax, and the Senior Bonds (including the Series 2022-A Bonds), any Senior Parity Debt and the Subordinate Lien Obligations (including the Proposition C Revolving Obligations), in the case of the Proposition C Sales Tax. LACMTA's obligation to pay principal of and interest on the General Revenue Bonds is secured by a lien on Proposition C Sales Tax that is junior and subordinate to the Senior Bonds (including the Series 2022-A Bonds), any Senior Parity Debt and the Subordinate Lien Obligations (including the Proposition C Revolving Obligations) as to the lien on and source and security for payment

from Pledged Revenues. See "APPENDIX A—LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY—TRANSPORTATION SERVICES—Fareless System Initiative" for a discussion of a pilot program instituted by LACMTA that eliminates the collection of fares on LACMTA's bus and rail transit system for K-12 and community college students that attend schools in districts that have agreed to participate in the pilot program.

**Policy Limits on Additional Bonds**

Besides the limitations of the additional bonds test noted above under "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS—Proposition C Sales Tax Obligations—Senior Obligations," the Board-adopted debt policy sets additional limits on the amount of debt secured by the Proposition C Sales Tax that can be issued. This debt policy is reviewed periodically, and sets limits on debt service as a percentage of the use of sales tax revenues for certain allocations of expenditures as set forth in Ordinance No. 49, which levied the tax. These limits are intended to ensure that LACMTA will be able to continue providing essential operational services while planning for replacement, rehabilitation and expansion of capital investments. Under its current debt policy, debt service on LACMTA obligations is limited to 43.75% of its share of Proposition C Sales Tax revenues, which would require a minimum of 2.28 times coverage of debt service. LACMTA annually monitors its compliance with its debt policy limits. LACMTA's Board is not obligated to maintain its current debt policy and may modify it to allow the issuance of a greater amount of debt secured by the Proposition C Sales Tax in the future.

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## COMBINED SENIOR BONDS DEBT SERVICE SCHEDULE

The following table shows the combined debt service requirements on LACMTA's Senior Bonds (including the Refunded Bonds).

**TABLE 6**
**Los Angeles County Metropolitan Transportation Authority**
**Combined Proposition C Debt Service Schedule**
**Senior Bonds[1]**

| Bond Years Ending July 1 | Previously Issued Senior Bonds Debt Service[2] | Series 2022-A Bonds Debt Service | | | Combined Total Debt Service Senior Bonds |
|---|---|---|---|---|---|
| | | Principal | Interest | Total Debt Service | |
| 2022 | $ 191,320,035 | | | | |
| 2023 | 187,330,075 | | | | |
| 2024 | 162,680,075 | | | | |
| 2025 | 162,638,125 | | | | |
| 2026 | 147,711,625 | | | | |
| 2027 | 147,769,375 | | | | |
| 2028 | 147,768,325 | | | | |
| 2029 | 140,065,294 | | | | |
| 2030 | 138,591,794 | | | | |
| 2031 | 130,203,944 | | | | |
| 2032 | 130,714,444 | | | | |
| 2033 | 130,721,444 | | | | |
| 2034 | 130,719,694 | | | | |
| 2035 | 121,249,944 | | | | |
| 2036 | 121,250,444 | | | | |
| 2037 | 120,735,694 | | | | |
| 2038 | 120,738,725 | | | | |
| 2039 | 98,527,500 | | | | |
| 2040 | 98,530,750 | | | | |
| 2041 | 98,528,000 | | | | |
| 2042 | 98,530,250 | | | | |
| 2043 | 66,257,500 | | | | |
| 2044 | 66,258,250 | | | | |
| 2045 | 23,863,750 | | | | |
| 2046 | 23,866,500 | | | | |
| Total | $3,006,571,556 | | | | |

[1] Totals may not add due to rounding.
[2] Includes debt service on the Refunded Bonds. See "PLAN OF REFUNDING AND APPLICATION OF THE SERIES 2022-A BOND PROCEEDS—Use of Proceeds; Plan of Refunding."
Source: LACMTA and Public Resources Advisory Group

## LITIGATION

There is no litigation pending or, to the knowledge of LACMTA, threatened, against LACMTA in any way questioning or affecting the validity of the Series 2022-A Bonds, the imposition and collection of the Proposition C Sales Tax or the pledge of the Pledged Revenues. On March 3, 1992, the California

Court of Appeal, in *Vernon v. State Board of Equalization*, upheld the validity of the Proposition C Sales Tax. Various claims of other types have been asserted against LACMTA. In the opinion of LACMTA, none of such pending claims will materially or adversely affect LACMTA's ability to pay the principal of and interest on the Series 2022-A Bonds. See "APPENDIX A—LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY—LITIGATION"

## LEGAL MATTERS

The validity of the Series 2022-A Bonds and certain other legal matters are subject to the approving opinion of Hawkins Delafield & Wood LLP, Bond Counsel to LACMTA. The proposed form of the opinion to be delivered by Bond Counsel is attached hereto as APPENDIX E. Bond Counsel undertakes no responsibility for the accuracy, completeness or fairness of this Official Statement. The Los Angeles County Counsel, as General Counsel to LACMTA, and Kutak Rock LLP, as Disclosure Counsel, will pass on certain legal matters for LACMTA. Certain legal matters will be passed upon for the Underwriters by their counsel [•].

## TAX MATTERS

### Opinion of Bond Counsel

In the opinion of Hawkins Delafield & Wood LLP, Bond Counsel to LACMTA, under existing statutes and court decisions and assuming continuing compliance with certain tax covenants described herein, (i) interest on the Series 2022-A Bonds is excluded from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), and (ii) interest on the Series 2022-A Bonds is not treated as a preference item in calculating the alternative minimum tax under the Code. In rendering its opinion, Bond Counsel has relied on certain representations, certifications of fact, and statements of reasonable expectations made by LACMTA in connection with the Series 2022-A Bonds, and Bond Counsel has assumed compliance by LACMTA with certain ongoing covenants to comply with applicable requirements of the Code to assure the exclusion of interest on the Series 2022-A Bonds from gross income under Section 103 of the Code.

In addition, in the opinion of Bond Counsel to LACMTA, under existing statutes, interest on the Series 2022-A Bonds is exempt from personal income taxes imposed by the State.

Bond Counsel expresses no opinion as to any other federal, state or local tax consequences arising with respect to the Series 2022-A Bonds, or the ownership or disposition thereof, except as stated above. Bond Counsel renders its opinion under existing statutes and court decisions as of the issue date, and assumes no obligation to update, revise or supplement its opinion to reflect any action thereafter taken or not taken, any fact or circumstance that may thereafter come to its attention, any change in law or interpretation thereof that may thereafter occur, or for any other reason. Bond Counsel expresses no opinion as to the consequence of any of the events described in the preceding sentence or the likelihood of their occurrence. In addition, Bond Counsel expresses no opinion on the effect of any action taken or not taken in reliance upon an opinion of other counsel regarding federal, state or local tax matters, including, without limitation, exclusion from gross income for federal income tax purposes of interest on the Series 2022-A Bonds.

### Certain Ongoing Federal Tax Requirements and Covenants

The Code establishes certain ongoing requirements that must be met subsequent to the issuance and delivery of the Series 2022-A Bonds in order that interest on the Series 2022-A Bonds be and remain excluded from gross income under Section 103 of the Code. These requirements include, but are not limited

to, requirements relating to use and expenditure of gross proceeds of the Series 2022-A Bonds, yield and other restrictions on investments of gross proceeds, and the arbitrage rebate requirement that certain excess earnings on gross proceeds be rebated to the federal government. Noncompliance with such requirements may cause interest on the Series 2022-A Bonds to become included in gross income for federal income tax purposes retroactive to their issue date, irrespective of the date on which such noncompliance occurs or is discovered. LACMTA has covenanted to comply with certain applicable requirements of the Code to assure the exclusion of interest on the Series 2022-A Bonds from gross income under Section 103 of the Code.

**Certain Collateral Federal Tax Consequences**

The following is a brief discussion of certain collateral federal income tax matters with respect to the Series 2022-A Bonds. It does not purport to address all aspects of federal taxation that may be relevant to a particular owner of a Series 2022-A Bond. Prospective investors, particularly those who may be subject to special rules, are advised to consult their own tax advisors regarding the federal tax consequences of owning and disposing of the Series 2022-A Bonds.

Prospective owners of the Series 2022-A Bonds should be aware that the ownership of such obligations may result in collateral federal income tax consequences to various categories of persons, such as corporations (including S corporations and foreign corporations), financial institutions, property and casualty and life insurance companies, individual recipients of Social Security and railroad retirement benefits, individuals otherwise eligible for the earned income tax credit, and taxpayers deemed to have incurred or continued indebtedness to purchase or carry obligations the interest on which is excluded from gross income for federal income tax purposes. Interest on the Series 2022-A Bonds may be taken into account in determining the tax liability of foreign corporations subject to the branch profits tax imposed by Section 884 of the Code.

**Bond Premium**

In general, if an owner acquires a bond for a purchase price (excluding accrued interest) or otherwise at a tax basis that reflects a premium over the sum of all amounts payable on the bond after the acquisition date (excluding certain "qualified stated interest" that is unconditionally payable at least annually at prescribed rates), that premium constitutes "bond premium" on that bond (a "Premium Bond"). In general, under Section 171 of the Code, an owner of a Premium Bond must amortize the bond premium over the remaining term of the Premium Bond, based on the owner's yield over the remaining term of the Premium Bond determined based on constant yield principles (in certain cases involving a Premium Bond callable prior to its stated maturity date, the amortization period and yield may be required to be determined on the basis of an earlier call date that results in the lowest yield on such bond). An owner of a Premium Bond must amortize the bond premium by offsetting the qualified stated interest allocable to each interest accrual period under the owner's regular method of accounting against the bond premium allocable to that period. In the case of a tax-exempt Premium Bond, if the bond premium allocable to an accrual period exceeds the qualified stated interest allocable to that accrual period, the excess is a nondeductible loss. Under certain circumstances, the owner of a Premium Bond may realize a taxable gain upon disposition of the Premium Bond even though it is sold or redeemed for an amount less than or equal to the owner's original acquisition cost. Owners of any Premium Bonds should consult their own tax advisors regarding the treatment of bond premium for federal income tax purposes, including various special rules relating thereto, and state and local tax consequences, in connection with the acquisition, ownership, amortization of bond premium on, sale, exchange, or other disposition of Premium Bonds.

### Information Reporting and Backup Withholding

Information reporting requirements apply to interest paid on tax-exempt obligations, including the Series 2022-A Bonds. In general, such requirements are satisfied if the interest recipient completes, and provides the payor with, a Form W-9, "Request for Taxpayer Identification Number and Certification," or if the recipient is one of a limited class of exempt recipients. A recipient not otherwise exempt from information reporting who fails to satisfy the information reporting requirements will be subject to "backup withholding," which means that the payor is required to deduct and withhold a tax from the interest payment, calculated in the manner set forth in the Code. For the foregoing purpose, a "payor" generally refers to the person or entity from whom a recipient receives its payments of interest or who collects such payments on behalf of the recipient.

If an owner purchasing a Series 2022-A Bond through a brokerage account has executed a Form W-9 in connection with the establishment of such account, as generally can be expected, no backup withholding should occur. In any event, backup withholding does not affect the excludability of the interest on the Series 2022-A Bonds from gross income for federal income tax purposes. Any amounts withheld pursuant to backup withholding would be allowed as a refund or a credit against the owner's federal income tax once the required information is furnished to the Internal Revenue Service.

### Miscellaneous

Tax legislation, administrative actions taken by tax authorities, or court decisions, whether at the federal or state level, may adversely affect the tax-exempt status of interest on the Series 2022-A Bonds under federal or state law or otherwise prevent beneficial owners of the Series 2022-A Bonds from realizing the full current benefit of the tax status of such interest. In addition, such legislation or actions (whether currently proposed, proposed in the future, or enacted) and such decisions could affect the market price or marketability of the Series 2022-A Bonds.

Prospective purchasers of the Series 2022-A Bonds should consult their own tax advisors regarding the foregoing matters.

## MUNICIPAL ADVISOR

LACMTA has retained Public Resources Advisory Group, as Municipal Advisor (the "Municipal Advisor") for the sale of the Series 2022-A Bonds. The Municipal Advisor is not obligated to undertake, and has not undertaken to make, an independent verification, or to assume responsibility for the accuracy, completeness or fairness of the information contained in this Official Statement.

## FINANCIAL STATEMENTS

The financial statements of LACMTA for the Fiscal Year ended June 30, 2021 and the Management's Discussion and Analysis and certain supplementary information, and the Independent Auditors' Report of Crowe LLP, independent accountants, dated December 23, 2021 (collectively, the "2021 Financial Statements") are included as "APPENDIX B—LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2021." The 2021 Financial Statements, included in this Official Statement, have been audited by Crowe LLP, independent accountants, as stated in their Report appearing in APPENDIX B. LACMTA has not requested, nor has Crowe LLP given, Crowe LLP's consent to the inclusion in APPENDIX B of its Report on such 2021 Financial Statements. In addition, Crowe LLP has not performed any post-audit review of the financial condition of LACMTA and has not reviewed this Official Statement.

## CERTAIN ECONOMIC AND DEMOGRAPHIC INFORMATION

Certain economic and demographic information about the County is included in "APPENDIX C—LOS ANGELES COUNTY ECONOMIC AND DEMOGRAPHIC INFORMATION." The economic and demographic information provided has been collected from sources that LACMTA considers to be reliable. Because it is difficult to obtain timely economic and demographic information, the economic condition of the County may not be fully apparent in all of the publicly available local and regional economic statistics provided herein. In particular, the economic statistics provided herein may not fully capture the impact of current economic conditions.

## VERIFICATION OF MATHEMATICAL COMPUTATIONS

Robert Thomas CPA, LLC, will verify, from the information provided to them, the mathematical accuracy of the computations contained in the provided schedules to determine that the amounts to be held in the Escrow Accounts will be sufficient to pay the principal and redemption price of and interest on the Refunded Bonds on July 1, 2022. Robert Thomas CPA, LLC will express no opinion on the assumptions provided to them, nor as to the exemption from taxation of the interest on the Series 2022-A Bonds.

## CONTINUING DISCLOSURE

At the time of issuance of the Series 2022-A Bonds, LACMTA will execute a Continuing Disclosure Certificate (the "Continuing Disclosure Certificate"), which will provide for disclosure obligations on the part of LACMTA. Under the Continuing Disclosure Certificate, LACMTA will covenant for the benefit of Owners and Beneficial Owners of the Series 2022-A Bonds to provide certain financial information and operating data relating to LACMTA (the "Annual Reports") by not later than 195 days after the end of the prior Fiscal Year (resulting in a deadline of January 11 of each year), and to provide notices of the occurrence of certain enumerated events (the "Listed Events"). The Annual Reports and the notices of Listed Events will be filed with the MSRB through its EMMA System. See "APPENDIX F—FORM OF CONTINUING DISCLOSURE CERTIFICATE." LACMTA has become aware that some information that was made available in a timely manner on the EMMA System pursuant to LACMTA's continuing disclosure obligations was not linked to the CUSIP numbers for all affected series of bonds. LACMTA has corrected this issue. In addition, LACMTA has also become aware that the Trustee did not file a notice with respect to a defeasance that occurred in 2018 until 24 days after the defeasance occurred. Lastly, LACMTA has become aware that in a few instances, notices of changes in ratings on some of its bonds were not filed in a timely manner. LACMTA has made corrective filings regarding these ratings changes.

## UNDERWRITING

The Series 2022-A Bonds will be purchased by [•] (collectively, the "Underwriters"), from LACMTA at a price of $_____ (which represents the par amount of the Series 2022-A Bonds, plus an original issue premium of $_____, less an original issue discount of $_____, less an underwriters' discount of $_____), subject to the terms of a purchase contract (the "Purchase Contract"), between [•], as representative of the Underwriters, and LACMTA.

The Purchase Contract provides that the Underwriters will purchase all of the Series 2022-A Bonds if any are purchased, and that the obligation to make such purchase is subject to certain terms and conditions set forth in the Purchase Contract, the approval of certain legal matters by counsel, and certain other conditions. The initial public offering prices of the Series 2022-A Bonds set forth on the inside front cover hereof may be changed from time to time by the Underwriters. The Underwriters may offer and sell the

Series 2022-A Bonds into unit investment trusts or money market funds at prices lower than the public offering prices stated on the inside front cover hereof.

The Underwriters and their respective affiliates are full service financial institutions engaged in various activities, which may include securities trading, commercial and investment banking, financial advisory, investment management, principal investment, hedging, financing and brokerage activities. Certain of the Underwriters and their respective affiliates have, from time to time, performed, and may in the future perform, various investment banking services for LACMTA, for which they received or will receive customary fees and expenses.

In the ordinary course of their various business activities, the Underwriters and their respective affiliates may make or hold a broad array of investments and actively trade debt and equity securities (or related derivative securities) and financial instruments (which may include bank loans, credit cards and/or credit default swaps) for their own account and for the accounts of their customers and may at any time hold long and short positions in such securities and instruments. Such investment and securities activities may involve assets, securities and/or instruments of LACMTA. The Underwriters and their respective affiliates may also communicate independent investment recommendations, market color or trading ideas and/or publish or express independent research views in respect of such assets, securities and/or instruments and may at any time hold, or recommend to clients that they should acquire, long and/or short positions in such assets, securities and/or instruments.

## RATINGS

Moody's Investors Service, Inc. ("Moody's") has assigned a rating of "[•]" ([•] outlook) and S&P Global Ratings ("S&P") has assigned a rating of "[•]" ([•] outlook) to the Series 2022-A Bonds. Such credit ratings reflect only the views of such organizations and any desired explanation of the meaning and significance of such credit ratings, including the methodology used and any outlook thereon, should be obtained from the rating agency furnishing the same, at the following addresses: Moody's, 7 World Trade Center, 250 Greenwich Street, 23rd Floor, New York, New York 10007; and S&P, 55 Water Street, New York, New York 10041. Other Senior Bonds have received ratings from other rating agencies. Generally, a rating agency bases its credit rating on the information and materials furnished to it and on investigations, studies and assumptions of its own. There is no assurance that the ratings will remain in effect for any given period of time or that any such rating will not be revised, either downward or upward, or withdrawn entirely, or a positive, negative or stable outlook announced, by the applicable rating agency, if, in its judgment, circumstances so warrant. LACMTA undertakes no responsibility to bring to the attention of the Owners of the Series 2022-A Bonds any announcement regarding the outlook of any rating agency with respect to the Series 2022-A Bonds. Any downward revision or withdrawal or announcement of negative outlook could have an adverse effect on the market price of the Series 2022-A Bonds. Maintenance of ratings will require periodic review of current financial data and other updated information by the assigning agencies.

## ADDITIONAL INFORMATION

Additional information may be obtained upon request from the office of the Treasurer of the Los Angeles County Metropolitan Transportation Authority, One Gateway Plaza, Los Angeles, California 90012, Attention: Treasury Department, Email: TreasuryDept@metro.net, Telephone: (213) 922-2554, or from LACMTA's Municipal Advisor, Public Resources Advisory Group, 11500 West Olympic Boulevard, Suite 400, Los Angeles, California 90064, Telephone: (310) 477-2786. LACMTA maintains a website at http://www.metro.net and certain social media sites. Information on such website and social media sites is not part of this Official Statement and such information has not been incorporated by reference in this Official Statement and should not be relied upon in deciding whether to invest in the Series 2022-A Bonds.

LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY

By _____
Deputy Executive Officer, Finance

# APPENDIX A

# LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

## GENERAL

***Prospective purchasers of the Series 2022-A Bonds should be aware that the following discussion of the Los Angeles County Metropolitan Transportation Authority ("LACMTA") is intended as general information only. The Series 2022-A Bonds are limited obligations of LACMTA payable from Pledged Revenues, which consist primarily of proceeds of the Proposition C Sales Tax. See "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS" in the front part of this Official Statement.***

### Establishment; Jurisdiction

LACMTA is the largest public transit operator west of Chicago. As the principal transit provider in the southern California region, LACMTA serves about 75% of all transit trips within its 1,433 square mile service area, carrying an estimated 562,000 passengers per weekday on buses and an estimated 179,000 passengers on rail for the quarter ended March 31, 2022. See "INTRODUCTION—Impact of COVID-19 Pandemic" in the front part of this Official Statement. LACMTA operates four light rail lines, serving 80 stations along 80 miles of track and two heavy rail lines that serve 16 stations along 17.4 miles of track. In addition to the transit services provided by LACMTA, it also provides funding to 40 other municipal operators that offer fixed route service and more than 100 other local return and non-profit agencies that provide community-based transportation. LACMTA also provides highway construction funding and traffic flow management.

LACMTA was established in 1993 pursuant to the provisions of Section 130050.2 et seq. of the California Public Utilities Code (the "LACMTA Act"). LACMTA is the consolidated successor entity to both the Southern California Rapid Transit District (the "District") and the Los Angeles County Transportation Commission (the "Commission"). As the consolidated successor entity, LACMTA succeeded to all powers, duties, rights, obligations, liabilities, indebtedness, bonded or otherwise, immunities and exemptions of the Commission and the District, including the Commission's responsibility for planning, engineering and constructing a county-wide rail transit system. The Commission was authorized, subject to approval by the electorate of the County of Los Angeles (the "County"), to adopt a retail transactions and use tax ordinance, with the revenues of such tax to be used for public transit purposes. On November 6, 1990, the voters of the County approved the Proposition C Sales Tax pursuant to Ordinance No. 49. The Proposition C Sales Tax is in addition to a ½ of 1 percent sales tax imposed by LACMTA beginning in 1980 known as "Proposition A Sales Tax," a 30-year ½ of 1 percent sales tax imposed by LACMTA beginning in 2009 known as the "Measure R Sales Tax," and a ½ of 1 percent sales tax imposed by LACMTA beginning in 2017 known as "Measure M Sales Tax."

### Board of Directors

LACMTA is governed by a 14-member Board of Directors (the "Board"). The Board is composed of the five members of the Board of Supervisors of the County of Los Angeles, the Mayor of the City of Los Angeles, two public members and one member of the City Council of the City of Los Angeles appointed by the Mayor of the City of Los Angeles, four members who are either a mayor or a member of a city council of a city in the County (other than the City of Los Angeles) and who have been appointed by the Los Angeles County City Selection Committee (comprised of individuals appointed by the Mayors of each city in the County), and a non-voting member appointed by the Governor.

The Board of LACMTA exclusively exercises and discharges the following powers and responsibilities: (a) establishment of overall goals and objectives, (b) adoption of the aggregate budget for all of its organizational units, (c) designation of additional municipal bus operators under criteria enumerated in the LACMTA Act, (d) approval of all final rail corridor selections, (e) final approval of labor contracts covering employees of LACMTA and its organizational units, (f) establishment of LACMTA's organizational structure, (g) conducting hearings and setting fares for the operating organizational units, (h) approval of transportation zones, (i) approval of any debt instrument with a maturity date exceeding the end of the Fiscal Year in which it is issued, (j) approval of benefit assessment districts and assessment rates and (k) approval of contracts for construction and transit equipment acquisition which exceed $5,000,000 and making findings in connection with certain procurement decisions.

The current members of the Board are provided below.

| Member | Appointing Authority |
|---|---|
| Hilda L. Solis, *Chair* | Board of Supervisors of the County of Los Angeles, First Supervisorial District |
| Ara Najarian, *First Vice-Chair* | Member, Glendale City Council (appointee of Los Angeles County City Selection Committee) |
| Jacquelyn Dupont-Walker, *Second Vice-Chair* | Appointed by Mayor of Los Angeles |
| Kathryn Barger | Board of Supervisors of the County of Los Angeles, Fifth Supervisorial District |
| Mike Bonin | Los Angeles City Council (Appointed by Mayor of Los Angeles) |
| James T. Butts, Jr. | Mayor, City of Inglewood (appointee of Los Angeles County City Selection Committee) |
| Fernando Dutra | Member, Whittier City Council (appointee of Los Angeles County City Selection Committee) |
| Eric Garcetti | Mayor of Los Angeles |
| Janice Hahn | Board of Supervisors of the County of Los Angeles, Fourth Supervisorial District |
| Paul Krekorian | Los Angeles City Council (Appointed by Mayor of Los Angeles) |
| Sheila Kuehl | Board of Supervisors of the County of Los Angeles, Third Supervisorial District |
| Holly Mitchell | Board of Supervisors of the County of Los Angeles, Second Supervisorial District |
| Tim Sandoval | Mayor of Pomona (appointee of Los Angeles County City Selection Committee) |
| Tony Tavares, *Ex-Officio Member* | Director of the California Department of Transportation, District 7 |

**Management**

***General***. The management of LACMTA is carried out under the direction of its Chief Executive Officer, who performs any duties delegated to him or her by the Board. The Board also appoints a General Counsel, Inspector General, Chief Ethics Officer and Board Secretary. The Chief Executive Officer serves

at the pleasure of the Board, as do the General Counsel, Inspector General, Chief Ethics Officer and Board Secretary. Certain of LACMTA's executives and a brief biography of each executive are provided below.

***Chief Executive Officer***. Stephanie Wiggins became Chief Executive Officer of LACMTA in May 2021. Prior to becoming the Chief Executive Officer of LACMTA she was the Chief Executive Officer of Metrolink. Prior to joining Metrolink, Ms. Wiggins was the Deputy Chief Executive Officer of LACMTA, where she assisted the Chief Executive Officer in providing leadership and formulating and achieving strategic public transportation objectives, including the passage of Measure M. She received her Bachelor of Arts degree in Business Administration from Whittier College, and a Master of Business Administration from the USC Marshall School of Business.

***Chief Financial Officer***. Nalini Ahuja was appointed as Executive Director, Finance and Budget in February 2014 (renamed Chief Financial Officer in July 2016). Prior to her appointment as Executive Director, Finance and Budget, Ms. Ahuja served as LACMTA's Executive Director, Office of Management, Budget & Local Programming from 2010 to 2012, at which point her duties were expanded to include oversight of LACMTA's Transit Access Pass ("TAP") operations. As Chief Financial Officer, she is responsible for oversight of LACMTA's Office of Management, Budget, Local Programming & TAP operations and the agency's Financial Services including accounting and treasury functions. She has also served LACMTA as Director, Countywide Planning; Transportation Manager V, Local Programming; Acting Budget Director, Office of Management & Budget; and Project Manager, South Bay Area Team. Ms. Ahuja began her career with LACMTA's predecessor, the Los Angeles County Transportation Commission, in 1986, as a technical and administrative analyst, which led to her position as Project Manager with the South Bay Area Team in 1990. Ms. Ahuja earned a bachelor's degree in Economics from Miranda House, University of Delhi as well as a master's degree in Economics from Delhi School of Economics and a master's degree in Urban Planning from UCLA.

**Public Transportation Services Corporation**

In December 1996, LACMTA created the Public Transportation Services Corporation ("PTSC"), a nonprofit public benefit corporation organized under the laws of the State. PTSC was created in order to transfer certain functions, then performed by LACMTA, and the employees related to those functions, to this new corporation. As of May 1, 2022, approximately 2,434 employees of LACMTA belong to PTSC. The purpose of PTSC is to conduct essential public transportation activities including but not limited to the following: (a) to coordinate multimodal multi-jurisdictional transportation planning; (b) to program federal, State and local funds for transportation projects County-wide within the County; (c) to oversee construction; (d) to provide certain administrative services to the Los Angeles County Service Authority for Freeway Emergencies and the Southern California Regional Rail Authority; (e) to provide administrative support and security services for the foregoing and to the operation of LACMTA's bus and rail system; and (f) such other activities and services as it deems necessary. One advantage of PTSC is that it allows its employees, including those transferred from LACMTA, to participate in the California Public Employees' Retirement System.

## TRANSPORTATION SERVICES

LACMTA is a multi-faceted transportation agency responsible for the coordination of transportation policy, funding and planning within the County as well as the development and operation of bus, light rail and heavy rail within the greater Los Angeles region. This breadth of services distinguishes LACMTA from other transportation agencies across the country.

The information about ridership provided below does not reflect the full impact of COVID-19 and surrounding events, which have caused LACMTA to experience declines in ridership on its bus and rail

systems. For further discussion, see "INTRODUCTION—Impact of COVID-19 Pandemic" in the front part of this Official Statement.

**Bus System**

LACMTA operates the second largest bus system in the United States. LACMTA provides bus service within its service area in the County and to portions of Orange and Ventura Counties, operating a vehicle fleet of approximately 2,500 buses. LACMTA's bus system covers over 120 routes and serves over 13,000 bus stops, including two premium bus rapid transit dedicated busways. System-wide, LACMTA buses provide approximately 6.4 million revenue service hours annually with an average of approximately 533,400 boardings per weekday on a system-wide basis for the fiscal quarter ended March 31, 2022 and total boardings of 42.8 million for the fiscal quarter ended March 31, 2022. In addition, LACMTA contracts with outside service providers, with an average of approximately 28,600 boardings per weekday for the fiscal quarter ended March 31, 2022 and total boardings of 2.3 million for the fiscal quarter ended March 31, 2022. Virtually all of LACMTA's bus fleet is composed of compressed-natural gas ("CNG") powered buses. As of April 1, 2022, the average age of LACMTA's bus fleet was approximately 6.4 years. In July 2017, the LACMTA Board approved the purchase of approximately 95 electric buses to be added to its fleet and LACMTA is targeting a conversion of the entire fleet to zero emission vehicles by 2030.

***Metro Rapid Bus***. In June 2000, LACMTA launched the Metro Rapid Demonstration Program ("Metro Rapid"). The Metro Rapid Program provides fast, frequent regional bus service throughout the County. Key features of the Metro Rapid Program include simple route layouts, frequent service, fewer stops, low-floor buses to facilitate boarding and alighting, color-coded buses and stations, and traffic signal priority. Initially, Metro Rapid consisted of two lines—one along Ventura Boulevard in the San Fernando Valley and the other along the Wilshire/Whittier transit corridor. Today, 25 Metro Rapid corridors are operating, covering approximately 400 miles in the City of Los Angeles, the County and 34 other cities. In addition to LACMTA, Santa Monica's Big Blue Bus, Culver City Bus and Torrance Transit operate Metro Rapid.

***Metro G Line (Orange Line)***. The Metro G Line (formerly known as the Metro Orange Line) is a 18-mile Bus Rapid Transit service that operates along an exclusive right-of way and transports thousands of commuters between Warner Center in the west San Fernando Valley to the Metro B Line subway station in North Hollywood. The Metro G Line buses operate in exclusive lanes along a 13-mile stretch of LACMTA-owned right-of-way and one mile in mixed flow traffic on public streets. The Metro G Line has 18 stations, each located roughly one mile apart, with park and ride facilities at seven stations providing approximately 4,700 parking spaces. The Metro G Line Extension Project, which opened in June 2012, extended the Metro G Line four-miles north from the Canoga park-and-ride lot to the Chatsworth Amtrak/Metrolink Station.

**Highway/ExpressLanes System**

The ExpressLanes Program is a cooperative effort between California Department of Transportation ("Caltrans") and LACMTA, and was originally funded through a combination of federal, State and local resources. As part of a congestion reduction demonstration program, LACMTA converted I-10 and I-110 High Occupancy Vehicle ("HOV") Lanes to Express Lanes and provided the choice for drivers of single occupant vehicles to pay to travel in a high occupancy lane, based on dynamic congestion pricing. The general-purpose lanes on these highways are not tolled. Current funding is provided by toll revenues generated by the Express Lanes. This program also includes improvements to the transit service along the freeways, and has funded transit facility and roadway improvements and provided funding to enhance system connectivity. In early 2017, the LACMTA Board approved a plan to convert additional existing HOV lanes to ExpressLanes in phases over the next 30 years.

**Rail System**

***General***. In 1992, the Commission developed a comprehensive rail rapid transit system development plan (the "Rail System") which has been revised from time to time. The Rail System currently consists of four light rail lines: the Metro A Line (formerly known as the Metro Blue Line), Metro C Line (formerly known as the Metro Green Line), Metro L Line (formerly known as the Metro Gold Line), including the L Line Eastside Extension, and the Metro E Line (formerly known as the Exposition Line); and two heavy rail lines: Metro B Line (formerly known as the Metro Red Line) and the Metro D Line (formerly known as the Metro Purple Line). The Rail System covers 98 miles and serves 93 stations, with weekday estimated ridership of approximately 179,000 for the fiscal quarter ended March 31, 2022.

***Metro A Line (Blue Line)***. The Metro A Line is an approximately 22 mile light rail line that extends from downtown Los Angeles, where it links to the Metro B Line, to the City of Long Beach. The Metro A Line passes through portions of the cities of Los Angeles, Long Beach, Compton, Carson and other cities, and certain unincorporated areas of the County. The Metro A Line consists of a dual-track line with 22 stations and a primary maintenance facility (which also supports vehicles from the Metro C Line) and yard located in Long Beach adjacent to the Long Beach Freeway with a storage and maintenance capacity of 89 vehicles. Passenger service began in July 1990. The Metro A Line had estimated ridership of approximately 2.7 million for the fiscal quarter ended March 31, 2022.

***Metro C Line (Green Line)***. The Metro C Line is a 19.5-mile light rail line linking the El Segundo employment area near the Los Angeles International Airport to the City of Norwalk near the San Gabriel River Freeway. The Metro C Line has 14 stations including a station that intersects the Metro A Line and one that provides passenger connections to the Harbor Freeway Transitway, an elevated busway developed by Caltrans. The Metro C Line began operations in August 1995, and had estimated ridership of approximately 1.3 million for the fiscal quarter ended March 31, 2022.

***Metro L Line (Gold Line)***. The Metro L Line is a 31-mile light rail line which links East Los Angeles to downtown Los Angeles (where it links to the Metro B Line) before heading northward into the San Gabriel Valley. The Metro L Line has undergone two extensions since operations originally began in July 2003. The Metro L Line currently consists of 26 stations. Estimated ridership for the entire Metro L Line was approximately 1.5 million for the fiscal quarter ended March 31, 2022.

The Metro L Line is being further extended as discussed below under "FUTURE TRANSPORTATION PROJECTS—Transit Projects—*L Line Foothill Extension*."

***Metro E Line (Exposition Line)***. The Metro E Line is an approximately 13.1 mile long light rail line that runs from downtown Los Angeles to Santa Monica along the Exposition Boulevard corridor. The first portion of the Metro E Line opened in June 2012 and extended approximately 8.6 miles from downtown Los Angeles to Culver City. The second portion, which began revenue operations in May 2016, extends 6.6 miles westward from Culver City to downtown Santa Monica and added seven stations to the Metro E Line. Estimated ridership for the Metro E Line was more than 2.5 million for the fiscal quarter ended March 31, 2022.

***Metro B Line (Red Line) and Metro D Line (Purple Line).*** The Metro B Line and Metro D Line were designed as state-of-the-art, modern heavy rail subway lines comparable to transit systems in San Francisco, Atlanta and Washington, DC. The Metro B Line and Metro D Line are dual-rail steel-wheeled, high speed rapid subway systems that originally were to consist of a 19.7 mile 18-station line that was to connect the Los Angeles central business district to the San Fernando Valley, through the Wilshire Corridor and Hollywood, and to East Los Angeles through Union Station. However, due to the "Metropolitan Transportation Authority Reform and Accountability Act of 1998" (the "Act of 1998") and federal and

State funding shortfalls, the development of the Metro B Line and the Metro D Line were significantly reduced, including the indefinite suspension of certain extensions. The Act of 1998 prohibits LACMTA from utilizing any of the Proposition A Sales Tax or the Proposition C Sales Tax revenues for the costs of planning, design, construction or operation of any new subway, including debt service on any obligations issued for such purposes after March 30, 1998. However, the Act of 1998 did not prohibit LACMTA from continuing the construction of the Metro B Line and the Metro D Line as long as such design, construction and operation are paid from other sources.

The Metro B Line was constructed in segments. Segment 1 from Union Station to Alvarado Street opened in January 1993. Segment 2 extended west from Alvarado Street to Vermont Avenue where it branches north to Hollywood Boulevard/Vine Street and west to Wilshire Boulevard/Western Avenue. The west branch became operational in July 1996 and was renamed the Metro Purple Line (now known as the Metro D Line) in August 2006. Segment 3 extending the north branch from Hollywood/Vine to North Hollywood opened in June 2000. The Metro B Line is 14.9 miles long with 14 stations. LACMTA is in the process of extending the Metro D Line from its current terminus at Wilshire/Western to the westside of Los Angeles. This project is described under "FUTURE TRANSPORTATION IMPROVEMENTS—Transit Projects" below. Estimated ridership for the entire Metro B and Metro D Lines was approximately 6.6 million for the fiscal quarter ended March 31, 2022.

***Commuter Rail***. The Southern California Regional Rail Authority ("SCRRA") oversees commuter rail services in the region that includes Los Angeles, Riverside, Ventura, Orange, San Bernardino and San Diego Counties. SCRRA operates the Metrolink system, which consists of seven lines totaling 538 miles and 61 stations and is primarily geared toward providing commuter rail service from outlying communities to downtown Los Angeles. LACMTA is the Los Angeles County participant in SCRRA and contributes funds to SCRRA. Other participants include the Orange County Transportation Authority, the Riverside County Transportation Commission, the San Bernardino Association of Governments and the Ventura County Transportation Authority.

**Transit System Enterprise Fund**

LACMTA accounts for the revenues and expenses of its transit system as an enterprise fund, separate from accounting of its governmental funds, such as the Proposition A, Proposition C, Measure R and Measure M Sales Tax revenues. See "APPENDIX B—LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2021." As indicated in APPENDIX B and as is generally true with large transit systems, the operating expenses for LACMTA's transit system greatly exceed operating revenues. The Proposition A, Proposition C, Measure R and Measure M Sales Tax revenues are a primary source of funding for the transit system. Additionally, LACMTA relies heavily on other local, State and federal sources to pay for operating expenses and capital improvements. LACMTA is currently undertaking future transit improvements to the transit system, which require substantial investment and increase operating costs. As the system expands, LACMTA is committed to looking for additional revenue sources, to re-prioritize existing and new programs, and to regularly reassessing the service provided to minimize duplication and improve efficiency. Proposition C Sales Tax revenues are available to pay operating expenses only after debt service on the Senior Bonds and certain other amounts are paid. See "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS—Flow of Funds" in the front part of this Official Statement.

**Fareless System Initiative**

In September 2020, LACMTA established a taskforce to study the idea of eliminating the collection of fares on its bus and rail transit system, either for all riders or for specified subgroups. For the fiscal years

ended June 30, 2021, 2020 and 2019, LACMTA collected approximately $20.4 million, $184.6 million and $265.2 million of fares from riders of its bus and rail transit system, respectively. In addition to the loss of farebox revenues, if LACMTA were to eliminate the collection of fares, it expects that operating and maintenance costs would increase because more people would ride the buses, light rail and subways which would result in additional costs for cleaning, security and maintenance of the bus and rail transit system. None of the Measure R Sales Tax Obligations, the Proposition A Sales Tax Obligations or the Proposition C Sales Tax Obligations are secured by or payable from farebox revenues. However, the General Revenue Bonds (as defined below) are secured by and are payable from the farebox revenues. Additionally, the General Revenue Bonds are secured by "remaining" Proposition A Sales Tax revenues and "remaining" Proposition C Sales Tax revenues in the event of a shortage of farebox revenues and certain other revenues pledged to the payment of the General Revenue Bonds. See "OUTSTANDING DEBT—Other Obligations—*General Revenue Bonds*" below. Farebox revenues, along with Measure R Sales Tax Revenues, Proposition A Sales Tax revenues and Proposition C Sales Tax revenues also are used to pay for certain operating and maintenance costs of LACMTA. In the event of the elimination or reduction of farebox revenues, additional Measure R Sales Tax revenues, Proposition A Sales Tax revenues and Proposition C Sales Tax revenues would need to be used to pay the operation and maintenance expenses of LACMTA. Such uses of Measure R Sales Tax revenues, Proposition A Sales Tax revenues and Proposition C Sales Tax revenues are subordinate to the payment of debt service on the Measure R Sales Tax Obligations, the Proposition A Sales Tax Obligations and the Proposition C Sales Tax Obligations (including the Series 2022-A Bonds).

In February 2021, the taskforce proposed instituting an eighteen month pilot program starting in January 2022 and running through June 2023 to further study the initiative. A subsequent proposal called for instituting a 23-month pilot program starting in August 2021 and running through June 2023. The pilot program would allow K-12 and community college students ("K-14 students") to ride for free starting in August 2021 and low-income riders (which make up approximately 70% of the riders on LACMTA's bus and rail transit system) to ride for free starting in January 2022.

LACMTA instead decided to institute a two-year pilot program, supported by ARPA funds, that includes a zero-fare GoPass program for K-14 students that attend schools within participating school districts. The school districts that participate in the program have entered into cost-sharing agreements with LACMTA and pay a fixed amount for each student enrolled in the district. LACMTA estimated that its cost associated with the zero-fare GoPass program for K-14 students is $49.9 million for Fiscal Years 2022 and 2023 ($33.5 million of which will be paid by LACMTA and $16.4 million of which will be paid by municipal and local transit operators). Additionally, LACMTA introduced improvements to its "Low Income Fares are Easy" program, including a free 90-day regional transit pass as an incentive for new enrollees.

## FUTURE TRANSPORTATION IMPROVEMENTS

LACMTA, as the State-designated planning and programming agency for the County, identifies future transportation needs and transportation funding and construction priorities in the County. LACMTA prepares a Long Range Transportation Plan that identifies the costs of major transportation projects and the anticipated funding sources. See "RISK FACTORS—Additional Senior Bonds" in the front part of this Official Statement.

### Capital Planning

In September 2020, the Board approved the 2020 Long Range Transportation Plan ("2020 LRTP") which updates the prior 2009 Long Range Transportation Plan. LACMTA's capital program is built on two major planning documents, the Long Range Transportation Plan, which has a 40-year vision and a

financial forecast component, most recently updated for the 2020 LRTP (as updated, the "LRTP Financial Forecast"), and the "Short Range Financial Forecast," a fifteen-year plan last updated for the Board in November 2019, that guides capital investment through 2034. These plans incorporate the mix of projects approved by voters in concert with the four sales tax measures that fund a large share of LACMTA's operations and capital programs, and are amended as needed to reflect ongoing changes to project costs, revenue and expense projections, and actual financial results. Annually, LACMTA's Office of Management and Budget reviews the active projects set forth in the LRTP Financial Forecast and the Short Range Financial Forecast, and prepares a proposed budget recommending project appropriations as part of the annual Capital Program, which is incorporated in LACMTA's overall annual budget.

The LRTP Financial Forecast reflects LACMTA's plans to build, operate, maintain and partner with third parties for improved mobility (as determined in the 2020 LRTP), and incorporates both the Measure R and Measure M "Expenditure Plans," which identify the projects and programs to be pursued, and the amount and timing of sales tax expenditures.

The Short Range Financial Forecast, a fifteen-year component of the LRTP Financial Forecast, reflects LACMTA's financial plan for operations and capital investments into the transit system and identifies a funding strategy from future transportation revenues. The Short Range Financial Forecast includes a financial baseline that addresses LACMTA's current and known future operations, maintenance and capital financial commitment under a set of growth assumptions. The Short Range Financial Forecast will be updated in the fall 2022 as part of the 2022 Short Range Transportation Plan, which is an action plan for the 2020 LRTP that recommends near-term implementation steps over a fifteen-year timeframe (2023 to 2037) and reflects updated sales tax revenues and cost estimates, federal stimulus funding, and new projects and programs approved by the Board.

The LRTP Financial Forecast and the Short Range Financial Forecast are the guiding policies behind funding decisions on subsequent transportation projects and programs in the County and guide the programming of funds in the federally-mandated transportation improvement program ("TIP"). The TIP includes a listing of all transportation-related projects that require federal funding or other approval by the federal transportation agencies of USDOT. The TIP also lists non-federal, "regionally significant" projects for informational and air quality modeling purposes. Major capital projects and programs that are identified in the LRTP Financial Forecast and Short Range Financial Forecast have priority for future programming of funds, subject to the funding restrictions in the Expenditure Plans and Board-adopted funding policies. While these projects and programs require further Board approval at various stages of their development, they are priorities for further planning, design, construction and the pursuit of additional funding.

The Short Range Financial Forecast includes projections of debt financing by LACMTA composed of a combination of Proposition A, Proposition C, Measure R and Measure M secured debt. The Short Range Financial Forecast updates the assumptions about debt issuance and assumes approximately $11.9 billion in new long-term debt financing from Fiscal Year 2023 through Fiscal Year 2032, not including capital grant receipt revenue debt or toll revenue debt. The Short Range Financial Forecast assumes the issuance of approximately $715.0 million of Proposition A First Tier Senior Lien Bonds, $1.3 billion of Proposition C Senior Bonds, $2.2 billion of Measure R Senior Bonds, and $7.7 billion of Measure M Senior Bonds from Fiscal Year 2023 through Fiscal Year 2032.

The LRTP, the LRTP Financial Forecast and the Short Range Financial Forecast are planning tools and therefore the timing and amount of any debt issuance is likely to change. The actual amount and timing of any debt issuance depends on a number of factors including the actual scope, timing and cost of transportation projects, the ability to obtain funding from other sources and the amount of Proposition A, Proposition C, Measure R and Measure M Sales Tax revenues available to fund the projects in the LRTP Financial Forecast and the Short Range Financial Forecast.

**Transit Projects**

LACMTA has several major transit projects in planning and under construction, including the Crenshaw/LAX Transit Project, the Regional Connector, the Metro D Line Westside Extension and the Metro L Line Foothill Extension. These projects currently have a total budget of approximately [$12.9 billion]. The costs of the projects are expected to be paid from Proposition A Sales Tax revenues (including the proceeds of Proposition A secured debt), Proposition C Sales Tax revenues (including the proceeds of Proposition C secured debt), Measure R Sales Tax revenues (including the proceeds of Measure R secured debt), Measure M Sales Tax revenues (including the proceeds of Measure M secured debt), other local sources, and federal and State sources, as applicable.

***Crenshaw/LAX Transit Project.*** The Crenshaw/LAX Transit Project is a north/south corridor that serves the cities of Los Angeles, Inglewood, Hawthorne and El Segundo as well as portions of unincorporated Los Angeles County. The line extends 8.5 miles, from the intersection of Crenshaw and Exposition Boulevards to a connection with the Metro C Line at the Aviation/LAX Station. The total project budget is currently $2.15 billion. The costs of the project are expected to be paid from Measure R Sales Tax revenues, Proposition A Sales Tax revenues, Proposition C Sales Tax revenues, other local sources, and federal and State sources.

***Regional Connector Transit Corridor Project***. The Regional Connector is a 1.9-mile light rail line with three underground stations in downtown Los Angeles. The Project will provide a direct connection from the 7th/Metro Center Station to the existing Metro L Line tracks to the north and east of 1st and Alameda. This connection will provide through service between the Metro A Line, Metro L Line and Metro E Line corridors. The total project budget is currently $1.82 billion. LACMTA has been awarded federal grants totaling $751.0 million for the Regional Connector project. The remaining project costs are expected to be paid from Measure R Sales Tax revenues and federal, State and local sources.

***Metro D Line Westside Extension***. The Metro D Line Westside Extension (the "Metro D Line Extension") is an extension of the Metro D Line from its current terminus at Wilshire/Western to the westside of Los Angeles. The Board has certified the Final Environmental Impact Report and has adopted the project definition for the nine-mile Metro D Line Extension. The Metro D Line Extension is being constructed in three sections.

Section 1 of the Metro D Line Extension is currently under construction and extends the existing Metro D Line by 3.92 miles beginning at the Wilshire/Western Station to the City of Beverly Hills and adds three stations, at Wilshire/La Brea, Wilshire/Fairfax and the Phase 1 terminus at Wilshire/La Cienega. The total budget for Section 1 of the Metro D Line Extension is $2.94 billion, excluding finance charges and unallocated contingency. LACMTA has been awarded a $1.25 billion federal grant for Section 1 of the Metro D Line Extension. The remaining project costs for Section 1 are expected to paid from Measure R Sales Tax revenues, State sources and other local sources.

Section 2 of the Metro D Line Extension is currently under construction and extends the Metro D Line by 2.59 miles beginning at the future Section 1 Wilshire/La Cienega Station to Century City and adds two new stations, at Wilshire/Rodeo and the Phase 2 terminus at Century City/Constellation. The total budget for Section 2 of the Metro D Line Extension is $2.32 billion, excluding finance charges and unallocated contingency. LACMTA has been awarded a $1.187 billion federal grant for Section 2 of the Metro D Line Extension. The remaining project costs for Section 2 are expected to be paid from Measure R Sales Tax revenues, other Federal sources, and State sources.

Section 3 of the Metro D Line Extension is currently under construction and extends the Metro D Line by 2.56 miles beginning at the future Section 2 Century City/Constellation Station to the Westwood

VA Hospital and adds two new stations at Westwood/UCLA and the Phase 3 terminus at Westwood/VA Hospital. The budget for Section 3 of the Metro D Line Extension is $2.96 billion, excluding finance charges and unallocated contingency. LACMTA has been awarded a $1.3 billion federal grant for Section 3 of the Metro D Line Extension. The remaining project costs for Section 3 are expected to be paid from Measure R and Measure M Sales Tax Revenues, other Federal sources, State sources, and other local sources.

***Metro L Line Foothill Extension.*** The Metro L Line Phase 2B Project proposed extending the Metro L Line east from Azusa to Claremont, and potentially extending the line to Montclair. However, the project is now expected to build out to an interim terminus at Pomona. LACMTA is working with the Gold Line Foothill Extension Construction Authority ("GLFECA"), an independent transportation planning and construction agency created in 1999 and tasked with designing and constructing the line. Once built, LACMTA will operate it in conjunction with existing LACMTA rail services. The total project budget for the extension to Claremont is $1.4 billion. Project costs are expected to be paid primarily from Measure M Sales Tax Revenues and State sources. LACMTA staff is working with the GLFECA to seek funding to extend the project to Claremont. LACMTA will also coordinate with the GLFECA and San Bernardino County to support their development of an option to Montclair.

## LABOR RELATIONS

### General

As of May 1, 2022, LACMTA had approximately 9,274 employees, of which approximately 84% are covered by labor agreements. Full and part-time LACMTA bus and train operators are represented by the Sheet Metal, Air, Rail, Transportation, Transportation Division (formerly United Transportation Union) ("SMART-TD"); LACMTA mechanics and service attendants are members of the Amalgamated Transit Union ("ATU"); LACMTA clerks are members of the Transportation Communications Union ("TCU"); bus and rail transportation and maintenance supervisors are members of the American Federation of State County and Municipal Employees ("AFSCME"); and LACMTA security guards are members of the Teamsters Union. The following table summarizes the number of employees covered by the labor agreements of LACMTA with each of its employee bargaining units as of May 1, 2022 and the current expiration dates of the labor agreements. In July 2017, LACMTA signed five new contracts with its labor unions, the longest contracts in LACMTA's history. Most of these contracts provide for annual salary increases of 4.2% over the five-year life of the contracts.

| Employee Bargaining Unit | Number of Employees | Contract Expiration Date[1] |
|---|---|---|
| Sheet Metal, Air, Rail and Transportation Division | 3,770 | 06/30/22 |
| Amalgamated Transit Union | 2,333 | 06/30/22 |
| Transportation Communications Union | 864 | 06/30/22 |
| Am. Fed. of State, County and Municipal Employees | 791 | 06/30/22 |
| Teamsters Union | 142 | 06/30/22 |

[1] LACMTA is currently negotiating new collective bargaining agreements with all five employee bargaining units. Expiring labor agreements will remain in effect until new agreements are approved and executed.

### Defined Benefit Pension Plan

LACMTA has a single-employer public employee retirement system that includes five defined benefit plans (the "Plans") that cover substantially all employees (except PTSC employees) and provides

retirement, disability, and death benefits. The benefit provisions and all other requirements are established by State statute, ordinance, collective bargaining agreements or Board actions. Four of the Plans are restricted to specific union members, while the fifth provides benefits to non-represented employees and to members of the Teamsters Union. In addition, LACMTA provides pension benefits to most PTSC employees through a defined benefit plan administered by the California Public Employees' Retirement System ("PERS"), a multiple-employer pension system. PERS provides retirement and disability benefits, annual cost-of-living adjustments and death benefits to plan members and beneficiaries. For a description of these defined benefit plans and LACMTA's obligations to make contributions to these plans, see "Note III—DETAILED NOTES ON ALL FUNDS—I. Employees' Retirement Plans" in the Notes to the Financial Statements and related Required Supplementary Schedules in "APPENDIX B—LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2021."

### Other Post-Employment Benefits

LACMTA provides post-employment health care and life insurance benefits for retired employees and their families. Pursuant to Governmental Accounting Standards Board Pronouncement No. 74 and No. 75, "Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans" and "Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions" respectively, LACMTA is required to account for its expenses and a portion of the present value of future expenses related to these benefits. For a description of these benefits, LACMTA's obligations to account for certain projected future costs of these benefits and other matters regarding these benefits, see "Note III—DETAILED NOTES ON ALL FUNDS—J. Other Postemployment Benefits (OPEB)" in the Notes to the Financial Statements and the related Required Supplementary Schedules in "APPENDIX B—LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2022."

## OUTSTANDING DEBT

### General

In addition to obligations issued by LACMTA that are secured by Proposition C Sales Tax, LACMTA has issued debt secured by the Proposition A Sales Tax, the Measure R Sales Tax, and other revenues of LACMTA, and may issue additional obligations so secured upon satisfaction of certain additional bonds tests in the applicable trust agreements providing for the issuance of such debt. The Series 2022-A Bonds are secured by and payable from the Proposition C Sales Tax, and are not secured by or payable from the Measure M Sales Tax, the Measure R Sales Tax, the Proposition A Sales Tax or any other revenues of LACMTA. See "FUTURE TRANSPORTATION IMPROVEMENTS—Capital Planning" above. See "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS" in the front part of this Official Statement for a discussion of obligations secured by the Proposition C Sales Tax.

### Debt and Interest Rate Swap Policies

In April 2021, the Board approved an updated Debt Policy for LACMTA (the "Debt Policy"). The Debt Policy sets forth guidelines for the issuance and management of LACMTA's debt. Among other things, the Debt Policy sets forth allowable uses of debt and debt policy maximums. It requires LACMTA to develop a capital improvement plan which includes the capital projects LACMTA plans to undertake in future years. The Debt Policy also sets forth guidance on the type of debt that may be incurred by LACMTA (e.g., long-term versus short-term), the source of payment for such debt, and other factors to be considered when incurring debt.

In April 2015, the Board approved an updated Interest Rate Swap Policy for LACMTA (the "Swap Policy"). The Swap Policy includes guidelines to be used by LACMTA when entering into interest rate swaps and management practices that address the special risks associated with interest rate swaps. The Swap Policy requires that LACMTA evaluate the risks, on an ongoing basis, of existing interest rate swaps. As of the date of this Official Statement, LACMTA has no interest rate swaps.

**Proposition A Sales Tax Obligations**

***General***. Obligations of LACMTA payable from the Proposition A Sales Tax consist of sales tax revenue bonds, commercial paper notes and other agreements. LACMTA has three priority levels of obligations for Proposition A Sales Tax revenues: its First Tier Senior Lien Bonds, its Second Tier Obligations (there are no Second Tier Obligations outstanding) and its Third Tier Obligations (which include the Proposition A Commercial Paper Notes). LACMTA has incurred other obligations which are secured by certain "remaining" Proposition A Sales Tax cash receipts.

***Proposition A First Tier Senior Lien Bonds***. LACMTA had the following Proposition A First Tier Senior Lien Bonds outstanding as of May 1, 2022. The Proposition A First Tier Senior Lien Bonds are payable from, and secured by a prior first lien on, Proposition A Sales Tax revenue.

**Los Angeles County Metropolitan Transportation Authority**
**Proposition A First Tier Senior Sales Tax Revenue Bonds**
**(Outstanding as of May 1, 2022)**

| Proposition A First Tier Senior Sales Tax Revenue Bonds | Outstanding Principal Amount |
|---|---|
| Senior Sales Tax Revenue Refunding Bonds, Series 2019-A | $ 40,740,000 |
| Senior Sales Tax Revenue Refunding Bonds, Series 2018-A | 11,515,000 |
| Senior Sales Tax Revenue Bonds, Series 2017-A (Green Bonds) | 471,395,000 |
| Senior Sales Tax Revenue Refunding Bonds, Series 2017-B | 85,455,000 |
| Senior Sales Tax Revenue Refunding Bonds, Series 2016-A | 119,190,000 |
| Senior Sales Tax Revenue Refunding Bonds, Series 2015-A | 19,435,000 |
| Senior Sales Tax Revenue Refunding Bonds, Series 2014-A | 99,515,000 |
| Total | $847,245,000 |

Source: LACMTA.

***Proposition A Second Tier Obligations***. There are no Proposition A Second Tier Obligations outstanding, nor are any additional Second Tier Obligations currently expected to be issued.

***Proposition A Third Tier Obligations***. LACMTA is authorized to issue and have outstanding, at any one time, up to $350,000,000 aggregate principal amount of its Proposition A commercial paper notes (the "Proposition A Commercial Paper Notes"). As of May 1, 2022, $97.5 million aggregate principal amount of Proposition A Commercial Paper Notes were outstanding.

The Proposition A Commercial Paper Notes can only be issued and outstanding if they are supported by a letter of credit. The Proposition A Commercial Paper Notes are currently supported by a letter of credit (the "Proposition A CP Letter of Credit") issued by Barclays Bank PLC. The following table sets forth certain terms of the current Proposition A CP Letter of Credit.

**Proposition A CP Letter of Credit[1]**

| Letter of Credit Provider | Amount of Letter of Credit | Issuance Date | Expiration Date |
|---|---|---|---|
| Barclays Bank PLC | $199,999,988[2] | April 25, 2019 | July 22, 2022 |

[1] On or about June 1, 2022, LACMTA expects to replace the letter of credit currently provided by Barclays Bank PLC with a letter of credit to be provided by Bank of America, N.A. The letter of credit to be provided by Bank of America, N.A. will support $150,000,000 of principal of and $13,500,000 of interest on the Proposition A Commercial Paper Notes, and will have an expiration date of [June 1, 2025].

[2] Supports $183,694,000 of principal of and $16,305,988 of interest on the Proposition A Commercial Paper Notes.

Source: LACMTA

The Proposition A Commercial Paper Notes and the reimbursement obligations with respect to the Proposition A CP Letter of Credit constitute "Proposition A Third Tier Obligations," and are payable from Proposition A Sales Tax revenues on a subordinate basis to the Proposition A First Tier Senior Lien Bonds and Proposition A Second Tier Obligations, if any.

**Measure R Sales Tax Obligations**

***General***. LACMTA has three priority levels of obligations secured by the Measure R Sales Tax: the senior lien (which currently secures its Measure R Senior Sales Tax Revenue Bonds), the subordinate lien (which currently secures its Measure R Subordinate Obligations), and the junior subordinate lien (which currently secures its Measure R Junior Subordinate Obligations).

***Measure R Senior Sales Tax Revenue Bonds***. LACMTA had the following Measure R Senior Sales Tax Revenue Bonds outstanding as of May 1, 2022. The Measure R Senior Sales Tax Revenue Bonds are payable from, and secured by a prior first lien on, Measure R Sales Tax revenue.

**Los Angeles County Metropolitan Transportation Authority**
**Measure R Senior Sales Tax Revenue Bonds**
**(Outstanding as of May 1, 2022)**

| Measure R Senior Sales Tax Revenue Bonds | Outstanding Principal Amount |
|---|---|
| Senior Sales Tax Revenue Bonds, Series 2021-A | $ 514,500,000 |
| Senior Sales Tax Revenue Bonds, Series 2016-A | 455,520,000 |
| Senior Sales Tax Revenue Bonds, Series 2010-A | 552,030,000 |
| Total | $1,522,050,000 |

Source: LACMTA.

***Measure R Subordinate Obligations***. On May 28, 2015, LACMTA received authorization to establish a short-term borrowing program (the "Measure R Short-Term Borrowing Program") secured by the Measure R Sales Tax and in an aggregate principal amount not to exceed $300,000,000. The obligations issued under the Measure R Short-Term Borrowing program are payable from the Measure R Sales Tax revenues on a subordinate basis to the Measure R Senior Sales Tax Revenue Bonds but senior to the Junior

Subordinate Obligations. Currently, the obligations issued under the Measure R Short-Term Borrowing Program are in the form of commercial paper notes (the "Measure R Commercial Paper Notes"). As of May 1, 2022, there were no Measure R Commercial Paper Notes outstanding.

The Measure R Commercial Paper Notes can only be issued and outstanding if they are supported by a letter of credit. The Measure R Commercial Paper Notes are supported by two letters of credit (collectively, the "Measure R CP Letters of Credit") issued by Bank of America, N.A., and State Street Bank and Trust Company. LACMTA's reimbursement obligations with respect to the Measure R CP Letters of Credit are payable from Measure R Sales Tax revenues on parity with the Measure R Commercial Paper Notes and on a subordinate basis to the Measure R Senior Bonds. The following table sets forth certain terms of the Measure R CP Letters of Credit.

**Measure R CP Letter of Credit**

| Letter of Credit Provider | Amount of Letter of Credit | Issuance Date | Expiration Date |
|---|---|---|---|
| Bank of America, N.A. | $ 97,989,042[1] | October 28, 2020 | October 27, 2022 |
| State Street Bank and Trust Company | 108,876,713[2] | October 28, 2020 | October 27, 2022 |

[1] Supports $90,000,000 of principal and $7,989,042 of interest.
[2] Supports $100,000,000 of principal and $8,876,713 of interest.
Source: LACMTA

The Measure R Commercial Paper Notes and the reimbursement obligations with respect to the Measure R CP Letters of Credit constitute "Measure R Subordinate Obligations," and are payable from Measure R Sales Tax revenues on a subordinate basis to the Measure R Senior Sales Tax Revenue Bonds.

***Measure R Junior Subordinate Obligations and Other Obligations***. On August 27, 2020, LACMTA issued $1,356,095,000 aggregate principal amount of its Measure R Junior Subordinate Sales Tax Revenue Refunding Bonds, Series 2020-A (Green Bonds) (the "Series 2020 Measure R Junior Subordinate Bonds") to repay and retire its obligations under four Transportation Infrastructure Finance and Innovation Act loan agreements and to finance certain rail projects. As of May 1, 2022, LACMTA had $1,356,095,000 aggregate principal amount of the Series 2020 Measure R Junior Subordinate Bonds outstanding. The Series 2020 Measure R Junior Subordinate Bonds are payable from the Measure R Sales Tax revenues on a subordinate basis to the Measure R Senior Sales Tax Revenue Bonds and the Measure R Subordinate Obligations.

In addition, LACMTA has the ability to incur other obligations (the "Other Measure R Obligations") which are secured by the Measure R Sales tax that remain after the payment of its senior lien obligations (which currently secures its Measure R Senior Bonds), the subordinate lien (which currently secures its Measure R Subordinate Obligations), and the junior subordinate lien (which currently secures its Series 2020 Measure R Junior Subordinate Bonds). As of May 1, 2022, LACMTA did not have any Other Measure R Obligations outstanding.

**Measure M Sales Tax Obligations**

LACMTA has not issued any debt secured by the Measure M Sales Tax. However, LACMTA anticipates issuing such debt in the future. The Short Range Financial Forecast assumes the issuance of approximately $7.7 billion of Measure M Senior Bonds through Fiscal Year 2032.

## INVESTMENT POLICY

### General

Certain features of LACMTA's Investment Policy are summarized in "Note III—DETAILED NOTES ON ALL FUNDS—A. Cash and Investments" in the Notes to the Financial Statements in "APPENDIX B—LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2021."

### Investment Balances

As of March 31, 2022 (based on unaudited financial information), LACMTA had approximately $736 million in market value deposited in non-discretionary bond proceeds and debt service trust accounts, primarily invested in U.S. Treasury securities, Federal Agencies, money market funds, forward purchase agreements. LACMTA had approximately $3.1 billion in additional non-discretionary trust accounts, primarily for pension and OPEB.

Additionally, as of March 31, 2022, LACMTA had approximately $3.3 billion (book value) deposited in discretionary/operating accounts. Such discretionary/operating accounts were invested in the investments summarized in the following table:

| Discretionary/Operating Accounts Investments | Percentage of Total Book Value as of March 31, 2022 |
|---|---|
| Local Agency Investment Fund | 6.9% |
| Bank Deposits | 6.9 |
| Subtotal* | 13.8% |
| Managed Investments | |
| U.S. Treasuries | 28.1% |
| Commercial Paper | 14.4 |
| Money Market Funds | 14.2 |
| Federal Agencies | 11.9 |
| Corporate Notes | 10.8 |
| Municipal securities | 3.0 |
| Asset Backed Securities | 2.3 |
| Medium Term Notes | 1.1 |
| Certificates of Deposit | 0.3 |
| Subtotal Managed Investments* | 86.2% |
| Total Cash and Investments* | 100.0% |

* Numbers may not add due to rounding.
Source: LACMTA

As of March 31, 2022, the liquid reserve of the discretionary accounts, which totaled approximately $1.6 billion in market value, was managed internally by LACMTA and had an average maturity of 57 days.

Moneys released to LACMTA pursuant to the Agreement, including moneys in the discretionary/operating accounts, do not secure the Senior Bonds and LACMTA is not obligated to use such

amounts to pay debt service on the Senior Bonds. See "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS—Flow of Funds."

Additional information regarding LACMTA's investments are included in "Note III—DETAILED NOTES ON ALL FUNDS—A. Cash and Investments" in the Notes to the Financial Statements in "APPENDIX B—LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2021."

## LITIGATION

### Sales Tax Litigation

On April 30, 1982, the California Supreme Court, in *Los Angeles County Transportation Commission v. Richmond*, upheld the constitutionality of the Proposition A Sales Tax. On March 3, 1992, the California Court of Appeal, in *Vernon v. State Board of Equalization*, upheld the validity of the Proposition C Sales Tax.

On September 28, 1995, the California Supreme Court affirmed the California Court of Appeal's ruling in *Santa Clara County Local Transportation Authority v. Guardino*, which invalidated a half cent sales tax by the Santa Clara County Local Transportation Authority. LACMTA does not believe such decision has any effect on the validity of LACMTA's Proposition C Sales Tax.

### Other Litigation

In addition to the matters described herein, various other claims have been asserted against LACMTA. To the knowledge of LACMTA, none of such pending claims will materially and adversely affect LACMTA's ability to pay the principal of and interest on any of its debt obligations.

## [CALIFORNIA PUBLIC EMPLOYEES' PENSION REFORM ACT OF 2013]

[Update to come]

In 2012, the State Legislature adopted and the Governor signed into law the Public Employees' Pension Reform Act of 2013, Cal. Gov't Code §7522, et seq. ("PEPRA"), which limits pension benefits and increases the retirement age for public employees, requires public employees hired after December 31, 2012 to pay for half of their pension costs, and stops abusive pension practices. Following enactment of PEPRA, several unions representing public transit employees in the State (including employees of LACMTA) asserted to the U.S. Department of Labor ("USDOL") that PEPRA was inconsistent with collective bargaining rights that are protected under Section 13(c) of the Federal Transit Act. Section 13(c) requires the preservation of employees' bargained for rights and continuation of these rights. Before a local government agency receives federal funds for a particular transit system, USDOL must certify that employees' bargained for rights are preserved and their collective bargaining rights continue.

Soon after PEPRA's passage, USDOL refused to certify federal grants to California transit agencies, including LACMTA, based on union objections that PEPRA violated Section 13(c) protections. On behalf of two affected transit agencies, the State successfully challenged USDOL's decisions under the Administrative Procedure Act in federal court in 2013, and the court remanded the matter to USDOL for reconsideration. The State had enacted a temporary suspension of PEPRA while the litigation was in process. The temporary suspension allowed federal funds to flow during that period but ended on December 30, 2014 with the court's ruling. In 2015, USDOL on remand again refused to certify the Federal

Transportation Administration ("FTA") grants at issue. Again the State sought relief in federal court. Meanwhile, USDOL began certifying the FTA grants to LACMTA later in 2015 subject to new certification provisions requiring grantees to restore pre-PEPRA pension benefits or refund the amount of the grants received since January 1, 2015 in the event USDOL's decisions were ultimately upheld by the court.

On January 24, 2018, the court resolved the dispute in favor of the State and enjoined USDOL from relying on PEPRA to deny transit funding to the two transit agencies whose federal grants were at issue in the litigation. However, the court declined the State's request to enjoin USDOL from using PEPRA to deny Section 13(c) certification to *any other* California transit agency grantee. On March 8, 2019, USDOL represented to the court in a joint status report that it fully intends to comply with the court's order.

In April 2019, a union representing LACMTA employees objected to certification of a $2.5 million grant on the basis that PEPRA precludes LACMTA from continuing collective bargaining rights as required by Section 13(c). In light of the court's decisions, USDOL reexamined its earlier determinations denying certification of FTA grants to LACMTA because of PEPRA's impact on transit employees. Based on that reexamination, USDOL concluded on June 14, 2019 that PEPRA does not present a bar to certification under Section 13(c).

On August 22, 2019, the union whose objections were rejected by USDOL brought an action against USDOL in the U.S. District Court, District of Columbia, contending that the issuance of grant certifications to California transit agencies, over the union's objections is contrary to law and in excess of USDOL's statutory authority because PEPRA diminishes the collective bargaining rights of California transit employees. The State intervened and asked the court to transfer the case to the U.S. District Court for the Eastern District of California, where the prior proceedings concerning USDOL's authority to issue grant certifications in light of PEPRA have taken place. The court granted the State's motion and transferred the case to the Eastern District of California where it is currently pending trial. Cross-motions for summary judgment have been filed by the parties and a hearing with respect to such motions was scheduled for May 28, 2021. On May 19, 2021, the court (a) granted USDOL a short stay to permit it to reach a final decision about whether to reconsider its decision to grant certification to California transit agencies or request a remand, and (b) rescheduled the hearing with respect to the cross-motions for summary judgment to August 27, 2021.

FTA grants are a significant source of funding for LACMTA. [LACMTA expects to apply for an additional $869.0 million of FTA grants through December 2021.] Assuming the court in the Eastern District of California reaffirms and adheres to its earlier determination that the application of PEPRA to transit employee pension plans does not preclude certification of FTA grants under Section 13(c), LACMTA expects to receive these grants. However, it is possible, though unlikely, that USDOL and/or the court may reverse their most recent determinations, in which case LACMTA may have to potentially delay or cancel projects or use alternate funding sources for projects, possibly including additional Senior Bonds or Senior Parity Obligations. Senior Bonds and Senior Parity Obligations may be issued only if the additional bonds tests described under "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS—Measure R Sales Tax Obligations—*Senior Obligations*" in the front part of this Official Statement are satisfied.

LACMTA's collection of Proposition C Sales Tax revenues to pay debt service on the Senior Bonds, including the Series 2022-A Bonds, is not affected by the receipt of FTA grants.

# APPENDIX B

## LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
## COMPREHENSIVE ANNUAL FINANCIAL REPORT
## FOR THE FISCAL YEAR ENDED JUNE 30, 2021

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## APPENDIX C

## LOS ANGELES COUNTY ECONOMIC AND DEMOGRAPHIC INFORMATION

The Proposition C Sales Tax derives from a retail transaction and use tax applicable to all taxable sales throughout Los Angeles County. As such, sales tax revenues reflect a number of economic factors that influence taxable transactions, including population, employment and income. Some of those factors are described below.

The economic and demographic information provided below has been collected from sources that LACMTA considers to be reliable. Because it is difficult to obtain timely economic and demographic information, the economic condition of Los Angeles County may not be fully apparent in all of the publicly available local and regional economic statistics provided herein. In particular, the economic statistics provided herein may not fully capture the impact of current economic conditions. The information in this Appendix is historic in nature and generally predates the COVID-19 pandemic. It is not possible to predict whether the trends shown below will continue in the future. See "INTRODUCTION—Impact of Global COVID-19 Outbreak" in the front part of this Official Statement.

### Los Angeles County

As of January 1, 2022, the County had an estimated population of 9.9 million. Los Angeles County is the largest County in the country by population, and includes over a quarter of the State of California's (the "State") population. The County covers 4,084 square miles, and includes 88 incorporated cities, with approximately 8.9 million residents, as well as unincorporated communities with approximately one million residents.

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## Population

The table below summarizes the populations of the County and State, estimated as of January 1 of each year, except for the years 2000 and 2010 which are reported as of April 1 of such years. The population estimates for 2010 and later incorporate 2010 Census counts as the benchmark.

**Table C-1**
**COUNTY AND STATE POPULATION STATISTICS**

| | County of Los Angeles | Annual Growth Rate[1] | State of California | Annual Growth Rate[1] |
|---|---|---|---|---|
| 2000 | 9,519,330 | – | 33,873,086 | – |
| 2010 | 9,818,605 | 0.00% | 37,253,956 | 0.76% |
| | | | | |
| 2013 | 10,025,721 | – | 38,269,864 | – |
| 2014 | 10,078,942 | 0.53% | 38,556,731 | 0.75% |
| 2015 | 10,124,800 | 0.47 | 38,865,532 | 0.81 |
| 2016 | 10,150,386 | 0.31 | 39,103,587 | 0.67 |
| 2017 | 10,181,162 | 0.35 | 39,352,398 | 0.68 |
| 2018 | 10,192,593 | 0.16 | 39,519,535 | 0.48 |
| 2019 | 10,163,139 | (0.25) | 39,605,361 | 0.27 |
| 2020 | 10,135,614 | (0.11) | 39,648,938 | 0.22 |
| 2021 | 9,931,338 | (2.00) | 39,303,157 | (0.90) |
| 2022 | 9,861,224 | (0.70) | 39,185,605 | (0.30) |

[1] For five-year time series, figures represent average annual growth rate for each of the five years.
Source: Census Counts, Sacramento, California - 2000 and 2010. State of California, Department of Finance, E-4 Population Estimates for Cities, Counties, and the State, 2013-2022, May 2022.

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## Industry and Employment

The following table summarizes the average number of employed and unemployed residents of the County, based on the annual "benchmark," an annual revision process in which monthly labor force and payroll employment data, which are based on estimates, are updated based on detailed tax records.

The California Employment Development Department has reported final unemployment figures for 2021 of 7.3% statewide (not seasonally adjusted) and 8.9% for Los Angeles County (not seasonally adjusted). The U.S. Bureau of Labor, Department of Labor Statistics, has reported final unemployment figures for 2021 of 5.3% nationwide (not seasonally adjusted).

**Table C-2**
**ESTIMATED AVERAGE ANNUAL EMPLOYMENT AND UNEMPLOYMENT OF RESIDENT LABOR FORCE**

| | 2017 | 2018 | 2019 | 2020 | 2021 |
|---|---|---|---|---|---|
| **Civilian Labor Force** | | | | | |
| County of Los Angeles | | | | | |
| Employed | 4,864,100 | 4,885,300 | 4,926,100 | 4,355,900 | 4,548,900 |
| Unemployed | 245,700 | 235,900 | 227,000 | 613,000 | 445,200 |
| **Total** | 5,109,800 | 5,121,300 | 5,153,100 | 4,968,900 | 4,994,100 |
| **Unemployment Rates** | | | | | |
| County | 4.8% | 4.6% | 4.4% | 12.3% | 8.9% |
| State | 4.8 | 4.3 | 4.1 | 10.2 | 7.3 |
| United States | 4.4 | 3.9 | 3.7 | 8.1 | 5.3 |

Source: California Employment Development Department, Labor Market Information Division for the State and County; U.S. Bureau of Labor, Department of Labor Statistics for the U.S. Items may not add to totals due to rounding.

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The table below summarizes the California Employment Development Department's most recent estimated average annual employment for the County, which includes full-time and part-time workers who receive wages, salaries, commissions, tips, payment in kind, or piece rates. Percentages indicate the percentage of the total employment for each type of employment for the given year. For purposes of comparison, the most recent annual employment data for the State is also summarized.

**Table C-3**
**LOS ANGELES COUNTY**
**ESTIMATED 2021 INDUSTRY EMPLOYMENT[1]**

| | County | | State of California | |
|---|---|---|---|---|
| | Number of Employees | % of Total | Number of Employees | % of Total |
| Total Farm | 4,500 | 0.1% | 342,400 | 2.1% |
| Mining and Logging | 1,600 | 0.0 | 18,600 | 0.1 |
| Construction | 149,300 | 3.6 | 867,000 | 5.2 |
| Manufacturing | 311,200 | 7.4 | 1,261,000 | 7.6 |
| Trade, Transportation and Utilities | 806,500 | 19.3 | 2,982,400 | 17.9 |
| Information | 199,400 | 4.8 | 544,000 | 3.3 |
| Financial Activities | 210,000 | 5.0 | 816,700 | 4.9 |
| Professional and Business Services | 612,200 | 14.6 | 2,651,400 | 15.9 |
| Educational and Health Services | 832,700 | 19.9 | 2,786,600 | 16.8 |
| Leisure and Hospitality | 375,500 | 9.0 | 1,433,000 | 8.6 |
| Other Services | 125,100 | 3.0 | 474,000 | 2.8 |
| Government | 557,200 | 13.3 | 2,454,500 | 14.8 |
| Total[2] | 4,185,200 | 100.0% | 16,631,600 | 100.0% |

[1] The California Economic Development Department has converted employer records from the Standard Industrial Classification coding system to the North American Industry Classification System.
[2] Total may not equal sum of parts due to independent rounding.
Note: Based on surveys distributed to employers; not directly comparable to Civilian Labor Force data reported in Table C-2.
Source: California Employment Development Department, Labor Market Information Division. Based on March 2021 Benchmark report released April 15, 2022.

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## Personal Income

The U.S. Census Bureau defines personal income as the income received by all persons from all sources, and is the sum of "net earnings," rental income, dividend income, interest income, and transfer receipts. "Net earnings" is defined as wages and salaries, supplements to wages and salaries, and proprietors' income, less contributions for government social insurance, before deduction of personal income and other taxes.

The following table sets forth the estimates of personal income and per capita personal income for the County, the State and the United States for 2016 through 2020.

**Table C-4**
**COUNTY, STATE AND U.S.**
**PERSONAL INCOME[1]**

| Year and Area | Personal Income (thousands of dollars) | Per Capita Personal Income (dollars) |
|---|---|---|
| **2016** | | |
| County | $ 562,665,355 | $55,738 |
| State | 2,218,457,774 | 56,667 |
| United States | 16,092,713,000 | 49,812 |
| **2017** | | |
| County | $ 580,826,819 | $ 57,551 |
| State | 2,318,644,417 | 58,942 |
| United States | 16,845,028,000 | 51,811 |
| **2018** | | |
| County | $ 602,428,812 | $ 59,874 |
| State | 2,431,821,953 | 61,663 |
| United States | 17,681,159,000 | 54,098 |
| **2019** | | |
| County | $ 631,161,849 | $ 63,043 |
| State | 2,544,234,978 | 64,513 |
| United States | 18,402,004,000 | 64,513 |
| **2020** | | |
| County | $ 678,829,092 | $ 68,272 |
| State | 2,763,311,977 | 70,192 |
| United States | 19,607,447,000 | 59,510 |

[1] Last updated: November 16, 2021 - new statistics for 2020; revised statistics for 2016-2019. Source: U.S. Bureau of Economic Analysis, "Table CAINC1 - Personal Income Summary" (accessed March 8, 2022).

## Retail Sales

The following table sets forth taxable sales for the County for calendar years 2017 through 2021.

**Table C-5**
**COUNTY OF LOS ANGELES**
**TAXABLE SALES**
**(in thousands)**

| | 2017 | 2018 | 2019 | 2020 | 2021 |
|---|---|---|---|---|---|
| Motor Vehicle and Parts Dealers | $18,564,128 | $18,935,861 | $18,954,470 | $18,534,326 | $23,555,049 |
| Home Furnishings and Appliance Stores | 7,608,577 | 7,536,953 | 7,308,501 | 6,608,482 | 8,177,309 |
| Building Material & Garden Equipment & Supplies Dealers | 8,033,659 | 8,446,279 | 8,698,495 | 9,556,946 | 10,450,158 |
| Food and Beverage Stores | 6,922,446 | 7,106,527 | 7,255,361 | 7,650,294 | 7,861,401 |
| Gasoline Stations | 10,962,033 | 12,553,326 | 12,491,790 | 8,132,307 | 12,405,237 |
| Clothing and Clothing Accessories Stores | 11,554,711 | 12,258,410 | 12,536,982 | 9,498,705 | 13,957,944 |
| General Merchandise Stores | 12,268,162 | 12,583,909 | 12,910,844 | 12,263,784 | 14,541,309 |
| Food Services and Drinking Places | 23,199,041 | 24,016,431 | 25,097,944 | 17,006,158 | 23,577,050 |
| Other Retail Group | 15,185,803 | 15,707,358 | 17,190,290 | 24,164,972 | 24,407,441 |
| Total Retail and Food Services | 114,298,560 | 119,145,054 | 122,444,678 | 113,415,974 | 138,932,925 |
| All Other Outlets[1] | 45,981,570 | 48,878,742 | 49,868,925 | 44,322,010 | 53,340,253 |
| TOTAL ALL OUTLETS[2] | $160,280,130 | $166,023,796 | $172,313,603 | $157,737,984 | $192,273,178 |

[1] Primarily manufacturing and wholesale businesses.
[2] Items may not add to totals due to rounding.
Source: California Department of Tax and Fee Administration, Research and Statistics Division.

# APPENDIX D

## SUMMARY OF LEGAL DOCUMENTS; DEFINITIONS

# APPENDIX E

# FORM OF BOND COUNSEL APPROVING OPINION

## APPENDIX F

## FORM OF CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the "Certificate") is executed and delivered by the Los Angeles County Metropolitan Transportation Authority (the "Authority") in connection with the issuance of its $_____ Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2022-A (the "Series 2022-A Bonds") pursuant to the terms of the Agreement (as defined herein). The Authority covenants and agrees as follows:

**Section 1. Definitions.**

"*Agreement*" means, collectively, the Amended and Restated Trust Agreement, dated as of January 1, 2010, as amended, by and between the Authority and U.S. Bank Trust Company, as successor in interest to U.S. Bank National Association, as trustee (the "Trustee"), and the Thirty-Third Supplemental Trust Agreement, dated as of June 1, 2022, by and between the Authority and the Trustee.

"*Annual Information*" means the information specified in Section 4 hereof.

"*EMMA System*" means the MSRB's Electronic Municipal Market Access system or any successor nationally recognized municipal securities information repositories recognized by the Securities and Exchange Commission for the purposes referred to in Rule 15c2-12.

"*Financial Obligation*" means (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii). The term Financial Obligation shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12.

"*Holder*" means any registered owner of Series 2022-A Bonds and any beneficial owner of Series 2022-A Bonds within the meaning of Rule 13d-3 under the Securities Exchange Act of 1934, as amended.

"*Listed Events*" means any of the events listed in Section 5 hereof.

"*MSRB*" means the Municipal Securities Rulemaking Board established in accordance with the provisions of Section 15B(b)(1) of the Securities Exchange Act of 1934, as amended.

"*Official Statement*" means the Official Statement, dated _____, 2022, prepared and distributed in connection with the initial sale of the Series 2022-A Bonds.

"*Rule 15c2-12*" means Rule 15c2-12, as amended through the date of this Certificate, as promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended.

**Section 2. Purpose of the Certificate**. This Certificate is being executed and delivered by the Authority pursuant to Rule 15c2-12 for the benefit of the Holders of the Series 2022-A Bonds in order to assist the participating underwriters in complying with Rule 15c2-12.

**Section 3. Provision of Annual Information**.

(a) The Authority shall, not later than 195 days following the end of each Fiscal Year of the Authority (which Fiscal Year currently ends on June 30) (resulting in a deadline of January 11 of each year), commencing with the report for Fiscal Year ended June 30, 2022 (which is due no later than January 11, 2023), provide to the MSRB through the EMMA System, in an electronic format and accompanied by identifying information all as prescribed by the MSRB, the Annual Information relating to the immediately preceding Fiscal Year that is consistent with the requirements of Section 4 hereof, which Annual Information may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 hereof; provided that any audited financial statements may be submitted separately from the balance of the Annual Information and later than the date required above for the filing of the Annual Information if they are not available by that date. If the Fiscal Year for the Authority changes, the Authority shall give notice of such change in the same manner as for a Listed Event under Section 5(e) hereof.

(b) If in any year, the Authority does not provide the Annual Information to the MSRB by the time specified above, the Authority shall instead timely file a notice to the MSRB through the EMMA System stating that the Annual Information has not been timely completed and, if known, stating the date by which the Authority expects to file the Annual Information.

**Section 4. Content of Annual Information**. The Annual Information shall contain or incorporate by reference the following:

(a) The audited financial statements of the Authority for the prior Fiscal Year, prepared in accordance with generally accepted accounting principles as in effect from time to time and as applied to governmental units. If the Authority's audited financial statements are not available by the time the Annual Information is required to be filed pursuant to Section 3(a) hereof, the Annual Information shall contain unaudited financial statements and the audited financial statements shall be filed in the same manner as the Annual Information when they become available.

(b) Updated historical information of the type set forth in "TABLE 3—Historical Net Proposition C Sales Tax Revenues, Local Allocations, Pledged Revenues and Debt Service Coverage" of the Official Statement; and

(c) Updated information of the type set forth in "TABLE 6—Los Angeles County Metropolitan Transportation Authority, Combined Proposition C Debt Service Schedule Senior Bonds" of the Official Statement, but only the information in the column entitled "Total Debt Service" and the information under the column entitled "Combined Total Debt Service Senior Bonds" and only to the extent the information in these columns has changed.

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the Authority or related public entities, that have been submitted to the MSRB through the EMMA System.

**Section 5. Reporting of Listed Events**.

(a) The Authority shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Series 2022-A Bonds not later than ten business days after the occurrence of the event:

1. Principal and interest payment delinquencies;

2. Unscheduled draws on debt service reserves reflecting financial difficulties;

3. Unscheduled draws on credit enhancements reflecting financial difficulties;

4. Substitution of credit or liquidity providers, or their failure to perform;

5. Adverse tax opinions with respect to the tax status of the Series 2022-A Bonds or the issuance by the Internal Revenue Service of proposed or final determination of taxability or of a Notice of Proposed Issue (IRS Form 5701 TEB) with respect to the Series 2022-A Bonds;

6. Tender offers;

7. Defeasances;

8. Rating changes;

9. Bankruptcy, insolvency, receivership or similar event of the Authority; or

   Note: For the purposes of the event identified in subparagraph (a)(9), the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Authority in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Authority, or if such jurisdiction has been assumed by leaving the existing governmental body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Authority.

10. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the Authority, any of which reflect financial difficulties.

(b) The Authority shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Series 2022-A Bonds, if material, not later than ten business days after the occurrence of the event:

1. Unless described in paragraph 5(a)(5), adverse tax opinions or other material notices or determinations by the Internal Revenue Service with respect to the tax status of the Series 2022-A Bonds or other material events affecting the tax status of the Series 2022-A Bonds;

2. Modifications to rights of the Owners of the Series 2022-A Bonds;

3. Optional, unscheduled or contingent bond calls;

4. Release, substitution or sale of property securing repayment of the Series 2022-A Bonds;

5. Non-payment related defaults;

6. The consummation of a merger, consolidation, or acquisition involving the Authority or the sale of all or substantially all of the assets of the Authority, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms;

7. Appointment of a successor or additional trustee or the change of name of a trustee; or

8. Incurrence of a Financial Obligation of the Authority, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the Authority, any of which affect security holders.

(c) The Authority shall give, or cause to be given, in a timely manner, notice of a failure to provide the annual financial information on or before the date specified in Section 3(a) hereof, as provided in Section 3 hereof.

(d) Whenever the Authority obtains knowledge of the occurrence of a Listed Event described in Section 5(b) hereof, the Authority shall determine if such event would be material under applicable federal securities laws.

(e) If the Authority learns of an occurrence of a Listed Event described in Section 5(a) hereof, or determines that knowledge of a Listed Event described in Section 5(b) hereof would be material under applicable federal securities laws, the Authority shall within ten business days of occurrence file a notice of such occurrence with the MSRB through the EMMA System in electronic format, accompanied by such identifying information as is prescribed by the MSRB. Notwithstanding the foregoing, notice of the Listed Event described in subsections (a)(7) or (b)(3) need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to Holders of affected Series 2022-A Bonds pursuant to the Agreement.

**Section 6. Remedies**. If the Authority shall fail to comply with any provision of this Certificate, then any Holder may enforce, for the equal benefit and protection of all Holders similarly situated, by mandamus or other suit or proceeding in law or in equity, this Certificate against the Authority and any of the officers, agents and employees of the Authority, and may compel the Authority or any such officers, agents or employees to perform and carry out their duties under this Certificate; provided that the sole and exclusive remedy for breach of this Certificate shall be an action to compel specific performance of the obligations of the Authority hereunder and no person or entity shall be entitled to recover monetary damages hereunder under any circumstances, and, provided further, that any challenge to the adequacy of any information provided pursuant to Section 4 or 5 hereof may be brought only by the Holders of 25% in aggregate principal amount of the Series 2022-A Bonds at the time outstanding. A failure by the Authority to comply with the provisions of this Certificate shall not constitute an Event of Default under the Agreement.

**Section 7. Parties in Interest**. This Certificate is executed and delivered solely for the benefit of the Holders. No other person shall have any right to enforce the provisions hereof or any other rights hereunder.

**Section 8. Amendment**. Without the consent of any Holders of Series 2022-A Bonds, the Authority at any time and from time to time may enter into any amendments or changes to this Certificate for any of the following purposes:

(a) to comply with or conform to any changes in Rule 15c2-12 or any authoritative interpretations thereof by the Securities and Exchange Commission or its staff (whether required or optional);

(b) to add a dissemination agent for the information required to be provided hereby and to make any necessary or desirable provisions with respect thereto;

(c) to evidence the succession of another person to the Authority and the assumption by any such successor of the covenants of the Authority hereunder;

(d) to add to the covenants of the Authority for the benefit of the Holders, or to surrender any right or power herein conferred upon the Authority; or

(e) to modify the contents, presentation and format of the Annual Information from time to time as a result of a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of the Authority, or type of business conducted; provided that (i) the certificate, as amended, would have complied with the requirements of Rule 15c2-12 at the time of the offering of the Series 2022-A Bonds, after taking into account any amendments or authoritative interpretations of the Rule, as well as any change in circumstances; and (ii) the amendment or change does not materially impair the interests of Holders, as determined either by a party unaffiliated with the Authority (such as bond counsel), or by the vote or consent of Holders of a majority in outstanding principal amount of the Series 2022-A Bonds on or prior to the time of such amendment or change.

**Section 9. Termination of Obligation**. This Certificate shall remain in full force and effect until such time as all principal of and interest on the Series 2022-A Bonds shall have been paid in full or legally defeased pursuant to the Agreement. Upon any such legal defeasance, the Authority shall provide notice of such defeasance to the EMMA System. Such notice shall state whether the Series 2022-A Bonds have been defeased to maturity or to redemption and the timing of such maturity or redemption.

**Section 10. Governing Law**. THIS CERTIFICATE SHALL BE GOVERNED BY THE LAWS OF CALIFORNIA DETERMINED WITHOUT REGARD TO PRINCIPLES OF CONFLICT OF LAW.

IN WITNESS WHEREOF, the undersigned has executed this Continuing Disclosure Certificate this [•] day of June, 2022.

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

By: _____
Name _____
Title _____

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## APPENDIX G

## BOOK-ENTRY-ONLY SYSTEM

### Introduction

*Unless otherwise noted, the information contained under the subcaption "—General" below has been provided by DTC. LACMTA makes no representations as to the accuracy or completeness of such information. Further, LACMTA undertakes no responsibility for and makes no representations as to the accuracy or the completeness of the content of such material contained on DTC's websites as described under "—General," including, but not limited to, updates of such information or links to other Internet sites accessed through the aforementioned websites. The beneficial owners of the Series 2022-A Bonds should confirm the following information with DTC, the Direct Participants or the Indirect Participants.*

NEITHER LACMTA NOR THE TRUSTEE WILL HAVE ANY RESPONSIBILITY OR OBLIGATION TO DIRECT PARTICIPANTS, TO INDIRECT PARTICIPANTS OR TO ANY BENEFICIAL OWNER WITH RESPECT TO (A) THE ACCURACY OF ANY RECORDS MAINTAINED BY DTC, ANY DIRECT PARTICIPANT OR ANY INDIRECT PARTICIPANT; (B) ANY NOTICE THAT IS PERMITTED OR REQUIRED TO BE GIVEN TO THE OWNERS OF THE SERIES 2022-A BONDS UNDER THE AGREEMENT; (C) THE SELECTION BY DTC OR ANY DIRECT PARTICIPANT OR INDIRECT PARTICIPANT OF ANY PERSON TO RECEIVE PAYMENT IN THE EVENT OF A PARTIAL REDEMPTION OF THE SERIES 2022-A BONDS; (D) THE PAYMENT BY DTC OR ANY DIRECT PARTICIPANT OR INDIRECT PARTICIPANT OF ANY AMOUNT TO THE OWNERS OF THE SERIES 2022-A BONDS; (E) ANY CONSENT GIVEN OR OTHER ACTION TAKEN BY DTC AS THE OWNER OF SERIES 2022-A BONDS; OR (F) ANY OTHER MATTER REGARDING DTC.

### General

The Depository Trust Company ("DTC"), New York, New York, will act as securities depository for the Series 2022-A Bonds. The Series 2022-A Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully registered Bond certificate will be issued for each maturity of the Series 2022-A Bonds, each in the aggregate principal amount of such maturity, and will be deposited with DTC or held by the Trustee.

DTC, the world's largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others

such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has a Standard & Poor's rating of "AA+." The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

Purchases of the Series 2022-A Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Series 2022-A Bonds on DTC's records. The ownership interest of each actual purchaser of each Series 2022-A Bond ("Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Series 2022-A Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in the Series 2022-A Bonds, except in the event that use of the book-entry system for the Series 2022-A Bonds is discontinued.

To facilitate subsequent transfers, all Series 2022-A Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of the Series 2022-A Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Series 2022-A Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such Series 2022-A Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of Series 2022-A Bonds may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Series 2022-A Bonds, such as redemptions, tenders, defaults and proposed amendments to the Series 2022-A Bond documents. For example, Beneficial Owners of Series 2022-A Bonds may wish to ascertain that the nominee holding the Series 2022-A Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the registrar and request that copies of the notices be provided directly to them.

While the Series 2022-A Bonds are in the book-entry-only system, redemption notices will be sent to DTC. If less than all of the Series 2022-A Bonds within a maturity are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such maturity to be redeemed.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the Series 2022-A Bonds unless authorized by a Direct Participant in accordance with DTC's MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to LACMTA as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts the Series 2022-A Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Principal of and interest payments on the Series 2022-A Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to

credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from LACMTA or the Trustee, on payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, LACMTA, or the Trustee, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of principal and interest to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of LACMTA or the Trustee, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the Series 2022-A Bonds at any time by giving reasonable notice to LACMTA or the Trustee. Under such circumstances, in the event that a successor depository is not obtained, Series 2022-A Bond certificates are required to be printed and delivered.

LACMTA may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Series 2022-A Bond certificates will be printed and delivered to DTC.

The information in this APPENDIX G concerning DTC and DTC's book-entry system has been obtained from sources that LACMTA believes to be reliable, but LACMTA takes no responsibility for the accuracy thereof.

BENEFICIAL OWNERS WILL NOT RECEIVE PHYSICAL DELIVERY OF SERIES 2022-A BONDS AND WILL NOT BE RECOGNIZED BY THE TRUSTEE AS OWNERS THEREOF, AND BENEFICIAL OWNERS WILL BE PERMITTED TO EXERCISE THE RIGHTS OF OWNERS ONLY INDIRECTLY THROUGH DTC AND THE PARTICIPANTS.

In the event that the book-entry-only system is discontinued, payments of principal of and interest on the Series 2022-A Bonds will be payable as described in the front part of this Official Statement under the caption "DESCRIPTION OF THE SERIES 2022-A BONDS—General."

# PURCHASE CONTRACT

## $[Principal Amount]
## Los Angeles County Metropolitan Transportation Authority
## Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2022-A

[Pricing Date]

Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza, 21st Floor
Los Angeles, CA 90012

Ladies and Gentlemen:

The undersigned, [Lead Senior Underwriter] (the "***Representative***"), on its own behalf and on behalf of the other underwriters listed on the signature page hereof (collectively with the Representative, the "***Underwriters***"), offers to enter into this Purchase Contract (this "***Purchase Contract***") with the Los Angeles County Metropolitan Transportation Authority (the "***Authority***"). The offer made hereby is subject to the written acceptance by the Authority, and delivery of an executed counterpart of this Purchase Contract to the Representative at or before 11:59 p.m., California time, on or before the date hereof, and, if not so accepted, will be subject to withdrawal by the Representative upon notice delivered to the Deputy Executive Officer, Finance of the Authority at any time before acceptance. Upon acceptance and delivery of such acceptance to the Representative, this Purchase Contract shall be in full force and effect in accordance with its terms and shall be binding upon the Authority and the Underwriters. All capitalized terms used herein and not otherwise defined shall have the meanings given to such terms in the Amended and Restated Trust Agreement, dated as of January 1, 2010, as amended and supplemented (the "***Trust Agreement***"), by and between the Authority and U.S. Bank National Association, as trustee (the "***Trustee***"), and the Thirty-Third Supplemental Trust Agreement, to be dated as of June 1, 2022 (the "***Thirty-Third Supplemental Trust Agreement***," and, together with the Trust Agreement, the "***Agreement***") by and between the Authority and the Trustee.

**Section 1. Purchase and Sale of the Series 2022A Bonds**. Subject to the terms and conditions and in reliance upon the representations, warranties, covenants and agreements hereinafter set forth, the Underwriters, jointly and severally, hereby agree to purchase from the Authority, and the Authority agrees to sell to the Underwriters, all (but not less than all) of the $[Principal Amount] Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2022-A (the "***Series 2022A Bonds***").

The Underwriters agree to purchase the Series 2022A Bonds at the aggregate purchase price of $[Purchase Price] (representing the principal amount of the Series 2022A Bonds of $[Principal Amount], plus a [net] original issue premium of $[OIP], less an Underwriters' discount of $[UW Discount]) (the "***Purchase Price***").

The Underwriters have designated the Representative to act as their representatives, and the Representative hereby represents that they are duly authorized to execute this Purchase Contract for and on behalf of the Underwriters.

**Section 2. The Series 2022A Bonds**. The Series 2022A Bonds shall be issued pursuant to and in accordance with the provisions of Chapter 5 of Division 12 of the Public Utilities Code of the State of California (the "***Act***"), Ordinance No. 49, adopted by the Los Angeles County Transportation Commission (the predecessor to the Authority) on August 8, 1990 and approved by the voters of Los Angeles County, California on November 6, 1990 ("***Proposition C***"), the Resolution (as hereinafter defined) and the Agreement.

The Series 2022A Bonds shall be substantially in the form described in, shall be issued and secured under the provisions of, and shall be payable as provided in the Agreement. The Series 2022A Bonds shall be limited obligations of the Authority payable solely from and secured by a first lien on and pledge of Pledged Revenues, and shall be additionally payable from certain other amounts, all as provided under the Agreement. Neither the faith and credit nor the taxing power of the County of Los Angeles, the State of California (the "***State***") or any political subdivision or public agency thereof, other than the Authority to the extent of the Pledged Revenues and certain other amounts held by the Trustee under the Agreement, is pledged to the payment of the principal of and interest on, the Series 2022A Bonds.

The Series 2022A Bonds shall be issued in fully registered form without coupons in denominations of $5,000 and integral multiples thereof. The Series 2022A Bonds shall be dated their date of delivery and shall mature, subject to prior redemption, in the principal amounts on the dates and shall bear interest at the rates payable on the dates, as shown on Schedule I hereto.

The proceeds from the sale of the Series 2022A Bonds will be used by the Authority to (a) together with other available funds, refund and defease all or a portion of its outstanding Proposition C Sales Tax Refunding Revenue Bonds, Senior Bonds, Series 2012-A Bonds and Proposition C Sales Tax Refunding Revenue Bonds, Senior Bonds, Series 2012-B Bonds (the portion so refunded, the "Refunded Bonds") and (b) pay the costs of issuance of the Series 2022A Bonds. To provide for the defeasance of the Refunded Bonds, a portion of the proceeds of the Series 2022A Bonds [and other available funds] will be deposited into the escrow fund created under an Escrow Agreement, dated as of (the "Escrow Agreement"), by and between the Authority and U.S. Bank National Association, as escrow agent thereunder (the "Escrow Agent").

**Section 3. Offering**. It shall be a condition to the Authority's obligations to sell and deliver the Series 2022A Bonds to the Underwriters, and a condition to the Underwriters' obligations to purchase, accept delivery of and pay for the Series 2022A Bonds, that the entire aggregate principal amount of the Series 2022A Bonds referred to in Section 1 hereof shall be issued, sold and delivered by the Authority and purchased, accepted and paid for by the Underwriters at the Closing (defined herein).

The Underwriters agree to make a *bona fide* public offering of all the Series 2022A Bonds, at prices not in excess of the initial public offering prices or at yields not lower than the yields set forth on the inside cover page of the Official Statement (as hereinafter defined); provided that the Underwriters reserve the right from time to time as the Underwriters, in their sole discretion, deem

necessary or desirable, to offer and sell the Series 2022A Bonds to certain dealers (including dealers depositing the Series 2022A Bonds into investment trusts) and others at prices lower than the initial offering prices or at yields higher than the initial yields set forth on the inside cover page of the Official Statement (but in all respects, subject to the provisions of Section 3 hereof). The Authority has authorized the use by the Underwriters, in connection with the public offering and sale of the Series 2022A Bonds, of the Resolution, the Agreement, the Continuing Disclosure Certificate (as hereinafter defined) and this Purchase Contract and any supplements or amendments thereto, and the Preliminary Official Statement (as hereinafter defined) and the Official Statement and the information contained in each of such documents (including the appendices thereto).

**Section 4. Establishment of Issue Price**.

(a) The Representative, on behalf of the Underwriters, agree to assist the Authority in establishing the issue price of Series 2022A Bonds and shall execute and deliver to the Authority at Closing an "issue price" or similar certificate, together with the supporting pricing wires or equivalent communications, substantially in the form attached hereto as Appendix A, with such modifications as may be appropriate or necessary, in the reasonable judgment of the Representative, the Authority and Bond Counsel (as hereinafter defined), to accurately reflect, as applicable, the sales price or prices or the initial offering price or prices to the public of Series 2022A Bonds.

(b) [Except for the Hold-the-Price Maturities described in subsection (c) below and Schedule I attached hereto,] the Authority will treat the first price at which 10% of each maturity of Series 2022A Bonds (the "***10% test***") is sold to the public as the issue price of that maturity. Schedule I attached hereto sets forth the maturities of the Series 2022A Bonds for which the 10% test has been satisfied as of the date of this Purchase Contract (the "***10% Test Maturities (Sale Date)***") and the prices at which the Underwriters have sold such 10% Test Maturities (Sale Date) to the public.

[If at that time the 10% test has not been satisfied as to any maturity of the Series 2022A Bonds, the Representative agree to promptly report to the Authority the prices at which each such maturity of the Series 2022A Bonds have been sold by the Underwriters to the public. That reporting obligation shall continue for each such maturity of the Series 2022A Bonds, whether or not the Closing Date (as hereinafter defined) has occurred, until either (i) all Series 2022A Bonds of that maturity have been sold, or (ii) the 10% test has been satisfied as to Series 2022A Bonds of that maturity, provided that the Underwriters' reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the Representative, the Authority or Bonds Counsel. Schedule I attached hereto sets forth, as of the date of this Purchase Contract, the maturities of the Series 2022A Bonds that are neither 10% Test Maturities (Sale Date) nor Hold-the-Price Maturities (the "***10% Test Maturities (Closing Date)***," and together with the 10% Test Maturities (Sale Date), the "***10% Test Maturities***").]

For purposes of this Section, if Series 2022A Bonds mature on the same date but have different interest rates, each separate CUSIP number within that maturity will be treated as a separate maturity of the Series 2022A Bonds.

(c) [With respect to the maturities of the Series 2022A Bonds that are not 10% Test Maturities, as described in Schedule I attached hereto (the "***Hold-the-Price Maturities***"), the Representative confirm that the Underwriters have offered such maturities of the Series 2022A Bonds to the public on or before the date of this Purchase Contract at the offering price or prices (the "***initial offering price***"), or at the corresponding yield or yields, set forth in Schedule I attached hereto. The Authority and the Representative, on behalf of the Underwriters, agree that the restrictions set forth in the next sentence shall apply to the Hold-the-Price Maturities, which will allow the Authority to treat the initial offering price to the public of each such maturity as of the sale date as the issue price of that maturity (the "***hold-the-offering-price rule***"). So long as the hold-the-offering-price rule remains applicable to any maturity of the Hold-the-Price Maturities, the Underwriters will neither offer nor sell unsold Series 2022A Bonds of such maturity of the Hold-the-Price Maturities to any person at a price that is higher than the initial offering price to the public during the period starting on the sale date and ending on the earlier of the following:

(i) the close of the fifth (5th) business day after the sale date; or

(ii) he date on which the Underwriters have sold at least 10% of that maturity of the Hold-the-Price Maturities to the public at a price that is no higher than the initial offering price to the public.

The Representative will advise the Authority promptly after the close of the fifth (5th) business day after the sale date whether it has sold 10% of each maturity of the Hold-the-Price Maturities to the public at a price that is no higher than the initial offering price to the public.]

(d) The Representative confirms that:

(i) any agreement among underwriters, any selling group agreement and each third-party distribution agreement (to which the Representative are a party) relating to the initial sale of the Series 2022A Bonds to the public, together with the related pricing wires, contains or will contain language obligating each Underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such third-party distribution agreement, as applicable,

(A) (1) to report the prices at which it sells to the public the unsold Series 2022A Bonds of each maturity allocated to it, whether or not the Closing Date (as hereinafter defined) has occurred, until either all Series 2022A Bonds of that maturity allocated to it have been sold or it is notified by the Representative that the 10% test has been satisfied as to the Series 2022A Bonds of that maturity, provided that, the reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the Representative, and (2) to comply with the hold-the-offering-price rule, if applicable, if and for so long as directed by the Representative and as set forth in the related pricing wires,

(B) to promptly notify the Representative of any sales of Series 2022A Bonds that, to its knowledge, are made to a purchaser who is a related party to an underwriter participating in the initial sale of the Series 2022A Bonds to the public, and

(C) to acknowledge that, unless otherwise advised by the Underwriter, dealer or broker-dealer, the Representative shall assume that each order submitted by the Underwriter, dealer or broker-dealer is a sale to the public.

(ii) any agreement among underwriters or selling group agreement relating to the initial sale of the Series 2022A Bonds to the public, together with the related pricing wires, contains or will contain language obligating each Underwriter or dealer that is a party to a third-party distribution agreement to be employed in connection with the initial sale of the Series 2022A Bonds to the public to require each broker-dealer that is a party to such third-party distribution agreement to (A) report the prices at which it sells to the public the unsold Series 2022A Bonds of each maturity allocated to it, whether or not the Closing Date has occurred, until either all Series 2022A Bonds of that maturity allocated to it have been sold or it is notified by the Representative or such Underwriter or dealer that the 10% test has been satisfied as to the Series 2022A Bonds of that maturity, provided that, the reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the Representative or such Underwriter or dealer, and (B) comply with the hold-the-offering-price rule, if applicable, if and for so long as directed by the Representative or the Underwriter or the dealer and as set forth in the related pricing wires.

(e) The Authority acknowledges that, in making the representations set forth in this section, the Representative will rely on (i) the agreement of each Underwriter to comply with the requirements for establishing issue price of the Series 2022A Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Series 2022A Bonds, as set forth in an agreement among underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the Series 2022A Bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the requirements for establishing issue price of the Series 2022A Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Series 2022A Bonds, as set forth in a selling group agreement and the related pricing wires, and (iii) in the event that an Underwriter or dealer who is a member of the selling group is a party to a third-party distribution agreement that was employed in connection with the initial sale of the Series 2022A Bonds to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the requirements for establishing issue price of the Series 2022A Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Series 2022A Bonds, as set forth in the third-party distribution agreement and the related pricing wires. The Authority further acknowledges that each Underwriter shall be solely liable for its failure to comply with its agreement regarding the requirements for establishing issue price of the Series 2022A Bonds,

including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Series 2022A Bonds, and that no Underwriter shall be liable for the failure of any other Underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a third-party distribution agreement, to comply with its corresponding agreement to comply with the requirements for establishing issue price of the Series 2022A Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Series 2022A Bonds.

(f) The Underwriters acknowledge that sales of any Series 2022A Bonds to any person that is a related party to an underwriter participating in the initial sale of the Series 2022A Bonds to the public (each such term being used as defined below) shall not constitute sales to the public for purposes of this section. Further, for purposes of this section:

(i) "public" means any person (including an individual, trust, estate, partnership, association, company or corporation) other than an underwriter or a related party to an underwriter,

(ii) "underwriter" means (A) any person that agrees pursuant to a written contract with the Authority (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of Series 2022A Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of Series 2022A Bonds to the public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of Series 2022A Bonds to the public),

(iii) a purchaser of any of the Series 2022A Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (A) more than 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (B) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (C) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and,

(iv) "sale date" means the date of execution of this Purchase Contract by all parties.

**Section 5. Use of Preliminary Official Statement and Official Statement; Continuing Disclosure**. The Authority has heretofore delivered to the Underwriters the Preliminary Official Statement dated [POS Date], relating to the Series 2022A Bonds (as disseminated in its printed physical form or in electronic form in all respects materially consistent with such physical form, the "***Preliminary Official Statement***"), which the Authority has deemed

final as of its date, except for the omission of such information as is permitted to be omitted in accordance with paragraph (b)(1) of Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended ("***Rule 15c2-12***"). The Authority shall prepare and deliver to the Underwriters, as promptly as practicable, but in no event later than seven business days from the date hereof and at least two business days prior to the Closing Date, whichever occurs first, a final official statement, with such changes and amendments as may be agreed to by the Representative (such official statement, including the cover page, the inside cover page and appendices thereto, and as disseminated in its printed physical form or in electronic form in all respects materially consistent with such physical form is herein referred to as the "***Official Statement***"), in "the designated electronic format" (as defined in Rule G-32 of the MSRB (herein defined)), in order to permit the Underwriters to comply with paragraph (b)(4) of Rule 15c2-12 and the rules of the Municipal Securities Rulemaking Board. The Authority hereby ratifies, confirms and approves the use and distribution by the Underwriters prior to the date hereof of the Preliminary Official Statement and hereby authorizes the Underwriters to use and distribute the Official Statement, the Agreement and this Purchase Contract, and all information contained in each, and all other documents, certificates and statements furnished by the Authority to the Underwriters with respect to the transactions contemplated by this Purchase Contract, in connection with the offer and sale of the Series 2022A Bonds. The Representative agree to promptly file a copy of the Official Statement, including any supplements prepared by the Authority, with the Municipal Securities Rulemaking Board and a nationally recognized municipal securities information repository.

The Authority will undertake pursuant to a Continuing Disclosure Certificate, to be dated as of the date of issuance of the Series 2022A Bonds (the "***Continuing Disclosure Certificate***"), to provide certain annual financial and operating information and certain material event notices. A description of this undertaking will be set forth in the Official Statement.

**Section 6. Representations, Warranties and Covenants of the Authority**. The Authority represents, warrants and covenants to the Underwriters (and it shall be a condition of the obligation of the Underwriters to purchase and accept delivery of the Series 2022A Bonds) that the representations and warranties contained herein shall be true and correct on the date hereof and on the Closing Date, as if made on and at the Closing. The Authority represents, warrants, covenants and agrees that:

(a) The Authority is, and will be on the Closing Date, a county transportation commission or a political subdivision that has the powers granted to a county transportation commission as of the date hereof, duly organized and validly existing under the laws of the State, with full legal right, powers and authority to issue the Series 2022A Bonds pursuant to the Act.

(b) The Authority has or had at the time of execution or adoption, as applicable, full legal right, power and authority to (i) execute this Purchase Contract, (ii) execute the Agreement, the Escrow Agreement and the Continuing Disclosure Certificate (collectively, the "***Authority Documents***"); (iii) adopt the resolution entitled "RESOLUTION OF THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY AUTHORIZING THE ISSUANCE AND SALE OF ONE OR MORE SERIES OF ITS LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY PROPOSITION C SALES TAX REVENUE REFUNDING BONDS, APPROVING THE

EXECUTION AND DELIVERY OF A SUPPLEMENTAL TRUST AGREEMENT, CONTINUING DISCLOSURE CERTIFICATE, NOTICE OF INTENTION TO SELL BONDS, NOTICE INVITING BIDS, BOND PURCHASE AGREEMENT, AS APPLICABLE, ESCROW AGREEMENT, PRELIMINARY AND FINAL OFFICIAL STATEMENT, AND THE TAKING OF ALL OTHER ACTIONS NECESSARY IN CONNECTION THEREWITH," which was adopted by the Board of Directors of the Authority on April __, 2022 (the "***Resolution***"); (iv) deliver the Preliminary Official Statement and execute and deliver the Official Statement; (v) sell, issue and deliver the Series 2022A Bonds to the Underwriters as provided herein; and (vi) carry out and consummate the transactions contemplated by this Purchase Contract, the Authority Documents, the Resolution and the Official Statement.

(c) The Authority has complied, and will at Closing be in compliance in all respects, with the terms of the Act and the Resolution and with its obligations in connection with the issuance of the Series 2022A Bonds as contained in the Series 2022A Bonds, this Purchase Contract and the Authority Documents.

(d) By all necessary official action, the Authority has duly adopted the Resolution, has duly authorized and approved the Official Statement and the delivery thereof to the Underwriters, has duly authorized and approved the execution and delivery of, and the performance by the Authority of the obligations in connection with the issuance of the Series 2022A Bonds on its part contained in the Series 2022A Bonds, this Purchase Contract and the Authority Documents and the consummation by it of all other transactions contemplated by this Purchase Contract and the Authority Documents in connection with the issuance of the Series 2022A Bonds; and this Purchase Contract and each of the Authority Documents, upon execution and delivery thereof, will constitute the legal, valid and binding obligations of the Authority, enforceable in accordance with their respective terms, subject to applicable bankruptcy, insolvency and similar laws affecting creditors' rights generally and subject, as to enforceability, to general principles of equity (regardless of whether enforcement is sought in a proceeding in equity or at law), to limitations on remedies imposed in actions against public entities in the State and to any principles of law or public policy limiting the enforceability of indemnification provisions or the waiver of jury trial.

(e) To the best knowledge of the Authority, after reasonable investigation, (i) the Authority is not in breach of or default in any material respect under any applicable constitutional provision, law or administrative regulation of the State or the United States or any applicable judgment or decree or any loan agreement, indenture, bond, note, ordinance, agreement or other instrument to which the Authority is a party or to which the Authority or any of its property or assets is otherwise subject, which would materially adversely affect the financial position or operations of the Authority or the ability of the Authority to pay principal and interest on the Bonds (as defined in the Trust Agreement) as and when due, or to perform its obligations under the Authority Documents or this Purchase Contract; and (ii) no event has occurred and is continuing which, with the passage of time or the giving of notice, or both, would constitute a material default or event of default under any such instrument, which would materially adversely affect the financial position or operations of the Authority or the ability of the Authority to pay principal of

and interest on the Bonds as and when due. To the best knowledge of the Authority, after reasonable investigation, the execution and delivery of the Series 2022A Bonds, this Purchase Contract and the Authority Documents and the adoption of the Resolution and compliance with the provisions on the Authority's part contained in this Purchase Contract, the Series 2022A Bonds and the Authority Documents, will not materially conflict with or constitute a material breach of or default under any constitutional provision, law, administrative regulation, judgment, decree, loan agreement, indenture, bond, note, ordinance, agreement or other instrument to which the Authority is a party or to which the Authority or any of its property or assets is otherwise subject, nor will any such execution, delivery, adoption or compliance result in the creation or imposition of any lien, charge or other security interest or encumbrance of any nature whatsoever upon any of the property or assets of the Authority or under the terms of any such law, regulation or instrument, except as provided by the Series 2022A Bonds, this Purchase Contract and the Authority Documents.

(f) When delivered to and paid for by the Underwriters on the Closing Date in accordance with the provisions of this Purchase Contract, the Series 2022A Bonds will have been duly authorized, executed and delivered and will constitute valid and binding limited obligations of the Authority in conformity with and entitled to the benefit and security of the Agreement enforceable in accordance with their terms, except as enforcement may be limited by bankruptcy, insolvency, reorganization, moratorium or similar laws or equitable principles relating to or affecting creditors rights generally, by the application of equitable principles if equitable remedies are sought, and by limitations on remedies imposed in actions against public entities in the State.

(g) All authorizations, approvals, licenses, permits, consents and orders of any governmental authority, legislative body, board, agency or commission having jurisdiction over the matter which are required for the due authorization of, which would constitute a condition precedent to or the absence of which would materially adversely affect the due performance by the Authority of its obligations in connection with the issuance, sale and delivery of the Series 2022A Bonds under this Purchase Contract and the Agreement have been duly obtained, except for such approvals, consents and orders as may be required under the Blue Sky or securities laws of any state in connection with the offering and sale of the Series 2022A Bonds; and, except as described in or contemplated by the Official Statement, all authorizations, approvals, licenses, permits, consents and orders of any governmental authority, board, agency or commission having jurisdiction in the matter which are required for the due authorization of, which would constitute a condition precedent to or the absence of which would materially adversely affect the due performance by the Authority of its respective obligations under this Purchase Contract and the Authority Documents have been duly obtained.

(h) On the date hereof and at the Closing, the Authority will be in compliance with the covenants and agreements contained in this Purchase Contract and the Authority Documents, and no event of default and no event which, with the lapse of time or giving of notice, or both, would constitute an event of default thereunder, shall have occurred and be continuing.

(i) As of the date hereof, there is no action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court, government agency, public board or body, pending or, to the best knowledge of the Authority, threatened against the Authority, affecting the corporate existence of the Authority or the titles of its officers to their respective offices, or affecting or seeking to prohibit, restrain or enjoin the sale, issuance or delivery of the Series 2022A Bonds or the levy or collection by the Authority of the Proposition C Sales Tax or application of the Pledged Revenues or other money to be pledged to pay the principal of and interest on the Series 2022A Bonds, or contesting or affecting as to the Authority the validity or enforceability of the Act, the Series 2022A Bonds, the Resolution, this Purchase Contract or any Authority Documents, or contesting the tax-exempt status of interest on the Series 2022A Bonds, or contesting the completeness or accuracy of the Official Statement or any supplement or amendment thereto, or contesting the powers of the Authority or any authority for the issuance of the Series 2022A Bonds, the adoption of the Resolution, the collection of the Proposition C Sales Tax, the pledge of the Pledged Revenues or the execution and delivery by the Authority of this Purchase Contract or any Authority Document, nor, to the best knowledge of the Authority, is there any basis for any such action, suit, proceeding, inquiry or investigation, wherein an unfavorable decision, ruling or finding would affect in any way the validity or enforceability of the Act as to the Authority or materially and adversely affect the authorization, execution, delivery or performance by the Authority of the Series 2022A Bonds, any Authority Document or this Purchase Contract, the collection of the Proposition C Sales Tax or the pledge of the Pledged Revenues or the adoption of the Resolution.

(j) The Series 2022A Bonds, when issued, will conform in all material respects to the description thereof contained in the Preliminary Official Statement and the Official Statement under the captions "DESCRIPTION OF THE SERIES 2022-A BONDS" and "APPENDIX D—SUMMARY OF LEGAL DOCUMENTS; DEFINITIONS"; the proceeds of the Series 2022A Bonds, when issued, will be applied generally as described in the Preliminary Official Statement and the Official Statement under the captions "INTRODUCTION—Purpose of the Series 2022A Bonds" and "PLAN OF REFUNDING AND APPLICATION OF THE SERIES 2022-A BOND PROCEEDS;" and the Authority Documents conform in all material respects to the descriptions thereof contained in the Preliminary Official Statement and the Official Statement.

(k) The Preliminary Official Statement (other than information allowed to be omitted by Rule 15c2-12), as of its date and as of the date hereof, did not and does not contain any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements therein, in the light of the circumstances under which they were made, not misleading (excluding therefrom the information contained under the caption "UNDERWRITING" and under "APPENDIX G—BOOK-ENTRY-ONLY SYSTEM" as to which no representations or warranties are made).

(l) The financial statements of the Authority as of June 30, 2021, attached to the Official Statement as Appendix B, fairly represent the revenues, expenditures, assets, liabilities and fund balances of such amounts and, insofar as presented, other funds of the Authority as of the dates and for the periods therein set forth. Except as disclosed in the Official Statement or otherwise disclosed in writing to the Representative, there has not

been any materially adverse change in the financial condition of the Authority or in its operations since June 30, 2021 and there has been no occurrence, circumstance or combination thereof which is reasonably expected to result in any such materially adverse change.

(m) At all times upon the delivery thereof and subsequent to the date of delivery thereof (up to and including the Closing Date), the Official Statement, as supplemented and amended, did not and will not, except for brief periods between changes in any relevant circumstances and the timely amendment or supplement of the Official Statement to reflect such change, contain any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made therein, in the light of the circumstances under which they were made, not misleading (excluding therefrom the information contained under the caption "UNDERWRITING" and under "APPENDIX G—BOOK-ENTRY-ONLY SYSTEM" as to which no representations or warranties are made).

(n) If, subsequent to the date hereof and prior to the Closing, an event occurs affecting the Authority which is materially adverse for the purpose for which the Official Statement, as then supplemented or amended, is to be used and such event is not disclosed in the Official Statement, the Authority shall notify the Representative and if in the mutual opinion of the Authority and the Representative such event requires a supplement or amendment to the Official Statement, the Authority will supplement or amend the Official Statement in a form and manner approved by the Representative.

(o) After the Closing, the Authority will not participate in the delivery of any amendment of or supplement to the Official Statement, to which, after being furnished with a copy, the Representative shall reasonably object in writing and which shall be disapproved by the Representative, [Underwriters' Counsel], counsel to the Underwriters ("***Underwriters' Counsel***"), Hawkins Delafield & Wood LLP, as bond counsel to the Authority ("***Bond Counsel***") or Kutak Rock LLP, as disclosure counsel to the Authority ("***Disclosure Counsel***") and if any event relating to or affecting the Authority shall occur during the period through and including the twenty-fifth day after the "underwriting period" (as defined in Rule 15c2-12) as a result of which it is necessary, in the opinion of the Authority, the Representative, or their respective counsel, to amend or supplement the Official Statement in order to make the Official Statement not misleading in the light of the circumstances existing at the time it is delivered to a prospective purchaser, the Authority will forthwith prepare and furnish to the Underwriters (at the expense of the Authority), a reasonable number of copies of an amendment of or supplement to the Official Statement (in form and substance satisfactory to Underwriters' Counsel, Bond Counsel and Disclosure Counsel) which will amend or supplement the Official Statement so that it will not contain an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements therein, in the light of the circumstances existing at the time the Official Statement is delivered to prospective purchasers, not misleading.

(p) If the information contained in the Official Statement is amended or supplemented pursuant to Section 6(o) hereof, at the time of each supplement or amendment thereto and (unless subsequently supplemented or amended pursuant to such

clause) at all times subsequent thereto up to and including 25 days after the end of the "underwriting period," the Official Statement, as supplemented and amended, will not, except for brief periods between changes in any relevant circumstances and the timely amendment or supplement of the Official Statement to reflect such change, contain any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made therein, in the light of the circumstances under which they were made, not misleading (excluding therefrom the information contained under the caption "UNDERWRITING" and under "APPENDIX G—BOOK-ENTRY-ONLY SYSTEM" as to which no representations or warranties are made).

(q) The Authority will furnish such information, execute such instruments and take such other action not inconsistent with applicable law in cooperation with the Underwriters as the Representative may deem necessary in order (i) to qualify the Series 2022A Bonds for offer and sale under the Blue Sky or other securities laws and regulations of such states and other jurisdictions of the United States of America as the Representative may designate; and (ii) to determine the eligibility of the Series 2022A Bonds for investment under the laws of such states and other jurisdictions, and will use its best efforts to continue such qualification in effect so long as required for distribution of the Series 2022A Bonds; provided, however, that in no event shall the Authority be required to take any action which would subject it to service of process in any jurisdiction in which it is not now so subject or be required to register as a dealer or broker or qualify to do business as a foreign corporation or to comply with any other similar requirements deemed by the Authority to be unduly burdensome.

(r) Between the date of this Purchase Contract and the Closing Date, the Authority will not, without the prior written consent of the Representative, except as disclosed in the Official Statement, offer or issue any bonds, notes or other obligations for borrowed money, or incur any material liabilities, direct or contingent, secured by the Proposition C Sales Tax.

(s) The Authority is not currently in default, and has not within the last 10 years defaulted in the payment of principal of or interest on any bond, note or other obligation for borrowed money nor is it currently in default in any material respect under any agreement or instrument under which such obligation for borrowed moneys has been issued, and no event of which the Authority has notice or knowledge has occurred and is continuing under the provisions of any such agreement or instrument which, with or without the lapse of time or the giving of notice, or both, constitutes or would constitute a default thereunder.

(t) Except as described in the Preliminary Official Statement and the Official Statement, the Authority has complied with all previous continuing disclosure undertakings required pursuant to Rule 15c2-12 for the past five years.

(u) Any certificate signed by any authorized official of the Authority, and delivered to the Underwriters in connection with the execution and delivery of the Series 2022A Bonds, shall be deemed a representation and warranty by the Authority to the Underwriters as to the statements made therein.

(v) The Authority acknowledges and agrees that (i) the purchase and sale of the Series 2022A Bonds pursuant to this Purchase Contract is an arm's-length commercial transaction between the Authority and the Underwriters and that the Underwriters have financial and other interests that differ from those of the Authority, (ii) in connection therewith and with the discussions, undertakings and procedures leading up to the consummation of such transaction, the Underwriters are and have been acting solely as principals and are not acting as the municipal advisors, financial advisors, agents or fiduciaries of the Authority, (iii) the Underwriters (individually or collectively) have not assumed an advisory or fiduciary responsibility in favor of the Authority with respect to the offering contemplated hereby or the discussions, undertakings and procedures leading thereto (irrespective of whether the Underwriters have provided other services or is currently providing other services to the Authority on other matters) and the Underwriters have no obligation to the Authority with respect to the offering contemplated hereby except the obligations expressly set forth in this Purchase Contract and under applicable laws and regulations and (iv) the Authority has consulted its own municipal, legal, accounting, tax, financial and other advisors to the extent it has deemed appropriate.

**Section 7. Closing**. At 8:00 a.m., California Time, on [Closing Date], or at such other date or time as shall have been mutually agreed upon by the Authority and the Representative (the "***Closing Date***"), the Authority will, subject to the terms and conditions hereof, issue and deliver the Series 2022A Bonds; and the Underwriters will accept such delivery and pay the Purchase Price set forth in Section 1 hereof, in immediately available funds to or on the order of the Authority. Payment for the Series 2022A Bonds shall be made at a place designated by the Authority, with the consent of the Representative. The Series 2022A Bonds will be delivered to the account of the Underwriters through The Depository Trust Company, New York, New York ("***DTC***") as fully registered bonds registered in the name of Cede & Co., as nominee of DTC. Physical delivery of the Series 2022A Bonds shall be made to the Trustee, as agent for DTC under the Fast Automated Securities Transfer system, or as otherwise instructed by the Authority or the Trustee. Such payment and delivery is referred to herein as the "***Closing***." The Series 2022A Bonds shall be made available to the Underwriters for inspection not later than one business day before the Closing Date. It is anticipated that CUSIP identification numbers will be printed on the Series 2022A Bonds, but neither the failure to print such numbers on any Series 2022A Bonds nor any error with respect thereto shall constitute cause for a failure or refusal by the Underwriters to accept delivery of and pay for the Series 2022A Bonds in accordance with the terms of this Purchase Contract.

**Section 8. Closing Conditions**. The Underwriters hereby enter into this Purchase Contract in reliance upon the representations, warranties and covenants of the Authority contained herein and the representations and warranties contained in the documents and instruments to be delivered at the Closing and upon the performance by the Authority of its obligations both on and as of the date hereof and as of the Closing Date. Accordingly, the Underwriters' obligations under this Purchase Contract to purchase, to accept delivery of and to pay for the Series 2022A Bonds shall be subject to the accuracy of the representations and warranties of the Authority contained herein as of the date hereof and as of the Closing Date, to the accuracy of the statements of the officers and other officials of the Authority made in any certificate or other document furnished pursuant to the provisions hereof, to the performance by the Authority of its obligations to be

performed hereunder and under all documents and instruments furnished pursuant to the provisions hereof at or prior to the Closing Date, and are also subject to the following additional conditions:

(a) at the time of the Closing, this Purchase Contract and the Authority Documents shall have been duly authorized, executed and delivered and shall not have been revised, amended, modified or supplemented subsequent to the date hereof except as may have been agreed to by the Representative;

(b) at the time of Closing, all official action of the Authority related to this Purchase Contract, the Authority Documents and the sale of the Series 2022A Bonds shall be in full force and effect and this Purchase Contract and the Authority Documents shall not have been amended, modified, supplemented or repealed;

(c) at the time of Closing, the Authority shall have made timely payment of principal and/or interest when due on all of its outstanding indebtedness;

(d) as of the date hereof and at the time of Closing, trading in any securities of the Authority shall not have been suspended on any national securities exchange; nor shall any proceeding be pending or threatened by the Securities and Exchange Commission against the Authority;

(e) the Authority shall perform, or have performed at or prior to the time of the Closing, all of its obligations required under or specified in this Purchase Contract and the Authority Documents, as amended to the Closing Date, to be performed at or prior to the Closing;

(f) subsequent to the date hereof, up to and including the time of Closing, there shall not have occurred any change in or particularly affecting the Authority, the Act, Proposition C, the Pledged Revenues, the Series 2022A Bonds, the Resolution or the Authority Documents as the foregoing matters are described in the Official Statement, which in the reasonable professional judgment of the Underwriters materially impairs the investment quality of the Series 2022A Bonds;

(g) Subsequent to the date hereof, up to and including the time of Closing, the California Department of Tax and Fee Administration ("CDTFA") shall not have suspended or advised the Authority of suspension of the collection of the Proposition C Sales Tax or the escrow of any proceeds thereof by the CDTFA, and counsel to the Authority shall not have been advised of the suspension of the collection of the Proposition C Sales Tax or the escrow of any proceeds thereof by the CDTFA or have CDTFA question the validity of the Proposition C Sales Tax; and

(h) at or prior to the Closing, the Underwriters shall receive, among other items, the following in each case satisfactory in form and substance to the Representative and Underwriters' Counsel:

(i) a copy of the Official Statement and each supplement or amendment thereto, manually executed on behalf of the Authority by its Treasurer or another

duly authorized officer of the Authority, together with a copy of same in "the designated electronic format" (as defined in Rule G-32 of the MSRB);

(ii) a certified copy of the Resolution, which certificate shall state that such Resolution is in full force and effect as of the Closing Date and has not been amended, modified or rescinded since initial adoption;

(iii) duly executed copies of the Authority Documents and specimen copies of the Series 2022A Bonds;

(iv) an executed copy of the Tax Compliance Certificate, executed by the Authority, and evidence of the preparation for filing of IRS Form 8038-G;

(v) an opinion of Bond Counsel, dated the Closing Date and addressed to the Authority, substantially to the effect of the form included in the Official Statement as Appendix E, together with a letter of such counsel, dated the date of the Closing and addressed to the Underwriters, to the effect that the foregoing opinion addressed to the Authority may be relied upon by the Underwriters to the same extent as if such opinion were addressed to them;

(vi) an opinion of Bond Counsel, dated the Closing Date and addressed to the Authority and the Underwriters, to the effect that (A) the Series 2022A Bonds are exempt from registration pursuant to the Securities Act of 1933, as amended (the "***Securities Act***"); (B) the Purchase Contract and the Continuing Disclosure Certificate have each been duly authorized, executed and delivered by the Authority, and assuming due authorization, execution and delivery by the other parties thereto, as applicable, the Purchase Contract and the Continuing Disclosure Certificate constitute legal, valid and binding agreements of the Authority enforceable in according with their respective terms, subject to (1) bankruptcy, insolvency, reorganization, moratorium or similar laws affecting creditors' rights generally (including, without limitation, fraudulent conveyance laws), (2) general principles of equity, including without limitation, concepts of materiality, reasonableness, good faith and fair dealing and the possible unavailability of specific performance or injunctive relief, regardless of whether considered in a proceeding in equity or at law, (3) the exercise of judicial discretion in appropriate cases, (4) the limitations on legal remedies imposed on actions against public entities in the State of California, and (5) the application of California laws relating to conflicts of interest to which public entities are subject, and no opinion is expressed on indemnification provisions; (C) the Agreement is exempt from qualification pursuant to the Trust Indenture Act of 1939, as amended (the "***Trust Indenture Act***"); and (D) the statements contained in the Official Statement under the captions "DESCRIPTION OF THE SERIES 2022-A BONDS," "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2022-A BONDS" and "TAX MATTERS" and in "APPENDIX D—SUMMARY OF LEGAL DOCUMENTS; DEFINITIONS" and APPENDIX E—FORM OF BOND COUNSEL APPROVING OPINION," insofar as the statements purport to summarize certain

provisions of the Series 2022A Bonds, the Authority Documents and the approving opinion of Bond Counsel, are accurate in all material respects;

(vii) an opinion, dated the Closing Date and addressed to the Authority and the Underwriters, of Disclosure Counsel to the effect that based upon information made available to them in the course of their preparation of the Preliminary Official Statement and the Official Statement and without passing on and without assuming any responsibility for the accuracy, completeness or fairness of the statements contained in the Preliminary Official Statement and the Official Statement, and having made no independent investigation or verification thereof, nothing has come to the attention of attorneys in their firm rendering legal services as Disclosure Counsel in connection with the Preliminary Official Statement and the Official Statement which caused them to believe that the Preliminary Official Statement and the Official Statement (excluding therefrom (i) with respect to the Preliminary Official Statement, any omissions permitted pursuant to Rule 15c2-12 and (ii) with respect to both the Preliminary Official Statement and the Official Statement, any CUSIP numbers, financial, statistical, economic or demographic data or forecasts, numbers, charts, tables, graphs, estimates, projections, assumption or expressions of opinion contained therein, information regarding DTC and its book-entry system, any information contained or referred to in the section entitled "TAX MATTERS" or information concerning the tax-exempt status of the Series 2022A Bonds, statements under the caption "UNDERWRITING" and in Appendices thereto other than Appendices A and G, as to which no view need be expressed) as of their respective dates and with respect to the Preliminary Official Statement, as of the date of the Purchase Contract, and with respect to the Official Statement, as of the Closing Date, contained or contains any untrue statement of a material fact or omitted or omits to state a material fact necessary in order to make the statements therein, in the light of the circumstances under which they were made, not misleading;

(viii) an opinion, dated the date of the Closing, and addressed to the Underwriters, of Los Angeles County Counsel ("***County Counsel***"), to the effect that:

(A) the Authority is a county transportation commission, duly organized and validly existing under the laws of the State;

(B) the Resolution of the Authority authorizing the issuance of the Series 2022A Bonds and the execution and delivery of the Purchase Contract and the execution and delivery of the Thirty-Third Supplemental Trust Agreement, the Continuing Disclosure Certificate and the Escrow Agreement (collectively, the "***Financing Documents***") was duly adopted at a meeting of the Board of Directors of the Authority on April __, 2020, which was called and held pursuant to law and with all public notice required by law and at which a quorum was present and acting at the time of adoption;

(C) except as disclosed in the Official Statement, there is no action, suit, proceeding or investigation at law or in equity before or by any court, or public body, pending or, to the best of our knowledge, threatened against the Authority, to restrain or enjoin the execution, issuance or delivery of the Series 2022A Bonds, the Purchase Contract or the Financing Documents or the Authority's performance of its obligations under the Series 2022A Bonds, this Purchase Contract, the Trust Agreement or the Financing Documents, the collection of the revenues pledged under the Agreement, or in any way contesting or affecting any authority for the issuance of the Series 2022A Bonds or the validity or enforceability of the Series 2022A Bonds, the Purchase Contract, the Trust Agreement or the Financing Documents, or in any way contesting the existence or powers of the Authority with respect to the issuance of the Series 2022A Bonds or the execution of the Purchase Contract and the Financing Documents or the security therefor wherein an unfavorable decision, ruling or finding would materially adversely affect the transactions contemplated by the Official Statement, the Purchase Contract, the Trust Agreement and the Financing Documents, or the validity of the Series 2022A Bonds;

(D) to the best of our knowledge, after due inquiry, the execution and delivery of the Series 2022A Bonds, the Purchase Contract and the Financing Documents and compliance with the foregoing, as appropriate, under the circumstances contemplated thereby, do not in any material respect conflict with or constitute on the part of the Authority a breach of or a default under any agreement or other instrument to which the Authority is a party (and of which we are aware) or by which it is bound (and of which we are aware) or any existing law, regulation, court order or consent decree to which the Authority is subject;

(E) the Purchase Contract, the Trust Agreement and the Financing Documents (collectively, the "***Referenced Documents***") and the Series 2022A Bonds were duly authorized by the Authority and were duly executed and delivered by officers of the Authority having all necessary power and authority to do so on behalf of the Authority and in its name. The Referenced Documents and the Series 2022A Bonds have been duly authorized, executed and delivered by the Authority and, assuming due authorization, execution and delivery of the Referenced Documents by the parties thereto other than the Authority, the Referenced Documents and the Series 2022A Bonds constitute, legal, valid and binding obligations of the Authority, enforceable against the Authority in accordance with their respective terms, except as enforcement may be limited by bankruptcy, insolvency and other laws affecting the enforcement of creditors' rights and remedies in general, including any limitations on legal remedies against public entities in the State, by any principles of law or public policy limiting the enforceability of indemnification provisions or the waiver of jury trial, and by the application of equitable principles if equitable remedies are sought. We express no opinion concerning waivers (including waiver of

jury trial) or the availability of equitable remedies in connection with the enforcement of the Referenced Documents or the Series 2022A Bonds;

(F) there is no authorization, approval, consent or other order of, or filing with, or certification by, the State or any other governmental authority or agency within the State having jurisdiction over the Authority required for the issuance of the Series 2022A Bonds or the consummation by the Authority of the other financial transactions contemplated by the Official Statement and the Referenced Documents (other than regulatory approvals in the normal course of the Authority's transit operations and other than qualification under the "Blue Sky" or securities laws of the United States or any state); and

(G) the preparation and distribution of the Preliminary Official Statement and the Official Statement have been duly authorized by the Authority. The information in the Preliminary Official Statement and the Official Statement under the captions entitled "LITIGATION" and "APPENDIX A—LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY—LITIGATION AND OTHER REGULATORY ACTIONS" as of the date thereof and, with respect to the Preliminary Official Statement, as of the date of the Purchase Contract, and, with respect to the Official Statement, as of the Closing Date, does not contain any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements therein, in the light of the circumstances under which they were made, not misleading;

(ix) an opinion of Underwriters' Counsel, dated the Closing Date and addressed to the Underwriters, in form and substance acceptable to the Underwriters;

(x) a certificate of the Authority, dated the date of the Closing, signed on behalf of the Authority by an Authorized Authority Representative or other duly authorized officer of the Authority to the effect that (in lieu of or in conjunction with such certificate the Representative may, in their sole discretion, accept certificates or opinions of County Counsel or any deputy thereof, or of other counsel acceptable to the Representative, to the effect that in the opinion of such counsel the issues raised in any pending or threatened litigation referred to in such certificate are without substance or that the contentions of all plaintiffs therein are without merit):

(A) the representations and warranties of the Authority contained in the Purchase Contract are true, complete and correct on and as of the Closing Date as though made on the Closing Date;

(B) after reasonable investigation, no action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court, government agency, public board or body, is pending or, to the best

knowledge of the Authority, threatened against the Authority, affecting the corporate existence of the Authority or the titles of its officers to their respective offices, or affecting or seeking to prohibit, restrain or enjoin the sale, issuance or delivery of the Series 2022A Bonds or the levy or collection of the Proposition C Sales Tax or the application of the Pledged Revenues or other moneys pledged to pay the principal of and interest on the Series 2022A Bonds, or in any way contesting or affecting as to the Authority the validity or enforceability of the Act, the Series 2022A Bonds, the Resolution, the Purchase Contract, the Trust Agreement or the Authority Documents, or contesting the tax-exempt status of interest on the Series 2022A Bonds, or contesting the completeness or accuracy of the Preliminary Official Statement or the Official Statement or any supplement or amendment thereto, or contesting the powers of the Authority or any authority for the issuance of the Series 2022A Bonds, the adoption of the Resolution, the collection of the Proposition C Sales Tax, the pledge of the Pledged Revenues or the execution and delivery by the Authority of the Purchase Contract and the Authority Documents nor, to the best knowledge of the Authority, is there any basis for any such action, suit, proceeding, inquiry or investigation wherein an unfavorable decision, ruling or finding would affect in any way the validity or enforceability of the Act as to the Authority or materially and adversely affect the authorization, execution, delivery or performance by the Authority of the Series 2022A Bonds, the Purchase Contract, the Trust Agreement or the Authority Documents or the adoption of the Resolution. Additionally, no litigation, which in the aggregate would have a material adverse effect on the financial condition of the Authority, is pending, nor, to the best knowledge of the Authority, is there any basis therefor;

(C) no event affecting the Authority has occurred since the date of the Official Statement which should be disclosed in the Official Statement so that the Official Statement does not contain any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements therein, in the light of the circumstances under which they were made, not misleading, and which has not been disclosed in a supplement or amendment to the Official Statement; and

(D) the Authority has complied with all the material agreements and satisfied all the conditions on its part to be performed or satisfied at or prior to the Closing Date pursuant to the Purchase Contract, the Trust Agreement and the Resolution with respect to the issuance of the Series 2022A Bonds;

(xi) evidence that the Series 2022A Bonds have been rated "___" by Moody's Investor Services, Inc. ("***Moody's***") and "___" by S&P Global Ratings, a division of Standard & Poor's Financial Services LLC ("***S&P***").

(xii) a certificate of an authorized officer of U.S. Bank National Association ("US Bank"), dated the Closing Date, to the effect that (A) US Bank is a national banking association duly organized and validly existing under the laws of the United States of America having full power and being qualified to enter into, accept and agree to the provisions of the Agreement and the Escrow Agreement, to perform its obligations under the Agreement and the Escrow Agreement and to authenticate the Series 2022A Bonds; (B) all approvals, consents and orders of any governmental authority or agency having jurisdiction in this matter that would constitute a condition precedent to the performance by US Bank of its trusts, duties and obligations under the Agreement and the Escrow Agreement have been obtained and are in full force and effect; (C) US Bank has duly accepted the duties and obligations of US Bank under the Agreement and the Escrow Agreement, which are legal, valid and binding obligations of US Bank; (D) acceptance of the duties and obligations of US Bank under the Agreement and the Escrow Agreement and the consummation of the transactions on the part of US Bank contemplated therein, and the compliance by US Bank, as applicable, with the terms, conditions and provisions of the Agreement and the Escrow Agreement do not contravene any provisions of applicable law or regulation or any order or decree, writ or injunction or the articles of incorporation or bylaws of US Bank, and, to the best knowledge of such officer, will not require the consent under or result in a breach of or a default under, any resolution, agreement or other instrument to which US Bank a party or by which it may be bound and (E) US Bank has not been served with any action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court, governmental agency, public board or body, nor to the best knowledge of US Bank is any such action or other proceeding threatened against US Bank, as such but not in its individual capacity, affecting the existence of US Bank, or the titles of its officers to their respective offices or seeking to prohibit, restrain or enjoin the collection of Proposition C Sales Tax to be applied to pay the principal and interest on the Series 2022A Bonds, or the pledge thereof, or in any way contesting or affecting the validity or enforceability of the Agreement and the Escrow Agreement, or contesting the powers of US Bank or its authority to enter into, adopt or perform its obligations under any of the foregoing, wherein an unfavorable decision, ruling or finding would materially adversely affect the validity or enforceability of the Agreement and the Escrow Agreement;

(xiii) a certified copy of the general resolution of Trustee authorizing execution and delivery of Series 2022A Bonds and Agreement;

(xiv) an opinion, dated the Closing Date and addressed to the Underwriters and the Authority, of counsel to US Bank, to the effect that (A) US Bank is a national banking association duly organized, validly existing and in good standing under the laws of the United States of America; (B) US Bank has all requisite corporate power, authority and legal right to execute and deliver the Thirty-Third Supplemental Trust Agreement, as trustee, and the Escrow Agreement, as escrow agent, to authenticate the Series 2022A Bonds, and to perform its obligations under the Agreement and the Escrow Agreement and has taken all necessary corporate action to authorize the execution and delivery thereof

and the performance of its obligations under the Agreement and the Escrow Agreement and to authenticate the Series 2022A Bonds; (C) US Bank has duly authorized, executed and delivered the Agreement and the Escrow Agreement and has duly authenticated the Series 2022A Bonds, and assuming the due authorization, execution and delivery thereof by the other parties thereto, each of the Agreement and the Escrow Agreement is the legal, valid and binding agreement of US Bank, enforceable in accordance with its terms against US Bank; (D) no authorization, approval, consent, or order of any governmental agency or regulatory authority having jurisdiction over US Bank that has not been obtained by US Bank is required for the authorization, execution, and delivery by US Bank of the Thirty-Third Supplemental Trust Agreement or the Escrow Agreement, the authentication of the Series 2022A Bonds, or the performance of the duties and obligations of US Bank under the Agreement or the Escrow Agreement; and (E) the execution and delivery of the Thirty-Third Supplemental Trust Agreement and the Escrow Agreement, and compliance with the provisions of the Agreement and the Escrow Agreement by US Bank will not violate any provisions of any law or regulation governing US Bank or any order of any governmental authority having jurisdiction over US Bank;

(xv) a duly executed copy of the DTC Representation Letter;

(xvi) the items required by the Trust Agreement as conditions for issuance of the Series 2022A Bonds;

(xvii) a copy of the Report of Proposed Debt Issuance and the Report of Final Sale required to be delivered to the California Debt and Investment Advisory Commission;

(xviii) an opinion of Bond Counsel, dated the Closing Date, addressed to the Authority and the Trustee pursuant to Section 10.03(d)(ii) of the Trust Agreement;

(xix) a defeasance opinion of Bond Counsel to the effect that the Refunded Bonds are deemed to be paid under the Trust Agreement;

(xx) a verification report of Robert Thomas CPA, LLC;

(xxi) a transcript of all proceedings relating to the authorization and delivery of the Series 2022A Bonds; and

(xxii) such additional certificates, legal opinions of Bond Counsel, Underwriters' Counsel or other counsel and such other instruments or documents as Underwriters' Counsel or Bond Counsel reasonably request to evidence the truth and accuracy as of the date hereof and as of the Closing Date of information contained in the Official Statement and the representations and warranties contained herein and in the Official Statement and the due satisfaction on or prior

to the Closing Date of all conditions then to be satisfied in connection with the transaction contemplated hereby.

**Section 9. Termination**. The Underwriters shall have the right to terminate their obligations under this Purchase Contract to purchase, accept delivery of and to pay for the Series 2022A Bonds, if:

(a) between the date hereof and the Closing Date, the market price or marketability or the ability of the Underwriters to sell or to enforce contracts for the sale, at the initial offering prices set forth in the Official Statement, of the Series 2022A Bonds has been materially adversely affected, in the reasonable judgment of the Representative in consultation with the Authority (evidenced by a written notice to the Authority terminating the obligation of the Underwriters to accept delivery of and pay for the Series 2022A Bonds), by reason of any of the following:

(i) (A) any legislation that is (1) enacted by or introduced in Congress; (2) favorably reported for passage to either House of the Congress of the United States by any Committee of such House to which such legislation has been referred for consideration; (3) recommended to the Congress for passage by the President of the United States or the Treasury Department; or (4) officially presented by any member of the Committee on Finance of the United States Senate or the Committee on Ways and Means of the United States House of Representatives for formal action by such Committee, or officially presented as an option for formal consideration by either such Committee, by the Staff of such Committee or by the Staff of the Joint Committee on Taxation of the United States Congress, or by the occurrence of any other Congressional action, but only, however, if the occurrence of any of the foregoing events is generally accepted by the municipal bond market as potentially affecting the federal tax status of the Authority, its property or income, or the interest on its bonds or notes (including the Series 2022A Bonds); (B) any decision rendered by a court established under Article III of the Constitution of the United States or the Tax Court of the United States, but only, however, if such decision is generally accepted by the municipal bond market as potentially affecting the federal tax status of the Authority, its property or income, or the interest on its bonds or notes (including the Series 2022A Bonds); or (C) a final order, ruling, regulation or official statement issued or made (1) by or on behalf of the Treasury Department of the United States or the Internal Revenue Service, with the purpose or effect, directly or indirectly, of imposing federal income taxation upon such interest as would be received by the holders of the Series 2022A Bonds, or upon such revenues or other income of the general character expected to be received by the Authority; or (2) by or on behalf of the Securities and Exchange Commission, or any other governmental agency having jurisdiction of the subject matter, to the effect that obligations of the general character of the Series 2022A Bonds are not exempt from registration or qualification under, or other requirements of, the Securities Act, the Trust Indenture Act or that the issuance, offering or sale of the Series 2022A Bonds or obligations of the general character of the Series 2022A Bonds, including any or all underlying arrangements, as contemplated hereby or by the Official Statement,

otherwise is or would be in violation of the federal securities laws as amended and then in effect;

(ii) any legislation, ordinance, rule or regulation shall be introduced in, or be enacted by any governmental body, department or agency of the State, or a decision by any court of competent jurisdiction within the State or any court of the United States;

(iii) the outbreak of hostilities or escalation of any existing or future hostilities or terrorist attacks involving the United States or the declaration by the United States of a national emergency or war or the occurrence of any other local, national or international calamity or crisis or any escalation of any thereof (including an escalation of any calamity or crisis existing on the date hereof);

(iv) the declaration of a general banking moratorium by federal, New York or California authorities, a major financial crisis, material disruption in commercial banking or securities settlement or clearance services, or the general suspension of trading, minimum or maximum prices for trading shall have been fixed and be in force or maximum ranges or prices for securities shall have been required and be in force on the New York Stock Exchange or other national securities exchange;

(v) the imposition by the New York Stock Exchange or other national securities exchange, or any governmental authority, of any material restrictions not now in force with respect to the Series 2022A Bonds or obligations of the general character of the Series 2022A Bonds or securities generally, or the material increase of any such restrictions now in force, including those relating to the net capital requirements of the Underwriters;

(vi) the adoption of any amendment to the federal or California Constitution, a decision by any federal or State court, or enactment by any federal or State legislative body materially adversely affecting (A) the Authority or the right of the Authority to receive or to pledge any of the Pledged Revenues; (B) the validity or collection of the Proposition C Sales Tax; or (C) the validity or enforceability of the Series 2022A Bonds, this Purchase Contract, the Authority Documents or the Resolution;

(vii) a stop order, ruling or regulation by the Securities and Exchange Commission shall hereafter be issued or made, the reasonable effect of which is that the issuance, offering or sale of the Series 2022A Bonds, as contemplated herein or in the Official Statement, or of obligations of the general character of the Series 2022A Bonds, is in violation of any provisions of the Securities Act, as amended and as then in effect, the Securities Exchange Act of 1934, as amended and as then in effect, the Trust Indenture Act, or any rule or regulation promulgated under any such Acts;

(viii) the purchase of and payment for the Series 2022A bonds by the Underwriters or the sale of the Series 2022A Bonds to the Underwriters or their resale or reoffering by the Underwriters, on the terms and conditions provided in this Purchase Contract, is prohibited by any applicable law or governmental authority, board, agency or commission.

(ix) except as otherwise described in the Official Statement, there shall occur any materially adverse change or any materially adverse development involving a prospective change in or affecting the business, properties or financial condition of the Authority; or

(x) there has been a suspension, withdrawal or downgrading, or any official statement has been made as to the possible suspension, withdrawal or downgrading of any rating assigned to the Series 2022A Bonds by Moody's, S&P, or Fitch.

(b) an event occurs, or information becomes known, which, in the judgment of the Representative, makes untrue any material statement or information contained in the Preliminary Official Statement or the Official Statement, or has the effect that the Preliminary Official Statement or the Official Statement contains any untrue statement of material fact or omits to state a material fact necessary in order to make the statements therein, in the light of the circumstances under which they were made, not misleading, which event or information has not been reflected to the satisfaction of the Representative and the Authority in an amendment or supplement to the Preliminary Official Statement or the Official Statement pursuant to Section 6(n) hereof; or

(c) any litigation shall be instituted, pending or threatened to restrain or enjoin the validity and collection of the Proposition C Sales Tax or the issuance or sale of the Series 2022A Bonds, or in any way protesting or affecting the authority of the Authority to issue the Series 2022A Bonds or the validity of the Series 2022A Bonds or this Purchase Contract, the Authority Documents or the Resolution, or which would materially and adversely affect the existence or powers of the Authority.

**Section 10. Expenses**.

(a) The Underwriters shall be under no obligation to pay, and the Authority shall pay, or cause to be paid, all expenses incident to the performance of the Authority's obligations hereunder, including, but not limited to, the cost of word processing and reproducing, executing and delivering the Series 2022A Bonds to the Underwriters; the cost of preparation, printing (and/or word processing and reproducing), distribution and delivery of the Agreement, the Authority Documents, the Preliminary Official Statement, the Official Statement and such other agreements or proceedings as determined necessary with respect to the sale of the Series 2022A Bonds, in sufficient quantities for distribution in connection with the sale of the Series 2022A Bonds; the fees and disbursements of Bond Counsel and Disclosure Counsel; the fees and disbursements of any other accountants, attorneys, financial advisors and experts or consultants retained in connection with the issuance of the Series 2022A Bonds; the fees and disbursements of the Trustee; fees

charged by the rating agencies for rating the Series 2022A Bonds; the meal, transportation, entertainment, travel and lodging fees and expenses and any other customary fees and expenses of the Authority (including any member of the Board of Directors of the Authority and any official, officer or any other employee of the Authority) or any other governmental official or employees incident and ancillary to the carrying out of the transactions described in this Purchase Contract and the Official Statement; and any other expenses not specifically enumerated in Section 7(b) below incurred in connection with the issuance of the Series 2022A Bonds.

(b) The Underwriters shall pay the following expenses (which may be included as an expense component of the Underwriters' discount): (i) the fees and disbursements of Underwriters' Counsel; (ii) the cost of preparation and printing of Blue Sky and legal investment memoranda to be used by them; (iii) all advertising and marketing expenses in connection with the public offering of the Series 2022A Bonds; (iv) any fees assessed upon the Underwriters with respect to the Series 2022A Bonds by DTC, the Municipal Securities Rulemaking Board or the Financial Industry Regulatory Authority; and (v) the CUSIP Service bureau charge for the assignment of CUSIP numbers.

**Section 11. Covenants and Agreements of the Authority**. No covenant or agreement contained in this Purchase Contract shall be deemed to be a covenant or agreement of any member, officer, agent or employee of the Authority nor shall such persons be liable personally under this Purchase Contract or be subject to any personal liability or accountability solely by reason of the execution of this Purchase Contract or solely by reason of the breach or attempted alleged breach hereof by the Authority.

**Section 12. Notices**. Any notice to be given to the Authority under this Purchase Contract may be given by delivering the same to the Los Angeles County Metropolitan Transportation Authority, One Gateway Plaza, 21st Floor, Los Angeles, California 90012 Attention: Deputy Executive Officer, Finance; any such notice to be given to the Underwriter may be given by delivering the same to [Lead Senior Underwriter], [Lead Senior Underwriter Address], Attention: [Lead Senior Underwriter Contact].

**Section 13. Survival of Representations and Warranties.** The representations and warranties of the Authority set forth in or made pursuant to this Purchase Contract shall not be deemed to have been discharged, satisfied or otherwise rendered void by reason of the Closing or termination of this Purchase Contract and regardless of any investigations or statements as to the results thereof made by or on behalf of the Underwriters and regardless of delivery of and payment for the Series 2022A Bonds. All of the Authority's representations, warranties and agreements contained in this Purchase Contract shall remain operative and in full force and effect, regardless of: (a) any investigations made by or on behalf of the Underwriters; (b) delivery of and payment for the Series 2022A Bonds pursuant to this Purchase Contract; and (c) any termination of this Purchase Contract.

**Section 14. Parties in Interest**. This Purchase Contract is made solely for the benefit of the Authority and the Underwriters (including the successors or assigns of the Underwriters) and no other person shall acquire or have any right hereunder or by virtue hereof.

**Section 15. Governing Law**. This Purchase Contract shall be governed by, and construed in accordance with, the laws of the State of California.

**Section 16. Counterparts and Headings**. This Purchase Contract may be executed simultaneously in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. The headings of the section of this Purchase Contract are inserted for convenience and shall not be deemed to be a part hereof.

**Section 17. Waiver by Representative**. The Representative, in its sole discretion, may waive any condition or requirement imposed upon the Authority as set forth in this Purchase Contract.

**Section 18. Entire Agreement**. This Purchase Contract when accepted by the Authority in writing as heretofore specified shall constitute the entire agreement between the Authority and the Underwriters with respect to the purchase of the Series 2022A Bonds.

**Section 19. Effectiveness**. This Purchase Contract shall become effective upon the execution of the acceptance hereby by the Authority, and valid and binding and enforceable as of the time acceptance.

**Section 20. Assignment**. The rights and obligations created by this Purchase Contract shall not be subject to assignment by the Underwriters or the Authority without the prior written consent of the other party hereto.

**Section 21. Severability**. In the event any provision of this Purchase Contract shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

[Remainder of page intentionally left blank; signature page follows]

THE UNDERWRITERS:

[LEAD SENIOR UNDERWRITER],
as Representative

By _____
Authorized Representative

The foregoing is hereby agreed to and
accepted as of the date first above written.

LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY

By _____
Rodney Johnson
Deputy Executive Officer, Finance

[Signature page to Purchase Contract]

## SCHEDULE I

## SCHEDULE OF MATURITIES, PRINCIPAL AMOUNTS, INTEREST RATES, YIELDS AND PRICES AND REDEMPTION PROVISIONS

**$[Principal Amount]**
**Los Angeles County Metropolitan Transportation Authority**
**Proposition C Sales Tax Revenue Refunding Bonds**
**Senior Bonds, Series 2022-A**

**Maturity Schedule**

**$_____ Serial Bonds**

| Maturity (July 1) | Principal Amount | Interest Rate | Yield | Price | 10% Test Satisfied* | 10% Test Not Satisfied | Subject to Hold-The-Offering Price Rule |
|---|---|---|---|---|---|---|---|

*At the time of the execution of this Purchase Agreement and assuming orders are confirmed by the end of the day immediately following the day of execution of this Purchase Agreement.
C Yield to call at par and priced to call at par, on July 1, 20__.

**Redemption Provisions**

The Series 2022A Bonds are not subject to redemption prior to maturity.

## APPENDIX A

## ISSUE PRICE CERTIFICATE
## (REPRESENTATIVE)

**$[Principal Amount]**
**Los Angeles County Metropolitan Transportation Authority**
**Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2022-A**

The undersigned, [Lead Senior Underwriter] (the "Representative"), on behalf of itself and on behalf of the other underwriters for the herein referenced Series 2022A Bonds (collectively, the "Underwriting Group"), hereby certifies as set forth below with respect to the sale and issuance of the above-captioned obligations (the "Series 2022A Bonds").

1. ***Sale of the 10% Test Maturities***. As of the date of this certificate, for each Maturity of the Series 2022A Bonds listed as a "10% Test Maturity" in Schedule A attached hereto, the first price at which at least 10% of such Maturity was sold to the Public is the respective price listed in Schedule A attached hereto.

2. ***Initial Offering Price of the Hold-the-Price Maturities***.

(a) The Underwriting Group offered the "Hold-the-Price Maturities" (as listed in Schedule A attached hereto) to the Public for purchase at the respective initial offering prices listed in Schedule A attached hereto (the "Initial Offering Prices") on or before the Sale Date.

(b) With respect to the Hold-the-Price Maturities, as agreed to in writing by the Representative in the Purchase Contract, dated [Pricing Date], between the Representative, on behalf of themselves and on behalf of the other members of the Underwriting Group, and the Authority, the Representative have not offered or sold unsold Series 2022A Bonds any of the Hold-the-Price Maturities to any person at a price that is higher than or a yield lower than the respective Initial Offering Prices for such Maturities of the Series 2022A Bonds during the Holding Period.

3. ***Pricing Wire or Equivalent Communication***. A copy of the pricing wire or equivalent communication for the Series 2022A Bonds is attached to this certificate as Schedule B.

4. ***Defined Terms***.

(a) 10% Test Maturities means those Maturities of the Series 2022A Bonds listed in Schedule A hereto as the "10% Test Maturities."

(b) Authority means the Los Angeles County Metropolitan Transportation Authority.

(c) Hold-the-Price Maturities means those Maturities of the Series 2022A Bonds listed in Schedule A hereto as the "Hold-the-Price Maturities."

(d) Holding Period means, with respect to a Hold-the-Price Maturity, the period starting on the Sale Date and ending on the earlier of (i) the close of the fifth business day after the Sale Date, or (ii) the date on which at least 10% of such Hold-the-Price Maturity was sold to the Public at prices that are no higher than or yields that are no lower than the Initial Offering Price for such Hold-the-Price Maturity.

(e) Maturity means Series 2022A Bonds with the same credit and payment terms. Series 2022A Bonds with different maturity dates, or Series 2022A Bonds with the same maturity date but different stated interest rates, are treated as separate maturities.

(f) Public means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter.

(g) Related Party. A purchaser of any Series 2022A Bonds is a "Related Party" to an Underwriter if the Underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (ii) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (iii) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other).

(h) Sale Date means the first day on which there is a binding contract in writing for the sale of a Maturity of the Series 2022A Bonds. The Sale Date of the Series 2022A Bonds is [Pricing Date].

(i) Tax Compliance Certificate means the Tax Compliance Certificate, dated [Closing Date], executed and delivered by the Authority in connection with the issuance of the Series 2022A Bonds.

(j) Underwriter means (i) any person that agrees pursuant to a written contract with the Authority (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Series 2022A Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Series 2022A Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Series 2022A Bonds to the Public).

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents the Representative' interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The undersigned understands that the foregoing information will be relied upon by the Authority with respect to certain of the representations set forth in the Tax Certificate and with respect to compliance with the federal income tax rules affecting the Series 2022A Bonds,

and by Hawkins Delafield & Wood LLP, as Bond Counsel to the Authority, in connection with rendering its opinion that the interest on the Series 2022A Bonds is excluded from gross income for federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other federal income tax advice that it may give to the Authority from time to time relating to the Series 2022A Bonds.

[LEAD SENIOR UNDERWRITER], as
Representative of the Underwriting Group

By _____
Managing Director

Dated: [Closing Date]

**SCHEDULE A**

**SALE PRICES**

**SCHEDULE B**

**PRICING WIRE OR EQUIVALENT COMMUNICATION**

**(Attached)**

# ESCROW AGREEMENT

by and between

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**

and

**U.S. BANK NATIONAL ASSOCIATION**,
as Trustee and Escrow Agent

relating to:

Los Angeles County Metropolitan Transportation Authority
Proposition C Sales Tax Revenue Refunding Bonds,
Senior Bonds, Series 2012-A Bonds

and

Los Angeles County Metropolitan Transportation Authority
Proposition C Sales Tax Revenue Refunding Bonds,
Senior Bonds, Series 2012-B Bonds

Dated [Closing Date]

# ESCROW AGREEMENT

**THIS ESCROW AGREEMENT,** dated [Closing Date] (this "***Escrow Agreement***"), is made by and between the **LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY** (the "***Authority***"), a county transportation commission duly organized and existing pursuant to Chapter 2, Division 12 of the California Public Utilities Code (commencing with Section 130050.2), and **U.S. BANK NATIONAL ASSOCIATION**, a national banking association organized and existing under the laws of the United States of America, as trustee under the hereinafter defined Agreement and Twenty-Second Supplemental Agreement, and as escrow agent (the "***Trustee/Escrow Agent***").

W I T N E S S E T H :

WHEREAS, the Authority has previously issued its Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-A Bonds (the "***Series 2012-A Bonds***") and Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-B Bonds (the "***Series 2012-B Bonds***" and, together with the Series 2012-A Bonds, the "***Refunded Bonds***"), pursuant to the Amended and Restated Trust Agreement, dated as of January 1, 2010, as amended and supplemented (the "***Agreement***"), by and between the Authority and the Trustee/Escrow Agent, as trustee, and the Twenty-Second Supplemental Trust Agreement, to be dated as of July 1, 2012 (the "***Twenty-Second Supplemental Agreement***"), by and between the Authority and the Trustee/Escrow Agent, as trustee; and

WHEREAS, the Authority is, simultaneously with the execution of this Escrow Agreement, issuing $[2022-A Par] aggregate principal amount of its Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2022-A (the "***Series 2022-A Bonds***") under the terms of the Agreement and the Thirty-Third Supplemental Trust Agreement, dated as of June 1, 2020 (the "***Thirty-Third Supplemental Agreement***"), by and between the Authority and the Trustee/Escrow Agent, as trustee; and

WHEREAS, the Series 2022-A Bonds are being issued to, among other things, current refund and defease the Refunded Bonds set forth in Exhibit A attached hereto; and

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants hereinafter set forth, the parties hereto agree as follows:

**Section 1. Creation of Escrow Fund**. There is hereby created and established with the Trustee/Escrow Agent a special and irrevocable escrow fund designated the "Los Angeles County Metropolitan Transportation Authority, Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012 Escrow Fund" (herein referred to as the "***Escrow Fund***"), within which there shall be established an escrow account for the Series 2012-A Bonds (the "***Series 2012-A Bonds Escrow Account***") and an escrow account for the Series 2012-B Bonds (the "***Series 2012-B Bonds Escrow Account***"), each to be held in the custody of the Trustee/Escrow Agent in trust under this Escrow Agreement for the benefit of the owners of the Refunded Bonds. Except as

otherwise provided in Section 5 hereof, the Authority shall have no interest in the funds held in the Escrow Fund.

**Section 2. Deposit to the Escrow Fund**.

(a) Concurrently with the execution and delivery of this Escrow Agreement, the Authority hereby directs the Trustee/Escrow Agent to, and the Trustee/Escrow Agent shall, deposit the sum of $[2012-A Deposit] to be derived from the proceeds of the sale of the Series 2022-A Bonds (which the Authority shall transfer or caused to be transferred to the Trustee/Escrow Agent on [Closing Date]) to the Series 2012-A Escrow Account.

(b) Concurrently with the execution and delivery of this Escrow Agreement, the Authority hereby directs the Trustee/Escrow Agent to, and the Trustee/Escrow Agent shall, deposit the sum of $[2012-B Deposit] to be derived from the proceeds of the sale of the Series 2022-A Bonds (which the Authority shall transfer or caused to be transferred to the Trustee/Escrow Agent on [Closing Date]) to the Series 2012-B Escrow Account.

(c) The Authority hereby directs the Trustee/Escrow Agent to, and the Trustee/Escrow Agent shall, transfer (i) $[2012-A Interest Release] from the Series 2012 Subaccount of the Senior Bond Interest Account to the Escrow Agent for deposit in the Escrow Account for the Series 2012-A Bonds, (ii) $[2012-A Reserve Release] from the Series 2012-A Account of the Reserve Fund to the Escrow Agent for deposit in the Escrow Account for the Series 2012-A Bonds, (iii) $[2012-B Interest Release] from the Series 2012 Subaccount of the Senior Bond Interest Account to the Escrow Agent for deposit in the Escrow Account for the Series 2012-B Bonds, (ii) $[2012-B Reserve Release] from the Series 2012-B Account of the Reserve Fund to the Escrow Agent for deposit in the Escrow Account for the Series 2012-B Bonds.

(d) The Trustee/Escrow Agent hereby acknowledges receipt of $[Total Escrow Deposit] as described in clauses (a) and (c) above, and that such amounts were deposited in the Escrow Fund.

(e) The Authority hereby directs the Trustee/Escrow Agent to, and the Trustee/Escrow Agent shall, on [Closing Date], retain $[Total Escrow Deposit] in the Escrow Fund as a beginning cash balance. The Trustee/Escrow Agent shall hold the amounts therein uninvested.

**Section 3. Investment of the Escrow Fund**. The Trustee/Escrow Agent shall hold the beginning cash balance and any earnings received thereon and any reinvestment thereof created by this Escrow Agreement and disburse such amounts as provided herein. The Trustee/Escrow Agent shall collect amounts due and shall sell or otherwise redeem or liquidate investments in the Escrow Fund as needed to make the payments and transfers required by this Escrow Agreement but otherwise shall have no power or duty to sell, transfer, request the redemption of or otherwise dispose of amounts in the Escrow Fund.

**Section 4. Creation of Lien on Escrow Fund**. The deposit of the moneys in the Escrow Fund shall constitute an irrevocable deposit in trust for the benefit of the holders of the Refunded Bonds. The holders of the Refunded Bonds are hereby granted an express lien on the Escrow Fund

and all moneys and investments from time to time held therein for the payment of amounts described in Section 5 hereof.

**Section 5. Use of Escrow Fund**. The Trustee/Escrow Agent shall withdraw the amount described in Schedule I attached hereto on the date set forth in Schedule I from the Escrow Fund and use such amount in its capacity as trustee for the Refunded Bonds to pay the principal of and interest on the Refunded Bonds as directed pursuant to the Agreement and the Twenty-Second Supplemental Agreement.

The Trustee/Escrow Agent shall retain all unclaimed moneys, together with interest thereon, in the Escrow Fund and shall invest such unclaimed moneys as directed in writing by an Authorized Authority Representative (as defined in the Agreement). At such time as the Authority delivers to the Trustee/Escrow Agent written notice that no additional amounts from the Escrow Fund will be needed to pay or redeem the Refunded Bonds, or on July 2, 2020, whichever occurs first, the Trustee/Escrow Agent shall transfer all amounts then remaining in the Escrow Fund to the Series 2022-A Subaccount of the Senior Bond Interest Account, established under the Thirty-Third Supplemental Agreement, to be used to pay interest on the Series 2022-A Bonds. At such time as no amounts remain in the Escrow Fund, such fund shall be closed.

**Section 6. Notice of Redemption; Notice of Defeasance**. In accordance with Section 4.01 of the Twenty-Second Supplemental Agreement, the Authority previously directed the Trustee/Escrow Agent to give or cause to be given the conditional notice of redemption of the Refunded Bonds (in the form attached hereto as Exhibit B, the "***Notice of Redemption***") as set forth in Section 3.03 of the Agreement. The Trustee certifies that such notice was given in accordance with Section 3.03 of the Agreement and Section 4.01 of the Twenty-Second Supplemental Agreement.

The Authority hereby directs the Trustee/Escrow Agent to give or cause to be given on the date hereof, and the Trustee/Escrow Agent agrees to give or cause to be given on the date hereof, notice of the defeasance of the Refunded Bonds (in the form attached hereto as Exhibit C, the "***Notice of Defeasance***"). The Notice of Defeasance shall be mailed (or delivered via such other approved delivery method, including electronically) to The Depository Trust Company.

**Section 7. Liability of Trustee/Escrow Agent**.

(a) The Trustee/Escrow Agent shall not under any circumstance be liable for any loss resulting from any investment made pursuant to this Escrow Agreement in compliance with the provisions hereof. The Trustee/Escrow Agent shall have no lien whatsoever on the Escrow Fund or moneys on deposit in the Escrow Fund for the payment of fees and expenses for services rendered by the Trustee/Escrow Agent under this Escrow Agreement or otherwise.

(b) The Trustee/Escrow Agent shall not be liable for the accuracy of the calculations as to the sufficiency of any moneys deposited into the Escrow Fund to pay the principal of and interest on the Refunded Bonds.

(c) The Authority agrees that if for any reason the investments and moneys and other funds available to pay principal of and interest on the Refunded Bonds are insufficient

therefor, the Authority shall continue to be liable for payment therefor in accordance with the terms of the Agreement and the Twenty-Second Supplemental Agreement.

(d) No provision of this Escrow Agreement shall require the Trustee/Escrow Agent to expend or risk its own funds.

(e) The Trustee/Escrow Agent may consult with bond counsel to the Authority or with such other counsel of its own choice subject to reasonable approval by the Authority (which may but need not be counsel to the Authority) and the opinion of such counsel shall be full and complete authorization to take or suffer in good faith any action in accordance with such opinion of counsel.

(f) Whenever in the administration of this Escrow Agreement the Trustee/Escrow Agent shall deem it necessary or desirable that a matter be proved or established prior to taking or not taking any action hereunder, such matter (unless other evidence in respect thereof be herein specifically prescribed) may, in the absence of negligence or willful misconduct on the part of the Trustee/Escrow Agent, be deemed to be conclusively proved and established by a certificate of an Authorized Authority Representative, and such certificate shall, in the absence of negligence or willful misconduct on the part of the Trustee/Escrow Agent, be full warrant to the Trustee/Escrow Agent for any action taken or not taken by it under the provisions of this Escrow Agreement in reliance thereon. The Trustee/Escrow Agent hereby represents that, as of the date hereof, it does not need any further certificate or direction from any other party in order to carry out the terms of this Escrow Agreement.

(g) The Trustee/Escrow Agent may conclusively rely, as to the truth and accuracy of the statements and correctness of the opinions and the calculations provided, and shall be protected and indemnified as set forth in Section 11 hereof, in acting, or refraining from acting, upon any written notice, instruction, request, certificate, document or opinion furnished to the Trustee/Escrow Agent signed or presented by the proper party, and it need not investigate any fact or matter stated in such notice, instruction, request, certificate or opinion.

(h) The Trustee/Escrow Agent shall not have any liability hereunder except to the extent of its own negligence or willful misconduct. In no event shall the Trustee/Escrow Agent be liable for any special, indirect or consequential damages.

(i) The Trustee/Escrow Agent shall not be responsible for any of the recitals or representations contained herein.

(j) The Trustee/Escrow Agent's rights to indemnification hereunder shall survive its resignation or removal and the termination of this Escrow Agreement.

(k) The Trustee/Escrow Agent may execute any of the trusts or powers hereunder or perform any duties hereunder either directly or by or through agents, attorneys, custodians or nominees appointed with due care, and shall not be responsible for any willful misconduct or negligence on the part of any agent, attorney, custodian or nominee so appointed.

(l) The Trustee/Escrow Agent shall have the right to accept and act upon instructions, including funds transfer instructions ("***Instructions***") given pursuant to this Escrow Agreement and delivered using Electronic Means ("***Electronic Means***" shall mean the following communications methods: e-mail, facsimile transmission, secure electronic transmission containing applicable authorization codes, passwords and/or authentication keys issued by the Trustee/Escrow Agent, or another method or system specified by the Trustee/Escrow Agent as available for use in connection with its services hereunder.); provided, however, that the Authority shall provide to the Trustee/Escrow Agent an incumbency certificate listing officers with the authority to provide such Instructions ("***Authorized Officers***") and containing specimen signatures of such Authorized Officers, which incumbency certificate shall be amended by the Authority, whenever a person is to be added or deleted from the listing. If the Authority elects to give the Trustee/Escrow Agent Instructions using Electronic Means and the Trustee/Escrow Agent in its discretion elects to act upon such Instructions, the Trustee/Escrow Agent's understanding of such Instructions shall be deemed controlling. The Authority understands and agrees that the Trustee/Escrow Agent cannot determine the identity of the actual sender of such Instructions and that the Trustee/Escrow Agent shall conclusively presume that directions that purport to have been sent by an Authorized Officer listed on the incumbency certificate provided to the Trustee/Escrow Agent have been sent by such Authorized Officer. The Authority shall be responsible for ensuring that only Authorized Officers transmit such Instructions to the Trustee/Escrow Agent and that the Authority and all Authorized Officers are solely responsible to safeguard the use and confidentiality of applicable user and authorization codes, passwords and/or authentication keys upon receipt by the Authority. The Trustee/Escrow Agent shall not be liable for any losses, costs or expenses arising directly or indirectly from the Trustee/Escrow Agent's reliance upon and compliance with such Instructions notwithstanding such directions conflict or are inconsistent with a subsequent written instruction. The Authority agrees: (i) to assume all risks arising out of the use of Electronic Means to submit Instructions to the Trustee/Escrow Agent, including without limitation the risk of the Trustee/Escrow Agent acting on unauthorized Instructions, and the risk of interception and misuse by third parties; (ii) that it is fully informed of the protections and risks associated with the various methods of transmitting Instructions to the Trustee/Escrow Agent and that there may be more secure methods of transmitting Instructions than the method(s) selected by the Authority; (iii) that the security procedures (if any) to be followed in connection with its transmission of Instructions provide to it a commercially reasonable degree of protection in light of its particular needs and circumstances; and (iv) to notify the Trustee/Escrow Agent immediately upon learning of any compromise or unauthorized use of the security procedures.

(m) The Trustee/Escrow Agent shall incur no liability for losses arising from any investment made pursuant to this Escrow Agreement.

(n) The Authority acknowledges that to the extent regulations of the Comptroller of the Currency or other applicable regulatory entity grant the Authority the right to receive brokerage confirmations of security transactions as they occur, the Authority specifically waives receipt of such confirmations to the extent permitted by law. The Trustee/Escrow Agent will furnish the Authority periodic cash transaction statements

which include detail for all investment transactions made by the Trustee/Escrow Agent hereunder.

**Section 8. Successor Trustee/Escrow Agent**. Any corporation into which the Trustee/Escrow Agent may be merged or converted or with which it may be consolidated, or any corporation resulting from any merger, conversion, consolidation or tax-free reorganization to which the Trustee/Escrow Agent shall be a party or any corporation succeeding to the corporate trust business of the Trustee/Escrow Agent, shall be the successor Trustee/Escrow Agent under this Escrow Agreement without the execution or filing of any paper or any other act on the part of the parties hereto, anything herein to the contrary notwithstanding.

**Section 9. Termination**. This Escrow Agreement shall terminate when all transfers and payments required to be made by the Trustee/Escrow Agent under the provisions hereof shall have been made. Any deficiency in the amounts required to be paid hereunder shall be paid by the Authority. The Authority hereby directs the Trustee/Escrow Agent to, and the Trustee/Escrow Agent shall, distribute any moneys remaining in the Escrow Fund at the time of such termination to the Series 2022-A Subaccount of the Senior Bond Interest Account, established under the Thirty-Third Supplemental Agreement.

**Section 10. Tax-Exempt Nature of Interest on the Refunded Bonds**. The Authority covenants and agrees for the benefit of the holders of the Refunded Bonds that it will not direct or permit anything or act to be done in such manner as would cause interest on the Refunded Bonds to be included in the gross income of the recipients thereof for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), nor will it use any of the proceeds received from the sale of the Series 2022-A Bonds, directly or indirectly, in any manner which would result in the Series 2022-A Bonds being classified as "arbitrage bonds" within the meaning of the Code.

**Section 11. Compensation and Indemnity of Trustee/Escrow Agent**. For acting under this Escrow Agreement, the Trustee/Escrow Agent shall be entitled to payment of fees of $1,000.00 for its services, including, without limitation, reasonable compensation for all services rendered in the execution, exercise and performance of any of the duties of the Trustee/Escrow Agent to be exercised or performed pursuant to the provisions of this Escrow Agreement, and all reasonable expenses, disbursements and advances incurred in accordance with any provisions of this Escrow Agreement (including the reasonable compensation and expenses and disbursements of independent counsel, agents and attorneys-at-law or other experts employed by it in the exercise and performance of its powers and duties hereunder and out-of-pocket expenses including, but not limited to, postage, insurance, wires, stationery, costs of printing forms and letters and publication of notices of defeasance and redemption); however, such amount shall never be payable from or become a lien upon the Escrow Fund, which fund shall be held solely for the purposes and subject to the liens set forth in Sections 4 and 5, respectively, hereof. To the extent permitted by law, the Authority agrees to indemnify and hold the Trustee/Escrow Agent harmless from and against all claims, suits and actions brought against it, or to which it is made a party, and from all costs, expenses (including reasonable attorneys' fees of counsel reasonably acceptable to the Authority), losses and damages suffered by it as a result thereof, including the costs and expenses of defending against any such claims, suits or actions, where and to the extent such claim, suit or action arises out of the performance by the Trustee/Escrow Agent of its duties under this Escrow Agreement;

provided, however, that such indemnification shall not extend to claims, suits and actions brought against the Trustee/Escrow Agent which result in a judgment being entered, settlement being reached or other disposition made based upon the Trustee/Escrow Agent's negligence or willful misconduct. The indemnification provided for in this Escrow Agreement shall never be payable from or become a lien upon the Escrow Fund, which Escrow Fund shall be held solely for the purpose and subject to the liens set forth in Sections 4 and 5, respectively, hereof. The obligations of the Authority under this Section 11 shall remain in effect and continue notwithstanding the termination of this Escrow Agreement and the resignation or the removal of the Trustee/Escrow Agent.

**Section 12. Third-Party Beneficiaries and Amendments**. The owners of the Refunded Bonds are hereby recognized as third-party beneficiaries of this Escrow Agreement to the extent of their interests in the Escrow Fund as set forth in Sections 4 and 5 hereof.

**Section 13. Replacement and Resignation of Trustee/Escrow Agent**. The Authority may remove the Trustee/Escrow Agent and/or the Trustee/Escrow Agent may resign pursuant to the provisions of Section 9.09 of the Agreement and the applicable provisions of the Twenty-Second Supplemental Agreement.

**Section 14. Severability**. If any one or more of the provisions of this Escrow Agreement should be determined by a court of competent jurisdiction to be contrary to law, such provision shall be deemed and construed to be severable from the remaining provisions herein contained and shall in no way affect the validity of the remaining provisions of this Escrow Agreement.

**Section 15. Successors and Assigns**. All of the covenants and agreements in this Escrow Agreement contained by or on behalf of the Authority or the Trustee/Escrow Agent shall bind and inure to the benefit of their respective successors and assigns, whether so expressed or not.

**Section 16. Governing Law**. This Escrow Agreement shall be governed by the applicable laws of the State of California.

**Section 17. Headings**. Any headings preceding the text of the several Sections hereof, and any table of content appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this Escrow Agreement, nor shall they affect its meaning, construction or effect.

**Section 18. Amendments**. The Authority and the Trustee/Escrow Agent shall not modify this Escrow Agreement without the consent of all of the owners of the Refunded Bonds affected by such modification which have not been paid in full.

**Section 19. Counterparts**. This Escrow Agreement may be executed in several counterparts, all or any of which shall be regarded for all purposes as one original and shall constitute and be but one and the same instrument.

[Signature page follows]

IN WITNESS WHEREOF, the parties hereto have each caused this Escrow Agreement to be executed by their duly authorized officers as of the date first above written.

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

By _____
Rodney Johnson
Deputy Executive Officer, Finance

U.S. BANK NATIONAL ASSOCIATION, as Trustee and Escrow Agent

By _____
Authorized Officer

[Signature page to Escrow Agreement]

**EXHIBIT A**

**REFUNDED BONDS**

Los Angeles County Metropolitan Transportation Authority
Proposition C Sales Tax Revenue Refunding Bonds,
Senior Bonds, Series 2012-A

| Maturity Date (July 1) | Principal to be Paid or Redeemed | Redemption Price | Payment Date/ Redemption Date | CUSIP Number |
|---|---|---|---|---|
| 2027 | $ 7,210,000 | 100% | July 1, 2022 | 5447123Z3 |
| 2028 | 7,425,000 | 100 | July 1, 2022 | 5447124A7 |

Los Angeles County Metropolitan Transportation Authority
Proposition C Sales Tax Revenue Refunding Bonds,
Senior Bonds, Series 2012-B

| Maturity Date (July 1) | Principal to be Paid or Redeemed | Redemption Price | Payment Date/ Redemption Date | CUSIP Number |
|---|---|---|---|---|
| 2022 | $12,175,000 | 100% | July 1, 2022 | 5447124D1 |
| 2023 | 12,720,000 | 100 | July 1, 2022 | 5447124E9 |
| 2024 | 13,300,000 | 100 | July 1, 2022 | 5447124F6 |
| 2025 | 13,915,000 | 100 | July 1, 2022 | 5447124G4 |

# EXHIBIT B

## CONDITIONAL NOTICE OF REDEMPTION

## RELATING TO:

Los Angeles County Metropolitan Transportation Authority
Proposition C Sales Tax Revenue Refunding Bonds,
Senior Bonds, Series 2012-A

Los Angeles County Metropolitan Transportation Authority
Proposition C Sales Tax Revenue Refunding Bonds,
Senior Bonds, Series 2012-A

Notice is hereby given to the holders of the below listed Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-A (the "**Series 2012-A Bonds**") and Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-B (the "**Series 2012-B Bonds**" and, together with the Series 2012-A Bonds, the "**Refunded Bonds**") that the Los Angeles County Metropolitan Transportation Authority (the "**Authority**") has elected to redeem the Refunded Bonds. This notice is provided pursuant to the Amended and Restated Trust Agreement, dated as of January 1, 2010, as amended and supplemented (the "**Agreement**"), by and between Authority and U.S. Bank National Association, as trustee thereunder (the "**Trustee**"), including as supplemented by the Twenty-Second Supplemental Trust Agreement, dated as of July 1, 2012 (the "**Twenty-Second Supplemental Agreement**"), by and between the Authority and the Trustee. Capitalized terms used herein without definition shall have the meanings ascribed thereto in the Agreement.

The Refunded Bonds consist of the following bonds:

| Bond No. | Series | Maturity Date (July 1) | Principal Amount | Redemption Price | Redemption Date | CUSIP Number[1] |
|---|---|---|---|---|---|---|
| 1 | 2012-A | 2027 | $ 7,210,000 | 100% | July 1, 2022 | 5447123Z3 |
| 2 | 2012-A | 2028 | 7,425,000 | 100 | July 1, 2022 | 5447124A7 |
| 3 | 2012-B | 2022 | 12,175,000 | 100 | July 1, 2022 | 5447124D1 |
| 4 | 2012-B | 2023 | 12,720,000 | 100 | July 1, 2022 | 5447124E9 |
| 5 | 2012-B | 2024 | 13,300,000 | 100 | July 1, 2022 | 5447124F6 |
| 6 | 2012-B | 2025 | 13,915,000 | 100 | July 1, 2022 | 5447124G4 |

[1] CUSIP numbers are provided only for the convenience of the reader. Neither the Authority nor the Trustee undertake any responsibility for the accuracy of such CUSIP numbers or for any changes or errors in the list of CUSIP numbers

The Owners of the Refunded Bonds are required to present and surrender the Refunded Bonds at the address of the Trustee set forth below in order to receive payment of the redemption price set forth above (the "**Redemption Price**") and accrued interest, unless other arrangements for payment of principal are made in the Representation Letter:

**U.S Bank**
**Global Corporate Trust**
111 Fillmore Avenue East
St. Paul, Minnesota 55107

Owners presenting their Refunded Bonds in person for same day payment **must** surrender their Refunded Bond(s) by 1:00 P.M. CDT on the redemption date set forth above (the "**Redemption Date**") and a check will be available for pick up after 2:00 P.M. CDT. Checks not picked up by 4:30 P.M. CDT will be mailed to the Owner via first class mail. If payment of the Redemption Price is to be made to the registered owner of the Refunded Bond, you are not required to endorse the Refunded Bond to collect the Redemption Price.

For a list of redemption requirements, please visit the Trustee's website at www.usbank.com/corporatetrust and click on the "Bondholder Information" link for redemption instructions. You may also contact the Bondholder Communications team at 1-800-934-6802 Monday through Friday from 8 A.M. to 6 P.M. CDT.

On the Redemption Date, the Refunded Bonds shall cease to bear interest. If the Owner of any Refunded Bond that is subject to optional redemption fails to deliver such Refunded Bond to the Trustee on the Redemption Date, such Refunded Bond shall nevertheless be deemed redeemed on the Redemption Date and the Owner of such Refunded Bond shall have no rights in respect thereof except to receive payment of the Redemption Price from funds that are held for such payment.

Redemption of the Refunded Bonds is conditioned on and subject to the deposit of the redemption moneys with the Trustee not later than the opening of business one (1) Business Day prior to the scheduled redemption date, and such notice shall be of no effect unless such moneys are so deposited. In the event sufficient moneys are not on deposit on the required date, then the redemption shall be canceled and on such cancellation date notice shall be provided to the Owners of the affected Refunded Bonds as provided for under Section 4.01 of the Agreement.

IMPORTANT NOTICE

Federal law requires the Trustee to withhold taxes at the applicable rate from the payment if an IRS Form W-9 or applicable IRS Form W-8 is not provided. Please visit www.irs.gov for additional information on the tax forms and instructions.

Dated this 9th day of June, 2022.

**Los Angeles County**
**Metropolitan Transportation Authority**

**U.S. Bank National Association, as Trustee**

# EXHIBIT C

# FORM OF NOTICE OF DEFEASANCE

## NOTICE OF DEFEASANCE

## RELATING TO:

Los Angeles County Metropolitan Transportation Authority
Proposition C Sales Tax Revenue Refunding Bonds,
Senior Bonds, Series 2012-A

Los Angeles County Metropolitan Transportation Authority
Proposition C Sales Tax Revenue Refunding Bonds,
Senior Bonds, Series 2012-A

Notice is hereby given to the holders of the below listed Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-A (the "**Defeased Series 2012-A Bonds**") and Los Angeles County Metropolitan Transportation Authority Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-B (the "**Defeased Series 2012-B Bonds**" and, together with the Series 2012-A Bonds, the "**Defeased Bonds**") that: (i) there has been deposited with U.S. Bank National Association, as escrow agent (the "Escrow Agent"), moneys and investment securities as permitted by the Amended and Restated Trust Agreement, dated as of January 1, 2010, as amended and supplemented (the "Trust Agreement"), by and between the Los Angeles County Metropolitan Transportation Authority (the "Authority") and U.S. Bank National Association, as trustee (the "Trustee"), and the Twenty-Second Supplemental Trust Agreement, dated as of July 1, 2012 (the "Twenty-Second Supplemental Agreement"), by and between the Authority and the Trustee, the principal of and the interest on which when due will provide moneys which, together with such other moneys deposited with the Escrow Agent, will be sufficient and available on July 1, 2022 to redeem the Defeased Series 2012-A Bonds maturing on July 1, 2027 at a redemption price of 100% of the principal amount thereof, plus accrued interest thereon on July 1, 2022 and the redeem the Defeased Series 2012-B Bonds maturing on July 1, 2022 at a redemption price of 100% of the principal amount thereof, plus accrued interest thereon on July 1, 2022 and (ii) the Defeased Bonds are deemed paid in accordance with and for purposes of the Trust Agreement and the Twenty-Second Supplemental Agreement. The Defeased Bonds consist of the following bonds:

| Series | CUSIP Number[1] | Maturity Date (July 1) | Principal Amount to be Paid or Redeemed |
|---|---|---|---|
| 2012-A | 5447123Z3 | 2027 | $ 7,210,000 |
| 2012-A | 5447124A7 | 2028 | 7,425,000 |
| 2012-B | 5447124D1 | 2022 | 12,175,000 |
| 2012-B | 5447124E9 | 2023 | 12,720,000 |
| 2012-B | 5447124F6 | 2024 | 13,300,000 |
| 2012-B | 5447124G4 | 2025 | 13,915,000 |

[1] CUSIP numbers are provided only for the convenience of the reader. Neither the Authority nor the Trustee undertake any responsibility for the accuracy of such CUSIP numbers or for any changes or errors in the list of CUSIP numbers

Dated this __th day of June, 2022.

**Los Angeles County**
**Metropolitan Transportation Authority**

**U.S. Bank National Association, as Trustee**

## SCHEDULE I

## PAYMENT REQUIREMENTS FOR REFUNDED BONDS

| Series | Payment/ Redemption Date | Principal | Interest | Total |
|---|---|---|---|---|
| 2012-A | July 1, 2022 | $[2012-A Refunded Principal] | $[2012-A Refunded Interest] | $[Total 2012-A Escrow Deposit] |
| 2012-B | July 1, 2022 | $[2012-B Refunded Principal] | $[2012-B Refunded Interest] | $[Total 2012-B Escrow Deposit] |
| | | | Total: | $[Total 2012-B Escrow Deposit] |

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

Metro

# Board Report

**File #:** 2022-0288, **File Type:** Program **Agenda Number:** 35

**REGULAR BOARD MEETING**
**MAY 26, 2022**

**SUBJECT: RESPONSE TO MOTION 24: POLICING ON THE METRO BUS AND RAIL TRANSIT SYSTEM**

**ACTION: APPROVE RECOMMENDATIONS**

## RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

A. RECEIVE and FILE the Safety Contingency Plan for Law Enforcement; and

B. DELEGATE authority to the Chief Executive Officer to take any and all actions necessary and appropriate to implement the contingency plan if the Los Angeles County Sheriff's Department (LASD) fails to meet its contractual obligations over the course of the next 12 months.

## ISSUE

On April 13, 2022, Los Angeles County Sheriff Villanueva (Sheriff) sent a letter to the Metro Board stating LASD will not provide law enforcement services effective July 1, 2022, as prescribed in the modification of their contract for any extension and instead, demanded that LASD become the sole contractor for law enforcement services for Metro.

In response, the Metro Board approved Motion 24 (Attachment A) that directed staff to report back in May 2022 on how Metro can modify its contracts with the Los Angeles Police Department and Long Beach Police Department to ensure continuity of law enforcement services coverage throughout the Metro Bus and Rail Transit System.

## BACKGROUND

The current law enforcement contract is set to expire on June 30, 2022. In December 2021, the Board approved an extension of the current multi-agency contract for law enforcement services to maintain a consistent and reliable law enforcement presence and to ensure a safe and secure transit system for Metro passengers and employees. This extension was approved for six months (July 2022 - Dec 2022) with a six-month option (Jan 2023 - June 2023) to allow PSAC recommendations to be completed and to support the new law enforcement transit service procurement and award of a new contract for law enforcement services.


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The Los Angeles Police Department (LAPD) and Long Beach Police Department (LBPD) agreed to the extension and expressed their willingness to continue their law enforcement duties as prescribed in their scope of work modification.

In response to the letter received from the Sheriff on April 27, 2022, Metro sent a written notification to the Sheriff advising that Metro was in receipt of his letter and directed the Sheriff that, based on the LASD contract terms and conditions, a demobilization plan was due no later than May 15, 2022, detailing how LASD would return Metro vehicles and equipment and vacate the office spaces currently occupied by LASD by June 30, 2022.

On May 4, 2022, the Sheriff sent a written notification to Metro advising that they intended to accept the 1-year terms and conditions modification of their contract. On May 18, 2022, LASD signed Metro’s COVID-19 Vaccine Mandate.

## DISCUSSION

To provide Metro with greater security and according to industry best practices, the need for a contingency plan to continue law enforcement services on the system is essential for safeguarding both passengers and Metro employees. Staff has prepared a Safety Contingency Plan to support the security needs of the agency as a backstop against any gap or lapse in contract law enforcement or security services.

LASD currently has contracted law enforcement jurisdictional responsibility for significant areas of the Metro system. These services include responding to calls for service (911), bus patrol, Mental Health Evaluation Teams, etc., which assist in aiding Metro to react quickly to emergencies to keep Metro's transit services uninterrupted.

The areas currently receiving these direct services, which are dedicated and not subject to demands and prioritization from other jurisdictional calls for service, include but are not limited to the following areas of Metro's transit systems.

| A-Line (Blue) | E-Line (Expo) | L-Line (Gold) | C-Line (Green) | J- Line (Silver) |
|---|---|---|---|---|
| Artesia<br>Compton<br>Del Amo<br>Firestone<br>Florence<br>Slauson<br>Willowbrook/Rosa Parks | 17th St/SMC<br>26th St/Bergamot<br>Culver City<br>Downtown Santa Monica<br>Expo Line Rail Yard | Allen<br>APU/Citrus College<br>Arcadia<br>Atlantic<br>Azusa Downtown<br>Del Mar<br>Duarte/City of Hope<br>East LA Civic Ctr<br>Fillmore<br>Indiana<br>Irwindale<br>Lake<br>Maravilla<br>Memorial Park<br>Monrovia<br>Sierra Madre Villa<br>South Pasadena | Crenshaw<br>Douglas<br>El Segundo<br>Hawthorne/Lennox<br>Lakewood Bl<br>Long Beach Bl<br>Mariposa<br>Norwalk<br>Redondo Beach<br>Vermont/Athens<br>Willowbrook/Rosa Parks | Carson<br>El Monte |

Therefore, this contingency approach will consist of LAPD resources, other independent law enforcement agencies, future alternatives, and Metro Transit Security (MTS).

Safety Contingency Plan

Staff determined it is both practical and effective to deploy a layered security approach to continue law enforcement services in LASD's areas of responsibility that will be left uncovered if LASD were to fail to meet its contractual obligations over the course of the next 12 months. Staff offered the 'first right of refusal' to our current law enforcement contracted partners participating in the multi-agency model (LAPD / LBPD). Consistent with the Board's request, the objective is to expand the current contracts to absorb LASD's areas of responsibility. In communication with LBPD, they declined to support expanded coverage outside of their city due to insufficient resources. Conversely, LAPD expressed both interest and capabilities to meet and exceed the contract expectations of LASD and submitted a proposal for coverage in those respective areas.

Phase 1- LAPD

Should the Sheriff fail to execute the contract extension or fail to perform the required duties thereafter, LAPD would provide resources to cover all areas currently serviced by LASD. This would provide immediate coverage needs on the entire system.

The LAPD's resources consist of highly visible uniformed bus riding teams, officers conducting proximity patrols at platforms/stations by boarding rail cars and utilizing the rail system, and motor

officers assigned to Metro's bus services and bus transitways. To implement the LAPD's proposed resources, multiple steps would need to be confirmed to have agreements and approvals in place. Metro would need to issue a modification to the existing LAPD contract to increase LAPD's perimeters by including the LASD territory. At the request of Metro, resources could be adjusted (reduced or increased), at any time. LAPD would need to obtain approval from the Los Angeles City Council prior to proceeding with additional services. LAPD's proposal to absorb coverage in areas currently serviced by LASD is a critical component of Metro's contingency plan to remedy the immediate coverage needs if the LASD vacates its services.

Phase 2 - Partner Agencies

Metro will secure partnerships with other law enforcement agencies within LA County to release LAPD from covering territory outside of the City of Los Angeles. Staff contacted law enforcement agencies within Los Angeles County to identify interest in contracting directly with Metro to provide law enforcement services at stations, platforms, and bus lines within the current LASD area of coverage. Interested Law Enforcement Agencies were mailed terms and conditions. More than 25 Police Chiefs attended a meeting to obtain further information about the contracting opportunity. As new contract agencies participate, LAPD would reduce their coverage.

Metro Transit Security

With the expressed interest from LAPD, and the potential partnerships with other law enforcement agencies within LA County, there will be a need to expand MTS personnel to address security gaps, handle non-law enforcement incidents, respond to Transit Watch app complaints, and work jointly with newly contracted law enforcement agencies to ensure employees and riders are safe on the system.

Metro is prepared to modify LAPD's one-year contract extension to support the contingency planning described herein. Additionally, Metro would form partnerships with local jurisdictions to reduce the demands of LAPD's expanded services, and finally, Metro would increase the presence of Metro Transit Security.

## DETERMINATION OF SAFETY IMPACT

The delegation of authority to the CEO to implement the Safety Contingency Plan, contingent upon LASD failing to meet its contractual obligations, will ensure the continuous safety and security of patrons and employees with a continued focus on reimaging public safety, as well as ensuring Metro's ability to safeguard critical transportation infrastructures.

## FINANCIAL IMPACT

The total funding of $70,585,044.12 is included in the proposed FY23 budget, cost center 2610. This amount represents LASD's portion of the 12-month law enforcement contract extension. The above-mentioned contingency plan utilizing LAPD, other law enforcement agencies, and the increase of Metro Transit Security personnel would be funded within the allocated LASD portion of the law

enforcement contract extension and therefore, not require a budget increase.

## IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation supports strategic plan goal 2.1 of committing to improving security. Metro will continue to rely on a multi-layered security program that comprises contracted law enforcement and security to achieve this goal.

## ALTERNATIVES CONSIDERED

The Board could decide not to delegate the authority to the CEO to implement the Safety Contingency Plan, if warranted. This alternative is not recommended. Continuity of safety and security services over the next 12 months is ensured with the delegation of authority.

## EQUITY PLATFORM

To reduce gaps in security services for Metro riders and employees, this request allows staff the flexibility to potentially partner with other local jurisdictions and expand Metro's own Transit Security.

## NEXT STEPS

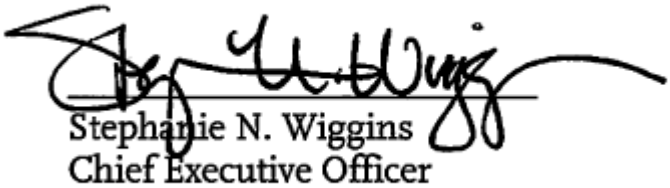
Upon Board approval, staff will implement the contingency plan in the event LASD fails to provide transit law enforcement services at any time over the next 12 months.

## ATTACHMENTS

Attachment A - Board Motion 24

Prepared by: Aston Greene, Executive Officer, SSLE, (213) 610-7357

Reviewed by: Gina Osborn, Chief Safety Officer, (213) 922-7950



Stephanie N. Wiggins
Chief Executive Officer

# Metro

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

Metro

## Board Report

**File #:** 2022-0257, **File Type:** Motion / Motion Response **Agenda Number:** 24.

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE**
**APRIL 21, 2022**

**Motion by:**

**DIRECTORS HAHN, KUEHL, AND BUTTS**

Policing on the Metro Bus and Rail Transit System Motion

In 2017, Metro adopted a multi-agency approach for its law enforcement contract, with the Los Angeles Police Department (LAPD), Los Angeles Sheriff's Department (LASD), and Long Beach Police Department (LBPD). This multi-agency contract has brought about increased presence of law enforcement on the Metro Bus and Rail System as the three law enforcement agencies patrol and provide services in their respective jurisdictions.

In December 2021, the Metro Board of Directors voted (2021-0672) to increase the law enforcement contract by $75.2 million and to extend it by 12 months, from June 2022 to June 2023. While the Board authorized an extension, the three law enforcement agencies must also each agree to the extension in order to continue these services on the Metro Bus and Rail Transit System through June of 2023. The 12-month extension allows Metro staff additional time to procure a new law enforcement contract. Further, the Board has authorized additional funding to supplement the law enforcement contract with initiatives that include transit ambassadors, customer experience improvements, mental health outreach, and resources for folks experiencing homelessness on the system (2021-0745).

On April 13th, the Los Angeles Sheriff held a press conference, followed by a submission of a formal letter to the agency, stating that he will not extend the existing five-year contract beyond its original June 30, 2022 expiration date, if Metro continues to also contract with LAPD and LBPD. If the Sheriff opts to decline the opportunity offered to him by the Board to extend LASD's contract with Metro through June 30, 2023, he will leave a void in law enforcement services on the Metro system.

Transit riders' safety is a top priority for the Metro Board. If the Sheriff moves forward with his threat to withdraw his deputies beginning July 1, 2022, that would require Metro to identify another path to continue to provide law enforcement services for those geographic areas on the Metro Bus and Rail Transit System currently served by LASD.

**SUBJECT: POLICING ON THE METRO BUS AND RAIL TRANSIT SYSTEM MOTION**

**RECOMMENDATION**

APPROVE Motion by Directors Hahn, Kuehl, and Butts that the Board direct the Chief Executive Officer to report back to the Board in May 2022 on how Metro can modify its contracts with the Los Angeles Police Department and Long Beach Police Department to ensure continuity of service and continued law enforcement services coverage throughout the Metro Bus and Rail Transit System.

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

Metro

# Board Report

**File #:** 2022-0368, **File Type:** Minutes

**Agenda Number:** 2.

**REGULAR BOARD MEETING**
**MAY 26, 2022**

**SUBJECT: MINUTES**

## RECOMMENDATION

APPROVE Minutes of the Regular Board Meeting held April 28, 2022.



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OFFICE OF THE MAYOR

April 20, 2022

The Honorable Hilda Solis
Chair, Board of Directors
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012

**Re: North Hollywood/Pasadena Bus Rapid Transit Final Environmental Impact Report**

Honorable Chair Solis and Members of the Board:

The City of Pasadena expresses its support for approving the North Hollywood to Pasadena Bus Rapid Transit Corridor Project that would build a high-quality Bus Rapid Transit (BRT) line connecting the San Fernando and San Gabriel valleys, traveling east-west between the North Hollywood Metro B/G Line (Red/Orange) Station, the Memorial Park L Line (Gold) Station, and Pasadena City College (PCC).

The City appreciates the ongoing coordination between Metro and the City of Pasadena and supports this project as a critical component to the regional multimodal transportation network. It will connect multiple high use transit corridors while providing a new, premium transit option to retain existing riders and attract new riders.

I am pleased to support the North Hollywood to Pasadena Bus Rapid Transit project and urge you to approve it. Thank you for your time and please do not hesitate to contact Laura Rubio-Cornejo at lcornejo@cityofpasadena.net if you have any questions.

Sincerely,

VICTOR GORDO
Mayor

100 North Garfield Avenue · Pasadena, CA 91109
(626) 744-4311 Fax (626) 744-3921

cc: Cynthia J. Kurtz, Interim City Manager
Laura Rubio-Cornejo, Director of Transportation
Stephanie Wiggins, Chief Executive Officer, Metro
Tito Corona, Community Relations Manager, Metro

CITY OF BURBANK

OFFICE OF THE CITY COUNCIL

April 20, 2022

Metropolitan Transportation Authority
Attn: North Hollywood to Pasadena Bus Rapid Transit Corridor Project FEIR Comment
One Gateway Plaza
Los Angeles, CA 90012

**RE: City of Burbank Comments on North Hollywood to Pasadena Bus Rapid Transit Corridor Project and Final Environmental Impact Report**

Dear Members of the Board of Directors:

The City of Burbank wants to thank you for the opportunity to provide comments prior to your consideration to approve the North Hollywood to Pasadena Bus Rapid Transit Corridor Project and to certify the Final Environmental Impact Report. The City of Burbank remains committed to ensuring that the proposed project expands the Los Angeles County regional transit network, connects Burbank jobs to reliable and convenient transit, and supports Burbank's goal of connecting 12,000 new housing units to transportation alternatives. We want to ensure that our City's residents and businesses are protected from potential impacts caused by the project, and we also want to ensure the project's success in further connecting to the regional transportation network. With these important goals in mind, the City of Burbank submits the following comments in response to the Final Environmental Impact Report and the changes proposed by Metro staff.

**Dedicated Bus Lanes on Olive Avenue**

The Burbank Community and the City Council have continued to voice concerns over the potential impacts of bus lanes on Olive Avenue. Metro's change from "curb-running" (bus lanes created from parking lane) to "side-running" (bus lanes created from a travel lane) has eliminated the primary concerns of parking and economic impacts to adjacent strip-commercial land uses on Olive Avenue, the risk for parking spillover into single family neighborhoods, and impacts to sidewalk widths and pedestrian access along and across Olive Avenue caused by street widening. We appreciate that Metro listened to the comments we submitted as part of the Draft EIR and removed the curb-running option from consideration.

The side-running option would affect transportation and land use along Olive Avenue differently than the curb-running option. Removing a travel lane on Olive Avenue would increase congestion and delay for motor vehicles traveling along the street, given the amount of traffic that currently uses Olive Avenue. Metro included a traffic diversion analysis in the FEIR that indicates that converting a travel lane to a bus lane would cause vehicle traffic to shift onto other streets (to bypass the resulting vehicle delays), and that the traffic that continues to use Olive Avenue would actually see improved travel times because the signal improvements made for the BRT would also improve travel for cars. Unfortunately this analysis and its assumptions were not documented in the FEIR. While the City agrees that traffic will shift to other streets, we disagrees with Metro's assessment of the amount of traffic that will shift. Based on verbal discussions with Metro's staff regarding the assumptions made in this analysis, the City believes that it fails to account for the delays caused by that shifted traffic to other arterial intersections in the City



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because it fails to properly analyze the available capacity at those streets' intersections. In urban street networks like Burbank, the roadway capacity constraints are at intersections, not along the street segments, which were measured by Metro. We believe converting a travel lane on Olive Avenue to a bus lane would result in some lesser amount of traffic shifts to other streets (due to less available intersection capacity elsewhere) and would result in higher levels of intersection congestion and delay on Olive Avenue during peak periods that would be noticeable to the driving public and would increase the risk of peak-period cut-through traffic into adjoining neighborhoods. A more detailed analysis of these shifts, along with an operational analysis of the project's impacts to Olive Avenue should be conducted to properly disclose how the project will affect Olive Avenue. A more detailed analysis will likely show that vehicle congestion on Olive Avenue will increase, along with a resulting increase in cut-through and spillover traffic into adjacent residential neighborhoods.

**City of Burbank Requests Additional Funding for Neighborhood Protection**

The City Council believes that implementation of side-running bus-only lanes require investments in additional neighborhood protection measures to ensure Olive Avenue vehicle traffic does not divert into adjoining neighborhoods The City Council requests that Metro fund additional neighborhood protection and/or first-last mile improvements in the amount of $5 million directed to neighborhoods adjacent to Olive Avenue between Alameda Avenue and Victory Boulevard, and that these improvements may be defined by the City of Burbank. These neighborhood protection elements would be funded as part of the project, and would be in addition to any other first-last mile improvements earmarked for project stations. This funding is necessary for the City to be able to protect neighborhoods while it simultaneously supports necessary regional transit connections that support its other goals and policies.

**Olive Avenue between Buena Vista and Lake Should be Configured as Mixed-Flow Unless Ridership Goals Met Within 36 Months**

Because implementation of a side-running bus lane and removing a travel lane could be detrimental to Burbank neighborhoods, Metro and the City will not see the true effects of this roadway reconfiguration until after the project is constructed. In addition, once the project is constructed, its operation may reveal that project ridership may not be high enough to justify the impacts on these neighborhoods caused by the conversion of travel lanes to bus lanes. Therefore, the City Council will not permit the construction of side-running bus lanes on Olive Avenue until the project achieves at least 17,500 average daily weekday boardings within 36 months of opening day. Should the project achieve that ridership level, then the City and Metro shall confer and consider whether Metro should install side-running bus lanes on Olive Avenue at its sole cost. This allows Metro and the City of Burbank to evaluate whether the project's ridership sufficiently justifies the conversion of vehicle lanes to bus lanes and the potential impact that conversion has on adjacent residential neighborhoods.

**City Believes Olive Bridge Station Should be a Required Separate Project**

Metro's removal of the Olive Avenue Bridge station and its relocation to Lake Street will significantly compromise the project's ability to meet the goals and objectives of providing a convenient, reliable, regional transit service for the region's transit riders. Connecting the proposed BRT project to Metrolink is critical to creating a travel alternative to the automobile and to support the region's investments in Metrolink service. The new proposed station at Olive and Lake would require connecting Metrolink riders to walk 1/3 mile along an uninviting and narrow pedestrian path alongside and under the Olive overpass, which would unduly burden patrons with

disabilities. This lack of connection is contrary to Burbank2035 Mobility Element Policy 4.8, which is to "Promote multimodal transit centers and stops to encourage seamless connections between local and regional transit systems, pedestrian and bicycle networks, and commercial and employment centers." Further, moving the station to Lake Street does not address the FEIR's failure to address the project's connection to the following existing and planned Class I and IV bicycle facilities, which is also contrary to Policy 4.8: Chandler Bikeway, Burbank Channel Bikeway, San Fernando Bikeway, First Street Bikeway, and Front Street Cycle Track. Connecting the BRT to Metrolink and the adjacent bicycle facilities must be a high priority for the project.

The City Council requests that the Metro Board of Directors direct its staff to work with the City to develop a program to upgrade the Olive Avenue Bridge to include a BRT station, including the required vertical connections to the Metrolink Station below and the necessary pedestrian improvements made to the bridge. This will likely require a substantial modification or reconstruction of the Bridge, and would likely take longer to implement than the BRT project's 2024 timeline for opening. The City Council believes Metro do more than simply offer to move the station should the City reconfigure the bridge, but instead should actively seek outside state and federal funding for the necessary improvements, and include this project as one of its formal funding priorities. The City has already committed a portion of its Measure R Arroyo Verdugo Highway Operations Improvement Funds to the project that could be leveraged with other outside funding.

**Additional Comments on Metro's FEIR Responses to City of Burbank**

Other Transportation Plan, Policy, and Safety Impacts

The City's DEIR comment letter stated that the DEIR was inadequate in assessing the proposed projects impact on Olive Avenue vehicular efficiency, and did not disclose whether the project will cause spillover into adjacent neighborhoods. The DEIR further did not assess whether potential BRT improvements may influence street traffic including proposed transit signal priority improvements. In response, Metro indicated that curb-running bus lanes would not have an impact on vehicle travel, and that side-running bus lanes (that convert two vehicle lanes to two bus lanes) would not cause residential spillover traffic onto residential streets because Olive Avenue vehicle traffic will shift to other streets such that the speeds of the remaining traffic on Olive Avenue will not be affected. Because of this, vehicle traffic will not spillover into adjacent residential neighborhoods. Unfortunately no documentation was provided with the traffic diversion analysis included in the FEIR to support this assertion. Given the amount of traffic currently on Olive Avenue, the limited ability for alternative streets to accommodate diverted traffic, and the loss of vehicle capacity caused by the side-running bus lanes, the City believes that the proposed project will cause spillover traffic into residential neighborhoods, which is contrary to Burbank2035 Mobility Element Policy 6.1, which is to "Maintain arterial street efficiency to discourage spillover traffic into residential neighborhoods". The FEIR is therefore inadequate in evaluating this policy conflict with Burbank2035, and important effects the project will have on adjacent residential neighborhoods is not disclosed to the public or to the Metro Board of Directors.

The City's DEIR comment letter stated that the DEIR failed to disclose a policy impact with Burbank 2035 General Plan Planned Bicycle Routes, which includes provision for a Class II bike route on Glenoaks Boulevard between Providencia and Alameda Avenue. In response, Metro indicated that the proposed project would operate as mixed-flow on Glenoaks Boulevard between Olive Avenue and Providencia Avenue. This response referenced the wrong segment of Glenoaks Boulevard, and did not address the potential conflict. The proposed project should accommodate the proposed bicycle facility on Glenoaks Boulevard, including accommodating the

implementation of that facility in accordance with the goals and policies of the City's Complete Streets Plan, which could include a buffered or protected bicycle facility that would match the facility planned for Glenoaks Boulevard in the City of Glendale.

Public Service Impacts

The City's DEIR comment letter stated that the DEIR conclusion that the project will not cause impacts to police public services did not include evidence to support this conclusion, and that the DEIR did not disclose whether local police resources would be required to police the project as well as enforce new bus lane or other vehicle code regulations that apply to the project. In response, Metro indicated in the FEIR that the project would not have impacts on police public services because it will not increase population levels necessitating additional police resources. However, the FEIR did not address the City's concern relating to additional police public service resources needed to ensure public safety of the project, other than to indicate that Metro would "develop appropriate enforcement strategies." The City requests that Metro identify how required police public services will be provided for the project and which agency will be expected to bear the costs of these services.

Utility Systems and Roadway Infrastructure

The City's DEIR comment letter stated that the DEIR failed to identify a significant impact to the City's recycled water interconnection with the City of Glendale. In response, Metro indicated that impacts to this facility would be identified as part of the project's design phase. However, the City believe this response is inadequate given the importance of this interconnect and fails to disclose the project's potential impact. Mitigation of this impact could involve redesigning the project in this area to avoid this infrastructure, which could introduce secondary impacts that are not identified as part of the FEIR.

Similarly, the City's DEIR comment letter stated that the DEIR failed to identify the impacts to overhead and underground utilities, drainage, sidewalk widths, street trees, street lights, sidewalk furniture, and landscape. In response, Metro indicated that the project is not anticipated to require the construction or relocation of utilities that could cause an impact because these relocations would be coordinated with utility providers, and a utility base map will be prepared to identify utility conflicts. This response is inadequate because the mere coordination with utility providers is not substantial evidence to support the assertion that no impacts are anticipated.

The City's DEIR comment letter stated that the DEIR failed to document the increased annual pavement maintenance costs to the City's streets caused by frequent heavy bus service operating in the curb lane of Olive Avenue, which could require mitigation measures to improve the pavement structural section to accommodate the bus traffic. In response, Metro indicated that the small amount of bus trips added by the project to Olive Avenue relative to the existing traffic on Olive would not be expected to accelerate pavement deterioration. However, given the size and speed of the large buses used for the project as well as their travel on the outer edges of Olive Avenue, the City remains concerned that the project will accelerate the pavement wear of Olive Avenue. The City requests further details on the proposed joint maintenance agreement that would identify the maintenance obligations of both parties in maintaining the project.

The City of Burbank remains committed to the NoHo to Pasadena BRT project and believes it will be an important way for the City and Metro to improve regional transit, provide competitive travel options, improve air quality, and reduce Greenhouse Gas emissions. The City believes that the project's success hinges on its ability to provide an important travel alternative while protecting Burbank neighborhoods from impacts and connecting directly to the Metrolink system. Metro's changes to the project description between the release of the Draft and Final EIRs is responsive

to many of the City's requests. Addressing the remaining concerns and changes expressed in this letter will ensure that this project will be a successful enhancement to the regional transit network and will be compatible with the Burbank neighborhoods that it will travel through.

The Burbank City Council respectfully requests the Metro Board of Directors consider the points raised in this letter as it considers approving the project.

Sincerely,

Jess A. Talamantes, Mayor

Konstantine Anthony, Vice Mayor

Bob Frutos, Council Member

Sharon Springer, Council Member

Nick Schultz, Council Member

California Federation of Women's Clubs

Members since November 12, 1908

**Women's Twentieth Century Club of Eagle Rock**

Established February 25, 1903
5105 Hermosa Ave.
Los Angeles, CA 90041
(323) 478-1883

**Ela C. Vallejo**
President

**Linda Farrell**
First Vice President, Rentals

**LeeAnn Jackson**
Second Vice President, Membership

**Suzanne Spear**
Third Vice President, House & Grounds

**Deanna Deacon**
Fourth Vice-President, Ways & Means

**Kacy Treadway**
Fifth Vice President

**Mary Denardo**
Corresponding Sec.

**Sylvia Grepo**
Treasurer

**Linda Allen**
Historian

**Billie Spinat**
Parliamentarian

**Sharon Gould**
Past President

Non-Profit ID#
95-1385813

*Mailing Address:*
*P.O. Box 412218*
*Los Angeles, CA 90041*

April 19, 2022

Metro (LACMTA)
One Gateway Plaza
Los Angeles, CA 90012-2952
Via U.S. mail and Email nohopasbrt@metro.net

RE: **North Hollywood to Pasadena Transit Corridor Project**

**Dear Board Members,**

The Women's Twentieth Century Club of Eagle Rock (WTCC) is a non-profit philanthropic organization dedicated to community involvement with an emphasis on the area of education and philanthropy with a particular focus on women's and children's issues. The WTCC continues with the vision the founding members had in 1903 to have a place to come together to help the growing community.

WTCC supports itself by renting the clubhouse for various events, filming, community events, and our own fundraisers to aid various organizations. WTCC also donates the clubhouse to community organizations looking to hold meetings and/or events for their members and community. Due to Covid-19, we were not able to have events to raise money to support our cause. As a Board and members, we are concerned that by moving forward with the North Hollywood to Pasadena Transit Corridor Project we will not be able to continue with our philanthropic work.

Our concerns are as follows in regards to the Final Environmental Impact Report (FEIR) released on Friday, March 25:

1. The WTCC has limited parking space and our guests and renters rely on parking on Colorado Blvd. This will definitely hurt the work we are doing at the WTCC. The report states, "there is a large alternative supply of parking on cross streets (763 spaces)." Unfortunately, this is not correct. The neighborhood is made up of old single-family homes with many of them having a one-car garage. As you know, nowadays most family units have a minimum of two cars, so this means that the cross streets, as you call the residential streets, are filled with the overflow of cars from the people living on that street.

   The report also states, "an additional 32 public parking spaces available at the City-owned lot at Caspar Ave/Murton Ave, which are not included in the table." This also is a concern for our members as we have many that are seniors and disabled and it would be impossible for them to park at Caspar Ave/Murton Ave and walk to the clubhouse. We are very concerned because many of them may reconsider renewing their membership because of the parking situation. For events, we cannot expect the attendees to park at such a location and walk to the clubhouse. This also will cut down on the usage of this beautiful clubhouse. Also, the parking spaces in that area are taken up by the employees that work in the area and people going to the businesses. We believe that this will definitely have a very serious effect on, not just our almost 100-year-old club, but the businesses on Colorado Blvd.

2. The concern with adding left turn signals is that Colorado Blvd. will be more congested.

3. Concern with issues occurring during construction is that this is a 108-year-old building and power and other issues that may occur may not be worked on right away and especially if there is an event.

**4./5.** In regards to traffic congestion on Colorado Blvd. from the eastern to western end of Colorado Blvd. is a big concern. Once you are on Colorado Blvd. between the beginning and end of the route there is no way of getting to the 134 and/or 2 freeways unless you turn onto one of the neighboring streets and take either Hill Avenue on the north side of Colorado Blvd. or Yosemite on the south side of Colorado Blvd. This will make these neighborhoods that now are quiet and safe a very unsafe area for people to run/walk, walk with their children, and walk their dogs as traffic will increase and cars will be speeding to try to get ahead.

**7.** The beauty of traveling on Colorado Blvd. is the median. Community organizations worked on a beautification plan to put the median in. It would be a shame to cut down on this natural beauty of Eagle Rock.

**8.** As to the impact of emergency services this is a very serious concern. The report states, "The bus lanes would also be available for use by emergency services, improving response times by allowing them to bypass any congestion." This is unrealistic when you are looking at Colorado Blvd. being more congested due to this project. If there's a bus traveling in the lane and an emergency vehicle must pass it will not be able to due to the heavy traffic. Also, the fire department emergency vehicles will not be able to make a left turn from the station, this will cause a delay in response.

The WTCC Board and members would appreciate it if we could have an opportunity to sit and share these concerns with the MTA staff handling this project and Councilmember DeLeon. We would like to invite you to come to our clubhouse so you can see the beauty of this building and the surrounding area and understand why we need to keep the integrity and history of this small town. You may contact me, Ela Vallejo at (818) 859-5829 or via email grannyroa@gmail.com.

Thanking you in advance for your consideration.

Sincerely,

Ela C. Vallejo
President

cc: Honorable Kevin De Leon, Councilmember, 14th District

**April 2022 RBM Public Comment**

**From:** [redacted]
**Sent:** Saturday, April 23, 2022 1:13 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Subject:** MTA BRT Eagle Rock

To whom it may concern:

I am an Eagle Rock resident.

I request that you:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA- Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

Thank you,

[redacted]

[redacted]

**From:** [redacted]
**Sent:** Sunday, April 24, 2022 1:34 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com
**Subject:** BRT lane through Eagle Rock

Hello -

I am a long-time Eagle Rock resident and have emailed most of you MULTIPLE times, with no response, and have signed EVERY petition that exists to stop this ill-advised project. Not one elected, appointed or hired person has responded.

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

1. INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA-Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

2. SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

Thank you,

[redacted]

**From:** [redacted]
**Sent:** Sunday, April 24, 2022 1:40 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com
**Subject:** TAKE ACTION NOW , SAVE OUR EAGLE ROCK COMMUNITY!!!

My name is [redacted] I have been a business owner in the Eagle Rock community for 17 years .

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA-Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

Thank you.

--

[redacted]

**From:** [redacted]
**Sent:** Sunday, April 24, 2022 2:05 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com
**Subject:** BIASED MTA DECISION Adversely Affecting Eagle Rock

To all addressed above:

I am an Eagle Rock resident.

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA- Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

**Thank you,**

[redacted]

**From:** [redacted]
**Sent:** Sunday, April 24, 2022 2:27 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** friendsofhilldrive@gmail.com
**Subject:** TAKE ACTION NOW , SAVE OUR EAGLE ROCK COMMUNITY!!!

I am an Eagle Rock resident.

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA-Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

--

[redacted]

[redacted]

**From:** [redacted]
**Sent:** Sunday, April 24, 2022 2:46 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com
**Subject:** TAKE ACTION NOW , SAVE OUR EAGLE ROCK COMMUNITY!!!

I am an Eagle Rock resident.

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA-Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

**From:** [redacted]
**Sent:** Sunday, April 24, 2022 2:56 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** friendsofhilldrive@gmail.com
**Subject:** Colorado Blvd. Proposed Alterations

I am an Eagle Rock resident who has lived in the community since 1987.

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA-Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

[redacted]

**From:** [redacted]
**Sent:** Sunday, April 24, 2022 2:57 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com
**Subject:** TAKE ACTION NOW , SAVE OUR EAGLE ROCK COMMUNITY!!!

I am an Eagle Rock resident.

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA-Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

[redacted]

**From:** [redacted]
**Sent:** Sunday, April 24, 2022 3:48 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com
**Subject:** TAKE ACTION NOW , SAVE OUR EAGLE ROCK COMMUNITY!!!

I am an Eagle Rock resident.

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA-Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

[redacted]

**From:** [redacted]
**Sent:** Sunday, April 24, 2022 4:27 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; saveeaglerockcommunity@yahoo.com
**Subject:** TAKE ACTION NOW , SAVE OUR EAGLE ROCK COMMUNITY!!!

I am an Eagle Rock resident.

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA- Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

We strongly oppose to your idea of road diet. Congestion will be inevitable in Colorado Blvd., our main thoroughfare. We do not understand why you do not respect this request from the residents majority of Eagle Rock.

[redacted]

**From:** [redacted]
**Sent:** Sunday, April 24, 2022 5:27 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com
**Subject:** TAKE ACTION NOW , SAVE OUR EAGLE ROCK COMMUNITY!!!

Hello -

I am an Eagle Rock resident.

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA- Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU:

**** DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard *** and **** DO NOT CONSTRUCT a MTA BRT Bus Lane Only, ***

resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

I am *NOT* in favor of the bus lane and am highly disappointed my voice was not heard.  I live and shop and work out and grocery shop and walk my dog in my neighborhood.  I *live* here.

[redacted]

**From:** [redacted]
**Sent:** Sunday, April 24, 2022 5:47 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov <anajarian@glendaleca.gov>; jdupontw@aol.com <jdupontw@aol.com>; kathryn@bos.lacounty.gov <kathryn@bos.lacounty.gov>; fdutra@cityofwhittier.org <fdutra@cityofwhittier.org>; Mayor Eric Garcetti <mayor.garcetti@lacity.org>; fourthdistrict@bos.lacounty.gov <fourthdistrict@bos.lacounty.gov>; paul.krekorian@lacity.org <paul.krekorian@lacity.org>; sheila@bos.lacounty.gov <sheila@bos.lacounty.gov>; hollyjmitchell@bos.lacounty.gov <hollyjmitchell@bos.lacounty.gov>; tim_sandoval@ci.pomona.ca.us <tim_sandoval@ci.pomona.ca.us>; tony.tavares@dot.ca.gov <tony.tavares@dot.ca.gov>; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com <mayorjamesbutts@gmail.com>; Mike.bonin@lacity.org <Mike.bonin@lacity.org>
**Cc:** Jennifer <friendsofhilldrive@gmail.com>
**Subject:** TAKE ACTION NOW , SAVE OUR EAGLE ROCK COMMUNITY!!!

I am an Eagle Rock resident.

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA-Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

Sincerely,

[redacted]

Sent from Mail for Windows

**From:** [redacted]
**Sent:** Sunday, April 24, 2022 5:47 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com
**Subject:** PLEASE Take Action Now, Save Our Eagle Rock Community

Hello,

I have lived in (and loved) Eagle Rock for over 15 years. On April 18, 2022, I sent an email to boardclerk@metro.net, stating my opposition to the (then proposed) the proposed F1 1-Lane or F1 2 Laneplan. I hope you were made aware of my email.

I am also a signatory to the petition that Friends of Hill Drive sent to you on October 22, 2021. My petition included my email address. I respectfully request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA-Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA-Recommended Beautiful Boulevard Plan results in an UNJUST and BIASED MTA DECISION which adversely affects Eagle Rock residents and business owners.

Please SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

Thank you for your consideration.

[redacted]

**From:** [redacted]
**Sent:** Sunday, April 24, 2022 6:53 PM
**To:** Board Clerk <BoardClerk@metro.net>
**Subject:** Bus lane

I am an Eagle Rock resident.

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA-Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

Sent from my iPhone

**From:** [redacted]
**Sent:** Sunday, April 24, 2022 7:42 PM
**To:** firstdistrict@bos.lacounty.gov
**Subject:** We are one of MANY local stakeholders/homeowners in Eagle Rock OPPOSED to the BRT one lane option!

- We have lived in Eagle Rock since 1989.
- We are opposed to the one-lane option and have concerns about congestion, traffic, and parking.
- Our street (Glen Aylsa Ave) will be impacted with commuters trying to avoid Colorado Blvd.
- We support two vehicle lanes of travel on Colorado Boulevard in each direction.
- We support keeping all street parking and outdoor dining for businesses.
- We support keeping the medians and trees.
- We support the bikes lanes.
- We DO NOT support converting a lane for a bus-only BRT lane.
- We DEMAND a third option: Study and choose driving the BRT bus in current mixed flow lanes.
- We are asking you to consider our community, including Trader Joes and the Fire Station, that traffic can flow without horrible bottlenecks.
- [redacted]

**From:** [redacted]
**Sent:** Sunday, April 24, 2022 10:19 PM
**To:** First District <firstdistrict@bos.lacounty.gov>; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; Los Angeles County <fourthdistrict@bos.lacounty.gov>; City of Los Angeles <paul.krekorian@lacity.org>; sheila@bos.lacounty.gov; Holly J. Mitchell <hollyjmitchell@bos.lacounty.gov>; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** saveeaglerockcommunity@yahoo.com
**Subject:** Fwd: Planning Committee Members are not City of Los Angeles residents, or stakeholders. MTA Planning Committee Member Supervisor Hilda Solis was no show.

I am an Eagle Rock resident.

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA- Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

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You are receiving this email because you opted in via our website.

Our mailing address is:

Save Eagle Rock

1623 Colorado Blvd

Los Angeles, CA  90041-1437

Add us to your address book

Want to change how you receive these emails?

You can update your preferences or unsubscribe from this list.

**From:** [redacted]
**Sent:** Monday, April 25, 2022 6:34 AM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com
**Subject:** . MTA Planning Committee / Eagle Rock

I am an Eagle Rock resident.

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA- Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

**From:** [redacted]
**Sent:** Monday, April 25, 2022 9:10 AM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com
**Subject:** PLEASE TAKE ACTION NOW , SAVE OUR EAGLE ROCK COMMUNITY!!!

Hello there,

I am an Eagle Rock resident. I have lived here for 8 years. I live 1 block off Eagle Rock Blvd in the heart of Eagle Rock.

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address.

I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA-Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

DO YOUR JOB.

I live here. Don't screw up my neighborhood.

Sincerely, [redacted]

**From:** [redacted]
**Sent:** Monday, April 25, 2022 9:56 AM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Subject:** Subject: TAKE ACTION NOW , SAVE OUR EAGLE ROCK COMMUNITY!!!

---

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Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

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You are receiving this email because you opted in via our website.

**Our mailing address is:**

Save Eagle Rock

1623 Colorado Blvd

Los Angeles, CA 90041-1437

Add us to your address book

Want to change how you receive these emails?
You can update your preferences or unsubscribe from this list.

**From:** [redacted]
**Sent:** Monday, April 25, 2022 11:25 AM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Subject:** ERNC/Huizar/TERA/MTA: Their BRT on Colorado Boulevard Collaboration

Dear All – My family have been Eagle Rock residents for over 35 years; and love our close-knit friends and neighbors.

PLEASE DO NOT DESTROY OUR NEIGHBORHOOD.

PLEASE INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA- Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

PLEASE SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

[redacted]

[redacted]

**From:** [redacted]
**Sent:** Monday, April 25, 2022 1:51 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com
**Subject:** TAKE ACTION NOW , SAVE OUR EAGLE ROCK COMMUNITY!!!

I am an Eagle Rock resident.

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA-Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 11:12 AM
**To:** mayor.helpdesk@lacity.org
**Cc:** councilmember.kevindeleon@lacity.org; First District <firstdistrict@bos.lacounty.gov>; NoHoPasBRT <NoHoPasBRT@metro.net>; CommunityRelations <CommunityRelations@metro.net>; Board Clerk <BoardClerk@metro.net>; Jennifer <friendsofhilldrive@gmail.com>; eric.garcetti@gmail.com; eric.garcetti@lacity.org; Customer Relations <CustomerRelations@metro.net>; Los Angeles City Council Redistricting Commission <redistricting.lacity@lacity.org>; Crump, Anthony <CrumpA@metro.net>; Litvak, Jody Feerst <Litvakj@metro.net>; mendozaarndtj@metro.net; Soto, Patricia <SOTOPA@metro.net>
**Subject:** Metro BRT: Share the lane through Eagle Rock!

Mayor Garcetti,
The mayors of Burbank, Glendale and Pasadena have all weighed in AGAINST a dedicated lane for the proposed Metro BRT No Hollywood-Pasadena line. Now, it's your turn!

As a resident of Eagle Rock who lives, works, shops & commutes along Colorado Blvd, I kindly request that you also represent your constituent's voice(s) and OPPOSE A DEDICATED LANE BRT THROUGH EAGLE ROCK.

I am a proponent of public transit, a bike rider and appreciate the beautiful boulevard concept, but not at the expense of the residents and businesses along the Colorado corridor. A compromise is needed rather than an either/or of parking or traffic--which are the only two concepts Metro has put forth. **We need a 3rd option: BRT can share the lane through Eagle Rock (as it will in Pasadena, Glendale & Burbank).**

Metro has not surveyed enough residents. If there were a vote, the dedicated lane concept would lose. My family, my neighbors, my fellow-Trader Joe/Vons/Sprouts shoppers & my favorite restaurants & business owners have not been asked by Metro. Most would say NO to giving up another lane in each direction on Colorado Blvd.

Please use your voice as mayor. ENDORSE MIXED FLOW!!

Kevin De Leon is also cc'd. He has caved to the fanatics of the Beautiful Boulevard coalition. He has also lost our vote.

Thank you,
[redacted]

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 5:59 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; Eric Garcetti <mayor.garcetti@lacity.org>; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Dr Hill <friendsofhilldrive@gmail.com>
**Subject:** TABLE AGENDA ITEM #8 (NoHo-Pasadena BRT) due to multiple conflicts of interest, fire code violations and Brown Act violations.

**I am an Eagle Rock resident, business owner, and stakeholder. I urge you to table Agenda item #8 due to multiple conflicts of interest, fire code violations, ADA violations, and Brown Act violations. At last week's Board meeting on 04/20/22, over 50 of us were assured we'd be able to comment at the meeting on April 28th, 2022, when the Board cut off comments after only 15 minutes.**

**Unfortunately, due to the extraordinary number of agenda items scheduled for this week's meeting, it seems very unlikely that all 200 plus will be able to comment as promised.**
**We WERE assured that we would have our voices in this matter heard and that every one of us would be able to comment at this meeting, and we plan to do so.**

**It seems unlikely that there will be time to adequately address our concerns, and we've been advised to request that this issue be tabled until the adequate time is allocated for our communities' concerns to be heard and considered.**

**In addition, Due to the multiple fire code violations, negligent FEIR, conflicts of interest involving high-ranking Metro executives, and Brown Act violations, the only equitable**

**solution would be to table this vote for the time being. It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR, which contains egregious, negligent, dangerous oversights (such as not noticing a fire station that also serves as a filling station for multiple surrounding fire departments).**

**We believe that tabling the issue will give all parties involved enough time to thoroughly investigate and rectify the concerns. Rather than vote on a plan that could result in hundreds of millions of dollars in loss, the prudent way forward is to table the vote for today and revisit the subject when all due diligence has been performed and all Board members are fully confident in their decision to make irreversible changes to historical Colorado Boulevard.TODAY!!**

--

Realtor

[redacted]

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 8:37 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com
**Subject:** Agenda Item #8 - FEIR for the Metro BRT Noho-Pasadena

Dear Metro Board Members,

I am an Eagle Rock resident, and I am writing you because the FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 people waiting to comment were cut off after only 15 minutes. They were assured they would be able to speak at the April 28 board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains potentially negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its potent harmful consequences is not a project that can be easily reversed.

Sincerely,

[redacted]

Copied in with this email;
Inspector General for the County of Los Angeles

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 8:40 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** friendsohilldrive@gmail.com; inspectorgeneral@oig.lacounty.gov; saveeaglerockcommunity@yahoo.com
**Subject:** Subject: TABLE AGENDA ITEM #8 (NoHo-Pasadena BRT) due to multiple conflicts of interest, fire code violations and Brown Act violations.

It is with great concern that I request the CANCELATION of any plans to Colorado Blvd to eliminate a lane of traffic for METRO ONLY. This plan will result in HARMFUL Consequence for drivers, pedestrians, businesses and residents in the areas.. This is NOT a WISE or well thought out plan.

PLEASE SAVE COLORADO BLVD AND OUR COMMUNITY!

[redacted]

[redacted]

Dear Metro Board Members,

I am an Eagle Rock resident. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

Sincerely,

[redacted]

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 8:54 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** Please Table Agenda Item #8 at Your Next Board Meeting

**Dear Metro Board Members,**

**I am an Eagle Rock resident. I urge you to table Agenda Item #8 at your next Board Meeting due to Fire Code violations, ADA violations, illegal lobbying, conflicts of interest involving high-ranking Metro executives, and Brown Act violations. I believe the FEIR for the Metro BRT Noho-Pasadena needs more consideration. At last week's Planning and Programming Committee meeting (April 20, 2022), over 50 concerned citizens who were waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.**

**It's become increasingly clear that the Metro Board has not had sufficient time to address these troublesome issues or to study the FEIR F1 design in Eagle Rock, which contains negligent and dangerous oversights (such as blocking off Eagle Rock's fire station.)**

**At the very least, this F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee, who should be allowed to advise the Metro Board on the F1 design's feasibility before the Board's vote to approve the FEIR is held.**

**Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for the present time. This F1 design - and its harmful consequences - is not a project that can be easily reversed.**

**Thank you for your consideration,**

[redacted]

[redacted]

[redacted]
[redacted]

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 9:03 PM
**To:** Board Clerk <BoardClerk@metro.net>
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** TABLE AGENDA ITEM #8 (NoHo-Pasadena BRT) due to multiple conflicts of interest, fire code violations and Brown Act violations

**Dear Metro Board Members,**

**I am an Eagle Rock resident or a business owner. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.**

**It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)**

**At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.**

**Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.**
Sincerely,
[redacted]

**Copied in with this email;**
**Inspector General for the County of Los Angeles**

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 9:15 PM
**To:** First District <firstdistrict@bos.lacounty.gov>; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** TABLE AGENDA ITEM #8 (NoHo-Pasadena BRT) due to multiple conflicts of interest, fire code violations and Brown Act violations.

Dear Metro Board Members,

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It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

Sincerely,

[redacted]

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 9:27 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** TABLE AGENDA ITEM #8 (NoHo-Pasadena BRT) due to multiple conflicts of interest, fire code violations and Brown Act violations

**Dear Metro Board Members,**

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Sincerely,
[redacted]

**Copied in with this email;**
**Inspector General for the County of Los Angeles**

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 9:30 PM
**To:** Board Clerk <BoardClerk@metro.net>
**Cc:** InspectorGeneral@oig.lacounty.gov; Friendsofhilldrive@gmail.com
**Subject:** TABLE AGENDA ITEM #8 (NoHo-Pasadena BRT) due to multiple conflicts of interest, fire code violations and Brown Act violations

Dear Metro Board Members,

I am an Eagle Rock resident or a business owner. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

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Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

Sincerely,
[redacted]

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 9:36 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; Mayor Eric Garcetti <mayor.garcetti@lacity.org>; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Jennifer <friendsofhilldrive@gmail.com>; InspectorGeneral@oig.lacounty.gov
**Subject:** TABLE AGENDA ITEM #8 (NoHo-Pasadena BRT) due to multiple conflicts of interest, fire code violations and Brown Act violations.

Dear Metro Board Members,

I am an Eagle Rock resident . I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the **April 28** board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

Sincerely,

[redacted]

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 9:38 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** In Consideration of BRT Metro Noho-Pasadena Agenda Item #8

Hello Metro Board Members,

My name is [redacted] and I am a resident of Eagle Rock. I am very concerned by the proposed Metro BRT line running between North Hollywood and Pasadena, and how its changes to Colorado Boulevard will negatively impact my family's everyday life. We travel along this route regularly as we attend karate classes, frequent the hair salon, pet food store, Trader Joe's, and enjoy the coffee shops and several restaurants in our neighborhood. I believe strongly in the power of community for myself and my young children, the oldest of whom will be attending Dahlia Heights Elementary School this fall. Supporting these businesses and maintaining the "small town feel" of Eagle Rock that attracted us to this area many years ago remains hugely important to us.

The importance of public transportation is not lost on me; however, the proposed Metro BRT Noho-Pasadena route will have negative widespread effects for those of us in Eagle Rock. The reduced traffic lane on Colorado Boulevard will significantly affect our ability to find parking and support these businesses that are so important to us, during what are already challenging times economically.

How will my daily walking route to our neighborhood school be affected? Will our local firefighters be able to turn east easily should we have an emergency at my home? Will more cars be using Hill Drive through my neighborhood as a way around the increased traffic on Colorado, which we have seen many times when lanes are reduced due to construction or an accident? How will I be able to access all of the aforementioned businesses, and find parking nearby?

Ultimately, who is benefiting from this project? It certainly won't be those in my community, who won't even have access to this metro line. Please take the Eagle Rock residents' concerns seriously as we question the design oversights and potential conflicts of interest with this enormously expensive project. I politely request that the Metro BRT Noho-Pasadena FEIR is tabled.

Thoughtfully,

[redacted]

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 9:46 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** TABLE AGENDA ITEM #8 (NoHo-Pasadena BRT) due to multiple conflicts of interest, fire code violations and Brown Act violations

**Dear Metro Board Members,**

**I am an Eagle Rock resident. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I kindly urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.**

I am a passionate bicyclist and would love to have a protected bike lane in Colorado Blvd. However, I do <u>not</u> support the current proposal of a single traffic lane.

**It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.) Also, living on Townsend Ave, I foresee lots of traffic diverting into our neighborhood streets. Already today, cars are racing up and down our street.**

**At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.**

**Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.**

Sincerely,

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, April 26, 2022 9:50 PM
To: Board Clerk <BoardClerk@metro.net>
Subject: Metro Pasadena to NoHo

I feel strongly that Item 8 needs more consideration to make sure that deliveries are possible to Trader Joe's. F1 must be reviewed by the Fire Marshal for feasibility. Our community deserves to be heard. It's easy for Metro Board members to make decisions for communities that they don't have to live in.

Sent from my iPhone

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 9:54 PM
**To:** First District <firstdistrict@bos.lacounty.gov>; anajarian@glendaleca.gov; JDupontw@aol.com; kathryn@bos.lacounty.gov; Mike.Bonin@lacity.org; FDutra@cityofwhittier.org; Mayor.Garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; Paul.krekorian@lacity.org; Sheila@bos.lacounty.gov; HollyJMitchell@bos.lacounty.gov; Tim_Sandoval@ci.pomona.ca.us; Tony.Tavares@dot.ca.gov; achapa@bos.lacounty.gov; eandalon@bos.lacounty.gov; Board Clerk <BoardClerk@metro.net>; assemblymember.carrillo@assembly.ca.gov; mayorjamesbutts@gmail.com
**Cc:** InspectorGeneral@oig.lacounty.gov
**Subject:** Metro Board meeting 4-28 - Item 8 - Needs more consideration

Dear Metro Board Members,

I am an Eagle Rock resident. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee to advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

Sincerely,

[redacted]

Eagle Rock Resident

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 10:02 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** TABLE AGENDA ITEM #8 (NoHo-Pasadena BRT) - Due to multiple conflicts of interest, fire code violations and Brown Act violations

Dear Metro Board Members,

I am an Eagle Rock resident. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to please postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

**Sincerely,**
[redacted]

Copied in with this email;
Inspector General for the County of Los Angeles

--
*"Life is too short to be anything but happy. Love deeply, forgive quickly, take chances, give everything with no regrets. Forget the past with the exception of what you have learned and remember everything happens for a reason."*

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 10:02 PM
**To:** Kathryn@bos.lacounty.gov; anajarian@glendaleca.gov; Board Clerk <BoardClerk@metro.net>; fdutra@cityofwhittier.org; firstdistrict@bos.lacounty.gov; fourthdistrict@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; jdupontw@aol.com; mayor.garcetti@lacity.org; mayorjamesbutts@gmail.com; mike.bonin@lacity.org; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov
**Cc:** InspectorGeneral@oig.lacounty.gov; friendsofhilldrive@gmail.com
**Subject:** Metro Board Meeting 4/28/22. Please table Agenda Item #8

Dear Metro Board Members,

I am an Eagle Rock resident or a business owner. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

## At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

Sincerely,

[redacted]

Eagle Rock home owner

Copied in with this email;
Inspector General for the County of Los Angeles

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 10:09 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** Metro BRT Noho-Pasadena

**Dear Metro Board Members,**

**I am an Eagle Rock resident. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.**

**It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)**

**At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.**

**Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.**

Sincerely,

[redacted]

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 10:15 PM
**To:** Board Clerk <BoardClerk@metro.net>
**Subject:** Eagle Rock Metro

Dear Metro Board Members,

I am an Eagle Rock resident or a business owner. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the **April 28** board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

Sincerely,

[redacted]

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 10:37 PM
**To:** anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; Eric Garcetti <mayor.garcetti@lacity.org>; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org; Cc: Dr Hill <friendsofhilldrive@gmail.com>
**Subject:** TABLE AGENDA ITEM #8 (NoHo-Pasadena BRT) due to multiple conflicts of interest, fire code violations and Brown Act violations.

Dear Metro Board Members,

I am an Eagle Rock advocate & have chaired or been president of a number our town's organizations, the Eagle Rock Chamber, the Center for the Arts/ Eagle Rock, Women's twentieth Century Club, & gotten the clubhouse on the National Registry of Historic Places, & currently head the ER Kiwanis. But I am most proud of gathering community groups together in efforts to improve the ER DOWNTOWN in a group called Eagle Rock Community Preservation & Revitalization Corporation (ERCPR) in the 1990's to 2010. We handled a $350k from the State of CA to upgrade facades & do parking studies. In point we upgraded Colorado Blvd considerably for the better. I am frankly concerned the proposed One Lane each Direction Metro Plan, has not considered its effects on businesses & customers, which we took great care to encourage to COME to Eagle Rock. There will be lack of parking & a convolution of street planning. It needs more planning work & I agree with the following letter as I greatly CARE about this town's future.

I am an Eagle Rock resident or a business owner. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the **April 28**board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

Sincerely,

[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 1:40 AM
**To:** anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org; firstdistrict@bos.lacounty.gov
**Cc:** Friendsofhilldrive@gmail.com
**Subject:** Table Agenda Item #8

Dear Metro Board Members,

I am an Eagle Rock resident of 26 years, I live north of Hill Drive. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the **April 28**board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

Sincerely,

[redacted]

Sent from my iPhone

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 4:41 AM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov; Lou Finkelberg <l.finkelberg@finkelberglaw.com>
**Subject:** TABLE AGENDA ITEM #8 (NoHo-Pasadena BRT) due to multiple conflicts of interest, fire code violations and Brown Act violations.

Dear Metro Board Members,

I am an Eagle Rock resident or a business owner. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

Sincerely,

[redacted]

[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 7:17 AM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** Subject: TABLE AGENDA ITEM #8 (NoHo-Pasadena BRT) due to multiple conflicts of interest, fire code violations and Brown Act violations.

Dear Metro Board Members,

I am an Eagle Rock resident. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 7:20 AM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com
**Subject:** TAKE ACTION NOW , SAVE OUR EAGLE ROCK COMMUNITY!!!

I am an Eagle Rock resident.

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA-Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

-----Original Message-----
From: [redacted]
Sent: Wednesday, April 27, 2022 7:23 AM
To: sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
Cc: Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
Subject: Killing Eagle Rock

I am an Eagle Rock resident or a business owner. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

Sincerely,
[redacted]

Sent from my iPhone

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 8:06 AM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** TABLE AGENDA ITEM #8 (NoHo-Pasadena BRT

**Dear Metro Board Members,**
**I am an Eagle Rock resident or a business owner. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.**

**It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)**

**At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.**

**Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.**

Sincerely,

[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 8:14 AM
**To:** anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** InspectorGeneral@oig.lacounty.gov; Friendsofhilldrive@gmail.com
**Subject:**

Dear Metro Board Members,

I am an Eagle Rock resident or a business owner. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

**Sincerely,**

[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 8:49 AM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Subject:** Agenda Item #8: NoHo to Pasadena BRT

Dear Metro Board Members,

NO ONE is listening to the majority of residents and commuters in the Eagle Rock Community. There is a political agenda here that is most disturbing.

I have been an Eagle Rock resident for over 50 years. I am writing to say the FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives; and possible violations of the Brown Act. Rather than provide exacting details, this should be your homework. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. There was assurance the community would be able to speak at the April 28 board meeting. Unfortunately, there are some who will be unable to attend this meeting - hence this email.

It's become increasingly clear that the Metro Board either hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Roc, or the Board clearly has its own agenda. The Eagle Rock community has already experienced such concerns with our now indicted Councilperson Jose Huizar. The issues in the FEIR contain negligent, dangerous oversights regarding pedestrian safety, and it has blocked off of Eagle Rock's fire station and any clear access to emergency responses. Was a traffic study done by the City of Los Angeles? Has the Fire Department Commission/or similar representation signed off on this ill-advised plan?

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of wasted taxpayer dollars, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

Sincerely,

[redacted]

[redacted]

**From:** L[redacted]
**Sent:** Wednesday, April 27, 2022 8:59 AM
**To:** Board Clerk <BoardClerk@metro.net>
**Subject:** F1 Design - Table Vote

[redacted]

Dear Metro Board Member,

As an Eagle Rock resident I have discovered that the Metro BRT NoHo-Pasadena needs much more consideration. Please postpone or table Agenda Item #8 due to Fire Code violations, ADA violations and conflict of interests involving high-ranking executives. Our Eagle Rock community is not being properly represented at these meetings.

Our interests are not of those apparently trying to push through this current design in Eagle Rock.

This F1 design should have a preliminary review by the Los Angeles fire Marshal and LAFD Fire Code Committee.

Table the vote for today. This F1 design has many harmful consequences to the community of Eagle Rock. We have not been allowed proper input from the citizens of Eagle Rock Community. What has been designed will thwart traffic flow, parking, access to businesses and would make our downtown Eagle Rock crowded, jammed with traffic and in general a project that can not be easily reversed. This will be a destructive management of our community by outsiders - people who do not even live within our Eagle Rock community.

Sincerely,

[redacted]

Wednesday, April 27, 2022

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 10:13 AM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** TABLE AGENDA ITEM #8 (NoHo-Pasadena BRT)

**Dear Metro Board Members,**

**I am an Eagle Rock resident, and I am really upset about how this has proceeded - my rights have been ignored and frankly without following protocol this decision is now illegal.**

**This FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.**

**It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)**

**At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.**

**Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.**

Sincerely,

[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 10:33 AM
**To:** First District <firstdistrict@bos.lacounty.gov>; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Jennifer <friendsofhilldrive@gmail.com>; InspectorGeneral@oig.lacounty.gov
**Subject:** Metro BRT Agenda number item 8

Dear Metro Board Members,
I am a 40 year resident and my wife is a 62 year resident of Eagle Rock. I am writing to say the FEIR for the Metro BRT through Eagle Rock needs more research and testing. I urge the Metro Board to table Agenda #8 for numerous reasons. There is no reason to dedicate a single lane for the BRT buses traveling through Eagle Rock. Colorado Blvd is a major thoroughfare and evacuation route from and to Pasadena and Glendale as well as the 5 and 134 freeways. Colorado Blvd has already been reduced from three lanes to two lanes. This will reduce the number of available parking spots in the area and greatly increase traffic in the local neighborhoods.
All of this to save a couple of minutes of time for a bus that will hold up thousands of people driving through and home here in Eagle Rock. The money for this project could be well spent on another project.
I live on Las Flores and Vincent Ave. Las Flores cannot handle two way traffic. In the past when Colorado Blvd has been backed up, there have been people that have driven onto my lawn in order to get past oncoming traffic. Traffic on Hill Drive. Las Flores, Yosemite and other streets will see a huge increase in traffic from vehicles that will try to avoid the backup on Colorado Blvd. Delivery vehicles will have major challenges trying to find a place to park as many of the businesses in Eagle Rock do not have an alley behind their businesses for delivery vehicles. With the reduction of available left turns into the neighborhoods, Metro will be forcing additional traffic and pollution onto the streets where left turns can be made.
I would like to request that Metro and the LA DOT close down a lane on each side of Colorado Blvd for 2 weeks so that a study can be made of the changes in the traffic patterns on all of the local streets that will be affected by the BRT.
Your attention on this matter would be greatly appreciated.
Regards,
[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 11:18 AM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; saveeaglerockcommunity@yahoo.com
**Subject:** MTA- Poor Recommended of a "Single Lane" Colorado Boulevard

MTA/Decision Makers,

I am an Eagle Rock resident with a view of Colorado Boulevard. If this single lane per direction recommendation stands, I will see every day the daily traffic back-ups that this Colorado Boulevard plan will produce. When I sit in the single lane traffic on Colorado Boulevard, it will remind me of the MTA and the people that made this poor decision. The sad part is that there are at least 2 better options that keeps the 2 lanes on Colorado Boulevard.

Please view the YouTube link below that explains in a detailed commonsense manner why the "Single Lane" option is a poor decision.
https://youtu.be/XCJaTDPRzTQ

PLEASE INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA - Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners. There will be no beauty in sitting in this planned traffic mess.
SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane on Colorado Boulevard in my Eagle Rock Community.

Sincerely,
[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 11:23 AM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** BRT

Dear Metro Board Members,

I am an Eagle Rock resident or a business owner. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.
Sincerely,

[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 11:28 AM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** Metro BRT Noho-Pasadena

**Dear Metro Board Members,**

**I am an Eagle Rock resident or a business owner. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.**

**It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)**

**At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.**

**Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.**

Sincerely,

[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 12:15 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** FEIR NEEDS MORE CONSIDERATION

Dear Metro Board Members,

I am an Eagle Rock resident. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.
Sincerely,

[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 12:25 PM
**To:** Board Clerk <BoardClerk@metro.net>
**Subject:** ER

Dear Metro Board Members,

I am an Eagle Rock resident or a business owner. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the **April 28** board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

[redacted]

323.370.3250

"So be it"!

"See to it"!... Octavia Butler

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 12:44 PM
**To:** Sarah Cho <11sarahcho@gmail.com>
**Cc:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org; Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** In Consideration of BRT Metro Noho-Pasadena Agenda Item #8

Hello Metro Board Members,

My name is [redacted] I'm a resident of Eagle Rock. I am very concerned by the proposed Metro BRT line running between North Hollywood and Pasadena, and how its changes to Colorado Boulevard will negatively impact my family's everyday life. We travel along this route regularly as we attend karate classes, frequent the hair salon, pet food store, Trader Joe's, and enjoy the coffee shops and several restaurants in our neighborhood. I believe strongly in the power of community for myself and my young children, the oldest of whom will be attending Dahlia Heights Elementary School this fall. Supporting these businesses and maintaining the "small town feel" of Eagle Rock that attracted us to this area many years ago remains hugely important to us.

The importance of public transportation is not lost on me; however, the proposed Metro BRT Noho-Pasadena route will have negative widespread effects for those of us in Eagle Rock. The reduced traffic lane on Colorado Boulevard will significantly affect our ability to find parking and support these businesses that are so important to us, during what are already challenging times economically.

How will my daily walking route to our neighborhood school be affected? Will our local firefighters be able to turn east easily should we have an emergency at my home? Will more cars be using Hill Drive through my neighborhood as a way around the increased traffic on Colorado, which we have seen many times when lanes are reduced due to construction or an accident? How will I be able to access all of the aforementioned businesses, and find parking nearby?

Ultimately, who is benefiting from this project? It certainly won't be those in my community, who won't even have access to this metro line. Please take the Eagle Rock residents' concerns seriously as we question the design oversights and potential conflicts of interest with this enormously expensive project. I politely request that the Metro BRT Noho-Pasadena FEIR is tabled.

Thoughtfully,

[redacted]

Sent from my iPhone

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 12:53 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** TABLE AGENDA ITEM #8 (NoHo-Pasadena BRT) due to multiple conflicts of interest, fire code violations and Brown Act violations

Dear Metro Board Members,

I am an Eagle Rock home owner, and I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives, and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, this F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

Sincerely,

[redacted]

Copied in with this email: Inspector General for the County of Los Angeles

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 1:55 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** FEIR for the Metro BRT Noho-Pasadena needs more consideration!

Dear Metro Board Members,

I am an Eagle Rock resident. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.
Sincerely,
[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 2:35 PM
**To:** Board Clerk <BoardClerk@metro.net>
**Subject:** Table Agenda Item #8 (No-Ho Pasadena BRT)

Dear Board Member:

I am an Eagle Rock resident or a business owner. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

Sincerely,

[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 2:42 PM
**To:** FIRSTDISTRICT@BOS.LACOUNTY.GOV; ANAJARIAN@GLENDALECA.GOV; JDUPONTW@AOL.COM; KATHRYN@BOS.LACOUNTY.GOV; FDUTRA@CITYOFWHITTIER.ORG; MAYOR.GARCETTI@LACITY.ORG; FOURTHDISTRICT@BOS.LACOUNTY.GOV; PAUL.KREKORIAN@LACITY.ORG; SHEILA@BOS.LACOUNTY.GOV; HOLLYJMITCHELL@BOS.LACOUNTY.GOV; TIM_SANDOVAL@CI.POMONA.CA.US; TONY.TAVARES@DOT.CA.GOV; Board Clerk <BoardClerk@metro.net>; MAYORJAMESBUTTS@GMAIL.COM; MIKE.BONIN@LACITY.ORG
**Cc:** FRIENDSOFHILLDRIVE@GMAIL.COM; Janet Ennis <janet.ennis1@gmail.com>
**Subject:** BRT will impact our kids and our town of Eagle Rock

Good afternoon everyone, Metro Board Members

As a proud Eagle Rocker and a mother of children, may I add a working mother of children my morning drop offs are impacted by traffic. I have looked over the FEIR F1 design and I feel there is more that can be done to make this a safer, less of a morning nightmare when our first priority is to get kids to school and then for some of us who are essential workers and do not work from home, like myself, it is important to get to work and on-time. Right now just in a morning where a neighboring store will agree to filming on their property this makes it a total nightmare to get the kids to school and most importantly, again, ON TIME. My son is so upset when he is late, he said its embarrassing for him and others to walk into class after the bell. We are in line on time, but by the time the valet opens the door and scans our DAILY PASS the bell has rung. These kids first started off with re-entering school since COVID, we now have to drop our kids off from the vehicle and wait for the admins to scan our phones, this creates a very long car line, so long that the majority of us are sitting up on Colorado Blvd, and some have never made it to Floristan where the school main gate is located. We sit on Colorado Blvd going west light after light waiting to make a left turn or a right turn onto our street if coming up west bound. With the BRT we will not even be allowed to make a left turn, therefore creating a more of a drive and loss of time not to mention heavily pounding another side RESIDENTIAL street with all these cars just to utilize the drop off. Sure I'd love to walk my child to school, but sadly I am not an at home mom who can jump on a scooter and take a leisure morning walk, I have been an essential worker and must be to work on time. There is no longer an early morning drop off because of COVID, so I cant get them to school early.

I ask that before anything is signed in stone, perhaps a study can be done, perhaps YOU ALL can come out to our little town, on a school morning and see for yourself exactly the impact this will have on our children and the surround residents who sit in their driveways trying to exit into the already crowded street. Have a field trip and study what we already go through. We purchased our homes over 40 yrs ago because it was quiet and peaceful, this will definitely be the just the opposite of a successful project. Please listen to us residents, just hear us out, just give us more thought, our kids deserve more thought and time.

Most upsetting is that this is NOT a BRT for Eagle Rockers, this does not benefit us residents, this actually hurts us, the ones who are being thought of is everyone else but Eagle Rockers. The hope is that out of city people will just come through, but yet we Eagle Rockers are the ones forced to endure the change, why? So that we can hope for extra business? Eagle Rock has been here and been known by many neighboring city folk and if people are not coming through already to shop, stop and eat this will not

bring them in. Its not fair for us residents to continuously have to change our daily routines, routes, ability to park in front of our homes, work and play hours, and now put our children's right to an education ON TIME every day at stake because some want to bring in outsiders to ride a bus through our town.

Another important aspect is our Fire Station 42 and the response time it can impair. Some might create a hypothetical idea in their heads but no one, no one knows until it is real life, and that one persons life shouldn't be a trial run as every second is precious in a 911 emergency.

I am an Eagle Rock resident. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.
Sincerely,

[redacted]

BOUCHARD
COMMUNICATIONS, INC.

-----Original Message-----
From: [redacted]
Sent: Wednesday, April 27, 2022 3:07 PM
To: Board Clerk <BoardClerk@metro.net>
Subject: Please delay approval of BRT METRO PLAN In Eagle Rock

To whom it concerns,
Stakeholders have not been appropriately notified. The current plan is unsafe - blocking the fire station as well as our very popular Trader Joe's. There's been tremendous dismissal of community feedback and a flooding of special interests and pressure from people who do not live here or drive here. Please let the fire Marshall review everything.
Thank you!
Sincerely,
[redacted]

Sent from my iPhone

-----Original Message-----
From: [redacted]
Sent: Wednesday, April 27, 2022 3:27 PM
To: Board Clerk <BoardClerk@metro.net>
Subject: BRT Metro- Colorado Blvd

As a resident of Eagle Rock for over 30 years with a home one block north of Colorado, I urge the board to delay on any final decisions regarding the BRT Metro plan.

This plan will cause havoc to our thoroughfare and crush beloved small businesses and restaurants. It is an unnecessary expense that this community will not benefit from. More reviews and input are required before this plan should even consider moving forward.

Respectfully,
[redacted]

[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 3:34 PM
**To:** Board Clerk <BoardClerk@metro.net>
**Subject:** ITEM 8

Item 8 Needs More
Consideration, F1 must be reviewed by Fire
Marshal for feasibility.

This plan will not work for Eagle Rock residents.

This part of Colorado blvd will be reduced to one lane each side. The meridian will be removed.

What happened to the keep Eagle Rock beautiful PLAN?

THIS NEEDS TO BE REVIEWED BY THE FIRE MARSHALS.

--

[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 3:46 PM
**To:** Board Clerk <BoardClerk@metro.net>
**Subject:** Please table the Eagle Rock BRT plan vote!

Hi,

As a long time resident of Eagle Rock I am urging you to please table the vote on item #8 on Thursday's agenda, the BRT plan for the Eagle Rock corridor along Colorado Boulevard. Or at least postpone the vote until the numerous fire code violations can be corrected and all the unheard concerns of the people who live and work here have been heard.

My family and I have lived in Eagle rock for 15 years,  we're very connected to the community and have yet to hear any resident or business approve of this BRT plan. I fail to see how the plan's intent to cut traffic down to one lane in each direction and get rid of 38% of parking along Eagle Rock's thriving business district benefits our residents and those businesses.

Please consider the effects these changes would have on the community, There are ways to improve mass transit without doing harm to what we have. Perhaps adopting the BRT plan of Pasadena and other communities, which allows mixed-flow use of the Boulevard and improvements to mass transit without the damage.

Thank you for your time in reading this,
[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 4:37 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com
**Subject:** TAKE ACTION NOW , SAVE OUR EAGLE ROCK COMMUNITY!!!

I am an Eagle Rock resident.

Friends of Hill Drive sent you my petition on October 22, 2021. My petition included my email address. I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA-Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 4:40 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** FEIR for the Metro BRT Noho-Pasadena needs more consideration

Dear Metro Board Members,

I am an Eagle Rock resident. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.
Sincerely,
[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 4:42 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com
**Subject:** Do not destroy Eagle Rock!!!!!

Dear Metro Board Members,

I am an Eagle Rock resident or a business owner. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

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Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

Sincerely,
[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 4:52 PM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Cc:** Friendsofhilldrive@gmail.com; InspectorGeneral@oig.lacounty.gov
**Subject:** TABLE AGENDA ITEM #8 (NoHo-Pasadena BRT)

# Dear Metro Board Members,

I am an Eagle Rock resident. I am writing to say this FEIR for the Metro BRT Noho-Pasadena needs more consideration. I urge you to postpone (table) Agenda Item #8 due to Fire Code violations, ADA violations, illegal lobbying, and conflicts of interest involving high-ranking Metro executives. and Brown Act violations. At last week's Planning and Programming Committee meeting on 04/20/22, over 50 of us waiting to comment were cut off after only 15 minutes. We were assured we'd be able to speak at the April 28 board meeting.

It's become increasingly clear that the Metro Board hasn't had sufficient time to address these issues or study the FEIR F1 design in Eagle Rock, which contains negligent, dangerous oversights (such as blocking off Eagle Rock's fire station.)

At the very least, This F1 design should have a preliminary review by the Los Angeles Fire Marshal and LAFD Fire Code Committee and advise the Metro Board on the F1 design's feasibility before a vote to approve the FEIR.

Rather than vote on a plan that could result in hundreds of millions of dollars wasted, the prudent way forward is to table the vote for today. This F1 design and its harmful consequences is not a project that can be easily reversed.

Sincerely,

[redacted]

Copied in with this email;
Inspector General for the County of Los Angeles

**From:** [redacted]
**Sent:** Wednesday, April 27, 2022 4:55 PM
**To:** Board Clerk <BoardClerk@metro.net>
**Cc:** Jennifer <friendsofhilldrive@gmail.com>
**Subject:** AGAINST ITEM 8 ON 4.28.20 MTA AGENDA AND Regarding MTA's Response to FEIR Comment Letter 194

Dear Mayor Garcetti, Supervisor Solis and all other Honorable MTA Board Members:

Save Eagle Rock Community urges all of you, especially Mayor Garcetti and Supervisor Solis, not to follow and approve any of the MTA Planning and Programming Committee (MTA Planning Committee) Recommendations (3-0) described in the April 28, 2022 MTA Board Meeting Agenda Item 8, Subject: North Hollywood to Pasadena Bus Rapid Transit Corridor Project Environmental Impact Report (MTA BRT Project). This Board's approval would result in both the Los Angeles County Metropolitan Transportation Authority (MTA) and the City of Los Angeles (City) wrongfully supporting the suspicious actions of Severin Martinez and his long standing quest to implement an unnecessary road diet on Colorado Boulevard in Eagle Rock. Mr. Martinez is a City of Los Angeles Department of Transportation (LADOT) employee, a Board Officer of an advocacy group known as The Eagle Rock Association, a vocal City of Los Angeles (City) bicycle advocate for Bike The Vote and an author of a 2016 analysis of "Safety on Road Diet Corridors in Los Angeles" targeting Colorado Boulevard.

Mr. Martinez was and has been a prolific road diet bicyclist blogger. Based upon his public statements, Mr. Martinez was born in Malmo, Sweden, and he wants to be able to bicycle in the City - just like he did in Sweden. He has been and is clear in his many public blogs that his goal is to put Eagle Rock on a road diet. In 2017, Mr. Martinez actively promoted the City candidacy of Joe Bray Ali, another bicycle advocate, even after Mr. Ali's racist comments against Mexican Americans were revealed.

A. Mayor Garcetti's December 14, 2020 Recommendation for a Colorado Boulevard "On-Street Side-Running NoHo to Pasadena BRT Alignment"

On December 14, 2020, Mayor Garcetti's Office sent Mr. Martinez an overview of the MTA BRT Project because he was somehow selected to be the author of the City's draft environmental impact report (DEIR) Comment Letter for the MTA BRT Project. This decision was in accordance with the Mayor's decision that "key City agencies

coordinate a single request with precise mitigation measures” regarding “impacted City streets/public rights-of way”. It does not appear that the LADOT did a coordinated City department response when the LADOT sent its DEIR Comment Letter, MTA FEIR Comment Letter 5 on December 28, 2020.

To prepare a coordinated City department DEIR MTA BRT Comment Letter the Mayor’s Office described the background of the MTA BRT Project in a four page memo to Mr. Martinez (Garcetti Memo) with facts and details supporting **Mayor Garcetti’s final recommendation:** "**Based on engagement with community stakeholders and in-field investigation, the on-street side-running NoHo to Pasadena BRT alignment within Eagle Rock is recommended.**" (Emphasis added.) The Garcetti Memo explained the reason for the Mayor’s Side-Running BRT lane alignment on Colorado Boulevard recommendation to Mr. Martinez as follows: "An on-street side-running BRT would streamline project delivery *by avoiding lengthy inter-agency review and approvals* and would establish dedicated bus lanes while retaining bus lanes to improve local and regional connectivity for transit users, and is anticipated to attract the greatest number of new riders due to its convenience and quality user experience, having the highest likelihood of achieving the greatest VMT reductions”.

Describing a MTA option for a "1.7 mile side-running BRT" on Colorado Boulevard the Garcetti Memo stated "buffered bike lanes" would be eliminated but bike riders would be able to use bus lanes, and this side-running BRT proposal required "BRT buses and cars to share a lane to allow for right-turning movements". The side-running BRT option preserved "on-street parking, all 4 travel lanes, and medians".

B. The MTA Elected Officials March 9, 2020 Tour of Colorado Boulevard in Eagle Rock

With MTA BRT Project Managers Cory Zelmer and Scott Hartwell

The Garcetti Memo also informed Mr. Martinez that an "Elected Officials In-Field Staff Tour" occurred on March 9, 2020. On that date "following more thorough technical analysis,” MTA Countywide Planning staff Cory Zelmer (zelmerc@metro.net) and Scott Hartwell (hartwells@metro.net) and MTA Community Relations staff Lilian De Loza-Guterrez (delozagutierrezl@metro.net) hosted an on-site proposed project tour exclusively for staff of elected officials representing the community, including LA Mayor Garcetti (Karina Macias), then CD 14 Councilmember Huizar, (Lucy Aparicio, lucy.aparicio@lacity.org), and LA County Supervisor Solis (Martin Reyes, mreyes@bos.lacounty.gov).

According to the Garcetti Memo  “During the locally-focused 3/9 tour, Metro staff presented the following anticipated operational changes on streets within the primary proposed BRT alignment and route options…. the *potential 1.7 mile center running BRT on Colorado Boulevard impacted some of the City's planned curb extensions and medians*, *eliminated left turns at 15 unsignalized intersections* and *required that medians be narrowed or removed/be less contiguous*; -40% reduced on-street parking spaces." Additionally, the Garcetti Memo noted, "*For center-running segments of the BRT, Metro staff do not recommend allowing non-BRT Metro/municipally operated buses to use bus lanes*". (Italics added.)

C. MTA BRT Project Manager Zelmer’s July 9, 2019 MTA/LADOT Transportation Planning and Policy Meeting With Mr. Martinez and Three Other LADOT Planners Edward Guerrero, David Somers and Tomas Carranza

It is not known if Mr. Martinez informed Mayor Garcetti’s Office (on December 14, 2020 or ever) that he previously met with MTA BRT Project Manager Zelmer on July 9, 2019, with four other LADOT Planners. They met with Mr. Zelmer and another MTA BRT Project Manager Sarah Syed (also in the MTA’s Technical Working Group) to discuss the MTA BRT Project’s Planning and Environmental Study. The July 9, 2019 MTA/LADOT meeting was a closed technical staff meeting to specifically discuss the MTA BRT Project. At that meeting the LADOT Planners stressed that "Conformity of the City's Mobility Plan is important". The City's "new policies and procedures" (which incidentally City Mobility Plan 2035 Task Force Member MTA helped create) were to be fully implemented on Colorado Boulevard in Eagle Rock.

1. MTA Staff’s and LADOT’s July 9, 2019 Goal to Make Colorado Boulevard the First MTA Project (Impacting City Streets and Curbs) to Follow the City’s Updated Transportation Assessment Guidelines

According to the attached July 9, 2019 MTA/LADOT Meeting Notes: “As there are no projects that have yet stepped through the process, it looks like the two Metro BRT Projects – NSFV BRT and NoHo to Pasadena BRT will be the first projects to follow the City’s updated Assessment Guidelines….The recent City’s Settlement Agreement is primarily regarding how the City can implement road diets/complete streets. City provided attached summary of the Project Evaluation Process Flow Chart resulting from

the Settlement Agreement": A Project Outreach and Evaluation Process FlowChart for Mobility Plan 2035 Implementation.

D. Mr. Martinez's Long Involvement to Reach His Personal Goal: A MTA BRT on Colorado Boulevard- An Unnecessary Road Diet

It is possible that the Mayor Garcetti's Office did not know of Mr. Martinez's passionate desire to construct a MTA BRT on Colorado Boulevard in Eagle Rock. However, City Council District 14 (CD 14) Former Councilperson Jose Huizar did, and the Eagle Rock Neighborhood Council (ERNC) certainly did. Mr. Huizar's former deputies Sean Starkey and Nate Hayward, who managed all capital projects across CD 14 (previously for Mr. Huizar and now for Councilperson Kevin De Leon) knew about Mr. Martinez's active involvement in promoting a MTA BRT on Colorado Boulevard since at least 2016.

Save Eagle Rock Community's August 14, 2019 letter to each of you described Mr. Martinez's attendance at a **September 1, 2016** meeting, organized by Mr. Starkey to discuss the MTA BRT on Colorado Boulevard with David Greene, the then ERNC Land Use and Planning Chair and Lisa Kable Blanchard, the then ERNC President. Shortly after the meeting the ERNC sent out an October 5, 2016 letter regarding the MTA BRT Project on Colorado Boulevard with a copy to Mr. Hayward. It should be noted that both Mr. Greene, Ms. Kable Blanchard and her husband Michael Blanchard, another former President of the ERNC, were 3 of the 43 people who signed MTA FEIR Comment Letter 14 -the Beautiful Boulevard's December 28, 2020 letter.

On **September 21, 2018**, Pat Niessen, another former ERNC Officer, emailed both former Councilmember Jose Huizar and Mr. Martinez about the Eagle Rock BRT. Mr. Niessen wrote to the ERNC Executive Board members that he was "a committed metro rider and advocate for mass transit support for our community" explaining that he copied Mr. Martinez because he is a local transit advocate. Mr. Niessen is another one of the 43 people, who signed the Beautiful Boulevard MTA FEIR Comment Letter 14.

E. LADOT Undermines Mayor Garcetti's Express Recommendation for a Side-Running BRT Lane Alignment on Colorado Boulevard That Mr. Martinez Received on December 14, 2020.

Mr. Martinez's involvement/authorship of the LADOT's MTA FEIR Comment Letter 5 is evidenced from a **December 23, 2020** email message from Shirley Zamora, another LADOT employee, to Mr. Martinez regarding "NoHo to Pasadena BRT". She stated to him: "We were told you are the person putting together the letter with LADOT comments for Metro". On **December 28, 2020**, the LADOT sent its MTA BRT Project Draft Environmental Impact Report Comment Letter to the MTA: MTA FEIR Comment Letter 5.

1. LADOT's DEIR Comment Letter – MTA FEIR Comment Letter 5

Despite Mayor Garcetti's recommendation given to Mr. Martinez on December 14, 2020, the LADOT specifically took issue with the MTA's previously stated *preferred side-running BRT bus lane option*, which would not require creation of a MTA BRT bus only lane. Rather than support the MTA's preferred lane alignment option and Mayor Garcetti's recommended lane alignment option the LA DOT stated that a side-running BRT option would degrade the "travel experience for bicycle riders" under the City's Mobility Plan 2035. The LADOT presented: "A full exploration of the F1 configuration and any similar suggested configurations that may arise from the DEIR process should be evaluated prior to considering the removal or degrading of existing bike facilities and pedestrian infrastructure."

In contrast to the safety concerns for bicyclists the LADOT made absolutely no mention of how any center lane alignment plan on Colorado Boulevard would affect the safety of disabled persons, children and seniors. There was **no regard for how a mobility impaired passenger** would need to enter and exit a MTA BRT bus in the middle of the street at designated MTA BRT stations on the median. There was **no mention of how a center-running BRT bus lane option would effectively degrade the travel experience for disabled passengers, seniors and children.**

Mr. Martinez's involvement with the LADOT's failure to follow Mayor Garcetti's December 14, 2020 final recommendation also is made clear by his own MTA FEIR Comment Letter 315. Rather than follow Mayor Garcetti's recommendation that the BRT use the Side-Running F-2 Option on Colorado Boulevard Mr. Martinez wrote in favor of the center-running lane alignment option and promoted the Beautiful Boulevard plan. Based upon Mr. Martinez's terms used to describe the Beautiful Boulevard Plan in MTA FEIR Comment Letter 315 i.e., a "**context sensitive approach to BRT in Eagle Rock" (and as also in Page 5 of our attachment: The LADOT's Mobility Plan Evaluation Process Flow Chart)and two other MTA FEIR Comment Letters' use of context sensitive needs, context sensitive alignment, context sensitive project**, it appears that Mr. Martinez also may have authored or assisted in the preparation of MTA FEIR Comment Letter 14 for the 43 Beautiful Boulevard signatories as well as the MTA FEIR Comment Letter 19 for TERA.

**MTA FEIR Comment Letters' Using the Term "Context Sensitive" and Mr. Martinez's Public Use of the Term "Context Sensitive"**

**Context-sensitive** usually applies to meaning as it applies to a specific instance or situation. For example, in cooking a meal: Context sensitive cooking instructions would be different for a mobility impaired person as opposed to an able bodied person. In a review of the MTA FEIR 642 Pages of Comment Letters and Supporting Documentation it appears that in only 9 instances was the term on the LADOT's Project Outreach and Evaluation Process FlowChart for Mobiity Plan 2035 used in comments on DEIR Comments from the public, i.e., MTA FEIR Comment Letters. In the MTA FEIR the author or speaker never explains what he/she/they mean when the term context-sensitive is used as an adjective.

Here are the only 9 instances using the term **"context sensitive**" in the MTA FEIR Comment Section:

Page 95, December 27, 2020 MTA FEIR Comment Letter 13 from 31 different organizations. Please see their cover page.

The community-generated "Beautiful Boulevard" Eagle Rock alignment concept provides a thoughtful, balanced, and **context-sensitive solution** to meeting a diverse set of concerns while prioritizing the goal of creating a quality transit service. We urge Metro to fully study this concept, and adopt its framework as Metro's proposed alignment for the Eagle Rock section of the North Hollywood-Pasadena Bus Rapid Transit project

Pg 97, December 28, 2020 MTA FEIR Comment Letter 14 from 43 Beautiful Boulevard Supporters, including 15 former and current members of the ERNC or the ERNC Land Use and Planning Committee, 2 TERA Members as well as a City of Los Angeles City Planner : The "Beautiful Boulevard" proposal is a community-generated BRT alignment solution that would provide a **context-sensitive solution** that addresses the primary concerns that Eagle Rock residents have consistently communicated to Metro in its Alternatives Analysis and Environmental Impact Report outreach.

Page 100, Ibid, We urge Metro to adopt the Beautiful Boulevard's **context-sensitive solution**, which utilizes these same basic zones to maximize the quality of transit experience, safety, and support for a vibrant Downtown Eagle Rock, and mitigates issues that are unresolved in Metro's DEIR-proposed alternatives.

Page 122, TERA's 15 Page MTA FEIR Comment letter 19 to Mr. Hartwell Project Manager Los Angeles County Metro sent via email on December 28, 2020. Mr. Merideth's email message to Mr. Hartwell was not included with what we assume was an attachment: A 15 page letter, signed only by Greg Merideth President: "Understandably, a limited number of parking spaces may need to be repurposed near potential BRT stations. However, TERA will oppose any proposal to fully or substantially remove parking on either side of Colorado Boulevard and which ignores our community's **context-sensitive needs**."

Page 124, Ibid, TERA urges Metro to abandon or fully rework the F1 alternative as the **context-sensitive "Beautiful Boulevard"** median-running alignment as an option to study to satisfy well-established community needs and priorities.

Page 129, Ibid, Metro should identify **attractive options and locations for bike parking that are context-sensitive**, consistent, and intuitive across the entire transit line. This includes giving consideration to the implementation of sheltered bike corrals that are safe, pleasant, and convenient to use.

Page 130, Ibid, Residents, parents, and business owners within Eagle Rock have developed a thoughtful and **context-sensitive project alignment concept** that presents a "win-win" solution to address primary concerns that residents and stakeholders have communicated to Metro and to TERA in our outreach.

Page 133, Ibid, We urge Metro to incorporate innovative design elements and **context-sensitive roadway layouts** to provide an improved, vibrant solution for Eagle Rock. Metro should incorporate innovative elements as described in the Beautiful Boulevard proposal, including expanded sidewalks, raised bike lanes, raised crosswalks, and traffic-calming elements on adjacent residential streets

Page 473, MTA FEIR Comment Letter 315: Severin Martinez's Comment Letter emailed on December 28, 2020 at 8:26:27 pm: I have concerns with both the F1 and F2 alternatives presented and would like Metro to add a new option or revise F1 in a manner that is more suitable to the Eagle Rock Community. I also support Metro studying the "Beautiful Boulevard" proposal that appears to provide a **context-sensitive approach to BRT in Eagle Rock**.

Page 566, Spoken Remarks by Severin Martinez at MTA Public Meeting November 12, 2020 : But I would like to see a more **context-sensitive design,** especially through Eagle Rock. And a design that supports walking, biking and transit and not pit these sustainable notes against each other.

F. The City's Non-Compliance With the City's Mobility Plan 2035 Community Outreach Requirements to Implement any Road Diet on Colorado Boulevard

A review of the Project Outreach and Evaluation Process FlowChart for Mobility Plan 2035 Implementation, discussed at that July 9, 2019 MTA/LADOT meeting establishes

that the City has not complied with its own notice and community outreach required for the MTA to approve the MTA BRT in Eagle Rock, a City neighborhood. The City has not developed its own **“context sensitive” engagement strategy for the BRT** on Colorado Boulevard in conjunction with what is clearly the MTA’s failed community outreach. No evidence exists that the City has properly engaged with the public as to street and curb impacts, which the MTA BRT will cause on Colorado Boulevard in violation of the requirements set forth in the City’s Mobility Plan 2035 Implementation.

The City was required to “(p)rovide a web portal to receive feedback” regarding any new street design. Despite having years to create such a portal the City has yet to do so. Even the LADOT recognized in its DEIR comment letter that the City Mobility Plan 2035 committed the City to publicly communicate "the consequences of any major proposed changes to the City's right-of-way that carries out the Plan's vision." Clearly, the City has not complied with its own required Project Outreach under the City’s Mobility Plan 2035 to construct MTA BRT lanes on City streets, including Colorado Boulevard.

As a LADOT Planner Mr. Martinez is well-aware that construction of BRT lanes on Colorado Boulevard must comply with City’s Mobility Plan 2035’s requirements, including compliance with the City’s own attached Evaluation Process FlowChart for Implementation, including proper notice to property owners within a specific area of the proposed construction along Colorado Boulevard. The City has not engaged in any process for any MTA BRT on Colorado Boulevard. The MTA provided no facts to the MTA Planning Committee before or on April 20, 2022 that the City has complied with its own notice obligations to certain Eagle Rock property owners and the Eagle Rock community. The MTA also has provided no facts to demonstrate that the City has performed its community outreach required for the MTA to approve the BRT in Eagle Rock, a City neighborhood.

G.City Mobility Plan 2035’s Failed Outreach to the City’s Disabled Community Even Before City Council Approval

The LADOT now advocates and puts into place via LADOT's new policies that the MTA work in conjunction with the City to fully implement the Mobility Plan 2035 on Colorado Boulevard in Eagle Rock. On March 4, 2022 Kerrin Tso, a Save Eagle Rock Community supporter, wrote Mayor Garcetti and Councilmember De Leon with copies to City Controller Galperin; Stephen Simon, Executive Director of the City of Los Angeles Department on Disability and Myrna Cabanban, President of the City of Los Angeles Commission on Disability. Ms. Tso stated: “As political leaders of Los Angeles

you should be appalled at both the MTA's and the City of Los Angeles' lack of community outreach to Eagle Rock stakeholder petitioners and the disabled community regarding the MTA's BRT plans for Colorado Boulevard."

She attached the City Controller's November 17, 2021 letter to both Mayor Garcetti and Councilperson De Leon as well as to their legal counsel, City Attorney Mike Feuer, pointing out: "Controller Galperin advised you that the City needs to repair its 'Broken Sidewalk Strategy'.The City primarily administers sidewalk repairs through its compliance with the 'Willits' settlement, an agreement that ended a class action lawsuit initiated by disability rights advocates alleging poor sidewalk conditions across Los Angeles. Finalized in 2016, the settlement required the City to spend $1.37 billion over 30 years to address broken sidewalks, inaccessible curb ramps and other access barriers in the pedestrian public right of way."

The City has a potential legal problem with its failed community outreach as it relates to not only the MTA's BRT Project in Eagle Rock but also the City's Mobility Plan 2035 itself. As Controller Galperin explained: "The Public Works Department's Bureau of Engineering (LABOE) leads the City's sidewalk repair efforts, including its compliance with the Willits settlement." Was the LABOE or the City Department on Disabilities (LADOD) included in the City's review of the MTA BRT Project?

If the LADOT failed to include its sister City department the LADOD in the review of either the MTA's BRT Project in Eagle Rock or the City's Mobility Plan 2035 one can only assume that the City and Council District 14 failed to comply with its community outreach responsibilities to the residents of Eagle Rock as required in the City's Mobility Plan. Both Mayor Garcetti and Councilperson De Leon have had all of the petitions, described in Save Eagle Rock Community's March 1, 2022 letter, previously sent to all of you. Over a year ago Sarah Flaherty, who is Councilperson De Leon's deputy responsible for Eagle Rock community issues, requested and has custody of all of those same Eagle Rock Stakeholder petitions.

Apparently, the LADOD was not included in the "task force" before the City Council adopted Mobility Plan 2035 even though the MTA was on the "task force". The only reference to any disability group in the acknowledgements of the Mobility Plan 2035 is "Disabled Access Commission". The MTA and several bicycle rights' groups were included in the Acknowledgement and Task Force before the Mobility Plan 2035 was approved by the City Planning Commission on June 23, 2016, and adopted by the Council on September 7, 2016. The Mobility Plan 2035 Plan describes over a hundred

different "programs". Many of the programs address bicyclists' rights. Only one of the hundreds of Mobility Plan 2035 Programs focus on the rights of children, disabled persons and seniors.

The City's Mobility Plan 2035 provides a scant reference to the ADA at Page 84. That single page states: "3.2 People with Disabilities: Accommodate the needs of people with disabilities when modifying or installing infrastructure in the public right of way. Seemingly minor modifications such as adding curb cuts and audible signals at intersections, providing an occasional bench to rest, and ensuring that pathways are free of obstacles, can do much to increase the comfort and safety of all pedestrians, particularly those with disabilities."

In that entire 150 + page City Mobility Plan 2035 that's it for addressing disabled persons. Controller Galperin's report reminded Mayor Garcetti of the huge monetary costs, incurred by the City to settle the "Willits" class action. Once again the City has failed to consider the rights of disabled persons.

H. The MTA Abdicated its Responsibility to Develop Options for Colorado Boulevard to an Advocacy Group Known as The Eagle Rock Association (TERA).

TERA is a private advocacy group created in the mid-1980's - long before the City established local government neighborhood councils subject to The Brown Act, requiring public notice and input, as well as local Los Angeles neighborhood council land use and planning committees also subject to The Brown Act. TERA maintains no publicly accessible minutes; it has no documents in its "archives", and it posts no minutes. Mr. Martinez is one of TERA's"Board of Directors".

TERA Board officers are not subject to compliance with any public conflicts of interest requirements before taking any action on public projects. Greg Merideth, TERA Board President, is a City of Los Angeles manager skilled in contract administration with extensive experience handling City of Los Angeles Planning Department issues. TERA publicly describes Mr. Merideth's "insight into land use and entitlement issues". The public will not know if Mr. Martinez assisted Mr. Merideth with TERA's MTA FEIR Comment Letter 19 because TERA is not subject to the Public Records Act. Luis Lopez, another TERA Board officer, served as "President of the Los Angeles East Area Planning Commission", including Eagle Rock for 6 years. Mr. Meridith is the only

signatory for TERA’s letter, and Mr. Lopez is another 1 of 43 signatories of the Beautiful Boulevard’s MTA FEIR Comment Letter 14.

Michael MacDonald, a third TERA Board officer, is a "licensed architect", who published a February 24, 2017 article entitled "L.A. has seen too much talk and not enough action from Mayor Eric Garcetti on making our streets safer". In that article Mr. MacDonald supported his published statements with data from "Bike the Vote" member Severin Martinez.

According to an October 12, 2020 ERNC letter to Councilmember De Leon the ERNC described "an option that fully implements the Mobility Plan and which is substantially similar to the 'Option C' street section included in TERA's August 19, 2020 letter as part of their on-going DEIR." That Option C, described in that ERNC letter, included a diagram of TERA's Center Running BRT Option C (TERA's Option C Plan). TERA's Option C Plan is an exact copy of the Beautiful Boulevard Plan as presented and recommended by MTA BRT Project Manager Scott Hartwell at the April 20, 2022 MTA Planning Committee meeting.

H. MTA’s April 20, 2022 Planning Committee Meeting

Before the MTA Planning Committee’s meeting occurred, all of you were informed that Kerrin Tso, who signed Save Eagle Rock Community’s MTA FEIR Comment Letter 194, individually and on our behalf received late public Notice, including the April 20, 2022 Meeting Agenda, from the MTA regarding the April 20, 2022, 10:30 am MTA Planning Committee Meeting. Save Eagle Rock Community also received late notice on April 18, 2022 at 1:29 pm. Additionally, Save Eagle Rock Community has been informed that Friends of Hill Drive did not receive ANY NOTICE from the MTA about the April 20, 2022 MTA Planning Committee Action. By way of background, on October 22, 2021, Friends of Hill Drive sent each of you and Councilperson Kevin De Leon *every single Eagle Rock "stakeholder" petition - **totaling 1534 petition**s! Each of the petitioners requested that the MTA study and choose the third option to drive the MTA BRT in the current mixed flow lanes on Colorado Boulevard. The **Subject** of Friends of Hill Drive's October 22, 2021 7:54 am message: **1534 Petitions from real stakeholders of Eagle Rock -**1534 EAGLE ROCK RESIDENTS, BUSINESS OWNERS, AND STAKEHOLDERS.*

At its April 20, 2022 MTA Planning Committee meeting the MTA Planning Committee took action to approve Agenda Item 8. SUBJECT: NORTH HOLLYWOOD TO

PASADENA BUS RAPID TRANSIT CORRIDOR PROJECT ENVIRONMENTAL IMPACT REPORT. *MTA Planning Committee Chair Jacquelyn Dupont-Walker, Glendale Mayor Ara Najarian and Inglewood Mayor James Butts* **approved** the NORTH HOLLYWOOD TO PASADENA BUS RAPID TRANSIT CORRIDOR PROJECT (Project); they **certified** in accordance with the California Environmental Quality Act (CEQA) the Final Environmental Impact Report (FEIR) and they adopted in accordance with CEQA, the 1. Findings of Fact, and 2.Mitigation Monitoring and authorized the Chief Executive Officer to file a Notice of Determination with the Los Angeles County Clerk and the State of California Clearinghouse.

Neither Supervisor Hilda Solis, who is a key stakeholder in the Project, nor Supervisor Kathryn Barger attended the “Watch online or Listen by phone” April 20, 2022 MTA Planning Committee.

I Meaningful Public Comment did not occur at the April 20, 2022 MTA Planning Committee.

The MTA is required to conduct its business openly and to provide an opportunity for meaningful public comment. At the April 20, 2022, MTA Planning Committee Meeting Chair Dupont-Walker allotted only 15 minutes for public comment with a 1 minute limitation for each speaker to provide his/her comment on this $267 million MTA Project.

Only 14 people spoke, including 9 MTA-selected Beautiful Boulevard supporters. Burbank Mayor was selected first to speak. The next 4 MTA-selected speakers were 4 signatories of the Beautiful Boulevard's December 28, 2020 MTA Draft Environmental Impact Report (DEIR) Comment Letter, i.e,.MTA FEIR Comment Letter 14:

John Kerr, Eagle Rock Land Use and Planning Committee Member;

Natalie Freidberg, Co-Chair of the Eagle Rock Land Use and Planning Committee and Eagle Rock Neighborhood Council Member;

Michael MacDonald, Licensed Architect in Eagle Rock and The Eagle Rock Association (TERA) Treasurer; and

Michael Sweeney, Licensed Architect, Eagle Rock Neighborhood Council Land Use and Planning Co-Chair, Beautiful Boulevard Steering Committee Member and Eagle Rock Neighborhood Council Member

An additional 5 Beautiful Boulevard supporters were selected by the MTA to speak during public comment:"Ryan" who is most likely Ryan Johnson, another signatory supporting Beautiful Boulevard MTA FEIR Comment Letter 14; Jane Demian, a former Eagle Rock Neighborhood Council member; John Angeles, a Highland Park resident; John Woo and Hillary Norton.

Mona Fields, who allegedly signed MTA FEIR Comment Letter 13, also spoke, but at the meeting she spoke against the Beautiful Boulevard plan. MTA FEIR Comment Letter 13 supported the Beautiful Boulevard, and was signed “collectively” by 31 different organizations, including Streets of All, Move LA, and the LA County Bicycle Coalition. Ms. Norton, another signatory of MTA FEIR Comment 13 is the Executive Director of FASTLink DTLA, but made no mention of that fact in her comment.

Save Eagle Rock Community has been informed that an Eagle Rock resident was unable to make a public comment during the April 20, 2022 MTA Planning Committee Meeting. She described public comment as being “only a 15 minute window for public comment on Agenda Item #8 Noho to Pas BRT Corridor Project. Although I raised my hand, there were only 14 people who were able to make their comments. Those who were not able to make a comment were instructed to wait at the end of the meeting to make a general comment or make a comment at the next meeting on April 28, 2022. When I waited at the end of the meeting to make my comment, there was about a 4 second window to raise my hand to make a comment. By the time I raised my hand the meeting was adjourned. It felt rushed and the MTA Planning Committee members did not wait to see if any hand raised was raised.”

**Only this week did MTA Community Relations Manager Tito Corona inform Save Eagle Rock Community that the MTA did not provide Notice of the April 20, 2022 MTA's Planning Committee to all of the Eagle Rock petitioners, who signed petitions that were sent to the MTA on August 14, 2019 and on October 21, 2021 . These petitioners include the members of four churches within proximity of the proposed impacted Colorado Boulevard.**

Our petitions reflect who Save Eagle Rock Community represents -just by looking at our many diverse Spanish, Asian, non-Spanish, non-Asian last names. On July 15, 2019, MTA's Senior Director of Marketing Strategy, Digital and Advertising, John Gordon tweeted that "perhaps" he and his followers should make a "carrot mob.org" visit to Sue Keh Bennett's small minority –owned and woman-owned business on Colorado Boulevard just east of Eagle Rock Boulevard after she tweeted her opposition to the MTA BRT on Colorado Boulevard. Mr. Gordon (@j6ordon) has over 1283 followers on his twitter account, and he is followed by the LA County Bicycle Coalition.

Ms. Bennett has since closed her small sandwich shop. She was terrified. Less than a month ago, Mr. Gordon tweeted: “You’ve created the blueprint for the future community-led efforts. #Beautiful Boulevard here we come!” This MTA Executive’s tweets are exactly why we request that as governmental leaders you support our unified position against the Beautiful Boulevard Plan. We are not against the MTA BRT, but we oppose the lane-alignment recommended by MTA Project Manager Scott Hartwell that he

described at the April 20, 2022 MTA Planning Committee as being “The Beautiful Boulevard Plan”.

On May 26, 2021 and October 22, 2021, our unified voices stated individually that we represent that we live, work or own real property in Eagle Rock or we are members of a church in Eagle Rock, including four MTA BRT Project impacted churches: Christian Assembly Church on Colorado Boulevard; St. Dominic’s Catholic Church on Merton Avenue one block south of Colorado Boulevard; The Los Angeles Filipino-American United Church of Christ on Colorado Boulevard and the Eagle Rock Baptist Church on Colorado Boulevard. We opposed the MTA’s plan to reduce regular traffic to one lane in each direction. We support maintaining medians on Colorado Boulevard, parking spaces and TWO LANES of regular traffic on Colorado Boulevard in Eagle Rock. We demanded a demonstration traffic study project: MTA ignored our demand.

J. MTA Planning Committee’s and MTA Board’s Failure to Comply With Brown Act Teleconferencing Requirements

The MTA Planning Committee failed to comply with Government Code Section 54953(e)(4). On April 20, 2022, the MTA and Los Angeles County were not following any state of emergency. Most importantly, on April 20, 2022, the MTA did not have in effect any face mask requirement for any person on any and all MTA bus and rail lines operating in Los Angeles County. Given that fact, no state of emergency circumstances existed on April 20, 2022. Meeting in person would not have presented any imminent risks to the health or safety of attendees. Furthermore, the April 20, 2022 MTA Planning Agenda failed to include any proof that the MTA Planning Committee was in compliance with Government Code section 54953(e)(4): The MTA Planning Committee’s required Government Code section 54953(e)(4) Verification. Similarly, the MTA is not in compliance because it too has not complied with Government Code section 54953(e)(4). Your MTA Board April 28, 2022 meeting should not occur.

# READ OUR SIGNATURES AS FOLLOWS:

SUPPORT THE EAGLE ROCK COMMUNITY

Save Eagle Rock Community is a coalition of diverse Eagle Rock residents and business owners who signed over 3000 petitions presented to the MTA with one voice: DO NOT REDUCE A LANE OF TRAFFIC IN EACH DIRECTION ON COLORADO BOULEVARD for a MTA BRT BUS LANE. Over 3000 Eagle Rock Stakeholder Petitions, were sent to the MTA Board on August 14, 2019, May 26, 2021 and October 22, 2021, voicing that same position, without a single retraction.

For years the MTA and MTA Community Outreach have long ignored our joint position expressed to the MTA as set forth in the each of those Eagle Rock Stakeholder Petitions. Evidence also demonstrates that on December 14, 2020, **Mayor Garcetti's Office shared many of our same concerns** about a Center Running BRT Lane Alignment Option for Colorado Boulevard: MTA Project Manager Scott Hartwell's Described Beautiful Boulevard Project, which was not recommended by Mayor Garcetti. As of December 14, 2020 it was **Mayor Garcetti's final recommendation to LA DOT Planner Severin Martinez :** "**Based on engagement with community stakeholders and in-field investigation, the on-street side-running NoHo to Pasadena BRT alignment within Eagle Rock is recommended.**"

Support our unified position by voting against the MTA Project Managers' recommendation and the MTA Planning Committee's approval of the Beautiful Boulevard, a so-called context sensitive proposal. It is not context sensitive to us.

Respectfully,

[redacted]

[redacted]

Dear Mayor Garcetti, Supervisor Solis and all other Honorable MTA Board Members:

Save Eagle Rock Community urges all of you, especially Mayor Garcetti and Supervisor Solis, not to follow and approve any of the MTA Planning and Programming Committee (MTA Planning Committee) Recommendations (3-0) described in the April 28, 2022 MTA Board Meeting Agenda Item 8, Subject: North Hollywood to Pasadena Bus Rapid Transit Corridor Project Environmental Impact Report (MTA BRT Project). This Board's

approval would result in both the Los Angeles County Metropolitan Transportation Authority (MTA) and the City of Los Angeles (City) wrongfully supporting the suspicious actions of Severin Martinez and his long standing quest to implement an unnecessary road diet on Colorado Boulevard in Eagle Rock. Mr. Martinez is a City of Los Angeles Department of Transportation (LADOT) employee, a Board Officer of an advocacy group known as The Eagle Rock Association, a vocal City of Los Angeles (City) bicycle advocate for Bike The Vote and an author of a 2016 analysis of “Safety on Road Diet Corridors in Los Angeles” targeting Colorado Boulevard.

Mr. Martinez was and has been a prolific road diet bicyclist blogger. Based upon his public statements, Mr. Martinez was born in Malmo, Sweden, and he wants to be able to bicycle in the City - just like he did in Sweden. He has been and is clear in his many public blogs that his goal is to put Eagle Rock on a road diet. In 2017, Mr. Martinez actively promoted the City candidacy of Joe Bray Ali, another bicycle advocate, even after Mr. Ali’s racist comments against Mexican Americans were revealed.

A. Mayor Garcetti's December 14, 2020 Recommendation for a Colorado Boulevard "On-Street Side-Running NoHo to Pasadena BRT Alignment"

On December 14, 2020, Mayor Garcetti’s Office sent Mr. Martinez an overview of the MTA BRT Project because he was somehow selected to be the author of the City’s draft environmental impact report (DEIR) Comment Letter for the MTA BRT Project. This decision was in accordance with the Mayor’s decision that “key City agencies coordinate a single request with precise mitigation measures” regarding “impacted City streets/public rights-of way”. It does not appear that the LADOT did a coordinated City department response when the LADOT sent its DEIR Comment Letter, MTA FEIR Comment Letter 5 on December 28, 2020.

To prepare a coordinated City department DEIR MTA BRT Comment Letter the Mayor’s Office described the background of the MTA BRT Project in a four page memo to Mr. Martinez (Garcetti Memo) with facts and details supporting **Mayor Garcetti’s final recommendation:** "**Based on engagement with community stakeholders and in-field investigation, the on-street side-running NoHo to Pasadena BRT alignment within Eagle Rock is recommended.**" (Emphasis added.) The Garcetti Memo explained the reason for the Mayor’s Side-Running BRT lane alignment on Colorado Boulevard recommendation to Mr. Martinez as follows: "An on-street side-running BRT would streamline project delivery *by avoiding lengthy inter-agency review and approvals* and would establish dedicated bus lanes while retaining bus lanes to improve local and

regional connectivity for transit users, and is anticipated to attract the greatest number of new riders due to its convenience and quality user experience, having the highest likelihood of achieving the greatest VMT reductions”.

Describing a MTA option for a "1.7 mile side-running BRT" on Colorado Boulevard the Garcetti Memo stated "buffered bike lanes" would be eliminated but bike riders would be able to use bus lanes, and this side-running BRT proposal required "BRT buses and cars to share a lane to allow for right-turning movements". The side-running BRT option preserved "on-street parking, all 4 travel lanes, and medians".

B. The MTA Elected Officials March 9, 2020 Tour of Colorado Boulevard in Eagle Rock

With MTA BRT Project Managers Cory Zelmer and Scott Hartwell

The Garcetti Memo also informed Mr. Martinez that an "Elected Officials In-Field Staff Tour" occurred on March 9, 2020. On that date "following more thorough technical analysis,” MTA Countywide Planning staff Cory Zelmer (zelmerc@metro.net) and Scott Hartwell (hartwells@metro.net) and MTA Community Relations staff Lilian De Loza-Guterrez (delozagutierrezl@metro.net) hosted an on-site proposed project tour exclusively for staff of elected officials representing the community, including LA Mayor Garcetti (Karina Macias), then CD 14 Councilmember Huizar, (Lucy Aparicio, lucy.aparicio@lacity.org), and LA County Supervisor Solis (Martin Reyes, mreyes@bos.lacounty.gov).

According to the Garcetti Memo “During the locally-focused 3/9 tour, Metro staff presented the following anticipated operational changes on streets within the primary proposed BRT alignment and route options…. the *potential 1.7 mile center running BRT on Colorado Boulevard impacted some of the City's planned curb extensions and medians*, *eliminated left turns at 15 unsignalized intersections* and *required that medians be narrowed or removed/be less contiguous*; -40% reduced on-street parking spaces." Additionally, the Garcetti Memo noted, "*For center-running segments of the BRT, Metro staff do not recommend allowing non-BRT Metro/municipally operated buses to use bus lanes*". (Italics added.)

C. MTA BRT Project Manager Zelmer's July 9, 2019 MTA/LADOT Transportation Planning and Policy Meeting With Mr. Martinez and Three Other LADOT Planners Edward Guerrero, David Somers and Tomas Carranza

It is not known if Mr. Martinez informed Mayor Garcetti's Office (on December 14, 2020 or ever) that he previously met with MTA BRT Project Manager Zelmer on July 9, 2019, with four other LADOT Planners. They met with Mr. Zelmer and another MTA BRT Project Manager Sarah Syed (also in the MTA's Technical Working Group) to discuss the MTA BRT Project's Planning and Environmental Study. The July 9, 2019 MTA/LADOT meeting was a closed technical staff meeting to specifically discuss the MTA BRT Project. At that meeting the LADOT Planners stressed that "Conformity of the City's Mobility Plan is important". The City's "new policies and procedures" (which incidentally City Mobility Plan 2035 Task Force Member MTA helped create) were to be fully implemented on Colorado Boulevard in Eagle Rock.

1. MTA Staff's and LADOT's July 9, 2019 Goal to Make Colorado Boulevard the First MTA Project (Impacting City Streets and Curbs) to Follow the City's Updated Transportation Assessment Guidelines

According to the attached July 9, 2019 MTA/LADOT Meeting Notes: "As there are no projects that have yet stepped through the process, it looks like the two Metro BRT Projects – NSFV BRT and NoHo to Pasadena BRT will be the first projects to follow the City's updated Assessment Guidelines….The recent City's Settlement Agreement is primarily regarding how the City can implement road diets/complete streets. City provided attached summary of the Project Evaluation Process Flow Chart resulting from the Settlement Agreement": A Project Outreach and Evaluation Process FlowChart for Mobility Plan 2035 Implementation.

D. Mr. Martinez's Long Involvement to Reach His Personal Goal: A MTA BRT on Colorado Boulevard- An Unnecessary Road Diet

It is possible that the Mayor Garcetti's Office did not know of Mr. Martinez's passionate desire to construct a MTA BRT on Colorado Boulevard in Eagle Rock. However, City Council District 14 (CD 14) Former Councilperson Jose Huizar did, and the Eagle Rock Neighborhood Council (ERNC) certainly did. Mr. Huizar's former deputies Sean Starkey and Nate Hayward, who managed all capital projects across CD 14 (previously for Mr.

Huizar and now for Councilperson Kevin De Leon) knew about Mr. Martinez's active involvement in promoting a MTA BRT on Colorado Boulevard since at least 2016.

Save Eagle Rock Community's August 14, 2019 letter to each of you described Mr. Martinez's attendance at a **September 1, 2016** meeting, organized by Mr. Starkey to discuss the MTA BRT on Colorado Boulevard with David Greene, the then ERNC Land Use and Planning Chair and Lisa Kable Blanchard, the then ERNC President. Shortly after the meeting the ERNC sent out an October 5, 2016 letter regarding the MTA BRT Project on Colorado Boulevard with a copy to Mr. Hayward. It should be noted that both Mr. Greene, Ms. Kable Blanchard and her husband Michael Blanchard, another former President of the ERNC, were 3 of the 43 people who signed MTA FEIR Comment Letter 14 -the Beautiful Boulevard's December 28, 2020 letter.

On **September 21, 2018**, Pat Niessen, another former ERNC Officer, emailed both former Councilmember Jose Huizar and Mr. Martinez about the Eagle Rock BRT. Mr. Niessen wrote to the ERNC Executive Board members that he was "a committed metro rider and advocate for mass transit support for our community" explaining that he copied Mr. Martinez because he is a local transit advocate. Mr. Niessen is another one of the 43 people, who signed the Beautiful Boulevard MTA FEIR Comment Letter 14.

E. LADOT Undermines Mayor Garcetti's Express Recommendation for a Side-Running BRT Lane Alignment on Colorado Boulevard That Mr. Martinez Received on December 14, 2020.

Mr. Martinez's involvement/authorship of the LADOT's MTA FEIR Comment Letter 5 is evidenced from a **December 23, 2020** email message from Shirley Zamora, another LADOT employee, to Mr. Martinez regarding "NoHo to Pasadena BRT". She stated to him: "We were told you are the person putting together the letter with LADOT comments for Metro". On **December 28, 2020**, the LADOT sent its MTA BRT Project Draft Environmental Impact Report Comment Letter to the MTA: MTA FEIR Comment Letter 5.

1. LADOT's DEIR Comment Letter – MTA FEIR Comment Letter 5

Despite Mayor Garcetti's recommendation given to Mr. Martinez on December 14, 2020, the LADOT specifically took issue with the MTA's previously stated *preferred side-running BRT bus lane option*, which would not require creation of a MTA BRT bus only lane. Rather than support the MTA's preferred lane alignment option and Mayor

Garcetti's recommended lane alignment option the LA DOT stated that a side-running BRT option would degrade the "travel experience for bicycle riders" under the City's Mobility Plan 2035. The LADOT presented: "A full exploration of the F1 configuration and any similar suggested configurations that may arise from the DEIR process should be evaluated prior to considering the removal or degrading of existing bike facilities and pedestrian infrastructure."

In contrast to the safety concerns for bicyclists the LADOT made absolutely no mention of how any center lane alignment plan on Colorado Boulevard would affect the safety of disabled persons, children and seniors. There was **no regard for how a mobility impaired passenger** would need to enter and exit a MTA BRT bus in the middle of the street at designated MTA BRT stations on the median. There was **no mention of how a center-running BRT bus lane option would effectively degrade the travel experience for disabled passengers, seniors and children.**

Mr. Martinez's involvement with the LADOT's failure to follow Mayor Garcetti's December 14, 2020 final recommendation also is made clear by his own MTA FEIR Comment Letter 315. Rather than follow Mayor Garcetti's recommendation that the BRT use the Side-Running F-2 Option on Colorado Boulevard Mr. Martinez wrote in favor of the center-running lane alignment option and promoted the Beautiful Boulevard plan. Based upon Mr. Martinez's terms used to describe the Beautiful Boulevard Plan in MTA FEIR Comment Letter 315 i.e., a "**context sensitive approach to BRT in Eagle Rock" (and as also in Page 5 of our attachment: The LADOT's Mobility Plan Evaluation Process Flow Chart)and two other MTA FEIR Comment Letters' use of context sensitive needs, context sensitive alignment, context sensitive project**, it appears that Mr. Martinez also may have authored or assisted in the preparation of MTA FEIR Comment Letter 14 for the 43 Beautiful Boulevard signatories as well as the MTA FEIR Comment Letter 19 for TERA.

**MTA FEIR Comment Letters' Using the Term "Context Sensitive" and Mr. Martinez's Public Use of the Term "Context Sensitive"**

**Context-sensitive** usually applies to meaning as it applies to a specific instance or situation. For example, in cooking a meal: Context sensitive cooking instructions would be different for a mobility impaired person as opposed to an able bodied person. In a review of the MTA FEIR 642 Pages of Comment Letters and Supporting Documentation it appears that in only 9 instances was the term on the LADOT's Project Outreach and Evaluation Process FlowChart for Mobiity Plan 2035 used in comments on DEIR

Comments from the public, i.e., MTA FEIR Comment Letters. In the MTA FEIR the author or speaker never explains what he/she/they mean when the term context-sensitive is used as an adjective.

Here are the only 9 instances using the term **"context sensitive**" in the MTA FEIR Comment Section:

Page 95, December 27, 2020 MTA FEIR Comment Letter 13 from 31 different organizations. Please see their cover page.

The community-generated "Beautiful Boulevard" Eagle Rock alignment concept provides a thoughtful, balanced, and **context-sensitive solution** to meeting a diverse set of concerns while prioritizing the goal of creating a quality transit service. We urge Metro to fully study this concept, and adopt its framework as Metro's proposed alignment for the Eagle Rock section of the North Hollywood-Pasadena Bus Rapid Transit project

Pg 97, December 28, 2020 MTA FEIR Comment Letter 14 from 43 Beautiful Boulevard Supporters, including 15 former and current members of the ERNC or the ERNC Land Use and Planning Committee, 2 TERA Members as well as a City of Los Angeles City Planner : The "Beautiful Boulevard" proposal is a community-generated BRT alignment solution that would provide a **context-sensitive solution** that addresses the primary concerns that Eagle Rock residents have consistently communicated to Metro in its Alternatives Analysis and Environmental Impact Report outreach.

Page 100, Ibid, We urge Metro to adopt the Beautiful Boulevard's **context-sensitive solution**, which utilizes these same basic zones to maximize the quality of transit experience, safety, and support for a vibrant Downtown Eagle Rock, and mitigates issues that are unresolved in Metro's DEIR-proposed alternatives.

Page 122, TERA's 15 Page MTA FEIR Comment letter 19 to Mr. Hartwell Project Manager Los Angeles County Metro sent via email on December 28, 2020. Mr. Merideth's email message to Mr. Hartwell was not included with what we assume was an attachment: A 15 page letter, signed only by Greg Merideth President: "Understandably, a limited number of parking spaces may need to be repurposed near potential BRT stations. However, TERA will oppose any proposal to fully or substantially remove parking on either side of Colorado Boulevard and which ignores our community's **context-sensitive needs**."

Page 124, Ibid, TERA urges Metro to abandon or fully rework the F1 alternative as the **context-sensitive "Beautiful Boulevard"** median-running alignment as an option to study to satisfy well-established community needs and priorities.

Page 129, Ibid, Metro should identify **attractive options and locations for bike parking that are context-sensitive**, consistent, and intuitive across the entire transit line. This includes giving consideration to the implementation of sheltered bike corrals that are safe, pleasant, and convenient to use.

Page 130, Ibid, Residents, parents, and business owners within Eagle Rock have developed a thoughtful and **context-sensitive project alignment concept** that presents a "win-win" solution to address primary concerns that residents and stakeholders have communicated to Metro and to TERA in our outreach.

Page 133, Ibid, We urge Metro to incorporate innovative design elements and **context-sensitive roadway layouts** to provide an improved, vibrant solution for Eagle Rock. Metro should incorporate innovative elements as described in the Beautiful Boulevard proposal, including expanded sidewalks, raised bike lanes, raised crosswalks, and traffic-calming elements on adjacent residential streets

Page 473, MTA FEIR Comment Letter 315: Severin Martinez's Comment Letter emailed on December 28, 2020 at 8:26:27 pm: I have concerns with both the F1 and F2 alternatives presented and would like Metro to add a new option or revise F1 in a manner that is more suitable to the Eagle Rock Community. I also support Metro studying the "Beautiful Boulevard" proposal that appears to provide a **context-sensitive approach to BRT in Eagle Rock**.

Page 566, Spoken Remarks by Severin Martinez at MTA Public Meeting November 12, 2020 : But I would like to see a more **context-sensitive design,** especially through Eagle Rock. And a design that supports walking, biking and transit and not pit these sustainable notes against each other.

F. The City's Non-Compliance With the City's Mobility Plan 2035 Community Outreach Requirements to Implement any Road Diet on Colorado Boulevard

A review of the Project Outreach and Evaluation Process FlowChart for Mobility Plan 2035 Implementation, discussed at that July 9, 2019 MTA/LADOT meeting establishes that the City has not complied with its own notice and community outreach required for the MTA to approve the MTA BRT in Eagle Rock, a City neighborhood. The City has not developed its own **"context sensitive" engagement strategy for the BRT** on Colorado Boulevard in conjunction with what is clearly the MTA's failed community outreach. No evidence exists that the City has properly engaged with the public as to street and curb impacts, which the MTA BRT will cause on Colorado Boulevard in violation of the requirements set forth in the City's Mobility Plan 2035 Implementation.

The City was required to "(p)rovide a web portal to receive feedback" regarding any new street design. Despite having years to create such a portal the City has yet to do so. Even the LADOT recognized in its DEIR comment letter that the City Mobility Plan 2035

committed the City to publicly communicate "the consequences of any major proposed changes to the City's right-of-way that carries out the Plan's vision." Clearly, the City has not complied with its own required Project Outreach under the City's Mobility Plan 2035 to construct MTA BRT lanes on City streets, including Colorado Boulevard.

As a LADOT Planner Mr. Martinez is well-aware that construction of BRT lanes on Colorado Boulevard must comply with City's Mobility Plan 2035's requirements, including compliance with the City's own attached Evaluation Process FlowChart for Implementation, including proper notice to property owners within a specific area of the proposed construction along Colorado Boulevard. The City has not engaged in any process for any MTA BRT on Colorado Boulevard. The MTA provided no facts to the MTA Planning Committee before or on April 20, 2022 that the City has complied with its own notice obligations to certain Eagle Rock property owners and the Eagle Rock community. The MTA also has provided no facts to demonstrate that the City has performed its community outreach required for the MTA to approve the BRT in Eagle Rock, a City neighborhood.

G.City Mobility Plan 2035's Failed Outreach to the City's Disabled Community Even Before City Council Approval

The LADOT now advocates and puts into place via LADOT's new policies that the MTA work in conjunction with the City to fully implement the Mobility Plan 2035 on Colorado Boulevard in Eagle Rock. On March 4, 2022 Kerrin Tso, a Save Eagle Rock Community supporter, wrote Mayor Garcetti and Councilmember De Leon with copies to City Controller Galperin; Stephen Simon, Executive Director of the City of Los Angeles Department on Disability and Myrna Cabanban, President of the City of Los Angeles Commission on Disability. Ms. Tso stated: "As political leaders of Los Angeles you should be appalled at both the MTA's and the City of Los Angeles' lack of community outreach to Eagle Rock stakeholder petitioners and the disabled community regarding the MTA's BRT plans for Colorado Boulevard."

She attached the City Controller's November 17, 2021 letter to both Mayor Garcetti and Councilperson De Leon as well as to their legal counsel, City Attorney Mike Feuer, pointing out: "Controller Galperin advised you that the City needs to repair its 'Broken Sidewalk Strategy'.The City primarily administers sidewalk repairs through its compliance with the 'Willits' settlement, an agreement that ended a class action lawsuit initiated by disability rights advocates alleging poor sidewalk conditions across Los Angeles. Finalized in 2016, the settlement required the City to spend $1.37 billion over

30 years to address broken sidewalks, inaccessible curb ramps and other access barriers in the pedestrian public right of way.”

The City has a potential legal problem with its failed community outreach as it relates to not only the MTA's BRT Project in Eagle Rock but also the City's Mobility Plan 2035 itself. As Controller Galperin explained: “The Public Works Department's Bureau of Engineering (LABOE) leads the City's sidewalk repair efforts, including its compliance with the Willits settlement.” Was the LABOE or the City Department on Disabilities (LADOD) included in the City’s review of the MTA BRT Project?

If the LADOT failed to include its sister City department the LADOD in the review of either the MTA's BRT Project in Eagle Rock or the City's Mobility Plan 2035 one can only assume that the City and Council District 14 failed to comply with its community outreach responsibilities to the residents of Eagle Rock as required in the City's Mobility Plan. Both Mayor Garcetti and Councilperson De Leon have had all of the petitions, described in Save Eagle Rock Community's March 1, 2022 letter, previously sent to all of you. Over a year ago Sarah Flaherty, who is Councilperson De Leon's deputy responsible for Eagle Rock community issues, requested and has custody of all of those same Eagle Rock Stakeholder petitions.

Apparently, the LADOD was not included in the "task force" before the City Council adopted Mobility Plan 2035 even though the MTA was on the "task force". The only reference to any disability group in the acknowledgements of the Mobility Plan 2035 is "Disabled Access Commission". The MTA and several bicycle rights' groups were included in the Acknowledgement and Task Force before the Mobility Plan 2035 was approved by the City Planning Commission on June 23, 2016, and adopted by the Council on September 7, 2016. The Mobility Plan 2035 Plan describes over a hundred different "programs". Many of the programs address bicyclists' rights. Only one of the hundreds of Mobility Plan 2035 Programs focus on the rights of children, disabled persons and seniors.

The City’s Mobility Plan 2035 provides a scant reference to the ADA at Page 84. That single page states: "3.2 People with Disabilities: Accommodate the needs of people with disabilities when modifying or installing infrastructure in the public right of way. Seemingly minor modifications such as adding curb cuts and audible signals at intersections, providing an occasional bench to rest, and ensuring that pathways are free of obstacles, can do much to increase the comfort and safety of all pedestrians, particularly those with disabilities."

In that entire 150 + page City Mobility Plan 2035 that's it for addressing disabled persons. Controller Galperin's report reminded Mayor Garcetti of the huge monetary costs, incurred by the City to settle the "Willits" class action. Once again the City has failed to consider the rights of disabled persons.

H. The MTA Abdicated its Responsibility to Develop Options for Colorado Boulevard to an Advocacy Group Known as The Eagle Rock Association (TERA).

TERA is a private advocacy group created in the mid-1980's - long before the City established local government neighborhood councils subject to The Brown Act, requiring public notice and input, as well as local Los Angeles neighborhood council land use and planning committees also subject to The Brown Act. TERA maintains no publicly accessible minutes; it has no documents in its "archives", and it posts no minutes. Mr. Martinez is one of TERA's"Board of Directors".

TERA Board officers are not subject to compliance with any public conflicts of interest requirements before taking any action on public projects. Greg Merideth, TERA Board President, is a City of Los Angeles manager skilled in contract administration with extensive experience handling City of Los Angeles Planning Department issues. TERA publicly describes Mr. Merideth's "insight into land use and entitlement issues". The public will not know if Mr. Martinez assisted Mr. Merideth with TERA's MTA FEIR Comment Letter 19 because TERA is not subject to the Public Records Act. Luis Lopez, another TERA Board officer, served as "President of the Los Angeles East Area Planning Commission", including Eagle Rock for 6 years. Mr. Meridith is the only signatory for TERA's letter, and Mr. Lopez is another 1 of 43 signatories of the Beautiful Boulevard's MTA FEIR Comment Letter 14.

Michael MacDonald, a third TERA Board officer, is a "licensed architect", who published a February 24, 2017 article entitled "L.A. has seen too much talk and not enough action from Mayor Eric Garcetti on making our streets safer". In that article Mr. MacDonald supported his published statements with data from "Bike the Vote" member Severin Martinez.

According to an October 12, 2020 ERNC letter to Councilmember De Leon the ERNC described "an option that fully implements the Mobility Plan and which is substantially similar to the 'Option C' street section included in TERA's August 19, 2020 letter as part of their on-going DEIR." That Option C, described in that ERNC letter, included a diagram of TERA's Center Running BRT Option C (TERA's Option C Plan). TERA's Option C Plan is an exact copy of the Beautiful Boulevard Plan as presented and recommended by MTA BRT Project Manager Scott Hartwell at the April 20, 2022 MTA Planning Committee meeting.

H. MTA's April 20, 2022 Planning Committee Meeting

Before the MTA Planning Committee's meeting occurred, all of you were informed that Kerrin Tso, who signed Save Eagle Rock Community's MTA FEIR Comment Letter 194, individually and on our behalf received late public Notice, including the April 20, 2022 Meeting Agenda, from the MTA regarding the April 20, 2022, 10:30 am MTA Planning Committee Meeting. Save Eagle Rock Community also received late notice on April 18, 2022 at 1:29 pm. Additionally, Save Eagle Rock Community has been informed that Friends of Hill Drive did not receive ANY NOTICE from the MTA about the April 20, 2022 MTA Planning Committee Action. By way of background, on October 22, 2021, Friends of Hill Drive sent each of you and Councilperson Kevin De Leon *every single Eagle Rock "stakeholder" petition - **totaling 1534 petition**s! Each of the petitioners requested that the MTA study and choose the third option to drive the MTA BRT in the current mixed flow lanes on Colorado Boulevard. The **Subject** of Friends of Hill Drive's October 22, 2021 7:54 am message: **1534 Petitions from real stakeholders of Eagle Rock -**1534 EAGLE ROCK RESIDENTS, BUSINESS OWNERS, AND STAKEHOLDERS.*

At its April 20, 2022 MTA Planning Committee meeting the MTA Planning Committee took action to approve Agenda Item 8. SUBJECT: NORTH HOLLYWOOD TO PASADENA BUS RAPID TRANSIT CORRIDOR PROJECT ENVIRONMENTAL IMPACT REPORT. *MTA Planning Committee Chair Jacquelyn Dupont-Walker, Glendale Mayor Ara Najarian and Inglewood Mayor James Butts* **approved** the NORTH HOLLYWOOD TO PASADENA BUS RAPID TRANSIT CORRIDOR PROJECT (Project); they **certified** in accordance with the California Environmental Quality Act (CEQA) the Final Environmental Impact Report (FEIR) and they adopted in accordance with CEQA, the 1. Findings of Fact, and 2.Mitigation Monitoring and authorized the Chief Executive Officer to file a Notice of Determination with the Los Angeles County Clerk and the State of California Clearinghouse.

Neither Supervisor Hilda Solis, who is a key stakeholder in the Project, nor Supervisor Kathryn Barger attended the "Watch online or Listen by phone" April 20, 2022 MTA Planning Committee.

I Meaningful Public Comment did not occur at the April 20, 2022 MTA Planning Committee.

The MTA is required to conduct its business openly and to provide an opportunity for meaningful public comment. At the April 20, 2022, MTA Planning Committee Meeting Chair Dupont-Walker allotted only 15 minutes for public comment with a 1 minute limitation for each speaker to provide his/her comment on this $267 million MTA Project.

Only 14 people spoke, including 9 MTA-selected Beautiful Boulevard supporters. Burbank Mayor was selected first to speak. The next 4 MTA-selected speakers were 4 signatories of the Beautiful Boulevard's December 28, 2020 MTA Draft Environmental Impact Report (DEIR) Comment Letter, i.e,.MTA FEIR Comment Letter 14:

John Kerr, Eagle Rock Land Use and Planning Committee Member;

Natalie Freidberg, Co-Chair of the Eagle Rock Land Use and Planning Committee and Eagle Rock Neighborhood Council Member;

Michael MacDonald, Licensed Architect in Eagle Rock and The Eagle Rock Association (TERA) Treasurer; and

Michael Sweeney, Licensed Architect, Eagle Rock Neighborhood Council Land Use and Planning Co-Chair, Beautiful Boulevard Steering Committee Member and Eagle Rock Neighborhood Council Member

An additional 5 Beautiful Boulevard supporters were selected by the MTA to speak during public comment:"Ryan" who is most likely Ryan Johnson, another signatory supporting Beautiful Boulevard MTA FEIR Comment Letter 14; Jane Demian, a former Eagle Rock Neighborhood Council member; John Angeles, a Highland Park resident; John Woo and Hillary Norton.

Mona Fields, who allegedly signed MTA FEIR Comment Letter 13, also spoke, but at the meeting she spoke against the Beautiful Boulevard plan. MTA FEIR Comment Letter 13 supported the Beautiful Boulevard, and was signed “collectively” by 31 different organizations, including Streets of All, Move LA, and the LA County Bicycle Coalition. Ms. Norton, another signatory of MTA FEIR Comment 13 is the Executive Director of FASTLink DTLA, but made no mention of that fact in her comment.

Save Eagle Rock Community has been informed that an Eagle Rock resident was unable to make a public comment during the April 20, 2022 MTA Planning Committee Meeting. She described public comment as being “only a 15 minute window for public comment on Agenda Item #8 Noho to Pas BRT Corridor Project. Although I raised my hand, there were only 14 people who were able to make their comments. Those who were not able to make a comment were instructed to wait at the end of the meeting to make a general comment or make a comment at the next meeting on April 28, 2022. When I waited at the end of the meeting to make my comment, there was about a 4

second window to raise my hand to make a comment. By the time I raised my hand the meeting was adjourned. It felt rushed and the MTA Planning Committee members did not wait to see if any hand raised was raised."

**Only this week did MTA Community Relations Manager Tito Corona inform Save Eagle Rock Community that the MTA did not provide Notice of the April 20, 2022 MTA's Planning Committee to all of the Eagle Rock petitioners, who signed petitions that were sent to the MTA on August 14, 2019 and on October 21, 2021 . These petitioners include the members of four churches within proximity of the proposed impacted Colorado Boulevard.**

Our petitions reflect who Save Eagle Rock Community represents -just by looking at our many diverse Spanish, Asian, non-Spanish, non-Asian last names. On July 15, 2019, MTA's Senior Director of Marketing Strategy, Digital and Advertising, John Gordon tweeted that "perhaps" he and his followers should make a "carrot mob.org" visit to Sue Keh Bennett's small minority –owned and woman-owned business on Colorado Boulevard just east of Eagle Rock Boulevard after she tweeted her opposition to the MTA BRT on Colorado Boulevard. Mr. Gordon (@j6ordon) has over 1283 followers on his twitter account, and he is followed by the LA County Bicycle Coalition.

Ms. Bennett has since closed her small sandwich shop. She was terrified. Less than a month ago, Mr. Gordon tweeted: "You've created the blueprint for the future community-led efforts. #Beautiful Boulevard here we come!" This MTA Executive's tweets are exactly why we request that as governmental leaders you support our unified position against the Beautiful Boulevard Plan. We are not against the MTA BRT, but we oppose the lane-alignment recommended by MTA Project Manager Scott Hartwell that he described at the April 20, 2022 MTA Planning Committee as being "The Beautiful Boulevard Plan".

On May 26, 2021 and October 22, 2021, our unified voices stated individually that we represent that we live, work or own real property in Eagle Rock or we are members of a church in Eagle Rock, including four MTA BRT Project impacted churches: Christian Assembly Church on Colorado Boulevard; St. Dominic's Catholic Church on Merton Avenue one block south of Colorado Boulevard; The Los Angeles Filipino-American United Church of Christ on Colorado Boulevard and the Eagle Rock Baptist Church on Colorado Boulevard. We opposed the MTA's plan to reduce regular traffic to one lane in each direction. We support maintaining medians on Colorado Boulevard, parking spaces and TWO LANES of regular traffic on Colorado Boulevard in Eagle Rock. We demanded a demonstration traffic study project: MTA ignored our demand.

J. MTA Planning Committee's and MTA Board's Failure to Comply With Brown Act Teleconferencing Requirements

The MTA Planning Committee failed to comply with Government Code Section 54953(e)(4). On April 20, 2022, the MTA and Los Angeles County were not following any state of emergency. Most importantly, on April 20, 2022, the MTA did not have in effect any face mask requirement for any person on any and all MTA bus and rail lines operating in Los Angeles County. Given that fact, no state of emergency circumstances existed on April 20, 2022. Meeting in person would not have presented any imminent risks to the health or safety of attendees. Furthermore, the April 20, 2022 MTA Planning Agenda failed to include any proof that the MTA Planning Committee was in compliance with Government Code section 54953(e)(4): The MTA Planning Committee's required Government Code section 54953(e)(4) Verification. Similarly, the MTA is not in compliance because it too has not complied with Government Code section 54953(e)(4). Your MTA Board April 28, 2022 meeting should not occur.

# READ OUR SIGNATURES AS FOLLOWS:

SUPPORT THE EAGLE ROCK COMMUNITY

Save Eagle Rock Community is a coalition of diverse Eagle Rock residents and business owners who signed over 3000 petitions presented to the MTA with one voice: DO NOT REDUCE A LANE OF TRAFFIC IN EACH DIRECTION ON COLORADO BOULEVARD for a MTA BRT BUS LANE. Over 3000 Eagle Rock Stakeholder Petitions, were sent to the MTA Board on August 14, 2019, May 26, 2021 and October 22, 2021, voicing that same position, without a single retraction.

For years the MTA and MTA Community Outreach have long ignored our joint position expressed to the MTA as set forth in the each of those Eagle Rock Stakeholder Petitions. Evidence also demonstrates that on December 14, 2020, **Mayor Garcetti's Office shared many of our same concerns** about a Center Running BRT Lane Alignment Option for Colorado Boulevard: MTA Project Manager Scott Hartwell's Described Beautiful Boulevard Project, which was not recommended by Mayor Garcetti. As of December 14, 2020 it was **Mayor Garcetti's final recommendation to LA DOT**

**Planner Severin Martinez : "Based on engagement with community stakeholders and in-field investigation, the on-street side-running NoHo to Pasadena BRT alignment within Eagle Rock is recommended."**

Support our unified position by voting against the MTA Project Managers' recommendation and the MTA Planning Committee's approval of the Beautiful Boulevard, a so-called context sensitive proposal. It is not context sensitive to us.

Respectfully,

[redacted]

[redacted].

**April 2022 RBM General Public Comment**

**From:** [redacted]
**Sent:** Thursday, April 21, 2022 10:37 AM
**To:** Board Clerk <BoardClerk@metro.net>
**Subject:** Benchmarking/Information request

April 21, 2022

To whom it may concern:

My name is [redacted], and I am a Facilities Manager, Project Management, at TriMet, the public transit agency/authority/provider (buses, light and commuter rails services) in the Portland Oregon metro area.

Background…

In 2012 TriMet formulated an initial EV policy statement, and in 2014 revised it, reaffirming our policy and protocol for standardizing charging infrastructure that promoted TriMet's mission – to provide valued transit service that is safe, dependable and easy to use.

The working policy stated:

> "TriMet is committed to sustainability generally, and sustainable transportation specifically. TriMet is supportive of initiatives that support EV technology in Oregon. However, as the region's transit agency, TriMet must balance this commitment with its many other facilities, initiatives, and interests.
>
> EV charging station infrastructure could be located at TriMet owned facilities when appropriate and if completed at no capital cost to TriMet and if they do not substantially increase on-going operating expenditures. That said, TriMet may use other resources, such as its property and existing staff to support investigation of appropriate locations for charging stations.
>
> Through our continuing support of this emerging technology, TriMet underscores its commitment to the reduction of greenhouse gas emissions."

To facilitate that policy/vision, TriMet initiated a pilot program installing a small number of Level 2 chargers (EVSE – Electric Vehicle Supply Equipment) at some of its Park and Ride lots and garages:

> "TriMet will be installing one specific type of EV charging system on our park & ride facilities that is capable of providing a complete end-to-end EV charging solution. The system would be inclusive of charging stations, a robust wireless communications network, back-office data management, flexible billing solutions and mobile phone applications"

The contract for the charging systems installation, operations, and management became effective September 2015, and the units were installed and operational shortly afterwards.

Be that it was implemented "too soon", that the TriMet customer base did not need the units related to their vehicle use/charging habits/patterns, the COVID pandemic's impact on ridership/commuting to the

office workplaces, reliability of the equipment/vandalism impact; to the point, this initial effort has been viewed as “a failure” by those that initiated it.

The reason I am writing to you today…

That said, TriMet has not given up. Internally we have a program in place to transition our NRVs – Non-Revenue Vehicles, and the bus fleet away from ICEs. We are also revisiting/reviewing how we support efforts to reduce greenhouse gas emissions with our customers and community stakeholders, by continued support of a multitude of EVs adoption, as well as support of traditional biking utilization, etc.

Given the global efforts in regards to curbing and eliminating greenhouse gas emissions, none of this is probably new to you, and in truth, that is my hope and the reason I am reaching out to you.

In our efforts to evolve our EV policy, I would like to benchmark off of what your organization may already have accomplished and put in place. If you have a policy statement, directive, program, etc. that you would be willing to share, I would greatly appreciate your time and consideration to do so!

Secondly, as already noted, we are looking at our biking policies, primarily around the providing of lockers, cages, “storage” of bikes at any number of potential system locations – i.e. bus stops, light rail stations, park and ride garages. If you have any materials in that regard as well that you would be willing to share, that too would is much sought after.

Again, I thank you for your time and consideration. If you have questions, comments, a desire to discuss these subjects further, please feel free to send me a follow-up email, or ring me up, my contact information is in my signature block.

My sincere regards -

[redacted]

**From:** [redacted]
**Sent:** Friday, April 22, 2022 4:50 PM
**To:** Board Clerk <BoardClerk@metro.net>; NoHoPasBRT <NoHoPasBRT@metro.net>
**Cc:** andre@dionysian.us
**Subject:** BRT Comment for Research

I am [redacted] Director of Research and Publications on behalf of CDM (Civic Duty Media), a nonprofit group founded to increase political participation among young people in Los Angeles. We are aiming to create a nonpartisan report on the benefits, drawbacks, and discourse regarding the BRT (Bus Rapid Transit) program.

Consequently, we would like your comment and position regarding the BRT plan to include in our report. Thank you for your time.

**From:** [redacted]
**Sent:** Sunday, April 24, 2022 8:25 PM
**To:** Board Clerk <BoardClerk@metro.net>
**Subject:** Feedback: Metro Safety Employees

I have become greatly concerned by the tactical and casual uniforms used by the Metro security guards. They need to return to a professional looking appearance.

**Any contracts with Metro for private security on any metro property should require in the written contract/post orders, to be only allowed to use revolvers in .38 special as their duty pistol. No semi-automatic/magazine pistols should be allowed on Metro property by private security or metro employees.**

https://cdn.beta.metro.net/wp-content/uploads/2021/05/04232918/0115c365f8f683b756784d2d953f6b51.jpg

The African American Metro Security Staff in the photo above, exemplifies the standards that any Metro Security guard or Ambassadors should portray. In an era where law enforcement is moving to a more tactical/casual look, the metro should portray a professional appearance.

References:

https://chorus.stimg.co/21622545/1575150810_10027502_1eddienew120119.jpg?fit=crop&crop=faces

https://media.philly.com/images/20150716_dn_g1npcsept16c.JPG

https://lbpost.com/wp-content/uploads/2017/06/Metro_personnel.JPG

https://scontent-den4-1.xx.fbcdn.net/v/t1.6435-9/33222837_10155180163282245_3138789338599391232_n.jpg?_nc_cat=104&ccb=1

-5&_nc_sid=730e14&_nc_ohc=XN5AKFvu7aIAX8Q_OZz&_nc_ht=scontent-den4-1.xx&oh=00_AT_TZlCqtCrJUH998RC21IruWoziUlo1OerbtMSarYUE1g&oe=628AD94D

https://bloximages.newyork1.vip.townnews.com/heraldcourier.com/content/tncms/assets/v3/editorial/c/72/c7256152-36fc-11e4-841b-0017a43b2370/540d0f32d6cbe.image.jpg?resize=1200%2C1032

**Professional Appearance:**

Class A uniform or shirt and tie (ambassadors)

Clip-on tie with tie bar

Metallic badge and name bar on uniform shirt

Class A uniform hat with hat badge

Leather uniform belt and duty gear

Black leather shoes that can be shined

Uniform pants that are not BDU or cargo style

Regards,

[redacted]

**From:** [redacted]
**Sent:** Tuesday, April 26, 2022 2:40 PM
**To:** Board Clerk <BoardClerk@metro.net>
**Subject:** Brown Act Violation - Demand to Cure and Correct

**Dear MTA Board Members:**

Attached is a letter under the Ralph M. Brown Act demanding that actions be taken to cure and correct recent violations.

Text of the same letter is also included below in this email for your convenience.

- - - [redacted] 4-26-2022
Attorney for SAVE EAGLE ROCK COMMUNITY.

[redacted]

**Tuesday, April 26, 2022**
**Sent by Email and U.S. Mail**

Los Angeles County Metropolitan Transportation Authority
Members, MTA Board of Directors and MTA Planning and Programming Committee
c/o Clerk to the MTA Board
1 Gateway Plaza
Los Angeles, California 90012-3745
Send by Email to: boardclerk@metro.net

**RE:**
**Ralph M. Brown Act - Request to Cure and Correct Illegal Notice, Agenda Posting, Lack of Public Comment, and Compliance With Public Teleconferencing Requirement related to April 20, 2022 MTA Planning Committee and Actions Taken on Agenda Item 8 and Request to Postpone MTA Board Item 8 set for**
**April 28, 2022 to a Future Meeting**

Dear MTA Board Members and Members of the MTA Planning & Programming Committee:

This office represents **SAVE EAGLE ROCK COMMUNITY**, an association of residents, property owners, businesses, and members of Eagle Rock churches located along and near Colorado Boulevard in the neighborhood of Eagle Rock in the City of Los Angeles.

This letter demands that the MTA Board take action to cure violations of the Ralph M. Brown Act

Opening Meeting Law (Government Code 54950 through 54963) that occurred at the April 20, 2022 meeting of the MTA Board Planning and Programming Committee. The MTA Planning Committee members include, Jacquelyn Dupont-Walker, Ara Najarian, Kathryn Barger, James Butts and Hilda Solis. The Brown Act Violations specifically relate to Agenda Item 8, also known as the MTA North Hollywood to Pasadena Bus Rapid Transit ("BRT") Project and the related Final Environmental Impact Report ("FEIR").

**A. <u>Brown Act Violation: Late Notice and Late Posting of April 20, 2022 Agenda</u>**

Before the April 20, 2022 meeting , all committee members were informed by a Save Eagle Rock Community supporter that its supporters received from MTA late Public Notice of the April 20, 2022 Committee Meeting Agenda of April 20, 2022, scheduled to begin at 10:30 am.
It appears that the few MTA Committee Members in attendance violated the Brown Act with knowledge of the violations. Included below is the MTA's late agenda notice with a link to the agenda, that one sent to Save Eagle Rock Community on April 18, 2022 at 1:29 pm, less than 72 hours prior to the meeting. Save Eagle Rock Community is informed that **Friends of Hill Drive**



did not receive ANY AGENDA NOTICE from the MTA regarding the April 20, 2022 MTA Planning Committee meeting even though they had provided an email address to receive such advance meeting notices.

On October 22, 2021, **Friends of Hill Drive** sent to the MTA Board, to all individual members of the MTA Board , and to LA City Councilperson Kevin De Leon a petition signed by 1,534 individual stakeholders in Eagle Rock. Each of the 1,534 petitioner signers requested that the MTA staff and consultants study, recommend, and choose the **<u>third option</u>** for the MTA's proposed Pasadena to North Hollywood BRT Route. This option utilizes the existing mixed flow traffic lanes on Colorado Boulevard in Eagle Rock. The subject line of the emails from **<u>Friends of Hill Drive</u>** sent on October 22, 2021 at 7:54 am stated: 1,534 Petitions from real stakeholders of Eagle Rock -1,534 EAGLE ROCK RESIDENTS, BUSINESS OWNERS, AND STAKEHOLDERS.

The nature of the Brown Act violation: At its April 20, 2022 meeting the MTA Planning Committee took action to approve Agenda Item 8 without the proper posting and noticing of the Agenda and being made available to the public, including to members of **Save Eagle Rock Community**. The staff report for Agenda Item 8 was entitled: SUBJECT: NORTH HOLLYWOOD TO PASADENA BUS RAPID TRANSIT CORRIDOR PROJECT ENVIRONMENTAL IMPACT REPORT.

On April 20, 2022, MTA Planning Committee Chair Jacquelyn Dupont-Walker, Glendale Mayor Ara Najarian and Inglewood Mayor James Butts voted at the Planning Committee to approve (A) the NORTH HOLLYWOOD TO PASADENA BUS RAPID TRANSIT CORRIDOR PROJECT ("Project"); (B) to certify+ in accordance with the California Environmental Quality Act ("CEQA") the Final Environmental Impact Report ("FEIR"), and (C) adopted in accordance with CEQ: 1. Findings of Fact, and 2. The Mitigation Monitoring and Reporting Program ("MMRP"), and (D) authorized MTA's Chief Executive Officer to file a Notice of Determination with the Los Angeles County Clerk and with the State of California CEQA Clearinghouse.

Neither Supervisor Hilda Solis, who is a key stakeholder in the Project, nor Supervisor Kathryn Barger attended the April 20, 2022 MTA Board Planning Commitee meeting or utilized the "Watch online or Listen by phone" function.

The Brown Act specifically requires the MTA to conduct its business openly by requiring that the MTA Board and the MTA Board Planning Committee to timely post agendas prior to their meetings (Government Code Sections 54952.2, 54955 and 54956). Any agenda of a MTA Board Planning Committee regular meeting must be posted 72 hours in advance of the meeting. (Government Code Section 54952.2). Each MTA Board member, including each MTA Planning Committee member, was informed that Eagle Rock stakeholders did not receive a timely Agenda of the April 20, 2022 MTA Planning Committee regular meeting. In fact, the MTA did not send that Agenda even 48 hours prior to that meeting.



**B. Brown Act Violation: Failure to Provide for Meaningful Public Comment on Item 8.**

The California Attorney General has provided the MTA and its Planning Committee with key Brown Act guidance:

"In construing these terms, one should be mindful of the ultimate purposes of the Act - to provide the public with an opportunity to monitor and participate in the decision-making processes of boards and commissions . . . "

The Brown Act mandates that public comment for an agenda item such as this one - - - A $267 million Project - - - must be meaningful. At the April 20, 2022, MTA Planning Committee Meeting Chair Dupont-Walker allotted a total of only 15 minutes for public comment, with a 1 minute time limit for each speaker to provide his/her public comment on this $267 million MTA BRT Project. This ruling by the chair denied many individuals any time to make their public comments on Agenda Item 8.

Only 14 people spoke, including nine MTA's pre-selected "Beautiful Boulevard" supporters. The Burbank Mayor was selected first to speak.

The next 4 MTA pre-selected speakers were four signatories of the "Beautiful Boulevard" comment letter to the December 28, 2020 MTA Draft Environmental Impact Report (DEIR):

John Kerr, Eagle Rock Land Use and Planning Committee Member;

Natalie Freidberg, Co-Chair of the Eagle Rock Land Use and Planning Committee and Eagle Rock Neighborhood Council Member;

Michael MacDonald, Licensed Architect in Eagle Rock and The Eagle Rock Association (TERA) Treasurer; and

Michael Sweeney, Licensed Architect, Eagle Rock Neighborhood Council Land Use and Planning Co-Chair,

a “Beautiful Boulevard Steering” Committee Member and Eagle Rock Neighborhood Council Member

An additional five “Beautiful Boulevard” supporters were selected by the Committee Chair to speak during public comment: "Ryan" who is most likely Ryan Johnson, another signatory supporting “Beautiful Boulevard” comment letter; Jane Demian, a former Eagle Rock Neighborhood Council member; John Angeles, a Highland Park resident; John Woo, and Hillary Norton.



**Save Eagle Rock Community** is informed that at least one Eagle Rock resident was unable to make any public comment during the April 20, 2022 MTA Planning Committee meeting due to the restrictive and pre-arranged process adopted by the Committee Chair.

The Chair described public comment as being “ . . . only a 15 minute window for public comment on Agenda Item #8, Noho to Pas BRT Corridor Project.”

One Eagle Rock resident stated: “Although I raised my hand, there were only 14 people who were able to make their comments. Those who were not able to make a comment were instructed to wait at the end of the meeting to make a general comment or make a comment at the next meeting on April 28, 2022. When I waited at the end of the meeting to make my comment, there was about a 4 second window to raise my hand to make a comment. By the time I raised my hand the meeting was adjourned. It felt rushed and the MTA Planning Committee members did not wait to see if any hand raised was raised.”

Meaningful public comment was denied at the April 20, 2022 MTA Planning Committee.

**C. Brown Act Violation: Failure to Comply With Teleconferencing Requirements**

The MTA Planning Committee also failed to comply with Government Code Section 54953(e)(4). On April 20, 2022, the MTA Board and its Committees were not following any state of emergency. ost importantly, on April 20, 2022, the MTA did not have in effect any face mask requirement for any person on any and all MTA bus and rail lines operating in Los Angeles County. Given that fact, no state of emergency circumstances existed on April 20, 2022. Meeting in person would not have presented any imminent risks to the health or safety of attendees. Furthermore, the April 20, 2022 MTA Planning Agenda failed to include any proof that the MTA Planning Committee was in compliance with Government Code section 54953(e)(4): The MTA Planning Committee’s required Government Code section 54953(e)(4) Verification. No required teleconferencing was provided at the April 20, 2022, MTA Planning Committee meeting.

**D. Demand to Cure and Correct Illegal Committee Meeting;**
**Postpone Item 8 on MTA Board Agenda of April 28, 2022.**

Pursuant to Government Code Section 54960.1, Save Eagle Rock Community demands that the MTA Planning Committee cure and correct the illegally taken actions in violation of the Ralph M. Brown Act, as follows:

**(1)** The MTA Planning Committee re-notice and re-hear Agenda Item 8 at its next Committee meeting May 2022;



**(2)** The MTA Board postpone its April 28, 2022, hearing on Agenda Item 8 until its next MTA Board regular meeting in May 2022;

**(3)** Prior to any future hearings or meetings on Agenda Item 8 that agendas which include Item be posted and noticed to all interested persons at least 72 hours prior to the time of any meeting's commencement;

**(4)** No total hearing time limit of any kind be placed on the public hearings of Agenda Item 8 at either the MTA Planning Committee or at the MTA Board;

**(5)** No Notice of Determination under CEQA shall be filed with the Los Angeles County Clerk or the State CEQA Clearinghouse until and unless all the above "cure and correct" measures are completed.

**(6)** Any prior filings of a Notice of Determination will be withdrawn and a written retraction shall be sent to any agency previously receiving a Notice of Determination.

As provided by Government Code Section 54960.1, the MTA Board and the MTA Planning Committee have 30 days from the receipt of this demand to either cure or correct the challenged actions or inform this office of your decision not to do so.

If you fail to cure or correct as demanded, such inaction may leave no recourse for **Save Eagle Rock Community** but to seek a judicial invalidation of the challenged actions pursuant to Government Code Section 54960.1, in which case **Save Eagle Rock Community** will also ask the court to order MTA to pay **Save Eagle Rock Community's** court costs and reasonable attorney fees pursuant to Government Code Section 54960.5.

**Sincerely,**

[redacted]

**Tuesday, April 26, 2022**
**Sent by Email and U.S. Mail**

Los Angeles County Metropolitan Transportation Authority
Members, MTA Board of Directors and MTA Planning and Programming Committee
c/o Clerk to the MTA Board
1 Gateway Plaza
Los Angeles, California 90012-3745
Send by Email to: boardclerk@metro.net

**RE: Ralph M. Brown Act - Request to Cure and Correct Illegal Notice, Agenda Posting, Lack of Public Comment, and Compliance With Public Teleconferencing Requirement related to April 20, 2022 MTA Planning Committee and Actions Taken on Agenda Item 8 and Request to Postpone MTA Board Item 8 set for April 28, 2022 to a Future Meeting**

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This letter demands that the MTA Board take action to cure violations of the Ralph M. Brown Act Opening Meeting Law (Government Code 54950 through 54963) that occurred at the April 20, 2022 meeting of the MTA Board Planning and Programming Committee. The MTA Planning Committee members include, Jacquelyn Dupont-Walker, Ara Najarian, Kathryn Barger, James Butts and Hilda Solis. The Brown Act Violations specifically relate to Agenda Item 8, also known as the MTA North Hollywood to Pasadena Bus Rapid Transit ("BRT") Project and the related Final Environmental Impact Report ("FEIR").

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did not receive ANY AGENDA NOTICE from the MTA regarding the April 20, 2022 MTA Planning Committee meeting even though they had provided an email address to receive such advance meeting notices.

On October 22, 2021, **Friends of Hill Drive** sent to the MTA Board, to all individual members of the MTA Board , and to LA City Councilperson Kevin De Leon a petition signed by 1,534 individual stakeholders in Eagle Rock. Each of the 1,534 petitioner signers requested that the MTA staff and consultants study, recommend, and choose the **third option** for the MTA's proposed Pasadena to North Hollywood BRT Route. This option utilizes the existing mixed flow traffic lanes on Colorado Boulevard in Eagle Rock. The subject line of the emaiuls from **Friends of Hill Drive** sent on October 22, 2021 at 7:54 am stated: 1,534 Petitions from real stakeholders of Eagle Rock -1,534 EAGLE ROCK RESIDENTS, BUSINESS OWNERS, AND STAKEHOLDERS.

The nature of the Brown Act violation: At its April 20, 2022 meeting the MTA Planning Committee took action to approve Agenda Item 8 without the proper posting and noticing of the Agenda and being made available to the public, including to members of **Save Eagle Rock Community**. The staff report for Agenda Item 8 was entitled: SUBJECT: NORTH HOLLYWOOD TO PASADENA BUS RAPID TRANSIT CORRIDOR PROJECT ENVIRONMENTAL IMPACT REPORT.

On April 20, 2022, MTA Planning Committee Chair Jacquelyn Dupont-Walker, Glendale Mayor Ara Najarian and Inglewood Mayor James Butts voted at the Planning Committee to approve (A) the NORTH HOLLYWOOD TO PASADENA BUS RAPID TRANSIT CORRIDOR PROJECT ("Project"); (B) to certify+ in accordance with the California Environmental Quality Act ("CEQA") the Final Environmental Impact Report ("FEIR"), and (C) adopted in accordance with CEQ: 1. Findings of Fact, and 2. The Mitigation Monitoring and Reporting Program ("MMRP"), and (D) authorized MTA's Chief Executive Officer to file a Notice of Determination with the Los Angeles County Clerk and with the State of California CEQA Clearinghouse.

Neither Supervisor Hilda Solis, who is a key stakeholder in the Project, nor Supervisor Kathryn Barger attended the April 20, 2022 MTA Board Planning Commitee meeting or utilized the "Watch online or Listen by phone" function.

The Brown Act specifically requires the MTA to conduct its business openly by requiring that the MTA Board and the MTA Board Planning Committee to timely post agendas prior to their meetings (Government Code Sections 54952.2, 54955 and 54956). Any agenda of a MTA Board Planning Committee regular meeting must be posted 72 hours in advance of the meeting. (Government Code Section 54952.2). Each MTA Board member, including each MTA Planning Committee member, was informed that Eagle Rock stakeholders did not receive a timely Agenda of the April 20, 2022 MTA Planning Committee regular meeting. In fact, the MTA did not send that Agenda even 48 hours prior to that meeting.

**B. Brown Act Violation: Failure to Provide for Meaningful Public Comment on Item 8.**

The California Attorney General has provided the MTA and its Planning Committee with key Brown Act guidance:

"In construing these terms, one should be mindful of the ultimate purposes of the Act - to provide the public with an opportunity to monitor and participate in the decision-making processes of boards and commissions . . . "

The Brown Act mandates that public comment for an agenda item such as this one - - - A $267 million Project - - - must be **meaningful**. At the April 20, 2022, MTA Planning Committee Meeting Chair Dupont-Walker allotted a total of only 15 minutes for public comment, with a 1 minute time limit for each speaker to provide his/her public comment on this $267 million MTA BRT Project. This ruling by the chair denied many individuals any time to make their public comments on Agenda Item 8.

Only 14 people spoke, including nine MTA's pre-selected "Beautiful Boulevard" supporters. The Burbank Mayor was selected first to speak.

The next 4 MTA pre-selected speakers were four signatories of the "Beautiful Boulevard" comment letter to the December 28, 2020 MTA Draft Environmental Impact Report (DEIR):

John Kerr, Eagle Rock Land Use and Planning Committee Member;

Natalie Freidberg, Co-Chair of the Eagle Rock Land Use and Planning Committee and Eagle Rock Neighborhood Council Member;

Michael MacDonald, Licensed Architect in Eagle Rock and The Eagle Rock Association (TERA) Treasurer; and

Michael Sweeney, Licensed Architect, Eagle Rock Neighborhood Council Land Use and Planning Co-Chair, a "Beautiful Boulevard Steering" Committee Member and Eagle Rock Neighborhood Council Member

An additional five "Beautiful Boulevard" supporters were selected by the Committee Chair to speak during public comment: "Ryan" who is most likely Ryan Johnson, another signatory supporting "Beautiful Boulevard" comment letter; Jane Demian, a former Eagle Rock Neighborhood Council member; John Angeles, a Highland Park resident; John Woo, and Hillary Norton.

**Save Eagle Rock Community** is informed that at least one Eagle Rock resident was unable to make any public comment during the April 20, 2022 MTA Planning Committee meeting due to the restrictive and pre-arranged process adopted by the Committee Chair.

The Chair described public comment as being " . . . only a 15 minute window for public comment on Agenda Item #8, Noho to Pas BRT Corridor Project."

One Eagle Rock resident stated: "Although I raised my hand, there were only 14 people who were able to make their comments. Those who were not able to make a comment were instructed to wait at the end of the meeting to make a general comment or make a comment at the next meeting on April 28, 2022. When I waited at the end of the meeting to make my comment, there was about a 4 second window to raise my hand to make a comment. By the time I raised my hand the meeting was adjourned. It felt rushed and the MTA Planning Committee members did not wait to see if any hand raised was raised."

Meaningful public comment was denied at the April 20, 2022 MTA Planning Committee.

## C. Brown Act Violation: Failure to Comply With Teleconferencing Requirements

The MTA Planning Committee also failed to comply with Government Code Section 54953(e)(4). On April 20, 2022, the MTA Board and its Committees were not following any state of emergency. ost importantly, on April 20, 2022, the MTA did not have in effect any face mask requirement for any person on any and all MTA bus and rail lines operating in Los Angeles County. Given that fact, no state of emergency circumstances existed on April 20, 2022. Meeting in person would not have presented any imminent risks to the health or safety of attendees. Furthermore, the April 20, 2022 MTA Planning Agenda failed to include any proof that the MTA Planning Committee was in compliance with Government Code section 54953(e)(4): The MTA Planning Committee's required Government Code section 54953(e)(4) Verification. No required teleconferencing was provided at the April 20, 2022, MTA Planning Committee meeting.

## D. Demand to Cure and Correct Illegal Committee Meeting; Postpone Item 8 on MTA Board Agenda of April 28, 2022.

Pursuant to Government Code Section 54960.1, **Save Eagle Rock Community** demands that the MTA Planning Committee cure and correct the illegally taken actions in violation of the Ralph M. Brown Act, as follows:

**(1)** The MTA Planning Committee re-notice and re-hear Agenda Item 8 at its next Committee meeting May 2022;

**(2)** The MTA Board postpone its April 28, 2022, hearing on Agenda Item 8 until its next MTA Board regular meeting in May 2022;

**(3)** Prior to any future hearings or meetings on Agenda Item 8 that agendas which include Item be posted and noticed to all interested persons at least 72 hours prior to the time of any meeting's commencement;

**(4)** No total hearing time limit of any kind be placed on the public hearings of Agenda Item 8 at either the MTA Planning Committee or at the MTA Board;

**(5)** No Notice of Determination under CEQA shall be filed with the Los Angeles County Clerk or the State CEQA Clearinghouse until and unless all the above "cure and correct" measures are completed.

**(6)** Any prior filings of a Notice of Determination will be withdrawn and a written retraction shall be sent to any agency previously receiving a Notice of Determination.

As provided by Government Code Section 54960.1, the MTA Board and the MTA Planning Committee have 30 days from the receipt of this demand to either cure or correct the challenged actions or inform this office of your decision not to do so.

If you fail to cure or correct as demanded, such inaction may leave no recourse for **Save Eagle Rock Community** but to seek a judicial invalidation of the challenged actions pursuant to Government Code Section 54960.1, in which case **Save Eagle Rock Community** will also ask the court to order MTA to pay **Save Eagle Rock Community's** court costs and reasonable attorney fees pursuant to Government Code Section 54960.5.

[redacted]

**From:** [redacted]
**Sent:** Sunday, April 24, 2022 10:52 AM
**To:** firstdistrict@bos.lacounty.gov; anajarian@glendaleca.gov; jdupontw@aol.com; kathryn@bos.lacounty.gov; fdutra@cityofwhittier.org; mayor.garcetti@lacity.org; fourthdistrict@bos.lacounty.gov; paul.krekorian@lacity.org; sheila@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; tim_sandoval@ci.pomona.ca.us; tony.tavares@dot.ca.gov; Board Clerk <BoardClerk@metro.net>; mayorjamesbutts@gmail.com; Mike.bonin@lacity.org
**Subject:** Please, don't destroy my community.

As a long-time resident of Eagle Rock, I am deeply concerned about the ruinous effect that the "Beautiful Boulevard Plan," (which is anything BUT beautiful) will have on my community. There has been a great deal of chicanery going on between MTA, TERA, and other entities to deny input from the residents of Eagle Rock who oppose this expensive and disruptive plan. I request that YOU:

INVALIDATE the MTA Planning Committee's April 20, 2022 approval of the MTA- Recommended Refined F1 Beautiful Boulevard BRT Center Lane Alignment Design Plan for Colorado Boulevard in Eagle Rock. Approving the MTA- Recommended Beautiful Boulevard Plan results in an UNJUST BIASED MTA DECISION Adversely Affecting Eagle Rock Residents and Business Owners.

SUPPORT the 3000 petitions of Eagle Rock residents and business owners, who resoundingly stated to YOU: DO NOT REDUCE LANES OF TRAFFIC on Colorado Boulevard and DO NOT CONSTRUCT a MTA BRT Bus Lane Only, resulting in one traffic lane per direction on Colorado Boulevard in my Eagle Rock Community.

Urgently,

[redacted]

----- Forwarded Message -----
[redacted]
**To:** eagle rock <saveeaglerockcommunity@yahoo.com>
**Sent:** Saturday, April 23, 2022, 12:12:42 PM PDT
**Subject:** ERNC 2019 Documents: ERNC/Huizar/TERA/MTA: Their BRT on Colorado Boulevard Collaboration

Please read the attachment; forward the attachment on to your trusted contacts and provide us with feedback regarding a Save Eagle Rock Community letter to the MTA Board.

Feel free to compose your own letter using the ERNC's documents below to the MTA Board member.

1) Any and all correspondence, including but not limited to any and all emails from Lisa Kable Blanchard, acting on behalf of the Eagle Rock Neighborhood Council, to Michael Richmai, Renee Berlin, Daniel Rodman or Nate Hayward from April 1, 2016 to August 4, 2019, regarding the Metro Pasadena to North Hollywood Bus Rapid Transit project.

[redacted]

# Fwd: Eagle Rock BRT

2 messages

[redacted]

---------- Forwarded message ---------
From: [redacted]
Date: Fri, Sep 21, 2018 at 12:27 AM
Subject: Eagle Rock BRT
To: Councilmember José Huizar - Northeast LA <josehuizar@josehuizar.com>, Nathan Lucero [redacted]>, Sean Starkey <sean.starkey@lacity.org>, iford@[redacted] <[redacted]>, severin.martinez@[redacted] <severin.martinez[redacted]>
Cc: ERNC Executive Committee <Executive@eaglerockcouncil.org>

All: thank you for setting up an Eagle Rock meeting re: the proposed BRT line.

As a committed metro rider and advocate for mass transit support for our community, I can't help but feel that the meeting that has been set up for Eagle Rock as an afterthought.

Meetings were set up in Burbank, Glendale and Pasadena, and only through, what assume was good work by Sean Starkey, an additional meeting was set up at the Eagle Rock Plaza on a Saturday in a place that our community doesn't usually meet.

We have this issue on our Executive Board agenda after we received an email from Isaiah on August 13.

When were the other community meetings scheduled? What other community organizations were consulted when setting up these meetings?

I've copied Nathan Lucero and Severin Martinez, local transit advocates to help figure out where the gap in communication happened.

Any information you can pass on would be great!

Thanks in advance.

[redacted]

## You Are Invited to a Community Meeting on the NoHo to Pasadena Transit Corridor

**Metro is working to improve bus service connecting communities from North Hollywood to Pasadena. This new high-quality, reliable Bus Rapid Transit (BRT) service will link key activity centers and improve access to jobs, entertainment and the regional transit system.**

The North Hollywood to Pasadena BRT Project extends approximately 16 miles and will provide a connection between the Metro Red, Orange and Gold Lines. The areas that will be served by the proposed project include the Cities of Los Angeles (North Hollywood and Eagle Rock), Burbank, Glendale and Pasadena. In planning for this project, Metro will complete an Alternatives Analysis and Environmental Impact Report (EIR) that will consider various routes.

Metro invites you to join us at a community meeting in Eagle Rock to learn more about the project and provide your input.

### Saturday, October 13, 2018
### 1 – 3 pm

**Eagle Rock Plaza**
2700 Colorado Boulevard
Suite 248
Eagle Rock, CA 90041

### Contact Us

Metro invites you to stay involved and share your feedback.

213.418.3228
nohopasbrt@metro.net
metro.net/nohopasbrt
@metrolosangeles
losangelesmetro

All Metro meetings are held in ADA accessible facilities and are accessible by transit. Spanish translation provided. ADA accommodations and other translations are available by calling 323.466.3876 or California Relay Service at 711 at least 72 hours in advance.

Metro

NOHO TO PASADENA TRANSIT CORRIDOR

--

**Pat Niessen**
Sub-District 1 Director
Eagle Rock Neighborhood Council
ernc.la

[redacted] Fri, Aug 16, 2019 at 9:20 PM

---------- Forwarded message ---------
[redacted]
Date: Fri, Sep 21, 2018 at 10:20 AM
Subject: Re: Eagle Rock BRT
[redacted]

[redacted]

Thank you for reaching out to our office. I can only speak on behalf of the Council Office and not Metro but, I can assure you Eagle Rock was not an "afterthought."

By not including Eagle Rock on any of the earlier versions of the flyer should be seen as an attempt to not engage the community. Each of these public meetings are designed to be for the community in which they are held. By not being included the only people that may not be aware of the meeting are the residents of Burbank and Glendale who will attend their respective meetings. Our office has been working with Metro to schedule a meeting to allow the residents of Eagle Rock time to hear the full presentation and ask questions and give input to the process.

I was the one that chose Eagle Rock Plaza. I know it is not a conventional space that we normally host meeting at but it is a location that every Eagle Rock resident is accustomed to. It also has ample parking and is fully ADA compliant, we often receive complaints regarding meeting at the Center for the Arts and the Women's Club which are neither. I also believe using the Plaza will also attract new people that normally are not engages in the community process.

As for the Saturday afternoon time. Another complaint we receive is that week night meeting are tough for many families. Having a Saturday meeting will hopefully allow many more people to attend.

I hope Councilmember Huizar's record over the last 13 years shows that the community engagement part of any and all projects is vital to the process. The proposed BRT will be held to the same standard.

If you have any questions or concerns I am always available, [redacted] I hope we will see you at the meeting.

[redacted]

[redacted]

[Quoted text hidden]

[redacted]

# Fwd: Metro - SR-710 North Corridor Mobility Improvements

1 message

[redacted]

---------- Forwarded message ---------
[redacted]
Date: Wed, Dec 5, 2018 at 11:37 AM
Subject: Metro - SR-710 North Corridor Mobility Improvements
To: <mayor.garcetti@lacity.org>, <firstdistrict@bos.lacounty.gov>, <Mike.Bonin@lacity.org>
Cc: <eric.bruins@lacity.org>, Nate Hayward <nate.hayward@lacity.org>, Sean Starkey <sean.starkey@lacity.org>, <daniel.rodman@lacity.org>, <JHernandez@bos.lacounty.gov>, Lisa Kable Blanchard <lisa.kable.blanchard@ernc.la>

Metro Board Members -

Attached is a letter from The Eagle Rock Association (TERA) expressing our disagreement with Metro staff's recommendations for SR-710 North Corridor Mobility Improvements. TERA believes that greater emphasis should be placed on multi-modal, community-driven improvements which better-reflect community interests and are more cost-effective.

Please consider our recommendations at tomorrow's meeting. Thank you.

---
[redacted]

**Metro 710 Improvement Funds.pdf**
74K

3) Any and all correspondence, including but not limited to any and all emails between Lisa Kable Blanchard, acting on behalf of the Eagle Rock Neighborhood Council, and  Councilman Jose Huizar or any person on Councilman Huizar's staff from April 1, 2016 to August 4, 2019, regarding the Metro Pasadena to North Hollywood Bus Rapid Transit project.

[redacted]

# Fwd: BRT Project - Community Meetings Information

1 message

[redacted]

---------- Forwarded message ---------
[redacted]
Date: Fri, Sep 21, 2018 at 11:57 AM
Subject: BRT Project - Community Meetings Information
To: ERNC Executive Committee <Executive@eaglerockcouncil.org>, TERA President <[redacted]>

Hello,

Can you help share the information for the upcoming meeting regarding the proposed Metro BRT, flyers are attached.

Link to project video
Link to the project website

[redacted]

**3 attachments**

**eagle rock community flyer.jpg**
1050K

**BRT community flyer - eng.pdf**
178K

**BRT community flyer -span.pdf**
165K

[redacted]

# Fwd: Eagle Rock BRT

2 messages

[redacted]

---------- Forwarded message ---------
[redacted]
Date: Fri, Sep 21, 2018 at 12:27 AM
Subject: Eagle Rock BRT
To: Councilmember José Huizar - Northeast LA <josehuizar@josehuizar.com>, Nathan Lucero <nathan[redacted], Sean Starkey <sean.starkey@lacity.org>, iford@[redacted] <[redacted]>, severin.martinez[redacted] <severin.martinez[redacted]>
Cc: ERNC Executive Committee <Executive@eaglerockcouncil.org>

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Thanks in advance.

[redacted]

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### Saturday, October 13, 2018
### 1 – 3 pm

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@metrolosangeles
losangelesmetro

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Metro

NOHO TO PASADENA TRANSIT CORRIDOR

--

**Pat Niessen**
Sub-District 1 Director
Eagle Rock Neighborhood Council
ernc.la

[redacted]

---------- Forwarded message ---------
[redacted]
Date: Fri, Sep 21, 2018 at 10:20 AM
Subject: Re: Eagle Rock BRT
To: Pat Niessen <pat.niessen@ernc.la>
Cc: Councilmember José Huizar - Northeast LA <josehuizar@josehuizar.com>, Nathan Lucero <[redacted], iford[redacted] <iford[redacted]>, severin.martinez@[redacted] <severin.martinez[redacted], ERNC Executive Committee <Executive@eaglerockcouncil.org>, Nate Hayward <nate.hayward[redacted]

Pat,

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I hope Councilmember Huizar's record over the last 13 years shows that the community engagement part of any and all projects is vital to the process. The proposed BRT will be held to the same standard.

If you have any questions or concerns I am always available, 323.254.5295. I hope we will see you at the meeting.

[redacted]

[redacted]

[Quoted text hidden]

**PRA REQUEST <pra@eaglerockcouncil.org>**

# Fwd: ERNC Executive Meeting- NoHo to Pasadena BRT Project

[redacted]

---------- Forwarded message ---------
[redacted]
Date: Wed, May 29, 2019 at 5:52 PM
Subject: Re: ERNC Executive Meeting- NoHo to Pasadena BRT Project
To: Corona, Stephen <CoronaS@metro.net>
Cc: Lucy Aparicio <Lucy.Aparicio@lacity.org>, Cyndi Otteson <executive@ernc.la>, Jesse Saucedo <jesse.saucedo@ernc.la>, Becky Newman <becky.newman@eaglerockcouncil.org>, Lisa Kable Blanchard <lisa.kable.blanchard@eaglerockcouncil.org>, Jose Hernandez <jose.h.hernandez@lacity.org>, Mark Estrada <mark.t.estrada@lacity.org>, De Loza-Gutierrez, Lilian <DeLozaGutierrezL@metro.net>, Isaiah Ford <iford[redacted]>

perfect--see you this evening

[redacted]

On Wed, May 29, 2019 at 5:18 PM [redacted] > wrote:

> Thank you for the opportunity, I would like to provide an update to the executive meeting in advance of the Land Use & Planning Committee to provide a brief update on the project and process. I look forward to meeting the group and further discuss the project.
>
> Sincerely,
>
> [redacted]
>
> LA Metro
>
> Sr. Community Relations Officer
>
> Local Government & External Affairs
> (213) 418-3057 (O) (213) 604-2514 (C)
>
> metro.net | facebook.com/losangelesmetro | @metrolosangeles
> **Metro provides excellence in service and support.**
>
> [redacted]
> **Sent:** Wednesday, May 29, 2019 10:04 AM
> [redacted].org>

[redacted]

**Subject:** Re: ERNC Executive Meeting- NoHo to Pasadena BRT Project

Got it, thank you for the update Michael, happy to hear that's being arranged. I'll defer to Metro.

Best,

[redacted] / **Area Director**

Office of Councilmember José Huizar

**Northeast Office**

2035 Colorado Blvd.

Los Angeles, CA 90041
(323) 254-5295

TEAM HUIZAR

**Council District 14, City of Los Angeles**

On Tue, May 28, 2019 at 3:54 PM [redacted] wrote:

> [redacted]
>
> FYI--I've been emailing with Isaiah Ford from The Robert Group today (he was our main point of contact for the last presentaton) and he had confirmed that Metro would be doing a presentation to the ERNC on 6/18/19 during our normal Land Use & Planning meeting.
>
> They are of course completely welcome to come to Exec as well--just want to make sure it's a productive use of everyone's time...
>
> [redacted]
>
> [redacted]
>
> On Tue, May 28, 2019 at 3:48 PM Lucy Aparicio <Lucy.Aparicio@lacity.org> wrote:

Hello ERNC,

we are reaching out to share that Metro would like to attend the ERNC Executive Committee Meeting tomorrow, Wednesday, at Spireworks at 7pm. to discuss the North Hollywood to Pasadena BRT Project. Included in this email are Tito Corona and Lilian De Loza-Gutierrez from Metro.

We hope this facilitates communication and engagement for the Eagle Rock community through the ongoing public participation process and upcoming public scoping meetings.

Thank you.

[redacted] / **Area Director**

Office of Councilmember José Huizar

**Northeast Office**

2035 Colorado Blvd.

Los Angeles, CA 90041
(323) 254-5295

TEAM HUIZAR

**Council District 14, City of Los Angeles**

[redacted]

# Fwd: Metro - SR-710 North Corridor Mobility Improvements

1 message

[redacted]

---------- Forwarded message ---------
From: [redacted] >
Date: Wed, Dec 5, 2018 at 11:37 AM
Subject: Metro - SR-710 North Corridor Mobility Improvements
To: <mayor.garcetti@lacity.org>, <firstdistrict@bos.lacounty.gov>, <Mike.Bonin@lacity.org>
Cc: <eric.bruins@lacity.org>, Nate Hayward <nate.hayward@lacity.org>, Sean Starkey <sean.starkey@lacity.org>, <daniel.rodman@lacity.org>, <JHernandez@bos.lacounty.gov>, Lisa Kable Blanchard <lisa.kable.blanchard@ernc.la>

Metro Board Members -

Attached is a letter from The Eagle Rock Association (TERA) expressing our disagreement with Metro staff's recommendations for SR-710 North Corridor Mobility Improvements. TERA believes that greater emphasis should be placed on multi-modal, community-driven improvements which better-reflect community interests and are more cost-effective.

Please consider our recommendations at tomorrow's meeting. Thank you.

---
[redacted]
President
The Eagle Rock Association (TERA)

**Metro 710 Improvement Funds.pdf**
74K

4) Any and all correspondence, including but not limited to any and all emails between David Greene, acting on behalf of the Eagle Rock Neighborhood Council, and Councilman Jose Huizar or any person on Councilman Huizar's staff from April 1, 2015 to January 1, 2019, regarding the Pasadena to North Hollywood Bus Rapid Transit project.

[redacted]

# Fwd: INVITATION: North Hollywood to Pasadena Bus Rapid Transit Corridor Technical Study Open House - January 25, 2017, 5-6:30 PM

2 messages

[redacted]

---------- Forwarded message ---------
[redacted]
Date: Tue, Jan 10, 2017 at 2:33 PM
Subject: Re: INVITATION: North Hollywood to Pasadena Bus Rapid Transit Corridor Technical Study Open House - January 25, 2017, 5-6:30 PM
To: [redacted]

As an avid transit rider I'm happy to go (as long as my schedule works out.) As of right now, I'm good to go.

On Tue, Jan 10, 2017 at 2:29 PM, [redacted] > wrote:

> as Boulevards Rep, I'll sacrifice myself. (don't know if that sounds right in English)
> Let me know if I'm worthy
> : )
>
> On Jan 10, 2017, at 2:18 PM, [redacted] > wrote:
>
> We should probably send an ERNC member (or two) to this meeting, to continue and follow up on our official support for bringing this line through ER (vs the 134).
>
> Sean - am I correct that this is what the meeting is about?
>
> Everyone - Who can make the meeting to represent ER and the ERNC?
>
> - D
>
> [redacted]
> Immediate Past President
> Chair, Land Use and Planning Committee
> Eagle Rock Neighborhood Council
> www.ernc.la
>
> ---------- Forwarded message ----------
> From: [redacted]
> Date: Tue, Jan 10, 2017 at 1:29 PM
> Subject: INVITATION: North Hollywood to Pasadena Bus Rapid Transit Corridor Technical Study Open House - January 25, 2017, 5-6:30 PM
> To: NoHo-Pasadena BRT <Nohopasadenabrt@metro.net>
>
> <image004.jpg>
>
> The Los Angeles County Metropolitan Transportation Authority (Metro) invites you to join us for an Open House regarding
>
> the *North Hollywood – Pasadena Bus Rapid Transit Corridor Technical Study,* also known as the Orange/Red Line to
>
> Gold Line BRT, which explores strategies for improving bus service along a 16-mile corridor connecting the Cities
>
> of Burbank, Glendale, Los Angeles and Pasadena.
>
> **Wednesday, January 25, 2017**
>
> **5:00 PM – 6:30 PM**
>
> Henry Huntington Conference Room, 3rd Floor
>
> Metro Headquarters Building
>
> One Gateway Plaza

Los Angeles, CA 90012

*Accessible via various Metro lines.*

*Please plan your trip by visiting metro.net.*

*Parking will be validated.*

The purpose of this meeting is to share information on preliminary study findings, receive feedback on preliminary Bus Rapid Transit

service concepts and discuss next steps.

Metro will also be providing the same project update on the following dates and times should one of them be more convenient to attend:

**February 1, 2017**

**6:30 PM**

San Fernando Valley Service Council

Marvin Braude Constituent Center

6262 Van Nuys Bl

Van Nuys, CA 91401

**February 13, 2017, 9:30 AM**

**5:00 PM**

San Gabriel Valley Service Council

Metro Division 9 Building, 3rd Floor

3449 Santa Anita Av

El Monte, CA 91731

**For more information, or if you would like to request a special project update for your group and/or organization, please contact:**

—

[redacted]
LA Metro
Community Relations Manager, San Gabriel Valley Area
Community & Municipal Affairs
213.922.7479 W
213.864.3445 C
metro.net | facebook.com/losangelesmetro | @metrolosangeles
**Metro provides excellence in service and support.**

<image002.jpg>

--

[redacted]
Sub-District 1 Director
Eagle Rock Neighborhood Council
ernc.la

--
Sylvia Denlinger
Eagle Rock Neighborhood Council
Public Safety Director
sylvia.denlinger@ernc.la

---

[redacted] Thu, Aug 8, 2019 at 11:31 PM
To: PRA@ernc.la

---------- Forwarded message ---------
From: [redacted]
Date: Tue, Jan 10, 2017 at 2:19 PM
Subject: Fwd: INVITATION: North Hollywood to Pasadena Bus Rapid Transit Corridor Technical Study Open House - January 25, 2017, 5-6:30 PM
To: The ERNC Board <board@eaglerockcouncil.org>, Sean Starkey <sean.starkey@lacity.org>

We should probably send an ERNC member (or two) to this meeting, to continue and follow up on our official support for bringing this line through ER (vs the 134).

Sean - am I correct that this is what the meeting is about?

Everyone - Who can make the meeting to represent ER and the ERNC?

- D

[redacted]
Immediate Past President
Chair, Land Use and Planning Committee
Eagle Rock Neighborhood Council
www.ernc.la

---------- Forwarded message ----------
From: [redacted]
Date: Tue, Jan 10, 2017 at 1:29 PM
Subject: INVITATION: North Hollywood to Pasadena Bus Rapid Transit Corridor Technical Study Open House - January 25, 2017, 5-6:30 PM
To: NoHo-Pasadena BRT <Nohopasadenabrt@metro.net>

[Quoted text hidden]

Metro

5) Any and all documents and records, including any and all emails from any member of the Eagle Rock Neighborhood Council who was on the ERNC from April 1, 2015, through October 30, 2016, to Councilman Jose Huizar or anyone who was on Councilman Huizar's staff from April 1, 2015, through October 30, 2016, regarding the Metro Pasadena to North Hollywood Bus Rapid Transit project.

**PRA REQUEST <pra@eaglerockcouncil.org>**

# Fwd: Metro BRT NoHo - Pasadena meeting TONIGHT!

[redacted]> Thu, Aug 8, 2019 at 11:31 PM
To: PRA@ernc.la

---------- Forwarded message ---------
From: [redacted]>
Date: Wed, Jan 25, 2017 at 10:05 AM
Subject: Metro BRT NoHo - Pasadena meeting TONIGHT!
To: The ERNC Board <board@eaglerockcouncil.org>

Hello ERNCers!

TONIGHT there is an Open House regarding the possible Bus Rapid Transit (BRT) line that may potentially run through Eagle Rock. Last year, the ERNC came out in support of the route option that goes down Colorado instead of bypassing Eagle Rock completely by using the 134.

Sean Starkey is asking for as much support as possible at this (and any other) meeting. I'll be there! Please let me know if you think you can make it. Come and join me! See below for more information:

-

The Los Angeles County Metropolitan Transportation Authority (Metro) invites you to join us for an Open House regarding the *North Hollywood – Pasadena Bus Rapid Transit Corridor Technical Study*, also known as the Orange/Red Line to Gold Line BRT, which explores strategies for improving bus service along a 16-mile corridor connecting the Cities of Burbank, Glendale, Los Angeles and Pasadena.

**Wednesday, January 25, 2017**

**5:00 PM – 6:30 PM**

Henry Huntington Conference Room, 3rd Floor

Metro Headquarters Building

One Gateway Plaza

Los Angeles, CA 90012

*Accessible via various Metro lines.*

*Please plan your trip by visiting metro.net.*

*Parking will be validated.*

The purpose of this meeting is to share information on preliminary study findings, receive feedback on preliminary Bus Rapid Transit service concepts and discuss next steps.

Metro will also be providing the same project update on the following dates and times should one of them be more convenient to attend:

-

**February 1, 2017**

**6:30 PM**

San Fernando Valley Service Council

Marvin Braude Constituent Center

6262 Van Nuys Bl

Van Nuys, CA 91401

-

**February 13, 2017, 9:30 AM**

**5:00 PM**

San Gabriel Valley Service Council

Metro Division 9 Building, 3rd Floor

3449 Santa Anita Av

El Monte, CA 91731

Sean Starkey
Field Deputy - Eagle Rock
Office of Councilmember José Huizar
City of Los Angeles | Council District 14

Northeast Office
2035 Colorado Blvd.
Los Angeles, CA 90041
(323) 254-5295 office | (213) 485-8788 fax
sean.starkey@lacity.org

--

[redacted]
Sub-District 1 Director
Eagle Rock Neighborhood Council
ernc.la

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Sean Starkey
Field Deputy - Eagle Rock
Office of Councilmember José Huizar
City of Los Angeles | Council District 14

Northeast Office
2035 Colorado Blvd.
Los Angeles, CA 90041
(323) 254-5295 office | (213) 485-8788 fax
sean.starkey@lacity.org

--

**Pat Niessen**
Sub-District 1 Director
Eagle Rock Neighborhood Council
ernc.la

8) Any and all Eagle Rock Neighborhood Council (ERNC) documents and records to establish the ERNC's community outreach before the ERNC sent its October 5, 2016 Letter to Michael Richmai at Metro.

**PLEASE KEEP THIS OFFICIAL DOCUMENT POSTED UNTIL October 5, 2016**


**EAGLE ROCK NEIGHBORHOOD COUNCIL**

**Executive Committee**
**Lisa Kable Blanchard, President**
**Cyndi Otteson, Vice President**
**Miry Whitehill, Treasurer**
**Pat Niessen, Communications**
**Matt Hemingway, Secretary**
**David Greene, Immediate Past President**

**CITY OF LOS ANGELES**
CALIFORNIA

ERIC GARCETTI
MAYOR

ernc
eagle rock neighborhood council
P.O. Box 41652
Los Angeles, CA 90041

WWW.ERNC.LA
INFO@ERNC.LA


# PUBLIC MEETING NOTICE

## EAGLE ROCK NEIGHBORHOOD COUNCIL
## FULL BOARD MEETING
## Tuesday, October 4, 2016 • 7:00 PM
## EAGLE ROCK CITY HALL
## 2035 Colorado Boulevard, Los Angeles, CA 90041

* * * *

**Please be advised agenda items may not be heard in the order listed.**
**Note to online readers: Web links may be added up to 1 hour before the meeting.**

**I. OPENING BUSINESS**

A. **CALL TO ORDER:** Welcome to the public, note procedures to be followed. - Presiding Officer.

B. **ROLL CALL -** Matt Hemingway, Secretary. ERNC quorum is 10 members.

C. **PRESIDENT'S REPORT:** Lisa Kable Blanchard, President.

D. **CONSENT CALENDAR** - The following items will be voted on as a whole, without discussion. Any Board member may request that any item(s) be removed and voted on separately, Lisa Kable Blanchard.

1. Approve corrected August 2016 ERNC meeting minutes (click to view).
2. Approve corrected September 2016 ERNC meeting minutes (click to view).
3. Approve Monthly Expense Reports for Aug. and Sept. 2016.
4. Outreach expense of up to $100 for refreshments for debate on Measure HHH, sponsored by the Alliance of River Communities on Oct. 19th.
5. Outreach expense of up to $350 for refreshments & up to $200 for expendable supplies (gloves, trash bags) for ERNC Community Clean-Ups in 2016.

E. **ANNOUNCEMENTS:** Council District 14, State Assembly/Senate, Department of Neighborhood Empowerment, LAPD, LAFD and/or other elected officials. (2 min. each)

F. **PUBLIC SAFETY REPORT:** Sylvia Denlinger, Public Safety Director.

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G. **TREASURER'S REPORT** - Miry Whitehill, Treasurer.

H. **LAND USE AND PLANNING COMMITTEE REPORT**: David Greene, LUPC Chair.

I. **OTHER DIRECTORS' AND COMMITTEE REPORTS**: Special and Sub-District Directors, and their committees.

II. **PUBLIC COMMENT ON NON-AGENDA ITEMS**

III. **NEW BUSINESS**

**A. ANNOUNCEMENT:** ERNC Free Movie Night at Yosemite Park on Oct, 15th, Chris Hulen (1 min)

B. **ANNOUNCEMENT:** Dog Park meeting on Oct. 5 at ER City Hall, Lisa Kable Blanchard (1 min)

**C. PRESENTATION:** Information about the Coordinated Entry System, which streamlines the process of finding housing for those who are chronically homeless, Monica Alcaraz (5 min)

D. **PRESENTATION:** Mayor's Office of Public Engagement report on progress of Mayor Garcetti's 'Back to Basics' agenda and collaborative opportunities moving forward, Amanda Mejia (15 min)

E. **DISCUSSION / ACTION:** Schedule a Special ERNC informational meeting regarding homeless services in Eagle Rock & CD14, Lisa Kable Blanchard. (1 min)

**F. PRESENTATION:** Eagle Rock Recreation Center architectural preservation proposal, Charlie Clark and Jeremy Levine (10 min)

**G. DISCUSSION:** Speakers from both sides of the Neighborhood Integrity Initiative, which will appear on the March 2017 ballot. Mark Edwards, Coalition to Protect L.A. Neighborhoods & Jobs, and Jill Stewart, Coalition to Preserve L.A.

**H. DISCUSSION / ACTION:** Vote on the following Neighborhood Purpose Grants -- Jennifer Nutting and Miry Whitehill:

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3. Eagle Rock Junior/Senior High School - $500 (click to view), Finance committee recommendation: fund $500.
4. Eagle Rock Elementary Education Foundation - $1360.20 (click to view), Finance committee recommendation: fund $1360.20.

**I. DISCUSSION / ACTION:** Vote on an ERNC letter of community support for a proposed Metro Bus Rapid Transit route on Colorado Blvd, which will connect the Gold & Red Lines, Lisa Kable Blanchard (click to view draft).

**J. DISCUSSION / ACTION:** Vote on Operations expense of up to $500 to buy a portable air conditioner for the upstairs meeting room at Eagle Rock City Hall, David Greene.

**K. DISCUSSION / ACTION:** Schedule next Executive Committee (Oct. 25) and Board meetings (Nov. 1), change dates if necessary, Matt Hemingway (1 min)

**L. ADJOURN:** Presiding Officer.

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* * * *

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PUBLIC ACCESS OF RECORDS – In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed on our website: ERNC.LA or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact the ERNC at: info@ernc.la

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ERNC News for October 3, 2016

View this email in your browser

# Hello Neighbor!

**The Eagle Rock Neighborhood Council meets TOMORROW, Tuesday, October 4, at 7pm at Eagle Rock City Hall, 2035 Colorado Boulevard.**

## The agenda can be found at this link.

**Read on for highlights!**

## On the agenda...

Since no one watches VP debates anyway, you'll be free on Tuesday to come out to ER City Hall, where we'll be discussing these important issues:

**1. Everyone in Eagle Rock seems to be talking about the homeless issue, but no one's doing anything about it. Right? Well... no.** Plenty of work is being done, from the upcoming Measure HHH on the November ballot, to the City Council's comprehensive homeless plan that is wending its way through the various city departments. We'll hear all about it, and about how **you can help**, with speakers on the Coordinated Entry System, which streamlines the process of finding housing for the chronically homeless; from the Mayor's Office, who will tell us what's being done at a City-wide level; and the ERNC will schedule a special meeting to talk about the homeless issues we're dealing with here in Eagle Rock.

**2.** We'll also hear from speakers on both sides of the so-called **Neighborhood Integrity Initiative,** which will appear on the March 2017 ballot. This contentious issue, which concerns the future of new housing development in the City of LA, is no Clinton-Trump - but it's close.

would happen years in the future (if at all), but having a BRT route that goes through Eagle Rock, and connects us to the Burbank Airport, could be a real win for the neighborhood.

4. Finally, we'll reveal the movie that will be shown at the **FREE ERNC Movie Night at Yosemite Park** on Saturday Oct. 15. (This item will be presented by Zuul, the Gatekeeper of Gozer.)

And so much more! We hope to see you all there!

---

## ATTENTION ANIMAL LOVERS!

**This Wednesday at ER Center for the Arts, the new Eagle Rock Dog Park plans will be revealed. Come give suggestions and show your support! This will be the first new dog park built in the City of L.A. in years, and it's coming to Eagle Rock - a huge win for the safety, economy, and livability of our neighborhood.**

## THIS SUNDAY!

**Our Neighborhood Clean-Up series hits Eagle Rock Blvd. Please come out and join your neighbors, and DO something to help Eagle Rock! Free breakfast, coffee, and yes - those coveted Eagle Rock t-shirts for everyone who breaks a sweat!**

If you have questions about the ERNC, our meetings, or how to get involved in making Eagle Rock a better place, just send us an email at:

info@ernc.la

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The Eagle Rock Neighborhood Council (ERNC) is an official organization of the City of Los Angeles, staffed by 19 elected, unpaid volunteers. Our diverse Board is composed of Eagle Rock stakeholders from all walks of life, who share a desire to make our home town a safer, greener, and more prosperous place to live.

Our job is neighborhood empowerment: We act as your advocates and liaisons to the City Council, the Mayor, and all City of L.A. departments that touch the lives of Eagle Rockers. Join us at one of our meetings, or talk to us at a community event, and find out how we can make Eagle Rock even better, together.

Friend us on Facebook | Follow us on Twitter | Visit us at www.ernc.la | Send us an Email

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**Contact Us:**

If you have any questions about the Eagle Rock Neighborhood Council, please contact the ERNC Communications Team, and we'll get back to you within 24 hours: info@ernc.la

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**Eagle Rock Neighborhood Council**

October 4, 2016 ·

ERNC meets tonight! Check out our newsletter get all the details and download an agenda: https://t.co/zG89QRbblt

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@ERNC.LA

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October 3, 2016 ·

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Eagle Rock Neighborhood Council
October 1, 2016 ·

ERNC meets on Tuesday! PDF agenda here: https://t.co/xwUGgO6S1K

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ernc
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## Tuesday, October 4, 2016 • 7:00 PM
## EAGLE ROCK CITY HALL
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THE AMERICANS WITH DISABILITIES ACT - As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices and other auxiliary aids and/or services, may be provided upon request. To ensure availability of services, please make your request at least 3 business days (72 hours) prior to the meeting you wish to attend by contacting the ERNC at: info@ernc.la

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**EAGLE ROCK NEIGHBORHOOD COUNCIL (ERNC)**
**REGULAR BOARD MEETING**
**Tuesday, 4 OCTOBER 2016 • 7PM**
**EAGLE ROCK CITY HALL (ERCH)**
**2035 Colorado Boulevard, Los Angeles 90041**

## I. OPENING BUSINESS

### A. CALL TO ORDER

- Lisa Kable-Blanchard called the meeting to order shortly after 7PM.

### B. ROLL CALL

- A roll call was performed, indicating [eventually] sixteen members of the ERNC, along with over forty-five members of the public. A quorum was declared.

| | |
|---|---|
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| Absent (3) | Michele Helseth, Bridget Hirsch, and Patrick Niessen |

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- She also recently spoke with a Cub Scout group regarding what it means to serve on the ERNC.

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2. Approve corrected September 2016 ERNC meeting minutes
3. Approve Monthly Expense Reports for August and September 2016
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  - If you think you hear a gunshot, or something that sounds like a gun, call 911. Please do not call SLO Ocheo's cellular, as he may not have the telephone with him.
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  - He has over twelve-years of experience in homeland security, will serve Eagle Rock for the next five years, and looks forward to meeting with the community. The Eagle Rock fire station at 2021 Colorado Boulevard is a highly desirable location, where many firemen request to work.

- In August and September, the LAFD hit their peak of the most stressful time of the year. This is when they had the most employment vacancies. Chief Lesinski stressed that this is a wonderful career and the new firefighters are doing a great job.
- A stakeholder asked about the brush clearance; there are some areas that have not been cleared for two years. He replied that this remains a priority. However, they have been short staffed.

- A Department of Neighborhood Empowerment (DONE) representative (Tom Soong?) asked if all ERNC board members are receiving their monthly profiles. In addition, he mentioned that the Glassell Park (GP) Neighborhood Council would host a free Planning and Land Use workshop on Saturday, October 8, at the GP Community Center, 3750 Verdugo Road, beginning at 10AM.

- Region 8 Budget Advocate Liz Amsden addressed the ERNC
  - Mayor Garcetti is working on his budget for 2017-18; he is attempting to build a more livable LA for all. The budget advocates are calling for three to five year budgets, rather than going through all this work every year.
  - The budget advocates agree with the mayor to focus on inefficiencies within city government; other areas of concern include infrastructure, pension fund concerns, homeless issues, and unfortunate incidents with the police.
  - Measure HHH benefits certain areas, such as non-profits that provide services to the homeless. However, it does not directly help the homeless. As a budget advocate, she is against HHH as it is not well planned and sufficiently organized to give what is needed.

**F. PUBLIC SAFETY REPORT**

- Sylvia reminded everyone to have four to ten days of emergency supplies in the event of an earthquake. This includes drinking water, food, and shelter for you and your pets.
- As property crime is an issue for Eagle Rock residents, please photograph everything of value within your home. Also, record the serial numbers to your bicycles and things within your house.

**G. TREASURER's REPORT**

- Miry Whitehill reported that $5,862,69 was spent in September; most of this was for sponsorship for the ER Music Festival and ERNC SWAG. The balance for the fiscal year is $32,328.14.
- ERNC is waiting for DONE's approval of the $2,200 expenditure for the October 15 movie night at Yosemite Park.
- These September expenses of $5,862.69 were included and approved [earlier in the meeting] during the consent calendar as agenda item I.D.3:

| Date | Item | Category | Vendor | Amount |
|---|---|---|---|---|
| September 2 | ER Music Festival Sponsorship | Outreach | Center for the Arts | $5,000.00 |
| September 6 | Magnets for ER Music Festival | Outreach | Super Copy | 600.00 |
| September 19 | Wi-Fi Hot Spot | Operations | T-Mobile | 20.00 |
| September 19 | Mail Chimp Pro | Operations | Mail Chimp | 50.00 |
| September 26 | Cleanup on Wiota | Outreach | Vons | 77.19 |
| September 26 | Minutes | Operations | Apple One | 115.50 |
| | | | TOTAL | $5,862.69 |

**H. LAND USE AND PLANNING COMMITTEE (LUPC) REPORT**

- David Greene reported that the LUPC did not meet in September.
- The LUPC will meet at 7PM on Tuesday, October 18; among the topics will be the archdiocese on Hill Drive as well as Occidental College's request for a new aquatics center.
- These past four years, the LUPC has discussed and voted on every new project that has developed within Eagle Rock.

## I. OTHER DIRECTORS AND COMMITTEE REPORTS

- James Hocker reported that the ARC, which represents fourteen neighborhood councils, would host a debate on Proposition HHH on Wednesday, October 19. The less controversial Measure M will be discussed on Thursday, November 3 at the Eagle Rock High School (ERHS) Auditorium.
- John Acevedo reports that there have been concerns about traffic in his sub district 3.
- Hanna Bushman reported that the Eagle Rock Public Library hosts a variety of free resources for residents, including citizenship and financial literacy classes, a Latino film festival, Halloween/Dia de los Muertos crafts, writer's workshops, computer classes, teen volunteer orientation, and SAT preparation.
- Natalie Freidberg reported that the Sustainability Committee would host a forum in January. Among the topics for discussion will be solar power, etc. The Neighborhood Council Sustainability Alliance has requested that each neighborhood council write a letter to the City Council and Mayor Garcetti requesting that the LADWP go 100% for renewable energy. Thanks to stakeholder Jane for watering trees and taking care of tree maintenance; they could use more help, such as raking leaves for a few hours a week.
- Cyndi Otteson mentioned that the Best of Eagle Rock Committee met to plan the 2016 awards. They foresee 24-categories targeting the best Eagle Rock businesses. This campaign will launch from ERCH on Small Business Saturday, November 26 (an event co-sponsored by American Express).
- Jesse Saucedo mentioned that he and Chloe Renee Ziegler are the ERNC budget representatives, and urged concerned stakeholders to be involved.

## II. PUBLIC COMMENT ON NON-AGENDA ITEMS

- Principal Mylene Keipp from ERHS reported that sixteen students are semi-finalists, and one is a finalist, for the National Merit Scholarship. This will look very good on their college entrance applications.
- Wednesday, October 5, the Key Club is hosting a fundraising pasta dinner at the 20th Century Women's Club, 5105 Hermosa Avenue.
- Friday and Saturday, October 21 and 22, ERHS students will host a haunted house at the Fraternal Order of Eagles, 1596 Yosemite Drive.
- Friday, October 14, will be the last home football game of the season, against Torres High School; please watch out for traffic along Yosemite Drive.
- Wednesday, October 5 is National Walk to School Day; students will meet at Sprouts, at 2245 Yosemite Drive and walk to school from there.

- Ben Rush has been with the Boy Scouts for eleven years, and is completing his Eagle Scout project. There is a special educational classroom along Yosemite Drive that needs repair. Ben is a member of a club at ERHS that works to create a welcoming environment for the youngsters with special needs. They hope to cleanup the area, create a bench around trees, as well as a handicap-accessible raised bed for plantings. They would also install hanging plants along the fence. This entire project may cost $1,200; he has already received $650, and created a "go fund me" webpage at https://www.gofundme.com/2shgh64?ssid=768751245&pos=2

- Monica Alcarez from Recycled Resources mentioned that their first annual fundraiser gala to support homeless services in Northeast Los Angeles (NELA) will be on Saturday, November 5, 6PM to 9PM at the All Saints Episcopal Church, 5619 Monte Vista Street. Tickets are $100, and include the cocktail reception at 6PM, followed by dinner (catered by Max City BBQ) and the program.

- Senior Recreation Director Jennifer Rockwell and Recreation Coordinator Jesse Huang from the LA Department of Recreation and Parks announced the new website at http://www.laparks.org.

Yosemite Park, at 1840 Yosemite Drive, will host several fall classes, including ballet, hip-hop, tumbling, gymnastics, drawing, water color, as well as a girl's volleyball clinic

- Monday, October 31, they will host a free Halloween Carnival from 4PM until 8PM; there will be costume contests, games, and prizes.
- Jennifer will be away for a few months, but looks forward to returning to Eagle Rock.

- Helen Faraday Young of the LA County Beekeeper's Association is concerned about pollinators. Honey-bees are very important to the food we eat. She hopes to establish hive monitoring or an art project so that people can learn more about how to cope to bees, and what to (and not) spray in their gardens. Helen wondered whom she should connect with; Natalie Freidberg volunteered to work with her.

**III. NEW BUSINESS**

**A. ANNOUNCEMENT: ERNC Free Movie Night at Yosemite Park on October 15th**

- This year's movie will be the recently released Ghostbusters. Bring a blanket, chairs, and your kids. The movie starts at 6.30, just after sunset. There will be food trucks.

**B. ANNOUNCEMENT: Dog Park Meeting on October 5**

- Contrary to what was previously mentioned, this meeting will be at the Eagle Rock Center for the Arts, 2225 Colorado Boulevard. We have received money from the LA Department of Recreation and Parks to have the first new dog park in LA in ten years.

**C. PRESENTATION: Information about the Coordinated Entry System (CES) which streamlines the process of finding housing for those who are chronically homeless**

- Monica Alcarez is the CES coordinator for NELA. LA has merely ten pairs of homeless supporters for the entire county.
- There are approximately 28,000 homeless individuals living in LA; a 24% increase these past four years. There is no single solution; homelessness is caused by a number of factors, including poverty, mental illness, drugs, etc. Chronically homeless, who have been on the street for more than a year, most likely have a mental illness.
- The CES brings together existing programs into one system connecting the homeless to the best resources for their needs. Having one standard survey connects service providers with the homeless to bring them opportunities that meet their housing needs while reducing waiting lists.
- Monica also helps the homeless individuals acquire their identification papers, which they desperately need to move forward. Those people with their new IDs are better connected to the Department of Mental Health for a better chance of housing.
- Most services are in downtown and Hollywood, with a few services in Boyle Heights.
- They have already worked with over 900 people, including a gentleman who appeared earlier at the meeting.
- Councilman Huizar's office gave them $20k for a shelter. Rebecca Prine from Recycled Resources added that the winter shelter location for 2016/17 has not yet been confirmed.
- Martin Schlageter, policy director for Councilman Huizar has lived in Eagle Rock for eighteen-years, and has seen the increase in homelessness in this community. Councilman Huizar fought very hard to get Proposition HHH on the November ballot. 80% of the $1.2B from proposition HHH will go towards housing development for homeless individuals.
- There have been no city-provided services in NELA for a long time; the only resources we have are Recycled Resources and Monica (who works out of Boyle Heights).
- A stakeholder asked if the city-owned Bridewell Armory of Highland Park could be used as a shelter. Martin mentioned that the building is earmarked to become a youth arts center. A stakeholder suggested that perhaps the owner of a building near the armory lobbied for Councilman Huizar to block that building from becoming a shelter. Rebecca added that they considered the armory since 2009; however, there are concerns regarding asbestos and the lack of

water and electricity. Rebecca would like to see recreation centers stay open overnight as shelters.

- There are city-owned sites being investigated to serve as shelters, including eight locations and twelve parcels, yet none are in CD14. The nearest parcel is behind Eagle Rock Lumber, which is used by the Bureau of Street Services for sidewalk repair. There is one in Cypress Park, two in South LA, one in the West Valley, as well as several in West LA.

**D. PRESENTATION: Mayor's Office of Public Engagement report on progress of Mayor Garcetti's 'Back to Basics' agenda and collaborative opportunities moving forward**

- Amanda Mejia is the East LA area representative for Mayor Garcetti, covering CD1, CD13, and CD14. This area encompasses ten neighborhood councils; she attempts to attend their monthly meetings every other month. She hopes that they will use her as a resource.
- Amanda distributed a list of Halloween events at the LA Recreation Centers.
- The mayor's Great Streets Challenge met with a great deal of enthusiasm. These are upgraded business corridors for constituents; one will be in Highland Park, as well as Cesar Chavez Avenue in Boyle Heights.
- An informational meeting for the Grant Application Challenge will be held at the Board of Public Works at City Hall on Saturday, October 15.
- Amanda recommends that neighborhood councils have a homeless liaison; Suzanne Smith is currently ERNC's liaison. Last November, Recycled Resources coordinated a Thanksgiving Potluck as a liaison opportunity between the homeless and stakeholders.
- There is a three-tier approach to dealing with the homeless issues:
  - City Street Engagement, such as the Department of Sanitation and the LAPD creating communication and services (rather than just telling them to move along).
  - Housing Strategy. Mayor Garcetti advocates for additional permanent housing.
  - The Welcome Home Project. This is an opportunity to create baskets containing key essentials such as bedding, cookware, towels, coffee maker, etc. Amanda is coordinating with the LAFD to collect these items.

**E. DISCUSSION/ACTION: Schedule a Special ERNC information meeting regarding homeless services in Eagle Rock and CD14**

- 80% of the emails that the ERNC receives are frustration regarding homeless issues. People are very passionate about this, and the name-calling has started. There is no easy answer, yet the more of a uniform voice that Eagle Rock has, the louder it will become. A meeting will be arranged with the date, time, and location to be distributed throughout the community.

**F. DISCUSSION/ACTION: Eagle Rock Recreation Center architectural preservation proposal**

- Charlie Clark (a ten-year resident of Eagle Rock) and architect Jeremy Levine are attempting to restore the Eagle Rock Recreation Center. They showed a PowerPoint presentation, including photographs of how the building appeared when built in 1953.
- The structure's architect, Richard Nuetra, was one of the founders of the mid-century modernism movement. The building was designed to have large doors open for indoor/outdoor space. These doors are now closed most of the time.
- As this is a historical landmark, Charlie and Jeremy met with city officials to acquire funds to update the building. Kevin Ocubillo, Transportation and Planning Deputy for Councilman Huizar, added that he has worked with them on this project for two years. The only other public building of this type is the Hollyhock House in East Hollywood.
- They hope to
  - Remove the plywood that was placed over the windows (to prevent vandalism)
  - Remove the paint from the bricks
  - Repair the crumbling grout
  - Repair the interior cabinetry

- Repair the bathrooms, including tiles, floors, scratches, etc.
- Sylvia Denlinger mentioned that the 134 fault runs beneath this building and asked what kind of earthquake retrofitting will be included. Jeremy mentioned that when they go to the state, they hope to have additional funds for retrofitting. However, they are not doing structural upgrades to the building, merely beautification.
- Although they do not know what this will cost, they will do fundraising, and they hope to go to the historical societies. When they do, the historical societies may ask, "do you have the support of your local neighborhood council?" They hope to reply affirmatively. Eric Warren, historical building consultant and President of the Eagle Rock Historical Society, offered his services.
- David Greene and Cyndi Otteson mentioned that this should be agendized [for the November ERNC meeting] to request approval of a letter that Charlie and Jeremy can carry around to show that they have ERNC support.

**G. DISCUSSION: Speakers from both sides of the Neighborhood Integrity Initiative (NII), which will appear on the March 2017 ballot**

- Highland Park resident Ms. Jackson, from the Coalition to Preserve LA (CPLA), addressed the ERNC.
- According to the city, in the last ten years, 22,000 affordable apartments (housing 58,000 people) have been demolished
- The charter was reformed in 1969 that forbid spot zoning; this new ballot measure is merely to obey the law and establish a new set of rules.
- According to CPLA, the new luxury building's vacancy rates are 15% to 20%. This is land speculation; it has nothing to do with housing.
- Brian, from the Coalition to Protect LA Neighborhoods and Jobs (CPLANJ) mentioned that the NII is a housing ban that would indefinitely restrict new housing in Los Angeles, increase rents, destroy jobs, and worsen the homeless problem. Mayor Garcetti, Councilman Huizar, and the United Way are among CPLANJ's supporters.
- Contrary to Ms. Jackson's 15% to 20%, his numbers indicate a 3% vacancy.
- The city has a 5% to 10% mandate to ensure affordable housing within new buildings.
- A stakeholder from Silver Lake mentioned that this NII is merely a band-aid approach and freezing construction for two years will have a negative impact on the community and the economy.
- Ms. Jackson replied that the major contributors to the NO vote are major developers, such as the Millennium Project and Eli Broad. This will not freeze the general plan. The NII calls for many new homes be built for every demolished home.
- Shamus Garrity from the Silver Lake Neighborhood Council mentioned that everyone he knows is against the initiative, including homeless advocates and the LGBT community that wanted to build a youth shelter. They were required to get a zoning amendment. However the people in favor of the NII mis-appropriated funds.
- Lisa thanked everyone for coming to this evening's meeting. Matt Hemingway suggested that perhaps ERNC could host a special forum to discuss this topic prior to the March election.

**H. DISCUSSION/ACTION: Vote on the following Neighborhood Purpose Grants**

1. Rockdale Visual and Performing Arts Magnet - $5,000
   - Jennifer Nutting mentioned that this should be tabled, pending additional information.
   - Lisa Kable Blanchard made a motion to table this agenda item; Sylvia Denlinger seconded this motion, and it passed unanimously.

2. Jazz Hands for Autism (JHFA) - $1,700
   - Chief Operating Officer Mikal Britt, has been a behavior therapist working with the autistic for several years. The purpose of this grant is to support JHFA in their goal of creating performance opportunities for musically inclined individuals on the autism spectrum. The performances they create build self-esteem, confidence and social skills of the performers.

They also nurture inclusion in the community and teach the public about autism by removing some of the stereotypes and creating better awareness. Additional information can be found at their website at http://jazzhandsforautism.org/.

- This grant would allow JHFA to purchase a banner (which will have "ERNC" in a prominent location), an electric acoustic guitar, microphones, and cables. Doing so would allow them to share free music in a variety of settings. The music is inspirational and fun; children are invited to participate, families are welcome, and community building is encouraged. In terms of autism and special needs awareness, they teach the general public about acceptance, tolerance, inclusion, and debunk stereotypes.
- In exchange for helping them acquire equipment, JHFA would perform at the Eagle Rock Farmer's Market on the second Friday of every month for the next six months. This would include a holiday themed performance in December. Also, April is autism awareness month, and would be the last performance in the six month run.
- JHFA also requested financial support for staff transportation; however, ERNC does not want to support that.
- Jennifer Nutting made a motion to approve $1,200 (rather than $1,700) for the banner and equipment for JHFA; John Acevedo seconded this motion, and it passed.

| | |
|---|---|
| Support (12) | Acevedo, Denlinger, Chiavetta, Freidberg, Hemingway, Hocker, Kable-Blanchard, Nutting, Otteson, Saucedo, Smith, and Whitehill |
| Oppose (1) | Greene |
| Absent (6) | Bushman, Helseth, Hirsch, Hulen, Niessen, and Ziegler |

3. ERHS - $500
   - Jennifer Nutting made a motion to approve this $500 expenditure to update the first aid kits at ERHS; Matt Hemingway seconded this motion, and it passed unanimously.

4. Eagle Rock Elementary Education Foundation - $1,360.20
   - Jennifer Nutting made a motion to approve this expenditure for the purchase and installation of two balance beams. There was no second and so this motion died.
   - Cyndi Otteson made a motion to table this agenda item pending a further explanation of the $500 installation expenditure; Sylvia Denlinger seconded this motion, and it passed unanimously.

**I. DISCUSSION/ACTION: Vote on an ERNC letter of community support for a proposed Metro Bus Rapid Transit route on Colorado Blvd, which will connect the Gold and Red Lines**

- Lisa Kable Blanchard made a motion to write and send this letter; John Acevedo seconded this motion, and it passed unanimously.

**J. DISCUSSION/ACTION: Vote on Operations expense of up to $500 to buy a portable air conditioner for the upstairs meeting room at Eagle Rock City Hall**

- This agenda item was tabled.

**K. DISCUSSION/ACTION: Schedule next Executive Committee and Board meetings**

| Meeting | Date/Time | | Location | |
|---|---|---|---|---|
| Executive Committee | Tuesday, October 25 | 4PM | The Coffee Table | 1958 Colorado Boulevard |
| Regular Board | Tuesday, November 1 | 7PM | Eagle Rock City Hall | 2035 Colorado Boulevard |

**L. ADJOURN**

- Lisa adjourned the meeting at 10.06PM.

10 ) Any and all Eagle Rock Neighborhood Council (ERNC) documents and records to establish the ERNC's vote before it sent its October 5, 2016 Letter to Michael Richmai at Metro and copied it to Renee Berlin at Metro, Daniel Rodman, Office of Mayor Eric Garcetti and Nate Hayward, Council District 14.

**EAGLE ROCK NEIGHBORHOOD COUNCIL (ERNC)**
**REGULAR BOARD MEETING**
**Tuesday, 4 OCTOBER 2016 • 7PM**
**EAGLE ROCK CITY HALL (ERCH)**
**2035 Colorado Boulevard, Los Angeles 90041**

## I. OPENING BUSINESS

### A. CALL TO ORDER

- Lisa Kable-Blanchard called the meeting to order shortly after 7PM.

### B. ROLL CALL

- A roll call was performed, indicating [eventually] sixteen members of the ERNC, along with over forty-five members of the public. A quorum was declared.

| | |
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- In August and September, the LAFD hit their peak of the most stressful time of the year. This is when they had the most employment vacancies. Chief Lesinski stressed that this is a wonderful career and the new firefighters are doing a great job.
- A stakeholder asked about the brush clearance; there are some areas that have not been cleared for two years. He replied that this remains a priority. However, they have been short staffed.

- A Department of Neighborhood Empowerment (DONE) representative (Tom Soong?) asked if all ERNC board members are receiving their monthly profiles. In addition, he mentioned that the Glassell Park (GP) Neighborhood Council would host a free Planning and Land Use workshop on Saturday, October 8, at the GP Community Center, 3750 Verdugo Road, beginning at 10AM.

- Region 8 Budget Advocate Liz Amsden addressed the ERNC
  - Mayor Garcetti is working on his budget for 2017-18; he is attempting to build a more livable LA for all. The budget advocates are calling for three to five year budgets, rather than going through all this work every year.
  - The budget advocates agree with the mayor to focus on inefficiencies within city government; other areas of concern include infrastructure, pension fund concerns, homeless issues, and unfortunate incidents with the police.
  - Measure HHH benefits certain areas, such as non-profits that provide services to the homeless. However, it does not directly help the homeless. As a budget advocate, she is against HHH as it is not well planned and sufficiently organized to give what is needed.

**F. PUBLIC SAFETY REPORT**

- Sylvia reminded everyone to have four to ten days of emergency supplies in the event of an earthquake. This includes drinking water, food, and shelter for you and your pets.
- As property crime is an issue for Eagle Rock residents, please photograph everything of value within your home. Also, record the serial numbers to your bicycles and things within your house.

**G. TREASURER's REPORT**

- Miry Whitehill reported that $5,862,69 was spent in September; most of this was for sponsorship for the ER Music Festival and ERNC SWAG. The balance for the fiscal year is $32,328.14.
- ERNC is waiting for DONE's approval of the $2,200 expenditure for the October 15 movie night at Yosemite Park.
- These September expenses of $5,862.69 were included and approved [earlier in the meeting] during the consent calendar as agenda item I.D.3:

| Date | Item | Category | Vendor | Amount |
|---|---|---|---|---|
| September 2 | ER Music Festival Sponsorship | Outreach | Center for the Arts | $5,000.00 |
| September 6 | Magnets for ER Music Festival | Outreach | Super Copy | 600.00 |
| September 19 | Wi-Fi Hot Spot | Operations | T-Mobile | 20.00 |
| September 19 | Mail Chimp Pro | Operations | Mail Chimp | 50.00 |
| September 26 | Cleanup on Wiota | Outreach | Vons | 77.19 |
| September 26 | Minutes | Operations | Apple One | 115.50 |
| | | | TOTAL | $5,862.69 |

**H. LAND USE AND PLANNING COMMITTEE (LUPC) REPORT**

- David Greene reported that the LUPC did not meet in September.
- The LUPC will meet at 7PM on Tuesday, October 18; among the topics will be the archdiocese on Hill Drive as well as Occidental College's request for a new aquatics center.
- These past four years, the LUPC has discussed and voted on every new project that has developed within Eagle Rock.

## I. OTHER DIRECTORS AND COMMITTEE REPORTS

- James Hocker reported that the ARC, which represents fourteen neighborhood councils, would host a debate on Proposition HHH on Wednesday, October 19. The less controversial Measure M will be discussed on Thursday, November 3 at the Eagle Rock High School (ERHS) Auditorium.
- John Acevedo reports that there have been concerns about traffic in his sub district 3.
- Hanna Bushman reported that the Eagle Rock Public Library hosts a variety of free resources for residents, including citizenship and financial literacy classes, a Latino film festival, Halloween/Dia de los Muertos crafts, writer's workshops, computer classes, teen volunteer orientation, and SAT preparation.
- Natalie Freidberg reported that the Sustainability Committee would host a forum in January. Among the topics for discussion will be solar power, etc. The Neighborhood Council Sustainability Alliance has requested that each neighborhood council write a letter to the City Council and Mayor Garcetti requesting that the LADWP go 100% for renewable energy. Thanks to stakeholder Jane for watering trees and taking care of tree maintenance; they could use more help, such as raking leaves for a few hours a week.
- Cyndi Otteson mentioned that the Best of Eagle Rock Committee met to plan the 2016 awards. They foresee 24-categories targeting the best Eagle Rock businesses. This campaign will launch from ERCH on Small Business Saturday, November 26 (an event co-sponsored by American Express).
- Jesse Saucedo mentioned that he and Chloe Renee Ziegler are the ERNC budget representatives, and urged concerned stakeholders to be involved.

## II. PUBLIC COMMENT ON NON-AGENDA ITEMS

- Principal Mylene Keipp from ERHS reported that sixteen students are semi-finalists, and one is a finalist, for the National Merit Scholarship. This will look very good on their college entrance applications.
- Wednesday, October 5, the Key Club is hosting a fundraising pasta dinner at the 20th Century Women's Club, 5105 Hermosa Avenue.
- Friday and Saturday, October 21 and 22, ERHS students will host a haunted house at the Fraternal Order of Eagles, 1596 Yosemite Drive.
- Friday, October 14, will be the last home football game of the season, against Torres High School; please watch out for traffic along Yosemite Drive.
- Wednesday, October 5 is National Walk to School Day; students will meet at Sprouts, at 2245 Yosemite Drive and walk to school from there.

- Ben Rush has been with the Boy Scouts for eleven years, and is completing his Eagle Scout project. There is a special educational classroom along Yosemite Drive that needs repair. Ben is a member of a club at ERHS that works to create a welcoming environment for the youngsters with special needs. They hope to cleanup the area, create a bench around trees, as well as a handicap-accessible raised bed for plantings. They would also install hanging plants along the fence. This entire project may cost $1,200; he has already received $650, and created a "go fund me" webpage at https://www.gofundme.com/2shgh64?ssid=768751245&pos=2

- Monica Alcarez from Recycled Resources mentioned that their first annual fundraiser gala to support homeless services in Northeast Los Angeles (NELA) will be on Saturday, November 5, 6PM to 9PM at the All Saints Episcopal Church, 5619 Monte Vista Street. Tickets are $100, and include the cocktail reception at 6PM, followed by dinner (catered by Max City BBQ) and the program.

- Senior Recreation Director Jennifer Rockwell and Recreation Coordinator Jesse Huang from the LA Department of Recreation and Parks announced the new website at http://www.laparks.org.

Yosemite Park, at 1840 Yosemite Drive, will host several fall classes, including ballet, hip-hop, tumbling, gymnastics, drawing, water color, as well as a girl's volleyball clinic

- Monday, October 31, they will host a free Halloween Carnival from 4PM until 8PM; there will be costume contests, games, and prizes.
- Jennifer will be away for a few months, but looks forward to returning to Eagle Rock.

- Helen Faraday Young of the LA County Beekeeper's Association is concerned about pollinators. Honey-bees are very important to the food we eat. She hopes to establish hive monitoring or an art project so that people can learn more about how to cope to bees, and what to (and not) spray in their gardens. Helen wondered whom she should connect with; Natalie Freidberg volunteered to work with her.

**III. NEW BUSINESS**

**A. ANNOUNCEMENT: ERNC Free Movie Night at Yosemite Park on October 15th**

- This year's movie will be the recently released Ghostbusters. Bring a blanket, chairs, and your kids. The movie starts at 6.30, just after sunset. There will be food trucks.

**B. ANNOUNCEMENT: Dog Park Meeting on October 5**

- Contrary to what was previously mentioned, this meeting will be at the Eagle Rock Center for the Arts, 2225 Colorado Boulevard. We have received money from the LA Department of Recreation and Parks to have the first new dog park in LA in ten years.

**C. PRESENTATION: Information about the Coordinated Entry System (CES) which streamlines the process of finding housing for those who are chronically homeless**

- Monica Alcarez is the CES coordinator for NELA. LA has merely ten pairs of homeless supporters for the entire county.
- There are approximately 28,000 homeless individuals living in LA; a 24% increase these past four years. There is no single solution; homelessness is caused by a number of factors, including poverty, mental illness, drugs, etc. Chronically homeless, who have been on the street for more than a year, most likely have a mental illness.
- The CES brings together existing programs into one system connecting the homeless to the best resources for their needs. Having one standard survey connects service providers with the homeless to bring them opportunities that meet their housing needs while reducing waiting lists.
- Monica also helps the homeless individuals acquire their identification papers, which they desperately need to move forward. Those people with their new IDs are better connected to the Department of Mental Health for a better chance of housing.
- Most services are in downtown and Hollywood, with a few services in Boyle Heights.
- They have already worked with over 900 people, including a gentleman who appeared earlier at the meeting.
- Councilman Huizar's office gave them $20k for a shelter. Rebecca Prine from Recycled Resources added that the winter shelter location for 2016/17 has not yet been confirmed.
- Martin Schlageter, policy director for Councilman Huizar has lived in Eagle Rock for eighteen-years, and has seen the increase in homelessness in this community. Councilman Huizar fought very hard to get Proposition HHH on the November ballot. 80% of the $1.2B from proposition HHH will go towards housing development for homeless individuals.
- There have been no city-provided services in NELA for a long time; the only resources we have are Recycled Resources and Monica (who works out of Boyle Heights).
- A stakeholder asked if the city-owned Bridewell Armory of Highland Park could be used as a shelter. Martin mentioned that the building is earmarked to become a youth arts center. A stakeholder suggested that perhaps the owner of a building near the armory lobbied for Councilman Huizar to block that building from becoming a shelter. Rebecca added that they considered the armory since 2009; however, there are concerns regarding asbestos and the lack of

water and electricity. Rebecca would like to see recreation centers stay open overnight as shelters.

- There are city-owned sites being investigated to serve as shelters, including eight locations and twelve parcels, yet none are in CD14. The nearest parcel is behind Eagle Rock Lumber, which is used by the Bureau of Street Services for sidewalk repair. There is one in Cypress Park, two in South LA, one in the West Valley, as well as several in West LA.

**D. PRESENTATION: Mayor's Office of Public Engagement report on progress of Mayor Garcetti's 'Back to Basics' agenda and collaborative opportunities moving forward**

- Amanda Mejia is the East LA area representative for Mayor Garcetti, covering CD1, CD13, and CD14. This area encompasses ten neighborhood councils; she attempts to attend their monthly meetings every other month. She hopes that they will use her as a resource.
- Amanda distributed a list of Halloween events at the LA Recreation Centers.
- The mayor's Great Streets Challenge met with a great deal of enthusiasm. These are upgraded business corridors for constituents; one will be in Highland Park, as well as Cesar Chavez Avenue in Boyle Heights.
- An informational meeting for the Grant Application Challenge will be held at the Board of Public Works at City Hall on Saturday, October 15.
- Amanda recommends that neighborhood councils have a homeless liaison; Suzanne Smith is currently ERNC's liaison. Last November, Recycled Resources coordinated a Thanksgiving Potluck as a liaison opportunity between the homeless and stakeholders.
- There is a three-tier approach to dealing with the homeless issues:
  - City Street Engagement, such as the Department of Sanitation and the LAPD creating communication and services (rather than just telling them to move along).
  - Housing Strategy. Mayor Garcetti advocates for additional permanent housing.
  - The Welcome Home Project. This is an opportunity to create baskets containing key essentials such as bedding, cookware, towels, coffee maker, etc. Amanda is coordinating with the LAFD to collect these items.

**E. DISCUSSION/ACTION: Schedule a Special ERNC information meeting regarding homeless services in Eagle Rock and CD14**

- 80% of the emails that the ERNC receives are frustration regarding homeless issues. People are very passionate about this, and the name-calling has started. There is no easy answer, yet the more of a uniform voice that Eagle Rock has, the louder it will become. A meeting will be arranged with the date, time, and location to be distributed throughout the community.

**F. DISCUSSION/ACTION: Eagle Rock Recreation Center architectural preservation proposal**

- Charlie Clark (a ten-year resident of Eagle Rock) and architect Jeremy Levine are attempting to restore the Eagle Rock Recreation Center. They showed a PowerPoint presentation, including photographs of how the building appeared when built in 1953.
- The structure's architect, Richard Nuetra, was one of the founders of the mid-century modernism movement. The building was designed to have large doors open for indoor/outdoor space. These doors are now closed most of the time.
- As this is a historical landmark, Charlie and Jeremy met with city officials to acquire funds to update the building. Kevin Ocubillo, Transportation and Planning Deputy for Councilman Huizar, added that he has worked with them on this project for two years. The only other public building of this type is the Hollyhock House in East Hollywood.
- They hope to
  - Remove the plywood that was placed over the windows (to prevent vandalism)
  - Remove the paint from the bricks
  - Repair the crumbling grout
  - Repair the interior cabinetry

- Repair the bathrooms, including tiles, floors, scratches, etc.
- Sylvia Denlinger mentioned that the 134 fault runs beneath this building and asked what kind of earthquake retrofitting will be included. Jeremy mentioned that when they go to the state, they hope to have additional funds for retrofitting. However, they are not doing structural upgrades to the building, merely beautification.
- Although they do not know what this will cost, they will do fundraising, and they hope to go to the historical societies. When they do, the historical societies may ask, "do you have the support of your local neighborhood council?" They hope to reply affirmatively. Eric Warren, historical building consultant and President of the Eagle Rock Historical Society, offered his services.
- David Greene and Cyndi Otteson mentioned that this should be agendized [for the November ERNC meeting] to request approval of a letter that Charlie and Jeremy can carry around to show that they have ERNC support.

**G. DISCUSSION: Speakers from both sides of the Neighborhood Integrity Initiative (NII), which will appear on the March 2017 ballot**

- Highland Park resident Ms. Jackson, from the Coalition to Preserve LA (CPLA), addressed the ERNC.
- According to the city, in the last ten years, 22,000 affordable apartments (housing 58,000 people) have been demolished
- The charter was reformed in 1969 that forbid spot zoning; this new ballot measure is merely to obey the law and establish a new set of rules.
- According to CPLA, the new luxury building's vacancy rates are 15% to 20%. This is land speculation; it has nothing to do with housing.
- Brian, from the Coalition to Protect LA Neighborhoods and Jobs (CPLANJ) mentioned that the NII is a housing ban that would indefinitely restrict new housing in Los Angeles, increase rents, destroy jobs, and worsen the homeless problem. Mayor Garcetti, Councilman Huizar, and the United Way are among CPLANJ's supporters.
- Contrary to Ms. Jackson's 15% to 20%, his numbers indicate a 3% vacancy.
- The city has a 5% to 10% mandate to ensure affordable housing within new buildings.
- A stakeholder from Silver Lake mentioned that this NII is merely a band-aid approach and freezing construction for two years will have a negative impact on the community and the economy.
- Ms. Jackson replied that the major contributors to the NO vote are major developers, such as the Millennium Project and Eli Broad. This will not freeze the general plan. The NII calls for many new homes be built for every demolished home.
- Shamus Garrity from the Silver Lake Neighborhood Council mentioned that everyone he knows is against the initiative, including homeless advocates and the LGBT community that wanted to build a youth shelter. They were required to get a zoning amendment. However the people in favor of the NII mis-appropriated funds.
- Lisa thanked everyone for coming to this evening's meeting. Matt Hemingway suggested that perhaps ERNC could host a special forum to discuss this topic prior to the March election.

**H. DISCUSSION/ACTION: Vote on the following Neighborhood Purpose Grants**

1. Rockdale Visual and Performing Arts Magnet - $5,000
   - Jennifer Nutting mentioned that this should be tabled, pending additional information.
   - Lisa Kable Blanchard made a motion to table this agenda item; Sylvia Denlinger seconded this motion, and it passed unanimously.

2. Jazz Hands for Autism (JHFA) - $1,700
   - Chief Operating Officer Mikal Britt, has been a behavior therapist working with the autistic for several years. The purpose of this grant is to support JHFA in their goal of creating performance opportunities for musically inclined individuals on the autism spectrum. The performances they create build self-esteem, confidence and social skills of the performers.

They also nurture inclusion in the community and teach the public about autism by removing some of the stereotypes and creating better awareness. Additional information can be found at their website at http://jazzhandsforautism.org/.

- This grant would allow JHFA to purchase a banner (which will have "ERNC" in a prominent location), an electric acoustic guitar, microphones, and cables. Doing so would allow them to share free music in a variety of settings. The music is inspirational and fun; children are invited to participate, families are welcome, and community building is encouraged. In terms of autism and special needs awareness, they teach the general public about acceptance, tolerance, inclusion, and debunk stereotypes.
- In exchange for helping them acquire equipment, JHFA would perform at the Eagle Rock Farmer's Market on the second Friday of every month for the next six months. This would include a holiday themed performance in December. Also, April is autism awareness month, and would be the last performance in the six month run.
- JHFA also requested financial support for staff transportation; however, ERNC does not want to support that.
- Jennifer Nutting made a motion to approve $1,200 (rather than $1,700) for the banner and equipment for JHFA; John Acevedo seconded this motion, and it passed.

| | |
|---|---|
| Support (12) | Acevedo, Denlinger, Chiavetta, Freidberg, Hemingway, Hocker, Kable-Blanchard, Nutting, Otteson, Saucedo, Smith, and Whitehill |
| Oppose (1) | Greene |
| Absent (6) | Bushman, Helseth, Hirsch, Hulen, Niessen, and Ziegler |

3. ERHS - $500
   - Jennifer Nutting made a motion to approve this $500 expenditure to update the first aid kits at ERHS; Matt Hemingway seconded this motion, and it passed unanimously.

4. Eagle Rock Elementary Education Foundation - $1,360.20
   - Jennifer Nutting made a motion to approve this expenditure for the purchase and installation of two balance beams. There was no second and so this motion died.
   - Cyndi Otteson made a motion to table this agenda item pending a further explanation of the $500 installation expenditure; Sylvia Denlinger seconded this motion, and it passed unanimously.

**I. DISCUSSION/ACTION: Vote on an ERNC letter of community support for a proposed Metro Bus Rapid Transit route on Colorado Blvd, which will connect the Gold and Red Lines**

- Lisa Kable Blanchard made a motion to write and send this letter; John Acevedo seconded this motion, and it passed unanimously.

**J. DISCUSSION/ACTION: Vote on Operations expense of up to $500 to buy a portable air conditioner for the upstairs meeting room at Eagle Rock City Hall**

- This agenda item was tabled.

**K. DISCUSSION/ACTION: Schedule next Executive Committee and Board meetings**

| Meeting | Date/Time | | Location | |
|---|---|---|---|---|
| Executive Committee | Tuesday, October 25 | 4PM | The Coffee Table | 1958 Colorado Boulevard |
| Regular Board | Tuesday, November 1 | 7PM | Eagle Rock City Hall | 2035 Colorado Boulevard |

**L. ADJOURN**

- Lisa adjourned the meeting at 10.06PM.

11) Any and all correspondence, including any and all emails between Eagle Rock Neighborhood Council (ERNC) members regarding Item G on the August 6, 2019 ERNC Agenda. ."

**PRA REQUEST <pra@eaglerockcouncil.org>**

# Fwd: 134 BRT additional study request - Invitation to edit

3 messages

[redacted] Thu, Sep 5, 2019 at 8:41 AM
To: PRA REQUEST <pra@eaglerockcouncil.org>

---------- Forwarded message ---------
From: [redacted]
Date: Sat, Aug 3, 2019 at 7:56 PM
Subject: Re: 134 BRT additional study request - Invitation to edit
To: Michael Sweeney <michael.sweeney@eaglerockcouncil.org>

This looks very good, thanks so much for putting it together. See you tomorrow.

On Mon, Jul 29, 2019 at 10:50 PM Michael Sweeney (via Google Docs) <drive-shares-noreply@google.com> wrote:

michael.sweeney@eaglerockcouncil.org has invited you to **edit** the following document:

134 BRT additional study request

here's my draft of the 134 letter. LMK your thoughts. When we get a more fleshed out draft I'll move it into the real Drafts folder

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You have received this email because someone shared a document with you from Google Docs.

[redacted] Fri, Sep 6, 2019 at 1:23 PM
To: PRA REQUEST <PRA@ernc.la>

responsive to Tso request (#12)
[Quoted text hidden]

[redacted] Fri, Sep 6, 2019 at 1:24 PM
To: PRA REQUEST <PRA@ernc.la>

responsive to Tso request (#12)

---------- Forwarded message ---------
From: [redacted]
Date: Tue, Jul 30, 2019 at 11:00 AM
Subject: Re: 134 BRT additional study request - Invitation to edit
To: Michael Sweeney <michael.sweeney@eaglerockcouncil.org>
Cc: Becky Newman <becky.newman@eaglerockcouncil.org>

Regarding this particular request, I think looks solid. The three specific metrics you laid out for this alternative seem spot on.

[Quoted text hidden]

**PRA REQUEST <pra@eaglerockcouncil.org>**

# Fwd: 134 BRT additional study request-DRAFT - Invitation to edit

6 messages

[redacted] Mon, Aug 5, 2019 at 4:21 PM
To: PRA REQUEST <pra@ernc.la>

---------- Forwarded message ---------
From: [redacted]
Date: Mon, Aug 5, 2019 at 11:35 AM
Subject: RE: 134 BRT additional study request-DRAFT - Invitation to edit
To: [redacted]
Cc: ERNC Board <board@ernc.la>

Here's a link to a Metro article dated July 2019 describing the addition of 100% electric buses to Metro's fleet and the first BRT line to utilize electric buses, the Orange Line.

https://www.metro.net/news/simple_pr/metro-takes-delivery-first-60-foot-zero-emission-e/

**From:** [redacted]
**Sent:** Sunday, August 4, 2019 11:17 PM
**To:** [redacted]
**Cc:** ERNC Board <board@ernc.la>
**Subject:** Re: 134 BRT additional study request-DRAFT - Invitation to edit

Jane

My recollection from Metro's public presentations is that this project is supposed to be one of the first lines (if not the 1st) with 100% electric buses. Assuming that's the case, that baseline improvement should be taken into account by the supplemental GHG analysis.

MPS

[redacted]

Eagle Rock Neighborhood Council

Land Use Committee Co-Chair

On Sun, Aug 4, 2019 at 10:20 PM <jane.demian@eaglerockcouncil.org> wrote:

Hi [redacted] Thanks for forwarding this excellent draft letter for our review.

One of the intentions of BRT is to reduce GHG by encouraging less car travel and more public transportation, so as Sustainability Director, and as Sustainability Committee members have expressed at our July 18th meeting, we would like to urge Metro to give priority to BRT buses that are 100% electric. Metro has already begun using 100% electric buses on some of the BRT lines, and it would make sense to include electric buses on the NoHo - Pasadena line.

Please let me know if that is something we can include in the letter.

Thanks so much,

[redacted]

ERNC Sustainability Director

Housing and Homelessness Committee

---

**From:** [redacted]
**Sent:** Sunday, August 4, 2019 7:48 PM
**To:** board@eaglerockcouncil.org
**Cc:** haley.solar@eaglerockcouncil.org
**Subject:** 134 BRT additional study request-DRAFT - Invitation to edit

[redacted] has invited you to **edit** the following document:

134 BRT additional study request-DRAFT

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--
[redacted]
Sub-District 4 Director
Eagle Rock Neighborhood Council
Richard.Loew@ernc.la

[redacted] Tue, Aug 6, 2019 at 11:32 AM
To: PRA REQUEST <pra@eaglerockcouncil.org>

---------- Forwarded message ---------
From: [redacted]
Date: Mon, Aug 5, 2019 at 4:41 PM
Subject: Re: 134 BRT additional study request-DRAFT - Invitation to edit
To: [redacted]

Dear board members,

Since I recused myself from the BRT topic, I won't vote or be present during public ERNC discussions regarding the project. As a reminder, if anyone on the ERNC board owns property within 500 feet of the proposed route, they are required to contact Elise Ruden at elise.ruden@lacity.org. I will continue to submit comments here on the issue as a private citizen.

With all due respect, I regard the proposed letter as nothing more than an effort to play into Metro's narrative of the the street-running option being the only sensible choice, while creating the misleading impression that the ERNC intends to solicit serious further study of the freeway option. It completely disregards the fact that Metro controlled that narrative from the start by presenting Eagle Rock only with an all-or-nothing scenario, which willfully omitted a perfectly feasible freeway-running option with at least one stop at Figueroa in addition to the proposed Harvey stop.

More importantly, the author(s) chose to cherry-pick only 3 of the 21 (!) areas that CEQUA studies address to be studied. That could be regarded as an attempt to sway public opinion, because all 3 of which would receive skewed results due to the fact that Metro's only freeway option doesn't include enough stops to create local ridership.

The ERNC is obliged to represent the entire neighborhood. If the board truly strives to include the significant segment of our residents and business owners that are questioning the wiseness of the Colorado option, they will have to demand a freeway option (with a stop at Figueroa) to be added to the EIR, so that all 21 areas would be studied. Since Glendale and Pasadena will have their have route alternatives studied, there is simply no good reason why a freeway option for Eagle Rock should be denied that treatment. It would be the only way to ensure a fair comparison between the two routes. Anything less would solidify and perpetuate the sentiment felt by many in our community that Metro manipulated our

neighborhood into giving up two heavily used car lanes, green medians, irreplaceable trees, much needed parking, etc. for their designated BRT lanes - with repeated assistance from the ERNC.

[redacted]
ERNC Boulevards Director

On Aug 4, 2019, at 11:16 PM, [redacted] wrote:

Jane

My recollection from Metro's public presentations is that this project is supposed to be one of the first lines (if not the 1st) with 100% electric buses. Assuming that's the case, that baseline improvement should be taken into account by the supplemental GHG analysis.

MPS

[redacted] AIA
Eagle Rock Neighborhood Council
Land Use Committee Co-Chair

On Sun, Aug 4, 2019 at 10:20 PM <jane.demian@eaglerockcouncil.org> wrote:

Hi Michael. Thanks for forwarding this excellent draft letter for our review.

One of the intentions of BRT is to reduce GHG by encouraging less car travel and more public transportation, so as Sustainability Director, and as Sustainability Committee members have expressed at our July 18th meeting, we would like to urge Metro to give priority to BRT buses that are 100% electric. Metro has already begun using 100% electric buses on some of the BRT lines, and it would make sense to include electric buses on the NoHo - Pasadena line.

Please let me know if that is something we can include in the letter.

Thanks so much,

[redacted]

ERNC Sustainability Director

Housing and Homelessness Committee

---

**From:** [redacted]>
**Sent:** Sunday, August 4, 2019 7:48 PM
**To:** board@eaglerockcouncil.org
**Cc:** haley.solar@eaglerockcouncil.org
**Subject:** 134 BRT additional study request-DRAFT - Invitation to edit

michael.sweeney@eaglerockcouncil.org has invited you to **edit** the following document:

<~WRD000.jpg>

134 BRT additional study request-DRAFT

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<~WRD000.jpg>

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[redacted]
Eagle Rock Neighborhood Council
Public Safety Director
sylvia.denlinger@ernc.la

---

[redacted] Sat, Aug 10, 2019 at 8:28 PM
To: PRA REQUEST <pra@ernc.la>

[Quoted text hidden]

---

[redacted] Thu, Aug 15, 2019 at 6:55 PM
To: PRA@ernc.la

Begin forwarded message:
[Quoted text hidden]

---

[redacted] Tue, Aug 20, 2019 at 10:23 PM
To: Pra Request <pra@eaglerockcouncil.org>

Sent from my iPhone
[Quoted text hidden]

---

[redacted] Thu, Sep 5, 2019 at 8:43 AM
To: PRA REQUEST <pra@eaglerockcouncil.org>

---------- Forwarded message ---------

[redacted]

Date: Sun, Aug 4, 2019 at 7:47 PM
Subject: 134 BRT additional study request-DRAFT - Invitation to edit
To: <board@eaglerockcouncil.org>
Cc: <haley.solar@eaglerockcouncil.org>

michael.sweeney@eaglerockcouncil.org has invited you to **edit** the following document:

134 BRT additional study request-DRAFT

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**PRA REQUEST <pra@eaglerockcouncil.org>**

# Fwd: Non-positional letters done?

1 message

[redacted]> Thu, Sep 5, 2019 at 9:41 AM
To: pra@eaglerockcouncil.org

Sent from my iPhone

Begin forwarded message:

[redacted]
**Date:** August 3, 2019 at 8:48:10 AM PDT
[redacted]
**Subject: Re: Non-positional letters done?**

134 is complete. Colorado needs another pass today. Will have by this evening

MPS

Sent from my iPhone

On Aug 3, 2019, at 8:35 AM, Andrew Jacobs <andrew.jacobs@eaglerockcouncil.org> wrote:

Hey guys -

i'm trying to get out the ERNC newsletter, but the two non-position letters are not currently linked. Are these done?

A

12) Any and all documents, including any and all emails between Eagle Rock Neighborhood Council (ERNC) members that establish who drafted ERNC's August 6, 2019 Item G's text stating: The "ERNC Public Scoping Comment letter regarding priorities and overall vision for Colorado Blvd. (Letter does not take a position on the proposed route). Click here for a draft letter."

PRA REQUEST <pra@eaglerockcouncil.org>

# Fwd: 134 BRT additional study request - Invitation to edit

3 messages

[redacted] Thu, Sep 5, 2019 at 8:41 AM
To: PRA REQUEST <pra@eaglerockcouncil.org>

[redacted]

This looks very good, thanks so much for putting it together. See you tomorrow.

On Mon, Jul 29, 2019 at 10:50 PM [redacted] wrote:

> [redacted] has invited you to **edit** the following document:
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> 134 BRT additional study request
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[redacted] Fri, Sep 6, 2019 at 1:23 PM
To: PRA REQUEST <PRA@ernc.la>

responsive to Tso request (#12)
[Quoted text hidden]

[redacted] Fri, Sep 6, 2019 at 1:24 PM
To: PRA REQUEST <PRA@ernc.la>

responsive to Tso request (#12)

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Date: Tue, Jul 30, 2019 at 11:00 AM
Subject: Re: 134 BRT additional study request - Invitation to edit
[redacted]

Regarding this particular request, I think looks solid. The three specific metrics you laid out for this alternative seem spot on.

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**PRA REQUEST <pra@eaglerockcouncil.org>**

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6 messages

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To: PRA REQUEST <pra@ernc.la>

---------- Forwarded message ---------
[redacted]
Date: Mon, Aug 5, 2019 at 11:35 AM
Subject: RE: 134 BRT additional study request-DRAFT - Invitation to edit
To: [redacted]
Cc: ERNC Board <board@ernc.la>

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**From:** [redacted]
**Sent:** Sunday, August 4, 2019 11:17 PM
**To:** [redacted]
**Cc:** ERNC Board <board@ernc.la>
**Subject:** Re: 134 BRT additional study request-DRAFT - Invitation to edit

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MPS

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Eagle Rock Neighborhood Council

Land Use Committee Co-Chair

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Thanks so much,

[redacted]

ERNC Sustainability Director

Housing and Homelessness Committee

---

**From:** [redacted]
**Sent:** Sunday, August 4, 2019 7:48 PM
[redacted]
**Subject:** 134 BRT additional study request-DRAFT - Invitation to edit

[redacted] has invited you to **edit** the following document:

134 BRT additional study request-DRAFT

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[redacted]
Sub-District 4 Director
Eagle Rock Neighborhood Council
Richard.Loew@ernc.la

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To: PRA REQUEST <pra@eaglerockcouncil.org>

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[redacted]

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ERNC Sustainability Director

Housing and Homelessness Committee

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**Sent:** Sunday, August 4, 2019 7:48 PM
[redacted]
**Subject:** 134 BRT additional study request-DRAFT - Invitation to edit

[redacted] has invited you to **edit** the following document:

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134 BRT additional study request-DRAFT

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--
[redacted]
Eagle Rock Neighborhood Council
Public Safety Director
sylvia.denlinger@ernc.la

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[redacted]g> Sat, Aug 10, 2019 at 8:28 PM
To: PRA REQUEST <pra@ernc.la>

[Quoted text hidden]

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[redacted] Thu, Aug 15, 2019 at 6:55 PM
To: PRA@ernc.la

Begin forwarded message:
[Quoted text hidden]

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[redacted] Tue, Aug 20, 2019 at 10:23 PM
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---------- Forwarded message ---------
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Subject: 134 BRT additional study request-DRAFT - Invitation to edit
To: <board@eaglerockcouncil.org>
[redacted]

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**PRA REQUEST <pra@eaglerockcouncil.org>**

# Fwd: Non-positional letters done?

1 message

[redacted] Thu, Sep 5, 2019 at 9:41 AM
To: pra@eaglerockcouncil.org

Sent from my iPhone

Begin forwarded message:

[redacted]org>
**Date:** August 3, 2019 at 8:48:10 AM PDT
[redacted]
**Subject: Re: Non-positional letters done?**

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Hey guys -

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13) Any and all documents, including any and all emails between Eagle Rock Neighborhood Council members regarding the drafting of the "ERNC Public Scoping Comment letter regarding priorities and overall vision for Colorado Blvd. (Letter does not take a position on the proposed route)" as described in the ERNC's August 6, 2019 Item G.

**PRA REQUEST <pra@eaglerockcouncil.org>**

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3 messages

[redacted] Thu, Sep 5, 2019 at 8:41 AM
To: PRA REQUEST <pra@eaglerockcouncil.org>

---------- Forwarded message ---------
From: [redacted]
Date: Sat, Aug 3, 2019 at 7:56 PM
Subject: Re: 134 BRT additional study request - Invitation to edit
To: [redacted]

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[redacted] has invited you to **edit** the following document:

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[redacted]
Date: Mon, Aug 5, 2019 at 11:35 AM
Subject: RE: 134 BRT additional study request-DRAFT - Invitation to edit
To: Michae[redacted]
Cc: ERNC Board <board@ernc.la>

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Eagle Rock Neighborhood Council

Land Use Committee Co-Chair

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Housing and Homelessness Committee

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Eagle Rock Neighborhood Council
Richard.Loew@ernc.la

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ERNC Sustainability Director

Housing and Homelessness Committee

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**Sent:** Sunday, August 4, 2019 7:48 PM
[redacted]
**Subject:** 134 BRT additional study request-DRAFT - Invitation to edit

[redacted]

<~WRD000.jpg>

134 BRT additional study request-DRAFT

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Eagle Rock Neighborhood Council
Public Safety Director
sylvia.denlinger@ernc.la

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**PRA REQUEST <pra@eaglerockcouncil.org>**

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Land Use Committee Co-Chair

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Housing and Homelessness Committee

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---

[redacted] Sat, Aug 10, 2019 at 8:28 PM
To: PRA REQUEST <pra@ernc.la>

[Quoted text hidden]

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[redacted] Thu, Aug 15, 2019 at 6:55 PM
To: PRA@ernc.la

Begin forwarded message:
[Quoted text hidden]

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[redacted] Tue, Aug 20, 2019 at 10:23 PM
To: Pra Request <pra@eaglerockcouncil.org>

Sent from my iPhone
[Quoted text hidden]

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[redacted] Thu, Sep 5, 2019 at 8:43 AM
To: PRA REQUEST <pra@eaglerockcouncil.org>

---------- Forwarded message ---------
From: [redacted]
Date: Sun, Aug 4, 2019 at 7:47 PM
Subject: 134 BRT additional study request-DRAFT - Invitation to edit
[redacted]

[redacted] has invited you to **edit** the following document:

134 BRT additional study request-DRAFT

Open in Docs

Google Docs: Create and edit documents online.

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because someone shared a document with you from Google Docs.

**PRA REQUEST <pra@eaglerockcouncil.org>**

# Fwd: Non-positional letters done?

1 message

[redacted] Thu, Sep 5, 2019 at 9:41 AM
To: pra@eaglerockcouncil.org

Sent from my iPhone

Begin forwarded message:

**From:** [redacted]
**Date:** August 3, 2019 at 8:48:10 AM PDT
[redacted]
**Subject: Re: Non-positional letters done?**

134 is complete. Colorado needs another pass today. Will have by this evening

MPS

Sent from my iPhone

On Aug 3, 2019, at 8:35 AM, [redacted] wrote:

Hey guys -

i'm trying to get out the ERNC newsletter, but the two non-position letters are not currently linked. Are these done?

A

**EAGLE ROCK NEIGHBORHOOD COUNCIL (ERNC)**
**BOARD MEETING**
**Tuesday, 6 August 2019 • 7PM**
**EAGLE ROCK CITY HALL (ERCH)**
**2035 Colorado Boulevard, Los Angeles 90041**

## I. OPENING BUSINESS

### A. Call to Order

- President Jesse Saucedo called to order at 7:06PM and reviewed the procedures to be followed.
- SHOW of hands first time here. Reviewing of agenda

### B. Roll Call

- A roll call was performed, indicating __QTY__ members of the ERNC, along with over __QTY__ members of the public, were in attendance. A quorum was declared.

| | |
|---|---|
| Here (19) | John Acevedo, Jane Demian, Sylvia Denlinger, Peter Finestone, Lindsay Kiesling, Margaret Irwin, Andrew Jacobs, , Richard Loew, Becky Newman, James Panozzo, Doreen Sanchez, Victor Sanchez, Jesse Saucedo, Haley Solar, Michael Sweeney, Lani Tunzi, and Marcel Whitfeld, and Jane Demian, James Panozzo, Peter Findstone |
| Absent (__3_) | Lisa Kable-Blanchard, Chloe Renee Ziegler |

### C. President's Report

- Jesse …

### D. Consent Calendar

- The following items will be voted on without discussion. Any Board member may request that item(s) be removed and voted on separately = Becky Newman moves to approve consent calendar
  1. Approve corrected July 2019 ERNC meeting minutes
  2. Approve Monthly Expense Report for July 2019
  3. Approve Jane Demian as Homelessness Liaison

- Becky Newman made a motion to approve the Consent Calendar; Jesse Saucedo seconded this motion, and it passed.

### E. Announcements

Jose Hernandez, Council district 14 - Yearly event happening yearly with Highland Park Chamber of Commerce; BET comments extended
Show Canyon Road wrok with City Attorneys's office to operate logistics, too close to Eagle Rock as For access to canyon Trying to get city attorney's office involved to make it more environmentally Friendly; take backt he blvd construction beginning in September/Oct along Colorado Blvd for pedestrian improvements; 12 mil funding with Tara; working closely with street services and metro, working on things that overlap;

LAFD – study from metro regarding services David Spence, Battalion officer on York & Eagle Rock blvd, Brush clearance, leaving flyers; in the midst of heatwave, rain built up brush that is dry; fire season is year-long process; hydrants, hydrate pets and yourselves; take care re wildlife, snakes, etc; brush clearance received notices, to protect you and your neighbors LAFD.ORG for more info on brush clearance.

Department of Neighborhood Empowerment – send impact statement; mtg in valley, san pedro, censor and removal process; ad hoc committee for bylaws may 2020 for amendments to submit;

LAUSD – Dan Marfisi, Eagle rock HS, 24 hour fundraiser a week from weds to raise money for new auditiorium seats 200K; to promote it placing chairs decorated with ribbon & flyers along medians for Colorado and eagle rock blvd, to draw attention and interest; to get the word out; online and at the school; flyers are forthcoming.

LA Sanitation & environment – lead agency for protecting public health & environment; clean water & recycling; watershed protection; www.lacitysand.org, 24 hour customer care 800.773.2489; handout ensuring LA's water future; 100% recycled water by 2025; planting trees for greater greener LA; cards available.

- Mark Estrada from CD14 mentioned the following:

- Edna Degollado from Mayor Garcetti's office spoke of the following:

- LAPD's Senior Lead Officer (SLO) Ochoa addressed the ERNC:

- The LAFD's Captain Carter reported the following:

**F. Treasurer's Report**

- Treasurer Sylvia reported … we have $7477 rolled over from last year. $493 operational & outreach Can't access money until new budget 42000 budget, $750 nieghborhood budget grants; remainder $40, 756.60.

## II. PUBLIC COMMENT ON NON-AGENDA ITEMS

1) Mary Charthart / Loushana Roybal -Green Earth Collective (GEC)
    a. Parking and smoking pot in front of houses; solution based; est 2006; created an incentive program to uber or walk to work; uber or lyft; no parking in red; they cannot smioke or will get their membership revoked; spoke with Mike Sweeny was helpful
2) Brian Fitzburgh / homes for all
    a. 3rd annual bar and meo; turn it into dog park during the day; human barking contest; doggie costume parade; watermelon contest compete against your own dog; free to the community; neighborhood purpose grant;

## III. NEW BUSINESS

**A. PRESENTATION** Update regarding Scholl Canyon Biogas Project landfill

- Eileen Hatrick reported that ….

Advocated for not expanding the landfill; what happened because of Glendale and they decided to have an EIR; report will come out in a few weeks; notion of expansion hasn't gone away; biogas energy plant and flaring the methane from the landfill; lots of things Glendale city council will have to decide. Grayson power plant – wants to build a new plant; will be obsolete by 2025 and not environmental friendly; decied a few weeks ago not to build new plnt but a new 93 megawatt plant, new focus will be to get renewables; coalitions were instrumental in looking at what was happening and do right by the community;

Scholl canyon – doing EIR regarding plant; has to figure out what to do with methane; ignite interest in wanting to know when EIR is coming out, getting info and keeping tabs on it; this does make a difference; Glendale city council organizes it; contact Eileen for more info on coalitions; no liner beause it wasn't required when landfill was established; Verdugo fault is nearby on 134; 15 schools within 2 miles, etc; Glendale residents have pushed the EIR; ehatrick@gmail.com.

**B. PRESENTATION:** Board of Public Works Commission

- President Kevin James reported …

Owverseas dept of public works; 5 beauras sanitation, street services, engineering, official owners; bureau of contracts; street lighting
7 divisions: beautification (OCV), provide community cleanups; accounting financial management; mayors office of film & tv production, contract admin for film LA, 18,000 permits per year in LA; Office of petroleum and natural gas safety, brought back from the 1980s;
Climate & mobilization office, July 1; going through hiring now

Office of forestry, new chief of urban forestry – overseas trees on streets and rec parks and DWP, who manages trees.
Street services – special events dept, Los Angeles marathon,
k.james@lacity.org put eagle rock neighborhood council in subject line in for priority.
Call 311 for more info

- (MS Powerpoint attached to email to Wendy Diaz, Apple One).

**C. DISCUSSION/ACTION** Neighborhood Purpose Grant for up to $1,000 for EnrichLA Garden Ranger Program at Delevan Elementary

- Johanna Recalde mentioned Event LA; 90 SCHOOLS in program on yearly basis; funds go toward supporting program; NPG, handed out flyer of gardening, healthy eating programs etc; does the school give money; 7000 yr budget; school gives 4000 to budget; for all grades; 600,000 per year budget; edible gardening, anything you can eat, watermelon, zucchini, kale lettuce,

  Michael Sweeny Seconds to give neighborhood grant. None opposed no abstentions

**D. DISCUSSION/ACTION** Community Impact Statement (CIS) in support of Councilmember Huizar's Motion re: CF 19-0785 re: Scholl Canyon

Jane Demian: councilor wrote a report to have sanitation write report in support of EIR; methane flares; suggesting field technology, hydrogen field; injecting the gas directly into pipeline; 60,000 people effected by flares; closed by 2027 but methane will still be there; two air quality monitoring needs to be right there at Scholl Canyon; in support of motion.

In support of motion of LA sanitation writing public comment to Glendale sanitation about the EIR

Treasurer – said they do not care what ERNC has to say;

Margaret makes motion to approve
Lindsey Keisling seconded
All approved, none opposed
No absentia

**E. DISCUSSION/ACTION** Community Impact Statement re: CF 16-0243 in support of 100% renewable energy by 2030

- Ethan Senser mentioned ….

Vicki Kirshenbaum – food and water watch
Chance to make voices heard to ask mayor/city council to get the plant up to renewable energy by 2030.; presented community statement
20 neighborhood councils have approved; please sign on
Looking at path to keep us in compliance
2045 is too late in regards to state law

Investing billion dollars for 50 years of gas; gas is as bad as coal; fracking & drilling releases methane; invest in rooftop solar; local jobs.
Asking for a plan

Jesse – sounds like a plan

SylivaTreasurer – moves to support
Peter Firestone – seconded it

Victor Sanchez – think about workers in those industries; any transition toward renewable energy it must include a plan for fair and trust transition for workers including re-training, retaining pensions and fair wages
Last sentence:
All in favor – all aye
None opposed
Motion passes

**F. DISCUSSION/ACTION** Motion of blanket opposition to street-tree removal permits so as to allow Board members to file objections on behalf of the ERNC during the 3-day objection period

- Jane Demian and/or Michael Sweeney discussed …

Jane Demain – an individual member has to file an objection to stop tree from being chopped down. Has no info as to why tree is being removed; will present info to board once she has more info; needs to ask for more time to object.

Doreen Sanchez – Motion
Haley – seconded

Richard Loew – whats the time frame?
Michael - system is setup so that we cannot complain; don't really know
Richard Loew – they can just do whatever?
Jane – NC involved; suggested she do an objection, sent copy to lucy, and adele, head of street services; took photos, something about drainage; tree looks healthy, give tree room to grow; huge issue of cutting down healthy trees; process is put in the request and see what they say

All in favor
None opposed
No abstentions
It passes

**G. DISCUSSION/ACTION** ERNC Public Scoping Comment letter regarding priorities and overall vision for Colorado Boulevard

- Michael Sweeney said …
  Looking at safety and small businesses regarding metro;
  One minute comment period; will go through cards; time strictly adhered to

Phillip Malboro - on the record of supporting Colorado proposal; concerened with zoning re becoming major transit stop; will have impact on residential buildings; request that it be studied, if there are enough request it will be put back on

Cheryl Weaver - how many members of board have read and understand the street guidlines in letter? Suggested that it is read and understood; saftety – evacuation, route safety, not inhibiting emergency vehicles.

Linda Johnston Allen – worked on blvd for a long time; taking back the boulevard to make pedestrian friendly; long standing process from grassroots up; EIR needs to be a full report taking into account environment and historical loss.

Richard Marquez – G/H; from highland park; grew up in the area; what will happen will change eagle rock a lot; impact is unknown; metro is a specialist in making it sound nice but it won't be worth it; will be awful as with the valley BRT.

Sam White - letter is not strong enough for the homeowner; portions, minimizes voice of ppl on each side; outreach relative to the homeowners & renters, trying to reflect what they think; outreach wasn't done well enough; the metro letter is going to take a step back to get around it.

Serverin Martinez – 1st letter supportive, 2nd letter ambivalent; wants to change hearts and minds for street options; don't know what he can say because of misinformation that has been spread; hope decision will be made based on facts not fear & misinformation

There is a letter from October 2016 saying board accepts letter will that be rescinded; does it include Harvey stop only or Harvey & fig.

Caroline Aguirre – who wrote the letters? Michael Sweeney; this letter is not written by Michael McDonald but 3 metro employees; current letter saying that Mike Mcgurray did not write it; suggest that investigation needs to be made; state attorney;

Lydia Storie - thanks for responidig to the community for more detail; conflicting opinion; commutes on 134 daily; pro BRT coming through eagle rock for more options; better transit would mean they would take it.

LeAnn Jackson – Doesn't care about seniors but they care about dog parks; doesn't trust the board; they have lied; don't inform eagle rock people; doesn't know if they live here or what they do here; nothing has been improved in E

Richard Loew – what changes do we want or don't we want

Becky Newman – has deadline of august 15 as a board to make comments; public needs to weigh in on this meeting

Haley Solar

writing of letters came after executive meeting; needs to do outreach what executive meeting is;

Jane Demian - sustainability committee meeting where people could express themselves re BRT; very much in agreement with Richard Loew to get the views of community; put info in letters; letters were written in response to a meeting; she missed the Metro presentation meetings; what do they want to say to metro; would like to be able to incorporate comments fo this evening to study street and freeway option; big proponent of trees and environment.

Michael Sweeny – was not going to submit letter it was extended; compromise was to ask for both; what is being scoped; if specific items need to be in there for option to be studied that should happen; take back the boulevard to make it more livable; drag racing issues; car accidents; not enforcing speed limits; took public comment June committee, six people stayed; emails and over the years re take back the boulevard – safety first, make blvd unique, small buisnesses, street for all; aspirational and have to be germane to project at hand; metro board will not pay attention unless presented to them in a particular way;

Victor Sanchez – 1st letter regarding metro letter is about the timelne; have to take opportunity to submit letter of principle; protecting trees, parking, small businesses; all is in the letter; submitting as a comment on council is well within power of the board; can have larger conversation re BRT; submit letter of priorities; feels conversation has brought out the worst in us; he has grown up in area; stakeholder in Eagle rock; priorities are in alignment with the issues the community has; has the protections for medians, trees, small businesses; in support of submitting letters to community; not the BRT letter, that is a different thing; 1st letter is to have a voice.; more than happy to meet with anyone; asking board members to look specifically at Colorado letter.

Andrew – letter is in line with what community wants for Colorado blvd and take back the blvd; feels important to send the letter; hopes for the best, plans for the worst; to have a voice send letter to BRT to say that this is what's important to the community.

Becky – this is our opportunity to weigh in; themes and goals that listening to community the board can support.

Jane Demian – helpful if we separate G and H; we can calm down and see that one letter will go out that will address it

Haley Solar - this letter is the foot in the door about our general priorities but not the end of the conversation

Treasurer – important to send letter stating what is important

Becky – can approve letter to BRT with amendments; process approve letter then move for Amendments.

Treasurer – this is not a letter that approves them running a bus down Colorado.

Andrew Jacobs – moving to approve the letter to BRT

Margaret Irwin – seconds the motion to apporvoe

Haley Solar – amendments, how does it work? Can we make sure that the 4 points are there? Can we control zoning.

Jane Demian – construction on Colorado blvd, would business receive money from business interruption fund?

Michael sweeny – Metro has money for business interruption fund; this is an opportunity to get more protection for the business

Amy – if there is an amendment what happens to our low income residents? We value older rental buildings want to protect existing low income housing that exists in eagle rock

Jesse Saucedo – they do have a motion that has been seconded

Jane Demian – please be more specific regarding business interruption fund and how it works.

Treasureer – letter says the businesses will be compensated

Michael Sweeny – this is the first serve over the net; sure there can be a way to word It so businesses will be taken care of

All in favor in G – all none opposed
James Panozzo – abstained

Marcel Whitefield John Acevado and Lindsay Kiesling recused themselves – they own properties

**H. DISCUSSION/ACTION** ERNC letter requesting additional study of locally induced ridership and greenhouse gas reductions for the previous Freeway route option

Marcel Whitefield John Acevado and Lindsay Kiesling recused themselves – they own properties

Cheryl Lieber – letter does not call for a full EIR for 134; she has pettion that requests more than 3 questions but want a full report; with stop at Harvey and Figuerora

Bob DeVelasco – It's time to let Mr Garcetti & weezeer and all the rest now that the votesrs do not want more buses running through their neighborhoods; please use the 134 to accomplish your goal; oe would have to be blind deaf and dumb to plans to destroy Colorado blvd. recommends BRT go along 134.

Anthony Ward – lives on 51st Rangeview, kids go to Montessori; having a no left turn going through the community; have there been studies on schools that will be impacted; doesn't give a shit; at the end of the day a community that talks to each other and wants to vote their frustration; currently not exposed to the community. Waste the paper on information not bullshit.

Becky Newman mentioned that it is important to council to study 134 option with suggested metrics included; environmental metrics also suggested; as a council at executive board meeting to try to take the position then these are the principles; if not please study 134.

Michael Sweeny – is the 134 ridership vehicle and greenhouse gas reductions; this is an important test if this is a viable option; reasonable request for metro to do in parallel with other projects; metro board to change an action that they've already taken; good measure to bring science to determine its viability

Becky Newman – can we send to ? isn't he also on metro board?

Michael - no he is not

Jesse – he is copied

public – put it back on to get the entire EIR; just ask

Jesse – requesting more response to the community;

Richard Loew – new to scoping process, trying to figure out what it is. Metro says its about discussing different alternatives, this is the time to ask for it, which means asking for the 134 alternative; prudent down the line the BRT on blvd that there is an alternative if it doesn't work; doesn't see why all options cannot be explored; the scoping is how far it will go, just want to request they include 134 in their scoping.

Haley Solar – would like to make an amendment that the community have 134 explored as an option

Michael Sweeny – this letter is to see if this can even pass; if the ridership model in the alternative analysis it could be a fatal flaw in metrics; this is a defined request that asks if there are Indian remains, etc; if it can't ridership then it can't get reduced greenhouse gases; this is specific so they can't ignore it; they can ignore an EIR.

Jesse Saucedo – please respect time so that we are clear and there will be many opportunities for the community to chime in but please be respectful of the board.

Becky – please one comment at the time

Jane Demian – other issues besides these 3 items; historical, cultural, value of buisnesses; value of Colorado blvd in eagle rock; needs to make metro consider how important Colorado blvd is to eagle rock;

Treasurer – this letter drafted to force metro to reconsider the 134 so it specifically hit those three items;

Jane Demian - metro chose Colorado due to ridership; looking at freeway numbers may come back with the same result

Treasurer – which issues will force the metro to reconsider the freeway?

Victor Sanchez – asking the metro to revisit the previous 134 option, purpose of letter; an EIR will come out of that; what are the most strategic questions to ask to have metro listen to community? Put 134 option back on the table, a full EIR has left the station; happy medium is in between what they are asking.

Haley Solar – why can't we ask for an EIR now?

Treasurer – if ask for entire EIR metro will say they no longer have time to do the whole EIR.

Andrew Jacobs - If we ask for something simpler we are more likely to get it

Slyvia – motions to approve letter

Haley – seconds the motion

Haley – moves to make an amendment to clearly state that eagle rock as a community wants it to be studied.

Margaret Irwin - Reads a paragraph of the letter; should we be clear on the scientific model?

Haley thinks it should be more clearly defined to represent needs of community

Andrew Jacobs – portions of the eagle rock community still have significant questions, and towards that would like a full ? of the 134. Here we are suggesting…. Etc; noting wants of the community

Haley – add strongly

Margaret – Eagle rock community still has…?

Becky Newman – what was specific amendment? Cannot wordsmith letter in this meeting. Table it so put on agenda for September to make as clear as possible.

Andrew – amendment is to stay… reads amendment sentence… would like a full

Margaret – accepts the amendment

Michael – stating that people want the EIR in the amendment

Jesse - asks for votes: all in favor with amendment - all in favor
Abstensions – Victor Sanchez, Becky Newman

**I. DISCUSSION/ACTION** Letter of support for Chifa Restaurant Community design overlay and other requests (per LUPC motion)

Opening restaurant in old pet store; unanimous decision to approve; no questions. Michael Sweeney
Motion to approve
James Pannozzo Seconds
All in favor, none opposed no abstentions

**J. DISCUSSION/ACTION** Letter of support for Zero Fox restaurant CUB and Waiver of Dedication (per LUPC motion)

- LUPC Co-Chair Michael Sweeney mentioned …

Operations manager here to answer question, tara; width of sidewalk?; 3 ft it will fit for dedication, adding ada accessible ramp to restaurant

James Panozzo – moves to approve
John Acedo – seconds

All approve none opposed no absentia

**K. UPDATE** Hydration Stations Update

- Jane Demian spoke of Motion that was submitted in 2018 by Rodrigquez and Martinez. Becky wrote a ltter of support. kPCC wanted to interview them about it. Refilling water bottles. Went to park to take pics of water fountains; would be great to put into effect in eagle rock; investigated prices and sizes; needs to be freestanding; are pipes old pipes? Yes, all pipes are old.
- Jesse Saucedo – get parks & recs involved; in September exec meeting; matching grants

**L. UPDATE** Report Back from ERNC Sustainability Committee meeting

- Jane Demian mentioned Eileen, to get voted onto committee; Brian presented trolley proposal; lots of public comments, some in favor, some against, some didn't know, fears around re-zoning and high rises; what could happen on Colorado blvd; Juan asked for Colorado blvd plan; we as a committee are making a 100% of electric buses for eagle rock; preserving trees; reduce plastic bags and polystyrene

  Juan Ashton - Presented about single use plastic bags, 300mil ton of plastic produced every year; goes into ocean and our food; wants to present to council

**M. UPDATE** Report Back regarding August 4 ERNC Board Retreat

- Jesse Saucedo mentioned …. Customary for board retreat for orientation. More time required for that for people to get to know each other; brainstorming; processes of serving as a board members; appreciate who was able to attend.
- Jane – could have been longer
- Jesse – always was 2 hours but some could stay longer
- Richard Loew – if youre on facebook don't click on others post, don't like a comment on someone else's post
- Slyvia – in lieu of actual guidelines use Sacramento rules
- Jesse – mandatory trainings, points of contact; to be clear and compliant with trainings of social media; open to other ideas
- Slyvia - one retreat a year?
- Jesse – yes

**N. DISCUSSION/ACTION** Schedule next Executive Committee and Board meetings

| Meeting | Date/Time | | Location |
|---|---|---|---|
| Executive Committee | Thursday, August 22 | 7PM | Muddy Paw |
| Regular Board | Tuesday, September 3 | 7PM | ERCH |

**O. ADJOURN**

- Jesse adjourned the meeting at 10:07PM.

= = = = = = = FROM THE PREVIOUS MONTH = = = = = = = = = = = = = = = = = = = = = =

**I. OPENING BUSINESS**

**A. Call to Order**

- President Jesse Saucedo called to order at 7.08PM.

**B. Roll Call**

- A roll call was performed, indicating thirteen members of the ERNC, along with over thirty members of the public, were in attendance. A quorum was declared.

| | |
|---|---|
| Here (13) | John Acevedo, Jane Demian*, Sylvia Denlinger, Peter Finestone, Lindsay Kiesling, Margaret Irwin, Andrew Jacobs, Richard Loew, Doreen Sanchez*, Victor Sanchez, Jesse Saucedo, Lani Tunzi*, and Marcel Whitfeld |
| Resigned (1) | Bridget Hirsch |
| Absent (6) | Lisa Kable-Blanchard, Becky Newman, James Panozzo, Haley Solar, Michael Sweeney, and Chloe Renee Ziegler |

* New board member

**C. President's Report**

- Jesse thanked the following
  - CD14 and everyone who participated in the June 30th concert and fireworks in the park

- Andrew Jacobs for the new SWAG, including ERNC t-shirts, balls, water bottles, etc.
- All who attended the Land Use and Planning Committee (LUPC) meeting regarding the Bus Rapid Transit (BRT). There will be a follow-up Metro-hosted meeting at the Eagle Rock Plaza Mall on Saturday, July 13, 1PM to 3PM. Between now and July 31, Metro invites everyone to stay involved and share feedback via the following methods:
  - Orally at a scoping meeting
  - Call their hotline at 213-418-3228
  - Email to nohopasbrt@metro
  - Visit their website at https://www.metro.net/projects/noho-pasadena-corridor
  - Via Twitter at @metrolosangeles
  - Follow via Facebook at losangelesmetro
  - US Mail to: One Gateway Plaza, 99-13-1, Los Angeles 90012

- Jesse represented the ERNC at a brief meeting with Mayor Garcetti and his staff, including one of his top resources, Amy Perkins, from the Los Angeles Homeless Services Authority (LAHSA). Mayor Garcetti reiterated his continued support for the three most requested services: mobile showers, bridge housing, and temporary parking. In late August, Mayor Garcetti's staff may visit Eagle Rock for a tour.
- Jesse also wished to confirm that everyone on the board completed their mandatory finance, ethics, and code of conduct training.

**D. Consent Calendar**

- The following items will be voted on without discussion. Any Board member may request that item(s) be removed and voted on separately
  4. Approve corrected June 2019 ERNC meeting minutes
  5. Approve Monthly Expense Report for June 2019
  6. Approve Sylvia Denlinger as additional ERNC credit card holder
  7. Approve ERNC board retreat for August 4th
  8. Appoint Pat Niessen and Brigitta Martinez to the Land Use Committee
  9. Approve $100 for refreshments for previously approved cleanup on July 13th
- Andrew Jacobs made a motion to approve the Consent Calendar; Sylvia Denlinger seconded this motion, and it passed.

| | |
|---|---|
| Aye (11) | Acevedo, Demian, Denlinger, Finestone, Kiesling, Irwin, Jacobs, Loew, V. Sanchez, Saucedo, and Whitfeld |
| May Not be Eligible (2) | D. Sanchez and Tunzi |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**E. Announcements**

- Mark Estrada from CD14 mentioned the following:
  - Everyone seemed to have a great time at Sunday's 10th Annual Independence Day Concert and Fireworks Show and he wished everyone a safe and happy July 4th.
  - CD14 submitted a motion to the Los Angeles Housing Authority (LAHA) that the former St. Barnabas Episcopal Church at 2109 Chickasaw Avenue should become Bridge Housing.
  - The CD14/Eagle Rock Association (TERA) "Slow Yosemite" Community Kick-Off/Initiative to promote traffic safety along Yosemite Drive will be Saturday, July 27th beginning at 11AM at the Rock Coffee House, 4808 Townsend Avenue. Learn about TERA's latest streetscape initiative to make Yosemite Drive a safe and healthy street. Share ideas, identify "hot spots" that need attention, and let CD14 and TERA know what a safer Yosemite Drive looks like.

- Edna Degollado from Mayor Garcetti's office spoke of the following:
  - The mayor does not support the presidential-requested ICE raids. These raids were to start on Saturday, June 22, but there has been a two-week extension.
  - In June, the mayor proposed a one-year pilot program for free DASH passes to LAUSD students. This may alleviate the concern that many students lack reliable transportation to go to school.
  - The Summer Night Lights is making its 12th annual Summer in the City. In this program, 32 sites will become a place of safety for our youth by providing meals, activities, and fun services. The services will be free to participants, who can remain in the parks until they close at 11PM on Wednesdays through Saturdays from June 26th through August 9th. Between August 9th and August 23rd, the parks will be open on Fridays and Saturdays until 11PM. The recreation centers closest to Eagle Rock are
    - 2630 Pepper Avenue Cypress Park
    - 3650 Verdugo Road Glassell Park
    - 6150 Piedmont Avenue Highland Park
  - The Bridge Home Project, launched in April 2018 by Mayor Garcetti, enables the city to construct bridge housing [faster than ever before] on any land owned or leased by the city, while we wait for Propositions H and HHH to go into affect. To expedite construction, the Mayor's 2018-19 budget included a $20 million fund to construct emergency bridge housing citywide. Each councilmember must identify a site or building adjacent to a high-density homeless population, and create emergency bridge housing. In total, the mayor's budget includes more than $450m in supportive housing, bridge housing, services, and facilities to help the homeless find their way off the streets. That represents a 147% increase over last year. Possible bridge housing locations include the facility across from the Union Train Station and near the downtown civic center. Additional information can be found at Mayor Garcetti's website https://www.lamayor.org/ABridgeHome
  - Last week, the Supreme Court blocked the citizenship question from the census. Earlier on Tuesday, July 2nd, it was learned that the president's staff withdrew their request for this citizenship question.
  - A stakeholder asked about the rats around skid row; Edna replied that the city does not have a rat abatement program. Sylvia added that typhoid is not from rats, but rather from person to person, possibly from someone who recently visited a country such as Thailand. However, rats can spread fleas. Edna added that they are attempting to sanitize the affected areas.
  - Edna reiterated that the mayor is fully committed to cleaning the area with the elimination of illegal dumping and rats. They hope to have over fifteen additional garbage collection crews, including extra support for each council district, as well as Skid Row and Venice.

- LAPD's Senior Lead Officer (SLO) Ochea addressed the ERNC:
  - The city's narcotics division has arrested several transient people regarding leaving used needles along sidewalks and parks, as well as injections in front of businesses.
  - The LAPD has noticed several young people hanging around the Yosemite Park after the park has closed for the night. This can be extremely dangerous and Officer Ochea urged parents to make certain their children do not go there after the park is closed.

- The LAFD's Captain Carter reported their biggest fears:

- These past few days, they have had to tackle four area brush fires. This past year has seen a great deal of growth, followed by dried vegetation, making the area a tinderbox. The LAFD is very pleased with the homeowner's compliance with mandatory brush clearance.
- In response to Margaret's comment, fireworks are definitely a reportable offense via 911. However, it is difficult for the LAPD and LAFD to track the source.
- Officer Carter also talked about the homeless, and how they get to Eagle Rock [from other areas] via the bus services.

**F. Treasurer's Report**

- Treasurer Sylvia reported that the FY2018-19 is over and the preliminary paperwork for FY2019-20 has been submitted and approved at city hall. This will be further discussed under agenda item H.
- The ERNC has $333 until the end of the month at which time Sylvia will receive her new credit card. The $100 for Richard Loew's clean up along the Eagle Rock Canyon Trail can be withdrawn from that $333.
- For the $10k rollover from the previous fiscal year, the city must first approve that exact amount in August; they may approve merely a little less than $10k.

**II. PUBLIC COMMENT ON NON-AGENDA ITEMS**

- Stakeholder Eli Chartoff and his family have lived on Campus Road for over eighteen years. The Green Earth Collective at 4801 York Boulevard has moved in next door. Their temporary cannabis permit, including permission to grow in their 600-amp greenhouse (which is larger than the retail space) may expire in August. This 600-amp facility (which could operate a full city block of businesses) creates a great fire hazard, including the possibility of faulty wiring. Eli asked that CD14 and the ERNC do everything in their power to not permit their growth permit to become permanent.

- Mrs. Chartoff feels that this growing area should be in an M1 industrial zone rather than in their community. She has a concern about the exhaust fumes and the greenhouse's proximity to their son's bedroom (less than 100' away). Sylvia urged them to attend the July 17th LUPC meeting, as the LUPC's co-chair, Michael Sweeney, is very knowledgeable about codes. Mark Estrada added that CD14 is also working on alleviate this growth permit.

- Stakeholder Janie Glass also lives along Campus Road and feels that the Green Earth Collective has made the neighborhood chaotic with multiple burglaries. All day, their customers are very rude, poor parkers, and bad drivers with their loud cars playing loud music. There is trash throughout the community because the business has insufficient trash collection. In addition, the employees also park in Campus Road; they should park on commercial business area along York Boulevard.

- Neighboring stakeholder Johnny expressed concern about the parking by the clientele and employees of the Green Earth Collective; he feels that it would be much better if they parked along York Boulevard.

- Los Flores Drive resident Emily from LA Forward reported that, along with their 10,000 members, they urge Angelenos to join social justice movements striving to transform LA into a fair, flourishing place for everyone. Their key campaign issue is affordable housing. She is developing a neighborhood-by-neighborhood database highlighting affordable housing. If you know of any area that could include this affordable housing, please go to their website at

https://www.losangelesforward.org, log-in, and add your information; or email that information to housing@laforward.us.

## III. NEW BUSINESS

### A. PRESENTATION Bird E-Scooters

- Morgan Roth, Community Relations Manager from Bird E-Scooters reported that they are one of the top two scooter companies in LA.
- He offered brochures on how to use the vehicles, etc. This information is also available on their website at https://www.bird.co
- The annual fee to use these scooters is $5; this may be waived for low-income individuals.
- Per a comment from Marcel, Santa Monica attempted to ban these scooters, but Bird prevailed.
- When someone leaves a scooter by the side of the road, Bird has a two-hour response window to retrieve it. Their Santa Monica headquarters allows them to respond to wayward scooters throughout the beach communities.
- Scooters are allowed in the bike lane, but NOT on sidewalks. Jane urged Morgan to make certain that they instruct the riders to keep the cutouts available for the elderly and handicapped.
- Margaret asked what Eagle Rock would be liable for; Morgan explained that the city is already indemnified for these scooters, and Bird has liability insurance in place.

### B. PRESENTATION TERA's new initiative "Slow Yosemite"

- Severin Martinez from TERA explained that they have already secured $12m for the "Take Back the Boulevard" and "Rock the Boulevard" initiatives.
- They are now partnering with the Eagle Rock High School and Elementary Schools for the "Slow Yosemite" initiative.
- Traffic near the Eagle Rock High School has gotten worse these past ten years with faster distracted drivers. A few years ago, there was a high profile accident that sent a student to the hospital.
- The "Slow Yosemite" Community Kick-Off/Initiative to promote traffic safety along Yosemite Drive will be Saturday, July 27th beginning at 11AM at the Rock Coffee House, 4808 Townsend Avenue. Learn about TERA's latest streetscape initiative to make Yosemite Drive a safe and healthy street. Share ideas, identify "hot spots" that need attention, and let CD14 and TERA know what a safer Yosemite Drive looks like.

### C. DISCUSSION/ACTION Neighborhood Purpose Grant (NPG) for $750 for Greater North East Los Angeles (GNELA) Association Bear's Youth Football and Cheer Organization's new division's equipment

- Alex Guerra introduced their President Maricela Torres and their mascot.
- Founded in 1969, the GNELA is a non-profit youth football and cheer organization, consisting of:
  - One flag football team,
  - Five tackle division football teams, and
  - Five division cheer squads
- They currently serve 200 youth, ages 5 to 14, from northeast LA, including Eagle Rock, Highland Park, Glassell Park, and Cypress Park. They recently added a new younger tackle division this year and have officially amended their name.

- This grant will support the organization by helping pay for the necessary reconditioning of helmets and purchase new helmets and shoulder pads. For the safety of the athletes, their helmets must undergo reconditioning every two years.
- GNELA currently has seventeen people on their board, over forty volunteers, and many host families.
- Marcela urged parents that if they want their kids to play during high school, it is important that they play in childhood, where they can learn the rules of the game and safety.
- Sylvia asked if girls could play football and boys could cheer; the reply was affirmative.
- John Acevedo asked about their fundraising; Maricela replied that the kids pay enrollment fees, sell cookie dough, and conduct raffles (with donated prizes).
- They are also a part of a local alliance within the community that works to acquire sports fields within area parks. In addition, their league must annually pay $10k for lights.
- Sylvia Denlinger made a motion to approve this $750 NPG; Peter Finestone seconded this motion, and it passed.

| | |
|---|---|
| Aye (11) | Acevedo, Demian, Denlinger, Finestone, Kiesling, Irwin, Jacobs, Loew, V. Sanchez, Saucedo, and Whitfeld |
| May Not be Eligible (2) | D. Sanchez and Tunzi |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**D. DISCUSSION/ACTION** Community Impact Statement (CIS) regarding CF 19-0620/Temporary Bridge Housing in Eagle Rock

- Jane reported that the recent homeless count revealed an 8% increase in homeless families. Contrary to how some people feel, 71% are not drug addicted or mentally ill.
- This CIS supports Councilman Huizar's motion to provide housing for twelve families for 120 days. The provided services will include:

| | |
|---|---|
| On-site security and residential supervision | Case management |
| Assistance with referrals | Crisis intervention |
| Housing navigation | Nutritious meals |

- Sylvia Denlinger made a motion to approve this CIS; John Acevedo seconded this motion, and it passed unanimously.

**E. UPDATE** Housing and Homelessness Committee

- Victor and Jane reported that the ERNC's Housing and Homelessness Committee has engaged over 200 people in the community via the housing forums, etc.
- The key issues are mobile showers and safe parking. The majority of homeless in Eagle Rock reside in their cars. Possible safe parking locations could be the Eagle Rock Recreation Center and an area of the Eagle Rock Plaza's parking lot. These issues will be further discussed at the August ERNC meeting.
- Jane introduced Mel Tillekeratne, the founder and executive director of the "Shower of Hope" that brings together a community of strategic partners to generate more value for the homeless population.
- Shower of Hope is the largest provider of portable showers, with twelve locations throughout LA. Each day, the showers, which last for four to six hours, can cost $800 for 60 people. They visit McArthur Park twice a week to serve over fifty people.
- After their shower, their clients are referred to case management to they can sign up for a benefit, such as bridge housing.
- Mel used the example of a lady with two children who works for a school; however, she cannot afford first and last month's rent to acquire an apartment.

- Mel added that they are open to donations, especially underwear, soap, shampoo, and feminine hygiene products.

**F. DISCUSSION/ACTION** Non-LA Haul Route parking on Colorado

- Sylvia asked to table this agenda item until Michael could further explain this issue. However, this issue was already unanimously approved by the LUPC.
- Sylvia Denlinger made a motion to approve this Haul Route request; Lindsay Kiesling seconded this motion, and it passed.

| | |
|---|---|
| Aye (12) | Acevedo, Denlinger, Finestone, Kiesling, Irwin, Jacobs, Loew, D. Sanchez, V. Sanchez, Saucedo, Tunzi, and Whitfeld |
| Abstain (1) | Demian |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**G. DISCUSSION/ACTION** Letter of support to waive public hearing for Milkfarm Conditional Use Permit (CUP) renewal

- Milkfarm has served bread, cheese, and wine for over five years.
- This letter of support will allow the business owners to waive the additional expenses of a public hearing for the renewal of their CUP.
- Andrew Jacobs made a motion to approve this letter of support; Jesse Saucedo seconded this motion, and it passed.

| | |
|---|---|
| Aye (12) | Acevedo, Demian, Denlinger, Finestone, Kiesling, Irwin, Jacobs, Loew, D. Sanchez, V. Sanchez, Saucedo, and Whitfeld |
| Ineligible (1) | Tunzi |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**H. DISCUSSION/ACTION** Approve budget package for FY 2019/20

- The budget package is similar to last year's package, with the addition of the $10k rollover to [tentatively] allow for $5k towards CISs (for additional native plantings) and $5k for Outreach,
- The only specific line item changes are for office expenses, including $1,500 for beverages, snacks, and pizza for the meetings.
- $2,100 for the clean streets initiative had to be returned to the city's general fund.
- Andrew Jacobs made a motion to approve this budget package; John Acevedo seconded this motion, and it passed.

| | |
|---|---|
| Aye (11) | Acevedo, Demian, Denlinger, Finestone, Kiesling, Irwin, Jacobs, Loew, V. Sanchez, Saucedo, and Whitfeld |
| May Not be Eligible (2) | D. Sanchez and Tunzi |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**I. DISCUSSION/ACTION** Community Impact Statement (CIS) in support of CF 19-0229, also known as "Fair Workweek"

- Anyone who has worked retail or food service remembers the short-notice of their work schedules.
- Victor explained that this CIS would grant employees, who work for companies with over 300 employees worldwide, two-week notice on scheduling.
- Sylvia Denlinger made a motion to approve this CIS; Margaret Irwin seconded this motion, and it passed unanimously.

**J. DISCUSSION/ACTION** Medicare for All resolution

- Medicare fraud investigator and Highland Park resident Sasha Rappaport attended the ERNC meeting of June 4th when he was joined by community organizer Sean Broadbent.
- He recently held an informational presentation at the Eagle Rock Library, whereupon he heard overwhelming support for this Medicare for All.
- Nationwide, over 30m people lack health insurance and over 40m are under-insured.
- There are so many people who cannot afford medical care plus other necessities that they visit emergency rooms when they need a physician. This 2019 Medicare for All Act will provide care for all.
- In response to Margaret's comment, this would be most similar to Canada's system, with several improvements. It could eliminate private insurance.
- Sylvia Denlinger made a motion to approve this Medicare for All resolution; Victor Sanchez seconded this motion, and it passed.

| | |
|---|---|
| Aye (8) | Demian, Denlinger, Jacobs, Loew, D. Sanchez, V. Sanchez, Tunzi, and Whitfeld |
| No (2) | Kiesling and Irwin |
| Abstain (3) | Acevedo, Finestone, and Saucedo |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**K. DISCUSSION/ACTION** Create Ad Hoc Sustainability Committee

- This will be for ad hoc committee until it gets going, then it may become a permanent committee.
- Sylvia Denlinger made a motion to approve this ad hoc Sustainability Committee; Jesse Saucedo seconded this motion, and it passed unanimously.

**L. PRESENTATION** Stay cool, healthy and hydrated during the summer

- Sylvia mentioned that she recently scheduled a free home energy audit from the LADWP. She urged others to contact the LADWP for a free tune-up of their air conditioner, attic insulation inspection, and free light bulbs. They will also provide free Freon for your air conditioner.
- Jane and Sylvia presented some very useful health, safety, and energy saving trips for the summer:

  <u>Keep your body cool</u>
  - Exercise when it is cool, such as early morning or later in the evening.
  - Drink water frequently; do not wait until you are thirsty. If you are not urinating at least three times a day, you are dehydrated.
  - Alcohol and coffee will dehydrate your body, so drink them sparingly.
  - Apply cold water to your body (such as via a foot-soak or neck cloth) if you feel hot. Take cool showers and baths.
  - If you feel nauseous, immediately get into a cool shower.
  - Wear light-colored loose clothing in natural fabrics.
  - Use public air conditioning at city operated recreation centers, senior centers, or libraries. Use private air conditioning at shopping malls and movie theatres.

  <u>Elderly and Infants</u>
  - They are the most likely to suffer heat exhaustion or stroke and the least likely to complain.
  - Check in on elderly friends, family, and neighbors twice a day.
  - Make certain infants are drinking.

  <u>Pets</u>
  - Do not walk your dog in the middle of the day. If the sidewalk is too hot for your bare feet, it is too hot for a dog.
  - Bring dogs and cats inside.

  <u>Wildlife</u>

- Bees and other beneficial insects, possums, and other wildlife need water.
- Put out a shallow dish of water, with a rock in it so the bees do not drown. Change this water every day or two to prevent mosquitoes from breeding. Breeding mosquitoes are visible; you will see "wigglers" in the water.

Air Conditioner

- Set your thermostat to 78° or higher.
- Invest in a "smart" thermostat that you can control from your smart phone.
- Tune the A/C once a year.
- Change the filter every three to six months
- Keeps vents clean.

House Management

- Use shades or curtains to block out the sun.
- Invest in double-paned windows with heat treatment.
- Insulate the walls and attic.
- Use ceiling, pedestal, and rotating fans
- Turn off appliances and electronics when not in use.
- Use the outdoor grill rather than your indoor oven.

Energy Use

- Careful use of energy can help avoid brownouts.
- Use large appliances (such as washer/dryer) at night when energy use is lower.
- Limit opening and closing your refrigerator door.
- If you can afford solar panels with battery storage, they will help you get off the grid and ease dependency on the LADWP.

Water Use

- Water every other day, at most.
- Avoid water overflow into the street and sidewalk.
- Hand water plants with a hose (do not use sprinklers).
- Use gray water (if possible) to water plants.

**M. UPDATE** Eagle Rock Canyon Trail Cleanup on July 13th

- This trail cleanup will be along an overgrown one-mile trail, north of the 134 freeway and the rock, where there is a very nice overlook.
- This trail cleanup will be a collaborative effort with the ERNC (who will provide refreshments), CD14 (who will provide weed cutters and printed flyers), and the Collaborative Eagle Rock Beautiful (CERB). Jesse added that this will be publicized again via the ERNC website and email lists.
- Folks will meet at the base of the trail at 8AM on Saturday, July 13th. This effort will be over by noon, with sufficient time for attendees to attend the BRT meeting at the Eagle Rock Plaza.
- Sylvia asked about trash collection. As there is minimal trash up there to collect, this effort will mainly focus on clearing the trail and trimming the brush.

**N. DISCUSSION/ACTION** Schedule next Executive Committee and Board meetings

| Meeting | Date/Time | | Location |
|---|---|---|---|
| Executive Committee | Monday, July 29 | 7PM | Spire Works |
| Board Retreat | Sunday, August 4 | Noon | TBD |
| Regular Board | Tuesday, August 6 | 7PM | ERCH |

**O. ADJOURN** Presiding Officer

- Jesse adjourned the meeting at 9.20PM.

**EAGLE ROCK**
**NEIGHBORHOOD COUNCIL**

**Executive Committee**

Jesse Saucedo, President
Becky Newman, Vice President
Sylvia Denlinger, Treasurer
AndrewJacobs, Communications
Haley Solar, Secretary
Lisa Kable-Blanchard, Immediate Past President

**CITY OF**
**LOS ANGELES**
CALIFORNIA

eagle rock neighborhood council

P.O. Box 41652
Los Angeles, CA 90041

WWW.ERNC.LA
INFO@ERNC.LA

# ERNC REQUEST:

# METRO TO PROVIDE ADDITIONAL STUDY OF LOCALLY INDUCED RIDERSHIP, REDUCTION IN VEHICLE MILES TRAVELED, AND GREENHOUSE GAS REDUCTIONS FOR THE PREVIOUSLY ELIMINATED "FREEWAY" BRT ROUTE SEGMENT THROUGH EAGLE ROCK VERSUS THE CURRENT "HYBRID" OPTION

August 7, 2019

Supervisor Hilda Solis
856 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

VIA email: firstdistrict@bos.lacounty.gov

Dear Supervisor Solis:

We declare that on August 6, 2019, a Brown Act noticed public meeting was held by the Eagle Rock Neighborhood Council (ERNC) at which a quorum was present. The following motion passed with [INSERT VOTE]:

> **Portions of the Eagle Rock community still have significant questions about how the current "Hybrid" NoHo-Pasadena Bus Rapid Transit (BRT) route-option along Colorado Boulevard compares against the previously-eliminated "Freeway" option where the BRT primarily traveled along the 134 freeway through our community. In the interest of ensuring that the project is clearly understood to be the most effective and sustainable, the ERNC requests that Supervisor Solis and the Metro Board direct their staff to perform additional scientific modeling of both route alignments with regards to the following metrics in the interest of clarity, openness, and overall public-understanding of the project.**

**This request for additional study does not negate, diminish, or replace any of the analytic work already done under the CEQA process, nor does it supplant any of the public-participation already done to-date. What we request is a specific, supplemental study of the following metrics in order to clearly, objectively, and unambiguously evaluate the project's effectiveness vis-a-vis both of the route-options through our community. The three requested metrics are:**

1. **Projected ridership totals for trips originating and/or terminating in Eagle Rock itself under both options to confirm which option would have the highest locally-induced ridership.**
2. **Projected vehicle-miles traveled (VMT) reductions for both options based on expected rates of transit ridership-trips replacing automobile trips.**
3. **Expected greenhouse gas (GHG) reductions for both options through transit ridership-trips replacing automobile trips.**

As both the County Supervisor representing our area and a Metro Board member, we believe you are uniquely situated and best able to facilitate a fair and expeditious resolution. The ERNC fully supports the actions you and your office have taken to-date--both extending the Public Scoping comment period as well as coordinating the additional August 7, 2019 "Open House" meeting to ensure that interested Eagle Rock community members can learn more about the project directly from Metro. Since the BRT is primarily funded through sales-tax and gas-tax proceeds, all members of the Eagle Rock community therefore have a vested interest in the projects' success. Similarly, Metro has a vested interest in ensuring that the project not only has a sustaining ridership, but that it also positively supports the business community to enable it to continue to contribute to the County's overall tax-base.

In closing, additional study of the previously-eliminated 134 option is warranted at this time to ensure that the project meets the following widely-agreed-upon objectives:

1. The BRT project must provide the highest level of service to the largest number of residents of Eagle Rock and our small-businesses' workers so that our choices for work and leisure travel around our community and city include safe, frequent, and high-quality mass-transit.
2. The BRT project must create and sustain high ridership levels along all route-segments to ensure the line's long-term viability, and thusly the long-term viability of existing and new businesses along its route.
3. The BRT project must make the largest feasible contribution towards reducing GHGs and mitigating the effects of climate-change.

As per the published meeting agenda, this comment letter does not bind the ERNC to a position on the current route-alignment of the BRT at this point in time. The purpose of this comment letter is to ensure that all constituents have sufficient data to participate in the later stages of public-comment for this project as part of the DEIR and FEIR.

Thank you for your time in this matter and also to your excellent staff for their ongoing close attention to our community on this matter and others.

Respectfully,

Jesse Saucedo
President, Eagle Rock Neighborhood Council

cc: Office of Mayor Eric Garcetti
Office of Councilmember Jose Huizar
Supervisor Sheila Kuehl, Los Angeles County District 3
Supervisor Kathryn Barger, Los Angeles County District 5
Ara Najarian, Metro Board, North County/San Fernando Valley Sector
John Fasena, Metro Board, San Gabriel Valley Sector
Jacquelyn Dupont-Walker, Metro Board, City of Los Angeles
Mike Bonin, Metro Board, City of Los Angeles
Paul Krekorian, Metro Board, City of Los Angeles
Scott Hartwell, Project Manager, Metro NoHoPas BRT project

17) Any and all documents, including any and all emails between Eagle Rock Neighborhood Council members regarding the drafting of the ERNC's proposed letter to Supervisor Hilda Solis that will be addressed at the ERNC's August 6, 2019 meeting.

PRA REQUEST <pra@eaglerockcouncil.org>

# Fwd: 134 BRT additional study request - Invitation to edit

3 messages

[redacted] Thu, Sep 5, 2019 at 8:41 AM
To: PRA REQUEST <pra@eaglerockcouncil.org>

---------- Forwarded message ---------
From: [redacted]
Date: Sat, Aug 3, 2019 at 7:56 PM
Subject: Re: 134 BRT additional study request - Invitation to edit
To: [redacted]

This looks very good, thanks so much for putting it together. See you tomorrow.

On Mon, Jul 29, 2019 at 10:50 PM [redacted] wrote:

[redacted] has invited you to **edit** the following document:

134 BRT additional study request

here's my draft of the 134 letter. LMK your thoughts. When we get a more fleshed out draft I'll move it into the real Drafts folder

Open in Docs

Google Docs: Create and edit documents online.

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because someone shared a document with you from Google Docs.

[redacted] Fri, Sep 6, 2019 at 1:23 PM
To: PRA REQUEST <PRA@ernc.la>

responsive to Tso request (#12)
[Quoted text hidden]

[redacted] Fri, Sep 6, 2019 at 1:24 PM
To: PRA REQUEST <PRA@ernc.la>

responsive to Tso request (#12)

---------- Forwarded message ---------
From: [redacted]
Date: Tue, Jul 30, 2019 at 11:00 AM
Subject: Re: 134 BRT additional study request - Invitation to edit
[redacted]

Regarding this particular request, I think looks solid. The three specific metrics you laid out for this alternative seem spot on.

[Quoted text hidden]

**PRA REQUEST <pra@eaglerockcouncil.org>**

# Fwd: 134 BRT additional study request-DRAFT - Invitation to edit

6 messages

[redacted] Mon, Aug 5, 2019 at 4:21 PM
To: PRA REQUEST <pra@ernc.la>

---------- Forwarded message ---------
[redacted]
Date: Mon, Aug 5, 2019 at 11:35 AM
Subject: RE: 134 BRT additional study request-DRAFT - Invitation to edit
[redacted]

Here's a link to a Metro article dated July 2019 describing the addition of 100% electric buses to Metro's fleet and the first BRT line to utilize electric buses, the Orange Line.

https://www.metro.net/news/simple_pr/metro-takes-delivery-first-60-foot-zero-emission-e/

**From:** [redacted]
**Sent:** Sunday, August 4, 2019 11:17 PM
[redacted]
**Subject:** Re: 134 BRT additional study request-DRAFT - Invitation to edit

Jane

My recollection from Metro's public presentations is that this project is supposed to be one of the first lines (if not the 1st) with 100% electric buses. Assuming that's the case, that baseline improvement should be taken into account by the supplemental GHG analysis.

MPS

[redacted] AIA

Eagle Rock Neighborhood Council

Land Use Committee Co-Chair

On Sun, Aug 4, 2019 at 10:20 PM [redacted] wrote:

Hi Michael. Thanks for forwarding this excellent draft letter for our review.

One of the intentions of BRT is to reduce GHG by encouraging less car travel and more public transportation, so as Sustainability Director, and as Sustainability Committee members have expressed at our July 18th meeting, we would like to urge Metro to give priority to BRT buses that are 100% electric. Metro has already begun using 100% electric buses on some of the BRT lines, and it would make sense to include electric buses on the NoHo - Pasadena line.

Please let me know if that is something we can include in the letter.

Thanks so much,

[redacted]

ERNC Sustainability Director

Housing and Homelessness Committee

---

[redacted]
**Sent:** Sunday, August 4, 2019 7:48 PM
[redacted]
**Subject:** 134 BRT additional study request-DRAFT - Invitation to edit

[redacted] has invited you to **edit** the following document:

134 BRT additional study request-DRAFT

Open in Docs

Google Docs: Create and edit documents online.

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because someone shared a document with you from Google Docs.

--
[redacted]
Sub-District 4 Director
Eagle Rock Neighborhood Council
Richard.Loew@ernc.la

[redacted] Tue, Aug 6, 2019 at 11:32 AM
To: PRA REQUEST <pra@eaglerockcouncil.org>

---------- Forwarded message ---------
From: [redacted]
Date: Mon, Aug 5, 2019 at 4:41 PM
Subject: Re: 134 BRT additional study request-DRAFT - Invitation to edit
[redacted]

Dear board members,

Since I recused myself from the BRT topic, I won't vote or be present during public ERNC discussions regarding the project. As a reminder, if anyone on the ERNC board owns property within 500 feet of the proposed route, they are required to contact Elise Ruden at elise.ruden@lacity.org. I will continue to submit comments here on the issue as a private citizen.

With all due respect, I regard the proposed letter as nothing more than an effort to play into Metro's narrative of the the street-running option being the only sensible choice, while creating the misleading impression that the ERNC intends to solicit serious further study of the freeway option. It completely disregards the fact that Metro controlled that narrative from the start by presenting Eagle Rock only with an all-or-nothing scenario, which willfully omitted a perfectly feasible freeway-running option with at least one stop at Figueroa in addition to the proposed Harvey stop.

More importantly, the author(s) chose to cherry-pick only 3 of the 21 (!) areas that CEQUA studies address to be studied. That could be regarded as an attempt to sway public opinion, because all 3 of which would receive skewed results due to the fact that Metro's only freeway option doesn't include enough stops to create local ridership.

The ERNC is obliged to represent the entire neighborhood. If the board truly strives to include the significant segment of our residents and business owners that are questioning the wiseness of the Colorado option, they will have to demand a freeway option (with a stop at Figueroa) to be added to the EIR, so that all 21 areas would be studied. Since Glendale and Pasadena will have their have route alternatives studied, there is simply no good reason why a freeway option for Eagle Rock should be denied that treatment. It would be the only way to ensure a fair comparison between the two routes. Anything less would solidify and perpetuate the sentiment felt by many in our community that Metro manipulated our

neighborhood into giving up two heavily used car lanes, green medians, irreplaceable trees, much needed parking, etc. for their designated BRT lanes - with repeated assistance from the ERNC.

Marcel Wittfeld
ERNC Boulevards Director

On Aug 4, 2019, at 11:16 PM, [redacted] wrote:

Jane

My recollection from Metro's public presentations is that this project is supposed to be one of the first lines (if not the 1st) with 100% electric buses. Assuming that's the case, that baseline improvement should be taken into account by the supplemental GHG analysis.

MPS

[redacted] AIA
Eagle Rock Neighborhood Council
Land Use Committee Co-Chair

On Sun, Aug 4, 2019 at 10:20 PM [redacted] wrote:

Hi Michael. Thanks for forwarding this excellent draft letter for our review.

One of the intentions of BRT is to reduce GHG by encouraging less car travel and more public transportation, so as Sustainability Director, and as Sustainability Committee members have expressed at our July 18th meeting, we would like to urge Metro to give priority to BRT buses that are 100% electric. Metro has already begun using 100% electric buses on some of the BRT lines, and it would make sense to include electric buses on the NoHo - Pasadena line.

Please let me know if that is something we can include in the letter.

Thanks so much,

[redacted]

ERNC Sustainability Director

Housing and Homelessness Committee

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**From:** [redacted]
**Sent:** Sunday, August 4, 2019 7:48 PM
[redacted]
**Subject:** 134 BRT additional study request-DRAFT - Invitation to edit

[redacted] has invited you to **edit** the following document:

<~WRD000.jpg>

134 BRT additional study request-DRAFT

Open in Docs

Google Docs: Create and edit documents online.

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because someone shared a document with you from Google Docs.

<~WRD000.jpg>

--
[redacted]
Eagle Rock Neighborhood Council
Public Safety Director
sylvia.denlinger@ernc.la

---

[redacted] Sat, Aug 10, 2019 at 8:28 PM
To: PRA REQUEST <pra@ernc.la>

[Quoted text hidden]

---

[redacted] Thu, Aug 15, 2019 at 6:55 PM
To: PRA@ernc.la

Begin forwarded message:
[Quoted text hidden]

---

[redacted] Tue, Aug 20, 2019 at 10:23 PM
To: Pra Request <pra@eaglerockcouncil.org>

Sent from my iPhone
[Quoted text hidden]

---

[redacted]> Thu, Sep 5, 2019 at 8:43 AM
To: PRA REQUEST <pra@eaglerockcouncil.org>

---------- Forwarded message ---------
[redacted]
Date: Sun, Aug 4, 2019 at 7:47 PM
Subject: 134 BRT additional study request-DRAFT - Invitation to edit
[redacted]

[redacted] has invited you to **edit** the following document:

134 BRT additional study request-DRAFT

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You have received this email because someone shared a document with you from Google Docs.

**PRA REQUEST <pra@eaglerockcouncil.org>**

# Fwd: Non-positional letters done?

1 message

[redacted] Thu, Sep 5, 2019 at 9:41 AM
To: pra@eaglerockcouncil.org

Sent from my iPhone

Begin forwarded message:

[redacted]
**Date:** August 3, 2019 at 8:48:10 AM PDT
[redacted]
**Subject: Re: Non-positional letters done?**

134 is complete. Colorado needs another pass today. Will have by this evening

MPS

Sent from my iPhone

On Aug 3, 2019, at 8:35 AM, [redacted] wrote:

Hey guys -

i'm trying to get out the ERNC newsletter, but the two non-position letters are not currently linked. Are these done?

A

**EAGLE ROCK NEIGHBORHOOD COUNCIL (ERNC)**
**BOARD MEETING**
**Tuesday, 6 August 2019 • 7PM**
**EAGLE ROCK CITY HALL (ERCH)**
**2035 Colorado Boulevard, Los Angeles 90041**

## I. OPENING BUSINESS

### A. Call to Order

- President Jesse Saucedo called to order at 7:06PM and reviewed the procedures to be followed.
- SHOW of hands first time here. Reviewing of agenda

### B. Roll Call

- A roll call was performed, indicating __QTY__ members of the ERNC, along with over __QTY__ members of the public, were in attendance. A quorum was declared.

| | |
|---|---|
| Here (19) | John Acevedo, Jane Demian, Sylvia Denlinger, Peter Finestone, Lindsay Kiesling, Margaret Irwin, Andrew Jacobs, , Richard Loew, Becky Newman, James Panozzo, Doreen Sanchez, Victor Sanchez, Jesse Saucedo, Haley Solar, Michael Sweeney, Lani Tunzi, and Marcel Whitfeld, and Jane Demian, James Panozzo, Peter Findstone |
| Absent (__3_) | Lisa Kable-Blanchard, Chloe Renee Ziegler |

### C. President's Report

- Jesse …

### D. Consent Calendar

- The following items will be voted on without discussion. Any Board member may request that item(s) be removed and voted on separately = Becky Newman moves to approve consent calendar
  1. Approve corrected July 2019 ERNC meeting minutes
  2. Approve Monthly Expense Report for July 2019
  3. Approve Jane Demian as Homelessness Liaison

- Becky Newman made a motion to approve the Consent Calendar; Jesse Saucedo seconded this motion, and it passed.

### E. Announcements

Jose Hernandez, Council district 14 - Yearly event happening yearly with Highland Park Chamber of Commerce; BET comments extended
Show Canyon Road wrok with City Attorneys's office to operate logistics, too close to Eagle Rock as For access to canyon Trying to get city attorney's office involved to make it more environmentally Friendly; take backt he blvd construction beginning in September/Oct along Colorado Blvd for pedestrian improvements; 12 mil funding with Tara; working closely with street services and metro, working on things that overlap;

LAFD – study from metro regarding services David Spence, Battalion officer on York & Eagle Rock blvd, Brush clearance, leaving flyers; in the midst of heatwave, rain built up brush that is dry; fire season is year-long process; hydrants, hydrate pets and yourselves; take care re wildlife, snakes, etc; brush clearance received notices, to protect you and your neighbors LAFD.ORG for more info on brush clearance.

Department of Neighborhood Empowerment – send impact statement; mtg in valley, san pedro, censor and removal process; ad hoc committee for bylaws may 2020 for amendments to submit;

LAUSD – Dan Marfisi, Eagle rock HS, 24 hour fundraiser a week from weds to raise money for new auditiorium seats 200K; to promote it placing chairs decorated with ribbon & flyers along medians for Colorado and eagle rock blvd, to draw attention and interest; to get the word out; online and at the school; flyers are forthcoming.

LA Sanitation & environment – lead agency for protecting public health & environment; clean water & recycling; watershed protection; www.lacitysand.org, 24 hour customer care 800.773.2489; handout ensuring LA's water future; 100% recycled water by 2025; planting trees for greater greener LA; cards available.

- Mark Estrada from CD14 mentioned the following:

- Edna Degollado from Mayor Garcetti's office spoke of the following:

- LAPD's Senior Lead Officer (SLO) Ochoa addressed the ERNC:

- The LAFD's Captain Carter reported the following:

**F. Treasurer's Report**

- Treasurer Sylvia reported … we have $7477 rolled over from last year. $493 operational & outreach Can't access money until new budget 42000 budget, $750 nieghborhood budget grants; remainder $40, 756.60.

## II. PUBLIC COMMENT ON NON-AGENDA ITEMS

1) Mary Charthart / Loushana Roybal -Green Earth Collective (GEC)
    a. Parking and smoking pot in front of houses; solution based; est 2006; created an incentive program to uber or walk to work; uber or lyft; no parking in red; they cannot smioke or will get their membership revoked; spoke with Mike Sweeny was helpful
2) Brian Fitzburgh / homes for all
    a. 3rd annual bar and meo; turn it into dog park during the day; human barking contest; doggie costume parade; watermelon contest compete against your own dog; free to the community; neighborhood purpose grant;

## III. NEW BUSINESS

**A. PRESENTATION** Update regarding Scholl Canyon Biogas Project landfill

- Eileen Hatrick reported that ….

Advocated for not expanding the landfill; what happened because of Glendale and they decided to have an EIR; report will come out in a few weeks; notion of expansion hasn't gone away; biogas energy plant and flaring the methane from the landfill; lots of things Glendale city council will have to decide. Grayson power plant – wants to build a new plant; will be obsolete by 2025 and not environmental friendly; decied a few weeks ago not to build new plnt but a new 93 megawatt plant, new focus will be to get renewables; coalitions were instrumental in looking at what was happening and do right by the community;

Scholl canyon – doing EIR regarding plant; has to figure out what to do with methane; ignite interest in wanting to know when EIR is coming out, getting info and keeping tabs on it; this does make a difference; Glendale city council organizes it; contact Eileen for more info on coalitions; no liner beause it wasn't required when landfill was established; Verdugo fault is nearby on 134; 15 schools within 2 miles, etc; Glendale residents have pushed the EIR; ehatrick@gmail.com.

**B. PRESENTATION:** Board of Public Works Commission

- President Kevin James reported …

Owverseas dept of public works; 5 beauras sanitation, street services, engineering, official owners; bureau of contracts; street lighting
7 divisions: beautification (OCV), provide community cleanups; accounting financial management; mayors office of film & tv production, contract admin for film LA, 18,000 permits per year in LA; Office of petroleum and natural gas safety, brought back from the 1980s;
Climate & mobilization office, July 1; going through hiring now

Office of forestry, new chief of urban forestry – overseas trees on streets and rec parks and DWP, who manages trees.
Street services – special events dept, Los Angeles marathon,
k.james@lacity.org put eagle rock neighborhood council in subject line in for priority.
Call 311 for more info

- (MS Powerpoint attached to email to Wendy Diaz, Apple One).

**C. DISCUSSION/ACTION** Neighborhood Purpose Grant for up to $1,000 for EnrichLA Garden Ranger Program at Delevan Elementary

- Johanna Recalde mentioned Event LA; 90 SCHOOLS in program on yearly basis; funds go toward supporting program; NPG, handed out flyer of gardening, healthy eating programs etc; does the school give money; 7000 yr budget; school gives 4000 to budget; for all grades; 600,000 per year budget; edible gardening, anything you can eat, watermelon, zucchini, kale lettuce,

  Michael Sweeny Seconds to give neighborhood grant. None opposed no abstentions

**D. DISCUSSION/ACTION** Community Impact Statement (CIS) in support of Councilmember Huizar's Motion re: CF 19-0785 re: Scholl Canyon

Jane Demian: councilor wrote a report to have sanitation write report in support of EIR; methane flares; suggesting field technology, hydrogen field; injecting the gas directly into pipeline; 60,000 people effected by flares; closed by 2027 but methane will still be there; two air quality monitoring needs to be right there at Scholl Canyon; in support of motion.

In support of motion of LA sanitation writing public comment to Glendale sanitation about the EIR

Treasurer – said they do not care what ERNC has to say;

Margaret makes motion to approve
Lindsey Keisling seconded
All approved, none opposed
No absentia

**E. DISCUSSION/ACTION** Community Impact Statement re: CF 16-0243 in support of 100% renewable energy by 2030

- Ethan Senser mentioned ….

Vicki Kirshenbaum – food and water watch
Chance to make voices heard to ask mayor/city council to get the plant up to renewable energy by 2030.; presented community statement
20 neighborhood councils have approved; please sign on
Looking at path to keep us in compliance
2045 is too late in regards to state law

Investing billion dollars for 50 years of gas; gas is as bad as coal; fracking & drilling releases methane; invest in rooftop solar; local jobs.
Asking for a plan

Jesse – sounds like a plan

SylivaTreasurer – moves to support
Peter Firestone – seconded it

Victor Sanchez – think about workers in those industries; any transition toward renewable energy it must include a plan for fair and trust transition for workers including re-training, retaining pensions and fair wages
Last sentence:
All in favor – all aye
None opposed
Motion passes

**F. DISCUSSION/ACTION** Motion of blanket opposition to street-tree removal permits so as to allow Board members to file objections on behalf of the ERNC during the 3-day objection period

- Jane Demian and/or Michael Sweeney discussed …

Jane Demain – an individual member has to file an objection to stop tree from being chopped down. Has no info as to why tree is being removed; will present info to board once she has more info; needs to ask for more time to object.

Doreen Sanchez – Motion
Haley – seconded

Richard Loew – whats the time frame?
Michael - system is setup so that we cannot complain; don't really know
Richard Loew – they can just do whatever?
Jane – NC involved; suggested she do an objection, sent copy to lucy, and adele, head of street services; took photos, something about drainage; tree looks healthy, give tree room to grow; huge issue of cutting down healthy trees; process is put in the request and see what they say

All in favor
None opposed
No abstentions
It passes

**G. DISCUSSION/ACTION** ERNC Public Scoping Comment letter regarding priorities and overall vision for Colorado Boulevard

- Michael Sweeney said …
  Looking at safety and small businesses regarding metro;
  One minute comment period; will go through cards; time strictly adhered to

Phillip Malboro - on the record of supporting Colorado proposal; concerened with zoning re becoming major transit stop; will have impact on residential buildings; request that it be studied, if there are enough request it will be put back on

Cheryl Weaver - how many members of board have read and understand the street guidlines in letter? Suggested that it is read and understood; saftety – evacuation, route safety, not inhibiting emergency vehicles.

Linda Johnston Allen – worked on blvd for a long time; taking back the boulevard to make pedestrian friendly; long standing process from grassroots up; EIR needs to be a full report taking into account environment and historical loss.

Richard Marquez – G/H; from highland park; grew up in the area; what will happen will change eagle rock a lot; impact is unknown; metro is a specialist in making it sound nice but it won't be worth it; will be awful as with the valley BRT.

Sam White - letter is not strong enough for the homeowner; portions, minimizes voice of ppl on each side; outreach relative to the homeowners & renters, trying to reflect what they think; outreach wasn't done well enough; the metro letter is going to take a step back to get around it.

Serverin Martinez – 1st letter supportive, 2nd letter ambivalent; wants to change hearts and minds for street options; don't know what he can say because of misinformation that has been spread; hope decision will be made based on facts not fear & misinformation

There is a letter from October 2016 saying board accepts letter will that be rescinded; does it include Harvey stop only or Harvey & fig.

Caroline Aguirre – who wrote the letters? Michael Sweeney; this letter is not written by Michael McDonald but 3 metro employees; current letter saying that Mike Mcgurray did not write it; suggest that investigation needs to be made; state attorney;

Lydia Storie - thanks for responidig to the community for more detail; conflicting opinion; commutes on 134 daily; pro BRT coming through eagle rock for more options; better transit would mean they would take it.

LeAnn Jackson – Doesn't care about seniors but they care about dog parks; doesn't trust the board; they have lied; don't inform eagle rock people; doesn't know if they live here or what they do here; nothing has been improved in E

Richard Loew – what changes do we want or don't we want

Becky Newman – has deadline of august 15 as a board to make comments; public needs to weigh in on this meeting

Haley Solar

writing of letters came after executive meeting; needs to do outreach what executive meeting is;

Jane Demian - sustainability committee meeting where people could express themselves re BRT; very much in agreement with Richard Loew to get the views of community; put info in letters; letters were written in response to a meeting; she missed the Metro presentation meetings; what do they want to say to metro; would like to be able to incorporate comments fo this evening to study street and freeway option; big proponent of trees and environment.

Michael Sweeny – was not going to submit letter it was extended; compromise was to ask for both; what is being scoped; if specific items need to be in there for option to be studied that should happen; take back the boulevard to make it more livable; drag racing issues; car accidents; not enforcing speed limits; took public comment June committee, six people stayed; emails and over the years re take back the boulevard – safety first, make blvd unique, small buisnesses, street for all; aspirational and have to be germane to project at hand; metro board will not pay attention unless presented to them in a particular way;

Victor Sanchez – 1st letter regarding metro letter is about the timelne; have to take opportunity to submit letter of principle; protecting trees, parking, small businesses; all is in the letter; submitting as a comment on council is well within power of the board; can have larger conversation re BRT; submit letter of priorities; feels conversation has brought out the worst in us; he has grown up in area; stakeholder in Eagle rock; priorities are in alignment with the issues the community has; has the protections for medians, trees, small businesses; in support of submitting letters to community; not the BRT letter, that is a different thing; 1st letter is to have a voice.; more than happy to meet with anyone; asking board members to look specifically at Colorado letter.

Andrew – letter is in line with what community wants for Colorado blvd and take back the blvd; feels important to send the letter; hopes for the best, plans for the worst; to have a voice send letter to BRT to say that this is what's important to the community.

Becky – this is our opportunity to weigh in; themes and goals that listening to community the board can support.

Jane Demian – helpful if we separate G and H; we can calm down and see that one letter will go out that will address it

Haley Solar - this letter is the foot in the door about our general priorities but not the end of the conversation

Treasurer – important to send letter stating what is important

Becky – can approve letter to BRT with amendments; process approve letter then move for Amendments.

Treasurer – this is not a letter that approves them running a bus down Colorado.

Andrew Jacobs – moving to approve the letter to BRT

Margaret Irwin – seconds the motion to apporvoe

Haley Solar – amendments, how does it work? Can we make sure that the 4 points are there? Can we control zoning.

Jane Demian – construction on Colorado blvd, would business receive money from business interruption fund?

Michael sweeny – Metro has money for business interruption fund; this is an opportunity to get more protection for the business

Amy – if there is an amendment what happens to our low income residents? We value older rental buildings want to protect existing low income housing that exists in eagle rock

Jesse Saucedo – they do have a motion that has been seconded

Jane Demian – please be more specific regarding business interruption fund and how it works.

Treasureer – letter says the businesses will be compensated

Michael Sweeny – this is the first serve over the net; sure there can be a way to word It so businesses will be taken care of

All in favor in G – all none opposed
James Panozzo – abstained

Marcel Whitefield John Acevado and Lindsay Kiesling recused themselves – they own properties

**H. DISCUSSION/ACTION** ERNC letter requesting additional study of locally induced ridership and greenhouse gas reductions for the previous Freeway route option

Marcel Whitefield John Acevado and Lindsay Kiesling recused themselves – they own properties

Cheryl Lieber – letter does not call for a full EIR for 134; she has pettion that requests more than 3 questions but want a full report; with stop at Harvey and Figuerora

Bob DeVelasco – It's time to let Mr Garcetti & weezeer and all the rest now that the votesrs do not want more buses running through their neighborhoods; please use the 134 to accomplish your goal; oe would have to be blind deaf and dumb to plans to destroy Colorado blvd. recommends BRT go along 134.

Anthony Ward – lives on 51st Rangeview, kids go to Montessori; having a no left turn going through the community; have there been studies on schools that will be impacted; doesn't give a shit; at the end of the day a community that talks to each other and wants to vote their frustration; currently not exposed to the community. Waste the paper on information not bullshit.

Becky Newman mentioned that it is important to council to study 134 option with suggested metrics included; environmental metrics also suggested; as a council at executive board meeting to try to take the position then these are the principles; if not please study 134.

Michael Sweeny – is the 134 ridership vehicle and greenhouse gas reductions; this is an important test if this is a viable option; reasonable request for metro to do in parallel with other projects; metro board to change an action that they've already taken; good measure to bring science to determine its viability

Becky Newman – can we send to ? isn't he also on metro board?

Michael - no he is not

Jesse – he is copied

public – put it back on to get the entire EIR; just ask

Jesse – requesting more response to the community;

Richard Loew – new to scoping process, trying to figure out what it is. Metro says its about discussing different alternatives, this is the time to ask for it, which means asking for the 134 alternative; prudent down the line the BRT on blvd that there is an alternative if it doesn't work; doesn't see why all options cannot be explored; the scoping is how far it will go, just want to request they include 134 in their scoping.

Haley Solar – would like to make an amendment that the community have 134 explored as an option

Michael Sweeny – this letter is to see if this can even pass; if the ridership model in the alternative analysis it could be a fatal flaw in metrics; this is a defined request that asks if there are Indian remains, etc; if it can't ridership then it can't get reduced greenhouse gases; this is specific so they can't ignore it; they can ignore an EIR.

Jesse Saucedo – please respect time so that we are clear and there will be many opportunities for the community to chime in but please be respectful of the board.

Becky – please one comment at the time

Jane Demian – other issues besides these 3 items; historical, cultural, value of buisnesses; value of Colorado blvd in eagle rock; needs to make metro consider how important Colorado blvd is to eagle rock;

Treasurer – this letter drafted to force metro to reconsider the 134 so it specifically hit those three items;

Jane Demian - metro chose Colorado due to ridership; looking at freeway numbers may come back with the same result

Treasurer – which issues will force the metro to reconsider the freeway?

Victor Sanchez – asking the metro to revisit the previous 134 option, purpose of letter; an EIR will come out of that; what are the most strategic questions to ask to have metro listen to community? Put 134 option back on the table, a full EIR has left the station; happy medium is in between what they are asking.

Haley Solar – why can't we ask for an EIR now?

Treasurer – if ask for entire EIR metro will say they no longer have time to do the whole EIR.

Andrew Jacobs - If we ask for something simpler we are more likely to get it

Slyvia – motions to approve letter

Haley – seconds the motion

Haley – moves to make an amendment to clearly state that eagle rock as a community wants it to be studied.

Margaret Irwin - Reads a paragraph of the letter; should we be clear on the scientific model?

Haley thinks it should be more clearly defined to represent needs of community

Andrew Jacobs – portions of the eagle rock community still have significant questions, and towards that would like a full ? of the 134. Here we are suggesting…. Etc; noting wants of the community

Haley – add strongly

Margaret – Eagle rock community still has…?

Becky Newman – what was specific amendment? Cannot wordsmith letter in this meeting. Table it so put on agenda for September to make as clear as possible.

Andrew – amendment is to stay… reads amendment sentence… would like a full

Margaret – accepts the amendment

Michael – stating that people want the EIR in the amendment

Jesse - asks for votes: all in favor with amendment - all in favor
Abstensions – Victor Sanchez, Becky Newman

**I. DISCUSSION/ACTION** Letter of support for Chifa Restaurant Community design overlay and other requests (per LUPC motion)

Opening restaurant in old pet store; unanimous decision to approve; no questions. Michael Sweeney
Motion to approve
James Pannozzo Seconds
All in favor, none opposed no abstentions

**J. DISCUSSION/ACTION** Letter of support for Zero Fox restaurant CUB and Waiver of Dedication (per LUPC motion)

- LUPC Co-Chair Michael Sweeney mentioned …

Operations manager here to answer question, tara; width of sidewalk?; 3 ft it will fit for dedication, adding ada accessible ramp to restaurant

James Panozzo – moves to approve
John Acedo – seconds

All approve none opposed no absentia

**K. UPDATE** Hydration Stations Update

- Jane Demian spoke of Motion that was submitted in 2018 by Rodrigquez and Martinez. Becky wrote a ltter of support. kPCC wanted to interview them about it. Refilling water bottles. Went to park to take pics of water fountains; would be great to put into effect in eagle rock; investigated prices and sizes; needs to be freestanding; are pipes old pipes? Yes, all pipes are old.
- Jesse Saucedo – get parks & recs involved; in September exec meeting; matching grants

**L. UPDATE** Report Back from ERNC Sustainability Committee meeting

- Jane Demian mentioned Eileen, to get voted onto committee; Brian presented trolley proposal; lots of public comments, some in favor, some against, some didn't know, fears around re-zoning and high rises; what could happen on Colorado blvd; Juan asked for Colorado blvd plan; we as a committee are making a 100% of electric buses for eagle rock; preserving trees; reduce plastic bags and polystyrene

  Juan Ashton - Presented about single use plastic bags, 300mil ton of plastic produced every year; goes into ocean and our food; wants to present to council

**M. UPDATE** Report Back regarding August 4 ERNC Board Retreat

- Jesse Saucedo mentioned …. Customary for board retreat for orientation. More time required for that for people to get to know each other; brainstorming; processes of serving as a board members; appreciate who was able to attend.
- Jane – could have been longer
- Jesse – always was 2 hours but some could stay longer
- Richard Loew – if youre on facebook don't click on others post, don't like a comment on someone else's post
- Slyvia – in lieu of actual guidelines use Sacramento rules
- Jesse – mandatory trainings, points of contact; to be clear and compliant with trainings of social media; open to other ideas
- Slyvia - one retreat a year?
- Jesse – yes

**N. DISCUSSION/ACTION** Schedule next Executive Committee and Board meetings

| Meeting | Date/Time | | Location |
|---|---|---|---|
| Executive Committee | Thursday, August 22 | 7PM | Muddy Paw |
| Regular Board | Tuesday, September 3 | 7PM | ERCH |

**O. ADJOURN**

- Jesse adjourned the meeting at 10:07PM.

= = = = = = = FROM THE PREVIOUS MONTH = = = = = = = = = = = = = = = = = = = = = =

**I. OPENING BUSINESS**

**A. Call to Order**

- President Jesse Saucedo called to order at 7.08PM.

**B. Roll Call**

- A roll call was performed, indicating thirteen members of the ERNC, along with over thirty members of the public, were in attendance. A quorum was declared.

| | |
|---|---|
| Here (13) | John Acevedo, Jane Demian*, Sylvia Denlinger, Peter Finestone, Lindsay Kiesling, Margaret Irwin, Andrew Jacobs, Richard Loew, Doreen Sanchez*, Victor Sanchez, Jesse Saucedo, Lani Tunzi*, and Marcel Whitfeld |
| Resigned (1) | Bridget Hirsch |
| Absent (6) | Lisa Kable-Blanchard, Becky Newman, James Panozzo, Haley Solar, Michael Sweeney, and Chloe Renee Ziegler |

* New board member

**C. President's Report**

- Jesse thanked the following
  - CD14 and everyone who participated in the June 30th concert and fireworks in the park

- Andrew Jacobs for the new SWAG, including ERNC t-shirts, balls, water bottles, etc.
- All who attended the Land Use and Planning Committee (LUPC) meeting regarding the Bus Rapid Transit (BRT). There will be a follow-up Metro-hosted meeting at the Eagle Rock Plaza Mall on Saturday, July 13, 1PM to 3PM. Between now and July 31, Metro invites everyone to stay involved and share feedback via the following methods:
  - Orally at a scoping meeting
  - Call their hotline at 213-418-3228
  - Email to nohopasbrt@metro
  - Visit their website at https://www.metro.net/projects/noho-pasadena-corridor
  - Via Twitter at @metrolosangeles
  - Follow via Facebook at losangelesmetro
  - US Mail to: One Gateway Plaza, 99-13-1, Los Angeles 90012

- Jesse represented the ERNC at a brief meeting with Mayor Garcetti and his staff, including one of his top resources, Amy Perkins, from the Los Angeles Homeless Services Authority (LAHSA). Mayor Garcetti reiterated his continued support for the three most requested services: mobile showers, bridge housing, and temporary parking. In late August, Mayor Garcetti's staff may visit Eagle Rock for a tour.
- Jesse also wished to confirm that everyone on the board completed their mandatory finance, ethics, and code of conduct training.

**D. Consent Calendar**

- The following items will be voted on without discussion. Any Board member may request that item(s) be removed and voted on separately
  4. Approve corrected June 2019 ERNC meeting minutes
  5. Approve Monthly Expense Report for June 2019
  6. Approve Sylvia Denlinger as additional ERNC credit card holder
  7. Approve ERNC board retreat for August 4th
  8. Appoint Pat Niessen and Brigitta Martinez to the Land Use Committee
  9. Approve $100 for refreshments for previously approved cleanup on July 13th
- Andrew Jacobs made a motion to approve the Consent Calendar; Sylvia Denlinger seconded this motion, and it passed.

| | |
|---|---|
| Aye (11) | Acevedo, Demian, Denlinger, Finestone, Kiesling, Irwin, Jacobs, Loew, V. Sanchez, Saucedo, and Whitfeld |
| May Not be Eligible (2) | D. Sanchez and Tunzi |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**E. Announcements**

- Mark Estrada from CD14 mentioned the following:
  - Everyone seemed to have a great time at Sunday's 10th Annual Independence Day Concert and Fireworks Show and he wished everyone a safe and happy July 4th.
  - CD14 submitted a motion to the Los Angeles Housing Authority (LAHA) that the former St. Barnabas Episcopal Church at 2109 Chickasaw Avenue should become Bridge Housing.
  - The CD14/Eagle Rock Association (TERA) "Slow Yosemite" Community Kick-Off/Initiative to promote traffic safety along Yosemite Drive will be Saturday, July 27th beginning at 11AM at the Rock Coffee House, 4808 Townsend Avenue. Learn about TERA's latest streetscape initiative to make Yosemite Drive a safe and healthy street. Share ideas, identify "hot spots" that need attention, and let CD14 and TERA know what a safer Yosemite Drive looks like.

- Edna Degollado from Mayor Garcetti's office spoke of the following:
  - The mayor does not support the presidential-requested ICE raids. These raids were to start on Saturday, June 22, but there has been a two-week extension.
  - In June, the mayor proposed a one-year pilot program for free DASH passes to LAUSD students. This may alleviate the concern that many students lack reliable transportation to go to school.
  - The Summer Night Lights is making its 12th annual Summer in the City. In this program, 32 sites will become a place of safety for our youth by providing meals, activities, and fun services. The services will be free to participants, who can remain in the parks until they close at 11PM on Wednesdays through Saturdays from June 26th through August 9th. Between August 9th and August 23rd, the parks will be open on Fridays and Saturdays until 11PM. The recreation centers closest to Eagle Rock are
    - 2630 Pepper Avenue Cypress Park
    - 3650 Verdugo Road Glassell Park
    - 6150 Piedmont Avenue Highland Park
  - The Bridge Home Project, launched in April 2018 by Mayor Garcetti, enables the city to construct bridge housing [faster than ever before] on any land owned or leased by the city, while we wait for Propositions H and HHH to go into affect. To expedite construction, the Mayor's 2018-19 budget included a $20 million fund to construct emergency bridge housing citywide. Each councilmember must identify a site or building adjacent to a high-density homeless population, and create emergency bridge housing. In total, the mayor's budget includes more than $450m in supportive housing, bridge housing, services, and facilities to help the homeless find their way off the streets. That represents a 147% increase over last year. Possible bridge housing locations include the facility across from the Union Train Station and near the downtown civic center. Additional information can be found at Mayor Garcetti's website https://www.lamayor.org/ABridgeHome
  - Last week, the Supreme Court blocked the citizenship question from the census. Earlier on Tuesday, July 2nd, it was learned that the president's staff withdrew their request for this citizenship question.
  - A stakeholder asked about the rats around skid row; Edna replied that the city does not have a rat abatement program. Sylvia added that typhoid is not from rats, but rather from person to person, possibly from someone who recently visited a country such as Thailand. However, rats can spread fleas. Edna added that they are attempting to sanitize the affected areas.
  - Edna reiterated that the mayor is fully committed to cleaning the area with the elimination of illegal dumping and rats. They hope to have over fifteen additional garbage collection crews, including extra support for each council district, as well as Skid Row and Venice.

- LAPD's Senior Lead Officer (SLO) Ochea addressed the ERNC:
  - The city's narcotics division has arrested several transient people regarding leaving used needles along sidewalks and parks, as well as injections in front of businesses.
  - The LAPD has noticed several young people hanging around the Yosemite Park after the park has closed for the night. This can be extremely dangerous and Officer Ochea urged parents to make certain their children do not go there after the park is closed.

- The LAFD's Captain Carter reported their biggest fears:

- These past few days, they have had to tackle four area brush fires. This past year has seen a great deal of growth, followed by dried vegetation, making the area a tinderbox. The LAFD is very pleased with the homeowner's compliance with mandatory brush clearance.
- In response to Margaret's comment, fireworks are definitely a reportable offense via 911. However, it is difficult for the LAPD and LAFD to track the source.
- Officer Carter also talked about the homeless, and how they get to Eagle Rock [from other areas] via the bus services.

**F. Treasurer's Report**

- Treasurer Sylvia reported that the FY2018-19 is over and the preliminary paperwork for FY2019-20 has been submitted and approved at city hall. This will be further discussed under agenda item H.
- The ERNC has $333 until the end of the month at which time Sylvia will receive her new credit card. The $100 for Richard Loew's clean up along the Eagle Rock Canyon Trail can be withdrawn from that $333.
- For the $10k rollover from the previous fiscal year, the city must first approve that exact amount in August; they may approve merely a little less than $10k.

**II. PUBLIC COMMENT ON NON-AGENDA ITEMS**

- Stakeholder Eli Chartoff and his family have lived on Campus Road for over eighteen years. The Green Earth Collective at 4801 York Boulevard has moved in next door. Their temporary cannabis permit, including permission to grow in their 600-amp greenhouse (which is larger than the retail space) may expire in August. This 600-amp facility (which could operate a full city block of businesses) creates a great fire hazard, including the possibility of faulty wiring. Eli asked that CD14 and the ERNC do everything in their power to not permit their growth permit to become permanent.

- Mrs. Chartoff feels that this growing area should be in an M1 industrial zone rather than in their community. She has a concern about the exhaust fumes and the greenhouse's proximity to their son's bedroom (less than 100' away). Sylvia urged them to attend the July 17th LUPC meeting, as the LUPC's co-chair, Michael Sweeney, is very knowledgeable about codes. Mark Estrada added that CD14 is also working on alleviate this growth permit.

- Stakeholder Janie Glass also lives along Campus Road and feels that the Green Earth Collective has made the neighborhood chaotic with multiple burglaries. All day, their customers are very rude, poor parkers, and bad drivers with their loud cars playing loud music. There is trash throughout the community because the business has insufficient trash collection. In addition, the employees also park in Campus Road; they should park on commercial business area along York Boulevard.

- Neighboring stakeholder Johnny expressed concern about the parking by the clientele and employees of the Green Earth Collective; he feels that it would be much better if they parked along York Boulevard.

- Los Flores Drive resident Emily from LA Forward reported that, along with their 10,000 members, they urge Angelenos to join social justice movements striving to transform LA into a fair, flourishing place for everyone. Their key campaign issue is affordable housing. She is developing a neighborhood-by-neighborhood database highlighting affordable housing. If you know of any area that could include this affordable housing, please go to their website at

https://www.losangelesforward.org, log-in, and add your information; or email that information to housing@laforward.us.

## III. NEW BUSINESS

### A. PRESENTATION Bird E-Scooters

- Morgan Roth, Community Relations Manager from Bird E-Scooters reported that they are one of the top two scooter companies in LA.
- He offered brochures on how to use the vehicles, etc. This information is also available on their website at https://www.bird.co
- The annual fee to use these scooters is $5; this may be waived for low-income individuals.
- Per a comment from Marcel, Santa Monica attempted to ban these scooters, but Bird prevailed.
- When someone leaves a scooter by the side of the road, Bird has a two-hour response window to retrieve it. Their Santa Monica headquarters allows them to respond to wayward scooters throughout the beach communities.
- Scooters are allowed in the bike lane, but NOT on sidewalks. Jane urged Morgan to make certain that they instruct the riders to keep the cutouts available for the elderly and handicapped.
- Margaret asked what Eagle Rock would be liable for; Morgan explained that the city is already indemnified for these scooters, and Bird has liability insurance in place.

### B. PRESENTATION TERA's new initiative "Slow Yosemite"

- Severin Martinez from TERA explained that they have already secured $12m for the "Take Back the Boulevard" and "Rock the Boulevard" initiatives.
- They are now partnering with the Eagle Rock High School and Elementary Schools for the "Slow Yosemite" initiative.
- Traffic near the Eagle Rock High School has gotten worse these past ten years with faster distracted drivers. A few years ago, there was a high profile accident that sent a student to the hospital.
- The "Slow Yosemite" Community Kick-Off/Initiative to promote traffic safety along Yosemite Drive will be Saturday, July 27th beginning at 11AM at the Rock Coffee House, 4808 Townsend Avenue. Learn about TERA's latest streetscape initiative to make Yosemite Drive a safe and healthy street. Share ideas, identify "hot spots" that need attention, and let CD14 and TERA know what a safer Yosemite Drive looks like.

### C. DISCUSSION/ACTION Neighborhood Purpose Grant (NPG) for $750 for Greater North East Los Angeles (GNELA) Association Bear's Youth Football and Cheer Organization's new division's equipment

- Alex Guerra introduced their President Maricela Torres and their mascot.
- Founded in 1969, the GNELA is a non-profit youth football and cheer organization, consisting of:
  - One flag football team,
  - Five tackle division football teams, and
  - Five division cheer squads
- They currently serve 200 youth, ages 5 to 14, from northeast LA, including Eagle Rock, Highland Park, Glassell Park, and Cypress Park. They recently added a new younger tackle division this year and have officially amended their name.

- This grant will support the organization by helping pay for the necessary reconditioning of helmets and purchase new helmets and shoulder pads. For the safety of the athletes, their helmets must undergo reconditioning every two years.
- GNELA currently has seventeen people on their board, over forty volunteers, and many host families.
- Marcela urged parents that if they want their kids to play during high school, it is important that they play in childhood, where they can learn the rules of the game and safety.
- Sylvia asked if girls could play football and boys could cheer; the reply was affirmative.
- John Acevedo asked about their fundraising; Maricela replied that the kids pay enrollment fees, sell cookie dough, and conduct raffles (with donated prizes).
- They are also a part of a local alliance within the community that works to acquire sports fields within area parks. In addition, their league must annually pay $10k for lights.
- Sylvia Denlinger made a motion to approve this $750 NPG; Peter Finestone seconded this motion, and it passed.

| | |
|---|---|
| Aye (11) | Acevedo, Demian, Denlinger, Finestone, Kiesling, Irwin, Jacobs, Loew, V. Sanchez, Saucedo, and Whitfeld |
| May Not be Eligible (2) | D. Sanchez and Tunzi |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**D. DISCUSSION/ACTION** Community Impact Statement (CIS) regarding CF 19-0620/Temporary Bridge Housing in Eagle Rock

- Jane reported that the recent homeless count revealed an 8% increase in homeless families. Contrary to how some people feel, 71% are not drug addicted or mentally ill.
- This CIS supports Councilman Huizar's motion to provide housing for twelve families for 120 days. The provided services will include:

| | |
|---|---|
| On-site security and residential supervision | Case management |
| Assistance with referrals | Crisis intervention |
| Housing navigation | Nutritious meals |

- Sylvia Denlinger made a motion to approve this CIS; John Acevedo seconded this motion, and it passed unanimously.

**E. UPDATE** Housing and Homelessness Committee

- Victor and Jane reported that the ERNC's Housing and Homelessness Committee has engaged over 200 people in the community via the housing forums, etc.
- The key issues are mobile showers and safe parking. The majority of homeless in Eagle Rock reside in their cars. Possible safe parking locations could be the Eagle Rock Recreation Center and an area of the Eagle Rock Plaza's parking lot. These issues will be further discussed at the August ERNC meeting.
- Jane introduced Mel Tillekeratne, the founder and executive director of the "Shower of Hope" that brings together a community of strategic partners to generate more value for the homeless population.
- Shower of Hope is the largest provider of portable showers, with twelve locations throughout LA. Each day, the showers, which last for four to six hours, can cost $800 for 60 people. They visit McArthur Park twice a week to serve over fifty people.
- After their shower, their clients are referred to case management to they can sign up for a benefit, such as bridge housing.
- Mel used the example of a lady with two children who works for a school; however, she cannot afford first and last month's rent to acquire an apartment.

- Mel added that they are open to donations, especially underwear, soap, shampoo, and feminine hygiene products.

**F. DISCUSSION/ACTION** Non-LA Haul Route parking on Colorado

- Sylvia asked to table this agenda item until Michael could further explain this issue. However, this issue was already unanimously approved by the LUPC.
- Sylvia Denlinger made a motion to approve this Haul Route request; Lindsay Kiesling seconded this motion, and it passed.

| | |
|---|---|
| Aye (12) | Acevedo, Denlinger, Finestone, Kiesling, Irwin, Jacobs, Loew, D. Sanchez, V. Sanchez, Saucedo, Tunzi, and Whitfeld |
| Abstain (1) | Demian |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**G. DISCUSSION/ACTION** Letter of support to waive public hearing for Milkfarm Conditional Use Permit (CUP) renewal

- Milkfarm has served bread, cheese, and wine for over five years.
- This letter of support will allow the business owners to waive the additional expenses of a public hearing for the renewal of their CUP.
- Andrew Jacobs made a motion to approve this letter of support; Jesse Saucedo seconded this motion, and it passed.

| | |
|---|---|
| Aye (12) | Acevedo, Demian, Denlinger, Finestone, Kiesling, Irwin, Jacobs, Loew, D. Sanchez, V. Sanchez, Saucedo, and Whitfeld |
| Ineligible (1) | Tunzi |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**H. DISCUSSION/ACTION** Approve budget package for FY 2019/20

- The budget package is similar to last year's package, with the addition of the $10k rollover to [tentatively] allow for $5k towards CISs (for additional native plantings) and $5k for Outreach,
- The only specific line item changes are for office expenses, including $1,500 for beverages, snacks, and pizza for the meetings.
- $2,100 for the clean streets initiative had to be returned to the city's general fund.
- Andrew Jacobs made a motion to approve this budget package; John Acevedo seconded this motion, and it passed.

| | |
|---|---|
| Aye (11) | Acevedo, Demian, Denlinger, Finestone, Kiesling, Irwin, Jacobs, Loew, V. Sanchez, Saucedo, and Whitfeld |
| May Not be Eligible (2) | D. Sanchez and Tunzi |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**I. DISCUSSION/ACTION** Community Impact Statement (CIS) in support of CF 19-0229, also known as "Fair Workweek"

- Anyone who has worked retail or food service remembers the short-notice of their work schedules.
- Victor explained that this CIS would grant employees, who work for companies with over 300 employees worldwide, two-week notice on scheduling.
- Sylvia Denlinger made a motion to approve this CIS; Margaret Irwin seconded this motion, and it passed unanimously.

**J. DISCUSSION/ACTION** Medicare for All resolution

- Medicare fraud investigator and Highland Park resident Sasha Rappaport attended the ERNC meeting of June 4th when he was joined by community organizer Sean Broadbent.
- He recently held an informational presentation at the Eagle Rock Library, whereupon he heard overwhelming support for this Medicare for All.
- Nationwide, over 30m people lack health insurance and over 40m are under-insured.
- There are so many people who cannot afford medical care plus other necessities that they visit emergency rooms when they need a physician. This 2019 Medicare for All Act will provide care for all.
- In response to Margaret's comment, this would be most similar to Canada's system, with several improvements. It could eliminate private insurance.
- Sylvia Denlinger made a motion to approve this Medicare for All resolution; Victor Sanchez seconded this motion, and it passed.

| | |
|---|---|
| Aye (8) | Demian, Denlinger, Jacobs, Loew, D. Sanchez, V. Sanchez, Tunzi, and Whitfeld |
| No (2) | Kiesling and Irwin |
| Abstain (3) | Acevedo, Finestone, and Saucedo |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**K. DISCUSSION/ACTION** Create Ad Hoc Sustainability Committee

- This will be for ad hoc committee until it gets going, then it may become a permanent committee.
- Sylvia Denlinger made a motion to approve this ad hoc Sustainability Committee; Jesse Saucedo seconded this motion, and it passed unanimously.

**L. PRESENTATION** Stay cool, healthy and hydrated during the summer

- Sylvia mentioned that she recently scheduled a free home energy audit from the LADWP. She urged others to contact the LADWP for a free tune-up of their air conditioner, attic insulation inspection, and free light bulbs. They will also provide free Freon for your air conditioner.
- Jane and Sylvia presented some very useful health, safety, and energy saving trips for the summer:

  <u>Keep your body cool</u>
  - Exercise when it is cool, such as early morning or later in the evening.
  - Drink water frequently; do not wait until you are thirsty. If you are not urinating at least three times a day, you are dehydrated.
  - Alcohol and coffee will dehydrate your body, so drink them sparingly.
  - Apply cold water to your body (such as via a foot-soak or neck cloth) if you feel hot. Take cool showers and baths.
  - If you feel nauseous, immediately get into a cool shower.
  - Wear light-colored loose clothing in natural fabrics.
  - Use public air conditioning at city operated recreation centers, senior centers, or libraries. Use private air conditioning at shopping malls and movie theatres.

  <u>Elderly and Infants</u>
  - They are the most likely to suffer heat exhaustion or stroke and the least likely to complain.
  - Check in on elderly friends, family, and neighbors twice a day.
  - Make certain infants are drinking.

  <u>Pets</u>
  - Do not walk your dog in the middle of the day. If the sidewalk is too hot for your bare feet, it is too hot for a dog.
  - Bring dogs and cats inside.

  <u>Wildlife</u>

- Bees and other beneficial insects, possums, and other wildlife need water.
- Put out a shallow dish of water, with a rock in it so the bees do not drown. Change this water every day or two to prevent mosquitoes from breeding. Breeding mosquitoes are visible; you will see "wigglers" in the water.

Air Conditioner

- Set your thermostat to 78° or higher.
- Invest in a "smart" thermostat that you can control from your smart phone.
- Tune the A/C once a year.
- Change the filter every three to six months
- Keeps vents clean.

House Management

- Use shades or curtains to block out the sun.
- Invest in double-paned windows with heat treatment.
- Insulate the walls and attic.
- Use ceiling, pedestal, and rotating fans
- Turn off appliances and electronics when not in use.
- Use the outdoor grill rather than your indoor oven.

Energy Use

- Careful use of energy can help avoid brownouts.
- Use large appliances (such as washer/dryer) at night when energy use is lower.
- Limit opening and closing your refrigerator door.
- If you can afford solar panels with battery storage, they will help you get off the grid and ease dependency on the LADWP.

Water Use

- Water every other day, at most.
- Avoid water overflow into the street and sidewalk.
- Hand water plants with a hose (do not use sprinklers).
- Use gray water (if possible) to water plants.

**M. UPDATE** Eagle Rock Canyon Trail Cleanup on July 13th

- This trail cleanup will be along an overgrown one-mile trail, north of the 134 freeway and the rock, where there is a very nice overlook.
- This trail cleanup will be a collaborative effort with the ERNC (who will provide refreshments), CD14 (who will provide weed cutters and printed flyers), and the Collaborative Eagle Rock Beautiful (CERB). Jesse added that this will be publicized again via the ERNC website and email lists.
- Folks will meet at the base of the trail at 8AM on Saturday, July 13th. This effort will be over by noon, with sufficient time for attendees to attend the BRT meeting at the Eagle Rock Plaza.
- Sylvia asked about trash collection. As there is minimal trash up there to collect, this effort will mainly focus on clearing the trail and trimming the brush.

**N. DISCUSSION/ACTION** Schedule next Executive Committee and Board meetings

| Meeting | Date/Time | | Location |
|---|---|---|---|
| Executive Committee | Monday, July 29 | 7PM | Spire Works |
| Board Retreat | Sunday, August 4 | Noon | TBD |
| Regular Board | Tuesday, August 6 | 7PM | ERCH |

**O. ADJOURN** Presiding Officer

- Jesse adjourned the meeting at 9.20PM.

**EAGLE ROCK**
**NEIGHBORHOOD COUNCIL**

**Executive Committee**

Jesse Saucedo, President
Becky Newman, Vice President
Sylvia Denlinger, Treasurer
AndrewJacobs, Communications
Haley Solar, Secretary
Lisa Kable-Blanchard, Immediate Past President

**CITY OF**
**LOS ANGELES**
CALIFORNIA

eagle rock neighborhood council

P.O. Box 41652
Los Angeles, CA 90041

WWW.ERNC.LA
INFO@ERNC.LA

# ERNC REQUEST:

# METRO TO PROVIDE ADDITIONAL STUDY OF LOCALLY INDUCED RIDERSHIP, REDUCTION IN VEHICLE MILES TRAVELED, AND GREENHOUSE GAS REDUCTIONS FOR THE PREVIOUSLY ELIMINATED "FREEWAY" BRT ROUTE SEGMENT THROUGH EAGLE ROCK VERSUS THE CURRENT "HYBRID" OPTION

August 7, 2019

Supervisor Hilda Solis
856 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

VIA email: firstdistrict@bos.lacounty.gov

Dear Supervisor Solis:

We declare that on August 6, 2019, a Brown Act noticed public meeting was held by the Eagle Rock Neighborhood Council (ERNC) at which a quorum was present. The following motion passed with [INSERT VOTE]:

> **Portions of the Eagle Rock community still have significant questions about how the current "Hybrid" NoHo-Pasadena Bus Rapid Transit (BRT) route-option along Colorado Boulevard compares against the previously-eliminated "Freeway" option where the BRT primarily traveled along the 134 freeway through our community. In the interest of ensuring that the project is clearly understood to be the most effective and sustainable, the ERNC requests that Supervisor Solis and the Metro Board direct their staff to perform additional scientific modeling of both route alignments with regards to the following metrics in the interest of clarity, openness, and overall public-understanding of the project.**

**This request for additional study does not negate, diminish, or replace any of the analytic work already done under the CEQA process, nor does it supplant any of the public-participation already done to-date. What we request is a specific, supplemental study of the following metrics in order to clearly, objectively, and unambiguously evaluate the project's effectiveness vis-a-vis both of the route-options through our community. The three requested metrics are:**

1. **Projected ridership totals for trips originating and/or terminating in Eagle Rock itself under both options to confirm which option would have the highest locally-induced ridership.**
2. **Projected vehicle-miles traveled (VMT) reductions for both options based on expected rates of transit ridership-trips replacing automobile trips.**
3. **Expected greenhouse gas (GHG) reductions for both options through transit ridership-trips replacing automobile trips.**

As both the County Supervisor representing our area and a Metro Board member, we believe you are uniquely situated and best able to facilitate a fair and expeditious resolution. The ERNC fully supports the actions you and your office have taken to-date--both extending the Public Scoping comment period as well as coordinating the additional August 7, 2019 "Open House" meeting to ensure that interested Eagle Rock community members can learn more about the project directly from Metro. Since the BRT is primarily funded through sales-tax and gas-tax proceeds, all members of the Eagle Rock community therefore have a vested interest in the projects' success. Similarly, Metro has a vested interest in ensuring that the project not only has a sustaining ridership, but that it also positively supports the business community to enable it to continue to contribute to the County's overall tax-base.

In closing, additional study of the previously-eliminated 134 option is warranted at this time to ensure that the project meets the following widely-agreed-upon objectives:

1. The BRT project must provide the highest level of service to the largest number of residents of Eagle Rock and our small-businesses' workers so that our choices for work and leisure travel around our community and city include safe, frequent, and high-quality mass-transit.
2. The BRT project must create and sustain high ridership levels along all route-segments to ensure the line's long-term viability, and thusly the long-term viability of existing and new businesses along its route.
3. The BRT project must make the largest feasible contribution towards reducing GHGs and mitigating the effects of climate-change.

As per the published meeting agenda, this comment letter does not bind the ERNC to a position on the current route-alignment of the BRT at this point in time. The purpose of this comment letter is to ensure that all constituents have sufficient data to participate in the later stages of public-comment for this project as part of the DEIR and FEIR.

Thank you for your time in this matter and also to your excellent staff for their ongoing close attention to our community on this matter and others.

Respectfully,

Jesse Saucedo
President, Eagle Rock Neighborhood Council

cc: Office of Mayor Eric Garcetti
Office of Councilmember Jose Huizar
Supervisor Sheila Kuehl, Los Angeles County District 3
Supervisor Kathryn Barger, Los Angeles County District 5
Ara Najarian, Metro Board, North County/San Fernando Valley Sector
John Fasena, Metro Board, San Gabriel Valley Sector
Jacquelyn Dupont-Walker, Metro Board, City of Los Angeles
Mike Bonin, Metro Board, City of Los Angeles
Paul Krekorian, Metro Board, City of Los Angeles
Scott Hartwell, Project Manager, Metro NoHoPas BRT project

18) Any and all documents and records to establish that the ERNC's proposed letter to Supervisor Hilda Solis to be addressed at the August 6, 2019 ERNC meeting was posted 72 hours before the ERNC's August 6, 2019 meeting.

**Andrew Jacobs <andrew.jacobs@eaglerockcouncil.org>**

# Agenda Timing Clarification

[redacted] Tue, Aug 6, 2019 at 9:05 AM

Just to be clear for your call - the agenda was noticed, put up at City Hall and available on our website to the public on Friday. The last two links were not added until Sunday night (the agenda says links may be added until up to one hour before) and the agenda link was emailed out Sunday night.

A

**Andrew Jacobs <andrew.jacobs@eaglerockcouncil.org>**

# ERNC full board meeting agenda 8.6.19

[redacted] Fri, Aug 2, 2019 at 1:55 PM

Attached is a pdf of the ERNC full board meeting for Tuesday, August 6th 2019.
Thank you

[redacted]
Secretary
Business Director
Eagle Rock Neighborhood Council
[redacted]
ernc.la

**_ERNC Board Meeting Agenda 08.06.2019.pdf**
186K

**PLEASE KEEP THIS OFFICIAL DOCUMENT POSTED UNTIL August 7th, 2019**


**EAGLE ROCK NEIGHBORHOOD COUNCIL**

**Executive Committee**

**Jesse Saucedo, President**
**Becky Newman, Vice President**
**Sylvia Denlinger, Treasurer**
**Andrew Jacobs, Communications**
**Haley Solar, Secretary**
**Lisa Kable-Blanchard, Immediate Past President**

**CITY OF LOS ANGELES**
CALIFORNIA

ERIC GARCETTI
MAYOR

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# PUBLIC MEETING NOTICE

# EAGLE ROCK NEIGHBORHOOD COUNCIL
# MONTHLY BOARD MEETING
# Tuesday, August 6, 2019 • 7:00 PM
# EAGLE ROCK CITY HALL
# 2035 Colorado Boulevard, Los Angeles, CA 90041

* * * *

**Please be advised agenda items may not be heard in the order listed.**
***Note to online readers: Web links may be added to "click to view" up to 1 hour before the meeting.***

I. **OPENING BUSINESS**

- **A. CALL TO ORDER:** Welcome to the public, note procedures to be followed. Presiding Officer.
- **B. ROLL CALL:** Haley Solar, Secretary. ERNC quorum is 10 members.
- **C. PRESIDENT'S REPORT:** Jesse Saucedo, President.
- **D. CONSENT CALENDAR:** The following items will be voted on without discussion. Any Board member may request that item(s) be removed and voted on separately. (Jesse Saucedo)
  1. Approve corrected July 2019 ERNC meeting minutes (click to view)
  2. Approve Monthly Expense Report for July 2019 (click to view)
  3. Approve Jane Demian as Homelessness Liaison
- **E. ANNOUNCEMENTS:** Council District 14 (5 min.), State Assembly/Senate, Department of Neighborhood Empowerment, LAPD, LAFD, LAUSD, Budget Advocates, and/or other elected officials. (2 min. each)
- **F. TREASURER'S REPORT:** Sylvia Denlinger, Treasurer. (5 min.)

II. **PUBLIC COMMENT ON NON-AGENDA ITEMS** (10 min.)

**PLEASE KEEP THIS OFFICIAL DOCUMENT POSTED UNTIL August 7th, 2019**

III. **NEW BUSINESS**

A. **PRESENTATION:** Update re: Scholl Canyon Biogas Project (Eileen Hatrick, 7 min.)
B. **PRESENTATION:** Board of Public Works Commission (Kevin James, President, 5 min.)
C. **DISCUSSION/ACTION:** Neighborhood Purpose Grant for up to $1,000 for EnrichLA Garden Ranger Program at Delevan Elementary (click here for materials) (Johanna Recalde, 3 min.)
D. **DISCUSSION/ACTION:** Community Impact Statement in support of Councilmember Huizar's Motion re: CF 19-0785 re: Scholl Canyon (click here for draft) (5 min)
E. **DISCUSSION/ACTION:** Community Impact Statement re: CF 16-0243 in support of 100% renewable energy by 2030 (click here for draft) (Ethan Senser, 3 min.) **CIS statement**, Further resources on the proposal here
F. **DISCUSSION/ACTION:** Motion of blanket opposition to street-tree removal permits so as to allow Board members to file objections on behalf of the ERNC during the 3-day objection period. (Jane Demian/Michael Sweeney, 3 min.)
G. **DISCUSSION/ACTION:** ERNC Public Scoping Comment letter regarding priorities and overall vision for Colorado Boulevard (Letter does not take a position on the proposed route--click here for draft) (Michael Sweeney, 10 min.)
H. **DISCUSSION/ACTION:** ERNC letter requesting additional study of locally induced ridership and greenhouse gas reductions for the previous Freeway route option (Letter does not take a position on the proposed route--click here for draft) (Becky Newman, 10 min.)
I. **DISCUSSION/ACTION:** Letter of support for Chifa Restaurant Community design overlay and other requests (per LUPC motion)) (click here for draft) (Michael Sweeney, 3 min.)
J. **DISCUSSION/ACTION:** Letter of support for Zero Fox restaurant CUB & waiver of Dedication (per LUPC motion) (click here for draft) (Michael Sweeney, 3 min.)
K. **UPDATE:** Hydration Stations Update (Jane Demian, 3 min.)
L. **UPDATE:** Report Back from ERNC Sustainability Committee meeting (Jane Demian, 3 min.)
M. **UPDATE:** Report Back regarding August 4 ERNC Board Retreat (Jesse Saucedo/Becky Newman, 3 min.)
N. **DISCUSSION/ACTION:** Schedule next Executive Committee and Board meetings - (Haley Solar) (1 min.)
O. **ADJOURN:** Presiding Officer

* * * *

Note: Time allocations for agenda items are approximate and may be shortened or lengthened at the discretion of the Chairperson.

PUBLIC INPUT AT NEIGHBORHOOD COUNCIL MEETINGS – The public is requested to fill out a "Speaker Card" to address the Board on any agenda item before the Board takes an action on an item. Comments from the public on agenda items will be heard only when the respective item is being considered. Comments from the public on other matters not appearing on the agenda that are within the Board's jurisdiction will be heard during the General Public Comment period. Please note that under the Brown Act, the Board is prevented from acting on a matter that you bring to its attention during the General Public Comment period; however, the issue raised by a member of the public may become the subject of a future Board meeting. Public comment is limited to 2 minutes per speaker, unless adjusted by the presiding officer of the Board.

PUBLIC POSTING OF AGENDAS - ERNC agendas are posted for public review as follows:

**PLEASE KEEP THIS OFFICIAL DOCUMENT POSTED UNTIL August 7th, 2019**

- Outside notice board at Eagle Rock City Hall, 2035 Colorado Blvd., 90041
- Online at: ERNC.LA
- You can also receive our agendas via email by subscribing to L.A. City's Early Notification System at https://www.lacity.org/city-government/subscribe-meeting-agendas-and-more/neighborhood-councils

THE AMERICANS WITH DISABILITIES ACT - As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices and other auxiliary aids and/or services, may be provided upon request. To ensure availability of services, please make your request at least 3 business days (72 hours) prior to the meeting you wish to attend by contacting the ERNC at: info@ernc.la

PUBLIC ACCESS OF RECORDS – In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed on our website: ERNC.LA or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact the ERNC at: info@ernc.la

RECONSIDERATION AND GRIEVANCE PROCESS

For information on the ERNC's process for board action reconsideration, stakeholder grievance policy, or any other procedural matters related to this Council, please consult the ERNC Bylaws. The Bylaws are available at our Board meetings, and on our website: WWW.ERNC.LA

SERVICIOS DE TRADUCCION

Si requiere servicios de traducción, favor de avisar al Concejo Vecinal 3 días de trabajo (72 horas) antes del evento. Por favor contacte info@ernc.la para avisar al Concejo Vecinal.

19) Any and all documents, including any and all emails between Eagle Rock Neighborhood Council (ERNC) members regarding the ERNC members' decision to include in its proposed letter to Supervisor Hilda Solis a request to limit the Metro Pasadena to North Hollywood Bus Rapid Transit Environmental Impact Report study of the 134 option to only 3 questions.

**PRA REQUEST <pra@eaglerockcouncil.org>**

# Fwd: 134 BRT additional study request-DRAFT - Invitation to edit

[redacted] Thu, Aug 15, 2019 at 6:55 PM
To: PRA@ernc.la

Begin forwarded message:

**From:** [redacted]
**Subject:** **Re: 134 BRT additional study request-DRAFT - Invitation to edit**
**Date:** August 5, 2019 at 4:41:50 PM PDT
[redacted]

Dear board members,

Since I recused myself from the BRT topic, I won't vote or be present during public ERNC discussions regarding the project. As a reminder, if anyone on the ERNC board owns property within 500 feet of the proposed route, they are required to contact Elise Ruden at elise.ruden@lacity.org. I will continue to submit comments here on the issue as a private citizen.

With all due respect, I regard the proposed letter as nothing more than an effort to play into Metro's narrative of the the street-running option being the only sensible choice, while creating the misleading impression that the ERNC intends to solicit serious further study of the freeway option. It completely disregards the fact that Metro controlled that narrative from the start by presenting Eagle Rock only with an all-or-nothing scenario, which willfully omitted a perfectly feasible freeway-running option with at least one stop at Figueroa in addition to the proposed Harvey stop.

More importantly, the author(s) chose to cherry-pick only 3 of the 21 (!) areas that CEQUA studies address to be studied. That could be regarded as an attempt to sway public opinion, because all 3 of which would receive skewed results due to the fact that Metro's only freeway option doesn't include enough stops to create local ridership.

The ERNC is obliged to represent the entire neighborhood. If the board truly strives to include the significant segment of our residents and business owners that are questioning the wiseness of the Colorado option, they will have to demand a freeway option (with a stop at Figueroa) to be added to the EIR, so that all 21 areas would be studied. Since Glendale and Pasadena will have their have route alternatives studied, there is simply no good reason why a freeway option for Eagle Rock should be denied that treatment. It would be the only way to ensure a fair comparison between the two routes. Anything less would solidify and perpetuate the sentiment felt by many in our community that Metro manipulated our neighborhood into giving up two heavily used car lanes, green medians, irreplaceable trees, much needed parking, etc. for their designated BRT lanes - with repeated assistance from the ERNC.

[redacted]
ERNC Boulevards Director

**EAGLE ROCK NEIGHBORHOOD COUNCIL (ERNC)**
**BOARD MEETING**
**Tuesday, 6 August 2019 • 7PM**
**EAGLE ROCK CITY HALL (ERCH)**
**2035 Colorado Boulevard, Los Angeles 90041**

## I. OPENING BUSINESS

### A. Call to Order

- President Jesse Saucedo called to order at 7:06PM and reviewed the procedures to be followed.
- SHOW of hands first time here. Reviewing of agenda

### B. Roll Call

- A roll call was performed, indicating __QTY__ members of the ERNC, along with over __QTY__ members of the public, were in attendance. A quorum was declared.

| | |
|---|---|
| Here (19) | John Acevedo, Jane Demian, Sylvia Denlinger, Peter Finestone, Lindsay Kiesling, Margaret Irwin, Andrew Jacobs, , Richard Loew, Becky Newman, James Panozzo, Doreen Sanchez, Victor Sanchez, Jesse Saucedo, Haley Solar, Michael Sweeney, Lani Tunzi, and Marcel Whitfeld, and Jane Demian, James Panozzo, Peter Findstone |
| Absent (__3_) | Lisa Kable-Blanchard, Chloe Renee Ziegler |

### C. President's Report

- Jesse …

### D. Consent Calendar

- The following items will be voted on without discussion. Any Board member may request that item(s) be removed and voted on separately = Becky Newman moves to approve consent calendar
  1. Approve corrected July 2019 ERNC meeting minutes
  2. Approve Monthly Expense Report for July 2019
  3. Approve Jane Demian as Homelessness Liaison

- Becky Newman made a motion to approve the Consent Calendar; Jesse Saucedo seconded this motion, and it passed.

### E. Announcements

Jose Hernandez, Council district 14 - Yearly event happening yearly with Highland Park Chamber of Commerce; BET comments extended
Show Canyon Road wrok with City Attorneys's office to operate logistics, too close to Eagle Rock as For access to canyon Trying to get city attorney's office involved to make it more environmentally Friendly; take backt he blvd construction beginning in September/Oct along Colorado Blvd for pedestrian improvements; 12 mil funding with Tara; working closely with street services and metro, working on things that overlap;

LAFD – study from metro regarding services David Spence, Battalion officer on York & Eagle Rock blvd, Brush clearance, leaving flyers; in the midst of heatwave, rain built up brush that is dry; fire season is year-long process; hydrants, hydrate pets and yourselves; take care re wildlife, snakes, etc; brush clearance received notices, to protect you and your neighbors LAFD.ORG for more info on brush clearance.

Department of Neighborhood Empowerment – send impact statement; mtg in valley, san pedro, censor and removal process; ad hoc committee for bylaws may 2020 for amendments to submit;

LAUSD – Dan Marfisi, Eagle rock HS, 24 hour fundraiser a week from weds to raise money for new auditiorium seats 200K; to promote it placing chairs decorated with ribbon & flyers along medians for Colorado and eagle rock blvd, to draw attention and interest; to get the word out; online and at the school; flyers are forthcoming.

LA Sanitation & environment – lead agency for protecting public health & environment; clean water & recycling; watershed protection; www.lacitysand.org, 24 hour customer care 800.773.2489; handout ensuring LA's water future; 100% recycled water by 2025; planting trees for greater greener LA; cards available.

- Mark Estrada from CD14 mentioned the following:

- Edna Degollado from Mayor Garcetti's office spoke of the following:

- LAPD's Senior Lead Officer (SLO) Ochoa addressed the ERNC:

- The LAFD's Captain Carter reported the following:

**F. Treasurer's Report**

- Treasurer Sylvia reported … we have $7477 rolled over from last year. $493 operational & outreach Can't access money until new budget 42000 budget, $750 nieghborhood budget grants; remainder $40, 756.60.

## II. PUBLIC COMMENT ON NON-AGENDA ITEMS

1) Mary Charthart / Loushana Roybal -Green Earth Collective (GEC)
    a. Parking and smoking pot in front of houses; solution based; est 2006; created an incentive program to uber or walk to work; uber or lyft; no parking in red; they cannot smioke or will get their membership revoked; spoke with Mike Sweeny was helpful
2) Brian Fitzburgh / homes for all
    a. 3rd annual bar and meo; turn it into dog park during the day; human barking contest; doggie costume parade; watermelon contest compete against your own dog; free to the community; neighborhood purpose grant;

## III. NEW BUSINESS

**A. PRESENTATION** Update regarding Scholl Canyon Biogas Project landfill

- Eileen Hatrick reported that ….

Advocated for not expanding the landfill; what happened because of Glendale and they decided to have an EIR; report will come out in a few weeks; notion of expansion hasn't gone away; biogas energy plant and flaring the methane from the landfill; lots of things Glendale city council will have to decide. Grayson power plant – wants to build a new plant; will be obsolete by 2025 and not environmental friendly; decied a few weeks ago not to build new plnt but a new 93 megawatt plant, new focus will be to get renewables; coalitions were instrumental in looking at what was happening and do right by the community;

Scholl canyon – doing EIR regarding plant; has to figure out what to do with methane; ignite interest in wanting to know when EIR is coming out, getting info and keeping tabs on it; this does make a difference; Glendale city council organizes it; contact Eileen for more info on coalitions; no liner beause it wasn't required when landfill was established; Verdugo fault is nearby on 134; 15 schools within 2 miles, etc; Glendale residents have pushed the EIR; ehatrick@gmail.com.

**B. PRESENTATION:** Board of Public Works Commission

- President Kevin James reported …

Owverseas dept of public works; 5 beauras sanitation, street services, engineering, official owners; bureau of contracts; street lighting
7 divisions: beautification (OCV), provide community cleanups; accounting financial management; mayors office of film & tv production, contract admin for film LA, 18,000 permits per year in LA; Office of petroleum and natural gas safety, brought back from the 1980s;
Climate & mobilization office, July 1; going through hiring now

Office of forestry, new chief of urban forestry – overseas trees on streets and rec parks and DWP, who manages trees.
Street services – special events dept, Los Angeles marathon,
k.james@lacity.org put eagle rock neighborhood council in subject line in for priority.
Call 311 for more info

- (MS Powerpoint attached to email to Wendy Diaz, Apple One).

**C. DISCUSSION/ACTION** Neighborhood Purpose Grant for up to $1,000 for EnrichLA Garden Ranger Program at Delevan Elementary

- Johanna Recalde mentioned Event LA; 90 SCHOOLS in program on yearly basis; funds go toward supporting program; NPG, handed out flyer of gardening, healthy eating programs etc; does the school give money; 7000 yr budget; school gives 4000 to budget; for all grades; 600,000 per year budget; edible gardening, anything you can eat, watermelon, zucchini, kale lettuce,

  Michael Sweeny Seconds to give neighborhood grant. None opposed no abstentions

**D. DISCUSSION/ACTION** Community Impact Statement (CIS) in support of Councilmember Huizar's Motion re: CF 19-0785 re: Scholl Canyon

Jane Demian: councilor wrote a report to have sanitation write report in support of EIR; methane flares; suggesting field technology, hydrogen field; injecting the gas directly into pipeline; 60,000 people effected by flares; closed by 2027 but methane will still be there; two air quality monitoring needs to be right there at Scholl Canyon; in support of motion.

In support of motion of LA sanitation writing public comment to Glendale sanitation about the EIR

Treasurer – said they do not care what ERNC has to say;

Margaret makes motion to approve
Lindsey Keisling seconded
All approved, none opposed
No absentia

**E. DISCUSSION/ACTION** Community Impact Statement re: CF 16-0243 in support of 100% renewable energy by 2030

- Ethan Senser mentioned ….

Vicki Kirshenbaum – food and water watch
Chance to make voices heard to ask mayor/city council to get the plant up to renewable energy by 2030.; presented community statement
20 neighborhood councils have approved; please sign on
Looking at path to keep us in compliance
2045 is too late in regards to state law

Investing billion dollars for 50 years of gas; gas is as bad as coal; fracking & drilling releases methane; invest in rooftop solar; local jobs.
Asking for a plan

Jesse – sounds like a plan

SylivaTreasurer – moves to support
Peter Firestone – seconded it

Victor Sanchez – think about workers in those industries; any transition toward renewable energy it must include a plan for fair and trust transition for workers including re-training, retaining pensions and fair wages
Last sentence:
All in favor – all aye
None opposed
Motion passes

**F. DISCUSSION/ACTION** Motion of blanket opposition to street-tree removal permits so as to allow Board members to file objections on behalf of the ERNC during the 3-day objection period

- Jane Demian and/or Michael Sweeney discussed …

Jane Demain – an individual member has to file an objection to stop tree from being chopped down. Has no info as to why tree is being removed; will present info to board once she has more info; needs to ask for more time to object.

Doreen Sanchez – Motion
Haley – seconded

Richard Loew – whats the time frame?
Michael - system is setup so that we cannot complain; don't really know
Richard Loew – they can just do whatever?
Jane – NC involved; suggested she do an objection, sent copy to lucy, and adele, head of street services; took photos, something about drainage; tree looks healthy, give tree room to grow; huge issue of cutting down healthy trees; process is put in the request and see what they say

All in favor
None opposed
No abstentions
It passes

**G. DISCUSSION/ACTION** ERNC Public Scoping Comment letter regarding priorities and overall vision for Colorado Boulevard

- Michael Sweeney said …
  Looking at safety and small businesses regarding metro;
  One minute comment period; will go through cards; time strictly adhered to

Phillip Malboro - on the record of supporting Colorado proposal; concerened with zoning re becoming major transit stop; will have impact on residential buildings; request that it be studied, if there are enough request it will be put back on

Cheryl Weaver - how many members of board have read and understand the street guidlines in letter? Suggested that it is read and understood; saftety – evacuation, route safety, not inhibiting emergency vehicles.

Linda Johnston Allen – worked on blvd for a long time; taking back the boulevard to make pedestrian friendly; long standing process from grassroots up; EIR needs to be a full report taking into account environment and historical loss.

Richard Marquez – G/H; from highland park; grew up in the area; what will happen will change eagle rock a lot; impact is unknown; metro is a specialist in making it sound nice but it won't be worth it; will be awful as with the valley BRT.

Sam White - letter is not strong enough for the homeowner; portions, minimizes voice of ppl on each side; outreach relative to the homeowners & renters, trying to reflect what they think; outreach wasn't done well enough; the metro letter is going to take a step back to get around it.

Serverin Martinez – 1st letter supportive, 2nd letter ambivalent; wants to change hearts and minds for street options; don't know what he can say because of misinformation that has been spread; hope decision will be made based on facts not fear & misinformation

There is a letter from October 2016 saying board accepts letter will that be rescinded; does it include Harvey stop only or Harvey & fig.

Caroline Aguirre – who wrote the letters? Michael Sweeney; this letter is not written by Michael McDonald but 3 metro employees; current letter saying that Mike Mcgurray did not write it; suggest that investigation needs to be made; state attorney;

Lydia Storie - thanks for responidig to the community for more detail; conflicting opinion; commutes on 134 daily; pro BRT coming through eagle rock for more options; better transit would mean they would take it.

LeAnn Jackson – Doesn't care about seniors but they care about dog parks; doesn't trust the board; they have lied; don't inform eagle rock people; doesn't know if they live here or what they do here; nothing has been improved in E

Richard Loew – what changes do we want or don't we want

Becky Newman – has deadline of august 15 as a board to make comments; public needs to weigh in on this meeting

Haley Solar

writing of letters came after executive meeting; needs to do outreach what executive meeting is;

Jane Demian - sustainability committee meeting where people could express themselves re BRT; very much in agreement with Richard Loew to get the views of community; put info in letters; letters were written in response to a meeting; she missed the Metro presentation meetings; what do they want to say to metro; would like to be able to incorporate comments fo this evening to study street and freeway option; big proponent of trees and environment.

Michael Sweeny – was not going to submit letter it was extended; compromise was to ask for both; what is being scoped; if specific items need to be in there for option to be studied that should happen; take back the boulevard to make it more livable; drag racing issues; car accidents; not enforcing speed limits; took public comment June committee, six people stayed; emails and over the years re take back the boulevard – safety first, make blvd unique, small buisnesses, street for all; aspirational and have to be germane to project at hand; metro board will not pay attention unless presented to them in a particular way;

Victor Sanchez – 1st letter regarding metro letter is about the timelne; have to take opportunity to submit letter of principle; protecting trees, parking, small businesses; all is in the letter; submitting as a comment on council is well within power of the board; can have larger conversation re BRT; submit letter of priorities; feels conversation has brought out the worst in us; he has grown up in area; stakeholder in Eagle rock; priorities are in alignment with the issues the community has; has the protections for medians, trees, small businesses; in support of submitting letters to community; not the BRT letter, that is a different thing; 1st letter is to have a voice.; more than happy to meet with anyone; asking board members to look specifically at Colorado letter.

Andrew – letter is in line with what community wants for Colorado blvd and take back the blvd; feels important to send the letter; hopes for the best, plans for the worst; to have a voice send letter to BRT to say that this is what's important to the community.

Becky – this is our opportunity to weigh in; themes and goals that listening to community the board can support.

Jane Demian – helpful if we separate G and H; we can calm down and see that one letter will go out that will address it

Haley Solar - this letter is the foot in the door about our general priorities but not the end of the conversation

Treasurer – important to send letter stating what is important

Becky – can approve letter to BRT with amendments; process approve letter then move for Amendments.

Treasurer – this is not a letter that approves them running a bus down Colorado.

Andrew Jacobs – moving to approve the letter to BRT

Margaret Irwin – seconds the motion to apporvoe

Haley Solar – amendments, how does it work? Can we make sure that the 4 points are there? Can we control zoning.

Jane Demian – construction on Colorado blvd, would business receive money from business interruption fund?

Michael sweeny – Metro has money for business interruption fund; this is an opportunity to get more protection for the business

Amy – if there is an amendment what happens to our low income residents? We value older rental buildings want to protect existing low income housing that exists in eagle rock

Jesse Saucedo – they do have a motion that has been seconded

Jane Demian – please be more specific regarding business interruption fund and how it works.

Treasureer – letter says the businesses will be compensated

Michael Sweeny – this is the first serve over the net; sure there can be a way to word It so businesses will be taken care of

All in favor in G – all none opposed
James Panozzo – abstained

Marcel Whitefield John Acevado and Lindsay Kiesling recused themselves – they own properties

**H. DISCUSSION/ACTION** ERNC letter requesting additional study of locally induced ridership and greenhouse gas reductions for the previous Freeway route option

Marcel Whitefield John Acevado and Lindsay Kiesling recused themselves – they own properties

Cheryl Lieber – letter does not call for a full EIR for 134; she has pettion that requests more than 3 questions but want a full report; with stop at Harvey and Figuerora

Bob DeVelasco – It's time to let Mr Garcetti & weezeer and all the rest now that the votesrs do not want more buses running through their neighborhoods; please use the 134 to accomplish your goal; oe would have to be blind deaf and dumb to plans to destroy Colorado blvd. recommends BRT go along 134.

Anthony Ward – lives on 51st Rangeview, kids go to Montessori; having a no left turn going through the community; have there been studies on schools that will be impacted; doesn't give a shit; at the end of the day a community that talks to each other and wants to vote their frustration; currently not exposed to the community. Waste the paper on information not bullshit.

Becky Newman mentioned that it is important to council to study 134 option with suggested metrics included; environmental metrics also suggested; as a council at executive board meeting to try to take the position then these are the principles; if not please study 134.

Michael Sweeny – is the 134 ridership vehicle and greenhouse gas reductions; this is an important test if this is a viable option; reasonable request for metro to do in parallel with other projects; metro board to change an action that they've already taken; good measure to bring science to determine its viability

Becky Newman – can we send to ? isn't he also on metro board?

Michael - no he is not

Jesse – he is copied

public – put it back on to get the entire EIR; just ask

Jesse – requesting more response to the community;

Richard Loew – new to scoping process, trying to figure out what it is. Metro says its about discussing different alternatives, this is the time to ask for it, which means asking for the 134 alternative; prudent down the line the BRT on blvd that there is an alternative if it doesn't work; doesn't see why all options cannot be explored; the scoping is how far it will go, just want to request they include 134 in their scoping.

Haley Solar – would like to make an amendment that the community have 134 explored as an option

Michael Sweeny – this letter is to see if this can even pass; if the ridership model in the alternative analysis it could be a fatal flaw in metrics; this is a defined request that asks if there are Indian remains, etc; if it can't ridership then it can't get reduced greenhouse gases; this is specific so they can't ignore it; they can ignore an EIR.

Jesse Saucedo – please respect time so that we are clear and there will be many opportunities for the community to chime in but please be respectful of the board.

Becky – please one comment at the time

Jane Demian – other issues besides these 3 items; historical, cultural, value of buisnesses; value of Colorado blvd in eagle rock; needs to make metro consider how important Colorado blvd is to eagle rock;

Treasurer – this letter drafted to force metro to reconsider the 134 so it specifically hit those three items;

Jane Demian - metro chose Colorado due to ridership; looking at freeway numbers may come back with the same result

Treasurer – which issues will force the metro to reconsider the freeway?

Victor Sanchez – asking the metro to revisit the previous 134 option, purpose of letter; an EIR will come out of that; what are the most strategic questions to ask to have metro listen to community? Put 134 option back on the table, a full EIR has left the station; happy medium is in between what they are asking.

Haley Solar – why can't we ask for an EIR now?

Treasurer – if ask for entire EIR metro will say they no longer have time to do the whole EIR.

Andrew Jacobs - If we ask for something simpler we are more likely to get it

Slyvia – motions to approve letter

Haley – seconds the motion

Haley – moves to make an amendment to clearly state that eagle rock as a community wants it to be studied.

Margaret Irwin - Reads a paragraph of the letter; should we be clear on the scientific model?

Haley thinks it should be more clearly defined to represent needs of community

Andrew Jacobs – portions of the eagle rock community still have significant questions, and towards that would like a full ? of the 134. Here we are suggesting…. Etc; noting wants of the community

Haley – add strongly

Margaret – Eagle rock community still has…?

Becky Newman – what was specific amendment? Cannot wordsmith letter in this meeting. Table it so put on agenda for September to make as clear as possible.

Andrew – amendment is to stay… reads amendment sentence… would like a full

Margaret – accepts the amendment

Michael – stating that people want the EIR in the amendment

Jesse - asks for votes: all in favor with amendment - all in favor
Abstensions – Victor Sanchez, Becky Newman

**I. DISCUSSION/ACTION** Letter of support for Chifa Restaurant Community design overlay and other requests (per LUPC motion)

Opening restaurant in old pet store; unanimous decision to approve; no questions. Michael Sweeney
Motion to approve
James Pannozzo Seconds
All in favor, none opposed no abstentions

**J. DISCUSSION/ACTION** Letter of support for Zero Fox restaurant CUB and Waiver of Dedication (per LUPC motion)

- LUPC Co-Chair Michael Sweeney mentioned …

Operations manager here to answer question, tara; width of sidewalk?; 3 ft it will fit for dedication, adding ada accessible ramp to restaurant

James Panozzo – moves to approve
John Acedo – seconds

All approve none opposed no absentia

**K. UPDATE** Hydration Stations Update

- Jane Demian spoke of Motion that was submitted in 2018 by Rodrigquez and Martinez. Becky wrote a ltter of support. kPCC wanted to interview them about it. Refilling water bottles. Went to park to take pics of water fountains; would be great to put into effect in eagle rock; investigated prices and sizes; needs to be freestanding; are pipes old pipes? Yes, all pipes are old.
- Jesse Saucedo – get parks & recs involved; in September exec meeting; matching grants

**L. UPDATE** Report Back from ERNC Sustainability Committee meeting

- Jane Demian mentioned Eileen, to get voted onto committee; Brian presented trolley proposal; lots of public comments, some in favor, some against, some didn't know, fears around re-zoning and high rises; what could happen on Colorado blvd; Juan asked for Colorado blvd plan; we as a committee are making a 100% of electric buses for eagle rock; preserving trees; reduce plastic bags and polystyrene

  Juan Ashton - Presented about single use plastic bags, 300mil ton of plastic produced every year; goes into ocean and our food; wants to present to council

**M. UPDATE** Report Back regarding August 4 ERNC Board Retreat

- Jesse Saucedo mentioned …. Customary for board retreat for orientation. More time required for that for people to get to know each other; brainstorming; processes of serving as a board members; appreciate who was able to attend.
- Jane – could have been longer
- Jesse – always was 2 hours but some could stay longer
- Richard Loew – if youre on facebook don't click on others post, don't like a comment on someone else's post
- Slyvia – in lieu of actual guidelines use Sacramento rules
- Jesse – mandatory trainings, points of contact; to be clear and compliant with trainings of social media; open to other ideas
- Slyvia - one retreat a year?
- Jesse – yes

**N. DISCUSSION/ACTION** Schedule next Executive Committee and Board meetings

| Meeting | Date/Time | | Location |
|---|---|---|---|
| Executive Committee | Thursday, August 22 | 7PM | Muddy Paw |
| Regular Board | Tuesday, September 3 | 7PM | ERCH |

**O. ADJOURN**

- Jesse adjourned the meeting at 10:07PM.

= = = = = = = FROM THE PREVIOUS MONTH = = = = = = = = = = = = = = = = = = = = = =

**I. OPENING BUSINESS**

**A. Call to Order**

- President Jesse Saucedo called to order at 7.08PM.

**B. Roll Call**

- A roll call was performed, indicating thirteen members of the ERNC, along with over thirty members of the public, were in attendance. A quorum was declared.

| | |
|---|---|
| Here (13) | John Acevedo, Jane Demian*, Sylvia Denlinger, Peter Finestone, Lindsay Kiesling, Margaret Irwin, Andrew Jacobs, Richard Loew, Doreen Sanchez*, Victor Sanchez, Jesse Saucedo, Lani Tunzi*, and Marcel Whitfeld |
| Resigned (1) | Bridget Hirsch |
| Absent (6) | Lisa Kable-Blanchard, Becky Newman, James Panozzo, Haley Solar, Michael Sweeney, and Chloe Renee Ziegler |

* New board member

**C. President's Report**

- Jesse thanked the following
  - CD14 and everyone who participated in the June 30th concert and fireworks in the park

- Andrew Jacobs for the new SWAG, including ERNC t-shirts, balls, water bottles, etc.
- All who attended the Land Use and Planning Committee (LUPC) meeting regarding the Bus Rapid Transit (BRT). There will be a follow-up Metro-hosted meeting at the Eagle Rock Plaza Mall on Saturday, July 13, 1PM to 3PM. Between now and July 31, Metro invites everyone to stay involved and share feedback via the following methods:
  - Orally at a scoping meeting
  - Call their hotline at 213-418-3228
  - Email to nohopasbrt@metro
  - Visit their website at https://www.metro.net/projects/noho-pasadena-corridor
  - Via Twitter at @metrolosangeles
  - Follow via Facebook at losangelesmetro
  - US Mail to: One Gateway Plaza, 99-13-1, Los Angeles 90012

- Jesse represented the ERNC at a brief meeting with Mayor Garcetti and his staff, including one of his top resources, Amy Perkins, from the Los Angeles Homeless Services Authority (LAHSA). Mayor Garcetti reiterated his continued support for the three most requested services: mobile showers, bridge housing, and temporary parking. In late August, Mayor Garcetti's staff may visit Eagle Rock for a tour.
- Jesse also wished to confirm that everyone on the board completed their mandatory finance, ethics, and code of conduct training.

**D. Consent Calendar**

- The following items will be voted on without discussion. Any Board member may request that item(s) be removed and voted on separately
  4. Approve corrected June 2019 ERNC meeting minutes
  5. Approve Monthly Expense Report for June 2019
  6. Approve Sylvia Denlinger as additional ERNC credit card holder
  7. Approve ERNC board retreat for August 4th
  8. Appoint Pat Niessen and Brigitta Martinez to the Land Use Committee
  9. Approve $100 for refreshments for previously approved cleanup on July 13th
- Andrew Jacobs made a motion to approve the Consent Calendar; Sylvia Denlinger seconded this motion, and it passed.

| | |
|---|---|
| Aye (11) | Acevedo, Demian, Denlinger, Finestone, Kiesling, Irwin, Jacobs, Loew, V. Sanchez, Saucedo, and Whitfeld |
| May Not be Eligible (2) | D. Sanchez and Tunzi |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**E. Announcements**

- Mark Estrada from CD14 mentioned the following:
  - Everyone seemed to have a great time at Sunday's 10th Annual Independence Day Concert and Fireworks Show and he wished everyone a safe and happy July 4th.
  - CD14 submitted a motion to the Los Angeles Housing Authority (LAHA) that the former St. Barnabas Episcopal Church at 2109 Chickasaw Avenue should become Bridge Housing.
  - The CD14/Eagle Rock Association (TERA) "Slow Yosemite" Community Kick-Off/Initiative to promote traffic safety along Yosemite Drive will be Saturday, July 27th beginning at 11AM at the Rock Coffee House, 4808 Townsend Avenue. Learn about TERA's latest streetscape initiative to make Yosemite Drive a safe and healthy street. Share ideas, identify "hot spots" that need attention, and let CD14 and TERA know what a safer Yosemite Drive looks like.

- Edna Degollado from Mayor Garcetti's office spoke of the following:
  - The mayor does not support the presidential-requested ICE raids. These raids were to start on Saturday, June 22, but there has been a two-week extension.
  - In June, the mayor proposed a one-year pilot program for free DASH passes to LAUSD students. This may alleviate the concern that many students lack reliable transportation to go to school.
  - The Summer Night Lights is making its 12th annual Summer in the City. In this program, 32 sites will become a place of safety for our youth by providing meals, activities, and fun services. The services will be free to participants, who can remain in the parks until they close at 11PM on Wednesdays through Saturdays from June 26th through August 9th. Between August 9th and August 23rd, the parks will be open on Fridays and Saturdays until 11PM. The recreation centers closest to Eagle Rock are
    - 2630 Pepper Avenue Cypress Park
    - 3650 Verdugo Road Glassell Park
    - 6150 Piedmont Avenue Highland Park
  - The Bridge Home Project, launched in April 2018 by Mayor Garcetti, enables the city to construct bridge housing [faster than ever before] on any land owned or leased by the city, while we wait for Propositions H and HHH to go into affect. To expedite construction, the Mayor's 2018-19 budget included a $20 million fund to construct emergency bridge housing citywide. Each councilmember must identify a site or building adjacent to a high-density homeless population, and create emergency bridge housing. In total, the mayor's budget includes more than $450m in supportive housing, bridge housing, services, and facilities to help the homeless find their way off the streets. That represents a 147% increase over last year. Possible bridge housing locations include the facility across from the Union Train Station and near the downtown civic center. Additional information can be found at Mayor Garcetti's website https://www.lamayor.org/ABridgeHome
  - Last week, the Supreme Court blocked the citizenship question from the census. Earlier on Tuesday, July 2nd, it was learned that the president's staff withdrew their request for this citizenship question.
  - A stakeholder asked about the rats around skid row; Edna replied that the city does not have a rat abatement program. Sylvia added that typhoid is not from rats, but rather from person to person, possibly from someone who recently visited a country such as Thailand. However, rats can spread fleas. Edna added that they are attempting to sanitize the affected areas.
  - Edna reiterated that the mayor is fully committed to cleaning the area with the elimination of illegal dumping and rats. They hope to have over fifteen additional garbage collection crews, including extra support for each council district, as well as Skid Row and Venice.

- LAPD's Senior Lead Officer (SLO) Ochea addressed the ERNC:
  - The city's narcotics division has arrested several transient people regarding leaving used needles along sidewalks and parks, as well as injections in front of businesses.
  - The LAPD has noticed several young people hanging around the Yosemite Park after the park has closed for the night. This can be extremely dangerous and Officer Ochea urged parents to make certain their children do not go there after the park is closed.

- The LAFD's Captain Carter reported their biggest fears:

- These past few days, they have had to tackle four area brush fires. This past year has seen a great deal of growth, followed by dried vegetation, making the area a tinderbox. The LAFD is very pleased with the homeowner's compliance with mandatory brush clearance.
- In response to Margaret's comment, fireworks are definitely a reportable offense via 911. However, it is difficult for the LAPD and LAFD to track the source.
- Officer Carter also talked about the homeless, and how they get to Eagle Rock [from other areas] via the bus services.

**F. Treasurer's Report**

- Treasurer Sylvia reported that the FY2018-19 is over and the preliminary paperwork for FY2019-20 has been submitted and approved at city hall. This will be further discussed under agenda item H.
- The ERNC has $333 until the end of the month at which time Sylvia will receive her new credit card. The $100 for Richard Loew's clean up along the Eagle Rock Canyon Trail can be withdrawn from that $333.
- For the $10k rollover from the previous fiscal year, the city must first approve that exact amount in August; they may approve merely a little less than $10k.

**II. PUBLIC COMMENT ON NON-AGENDA ITEMS**

- Stakeholder Eli Chartoff and his family have lived on Campus Road for over eighteen years. The Green Earth Collective at 4801 York Boulevard has moved in next door. Their temporary cannabis permit, including permission to grow in their 600-amp greenhouse (which is larger than the retail space) may expire in August. This 600-amp facility (which could operate a full city block of businesses) creates a great fire hazard, including the possibility of faulty wiring. Eli asked that CD14 and the ERNC do everything in their power to not permit their growth permit to become permanent.

- Mrs. Chartoff feels that this growing area should be in an M1 industrial zone rather than in their community. She has a concern about the exhaust fumes and the greenhouse's proximity to their son's bedroom (less than 100' away). Sylvia urged them to attend the July 17th LUPC meeting, as the LUPC's co-chair, Michael Sweeney, is very knowledgeable about codes. Mark Estrada added that CD14 is also working on alleviate this growth permit.

- Stakeholder Janie Glass also lives along Campus Road and feels that the Green Earth Collective has made the neighborhood chaotic with multiple burglaries. All day, their customers are very rude, poor parkers, and bad drivers with their loud cars playing loud music. There is trash throughout the community because the business has insufficient trash collection. In addition, the employees also park in Campus Road; they should park on commercial business area along York Boulevard.

- Neighboring stakeholder Johnny expressed concern about the parking by the clientele and employees of the Green Earth Collective; he feels that it would be much better if they parked along York Boulevard.

- Los Flores Drive resident Emily from LA Forward reported that, along with their 10,000 members, they urge Angelenos to join social justice movements striving to transform LA into a fair, flourishing place for everyone. Their key campaign issue is affordable housing. She is developing a neighborhood-by-neighborhood database highlighting affordable housing. If you know of any area that could include this affordable housing, please go to their website at

https://www.losangelesforward.org, log-in, and add your information; or email that information to housing@laforward.us.

## III. NEW BUSINESS

### A. PRESENTATION Bird E-Scooters

- Morgan Roth, Community Relations Manager from Bird E-Scooters reported that they are one of the top two scooter companies in LA.
- He offered brochures on how to use the vehicles, etc. This information is also available on their website at https://www.bird.co
- The annual fee to use these scooters is $5; this may be waived for low-income individuals.
- Per a comment from Marcel, Santa Monica attempted to ban these scooters, but Bird prevailed.
- When someone leaves a scooter by the side of the road, Bird has a two-hour response window to retrieve it. Their Santa Monica headquarters allows them to respond to wayward scooters throughout the beach communities.
- Scooters are allowed in the bike lane, but NOT on sidewalks. Jane urged Morgan to make certain that they instruct the riders to keep the cutouts available for the elderly and handicapped.
- Margaret asked what Eagle Rock would be liable for; Morgan explained that the city is already indemnified for these scooters, and Bird has liability insurance in place.

### B. PRESENTATION TERA's new initiative "Slow Yosemite"

- Severin Martinez from TERA explained that they have already secured $12m for the "Take Back the Boulevard" and "Rock the Boulevard" initiatives.
- They are now partnering with the Eagle Rock High School and Elementary Schools for the "Slow Yosemite" initiative.
- Traffic near the Eagle Rock High School has gotten worse these past ten years with faster distracted drivers. A few years ago, there was a high profile accident that sent a student to the hospital.
- The "Slow Yosemite" Community Kick-Off/Initiative to promote traffic safety along Yosemite Drive will be Saturday, July 27th beginning at 11AM at the Rock Coffee House, 4808 Townsend Avenue. Learn about TERA's latest streetscape initiative to make Yosemite Drive a safe and healthy street. Share ideas, identify "hot spots" that need attention, and let CD14 and TERA know what a safer Yosemite Drive looks like.

### C. DISCUSSION/ACTION Neighborhood Purpose Grant (NPG) for $750 for Greater North East Los Angeles (GNELA) Association Bear's Youth Football and Cheer Organization's new division's equipment

- Alex Guerra introduced their President Maricela Torres and their mascot.
- Founded in 1969, the GNELA is a non-profit youth football and cheer organization, consisting of:
  - One flag football team,
  - Five tackle division football teams, and
  - Five division cheer squads
- They currently serve 200 youth, ages 5 to 14, from northeast LA, including Eagle Rock, Highland Park, Glassell Park, and Cypress Park. They recently added a new younger tackle division this year and have officially amended their name.

- This grant will support the organization by helping pay for the necessary reconditioning of helmets and purchase new helmets and shoulder pads. For the safety of the athletes, their helmets must undergo reconditioning every two years.
- GNELA currently has seventeen people on their board, over forty volunteers, and many host families.
- Marcela urged parents that if they want their kids to play during high school, it is important that they play in childhood, where they can learn the rules of the game and safety.
- Sylvia asked if girls could play football and boys could cheer; the reply was affirmative.
- John Acevedo asked about their fundraising; Maricela replied that the kids pay enrollment fees, sell cookie dough, and conduct raffles (with donated prizes).
- They are also a part of a local alliance within the community that works to acquire sports fields within area parks. In addition, their league must annually pay $10k for lights.
- Sylvia Denlinger made a motion to approve this $750 NPG; Peter Finestone seconded this motion, and it passed.

| | |
|---|---|
| Aye (11) | Acevedo, Demian, Denlinger, Finestone, Kiesling, Irwin, Jacobs, Loew, V. Sanchez, Saucedo, and Whitfeld |
| May Not be Eligible (2) | D. Sanchez and Tunzi |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**D. DISCUSSION/ACTION** Community Impact Statement (CIS) regarding CF 19-0620/Temporary Bridge Housing in Eagle Rock

- Jane reported that the recent homeless count revealed an 8% increase in homeless families. Contrary to how some people feel, 71% are not drug addicted or mentally ill.
- This CIS supports Councilman Huizar's motion to provide housing for twelve families for 120 days. The provided services will include:

| | |
|---|---|
| On-site security and residential supervision | Case management |
| Assistance with referrals | Crisis intervention |
| Housing navigation | Nutritious meals |

- Sylvia Denlinger made a motion to approve this CIS; John Acevedo seconded this motion, and it passed unanimously.

**E. UPDATE** Housing and Homelessness Committee

- Victor and Jane reported that the ERNC's Housing and Homelessness Committee has engaged over 200 people in the community via the housing forums, etc.
- The key issues are mobile showers and safe parking. The majority of homeless in Eagle Rock reside in their cars. Possible safe parking locations could be the Eagle Rock Recreation Center and an area of the Eagle Rock Plaza's parking lot. These issues will be further discussed at the August ERNC meeting.
- Jane introduced Mel Tillekeratne, the founder and executive director of the "Shower of Hope" that brings together a community of strategic partners to generate more value for the homeless population.
- Shower of Hope is the largest provider of portable showers, with twelve locations throughout LA. Each day, the showers, which last for four to six hours, can cost $800 for 60 people. They visit McArthur Park twice a week to serve over fifty people.
- After their shower, their clients are referred to case management to they can sign up for a benefit, such as bridge housing.
- Mel used the example of a lady with two children who works for a school; however, she cannot afford first and last month's rent to acquire an apartment.

- Mel added that they are open to donations, especially underwear, soap, shampoo, and feminine hygiene products.

**F. DISCUSSION/ACTION** Non-LA Haul Route parking on Colorado

- Sylvia asked to table this agenda item until Michael could further explain this issue. However, this issue was already unanimously approved by the LUPC.
- Sylvia Denlinger made a motion to approve this Haul Route request; Lindsay Kiesling seconded this motion, and it passed.

| | |
|---|---|
| Aye (12) | Acevedo, Denlinger, Finestone, Kiesling, Irwin, Jacobs, Loew, D. Sanchez, V. Sanchez, Saucedo, Tunzi, and Whitfeld |
| Abstain (1) | Demian |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**G. DISCUSSION/ACTION** Letter of support to waive public hearing for Milkfarm Conditional Use Permit (CUP) renewal

- Milkfarm has served bread, cheese, and wine for over five years.
- This letter of support will allow the business owners to waive the additional expenses of a public hearing for the renewal of their CUP.
- Andrew Jacobs made a motion to approve this letter of support; Jesse Saucedo seconded this motion, and it passed.

| | |
|---|---|
| Aye (12) | Acevedo, Demian, Denlinger, Finestone, Kiesling, Irwin, Jacobs, Loew, D. Sanchez, V. Sanchez, Saucedo, and Whitfeld |
| Ineligible (1) | Tunzi |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**H. DISCUSSION/ACTION** Approve budget package for FY 2019/20

- The budget package is similar to last year's package, with the addition of the $10k rollover to [tentatively] allow for $5k towards CISs (for additional native plantings) and $5k for Outreach,
- The only specific line item changes are for office expenses, including $1,500 for beverages, snacks, and pizza for the meetings.
- $2,100 for the clean streets initiative had to be returned to the city's general fund.
- Andrew Jacobs made a motion to approve this budget package; John Acevedo seconded this motion, and it passed.

| | |
|---|---|
| Aye (11) | Acevedo, Demian, Denlinger, Finestone, Kiesling, Irwin, Jacobs, Loew, V. Sanchez, Saucedo, and Whitfeld |
| May Not be Eligible (2) | D. Sanchez and Tunzi |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**I. DISCUSSION/ACTION** Community Impact Statement (CIS) in support of CF 19-0229, also known as "Fair Workweek"

- Anyone who has worked retail or food service remembers the short-notice of their work schedules.
- Victor explained that this CIS would grant employees, who work for companies with over 300 employees worldwide, two-week notice on scheduling.
- Sylvia Denlinger made a motion to approve this CIS; Margaret Irwin seconded this motion, and it passed unanimously.

**J. DISCUSSION/ACTION** Medicare for All resolution

- Medicare fraud investigator and Highland Park resident Sasha Rappaport attended the ERNC meeting of June 4th when he was joined by community organizer Sean Broadbent.
- He recently held an informational presentation at the Eagle Rock Library, whereupon he heard overwhelming support for this Medicare for All.
- Nationwide, over 30m people lack health insurance and over 40m are under-insured.
- There are so many people who cannot afford medical care plus other necessities that they visit emergency rooms when they need a physician. This 2019 Medicare for All Act will provide care for all.
- In response to Margaret's comment, this would be most similar to Canada's system, with several improvements. It could eliminate private insurance.
- Sylvia Denlinger made a motion to approve this Medicare for All resolution; Victor Sanchez seconded this motion, and it passed.

| | |
|---|---|
| Aye (8) | Demian, Denlinger, Jacobs, Loew, D. Sanchez, V. Sanchez, Tunzi, and Whitfeld |
| No (2) | Kiesling and Irwin |
| Abstain (3) | Acevedo, Finestone, and Saucedo |
| Absent (6) | Kable-Blanchard, Newman, Panozzo, Solar, Sweeney, and Ziegler |

**K. DISCUSSION/ACTION** Create Ad Hoc Sustainability Committee

- This will be for ad hoc committee until it gets going, then it may become a permanent committee.
- Sylvia Denlinger made a motion to approve this ad hoc Sustainability Committee; Jesse Saucedo seconded this motion, and it passed unanimously.

**L. PRESENTATION** Stay cool, healthy and hydrated during the summer

- Sylvia mentioned that she recently scheduled a free home energy audit from the LADWP. She urged others to contact the LADWP for a free tune-up of their air conditioner, attic insulation inspection, and free light bulbs. They will also provide free Freon for your air conditioner.
- Jane and Sylvia presented some very useful health, safety, and energy saving trips for the summer:

  <u>Keep your body cool</u>
  - Exercise when it is cool, such as early morning or later in the evening.
  - Drink water frequently; do not wait until you are thirsty. If you are not urinating at least three times a day, you are dehydrated.
  - Alcohol and coffee will dehydrate your body, so drink them sparingly.
  - Apply cold water to your body (such as via a foot-soak or neck cloth) if you feel hot. Take cool showers and baths.
  - If you feel nauseous, immediately get into a cool shower.
  - Wear light-colored loose clothing in natural fabrics.
  - Use public air conditioning at city operated recreation centers, senior centers, or libraries. Use private air conditioning at shopping malls and movie theatres.

  <u>Elderly and Infants</u>
  - They are the most likely to suffer heat exhaustion or stroke and the least likely to complain.
  - Check in on elderly friends, family, and neighbors twice a day.
  - Make certain infants are drinking.

  <u>Pets</u>
  - Do not walk your dog in the middle of the day. If the sidewalk is too hot for your bare feet, it is too hot for a dog.
  - Bring dogs and cats inside.

  <u>Wildlife</u>

- Bees and other beneficial insects, possums, and other wildlife need water.
- Put out a shallow dish of water, with a rock in it so the bees do not drown. Change this water every day or two to prevent mosquitoes from breeding. Breeding mosquitoes are visible; you will see "wigglers" in the water.

Air Conditioner

- Set your thermostat to 78° or higher.
- Invest in a "smart" thermostat that you can control from your smart phone.
- Tune the A/C once a year.
- Change the filter every three to six months
- Keeps vents clean.

House Management

- Use shades or curtains to block out the sun.
- Invest in double-paned windows with heat treatment.
- Insulate the walls and attic.
- Use ceiling, pedestal, and rotating fans
- Turn off appliances and electronics when not in use.
- Use the outdoor grill rather than your indoor oven.

Energy Use

- Careful use of energy can help avoid brownouts.
- Use large appliances (such as washer/dryer) at night when energy use is lower.
- Limit opening and closing your refrigerator door.
- If you can afford solar panels with battery storage, they will help you get off the grid and ease dependency on the LADWP.

Water Use

- Water every other day, at most.
- Avoid water overflow into the street and sidewalk.
- Hand water plants with a hose (do not use sprinklers).
- Use gray water (if possible) to water plants.

**M. UPDATE** Eagle Rock Canyon Trail Cleanup on July 13th

- This trail cleanup will be along an overgrown one-mile trail, north of the 134 freeway and the rock, where there is a very nice overlook.
- This trail cleanup will be a collaborative effort with the ERNC (who will provide refreshments), CD14 (who will provide weed cutters and printed flyers), and the Collaborative Eagle Rock Beautiful (CERB). Jesse added that this will be publicized again via the ERNC website and email lists.
- Folks will meet at the base of the trail at 8AM on Saturday, July 13th. This effort will be over by noon, with sufficient time for attendees to attend the BRT meeting at the Eagle Rock Plaza.
- Sylvia asked about trash collection. As there is minimal trash up there to collect, this effort will mainly focus on clearing the trail and trimming the brush.

**N. DISCUSSION/ACTION** Schedule next Executive Committee and Board meetings

| Meeting | Date/Time | | Location |
|---|---|---|---|
| Executive Committee | Monday, July 29 | 7PM | Spire Works |
| Board Retreat | Sunday, August 4 | Noon | TBD |
| Regular Board | Tuesday, August 6 | 7PM | ERCH |

**O. ADJOURN** Presiding Officer

- Jesse adjourned the meeting at 9.20PM.

20) Any and all documents and records, establishing the Eagle Rock Neighborhood Council's outreach to the local community regarding the Eagle Rock Neighborhood Council's decision to limit the Metro Pasadena to North Hollywood Bus Rapid Transit Environmental Impact Report study of the 134 option to only 3 questions.

ERNC News for August 4th, 2019

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# Hello Neighbor!

It's officially August - which means two things: Summer is flying by way too fast, and it's time for the monthly **Eagle Rock Neighborhood Council Board** meeting!

The August ERNC board meeting is this **Tuesday, August 6th,** at Eagle Rock City Hall starting at 7pm. All are welcome to attend. You can find the agenda HERE.

**BUS RAPID TRANSIT OPEN HOUSE:** LA Metro is hosting a community open house on **Wednesday, August 7th** at Occidental to discuss the Bus Rapid Transit proposal. There is no formal presentation, but if you're interested to know more, have comments or questions, this is a great opportunity. For more information - see the flyer below!

For more information about the proposed project you can check out Metro's website here: https://www.metro.net/projects/noho-pasadena-corridor/

NORTH HOLLYWOOD TO PASADENA TRANSIT CORRIDOR PROJECT

## Join us at a community open house to discuss the North Hollywood to Pasadena Transit Corridor Project and provide your formal scoping comment.

**We are pleased to announce that Metro will host a community open house in Eagle Rock on August 7, 2019 between 5:30 and 8:00 pm.**

**Please join us to learn more about the project, speak one-on-one with project team members, provide formal comments in the scoping process, and enjoy refreshments with your neighbors.** No formal presentations will be made, so join us at your convenience. Information stations will feature various aspects of the project along with technical experts to help answer your questions.

**Meeting Details:**
**Wednesday, August 7, 5:30–8:00pm**
**Occidental College**
**Samuelson Campus Pavilion**
1600 Campus Rd, Los Angeles, 90041
*Free parking is available at the location, or public transit options include: Metro Bus Lines 28, 83, 181, DASH Highland Park/Eagle Rock*

For this Measure M project, Metro is preparing a Draft Environmental Impact Report in compliance with the California Environmental Quality Act, which now includes a **60-day public scoping period that closes on August 15, 2019**. During scoping, the public has the broadest impact to help shape any new proposed project. Metro looks forward to receiving feedback from the public about:

> The proposed alternatives being considered
> How the alternatives might be enhanced or modified
> Issues and concerns with the project plans
> Questions that should be answered as part of the study

If you're unable to attend the meeting, you may provide a written or verbal scoping comment by email, calling the project telephone line or submitting a comment on the project website.

Thank you again for your participation and feedback on the North Hollywood to Pasadena Transit Corridor Project.

**Contact Us**
213.418.3238
*nohopasbrt@metro.net*
*metro.net/nohopasbrt*
*@metrolosangeles*
*losangelesmetro*

All Metro meetings are held in ADA accessible facilities and are accessible by transit. Spanish translation will be provided. ADA accommodations and other translations are available by calling 323.466.3876 or California Relay Service at 711 at least 72 hours in advance.

Metro

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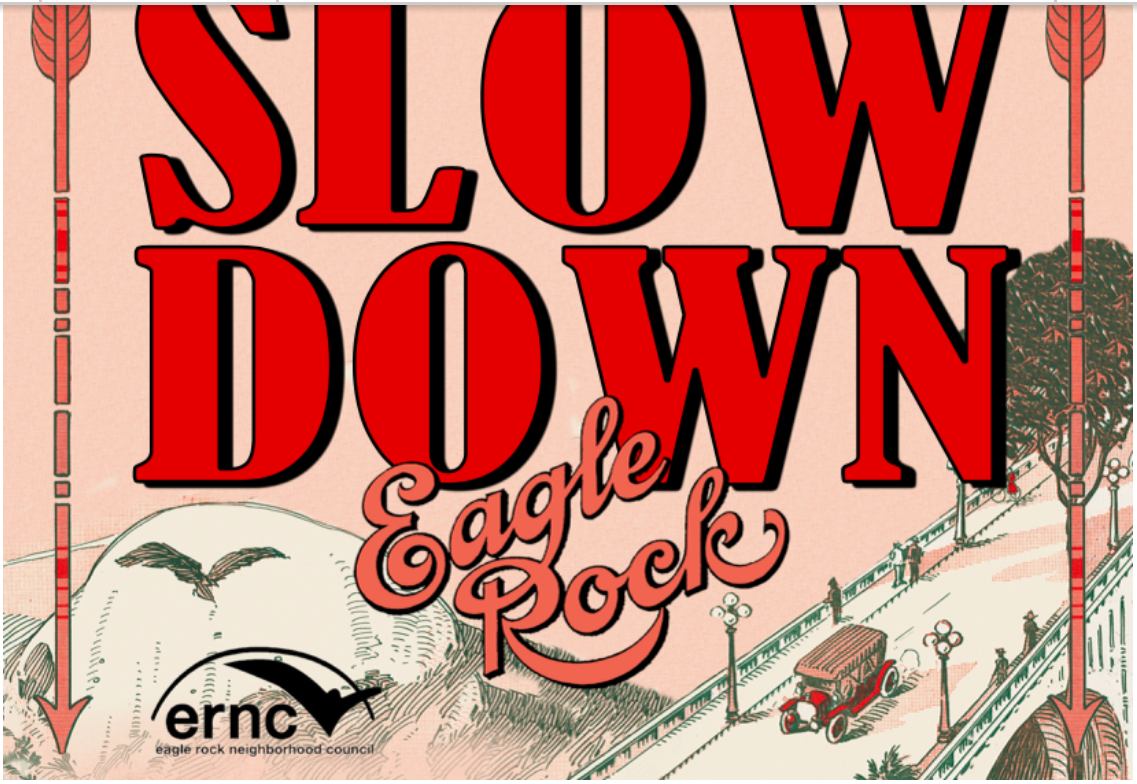


If people are driving too fast down your street and you'd like to post one of these Slow Down Eagle Rock signs in your yard - you can pick one up for free from Eagle Rock City Hall, M-F during normal business hours.

If you have questions about the ERNC, our meetings, or how to get involved in making Eagle Rock a better place, just send us an email at:

info@ernc.la

The Eagle Rock Neighborhood Council (ERNC) is an official organization of the City of Los Angeles, staffed by 19 elected, unpaid volunteers. Our diverse Board is composed of Eagle Rock stakeholders from all walks of life, who share a desire to make our home town a safer, greener, and more prosperous place to live.

Our job is neighborhood empowerment: We act as your advocates and liaisons to the City Council, the Mayor, and all City of L.A. departments that touch the lives of Eagle Rockers. Join us at one of our meetings, or talk to us at a community event, and find out how we can make Eagle Rock even better, together.

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ERNC News for July 28th, 2019

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# Hello Neighbor!

**Tomorrow ( Monday, July 29th), the ERNC will hold its Executive Meeting at 7pm at The Muddy Paw to set the agenda for the upcoming ERNC board meeting in August. If you have something you'd like potentially put on the agenda, or just want to say hi - come to the meeting - it's open to the public!**

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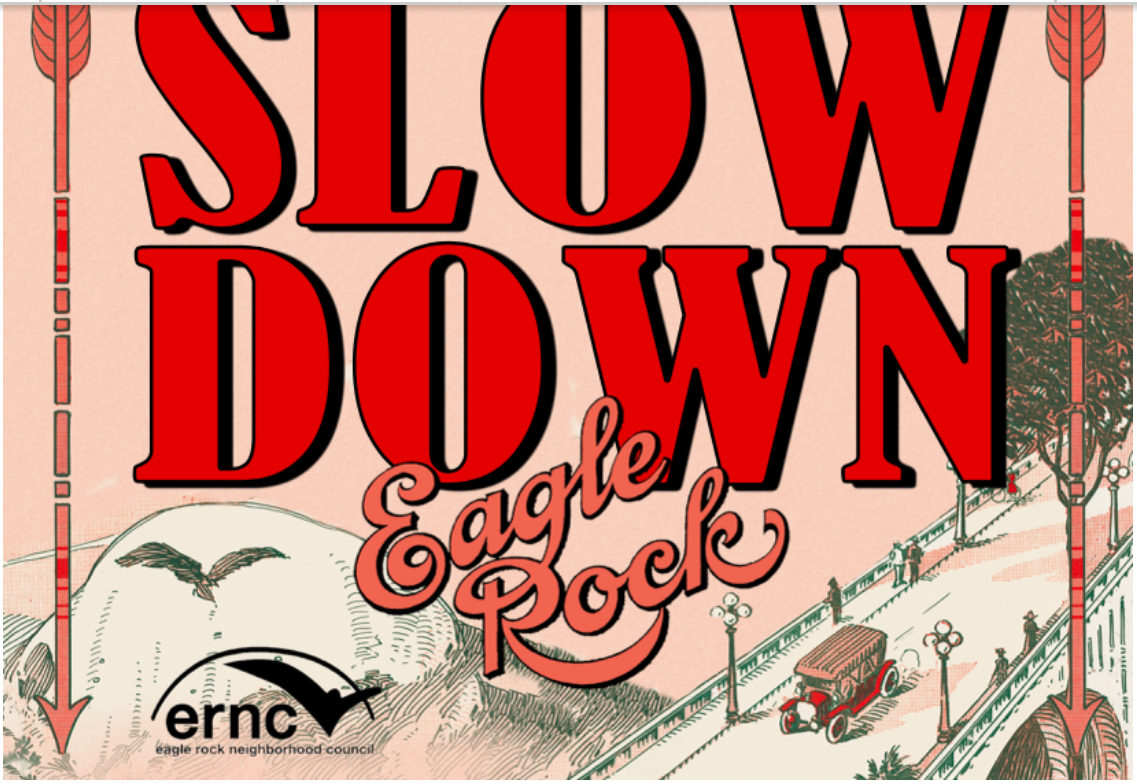


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**Eagle Rock Neighborhood Council**

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1 3

21) Any and all correspondence, including but not limited to any and all emails between David Greene, acting on behalf of the Eagle Rock Neighborhood Council, and Sean Starkey, Robert Gotham, Severin Martinez and Nathan Lucero from April 1, 2015 to January 1, 2019, regarding the Metro Pasadena to North Hollywood Bus Rapid Transit project.

**PRA REQUEST <pra@eaglerockcouncil.org>**

# Fwd: INVITATION: North Hollywood to Pasadena Bus Rapid Transit Corridor Technical Study Open House - January 25, 2017, 5-6:30 PM

[redacted] Tue, Aug 6, 2019 at 12:16 PM
To: PRA REQUEST <pra@eaglerockcouncil.org>

---------- Forwarded message ---------
[redacted]
Date: Tue, Jan 10, 2017 at 2:33 PM
Subject: Re: INVITATION: North Hollywood to Pasadena Bus Rapid Transit Corridor Technical Study Open House - January 25, 2017, 5-6:30 PM
[redacted]

As an avid transit rider I'm happy to go (as long as my schedule works out.) As of right now, I'm good to go.

On Tue, Jan 10, 2017 at 2:29 PM, [redacted] wrote:

> as Boulevards Rep, I'll sacrifice myself. (don't know if that sounds right in English)
> Let me know if I'm worthy
> : )
>
> On Jan 10, 2017, at 2:18 PM, [redacted] wrote:
>
> We should probably send an ERNC member (or two) to this meeting, to continue and follow up on our official support for bringing this line through ER (vs the 134).
>
> Sean - am I correct that this is what the meeting is about?
>
> Everyone - Who can make the meeting to represent ER and the ERNC?
>
> - D
>
> [redacted]
> Immediate Past President
> Chair, Land Use and Planning Committee
> Eagle Rock Neighborhood Council
> www.ernc.la
>
> ---------- Forwarded message ----------
> From: [redacted]
> Date: Tue, Jan 10, 2017 at 1:29 PM
> Subject: INVITATION: North Hollywood to Pasadena Bus Rapid Transit Corridor Technical Study Open House - January 25, 2017, 5-6:30 PM
> To: NoHo-Pasadena BRT <Nohopasadenabrt@metro.net>
>
> <image004.jpg>
>
> The Los Angeles County Metropolitan Transportation Authority (Metro) invites you to join us for an Open House regarding

the *North Hollywood – Pasadena Bus Rapid Transit Corridor Technical Study,* also known as the Orange/Red Line to

Gold Line BRT, which explores strategies for improving bus service along a 16-mile corridor connecting the Cities

of Burbank, Glendale, Los Angeles and Pasadena.

**Wednesday, January 25, 2017**

**5:00 PM – 6:30 PM**

Henry Huntington Conference Room, 3rd Floor

Metro Headquarters Building

One Gateway Plaza

Los Angeles, CA 90012

*Accessible via various Metro lines.*

*Please plan your trip by visiting metro.net.*

*Parking will be validated.*

The purpose of this meeting is to share information on preliminary study findings, receive feedback on preliminary Bus Rapid Transit

service concepts and discuss next steps.

Metro will also be providing the same project update on the following dates and times should one of them be more convenient to attend:

**February 1, 2017**

**6:30 PM**

San Fernando Valley Service Council

Marvin Braude Constituent Center

6262 Van Nuys Bl

Van Nuys, CA 91401

**February 13, 2017, 9:30 AM**

**5:00 PM**

San Gabriel Valley Service Council

Metro Division 9 Building, 3rd Floor

3449 Santa Anita Av

El Monte, CA 91731

**For more information, or if you would like to request a special project update for your group and/or organization, please contact:**

—

[redacted]
LA Metro
Community Relations Manager, San Gabriel Valley Area
Community & Municipal Affairs
[redacted]
metro.net | facebook.com/losangelesmetro | @metrolosangeles
**Metro provides excellence in service and support.**

<image002.jpg>

--

[redacted]
Sub-District 1 Director
Eagle Rock Neighborhood Council
ernc.la

--

[redacted]
Eagle Rock Neighborhood Council
Public Safety Director
[redacted]

22) Any and all correspondence, including but not limited to any and all emails between Lisa Kable Blanchard, acting on behalf of the Eagle Rock Neighborhood Council, and Sean Starkey, Robert Gotham, Severin Martinez and Nathan Lucero from April 1, 2016 to August 4, 2019, regarding the Metro Pasadena to North Hollywood Bus Rapid Transit project.

**PRA REQUEST <pra@eaglerockcouncil.org>**

# Fwd: Eagle Rock BRT

2 messages

[redacted] Fri, Aug 16, 2019 at 9:20 PM
To: PRA REQUEST <pra@eaglerockcouncil.org>

---------- Forwarded message ---------
[redacted]
Date: Fri, Sep 21, 2018 at 12:27 AM
Subject: Eagle Rock BRT
[redacted]

All: thank you for setting up an Eagle Rock meeting re: the proposed BRT line.

As a committed metro rider and advocate for mass transit support for our community, I can't help but feel that the meeting that has been set up for Eagle Rock as an afterthought.

Meetings were set up in Burbank, Glendale and Pasadena, and only through, what assume was good work by Sean Starkey, an additional meeting was set up at the Eagle Rock Plaza on a Saturday in a place that our community doesn't usually meet.

We have this issue on our Executive Board agenda after we received an email from Isaiah on August 13.

When were the other community meetings scheduled? What other community organizations were consulted when setting up these meetings?

I've copied Nathan Lucero and Severin Martinez, local transit advocates to help figure out where the gap in communication happened.

Any information you can pass on would be great!

Thanks in advance.

[redacted]
ERNC

## You Are Invited to a Community Meeting on the NoHo to Pasadena Transit Corridor

**Metro is working to improve bus service connecting communities from North Hollywood to Pasadena. This new high-quality, reliable Bus Rapid Transit (BRT) service will link key activity centers and improve access to jobs, entertainment and the regional transit system.**

The North Hollywood to Pasadena BRT Project extends approximately 16 miles and will provide a connection between the Metro Red, Orange and Gold Lines. The areas that will be served by the proposed project include the Cities of Los Angeles (North Hollywood and Eagle Rock), Burbank, Glendale and Pasadena. In planning for this project, Metro will complete an Alternatives Analysis and Environmental Impact Report (EIR) that will consider various routes.

Metro invites you to join us at a community meeting in Eagle Rock to learn more about the project and provide your input.

**Saturday, October 13, 2018**
**1 – 3 pm**
**Eagle Rock Plaza**
2700 Colorado Boulevard
Suite 248
Eagle Rock, CA 90041

### Contact Us

Metro invites you to stay involved and share your feedback.

213.418.3228
nohopasbrt@metro.net
metro.net/nohopasbrt
@metrolosangeles
losangelesmetro

All Metro meetings are held in ADA accessible facilities and are accessible by transit. Spanish translation provided. ADA accommodations and other translations are available by calling 323.466.3876 or California Relay Service at 711 at least 72 hours in advance.

Metro

NOHO TO PASADENA TRANSIT CORRIDOR

--

[redacted]
Sub-District 1 Director
Eagle Rock Neighborhood Council
ernc.la

[redacted] Fri, Aug 16, 2019 at 9:20 PM
To: PRA REQUEST <pra@eaglerockcouncil.org>

---------- Forwarded message ---------
From: [redacted]
Date: Fri, Sep 21, 2018 at 10:20 AM
Subject: Re: Eagle Rock BRT
[redacted]

Pat,

Thank you for reaching out to our office. I can only speak on behalf of the Council Office and not Metro but, I can assure you Eagle Rock was not an "afterthought."

By not including Eagle Rock on any of the earlier versions of the flyer should be seen as an attempt to not engage the community. Each of these public meetings are designed to be for the community in which they are held. By not being included the only people that may not be aware of the meeting are the residents of Burbank and Glendale who will attend their respective meetings. Our office has been working with Metro to schedule a meeting to allow the residents of Eagle Rock time to hear the full presentation and ask questions and give input to the process.

I was the one that chose Eagle Rock Plaza. I know it is not a conventional space that we normally host meeting at but it is a location that every Eagle Rock resident is accustomed to. It also has ample parking and is fully ADA compliant, we often receive complaints regarding meeting at the Center for the Arts and the Women's Club which are neither. I also believe using the Plaza will also attract new people that normally are not engages in the community process.

As for the Saturday afternoon time. Another complaint we receive is that week night meeting are tough for many families. Having a Saturday meeting will hopefully allow many more people to attend.

I hope Councilmember Huizar's record over the last 13 years shows that the community engagement part of any and all projects is vital to the process. The proposed BRT will be held to the same standard.

If you have any questions or concerns I am always available, [redacted] I hope we will see you at the meeting.

[redacted]
Field Deputy - Eagle Rock
Office of Councilmember José Huizar
City of Los Angeles | Council District 14

Northeast Office
2035 Colorado Blvd.
Los Angeles, CA 90041
323.254.5295 office | 213.219.2659 cell
213.485.8788 fax

[Quoted text hidden]

**PRA REQUEST <pra@eaglerockcouncil.org>**

# Fwd: Metro - SR-710 North Corridor Mobility Improvements

1 message

[redacted] Fri, Aug 16, 2019 at 9:28 PM
To: PRA REQUEST <pra@eaglerockcouncil.org>

---------- Forwarded message ---------
From: [redacted]
Date: Wed, Dec 5, 2018 at 11:37 AM
Subject: Metro - SR-710 North Corridor Mobility Improvements
To: <mayor.garcetti@lacity.org>, <firstdistrict@bos.lacounty.gov>, <Mike.Bonin@lacity.org>
Cc: <eric.bruins@lacity.org>, Nate Hayward <nate.hayward@lacity.org>, Sean Starkey <sean.starkey@lacity.org>, <daniel.rodman@lacity.org>, <JHernandez@bos.lacounty.gov>, Lisa Kable Blanchard <lisa.kable.blanchard@ernc.la>

Metro Board Members -

Attached is a letter from The Eagle Rock Association (TERA) expressing our disagreement with Metro staff's recommendations for SR-710 North Corridor Mobility Improvements. TERA believes that greater emphasis should be placed on multi-modal, community-driven improvements which better-reflect community interests and are more cost-effective.

Please consider our recommendations at tomorrow's meeting. Thank you.

---
[redacted]
President
The Eagle Rock Association (TERA)

**Metro 710 Improvement Funds.pdf**
74K

**From:** [redacted]
**Sent:** Monday, April 25, 2022 6:29 PM
[redacted]
**Cc:** Robert De Velasco <commercialprinting@sbcglobal.net>; contact_us@counsel.lacounty.gov; First District <firstdistrict@bos.lacounty.gov>; Councilmember de Leon <councilmember.kevindeleon@lacity.org>; Jennifer <friendsofhilldrive@gmail.com>; rcaruso@caruso.com; Karenbass Info <info@karenbass.com>; Los Angeles Mayor's Office <mayor.garcetti@lacity.org>; Board Clerk <BoardClerk@metro.net>; kathryn@bos.lacounty.gov; mike.bonin@lacity.org; fdutra@cityofwhittier.org; Holly J. Mitchell <hollyjmitchell@bos.lacounty.gov>; hahn@bos.lacounty.gov; City of Los Angeles <paul.krekorian@lacity.org>; sheila@bos.lacounty.gov
**Subject:** Re: MTA's Response to Letter No. 194: MTA's Community Outreach - Part 1 of 4

Dear [redacted]:

Save Eagle Rock Community and The Positions of Over 3000 Eagle Rock Stakeholder Petitioners Sent to the MTA Board on August 14, 2019, May 26, 2021 and October 22, 2021, Respectively

Save Eagle Rock Community is a diverse coalition of Eagle Rock stakeholders, who simply object to reducing a lane of traffic for a MTA BRT bus only lane running down the center of Colorado Boulevard. It appears that the City of Los Angeles Department of Transportation, The Eagle Rock Association (TERA) and MTA staff have worked in collaboration to do all of the following: *Negatively impact "some of the City's planned curb extensions and medians", eliminate "left turns at 15 unsignalized intersections" on Colorado Boulevard and require that "medians be narrowed or removed/be less contiguous resulting in 40% reduced on-street parking spaces."* TERA's Option C Plan (also known as the Beautiful Boulevard Plan: Now the MTA-recommended/MTA Planning and Programming Committee Approved Refined F1 Option) is a "center-running segment of the BRT" on Colorado Boulevard that will not allow either non-BRT MTA or City Los Angeles operated buses to use that center running BRT bus lane.

Mayor Eric Garcetti's December 14, 2020 Colorado Boulevard BRT Recommendation

On December 14, 2020, Mayor Garcetti's Office sent Severin Martinez, City of Los Angeles Department of Transportation employee and a board officer of TERA an overview of the MTA BRT NoHo to Pasadena Corridor Project (MTA Project) because he was somehow selected to be the author of the City's draft environmental impact report (DEIR) Comment Letter: MTA BRT Project FEIR Comment Letter 5. Mr. Martinez's selection was in accordance with the Mayor's decision that "key City agencies coordinate a single request with precise mitigation measures" regarding "impacted City streets/public rights-of way".
The Mayor's Office described the background of the MTA BRT Project in a four page memo to Mr. Martinez with facts and details supporting **Mayor Garcetti's final recommendation: "Based on engagement with community stakeholders and in-**

**field investigation, the on-street side-running NoHo to Pasadena BRT alignment within Eagle Rock is recommended.**" (Emphasis added.) See Attachment. In addition to preparing the City's MTA FEIR Comment Letter 5 Mr. Martinez also authored his own personal MTA FEIR Comment Letter 315.

Who are the Eagle Rock Stakeholder Petitioners?

The Eagle Rock Stakeholder Petitioners ignored by you and your staff – MTA's Community Outreach - are people who live, work, own real property, belong to a fraternal organization or worship in the Eagle Rock neighborhood of Los Angeles - "Eagle Rock Stakeholders" as defined by the City of Los Angeles. As a very unique community, we first joined together in August 2019, to oppose the proposed MTA NoHo to Pasadena Primary Route through Colorado Boulevard in Eagle Rock with stops near Eagle Rock Boulevard and Townsend that the (MTA) Board has approved.

By way of background, on August 14, 2019, Stephenie Lucio on behalf of Save Eagle Rock Community delivered via email to the MTA and every MTA Board member over 600 signed petitions from Eagle Rock stakeholders, who all opposed MTA's plan to run its bus rapid transit on Colorado Boulevard in Eagle Rock: This means we vehemently opposed having only one car lane each way on Colorado Boulevard in Eagle Rock. Not a single Eagle Rock stakeholder has retracted his/her petition to Save Eagle Rock Community. MTA's Community Relations sent us an August 14, 2019 email response that Save Eagle Rock Community's "inquiry" had been received and registered our "case" as "Case#00062224".

Even though the MTA responded, "We'll get back to you very soon" until your April 8, 2022 response and today's response, the MTA did not "get back" to Save Eagle Rock Community about its thousands of petitions; our reference to an additional 600 Eagle Rock stakeholders, who signed Robert De Velasco's petition's opposing the MTA's BRT Colorado Boulevard plan, and our reference to another petition with an additional 1000 signatures in opposition to MTA's plan to have a BRT bus on Colorado Boulevard in Eagle Rock, sent to the MTA in August 2019.

On August 14, 2019, Save Eagle Rock Community wrote to the MTA "that we are open to a dialogue that will address alternative options for Eagle Rock, similar to those afforded our neighboring cities, Pasadena and Glendale". The MTA never responded to Save Eagle Rock Community's request to have that open public dialogue with us – the Eagle Rock stakeholder petitioners. Many of us included our email addresses in our respective petitions. Our letter also outlined our concerns with the legitimacy of the persons identified by the MTA as "Key Stakeholders". The MTA described TERA as being a "Key Stakeholder" even though it is a group, which holds **closed-door meetings without any membership input**.

On May 26, 2021, Cherryl Weaver and Mr.Velasco on behalf of Save Eagle Rock Community presented over 600 petitions against the MTA Planning Committee's approval of a draft environmental impact report to reduce one car lane of traffic going in

each direction, i.e., east and west on Colorado Boulevard. As of May 26, 2021, we relied upon a May 2021 LA Times news editorial written by Felicia Garcia, a co-founder of Equitable Eagle Rock, to understand what the Beautiful Boulevard Plan was. According to Equitable Eagle Rock's website: "A coalition of over 40 Eagle Rock residents, parents, business owners, and community leaders generated a thoughtful solution" for a Colorado Boulevard BRT lane alignment known as the Beautiful Boulevard plan.

On October 22, 2021, Friends of Hill Drive, a Save Eagle Rock Community supporter, sent to the MTA an additional 1534 petitions, signed by Eagle Rock stakeholders. All of those petitions included the petitioners' email addresses and some personal addresses. That same date Friends of Hill Drive also emailed the MTA Board an 80+ page spreadsheet identifying the petitioners, who requested that the MTA study and select a third option for the Colorado Boulevard BRT alignment: Drive the BRT in the current mixed-flow lanes on Colorado Boulevard. We questioned why the MTA eliminated "Alternative Two-Improved Existing Bus Service Alternative- in the Draft Environment Impact Report".

MTA Community Outreach's Failed MTA BRT Project Outreach to the Eagle Rock Stakeholder Petitioners

For all of your reasons stated in your explanation to me today, you have confirmed that the MTA has not provided/will not provide all of the petitioners, (who provided the MTA on his/her petition with his/her email address and/or personal address and/or telephone number) with any information about the MTA's BRT plans for Colorado Boulevard, including Notice of the MTA's April 28, 2022 meeting. Yet in July 2019, Corey Zelmer, a MTA BRT Project Manager met with Severin Martinez and worked with him about issues address in the City of Los Angeles' coordinated MTA FEIR Comment Letter 5, prepared by Mr. Martinez. You are well-aware that Mr. Martinez is a TERA Board Officer and ardent Streets for All supporter.

The contrast between the MTA support given to the 43 Beautiful Boulevard supporters, who presented MTA FEIR Comment Letter 14, and the MTA's treatment of the aforementioned Eagle Rock Stakeholder Petitioners is glaring. As your message establishes: MTA Community Outreach did not/will not send the MTA's FEIR for this project; MTA Community Outreach did not/will not send any information about the MTA recommended and MTA Planning Committee approved Beautiful Boulevard plan and the MTA Community Outreach did not/will not send any notice of the MTA's April 28, 2022 Meeting to all of the Eagle Rock stakeholder petitioners: 3000 Eagle Rock residents, business owners and members of the Eagle Rock Baptist Church, Los Angeles Filipino-American United Congregational Church, St. Dominic's Catholic Church and Christian Assembly Church.

For years the MTA and MTA Community Outreach has long ignored positions expressed to the MTA as set forth in the Eagle Rock Stakeholders' aforementioned petitions, and the MTA Community Outreach has long ignored Save Eagle Rock Community supporters' valid concerns. Evidence also demonstrates that on December 14, 2020, **Mayor Garcetti's Office shared many of our same concerns** about

Colorado Boulevard with Mr. Martinez about a Center Running BRT Lane Alignment Option for Colorado Boulevard. As of December 14, 2020 it was **Mayor Garcetti's final recommendation to Mr. Martinez: "Based on engagement with community stakeholders and in-field investigation, the on-street side-running NoHo to Pasadena BRT alignment within Eagle Rock is recommended."** What happened to Mayor Garcetti's Recommendation between December 14, 2020,and the MTA extended DEIR Comment cut-off date of December 28, 2020?

Thank you for your professional courtesy in responding, Mr. Corona.

Sincerely, [redacted]

On Monday, April 25, 2022, 03:29:55 PM PDT, [redacted] wrote:

Dear [redacted]

Thank you for your email request that Metro communicate with persons on the attached petitions.

As for sending notification of the FEIR to all the persons listed on the petition, Metro Community Relations does not send unsolicited communications to parties that have not communicated directly with Metro or requested to be added to the project distribution list. The project makes every effort to ensure that all interested parties and individuals that have communicated to the project email be added to the project's distribution database.

To ensure the project is providing meaningful opportunities for engagement throughout the corridor, the project has implemented several notification measures that are outlined through our project milestones. During the Public Scoping period, legal advertisement notices were published in 11 newspapers and 178,198 notices were mailed to residents, property owners and businesses located within 500 feet of the proposed route and alternative routes within 0.25 mile of proposed stations. Additionally, 15,000 meeting notices were sent to all homes and businesses in the Eagle Rock community during the extended scoping period and to solicit comments on the Draft EIR.

To maximize public awareness, a variety of noticing methods were implemented in advance of the Public Scoping meetings. These included mailing bi-lingual (English and Spanish) notices and distributing multi-lingual (English/Armenian/Tagalog/Spanish) electronic notices to our database of contacts. In response to community interest during the initial 30-day Scoping period, it was extended an additional 30 days to allow for additional input and engagement with the community. One additional scoping open house was added in Eagle Rock to allow for more opportunities to receive comments from the community.

To maximize public awareness during the Draft EIR phase, a variety of noticing methods were utilized in advance of the Public Hearings. These included:

- Distributing electronic notices to the Project database of contacts;
- Distributing flyers door-to-door within the Eagle Rock community;
- Purchasing geo-targeted social media advertisements on Facebook;
- Posting meeting information on NextDoor within Eagle Rock and Highland Park;
- Presentations to various community groups, business groups, councils of governments, elected officials, and neighborhood councils throughout the project study area;
- Car cards with project information placed in buses along the corridor; and,
- Paid media advertisements and earned media through organic publicly gained media, including stories from local blogs, print, and online newspapers advertising the meetings.

All forms of notices provided meeting details (dates, times, meeting links, dial-in information, and in-language services), as well as contact information for accessing additional Project details. Additionally, each notice provided information on the public comment period deadline and the various ways the public could submit comments on the Draft EIR. Meeting notices were produced in English and Spanish, including 15,000 flyers distributed to residents and businesses within the Eagle Rock community. Notification efforts also included communicating via email with over 5,000 interested contacts in the Project's database that included contact names, organizations (if any), mailing addresses, email addresses and all federal, state and local elected offices and city staff within the project study area.

In addition to the aforementioned notices, other noticing methods included social media advertisements and meeting flyers distributed by Metro, local cities, and other elected officials within the Study Area. Print and online media notifications were also provided throughout the project study area during the public review period.

The noticing methods during the 2019 community workshops included a series of eight email blasts to the project database of over 5,000 contacts, social media advertisements on Facebook, and meeting flyers distributed at public venues in the project area. Meeting notices were mailed to 11,599 discrete addresses in Eagle Rock notifying residents of the new addition of the SR 134-freeway route option within Eagle Rock to be included in the environmental study, as well as the BRT workshops. All materials were produced in English, Spanish and Armenian.

Additionally, meeting notifications were leveraged through Metro's existing relationships with community partners, elected officials, and neighborhood councils in the cities of Los Angeles, Burbank, Glendale, Pasadena, as well as the Eagle Rock Neighborhood Council, Occidental College, and Pasadena City College, among others, to share the meeting information through their own notification measures.

A targeted outreach effort to inform project stakeholders of the 2021 Spring community meeting was conducted in a number of ways, including emails (e-blasts), door-to-door flyers, press releases, and notifications on Metro's "The Source". Additionally, local news media sources displayed the notices on digital platforms. A total of five e-blasts were sent with an average email open rate of approximately 30% of the total who received the e-blasts. An additional e-blast was sent after the community meeting thanking those who participated and providing guidance on where to find the information presented at the meeting, how to access the meeting recording and next steps. All e-blast notifications were distributed in English, Spanish, Tagalog and Armenian. A total of 15,000 flyers in both English and Spanish were also distributed in Eagle Rock prior to the meeting.

Noticing of the Fall 2021 community meetings to project stakeholders was accomplished via emails (e-blasts), door-to-door flyers, car cards on Metro buses, a notification on Metro's "The Source" and through local and City news media. A total of seven e-blasts were sent notifying the public about the community meetings with an average email open rate of approximately 32% of the total who received the e-blasts. Additionally, an e-blast was sent following all of the community meetings thanking those who participated, and providing guidance on where to find the meeting materials, how to access the meeting recordings and a discussion on next steps. All e-blast notifications were distributed in English, Spanish, Tagalog and Armenian. A total of 15,000 flyers in English, Spanish and Tagalog were also distributed in Eagle Rock leading up to the community meetings. Additionally, flyers were distributed door-to-door to businesses along Colorado Boulevard, notifying businesses of the upcoming meetings.

Sincerely,

[redacted]
LA Metro
Community Relations Manager
San Gabriel Valley Area, Construction Relations, Planning and Environmental
metro.net | facebook.com/losangelesmetro | @metrolosangeles
**Metro's mission is to provide world-class transportation for all.**

---

**From:** [redacted]
**Sent:** Tuesday, April 12, 2022 2:08 PM
**To:** [redacted]
**Subject:** Re: MTA's Response to Letter No. 194: MTA's Community Outreach - Part 1 of 4

Dear [redacted]:

I appreciate your response, but I disagree with the MTA's decision not to communicate with the persons, who signed Robert De Velasco's letter to the MTA. Please note that I did not sign Mr. De Velasco's letter, which he had hand-delivered to the MTA in August 2019. What deeply concerns me is that I did sign two petitions regarding my position about the MTA's BRT plans for Colorado Boulevard: One petition, which Save Eagle Rock Community presented to the MTA in August 2019. Many parishioners at St. Dominic's Catholic Church signed that petition. Additionally, I am one of the 1534 petitioners who signed a petition, which Friends of Hill Drive presented to the MTA Board on October 22, 2021. It was my understanding that the MTA has been emailing me with the MTA's BRT plans for Colorado Boulevard because I signed those two petitions. Based upon your response, that understanding appears to be wrong.

To clearly understand your response to me *I would **FIRST** appreciate your confirming that as part of the MTA's community outreach about the MTA's BRT plans for Colorado Boulevard that **the MTA did NOT and will NOT notify or provide** any information about the MTA's BRT Final Environmental Impact Report to all of the Eagle Rock stakeholders who either signed Mr. De Velasco letter or signed either of the aforementioned two petitions.*

For over two and a half years the MTA has had the addresses and phone numbers of over 600 Eagle Rock residents, who signed Mr. De Velasco's letter. Since October 2021, the MTA has had the email addresses of over 1534 Eagle Rock residents, business owners and parishioners of St. Dominic's Catholic Church in Eagle Rock, who provided the MTA with their positions about the MTA's BRT options for Colorado Boulevard in their respective petitions.

***SECOND,** I am requesting that you confirm that the MTA has **not** provided any of those Eagle Rock residents and business owners who signed Mr. De Velasco's August 2019 letter with any information about the MTA's BRT Project plans for Colorado Boulevard **since the MTA received his letter in August 2019.***

Hopefully, my next understanding is incorrect regarding how the MTA handled over 2000 Eagle Rock residents, business owners and members of St. Dominic's Catholic Church, who provided his/her email address, and signed one or both of the aforementioned petitions presented to the MTA and the MTA Board in August 2019, and October 22, 2021, respectively.

*That is why I am making a **THIRD** request that you clarify your April 8, 2022 email response below and confirm that the **MTA has not provided all of the aforementioned petitioners, i.e., over 2000 Eagle Rock residents, business owners or members of St. Dominic's Catholic Church parishioners with any information about the MTA's BRT Project plans for Colorado Boulevard, including emailing each of them with the MTA's Final Environmental Impact Report.***

Your response appears to make it clear that the MTA Community Outreach Division failed in its due diligence obligations and responsibilities to the Eagle Rock community. All of the aforementioned petitioners do not have information about the MTA's BRT plans for Colorado Boulevard. Most importantly, all of the Eagle Rock stakeholder petitioners do not have any knowledge about the MTA Board's plans to hold a public ADA-accessible meeting this month to review and approve the MTA's Final Environmental Impact Report regarding the MTA BRT

Project Plans for Colorado Boulevard because the MTA does not "generally...send unsolicited communications to parties that have not communicated directly with Metro or requested to be added to the project distribution list." Each of the 1534 petitioners, who are Eagle Rock resident, business owners and stakeholders, did provide their respective names and email addresses to the MTA when Friends of Hill Drive sent the MTA his/her petition on October 22, 2021. The MTA Community Outreach Department should immediately provide the people, who signed both Mr. De Velasco's letter as well as each of the petitioners with the MTA's Final Environmental Impact Report as well as **notice** of the MTA's April 2022 hearings, informing each of them that he/she has an **opportunity to be heard** at any public meeting regarding the MTA's Final Environmental Impact Report about the MTA BRT Project plans for the Eagle Rock community.

Thank you again or your response below. Given the time limitations I expect your kind attention in answering my three requests.

Sincerely,

[redacted]

On Friday, April 8, 2022, 09:36:06 AM PDT, [redacted] wrote:

[redacted],

Thank you for your email request to communicate with the persons on the attached petitions. The petitions received during the project scoping period will become part of the administrative record for the environmental document.

As for sending notification of the FEIR to all the persons listed on the petition, we generally do not send unsolicited communications to parties that have not communicated directly with Metro or requested to be added to the project distribution list. We hope you understand, and we encourage all petitioners to continue expressing their interests and concerns with regard to this proposed public transportation project.

Sincerely,

[redacted]
LA Metro
Community Relations Manager
San Gabriel Valley Area, Construction Relations, Planning and Environmental
metro.net | facebook.com/losangelesmetro | @metrolosangeles
**Metro's mission is to provide world-class transportation for all.**

---

**From:** [redacted]
**Sent:** Wednesday, April 6, 2022 2:02 PM

[redacted]

**Subject:** MTA's Response to Letter No. 194: MTA's Community Outreach - Part 1 of 4

MTA's Response to Letter No. 194: MTA's Community Outreach - Part 1 of 4

Dear MTA:

Thank you for your response to my comment letter, which the MTA has identified in the Final Environmental Impact Report as Letter No. 194.

**Please immediately confirm that the MTA either mailed the MTA's Final Environmental Impact Report Regarding the Two Proposed BRT Options for Colorado Boulevard or called the Eagle Rock residents, who signed Robert De Velasco's August 11, 2019 letter to the MTA,** Over 600 Eagle Rock residents signed Mr. De Velasco's August 11, 2019 letter. The MTA has had almost 3 years either to mail or to call each of those Eagle Rock residents, who signed Mr. De Velasco's August 11, 2019 letter to update each of them as to the MTA's BRT plans for Colorado Boulevard in Eagle Rock. Many of the Eagle Rock residents, who signed Mr. De Velasco's letter, do not have email addresses.

Due to the size of Mr. De Velasco's August 11, 2019 letter I have sent it in four parts. I appreciate the MTA's prompt response. Each of the Eagle Rock residents, who signed Mr. De Velasco's letter should receive notice of the MTA's meeting regarding the MTA Board's review, consideration and approval of the **MTA's Final Environmental Impact Report Regarding the Two Proposed BRT Options for Colorado Boulevard**. Any failure to provide notice of the MTA's meetings on this important issue to those Eagle Rock residents, who do not use email, would constitute disenfranchisement. Additionally, each of those residents and Mr. De Velasco have every right to be heard at any MTA public meeting.

Sincerely,

[redacted]

From: Karina Macias (via Google Docs) Sent: Monday, December 14, 2020 12:12 PM To: severin.martinez@lacity.org Cc: rubina.ghazarian@lacity.org; eddie.guerrero@lacity.org; tomas.carranza@lacity.org Subject: Reference: NoHo to Pasadena BRT Project Overview Attachments: NoHo to Pasadena BRT Project Overview (3-19-20).pdf karina.macias@lacity.org has attached the following document: NoHo to Pasadena BRT Project Overview (3-19-20) Hi Rubina and Severin, I want to offer this write-up I authored for Mayor's Office leadership on the NoHo to Pasadena BRT Project. I think it may be a useful reference to you as you develop the City of LA's comment letter to the Project DEIR. I am looping in Eddie and Tomas too. As I mentioned during our meeting this AM, I recommend key City agencies coordinate a single request with precise mitigation measures for any project impacts identified in the Project DEIR, specifically conflicts with any adopted plans and policies for the impacted City streets/public rights-of-way.

**NoHo to Pasadena BRT Project Design and Planning Overview**
Authored by Transportation Manager Karina Macias on March 19, 2020

**Elected Officials In-Field Staff Tour**
On March 9, 2020, following more thorough technical analysis, LA Metro Countywide Planning staff (Cory Zelmer <zelmerc@metro.net> and Scott Harwell <hartwells@metro.net>) and Community Relations staff (Lilian De Loza-Gutierrez <delozagutierrezl@metro.net>) hosted an on-site proposed project tour exclusively for staff of elected officials representing the community, including LA Mayor Garcetti (Karina Macias), then-CD 14 Councilmember Huizar (Lucy Aparicio <lucy.aparicio@lacity.org>), and LA County Supervisor Solis (Martin Reyes <mreyes@bos.lacounty.gov>).

Metro staff intended to present all North Hollywood to Pasadena Bus Rapid Transit (BRT) proposed alignment options, with site visits to proposed project options within the Eagle Rock neighborhood of the City of Los Angeles. Metro staff presented operational changes on streets within the entire BRT alignment, but focused on showcasing the trade-offs between the two BRT routes being considered for Eagle Rock: 1) street-running BRT on Colorado Boulevard and 2) freeway-running BRT route on SR-134.

**Recommended Position**
Based on engagement with community stakeholders and in-field investigation, the on-street side-running NoHo to Pasadena BRT alignment within Eagle Rock is recommended. An on-street side-running BRT would streamline project delivery by avoiding lengthy inter-agency review and approvals, would establish dedicated bus lanes while retaining bike lanes to improve local and regional connectivity for transit users, and is anticipated to attract the greatest number of new riders due to its convenience and quality user experience, having the highest likelihood of achieving the greatest VMT reductions.

From: Shirley Zamora <shirley.zamora@lacity.org>
Sent: Wednesday, December 23, 2020 4:36 PM
To: Severin Martinez
Cc: Vicente Cordero
Subject: NoHo to Pasadena BRT

Hi Severin,
Our section has been reviewing the draft EIR for the subject project. We were told you are the person putting together the letter with LADOT comments for Metro. Is this still the case? If so, when is the last day we can send our comments over to you by since the deadline is on Monday?

--

Shirley Zamora
Transportation Engineering Associate II
Valley Planning & Development Review

Los Angeles Department of
Transportation

# Comment & Speakers List
# Board Month: April 2022

| NUMBER | NAME | ITEM NUMBER | POSITION (FOR/AGAINST/GENERAL COMMENT/ITEM NEEDS MORE CONSIDERATION) |
|---|---|---|---|
| 1 | Caller 3713 | CON #35 | FOR |
| 2 | Caller 6898 | CON #35 | FOR |
| 3 | Caller 7107 | CON #35 | FOR |
| 4 | Caller 0818 - ACT LA | FB&A #15 | ITEM NEEDS MORE CONSIDERATION |
| 5 | Caller 5684 - Move LA | FB&A #15 | ITEM NEEDS MORE CONSIDERATION |
| 6 | Caller - Bus Riders Union | OPS #15 | AGAINST |
| 7 | Caller 0818 - ACT LA | OPS #15 | ITEM NEEDS MORE CONSIDERATION |
| 8 | Caller 4253 | OPS #15 | ITEM NEEDS MORE CONSIDERATION |
| 9 | Caller 5684 - Move LA | OPS #15 | ITEM NEEDS MORE CONSIDERATION |
| 10 | Caller 5709 | OPS #15 | AGAINST |
| 11 | Caller 8136 | OPS #15 | ITEM NEEDS MORE CONSIDERATION |
| 12 | Caller 5684 - Move LA | OPS #20 | ITEM NEEDS MORE CONSIDERATION |
| 13 | Caller 5709 | OPS #20 | ITEM NEEDS MORE CONSIDERATION |
| 14 | Caller 5684 - Move LA | OPS #21 | FOR |
| 15 | Caller 5709 | OPS #21 | AGAINST |
| 16 | Caller 0818 | OPS #24 | ITEM NEEDS MORE CONSIDERATION |
| 17 | Caller 2894 | OPS #24 | AGAINST |
| 18 | Caller 1635 | OPS #25 | ITEM NEEDS MORE CONSIDERATION |
| 19 | Caller 2306 | OPS #25 | FOR |
| 20 | Caller 3747 | OPS #25 | FOR |
| 21 | Caller 4990 | OPS #25 | FOR |
| 22 | Caller 7096 | OPS #25 | FOR |
| 23 | Caller 9076 | OPS #25 | FOR |
| 24 | Caller User 1 | OPS #25 | ITEM NEEDS MORE CONSIDERATION |
| 25 | Caller | OPS #25 | ITEM NEEDS MORE CONSIDERATION |
| 26 | Caller 5709 | OPS CONSENT AND GENERAL COMMENT | GENERAL COMMENT - ASSAULT |
| 27 | High Desert Corridor Joint Powers Authority | P&P #13 | FOR |
| 28 | Adriane Zaudke | P&P #8 | AGAINST |
| 29 | Alexandra Gordon | P&P #8 | FOR |
| 30 | Alicia Barclay | P&P #8 | AGAINST |
| 31 | Alma Garza-Hernandez | P&P #8 | AGAINST |
| 32 | Amanda Taylor | P&P #8 | AGAINST |
| 33 | Andrew Ellis | P&P #8 | AGAINST |
| 34 | Anne Hall | P&P #8 | AGAINST |
| 35 | Arthur Poma | P&P #8 | AGAINST |
| 36 | Aviva Williams | P&P #8 | AGAINST |
| 37 | Becki Chernoff | P&P #8 | AGAINST |
| 38 | Benjamin Foushee | P&P #8 | ITEM NEEDS MORE CONSIDERATION |
| 39 | Blanche Sindelar | P&P #8 | AGAINST |
| 40 | Bob de Velasco | P&P #8 | AGAINST |
| 41 | Brian Bress | P&P #8 | AGAINST |
| 42 | Christina Newland | P&P #8 | AGAINST |

| | | | |
|---|---|---|---|
| 43 | Christine HINE | P&P #8 | AGAINST |
| 44 | Christine Richards | P&P #8 | AGAINST |
| 45 | Christopher Grove | P&P #8 | AGAINST |
| 46 | City of Burbank | P&P #8 | ITEM NEEDS MORE CONSIDERATION |
| 47 | Councilmember Kevin de Leon | P&P #8 | FOR |
| 48 | E.C. Krupp | P&P #8 | AGAINST |
| 49 | Edward "Ted" Dunlap | P&P #8 | FOR |
| 50 | Ellen Stern | P&P #8 | AGAINST |
| 51 | Holly Stewart | P&P #8 | AGAINST |
| 52 | James Panozzo | P&P #8 | AGAINST |
| 53 | Jason Jordan | P&P #8 | AGAINST |
| 54 | John Goldfarb | P&P #8 | AGAINST |
| 55 | Jovita Molina | P&P #8 | AGAINST |
| 56 | Karen Shanbrom | P&P #8 | AGAINST |
| 57 | Kathleen Whitaker | P&P #8 | AGAINST |
| 58 | Kerrin Tso | P&P #8 | AGAINST<br>GENERAL COMMENT |
| 59 | Kim Martellino | P&P #8 | AGAINST |
| 60 | Kim Villalobos | P&P #8 | AGAINST |
| 61 | Lani Stapp | P&P #8 | AGAINST |
| 62 | Lara Escriba | P&P #8 | AGAINST |
| 63 | Laraine Kasper | P&P #8 | AGAINST |
| 64 | Lauren McElroy | P&P #8 | AGAINST |
| 65 | Leslie Valenciano-Lopez | P&P #8 | AGAINST |
| 66 | Loretta Washington | P&P #8 | AGAINST |
| 67 | Maayan Lev | P&P #8 | AGAINST |
| 68 | Mandy Black | P&P #8 | AGAINST |
| 69 | Mark Martinez | P&P #8 | AGAINST |
| 70 | Martha Kowal | P&P #8 | AGAINST |
| 71 | Mary Fischer | P&P #8 | AGAINST |
| 72 | Meredith King | P&P #8 | AGAINST |
| 73 | Michael Breaux | P&P #8 | AGAINST |
| 74 | Michele McKinnon | P&P #8 | AGAINST |
| 75 | Mike E. McNish | P&P #8 | AGAINST |
| 76 | Minerva Garza | P&P #8 | AGAINST |
| 77 | Pamela Brull | P&P #8 | AGAINST |
| 78 | Paul Misik | P&P #8 | AGAINST |
| 79 | Richard Patterson | P&P #8 | AGAINST |
| 80 | Roberta Ikemi | P&P #8 | AGAINST |
| 81 | Roe Muzingo | P&P #8 | AGAINST |
| 82 | Ronda Jovanelly | P&P #8 | AGAINST |
| 83 | Ronda Jovanelly | P&P #8 | AGAINST |
| 84 | Sabrina Grimes | P&P #8 | AGAINST |
| 85 | Samuel Reed | P&P #8 | AGAINST |
| 86 | saveeaglerockcommunity@yahoo.com | P&P #8 | AGAINST |
| 87 | Tasia M | P&P #8 | AGAINST |
| 88 | Terrye Munday | P&P #8 | AGAINST |
| 89 | Tim Campbell | P&P #8 | FOR |
| 90 | Tracey Trahilcal | P&P #8 | ITEM NEEDS MORE CONSIDERATION |

| | | | |
|---|---|---|---|
| 91 | Vera Golakova Abreu | P&P #8 | AGAINST |
| 92 | Vera Golakova Abreu | P&P #8 | AGAINST |
| 93 | Wendy Keller | P&P #8 | AGAINST |
| 94 | Yoshiko Kim | P&P #8 | AGAINST |
| 95 | Caller 2397 | P&P #8 | FOR |
| 96 | Caller 6569 | P&P #8 | FOR |
| 97 | Caller 1610 | P&P #8 | ITEM NEEDS MORE CONSIDERATION |
| 98 | Caler 9929 | P&P #8 | FOR |
| 99 | Caller 0109 | P&P #8 | FOR |
| 100 | Caller 1901 | P&P #8 | ITEM NEEDS MORE CONSIDERATION |
| 101 | Caller 2282 | P&P #8 | FOR |
| 102 | Caller User 1 | P&P #8 | AGAINST |
| 103 | Caller 5605 | P&P #8 | AGAINST |
| 104 | Caller 9740 | P&P #8 | AGAINST |
| 105 | Caller 7506 | P&P #8 | FOR |
| 106 | Caller 1535 | P&P #8 | FOR |
| 107 | Caller 0739 | P&P #8 | FOR |
| 108 | Caller 2900 | P&P #8 | FOR |
| 109 | Caller 5684 | RBM #12 | FOR |
| 110 | Caller 5801 | RBM #23 | FOR |
| 111 | Caller 5801 | RBM #24 | FOR |
| 112 | Caller 5605 | RBM #3 | FOR |
| 113 | Caller 2517 | RBM #4 | FOR |
| 114 | Caller 4861 | RBM #4 | FOR |
| 115 | Caller 5605 | RBM #4 | FOR |
| 116 | Caller Act LA | RBM #45 | FOR |
| 117 | Caller 5801 | RBM #45 | ITEM NEEDS MORE CONSIDERATION |
| 118 | Caller 5684 | RBM #45 | FOR |
| 119 | Ace Aguilera | RBM #8 | AGAINST |
| 120 | Amanda Taylor | RBM #8 | AGAINST |
| 121 | Andrew Bystrom | RBM #8 | AGAINST |
| 122 | Andrew Ellis | RBM #8 | AGAINST |
| 123 | Anthony Larry | RBM #8 | AGAINST |
| 124 | Ariel Hutalla | RBM #8 | AGAINST |
| 125 | Blanche Sindelar | RBM #8 | AGAINST |
| 126 | Cardie Molina | RBM #8 | AGAINST |
| 127 | Carl Matthes | RBM #8 | AGAINST |
| 128 | Cherryl Weaver | RBM #8 | AGAINST |
| 129 | Chris Dunn | RBM #8 | AGAINST |
| 130 | Christopher Shelton | RBM #8 | AGAINST |
| 131 | Courtney Chase | RBM #8 | AGAINST |
| 132 | David Swift | RBM #8 | AGAINST |
| 133 | Elizabeth Stroll | RBM #8 | AGAINST |
| 134 | Eric B. | RBM #8 | AGAINST |
| 135 | Geralt Beukema | RBM #8 | AGAINST |
| 136 | Holly Stewart | RBM #8 | AGAINST |
| 137 | Jimmy Vasquez | RBM #8 | AGAINST |
| 138 | Johanna Harper Metcalfe | RBM #8 | AGAINST |
| 139 | John Dunlop | RBM #8 | AGAINST |
| 140 | Karen Shanbrom | RBM #8 | AGAINST |
| 141 | Kathleen Whitaker | RBM #8 | AGAINST |

| | | | |
|---|---|---|---|
| 142 | Kelly Johnston | RBM #8 | AGAINST |
| 143 | Kim Martellino | RBM #8 | AGAINST |
| 144 | Kim Turner | RBM #8 | AGAINST |
| 145 | Kristine Salonga Li | RBM #8 | AGAINST |
| 146 | Lara Escriba | RBM #8 | AGAINST |
| 147 | Laura Conn | RBM #8 | AGAINST |
| 148 | Linda Allen | RBM #8 | AGAINST |
| 149 | Lora Martinolich | RBM #8 | AGAINST |
| 150 | Lynda | RBM #8 | AGAINST |
| 151 | Lynda Sue Marks-Guarnieri | RBM #8 | AGAINST |
| 152 | Marcos Beltran | RBM #8 | AGAINST |
| 153 | Marilyn J Johnson | RBM #8 | AGAINST |
| 154 | Mary Frances Spencer | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 155 | Matt & Michelle Cicero | RBM #8 | AGAINST |
| 156 | May Camson | RBM #8 | AGAINST |
| 157 | Melanie Pava | RBM #8 | AGAINST |
| 158 | Michele McKinlay | RBM #8 | AGAINST |
| 159 | Michelle Helseth | RBM #8 | AGAINST |
| 160 | Miryam Finkelberg | RBM #8 | AGAINST |
| 161 | Nadine Levyfield | RBM #8 | AGAINST |
| 162 | Raymond Cho | RBM #8 | AGAINST |
| 163 | Rosser Cole | RBM #8 | AGAINST |
| 164 | Sarah Cho | RBM #8 | AGAINST |
| 165 | Sean Green | RBM #8 | AGAINST |
| 166 | Shaina Steinberg | RBM #8 | AGAINST |
| 167 | Spike Whitney | RBM #8 | AGAINST |
| 168 | Suzanne Commons | RBM #8 | AGAINST |
| 169 | Vera Golakova Abreu | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 170 | William Heath | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 171 | Yoshiko Kim | RBM #8 | AGAINST |
| 172 | Lora Martinolich | RBM #8 | AGAINST |
| 173 | Victor Gordo, Mayor of Pasadena | RBM #8 | FOR |
| 174 | City of Burbank | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 175 | hen's Twentieth Century Club of Eagle | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 176 | Councilemeber Kevin De Leon - 3294 | RBM #8 | FOR |
| 177 | Caller 9929 | RBM #8 | FOR |
| 178 | Caller 9729 | RBM #8 | FOR |
| 179 | Caller 1901 | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 180 | Caller 1610 | RBM #8 | FOR |
| 181 | Caller 6555 | RBM #8 | FOR |
| 182 | Caller 2740 | RBM #8 | FOR |
| 183 | Caller 5684 | RBM #8 | FOR |
| 184 | Caller 0081 | RBM #8 | FOR |
| 185 | Caller 8485 | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 186 | Caller 1983 | RBM #8 | FOR |
| 187 | Caller 0109 | RBM #8 | FOR |
| 188 | Caller 2900 | RBM #8 | FOR |
| 189 | Caller User 1 | RBM #8 | FOR |
| 190 | Caller 1932 | RBM #8 | FOR |
| 191 | Caller 7506 | RBM #8 | FOR |

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|---|---|---|---|
| 192 | Caller 6127 | RBM #8 | FOR |
| 193 | Caller 5654 | RBM #8 | FOR |
| 194 | Caller 7880 | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 195 | Caller | RBM #8 | FOR |
| 196 | Caller 9516 | RBM #8 | AGAINST |
| 197 | Caller 8639 | RBM #8 | FOR |
| 198 | Caller 5251 | RBM #8 | FOR |
| 199 | Caller 4130 | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 200 | Caller 2250 | RBM #8 | FOR |
| 201 | Caller 7202 | RBM #8 | FOR |
| 202 | 7554 | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 203 | 3392 | RBM #8 | FOR |
| 204 | 1535 | RBM #8 | FOR |
| 205 | 8622 | RBM #8 | AGAINST |
| 206 | Caller 2517 | RBM #8 | FOR |
| 207 | Caller 7028 | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 208 | Caller 9005 | RBM #8 | FOR |
| 209 | Caller 7523 | RBM #8 | FOR |
| 210 | Caller 1671 | RBM #8 | FOR |
| 211 | Caller 4805 | RBM #8 | AGAINST |
| 212 | Caller 8021 | RBM #8 | FOR |
| 213 | Caller 2747 | RBM #8 | FOR |
| 214 | Caller 8123 | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 215 | Caller 9208 | RBM #8 | FOR |
| 216 | Caller 2009 | RBM #8 | AGAINST |
| 217 | Caller User 1 | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 218 | Caller 2154 | RBM #8 | AGAINST |
| 219 | Caller 3413 | RBM #8 | FOR |
| 220 | Caller 7642 | RBM #8 | FOR |
| 221 | Caller 4053 | RBM #8 | FOR |
| 222 | Caller 4362 | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 223 | Caller 5065 | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 224 | Caller 2480 | RBM #8 | FOR |
| 225 | Caller 8865 | RBM #8 | FOR |
| 226 | Caller 5824 | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 227 | Caller 9300 | RBM #8 | FOR |
| 228 | Caller 8136 | RBM #8 | FOR |
| 229 | Caller 5773 | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 230 | Caller 2251 | RBM #8 | AGAINST |
| 231 | Caller 9717 | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 232 | Caller 2248 | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 233 | Caller 1381 | RBM #8 | AGAINST |
| 234 | Caller 0932 | RBM #8 | FOR |
| 235 | Caller 5539 | RBM #8 | ITEM NEEDS MORE CONSIDERATION |
| 236 | Caller 5684 - Move LA | RBM CONSENT CALENDAR | FOR |
| 237 | Caller 5065 | RBM CONSENT CALENDAR | ITEM NEEDS MORE CONSIDERATION |
| 238 | Andrew M. | RBM GENERAL COMMENT | GENERAL COMMENT |

| | | | |
|---|---|---|---|
| 239 | Dale Winke | RBM GENERAL COMMENT | GENERAL COMMENT |
| 240 | Jeffry Stein | RBM GENERAL COMMENT | GENERAL COMMENT |
| 241 | Caller User 1 | RBM GENERAL COMMENT | GENERAL COMMENT - GREEN LINE |
| 242 | Caller 5801 | RBM GENERAL COMMENT | GENERAL COMMENT - FARE/TVM |
| 243 | Caller 8663 | RBM GENERAL COMMENT | GENERAL COMMENT - GONDOLA |

Metro

# MINUTES

**Thursday, April 28, 2022**

**10:00 AM**

## Board of Directors - Regular Board Meeting

**DIRECTORS PRESENT:**
**Hilda L. Solis, Chair**
**Ara Najarian, 1st Vice Chair**
**Jacquelyn Dupont-Walker, 2nd Vice Chair**
**Kathryn Barger**
**Mike Bonin**
**James Butts**
**Fernando Dutra**
**Janice Hahn**
**Paul Krekorian**
**Sheila Kuehl**
**Holly Mitchell**
**Tim Sandoval**
**Gloria Roberts, non-voting member**

**Stephanie Wiggins, Chief Executive Officer**

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

## ROLL CALL

1. APPROVED Consent Calendar Items: 2, 5, 6, 7, 11, 13, 16, 17, 18, 22, ~~24~~, 25, ~~26~~, ~~27~~, 30, 31, 32, 33, 34, 35, 40, and 43.

Consent Calendar items were approved by one motion except items 24, 26, and 27 which were held by a Director for discussion and/or separate action.

| AN | JDW | KB | MB | JB | FD | EG | JH | PK | SK | HJM | TS | HS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Y | Y | A | Y | A | Y | A | A | A | Y | A | Y | Y |

**2. SUBJECT: MINUTES** **2022-0270**

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held March 24, 2022.

**3. SUBJECT: REMARKS BY THE CHAIR** **2022-0268**

RECEIVED remarks by the Chair.

| AN | JDW | KB | MB | JB | FD | EG | JH | PK | SK | HJM | TS | HS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| P | P | A | P | A | P | A | A | A | P | A | P | P |

**4. SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER** **2022-0269**

RECEIVE report by the Chief Executive Officer.

| AN | JDW | KB | MB | JB | FD | EG | JH | PK | SK | HJM | TS | HS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| P | P | A | P | P | P | A | A | A | P | P | P | P |

**5. SUBJECT: 2023 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM** **2022-0132**

ADOPTED ON CONSENT CALENDAR the resolution for the 2023 Los Angeles County Transportation Improvement Program.

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

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

**6. SUBJECT: FIRST/LAST MILE ON-CALL CONSULTING SERVICES** **2022-0017**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 1 to Contract No. PS61079000, with Deborah Murphy dba Deborah Murphy Urban Design and Planning (DMUDP) for First/Last Mile On-Call Consulting Services in the amount of $500,000, increasing the total contract value from $475,000 to $975,000, to support the early project development phases for four (4) first/last mile (FLM) projects of the Metro Active Transport (MAT) Program.

**7. SUBJECT: FUNDING AWARD RECOMMENDATION FOR FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5310 (CRRSAA AND ARPA FUNDING) GRANT PROGRAM** **2022-0104**

APPROVED ON CONSENT CALENDAR:

A. the recommended Federal Transit Administration (FTA) Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities Program funding awards totaling $2,817,612, as authorized under the Coronavirus Response and Relief Supplemental Appropriations Act and American Rescue Plan Act funds for Operating Projects;

B. AUTHORIZING the Chief Executive Officer (CEO) or their designee to negotiate and execute pass-through funding agreements with the sub-recipient agencies receiving awards; and

C. CERTIFYING that the Section 5310 funding is included in the locally developed 2021-2024 Coordinated Public Transit-Human Services Transportation Plan for Los Angeles County ("Coordinated Plan") that was developed and approved through a process that included participation by seniors and individuals with disabilities, as well as by representatives of public, private and nonprofit transportation and human service providers and other members of the public.

**8. SUBJECT: NORTH HOLLYWOOD TO PASADENA BUS RAPID TRANSIT CORRIDOR PROJECT ENVIRONMENTAL IMPACT REPORT** **2021-0693**

A. APPROVED the North Hollywood to Pasadena Bus Rapid Transit Corridor Project (a new, 19-mile long, at-grade bus rapid transit line with twenty-two (22) stations);

B. CERTIFIED, in accordance with the California Environmental Quality Act (CEQA), the Final Environmental Impact Report (Final EIR);

(continued on next page)

(Item 8 – continued from previous page)

C. ADOPTED, in accordance with CEQA, the:

1. Findings of Fact, and

2. Mitigation Monitoring and Reporting Program; and

D. AUTHORIZED the Chief Executive Officer to file a Notice of Determination with the Los Angeles County Clerk and the State of California Clearinghouse.

| AN | JDW | KB | MB | JB | FD | EG | JH | PK | SK | HJM | TS | HS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Y | Y | Y | Y | Y | Y | A | Y | Y | Y | Y | Y | Y |

**9. SUBJECT: WEST SANTA ANA BRANCH TRANSIT CORRIDOR PROJECT** **2022-0273**

RECEIVED AND FILED status report on the January 2022 Motion 10 by Directors Hahn, Solis, Garcetti, Mitchell and Dutra on the West Santa Ana Branch Transit Corridor Project.

| AN | JDW | KB | MB | JB | FD | EG | JH | PK | SK | HJM | TS | HS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| P | A | A | P | P | P | A | P | A | P | P | P | P |

**10. SUBJECT: INTERSTATE 10 HOV LANES PROJECT PROGRAMMING INCREASE** **2022-0124**

APPROVED AS AMENDED:

A. $21,749,863 of additional Congestion Mitigation and Air Quality (CMAQ) programming within the current FY22 budget allocation; and

B. the Chief Executive Officer or their designee to negotiate and execute the necessary amendments to existing agreements for additional funding to the I-10 High Occupancy Vehicle Lanes Project from Puente Avenue to SR-57.

**DUPONT-WALKER AMENDMENT:** Return to the board with other capital-only funding sources for this project in place of CMAQ should there be additional need for operations funding.

Report back in August 2022 on the following:

A. an operations funding outlook beyond fiscal year 23 and how CMAQ can help forestall the expected operations deficit; and

B. a policy to use CMAQ first for any eligible operations costs.

| AN | JDW | KB | MB | JB | FD | EG | JH | PK | SK | HJM | TS | HS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Y | Y | Y | Y | Y | Y | A | Y | A | Y | Y | Y | Y |

**11. SUBJECT: LITTLE TOKYO/ARTS DISTRICT JOINT DEVELOPMENT** **2021-0725**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute a Memorandum of Understanding (MOU) with the City of Los Angeles related to the joint development of Metro-owned property and City-owned property adjacent to the Regional Connector Little Tokyo/Arts District Station, to be procured in a competitive solicitation led by the City, pursuant to Public Utilities Code Section 130242(f)(4).

**12. SUBJECT: EASTSIDE TRANSIT CORRIDOR PHASE 2 PROJECT** **2022-0274**

RECEIVED AND FILED the following updates on the Eastside Transit Corridor Phase 2 Project:

A. Streamlining the Project's path forward on the National Environmental Policy Act (NEPA);

B. Funding strategy for the Initial Operating Segments (IOS) and the full project to the City of Whittier; and

C. Project delivery approaches and pre-construction activities.

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**13. SUBJECT: HIGH DESERT CORRIDOR RAIL PROJECT** **2022-0171**

APPROVED ON CONSENT CALENDAR:

A. $1,236,500 for Fiscal Year 2023 to complete the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) environmental document for the High Desert Corridor (HDC) Rail Project and other related activities as further described in;

B. an increase of $500,000 in Life-of-Project (LOP) budget for the High Desert Intercity Rail Corridor Service Development Plan for a new total LOP budget of $5,125,000;

C. REPURPOSING $1,736,500 of Measure M High Desert Multipurpose Corridor (HDMC) funds identified in the Expenditure Plan for Right-of-Way acquisition for the High Desert Corridor High Speed Rail Project and the Service Development Plan to fund the above two recommendations; and

D. AUTHORIZING the Chief Executive Officer to negotiate and execute all necessary funding agreements with HDC JPA.

**16. SUBJECT: METRO BIKE SHARE CONTRACT EXTENSION AND REPLENISHMENT** **2022-0150**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

A. EXECUTE Modification No. 11 to Contract No. PS272680011357 with Bicycle Transit Systems (BTS) to extend the contract period of performance by 12 months through July 30, 2023, purchase new bicycles to replenish and stabilize the on-street bicycle fleet, purchase and install GPS equipment, and maintain a 10% inventory, to ensure a consistent on-street fleet for the duration of this contract, in the amount of $15,250,213, increasing the total contract value from $95,343,861 to $110,594,074; and

B. ESTABLISH a Capital project with a $2 million Life of Project (LOP) value in support of the purchase of Metro Bike Share (MBS) equipment, including bicycles, GPS equipment, and other associated equipment and materials.

**17. SUBJECT: PROPERTY INSURANCE PROGRAM** **2022-0021**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to negotiate and purchase All Risk Property and Boiler and Machinery insurance policies for all property at increased policy limits at a not to exceed price of $5.5 million for the 12-month period May 10, 2022 through May 10, 2023.

**18. SUBJECT: MEMBERSHIP ON METRO'S WESTSIDE CENTRAL SERVICE COUNCIL** **2022-0057**

APPROVED ON CONSENT CALENDAR nominee for membership on Metro's Westside Central Service Council.

**22. SUBJECT: CRENSHAW/LAX OPERATING PLAN UPDATE** **2022-0169**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to review the Crenshaw/LAX Operating Plan, including conduct necessary public outreach and report back to Board with findings and a recommendation to maintain or change the Operating Plan.

**23. SUBJECT: RECEIVE AND FILE 2022 CUSTOMER EXPERIENCE PLAN** **2021-0774**

RECEIVED AND FILED the 2022 Customer Experience Plan.

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**24. SUBJECT: POLICING ON THE METRO BUS AND RAIL TRANSIT SYSTEM MOTION** **2022-0257**

APPROVED Motion by Directors Hahn, Kuehl, and Butts that the Board direct the Chief Executive Officer to report back to the Board in May 2022 on how Metro can modify its contracts with the Los Angeles Police Department and Long Beach Police Department to ensure continuity of service and continued law enforcement services coverage throughout the Metro Bus and Rail Transit System.

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**25. SUBJECT: CREATING A METRO TREE POLICY MOTION** **2022-0259**

APPROVED ON CONSENT CALENDAR Motion by Directors Hahn, Solis, Mitchell, Dutra, Bonin, and Krekorian that the Board direct the Chief Executive Officer to:

A. Create a Metro Tree Policy, with consideration of and recommendations for the following:

1. Protecting trees during construction;

2. Appropriate species, palette, and planting strategies that maximize opportunities for native species, carbon capture, mitigating urban heat island effect, implementing low-flow water run-off, minimizing maintenance costs and damage to other infrastructure, and providing a robust tree canopy;

3. A tree replacement approach that is, at minimum, two-for-one replacement of any trees removed as a result of Metro capital projects or on Metro property, including planting and establishment;

4. In-lieu fees for instances where a minimum two-for-one replacement of trees on Metro property is not possible;

5. Encouraging creative approaches, including but not limited to parkway strips, parklets, or pocket parks, where permeable surfaces are increased and planted for greater visual, cooling, and air and water quality impact;

6. Coordination with local jurisdictions to plant and establish street trees along transit corridors in equity-focused communities, in accordance with jurisdictions' existing urban forestry policies, and as part of Metro's Complete Streets Policy, including a minimum tree canopy coverage threshold for high-quality transit corridors;

(continued on next page)

(Item 25 – continued from previous page)

7. For trees on Metro property and where Metro is responsible for maintenance (e.g., as the adjacent property owner), develop maintenance standards including but not limited to: watering, trimming, and replacement;

8. Opportunities for partnership with private and non-governmental organizations; and,

9. Community engagement;

B. Present this Metro Tree Policy to the Board in August 2022 for consideration and approval; and,

C. Identify and pursue funding opportunities to plant and maintain trees along Metro transit corridors no later than January 2023.

**26. SUBJECT: HR4000 CONSULTING SERVICES FOR HEAVY RAIL VEHICLE ACQUISITION, TECHNICAL SUPPORT SERVICES INCREASE OF CONTRACT MODIFICATION AUTHORITY (CMA)** **2022-0103**

AUTHORIZED the Chief Executive Officer to:

A. EXECUTE Modification No. 14 to Contract No. OP16523-30433487 with LTK Engineering Services for Technical Support Services for HR4000 Heavy Rail Vehicle Acquisition to extend the Period of Performance through April 30, 2024, and increase the Not-to-Exceed Total Contract Price by $5,618,956, from $14,228,248 to $19,847,204; and

B. INCREASE the Contract Modification Authority (CMA) to $6,180,852 to execute Modification No. 14 in Recommendation A, which provides an additional $561,896 CMA or 10% for future changes.

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**27. SUBJECT: BUS ENGINEERING AND ACQUISITION, PROGRAM MANAGEMENT AND TECHNICAL SUPPORT SERVICES** **2022-0139**

AUTHORIZED the Chief Executive Officer to award a six (6) year cost reimbursable contract, Contract No. PS81062000, to WSP USA, Inc. for as-needed professional consultant support services that will be utilized for bus engineering and acquisition, program management and technical support services, in the total not-to-exceed amount of $10,930,917.43, subject to resolution of protest(s), if any.

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**29. SUBJECT: METRO SMALL BUSINESS BONDING ASSISTANCE PROGRAM** **2022-0186**

A. AUTHORIZED the Chief Executive Officer to execute Modifications to Contract No. PS137313000 with Merriwether and Williams Insurance Services, Inc. to continue to provide Small Business Bonding Assistance Program services and Contractor Finance Assistance Program (CFAP) administration in the amount of $450,000, increasing the total contract price from $2,197,870 to $2,647,870, and extend the period of performance from June 1, 2022, through November 30, 2022;

This Contract Modification also includes an as-needed option to extend the contract period of performance up to an additional six (6) months or through May 31, 2023, and increase the total contract price up to an additional $450,000, for a total not-to-exceed contract price of $3,097,870.

B. AUTHORIZED the Chief Executive Officer to approve budget for the Contractor Finance Assistance Program (CFAP) loan fee which provides financial relief for certified small businesses performing on a Metro contract for an amount not to exceed $300,000; and

C. ADOPTED a resolution authorizing the Chief Executive Officer and other Authorized Officers to continue the $4,000,000 line of credit with Bank of America for six months at a cost of $8,000 with the option to extend for an additional six months at a cost of $8,000, and to execute as needed, individual standby letters of credit at a cost of $2,000 each or 2% of the value of each letter of credit executed, whichever is greater, for a six-month period in the amount of $37,500 with an option for an additional six-month period for $37,500 for a not-to-exceed amount of $71,000 if the option is exercised.

**(REQUIRED SEPARATE, SIMPLE MAJORITY VOTE OF THE FULL BOARD)**

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**30. SUBJECT: FUND ADMINISTRATOR FOR METRO PILOT BUSINESS INTERRUPTION FUND (BIF)** **2022-0147**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 6 to the Business Interruption Fund (BIF) Administration Services Contract No. PS56079000 with Pacific Coast Regional Small Business Development Corporation (PCR) to exercise the second, one-year option in the amount of $650,306, increasing the total contract value from $2,754,855 to $3,405,161, to continue to serve as the fund administrator for Metro's Pilot BIF and extending the period of performance from May 1, 2022 to April 30, 2023.

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**31. SUBJECT: METRO I-105 EXPRESSLANES FINAL SEGMENTS 2 AND 3 DESIGN PLANS SPECIFICATIONS AND ESTIMATES CONTRACT** **2022-0170**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award And execute Contract No. AE77613000 with WSP USA, Inc. to prepare Plans, Specifications, and Estimates (PS&E) for the I-105 Segments 2 and 3 in the amount of $39,935,928, subject to resolution of protests, if any.

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**32. SUBJECT: RAIL TO RAIL ACTIVE TRANSPORTATION CORRIDOR PROJECT** **2022-0063**

APPROVED ON CONSENT CALENDAR:

A. INCREASING the life-of-project budget for the Rail-to-Rail Active Transportation Project (Project) in the amount of $27,295,000, from $115,989,173 to $143,284,173;

B. REVISING the project funding plan to accept $27,295,000 in funding contributions by the City of Los Angeles;

C. DELEGATING authority to the Chief Executive Officer to accept up to $15 million in American Rescue Plan Act funds from the County of Los Angeles and program them to the Rail to Rail project; and

D. AUTHORIZING the Chief Executive Officer to negotiate and execute Project related agreements, including contract modifications, up to the authorized Life-of-Project Budget.

**33. SUBJECT: METRO DIVISION 1 INDUSTRIAL STREET VACATION AND CITY OF LOS ANGELES 7TH STREET STREETSCAPE IMPROVEMENTS NEGOTIATED FUNDING AGREEMENT** **2022-0152**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute a Funding Agreement with the City of Los Angeles for the 7th Street Streetscape Improvements project in the negotiated amount of $3,500,000.

**34. SUBJECT: TRACK AND TUNNEL INTRUSION PROJECT** **2022-0195**

APPROVED ON CONSENT CALENDAR INCREASING the Life of Project (LOP) Budget on the Track and Tunnel Intrusion Project by $1,948,680, from $8,873,092 to $10,821,772.

**35. SUBJECT: 3% CONTRIBUTION MOTION** **2022-0258**

APPROVED ON CONSENT CALENDAR Motion by Directors Hahn, Garcetti, Butts, and Dutra that the Board direct the CEO to update the Measure M Guidelines and First-Last Mile Guidelines in accordance with the following:

A. Revise the Measure M Guidelines 3% Contribution calculation to be consistent with the Measure M ordinance;

B. In cases where Metro withholds 15 years of Measure M Local Return, clarify that Metro will allow withheld funds to satisfy the 3% contribution via an agreement with the jurisdiction, that jurisdictions may spend withheld funds on First-Last Mile investments, and that those expenses shall be eligible to credit toward a jurisdiction's 15-year total Measure M Local Return obligation in accordance with established Metro procedures, such as the First-Last Mile Guidelines and Measure M Guidelines;

C. Confirm that the cost of First-Last Mile improvements delivered by local jurisdictions shall not be included in the "total project cost" from which Metro calculates the 3% Contribution;

D. Consistent with precedent from the Purple Line Extension, confirm that jurisdictions along segments of a larger transit corridor will incur a 3% Contribution obligation only for project segments that include station construction within their jurisdiction; and,

E. Reaffirm that in-kind contributions and subregional investments that support a Metro transit corridor may count toward a project's total 3% Contribution under existing provisions of the Measure M Guidelines.

WE FURTHER MOVE that the Board direct the CEO to report back on all the above to the Construction Committee in June 2022.

**40. SUBJECT: LOW INCOME FARE IS EASY (LIFE) PROGRAM ADMINISTRATOR SERVICES** **2022-0127**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

A. EXECUTE Modification No. 1 to Contract No. PS6056400A with FAME Assistance Corporation (FAME) for Administration of Metro's LIFE program for the Southwest and Northwest Service Regions in the amount of $965,932, increasing the total contract value from $2,991,965.01 to $3,957,897.01, for the remaining two years of the contract; and

B. EXECUTE Modification No. 1 to Contract No. PS6056400B with the International Institute of Los Angeles (IILA) for Administration of Metro's LIFE program for the Southeast Service Region in the amount of $467,085, increasing the total contract value from $1,605,248 to $2,072,333, for the remaining two years of the contract.

**43. SUBJECT: FINDINGS REQUIRED TO CONTINUE TO MEET VIA TELECONFERENCE IN COMPLIANCE WITH AB 361 WHILE UNDER A STATE OF EMERGENCY AND WHILE STATE AND LOCAL OFFICIALS CONTINUE TO PROMOTE SOCIAL DISTANCING** **2022-0281**

APPROVED ON CONSENT CALENDAR the following findings:

Pursuant to AB 361, the Metro Board, on behalf of itself and other bodies created by the Board and subject to the Ralph M. Brown Act, including Metro's standing Board committees, advisory bodies, and councils, finds:

The Metro Board has reconsidered the circumstances of the state of emergency, and that:

A. The state of emergency continues to directly impact the ability of the members to meet safely in person, and

B. State or local officials continue to impose or recommend measures to promote social distancing.

Therefore, all such bodies will continue to meet via teleconference subject to the requirements of AB 361.

**44. SUBJECT: PROPOSITION A AND PROPOSITION C COMMERCIAL PAPER/SHORT-TERM BORROWING PROGRAMS** **2022-0131**

ADOPTED:

A. a resolution that authorizes the Chief Executive Officer and/or other Designated Officers to renew and/or replace the existing direct-pay letter of credit ("LOC") with respect to the Proposition A ("Prop A") commercial paper ("CP") and short-term borrowing program; and

B. a resolution that authorizes the Chief Executive Officer and/or other Designated Officers to renew and/or replace the existing direct purchase revolving credit facility with respect to the Proposition C ("Prop C") revolving credit facility ("RCF") and short-term borrowing program.

**(REQUIRED SEPARATE, SIMPLE MAJORITY VOTE OF THE FULL BOARD)**

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**45. SUBJECT: USE OF PUBLIC SAFETY DATA MOTION** **2022-0286**

APPROVED Motion by Directors Mitchell, Dupont-Walker, Hahn, and Bonin that will:

A. Reaffirm and declare that racism is a threat to public health and safety and that racism against Black people has reached crisis proportions that result in large disparities in life outcomes beyond the Metro system.

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

B. Draft a policy for applying public safety analytics, including a data summary, to inform resource deployment that averts racial profiling for board consideration. The draft policy shall have robust community outreach and input from appropriate stakeholders such as racial justice advocacy organizations and the Public Safety Advisory Committee.

C. Develop a Bias-Free Policing Policy which shall include:

1. definitions for Bias-Free Policing and racial and identity profiling;

2. key performance indicators to measure the effectiveness of the Bias-Free Policing Policy (including disparities in citations, uses of force, searches, arrests, and stops);

3. clarification on circumstances in which characteristics of individuals may be considered;

4. a system to encourage prompt completion of bias and inclusivity trainings with appropriate consequences for contractors and employees who fail to complete the trainings on schedule;

5. a system for processing complaints regarding biased policing; and

6. a plan to publicly host and analyze demographic data on a quarterly basis to track changes in arrest data over time for all contracted law enforcement partners.

D. Report back to the Board on the above by August 2022.

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**46. SUBJECT: CLOSED SESSION** 2022-0284

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

1. Denise Crews, et al. v. LACMTA, Case No. BC713509

AUTHORIZED settlement in the sum of $1,000,000.

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2. Amber Martinez v. LACMTA, Case No. BC594335

AUTHORIZED settlement in the sum of $550,000.

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**ADJOURNED AT 3:28 P.M.**

Prepared by: Mandy Cheung
Administrative Analyst, Board Administration

Collette Langston, Board Clerk

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

Metro

# Board Report

**File #:** 2022-0239, **File Type:** Application **Agenda Number:** 5.

**PLANNING AND PROGRAMMING COMMITTEE**
**MAY 18, 2022**

**SUBJECT: MATCH REQUIREMENT FOR FEDERAL TRANSIT ADMINISTRATION LOW OR NO EMISSION PROGRAM AND BUSES & BUS FACILITIES PROGRAM GRANT APPLICATIONS**

**ACTION: APPROVE RECOMMENDATION**

## RECOMMENDATION

APPROVE the programming of $108.79 million in state and local funds to commit local match for Metro's grant applications to the Federal Transit Administration (FTA) to procure up to 160 battery-electric buses and supportive charging infrastructure and for related workforce development activities, as detailed in the funding plan in Attachment A.

## ISSUE

The FTA is accepting applications for grant awards from the Low or No Emission (Low-No) Program and the Buses and Bus Facilities Program before the May 31, 2022 deadline. A grant award of up to $104 million from the approximately $1.72 billion available nationwide will support Metro's implementation of Phase 2 of the Zero Emission Bus Rollout Plan that the Board approved in March 2021 (Legistar File 2020-0636) and related workforce development activities.

Board approval is needed to commit funds according to FTA's non-federal funding match requirement. The proposed funding commitment of $108.79 million is in addition to the $58.35 million for the procurement of zero-emission buses and charging infrastructure included in Los Angeles County's 2022 Regional Transportation Improvement Program (RTIP) that the Board approved in December 2021 (Legistar File 2021-0666) and in the 2022 State Transportation Improvement Program (STIP) that the California Transportation Commission (CTC) approved in March 2022. Metro will submit an application for the Low-No program to procure 160 buses and supportive charging infrastructure and related workforce development activities, and submit an application for the Buses and Bus Facilities program to procure 80 battery electric buses and supportive charging infrastructure and related workforce development activities as detailed in the funding plan in Attachment A. The FTA will announce projects selected for grant awards by August 15, 2022.

## BACKGROUND

The FTA issued a combined Notice of Funding Opportunity (NOFO) for the Low-No and Buses and

Bus Facilities programs on March 4, 2022 making available about $1.47 billion nationwide for grant awards. The Federal Fiscal Year (FFY) 2022 Consolidated Appropriations Act signed into law on March 15, 2022 provided an additional $250 million, increasing the total amount available to $1.72 billion. As a result, approximately $1.18 billion and $545 million in FFY 2022 funds are available for Low-No and Buses and Bus Facilities grant awards, respectively. Applicants may submit a low- or no-emissions project to only one or both programs. The FTA will exercise its discretion to determine under which program a proposed project will receive funding if submitted for consideration under both programs. Of note, the FTA will award a minimum of 25% of the amount available for the Low-No Program to low-emission projects other than zero-emission vehicles and related facilities. Similarly, the FTA will award a minimum of 15% of the amount available for the Buses and Bus Facilities Program to projects located in rural areas. Attachment B summarizes the FTA's project eligibility and evaluation criteria for both grant programs.

## DISCUSSION

Based on consultation between Operations and Countywide Planning & Development (CPD), staff recommends submitting grant applications for both the Low-No and the Buses and Bus Facilities programs to procure zero-emission buses and supportive charging infrastructure, as well as to retrain our workforce in the maintenance and operation of such assets.

With the FTA limiting the total grant amount an applicant can receive from the Buses and Bus Facilities Program from all its applications selected for award to no more than 10% of the total funding available nationwide, our agency's grant request of $52.08 million from this program is sized close to this limit. This application would include a local match commitment of $75.02 million for a total cost of $127.1 million. With the FTA not limiting the total amount of Low-No grant award an applicant may receive, our agency's Low-No grant request of $104.16 million will fund twice as much the scope included in our grant application for the Buses and Bus Facilities Program. This application would include a local match commitment of $150.04 million for a total cost of $254.2 million. The funding breakdown for each application is included in Attachment A. This grant request emphasizes our agency's need for federal funding assistance to support transitioning to a full zero-emission bus fleet.

Board approval of the commitment of $108.79 million in state and local funds for our agency's grant applications is required to secure funding from these programs as the FTA will consider the availability of the non-federal cost share as evidence of the applicant's financial commitment to implement the proposed project(s) in its evaluation process to select projects for funding awards. The FTA requires applicants to submit evidence of the availability of non-federal funds (includes sources and corresponding amounts) for their project(s) or indicate if these funds will need to be secured if the project is selected for funding.

The proposed non-federal funding commitment (in addition to the $58.35 million in state funds already committed by the Board and the CTC), and grant award(s) from the FTA, will support implementing Phase 2 of our agency's Zero Emission Bus Rollout Plan that focuses on the electrification of Divisions 9 and 18 and the procurement and deployment of zero-emission battery-electric buses to replace buses powered by compressed natural gas (CNG) that have reached the end of their useful life. Due to the funding limitations of the FTA's grant programs, and to increase the


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competitiveness of our agency's grant applications to be selected for grant awards, our grant requests are to pay for the incremental cost to procure battery-electric buses and supportive charging infrastructure, with 5% of the total grant request in each application proposed for related workforce development activities.

To increase our chances for being selected for grant awards and address the NOFO, the scopes of our agency's grant applications are scalable as the FTA may choose to award smaller amounts than requested.

## DETERMINATION OF SAFETY IMPACT

Approval of this item will have no direct impact on the safety of Metro customers or employees.

## FINANCIAL IMPACT

Transitioning Metro's CNG bus fleet to zero-emission battery-electric buses and supporting charging infrastructure is more expensive than replacing CNG buses and fueling infrastructure. Recent rough order of magnitude estimates that accompanied the Board adoption of the Rollout Plan in 2021 indicate that the cost of battery-electric supportive charging infrastructure is, on average, about $620,000 per bus more compared to the infrastructure needed for the operation of CNG powered buses. Staff has identified state and local funds to support the replacement of CNG buses upon their retirement with battery-electric buses, but additional funding is needed. Also, the one-time cost of installing the charging infrastructure requires additional funding to ensure the viability of the deployment of battery-electric buses in revenue service. Grant awards from the FTA will help address these funding needs and support implementing Phase 2 of Metro's Zero Emission Bus Rollout Plan.

CPD, in consultation with the Office of Management & Budget (OMB), has identified non-federal funding of $108.79 million to use as match for the two FTA grant applications from Transportation Development Act (TDA) and Proposition C funds available for use at the Board's discretion. The proposed non-federal funding match adds to the $58.35 million that the Board and the CTC already committed in the 2022 RTIP/STIP for the procurement of zero emission buses and infrastructure programmed for FY 2023 ($17.1 million) and FY 2025 ($41.25 million). The proposed TDA and Proposition C funds are operations eligible.

### Impact to Budget

Approving the recommended action will authorize staff to commit and leverage with federal funds additional local and state funds available for use at the Board's discretion for the procurement of zero -emission battery-electric buses and supportive charging infrastructure. These buses will replace CNG buses that are already scheduled for retirement based on the useful life.

## EQUITY PLATFORM

Metro's transition to zero-emission bus technology will be implemented systemwide, therefore eliminating tailpipe emissions and significantly reducing noise that have significant negative environmental effects on residents living and working near the bus corridors, as well as on

commuters that depend on Metro's service for their travel needs. Grant awards by the FTA for the capital investments included in the grant applications will provide some of the funding needed to complete the electrification of Divisions 9 and 18, both of which service bus routes that primarily operate in Equity Focus Communities. The proposed bus electrification activities will reduce environmental burdens and support healthier life outcomes in communities that are predominantly home to minorities and those with relatively high percentages living below the poverty line. The proposed investments are not anticipated to have any long-term negative impacts. Any service changes or construction impacts will be minimal and temporary, mostly confined to Metro properties and communicated to the public using best practices as necessary, including language translation and accessible communications methods.

## IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended actions support achieving Goal 1 to provide high-quality mobility options that enable people to spend less time travelling by investing in a world-class bus system that is reliable, convenient, and attractive to more users for more trips. It also supports Goal 4 to transform Los Angeles County through regional collaboration and national leadership by transforming its entire bus system and supporting infrastructure to be zero emission.

## ALTERNATIVES CONSIDERED

The Board may decide to not approve the match funding or submitting the grant applications to the FTA. Staff does not recommend this alternative as it will result in a missed opportunity to secure federal grants that support addressing Metro's funding needs for the full electrification of our agency's bus fleet. The Board may also decide to approve committing a lower amount in non-federal funds than requested. Staff do not recommend this alternative as it will reduce the number of buses our agency can ask the FTA to fund and have a negative impact on the competitiveness of our applications for grant awards.

## NEXT STEPS

Staff will submit the two grant applications to the FTA by the May 31, 2022 deadline and include this Board Report and minutes of actions taken at the board meeting as evidence of the availability and commitment of the non-federal funds for the proposed projects. Staff will report to the Board if the FTA selects our application(s) for grant award and submit other grant applications of similar scope.

## ATTACHMENTS

Attachment A - Funding Plan
Attachment B - Project Eligibility and Evaluation Criteria

Prepared by: James Andrew, Manager, Countywide Planning & Development, (213) 547-4306
Ashad Hamideh, Interim Deputy Executive Officer, Countywide Planning & Development, (213) 922-5539
Michael Cano, Interim Executive Officer, Countywide Planning & Development, (213) 418-3010

Laurie Lombardi, Senior Executive Officer, Countywide Planning & Development, (213) 418-3251

Reviewed by: James de la Loza, Chief Planning Officer, (213) 922-2920

Stephanie N. Wiggins
Chief Executive Officer

**ATTACHMENT A**

## Funding Plan for Battery-Electric Buses, Charging Infrastructure and Workforce Development Grant Applications

Table 1A: Funding Sources for FTA Buses and Bus Facilities Grant Application

| Funding Source | Commitment | Request | Total |
|---|---|---|---|
| 2022 RTIP/STIP (FY 23) | $17,096,000 | | $17,096,000 |
| TDA/ Proposition C | $57,924,000 | | $57,924,000 |
| FTA Buses & Bus Facilities Grant | | $52,080,000 | $52,080,000 |
| **TOTAL** | **$75,020,000** | **$52,080,000** | **$127,100,000** |

Table 1B: Use of Funds for FTA Buses and Bus Facilities Grant Application

| Scope | Non-Federal | Federal | Total |
|---|---|---|---|
| 80 40-ft Battery-Electric Buses | $44,640,000 | $29,760,000 | $74,400,000 |
| Supporting Charging Infrastructure | $29,760,000 | $19,840,000 | $49,600,000 |
| Supporting Workforce Development | $620,000 | $2,480,000 | $3,100,000 |
| **TOTAL** | **$75,020,000** | **$52,080,000** | **$127,100,000** |

Table 2A: Funding Sources for FTA Low or No Emission Grant Application

| Funding Source | Commitment | Request | Total |
|---|---|---|---|
| 2022 RTIP/STIP (FY 25) | $41,249,000 | | $41,249,000 |
| TDA/ Proposition C | $108,791,000 | | $108,791,000 |
| FTA Buses & Bus Facilities Grant | | $104,160,000 | $104,160,000 |
| **TOTAL** | **$150,040,000** | **$104,160,000** | **$254,200,000** |

Table 2B: Use of Funds for FTA Low or No Emission Grant Application

| Scope | Non-Federal | Federal | Total |
|---|---|---|---|
| 160 40-ft Battery-Electric Buses | $89,280,000 | $59,520,000 | $148,800,000 |
| Supporting Charging Infrastructure | $59,520,000 | $39,680,000 | $99,200,000 |
| Supporting Workforce Development | $1,240,000 | $4,960,000 | $6,200,000 |
| **TOTAL** | **$150,040,000** | **$104,160,000** | **$254,200,000** |

**ATTACHMENT B**

## Project Eligibility and Evaluation Criteria

Project eligibility for the Low-No Program includes:

1) purchasing or leasing low or no emission buses;
2) constructing or leasing facilities and related equipment for low or no emission buses,
3) constructing new facilities to accommodate low or no emission buses; and
4) rehabilitating or improving existing facilities to accommodate low or no emission buses.

To be recommended for funding from the Low-No Program, projects must demonstrate significant reductions in carbon emissions, energy consumption and harmful emissions.

Project eligibility for the Buses and Bus Facilities Program includes capital projects for:

1) replacing, rehabilitating, purchasing or leasing buses, vans, and equipment; and
2) rehabilitating, purchasing, constructing or leasing bus-related facilities regardless of propulsion type or emissions.

To be recommended for funding from the Buses and Bus Facilities Program, projects must improve the condition of the transit system to deliver reliable service, improve resilience of transit facilities, and/or enhance access and mobility for disadvantaged populations and people with disabilities.

For either program, 5% of the requested grant award for zero emission buses and infrastructure must be for related workforce development activities, including those provided through registered apprenticeships and other joint labor-management training programs. Planning, preventive maintenance and operations activities are ineligible for funding.

For grant applications related to zero emission vehicles under either program, the FTA requires applicants to submit a Zero Emission Fleet Transition Plan. To address this requirement, Operations staff updated our agency's Draft Zero Emission Bus Program Master Plan to ensure it addresses all of the six elements that the FTA requires, including demonstrating a long-term fleet management plan with a strategy on how our agency intends to use the federal and other funding sources included in the grant applications and for future acquisitions of buses and charging infrastructure. Board approval of the staff recommendation will support implementing our agency's Zero Emission Bus Master and Rollout plans, with the battery-electric buses that are proposed to be procured in our grant applications scheduled to be delivered in Fiscal Years (FY) 2024 and 2025.

The FTA will give funding priority to projects that create good-paying jobs with the "free and fair choice to join a union", include workforce representatives in the development of the Zero Emission Fleet Transition Plan, identify the use of labor-management

partnerships for training, and use registered apprenticeship training to support skilling of incumbent and entry-level workers.

The FTA will also prioritize projects that create significant community benefits relating to the environment and have considered climate change and environmental justice during their planning and design.

The FTA will give funding priority consideration to applications that advance racial equity in two areas: (1) planning and policies related to racial equity and overcoming barriers to opportunity; and (2) investments that either proactively address racial equity and barriers to opportunity, including automobile dependence as a form of barrier, or redress prior inequities and barriers to opportunity. Additionally, the FTA will evaluate how projects proposed for grant award benefit “historically disadvantaged communities”, including “areas of persistent poverty”, and support President Biden’s overall Justice40 Initiative.

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Metro

# Board Report

**File #:** 2022-0198, **File Type:** Program **Agenda Number:** 6.

**PLANNING AND PROGRAMMING COMMITTEE**
**MAY 18, 2022**

**SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM ANNUAL UPDATE - NORTH COUNTY SUBREGION**

**ACTION: APPROVE RECOMMENDATIONS**

## RECOMMENDATION

CONSIDER:

A. APPROVING:

1. programming of an additional $550,000 within the capacity of Measure M Multi-Year Subregional Program (MSP) - Active Transportation Program (Attachment A);

2. programming of an additional $3,449,000 within the capacity of Measure M MSP - Transit Program (Attachment B);

3. inter-program borrowing and programming of an additional $2,400,000 from the Subregion's Measure M MSP - Active Transportation Program to the Highway Efficiency Program (Attachment C); and

B. REPROGRAMMING of projects previously approved to meet environmental, design, right-of-way, and construction time frames; and

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

## ISSUE

Measure M MSPs are included in the Measure M Expenditure Plan. All MSP funds are limited to capital projects. The annual update approves additional eligible projects for funding and allows the North County subregion and implementing agencies to revise the scope of work and schedule and amend project budgets.

This update includes changes to projects which have received Board approval and funding allocation for new projects. Funds are programmed through Fiscal Year (FY) 2024-25. The Board's approval is required to program additional funds and update the project lists (Attachments A, B and C), which

serve as the basis for Metro to enter into agreements and/or amendments with the respective implementing agencies.

## BACKGROUND

In February 2019, the Metro Board of Directors approved the North County subregion's first MSP Five-Year Plan and programmed funds in: 1) Measure M MSP - Active Transportation Program (expenditure line 52); 2) Measure M MSP - Transit Program (expenditure line 64); and 3) Measure M MSP - Highway Efficiency Program (expenditure line 81).

## DISCUSSION

Metro staff worked closely with the North County Transportation Coalition Joint Powers Authority (NCTC JPA) and the implementing agencies on project eligibility reviews of the proposed projects for this annual update. Metro required, during staff review, a detailed project scope of work to confirm eligibility and establish the program nexus, i.e. project location and limits, length, elements, phase(s), total expenses and funding request, and schedule, etc. This level of detail will ensure the timeliness of the execution of the project Funding Agreements once the Metro Board approves the projects. For those proposed projects that will have programming of funds in FY 2023-24 and beyond, Metro accepted high level (but focused and relevant) project scope of work during the review process. Metro staff will work on the details with the NCTC JPA and the implementing agencies through a future annual update process. Those projects will receive conditional approval as part of this approval process. However, final approval of funds for those projects shall be contingent upon the implementing agency demonstrating the eligibility of each project as required in the Measure M Master Guidelines.

The changes in this annual update include $6,399,000 in additional programming for two new projects and funding adjustments for six existing projects.

Active Transportation (expenditure line 52)

This update includes programming for one new project and funding adjustments to four existing projects as follows:

*Palmdale*

- Program $550,000 in FY23 for MM4501.20 - SR-138 (Palmdale Blvd.) Sidewalk Gap Closure Phase II Project. The funds will be used to complete the Project Initiation Documents (PID), Project Approval/Environmental Document (PAED) and Plans Specification and Estimates (PS&E) phases of the project.

*Santa Clarita*

- Merge projects MM4501.11 and MM4501.14 to Valencia Industrial Center Bicycle and Pedestrian Improvements Project and reprogram previously approved funds as follows: $1,419,700 in FY23. The funds will be used to complete the PS&E, right-of-way (ROW) and

construction phases of the project.

- Reprogram $683,600 to FY24 for MM4501.19 - Saugus Phase II: Bouquet Canyon Trail Central Park to Haskell Canyon Project. The funds will be used to complete the PS&E phase of the project.

*Los Angeles County*

- Reprogram $3,600,000 as follows: $50,000 in FY20, $300,000 in FY21, $300,000 in FY22, $300,000 in FY23, $400,000 in FY24 and $2,250,000 in FY25 for MM4501.13 - Lake Los Angeles Pedestrian Plan Implementation Phase 1 Project. The funds will be used to complete the PS&E, ROW and construction phases of the project.

- Reprogram $2,210,000 as follows: $125,000 in FY 23, $585,000 in FY 24 and $1,500,000 in FY25 for MM4501.16 - 30th Street West Active Transportation Improvements Project. The funds will be used to complete the PS&E, ROW and construction phases of the project.

Transit Program (expenditure line 64)

This update includes funding adjustments to two existing projects as follows:

*Santa Clarita*

- Reprogram $892,000 to FY 23 for MM4502.02 - Valencia Industrial Center Bus Stop Improvement Project. The funds will be used to complete the PS&E, ROW and construction phases of the project.

*Metro/Metrolink*

- Program an additional $3,449,000 in FY25 for MM4502.06 - Metrolink Antelope Valley Line. A total programmed amount of $19,624,000 will be used for the environmental, PS&E and construction phases of the project that Metro and Metrolink have been tasked to lead.

Highway Efficiency Program (expenditure line 81)

This update includes programming for one new project as follows:

*Palmdale*

- Program $2,400,000 in FY25 for MM5504.04 - SR-14/Avenue S Interchange Improvements Project. The funds will be used to complete the PID and PAED phases of the project.

## DETERMINATION OF SAFETY IMPACT

Programming of Measure M MSP funds to the North County subregion projects will not have any adverse safety impacts on Metro's employees or patrons.

## FINANCIAL IMPACT

In FY 2021-22, $7.11 million is budgeted in Cost Center 0441 (Subsidies to Others) for the Active Transportation Program (Project #474401), $3.46 million is budgeted in Cost Center 0441 (Subsidies to Others) for the Transit Program (Project #474102), and $100,000 is budgeted in Cost Center 0442 (Highway Subsidies) for the Highway Efficiency Program (Project #475504). Upon approval of this action, staff will reallocate necessary funds to appropriate projects within Cost Centers 0441 and 0442. Since these are multi-year projects, Cost Centers 0441 and 0442 will be responsible for budgeting the cost in future years.

Impact to Budget

The source of funds for these projects are Measure M Highway Construction 17% and Measure M Transit Construction 35%. These fund sources are not eligible for Metro bus and rail operating and capital expenditures.

## EQUITY PLATFORM

The North County subregion consists of Equity Focus Communities (EFCs), including those located in the cities of Lancaster and Palmdale, as well as the City of Santa Clarita and adjacent unincorporated area of Los Angeles County. The report seeks board approval to fund eligible Measure M MSP projects. The jurisdictional requests are proposed by the cities and approved/forwarded by the subregion. In line with the Metro Board adopted guidelines during the eligibility review process, cities provide documentation that demonstrates community support, project need, and transportation benefits. Cities lead and prioritize all proposed transportation improvements, including procurement, the environmental process, outreach, final design, and construction. Each city and/or agency independently and in coordination with the subregion undertake their jurisdictionally determined community engagement process specific to the type of transportation improvement they seek to develop. These locally determined and prioritized projects represent the needs of cities.

## IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation supports the following goals of the Metro Vision 2028 Strategic Plan:

Goal 1: Provide high-quality mobility options that enable people to spend less time traveling by alleviating the current operational deficiencies and improving mobility along the projects.

Goal 4: Transform LA County through regional collaboration by partnering with the Council of Governments and the local jurisdictions to identify the needed improvements and take the lead in the development and implementation of their projects.

## ALTERNATIVES CONSIDERED

The Board could elect not to approve the additional programming of funds for the Measure M MSP

projects for the North County subregion. This is not recommended as the proposed projects were developed by the subregion in accordance with the Measure M Ordinance, Guidelines and the Administrative Procedures.

## NEXT STEPS

Metro staff will continue to work with the subregion to identify and deliver projects. Program/Project updates will be provided to the Board on an annual basis.

## ATTACHMENTS

Attachment A - Active Transportation Project List
Attachment B - Transit Program Project List
Attachment C - Highway Efficiency Program Project List

Prepared by: Fanny Pan, DEO, Countywide Planning & Development, (213) 547-4312
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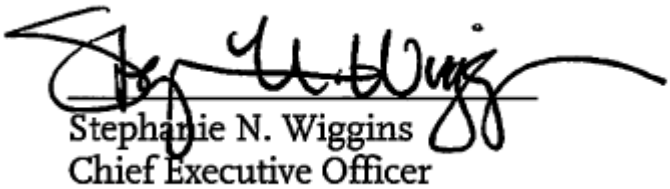

Stephanie N. Wiggins
Chief Executive Officer

**North County Subregion**
**Measure M Multi-Year Subregional Plan - Active Transportation Program (Expenditure Line 52)**

| | Agency | Project ID No. | Project/Location | Funding Phases | Note | Prior Alloc | Alloc Change | Current Alloc | Prior Year Prog | FY2020-21 | FY 2021-22 | FY 2022-23 | FY 2023-24 | FY 2024-25 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Lancaster | MM4501.05 | Sierra Hwy: Avenue J to Avenue L | Construction | | $ 1,240,486 | | **$ 1,240,486** | | $ 1,240,486 | | | | |
| 2 | Palmdale | MM4501.06 | Avenue R Complete Street & Safe Routes to School Proj | PS&E, ROW Construction | | 2,695,140 | | **2,695,140** | 1,695,140 | 1,000,000 | | | | |
| 3 | Palmdale | MM4501.20 | SR-138 (Palmdale Blvd) Sidewalk Gap Closure Phase II | PID, PAED PS&E | new | - | 550,000 | **550,000** | | | | 550,000 | | |
| 4 | Santa Clarita | MM4501.09 | Santa Clara River Trail Gap Closure Design: Five Knolls to Discovery Park * | PS&E ROW | | 738,000 | | **738,000** | | | | | 738,000 | |
| 5 | Santa Clarita | MM4501.10 | Sierra Highway Sidewalk Improvements: Scherzinger Lane to Skyline Ranch Road | PS&E Construction | | 624,000 | | **624,000** | 51,000 | 573,000 | | | | |
| 6 | Santa Clarita | MM4501.11/ MM4501.14 | Valencia Industrial Center Bicycle and Pedestrian Improvements | PS&E, ROW Construction | chg | 1,419,700 | - | **1,419,700** | | | | 1,419,700 | | |
| 7 | Santa Clarita | MM4501.17 | Newhall Area Bicycle Facility | PS&E Construction | | 650,000 | | **650,000** | | 650,000 | | | | |
| 8 | Santa Clarita | MM4501.18 | Saugus Phase I: Bouquet Canyon Trail to Central Park | PS&E, ROW Construction | | 666,900 | | **666,900** | | | 666,900 | | | |
| 9 | Santa Clarita | MM4501.19 | Saugus Phase II: Bouquet Canyon Trail Central Park to Haskell Cyn | PS&E | chg | 683,600 | | **683,600** | | | | | 683,600 | |
| 10 | LA County | MM4501.12 | Elizabeth Lake Road Bikeways | PS&E ROW | Complete | 20,741 | | **20,741** | 20,741 | | | | | |
| 11 | LA County | MM4501.13 | Lake Los Angeles Pedestrian Plan Implementation Phase 1: 170th St. E, Avenue N, 165th St. E, Avenue N-8, 180th St. E, Avenue P-8, 160th St. E, Avenue Q | PS&E ROW Construction | chg | 3,600,000 | | **3,600,000** | 50,000 | 300,000 | 300,000 | 300,000 | 400,000 | 2,250,000 |
| 12 | LA County (Lancaster) | MM4501.16 | 30th Street West Active Transportation Improvements | PS&E, ROW Construction | chg | 2,210,000 | | **2,210,000** | | | | $ 125,000 | $ 585,000 | $ 1,500,000 |
| | | | **Total Programming Amount** | | | **$ 14,548,567** | **$ 550,000** | **$ 15,098,567** | **$ 1,816,881** | **$ 3,763,486** | **$ 966,900** | **$ 2,394,700** | **$ 2,406,600** | **$ 3,750,000** |

* Conditional programming approval as only high level scope of work was developed and reviewed. Future annual update process will reconfirm the programming.

**North County Subregion**
**Measure M Multi-Year Subregional Plan - Transit Program (Expenditure Plan 64)**

| | Agency | Project ID No. | Project/Location | Funding Phases | Note | Pror Alloc | Alloc Change | Current Alloc | Prior Year Prog | FY2020-21 | FY 2021-22 | FY 2022-23 | FY 2023-24 | FY 2024-25 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Palmdale | MM4502.01 | Palmdale Transportation Center Transit and Infrastructure Design Project | PS&E | | $ 2,000,000 | | **$ 2,000,000** | $ 100,000 | $1,025,000 | $ 875,000 | | | |
| 2 | Santa Clarita | MM4502.02 | Valencia Industrial Center Bus Stop Improvement | PS&E, ROW Construction | chg | 892,000 | | **892,000** | | | | 892,000 | | |
| 3 | Santa Clarita | MM4502.03 | Vista Canyon Bus Service Expansion | Vehicles/ Equipment | | 2,180,000 | | **2,180,000** | | | | 1,090,000 | 1,090,000 | |
| 4 | Santa Clarita | MM4502.04 | Vista Canyon Transportation Center | ROW Construction | | 3,216,000 | | **3,216,000** | 1,728,000 | 1,488,000 | | | | |
| 5 | LA County | MM4502.04 | Vista Canyon Transportation Center - Transit Capital Jurisdictional Share | Construction | | 2,000,000 | | **2,000,000** | 1,000,000 | 1,000,000 | | | | |
| 6 | LA County | MM4502.05 | North County Bus Stop Improvements: Santa Clarita and Antelope Valley | PS&E Construction | | 2,855,260 | | **2,855,260** | 708,000 | 1,178,990 | 968,270 | | | |
| 7 | Metro/ Metrolink | MM4502.06 | Metrolink Antelope Valley Line | Environmental PS&E Construction | chg | 16,175,000 | 3,449,000 | **19,624,000** | 4,170,961 | 2,429,039 | | 6,150,000 | 3,425,000 | 3,449,000 |
| | | | **Total Programming Amount** | | | **$29,318,260** | **$3,449,000** | **$32,767,260** | **$7,706,961** | **$7,121,029** | **$1,843,270** | **$8,132,000** | **$4,515,000** | **$3,449,000** |

**North County Subregion**
**Measure M Multi-Year Subregional Plan - Highway Efficiency Program (Expenditure Line 81)**

| | Agency | Project ID No. | Project/Location | Funding Phases | Note | Prior Alloc | Alloc Change | Current Alloc | Prior Year Prog | FY2020-21 | FY 2021-22 | FY 2022-23 | FY 2023-24 | FY 2024-25 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Palmdale | MM5504.01 | SR-138 Palmdale Blvd. SR-14 Ramps | Construction | | $ 3,351,220 | | **$ 3,351,220** | | $2,234,147 | $1,117,073 | | | |
| 2 | Palmdale | MM5504.04 | SR-14/Avenue S Interchange Improvements * | PID<br>PAED | new | $ - | 2,400,000 | **$ 2,400,000** | | | | | | $2,400,000 |
| 3 | North County Transportation Coalition | MM5504.02 | SR-14 Capacity Enhancement/Operational Improvement ** | TBD | | 4,700,000 | | **4,700,000** | | | 2,000,000 | 1,350,000 | 1,350,000 | |
| 4 | Lancaster | MM5504.03 | SR-138 Avenue G Interchange Project (Measure R #MR330.03 shortfall) | ROW<br>Construction | | 4,350,143 | | **4,350,143** | | | 4,350,143 | | | |
| | | | **Total Programming Amount** | | | **$ 12,401,363** | **$ 2,400,000** | **$ 14,801,363** | **$ -** | **$2,234,147** | **$7,467,216** | **$1,350,000** | **$1,350,000** | **$2,400,000** |

* Conditional programming approval as only high level scope of work was developed and reviewed. Future annual update process will reconfirm the programming.

** Pending identification of a specific project after initial investigations and consultation with Caltrans and Metro.

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# Board Report

**File #:** 2022-0234, **File Type:** Program **Agenda Number:** 7.

**PLANNING AND PROGRAMMING COMMITTEE**
**MAY 18, 2022**

**SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM UPDATE - SAN GABRIEL VALLEY SUBREGION**

**ACTION: APPROVE RECOMMENDATIONS**

## RECOMMENDATION

CONSIDER:

A. APPROVING:

1. programming of an additional $150,000 within the capacity of Measure M Multi-Year Subregional Program (MSP) - Bus System Improvement Program, (Attachment A);

2. programming of an additional $6,452,974 within the capacity of Measure M MSP - Active Transportation Program (Attachment B);

3. inter-program borrowing and programming of an additional $8,395,000 from Measure M MSP - Active Transportation and Highway Demand Based Programs to the First/Last Mile and Complete Streets Program (Attachment C); and

4. programming of $1,000,000 within the capacity of Measure M MSP - Highway Demand Based Program (Attachment E); and

B. REPROGRAMMING of projects previously approved in order to meet environmental, design, right-of-way, and construction time frames; and

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

## ISSUE

Measure M MSPs are included in the Measure M Expenditure Plan. All MSP funds are limited to capital projects. The annual update approves additional eligible projects for funding and allows the San Gabriel Valley subregion and implementing agencies to revise the scope of work and schedule.

This update includes changes to projects which have received prior Board approval and funding

allocation for new projects. Funds are programmed through Fiscal Year (FY) 2025-26. The Board's approval is required to update the project lists (Attachments A, B, C, D and E), which serve as the basis for Metro to enter into agreements and/or amendments with the respective implementing agencies.

## BACKGROUND

In May 2019, the Metro Board of Directors approved San Gabriel Valley Subregion's first MSP Five-Year Plan and programmed funds in: 1) Active Transportation Program (expenditure line 54); and 2) Bus System Improvement Program (expenditure line 58); 3) First/Last Mile and Complete Streets (expenditure line 59); and 4) Highway Efficiency Program (expenditure line 82).

## DISCUSSION

Metro staff continued working closely with the San Gabriel Valley Council of Governments (SGVCOG) and the implementing agencies on project eligibility reviews of the proposed scope of work change and schedule changes in projects for this annual update. Metro required, during staff review, a detailed project scope of work to confirm eligibility and establish the program nexus, i.e., project location and limits, length, elements, phase(s), total expenses and funding request, schedule, etc. This level of detail will ensure the timeliness of the execution of the project Funding Agreements once the Metro Board approves the projects. For those proposed projects that will have programming of funds in FY 2023-24 and beyond, Metro accepted a high level (but focused and relevant) project scope of work during the review process. Metro staff will work on the details with the SGVCOG and the implementing agencies through a future annual update process. Those projects will receive conditional approval as part of this approval process. However, final approval of funds for those projects shall be contingent upon the implementing agency demonstrating the eligibility of each project as required in the Measure M Master Guidelines.

The changes in this annual update include the programming of four new projects and funding adjustments for two previously approved projects.

Bus System Improvement Program (expenditure line 58)

This update includes the programming of one new project as follows:

*SGVCOG*

- Program $150,000 as follows: $50,000 in FY 23 and $100,000 in FY 24 for MM4702.03 - East San Gabriel Valley Sustainable Multimodal Improvements Project - Phase I. The funds will be used to complete the Plans Specification and Estimates (PS&E) and construction phases of the project.

Active Transportation Program (expenditure line 54)

This update includes funding adjustments to two existing projects and programming of one new project as follows:

*LA County*

- Reprogram $4,278,500 as follows: $2,139,250 in FY 22, and $2,139,250 in FY 23 for MM4701.05 - Huntington Drive Bike Lanes Project. The funds will be used to complete the construction phase of the project.

*Monrovia*

- Reprogram $3,880,000 as follows: $388,000 in FY24 and $3,492,000 in FY25 for MM4701.06 - Monrovia Active Community Travel Vinculum. The funds will be used to complete the PS&E and construction phases of the project.

*SGVCOG*

- Program $6,452,974 as follows: $550,000 in FY 23, $820,000 in FY24, $4,000,000 in FY25 and $1,082,974 in FY26 for MM4701.10 - East San Gabriel Valley Sustainable Multimodal Improvements Project - Phase I. The funds will be used to complete the PS&E and construction phases of the project.

<u>First/Last Mile and Complete Streets (expenditure line 59)</u>

This update includes programming of one new project as follows:

*SGVCOG*

- Program $8,395,000 as follows: $400,000 in FY 23, $4,804,714 in FY24, and $3,190,286 in FY25 for MM4701.10 - East San Gabriel Valley Sustainable Multimodal Improvements Project - Phase I. The funds will be used to complete the PS&E and construction phases of the project.

<u>Highway Demand Based Program (expenditure line 60)</u>

This update includes programming of one new project as follows:

*SGVCOG*

- Program $1,000,000 in FY24 for MM5501.01 - Diamond Bar Boulevard SR-60 Eastbound On-ramp Improvement Project. The funds will be used to complete the construction phase of the project.

## <u>DETERMINATION OF SAFETY IMPACT</u>

Programming of Measure M MSP funds to the San Gabriel Valley subregion projects will not have any adverse safety impacts on Metro's employees or patrons.

## FINANCIAL IMPACT

In FY 2021-22, $7.11 million is budgeted in Cost Center 0441 (Subsidies to Others) for the Active Transportation Program (Project #474401), and $3.46 million is budgeted in Cost Center 0441 (Subsidies to Others) for the Transit Program (Project #474102). Upon approval of this action, staff will reallocate necessary funds to appropriate projects within Cost Centers 0441 and 0442. Since these are multi-year projects, Cost Centers 0441 and 0442 will be responsible for budgeting the cost in future years.

Impact to Budget

The source of funds for these projects are Measure M Highway Construction 17% and Measure M Transit Construction 35%. These fund sources are not eligible for Metro bus and rail operating and capital expenditures.

## EQUITY PLATFORM

The San Gabriel Valley subregion consists of 31 cities and unincorporated communities in Los Angeles County. Equity Focus Communities (EFCs) are concentrated in Pasadena, Azusa (both along I-210), Alhambra, San Gabriel, Rosemead, El Monte, South El Monte, Baldwin Park, Covina, Pomona (along I-10), Monterey Park, Montebello and Industry (along SR-60). The report seeks board approval to fund eligible Measure M MSP projects. The jurisdictional requests are proposed by the cities and approved/forwarded by the subregion. In line with the Metro Board adopted guidelines during the eligibility review process, cities provide documentation that demonstrates community support, project need, and transportation benefits. Cities lead and prioritize all proposed transportation improvements, including procurement, the environmental process, outreach, final design, and construction. Each city and/or agency independently and in coordination with the subregion undertake their jurisdictionally determined community engagement process specific to the type of transportation improvement they seek to develop. These locally determined and prioritized projects represent the needs of cities.

## IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation supports the following goals of the Metro Vision 2028 Strategic Plan:

Goal 1: Provide high-quality mobility options that enable people to spend less time traveling by alleviating the current operational deficiencies and improving mobility along the projects.

Goal 4: Transform LA County through regional collaboration by partnering with the Council of Governments and the local jurisdictions to identify the needed improvements and take the lead in development and implementation of their projects.

## ALTERNATIVES CONSIDERED

The Board could elect not to approve the additional programming of funds for the Measure M MSP projects for the San Gabriel Valley subregion. This is not recommended as the proposed projects were developed by the subregion in accordance with the Measure M Ordinance, Guidelines and the Administrative Procedures.

## NEXT STEPS

Metro staff will continue to work with the subregion to identify and deliver projects. Program/Project updates will be provided to the Board on an annual basis.

## ATTACHMENTS

Attachment A - Bus System Improvement Program Project List
Attachment B - Active Transportation Program Project List
Attachment C - First/Last Mile and Complete Streets Program Project List
Attachment D - Highway Efficiency Program Project List
Attachment E - Highway Demand Based Program Project List

Prepared by: Fanny Pan, DEO, Countywide Planning & Development, (213) 547-4312
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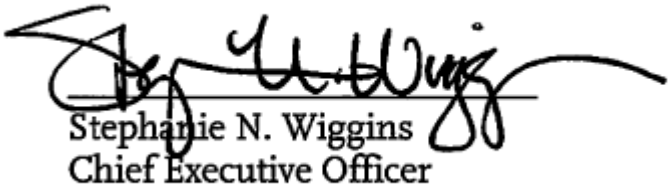

Stephanie N. Wiggins
Chief Executive Officer

**ATTACHMENT A**

**San Gabriel Subregion**
**Measure M Multi-Year Subregional Plan - Bus System Improvement Program (Expenditure Line 58)**

| | Agency | Project ID No. | Project/Location | Funding Phases | Note | Pror Alloc | Alloc Change | Current Alloc | Prior Year Prog | FY 2021-22 | FY2022-23 | FY 2023-24 | FY 2024-25 | FY 2025-26 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Foothill Transit | MM4702.01 | Colorado Boulevard Corridor Signal Priority Upgrade Project | PS&E<br>Equipment Puchase/Lease<br>Construction | | $286,316 | | $286,316 | $ 60,383 | $ 225,933 | | | | |
| 2 | Foothill Transit | MM4702.02 | Amar Boulevard Corridor Improvement Project | PS&E<br>Equipment Puchase/Lease<br>Construction | | 211,158 | | $211,158 | | | 82,352 | 128,806 | | |
| 3 | SGVCOG | MM4702.03 | East San Gabriel Valley Sustainable Multimodal Improvements Project - Phase I | PS&E<br>Construction | new | - | 150,000 | $150,000 | | | 50,000 | 100,000 | | |
| | | | **Total Programming Amount** | | | **$497,474** | **$150,000** | **$647,474** | **$ 60,383** | **$ 225,933** | **$ 132,352** | **$ 228,806** | **$ -** | **$ -** |

**San Gabriel Subregion**
**Measure M Multi-Year Subregional Plan - Active Transportation Program (Expenditure Line 54)**

| | Agency | Project ID No. | Project/Location | Funding Phases | Note | Prior Alloc | Alloc Change | Current Alloc | Prior Year Prog | FY 2021-22 | FY 2022-23 | FY 2023-24 | FY 2024-25 | FY 2025-26 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Alhambra | MM4701.02 | Lit Crosswalk Control Devices | Construction | | $ 636,800 | | $ 636,800 | | $ 636,800 | | | | |
| 2 | El Monte | MM4701.03 | El Monte Fern and Elliot Class (3) Bike Boulevard Project | PS&E<br>Construction | | 582,075 | | 582,075 | 527,533 | 54,542 | | | | |
| 3 | Industry | MM4701.04 | City of Industry East-West Bikeway Project | PS&E<br>Construction | | 1,492,500 | | 1,492,500 | 50,000 | 380,000 | 720,000 | 342,500 | | |
| 4 | LA County | MM4701.05 | Huntington Drive Bike Lanes | Construction | chg | 4,278,500 | | 4,278,500 | | 2,139,250 | 2,139,250 | | | |
| 5 | Monrovia | MM4701.06 | Monrovia Active Community Travel Vinculum | PS&E<br>Construction | chg | 3,880,000 | | 3,880,000 | | | | 388,000 | 3,492,000 | |
| 6 | Pomona | MM4701.07 | San Jose Creek Multi-Use Bikeway | PS&E | | 1,428,876 | | 1,428,876 | 298,104 | 1,130,772 | | | | |
| 7 | Rosemead | MM4701.08 | Mission Drive: Pedestrian Hybrid Beacon System | PS&E<br>Construction | | 388,050 | | 388,050 | | 35,000 | 211,830 | 141,220 | | |
| 8 | Temple City & LA County | MM4701.09 | Eaton Canyon Wash Bike Trail | PS&E<br>ROW<br>Construction | | 1,990,000 | | 1,990,000 | | 1,436,800 | 553,200 | | | |
| 9 | SGVCOG | MM4701.10 | East San Gabriel Valley Sustainable Multimodal Improvements Project - Phase I | PS&E<br>Construction | new | - | 6,452,974 | 6,452,974 | | | 550,000 | 820,000 | 4,000,000 | 1,082,974 |
| | | | **Total Programming Amount** | | | **$14,676,801** | **$6,452,974** | **$21,129,775** | **$ 875,637** | **$5,813,164** | **$4,174,280** | **$1,691,720** | **$7,492,000** | **$1,082,974** |

**ATTACHMENT C**

**San Gabriel Subregion**
**Measure M Multi-Year Subregional Plan - First/Last Mile and Complete Streets (expenditure line 59)**

| | Agency | Project ID No. | Project/Location | Funding Phases | Note | Pror Alloc | Alloc Change | Current Alloc | Prior Year Prog | FY 2021-22 | FY2022-23 | FY 2023-24 | FY 2024-25 | FY 2025-26 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Arcadia | MM4703.01 | Arcadia Gold Line Station Pedestrian Access Corridors | PS&E Construction | | $ 1,741,250 | | $ 1,741,250 | $ 45,000 | $ 575,000 | $1,121,250 | | | |
| 2 | Baldwin Park | MM4703.02 | Baldwin Park Transit Center First-Last Mile Project | PS&E Construction | | 652,975 | | 652,975 | 652,975 | | | | | |
| 3 | Claremont | MM4703.03 | College Avenue Pedestrian and Bike Improvements | PS&E Construction | | 686,945 | | 686,945 | 686,945 | | | | | |
| 4 | Covina | MM4703.04 | Citrus Avenue Complete Streets Enhancments | PS&E Construction | | 1,741,250 | | 1,741,250 | 1,741,250 | | | | | |
| 5 | Diamond Bar | MM4703.05 | Diamond Bar Blvd. Complete Streets Project * | PS&E Construction | | 2,985,000 | | 2,985,000 | | | | 2,985,000 | | |
| 6 | Duarte | MM4703.06 | Pedestrian Access and Bicyclist Safety Improvements, Phase II | Construction | | 1,620,855 | | 1,620,855 | | 648,342 | 972,513 | | | |
| 7 | SGVCOG (La Verne) | MM4703.07 | Gold Line Transit Oriented Development Pedestrian Bridge | PS&E | | 895,500 | | 895,500 | 406,691 | 488,809 | | | | |
| 8 | SGVCOG | MM4701.10 | East San Gabriel Valley Sustainable Multimodal Improvements Project - Phase I | PS&E Construction | new | - | 8,395,000 | 8,395,000 | | | 400,000 | 4,804,714 | 3,190,286 | |
| 9 | San Dimas | MM4703.08 | San Dimas Ave. Pedestrian and Bikeway Improvement Project from Gold Line Station to Avenida Loma Vista * | PS&E Construction | | 895,500 | | 895,500 | | | | 895,500 | | |
| 10 | South El Monte | MM4703.09 | Santa Anita Avenue Walkability Project | PS&E Construction | | 5,671,500 | | 5,671,500 | | 512,284 | 829,451 | 4,329,765 | | |
| | | | **Total Programming Amount** | | | **$16,890,775** | **$8,395,000** | **$25,285,775** | **$3,532,861** | **$2,224,435** | **$3,323,214** | **$13,014,979** | **$3,190,286** | **$ -** |

* Conditional programming approval as only high level scope of work was developed and reviewed. Future annual update process will reconfirm the programming.

**ATTACHMENT D**

**San Gabriel Subregion**
**Measure M Multi-Year Subregional Plan - Highway Efficiency Program (expenditure line 82)**

| | Agency | Project ID No. | Project/Location | Funding Phases | Note | Pror Alloc | Alloc Change | Current Alloc | Prior Year Prog | FY 2021-22 | FY 2022-23 | FY 2023-24 | FY 2024-25 | FY 2025-26 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | SGVCOG (ACE) | MM5505.01 | State Route 60 and Lemon Avenue | Construction | complete | $ 5,273,500 | | $ 5,273,500 | $ 5,273,500 | | | | | |
| | | | **Total Programming Amount** | | | **$ 5,273,500** | **$ -** | **$ 5,273,500** | **$ 5,273,500** | **$ -** | **$ -** | **$ -** | **$ -** | **$ -** |

**ATTACHMENT E**

**San Gabriel Subregion**
**Measure M Multi-Year Subregional Plan - Highway Demand Based Program (expenditure line 60)**

| | Agency | Project ID No. | Project/Location | Funding Phases | Note | Pror Alloc | Alloc Change | Current Alloc | Prior Year Prog | FY 2021-22 | FY 2022-23 | FY 2023-24 | FY 2024-25 | FY 2025-26 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | SGVCOG | MM5501.01 | Diamond Bar Boulevard SR-60 Eastbound On-ramp Improvement Project | Construction | new | - | 1,000,000 | 1,000,000 | | | | $1,000,000 | | |
| | | | **Total Programming Amount** | | | **$ -** | **$1,000,000** | **$1,000,000** | **$ -** | **$ -** | **$ -** | **$1,000,000** | **$ -** | **$ -** |

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

Metro

# Board Report

**File #:** 2022-0100, **File Type:** Project **Agenda Number:** 8.

**PLANNING AND PROGRAMMING COMMITTEE**
**MAY 18, 2022**

**SUBJECT: I-710 SOUTH CORRIDOR PROJECT**

**ACTION: APPROVE RECOMMENDATIONS**

## RECOMMENDATION

CONSIDER:

A. Alternative 1, the “No Build” alternative, as the new Locally Preferred Alternative for the I-710 South Corridor Project Final Environmental Document; and

B. RECEIVING AND FILING overview of 710 Task Force and development of the I-710 South Corridor Investment Plan in place of the previous I-710 South Corridor Project.

## ISSUE

Staff has worked with Caltrans through a lengthy process to develop the I-710 South Corridor Project, resulting in three final project alternatives that were considered by the Metro Board for the I-710 South Corridor Project: Alternative 1 (the “No Build” alternative) and “Build” Alternatives 5C and 7. At the March 2018 meeting, the Board approved Alternative 5C as the Locally Preferred Alternative (LPA) for the project to advance in the environmental process. Three years later,EPA decided to require a hotspot analysis for the for LPA 5C due to their concerns over air quality conformity for the project. This delay rendered the data supporting Alternative 5C-and the entire environmental document -stale and in need of re-validation. Even if the EPA decided to support the environmental document and determine the project met air quality conformity standards in May 2021, staff would have had to re-validate most of the traffic, safety, and air quality data contained in the document before any component of the project-including the EAP projects-could progress. The process to re-validate that environmental data to allow any of the component projects to proceed would take at least 18 months to complete.

At the May 2021 meeting the Board decided to suspend further work on the environmental clearance of the I-710 South Corridor Project LPA due to environmental, community impact and displacement concerns raised by local communities, Caltrans, and the EPA. The Board also directed staff to pursue an alternative path to developing a better program of projects for the I-710 South Corridor by re-engaging impacted communities and stakeholders to develop a more multimodal, equitable and

sustainable approach to addressing the transportation and community challenges created by the heavy movement of people and goods through the I-710 South Corridor.
In response to this direction, Metro and Caltrans initiated the I-710 South Corridor Task Force (710 Task Force[1]) in September 2021, comprising members of local communities, community-based organizations and advocates, transportation agencies, the Ports of LA and Long Beach, goods movement industry, labor, business, academic, and regulatory partners. Given the progress of the task force engagement, the validity of the existing 710 S. alternative 5C LPA designation requires reconsideration.

## BACKGROUND

Following years of project development, community outreach and technical analysis, staff presented three alternatives to the Board at its March 1, 2018, meeting and recommended the Board select Alternative 5C as the LPA for the I-710 South Corridor Project Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/DEIS) (File #2017-0849, Attachment B). The three alternatives presented were as follows:

- **Alternative 1:** The “No Build” alternative, which served as the baseline against which every alternative developed was evaluated. The “No Build” alternative is required by CEQA and NEPA and it reflects a future scenario where the proposed project is not built.

- **Alternative 5C:** A “Build” alternative which featured widening I-710 to 5 mixed flow lanes in each direction; improvements at I-710 interchanges with I-405, State Route (SR) 91 and I-5 and local interchange between Ocean Boulevard and SR 60; truck by-pass lanes. This alternative also included programmatic elements for the corridor comprising a Near Zero/Zero Emission Truck Technology Deployment Program, Community Health Benefits Grant Program, Congestion Relief Program and a Transit Enhancements Program.

- **Alternative 7:** A “Build” alternative which featured two dedicated lanes in each direction for clean technology trucks from Ocean Boulevard in Long Beach to the intermodal railroad yards in Commerce/Vernon, plus improvements at I-710 interchanges with I-405, State Route (SR) 91 and I-5 and local interchange between Ocean Boulevard and SR 60. This alternative also included programmatic elements for the corridor comprising a Near Zero/Zero Emission Truck Technology Deployment Program (NZ to ZE Truck Program), Community Health Benefits Grant Program, Congestion Relief Program and a Transit Enhancements Program.

The Board approved staff’s recommendation to select Alternative 5C as the LPA and directed staff to work with Caltrans to finalize the project’s environmental document.

The Board’s actions were responsive to 1) concerns that Alternative 5C would not meet desired outcomes for air quality, equity, mobility, and sustainability; 2) a public lack of support from regulatory agencies on the project-level air quality conformity determination for Alternative 5C; and 3) a changing policy landscape at the state and federal level under which freeway widening projects,

especially through communities with environmental justice concerns, are not supported.

In response to the Board's direction, Metro and Caltrans staff conceived the creation of a 710 Task Force, initiated in September 2021, to re-engage impacted communities in a new process more aligned with current Board, state, and federal priorities and designed to bring community representatives and advocates to the table as partners in developing the future multimodal, sustainable and equitable vision and investment plan for improving the I-710 South Corridor.

Regarding the close out of the suspended I-710 South Corridor Project EIR/EIS, Caltrans is the lead agency responsible for compliance with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). Under CEQA, Caltrans will certify the I-710 South Corridor Project with the requirements of CEQA for a No Project determination. Under NEPA assignment, Caltrans, as lead agency, will document and explain its decision regarding the selected Preferred No Build Alternative.

## DISCUSSION

### Considerations

Metro staff and Caltrans District 7 support the approval of the No Build alternative as the LPA, for the following reasons:

- The two build alternatives (5C and 7) found in the suspended environmental document face insurmountable policy issues and regulatory barriers - as currently constituted, the I-710 South Corridor Project will not meet federal air quality conformity requirements and, consequently, will not receive a ROD.
- The Board has suspended all further work to advance Alternative 5C.
- The Board has provided direction to receive a new set of recommendations from the 710 Task Force in place of Alternative 5C
- The displacement of people and businesses in disadvantaged, minority communities through widening the I-710 South freeway as part of Alternative 5C runs contrary to current Board, state, and federal sentiment.

### Findings

Selecting the No Build alternative would be responsive to the Board's concerns related to community, property, equity, and environmental/air quality impacts. This determination also allows Caltrans and Metro to focus on:

- Bringing proper closure to the now-suspended I-710 South Corridor Project environmental process and opening the opportunity for the 710 Task Force to develop the I-710 South Corridor Investment Plan (710 IP) in its place.
- Working with community leaders to develop a more robust and inclusive community engagement strategy and Task Force infrastructure to support public input into the development of the 710 IP.
- Generating more sustainable, equitable, and multimodal transportation projects and

programs to move people and goods through the corridor and improve the quality of life for impacted members of corridor communities.

- Reducing Vehicle Miles Traveled (VMT), greenhouse gases and diesel particulate matter in the corridor as a result of the implementation of the 710 IP.

Status of Early Action Program Candidate Projects

As described in the Background section, after the Board action to adopt Alternative 5C as the LPA, staff identified a draft set of EAP candidate projects that were components of and tied to the entire scope of Alternative 5C. These projects were never formally adopted, nor were they fully considered by the GCCOG due to ongoing concerns raised by EPA over the air quality conformity determination for the environmental document EIR/EIS. The EAP candidate projects were never considered to be projects independent of, or severable from, Alternative 5C.

The now-suspended environmental document would have environmentally cleared the EAP candidate projects as an initial stage, not phase, of the full Alternative 5C buildout. By selecting the "No Build" option, all previously considered EAP candidate projects are nullified as is the remainder of the Alternative 5C scope, including freeway widening.

Any future projects recommended by the 710 Task Force for Board consideration-including any proposed improvements to the freeway-will need to be evaluated through a new environmental process which will take a minimum of 24 months, depending on the scope of the project or projects. Some of the engineering design work performed as part of the EIR/EIS could still be salvaged as a foundation for the new environmental process if those freeway operational improvements originally identified in Alternative 5C are considered and re-approved through the 710 Task Force process.

Moving forward with new environmental documentation for any improvements proposed by the 710 Task Force process should the Board approve the 710 IP is the only feasible path forward to funding and implementing new improvements to the I-710 South Corridor.

Other I-710 South Corridor-related Projects and Funding Opportunities

Other projects related to the I-710 South Corridor, but separate from Alternative 5C, are still viable for advancement. These projects currently being led by the I-710 South Corridor cities as well as the "early action" soundwalls and Integrated Corridor Management projects led by Metro will not be affected by the 'No Build' decision as they each have separate environmental documents and approvals and have demonstrated independent utility.

Additionally, 710 Task Force member organizations are concurrently developing projects for implementation that will likely provide benefits to the I-710 South Corridor. Examples of these projects include:

- On-dock rail expansion at the Ports of Los Angeles (POLA) and Long Beach (POLB), designed to shift the movement of containers through the region from truck to train.
- Development of a joint Goods Movement Training Campus by POLA and POLB that will provide workforce development skills and training in zero-emission port equipment operations.
- Incentive funding opportunities for ZE truck deployment as a result of the clean truck fund rate implemented by POLA and POLB in April 2022.
- A micro-mobility transit service pilot program sponsored by the Southeast Los Angeles Collaborative and the METRANS Transportation Consortium.
- Local Active Transportation and First / Last Mile projects developed by jurisdictions in the corridor.

Furthermore, the GCCOG is nearing completion of its Ad Hoc Committee process that will provide a comprehensive report on GCCOG recommendations for the I-710 Task Force to evaluate as part of the 710 IP. Staff will work with the GCCOG to provide the opportunity to present this final report at the June 2022 710 Task Force meeting and work with the GCCOG to integrate these recommendations into the final 710 IP in alignment with the Vision and Goals set forth by the Task Force.

Staff intends to engage Task Force members and the GCCOG to identify near-term projects that will be seeking discretionary grant funding in upcoming federal and state cycles of grant programs funded through the Bipartisan Infrastructure Legislation (BIL), Senate Bill 1 (SB 1) and other opportunities. Staff will report back on this effort at the June Board meeting.

Overview of 710 Task Force: Development of the I-710 South Corridor Investment Plan

The 710 Task Force is currently finalizing its Vision and Goals for the I-710 South Corridor and will seek a consensus vote at the June 2022 meeting. With this milestone decision, the Task Force will then be working to generate multimodal strategies responsive to advancing the vision and goals, a program of projects to implement the multimodal strategies, and a strategic Investment Plan that identifies local, regional and state funding opportunities-and legislative/policy initiatives-so that Metro and Caltrans can leverage the $1.09 billion in Measure R and M funding LA County voters earmarked and entrusted would help fund an I-710 South Corridor program of projects aligned with Board, regional, state and federal policies to improve regional mobility, air quality, public health, access to opportunity and the quality of life for residents in impacted corridor communities.

The target date for the 710 IP report to be delivered to the Board is in early 2023, but staff anticipates near term funding opportunities as contemplated above or as part of the Zero-Emission Truck Working Group will advance before the final report is delivered to the Board. More information on the status of the 710 Task Force will be presented at the June Board meeting.

## DETERMINATION OF SAFETY IMPACT

Approval of the new LPA will not impact the safety of Metro’s customers or employees.

## EQUITY PLATFORM

This action supports Metro's effort to center equity in all future decision-making, budget allocation, and community engagement activities for the Project(s) along the I-710 South Corridor. Through the 710 Task Force process, staff is currently working with stakeholders, including residents most impacted by potential projects along the corridor who will serve on the new Community Leadership Committee, to collaboratively develop an investment plan to implement priority multimodal projects and programs. The 710 Task Force process is key to achieving equitable outcomes for the I-710 South Corridor communities and users.

Program elements proposed and vetted by stakeholders will be considered and may be advanced in support of equitable outcomes. Transparent communication with the stakeholders and the public will help build consensus and trust moving forward and hopefully strengthen the communities' support for future improvements. Without this action and subsequent timely planning and investment to address the current corridor conditions, the I-710 South Corridor users and corridor communities will continue to experience pollution, congestion, unsafe traffic conditions, spillage of freeway traffic onto local neighborhoods, and other negative impacts of the anticipated escalating traffic demand in the corridor.

## IMPLEMENTATION OF STRATEGIC PLAN GOALS

Metro staff collaboration with local, regional, state, and federal agencies, as well as the local communities to develop an innovation and investment strategic plan to implement the prioritized projects for the I-710 South Corridor and a long-term vision to improve I-710 is consistent with the following goals of the Metro Vision 2028 Strategic Plan:

Goal 1: Provide high-quality mobility options that enable people to spend less time traveling.

Goal 4: Transform LA County through regional collaboration by partnering with the GCCOG, Caltrans, impacted communities, and regional stakeholders to identify the needed improvements and take the lead in developing and implementing the Projects.

## ALTERNATIVES CONSIDERED

The Board could decide to not approve No Build as the LPA at this time. This is not recommended as it would create uncertainty amongst corridor stakeholders regarding the final disposition of Alternative 5C and, in turn, make it more difficult for Metro and Caltrans staff to build community trust, a critical element in the ultimate success of the 710 Task Force effort.

## NEXT STEPS

Staff will work with Caltrans, the CEQA/NEPA lead agency, to complete the necessary documentation and coordination with regional, state, and federal agencies to finalize the No Build determination.

Metro and Caltrans will also continue to lead the 710 Task Force to develop a collective vision and goals for the corridor, generate multimodal strategies to address these goals, identify projects that

advance the multimodal strategies, and create an I-710 South Corridor Investment Plan to implement the prioritized projects.

The 710 Task Force outcomes will be presented to the Board in early 2023, with updates provided periodically during this process. Staff will seek Board adoption of an I-710 South Corridor Investment Plan at that time.

Staff will return in June with an update on the progress of the 710 Task Force, including a process for incorporating recommendations for near and long-term strategies, projects and programs into the development of the I-710 South Investment Plan, and a request for additional funds to support the Task Force efforts.

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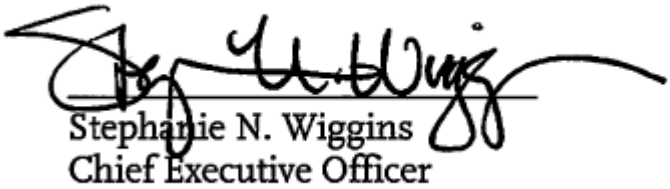


Stephanie N. Wiggins
Chief Executive Officer

# Investment in the I-710 South Corridor: From "No Build" to a New Vision

Metro

# Background: I-710 South Corridor Project

> March 2018 – Metro Board of Directors adopts Alternative 5C as the Locally Preferred Alternative (LPA) on 3/1/18

- Motion 5.1 – Funding and ZE Technology Evaluation as part of Phased–in ZE Truck Program
- Motion 5.2 – Development of Early Action Program (EAP)
  - Candidate projects are to be considered under parameters set forth by Board to limit impacts on local communities
  - Candidate projects to be identified with Gateway Cities COG (never formalized)

> May 2021 – New Board Direction provided due to EPA requirement of a hotspot analysis for air quality conformity determination, concerns about community and environmental impacts, and equity and climate change policy considerations.

- Suspend work on the Final Environmental Document
- Re-evaluate project elements to meet policy objectives
- Re-engage communities and corridor stakeholders to develop a new vision that is multimodal and sensitive to community needs – a process which became the 710 Task Force
- Re-evaluate EAP candidate projects through new process

Metro

# Background - 710 Task Force

> Created to re-engage impacted communities in a new process more aligned with current Board, State, and Federal priorities
  - EPA has met with community groups and supports this process
  - Caltrans declared that it no longer supports the prior EIR scope and wants to see a new approach to better engage and address concerns from the communities in the project development.
  - Need to develop a multimodal approach to investment in the communities and transportation options within the corridor.

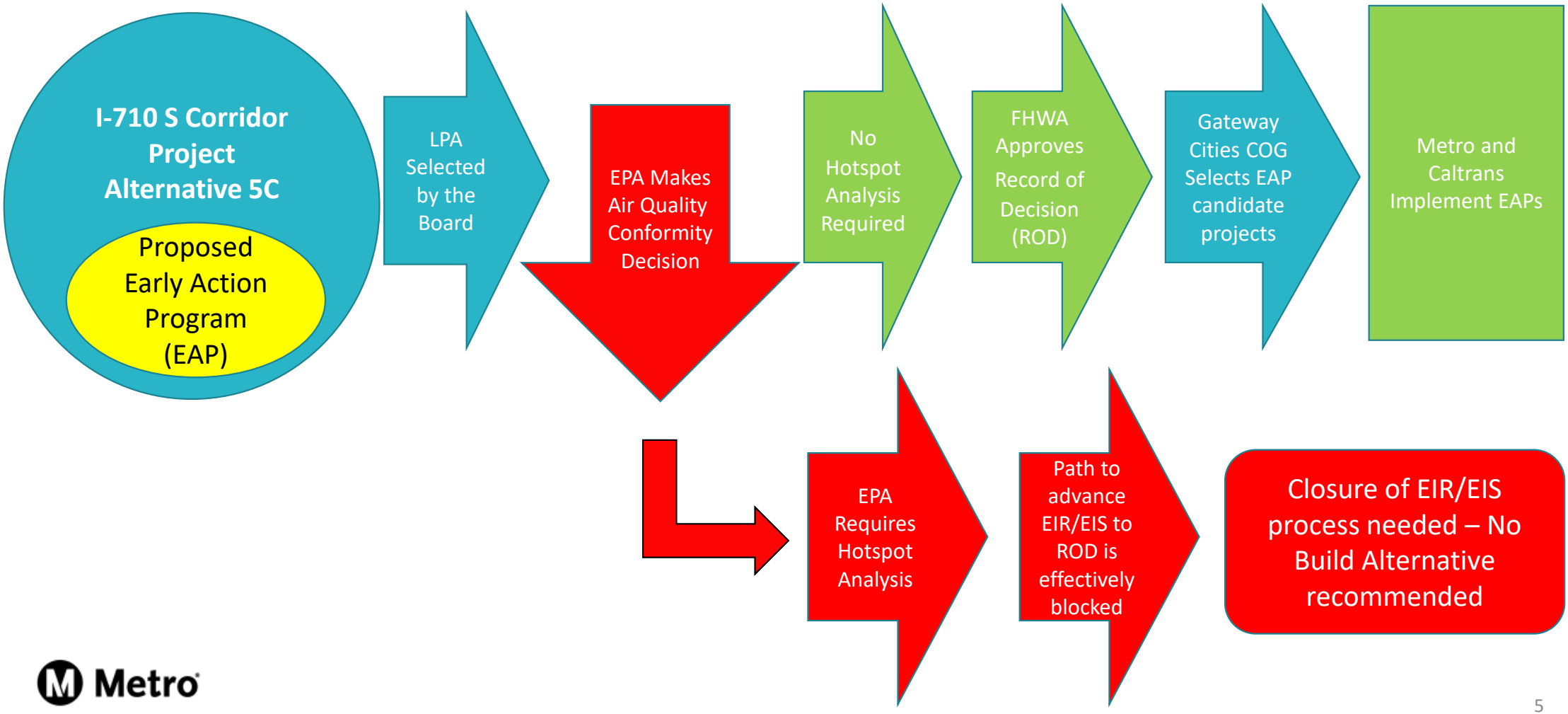
> Metro and Caltrans have asked the Task Force to develop the overall vision and goals for the I-710 South Corridor and create an Investment Plan, including implementation strategies, to report to the Metro Board for consideration in early 2023

Metro

# I-710 South Corridor Project:
# Why the No Build Alternative is Needed

Metro

# Original Pathway to Implement LPA 5C Early Action Projects under EIR/EIS




Metro

# No Build Alternative – Rationale

Considerations:

- The two build alternatives (5C and 7) found in the suspended environmental document face insurmountable policy issues and regulatory barriers - as currently constituted, the I-710 South Corridor Project will not meet federal air quality conformity requirements and, consequently, will not receive a ROD.

- The Board has suspended all further work to advance Alternative 5C.

- The Board has provided direction to receive a new set of recommendations from the 710 Task Force in place of Alternative 5C

- The displacement of people and businesses in disadvantaged, minority communities through widening the I-710 South freeway as part of Alternative 5C  runs contrary to current Board, state, and federal sentiment.

Metro

# No Build Alternative – Rationale

Selecting the No Build Alternative:

- Responsive to the Board's concerns related to community, property, equity, and environmental/air quality impacts.
- Brings proper closure to the now-suspended I-710 South Corridor Project environmental process
- Opens the opportunity for the 710 Task Force to develop the I-710 South Corridor Investment Plan (710 IP)

Metro and Caltrans can then focus on:

- Working with community leaders to develop a more robust and inclusive community engagement strategy and Task Force infrastructure to support public input into the development of the 710 IP
- Generating more sustainable, equitable, and multimodal transportation projects and programs to move people and goods through the corridor and improve quality of life for impacted members of corridor communities.
- Reducing Vehicle Miles Traveled (VMT), greenhouse gases and diesel particulate matter in the corridor as a result of the implementation of the 710 IP

# No Build Alternative – Implications

## Implications

- All previously considered EAP candidate projects are nullified
- Any previously considered improvements will have a chance to be considered through 710 Task Force process, if consistent with the Task Force-approved Vision, Goals and Multimodal Strategies
- Any projects/programs recommended by the 710 Task Force and ultimately approved by the Metro Board will need to be evaluated through a new environmental process
- EAPs that are already approved and environmentally cleared (e.g., Shoemaker Bridge, ICM, 710 Soundwalls) will not be affected by this decision

# Other I-710 S. Corridor Related Projects And Near-Term Funding Opportunities

Metro

# Near Term Opportunities

- Other projects related to the I-710 S. Corridor (not part of Alt. 5C) can and will advance

- Task Force member organizations concurrently developing projects for implementation
  - POLA/POLB initiatives
  - METRANS/SELA Collaborative micro-mobility pilot program
  - Local community projects (First/Last Mile, Active Transportation, etc.)

- Gateway Cities 710 Ad Hoc Committee recommendations
  - To be presented to the Task Force in June 2022
  - To be evaluated and incorporated as part of the 710 IP

- SB1 and BIL (near-term) opportunities/coordination

Metro

# Next Steps

- Work with Caltrans to complete the necessary documentation (6-8 months)
- Coordination with regional, state, and federal agencies to finalize the No Build determination and collaboration/support on I-710 South Corridor Investment Plan
- Return to the Board in June with:
  - Update on Task Force progress
  - Recommendations for near- and long-term strategies, projects and programs
  - Request for additional funds to support the Task Force efforts
- Incorporate Gateway Cities COG recommendations into 710 Task Force work
- Continue to lead the 710 Task Force to develop an I-710 South Corridor Investment Plan to implement the prioritized projects
- Task Force outcomes will be presented to the Board in early 2023

Metro

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

Metro

# Board Report

**File #:** 2022-0094, **File Type:** Resolution **Agenda Number:** 10.

**REVISED**
**PLANNING AND PROGRAMMING COMMITTEE**
**MAY 18, 2022**

**SUBJECT: CAP-AND-TRADE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP)**

**ACTION: APPROVE RECOMMENDATIONS**

## RECOMMENDATION

APPROVE the Resolution in Attachment A that:

A. AUTHORIZES the Chief Executive Officer (CEO) or their designee to claim $51,241,974 in fiscal year (FY) 2021-22 LCTOP grant funds for the Crenshaw/LAX Transit Corridor Operations Project and/or the Fareless System Initiative (FSI) Pilot;

B. CERTIFIES that Metro will comply with LCTOP certification and assurances and the authorized agent requirements; and

C. AUTHORIZES the CEO or their designee to execute all required documents and any amendment with the California Department of Transportation.

**BUTTS AMENDMENT:** Since LCTOP is eligible for Crenshaw Startup and Operations as well as the FSI Pilot Program, I would move to request a report back in August on the Operations funding outlook beyond Fiscal Year 23 and how LCTOP can help forestall the expected operations deficit specifically as it pertains to Crenshaw.

## ISSUE

The LCTOP, a California cap-and-trade program established in 2014, provides public transportation agencies operating and capital assistance funds to reduce greenhouse gas emissions and improve mobility, prioritizing projects serving disadvantaged communities. The State issued the FY 2021-22 LCTOP guidelines in February 2022 and required agencies to claim these formula grant funds by March 25, 2022. A complete grant package includes an adopted Board resolution that provides recipient project information and certifies that Metro will comply with all LCTOP conditions and requirements. The State accepted draft resolutions with the March claim submittal but requires a signed Board Resolution to complete the grant request package and provide funding. Therefore, staff seeks Board approval of the Resolution contained in Attachment A.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## BACKGROUND

Each year, the State makes LCTOP formula grant funds available through a process administered by the California Department of Transportation (Caltrans) in coordination with the California Air Resources Board (CARB) and the State Controller's Office (SCO).

On February 18, 2022, the State notified eligible agencies of their FY 2021-22 fund allocation amounts, including $46,942,839 apportioned to Metro. In addition, 16 Los Angeles County municipal operators requested to transfer to Metro $4,299,135 of their FY 2021-22 LCTOP fund allocations in exchange for more flexible local funds.

On April 22, 2021, the Board approved the staff recommendation (File #2021-0038) to use FY 2020-21 LCTOP funds to fund pre-revenue service and a portion of the first year of operations of the Crenshaw/LAX Transit Corridor and/or the FSI Pilot. Staff recommended funding the Crenshaw/LAX Transit Corridor Operations Project and/or FSI Pilot because their characteristics aligned well with grant program eligibility criteria and strongly supports Metro's commitment to further reduce greenhouse gas emissions by expanding transit usage among Los Angeles County's residents and employees. Staff received support for both the Crenshaw project and FSI Pilot during and in response to community engagement opportunities. The State ultimately approved the use of FY 2020-21 LCTOP funds on the Crenshaw/LAX Transit Corridor and/or the FSI Pilot. The FY 2021-22 LCTOP funds can be used on the scope approved by the State last year.

## DISCUSSION

To claim the grant award, Metro must submit a request describing the proposed transit expenditures to be funded using the LCTOP allocation. The complete application package must include a Board resolution that: 1) authorizes the CEO or their designee to claim $51.2 million in FY 2021-22 LCTOP funds; 2) identifies the project(s) to be funded with the LCTOP funds; 3) accepts the transfer of FY 2021-22 LCTOP funds to Metro by the 16 municipal operators; and 4) authorizes the CEO or their designee to execute and amend all required LCTOP documents with Caltrans including the certifications and assurances and authorized agent forms. Staff proposes to align these LCTOP funds with the Crenshaw/LAX Transit Line operations and/or the FSI Pilot.

LCTOP Program Funding

The LCTOP, created by California Senate Bill 862 (2014), provides proceeds from California's Cap-and-Trade Program to support transit agency investment in various projects intended to further reduce greenhouse gas emissions. In FY 2021-22, $192.2 million was allocated to LCTOP statewide.

Transit agencies receiving funds from the LCTOP must submit expenditure proposals listing projects that meet any of the following criteria:

- Expenditures that directly enhance or expand transit service by supporting new or expanded bus or rail services, new or expanded waterborne transit or expanded intermodal transit facilities, and may include equipment acquisition, fueling, maintenance, and other costs to operate those services or facilities;

- Operational expenditures that increase transit mode share; and

- Expenditures related to the purchase of zero-emission buses, including electric buses and the installation of the necessary equipment and infrastructure to operate and support zero-emissions buses.

Additional Project Eligibility Criteria
In addition to maximizing benefits to state-recognized Disadvantaged Communities (DACs), low-income communities, and/or low-income households, all projects must be consistent with the lead agency's most recently adopted short-range transit plan, regional plan, or publicly-adopted plan. For project leads in a Metropolitan Planning Organization area, projects must also be consistent with the Sustainable Communities Strategy. Additionally, capital projects must have a useful life not less than that typically required for capital assets pursuant to State General Obligation Law, with buses or rail rolling stock considered to have a useful life of two or more years. The LCTOP specifically requires documentation that each proposed project will achieve a reduction in greenhouse gas emissions and improve mobility.

Metro-Specific Considerations in Selecting LCTOP Projects
Staff considered various factors in the analysis that resulted in the recommendation to use FY 2021-22 LCTOP funding on the Crenshaw/LAX Transit Corridor Operations Project and/or the FSI Pilot. Staff analyzed three potentially viable proposed grant uses collected during prior years' LCTOP efforts and current year information requests from Metro's Senior Leadership Team and other internal subject matter experts. Staff analysis also included teams from various Metro departments evaluating potential LCTOP recipient projects against alignment with Metro's Strategic Vision, project and program costs, funding availability, feedback collected via community engagement, and the extent to which allocating to a project improves the balance between Metro's financial commitments and funding availability. Staff recommends the Crenshaw/LAX Transit Corridor Operations Project and/or the FSI Pilot because of its alignment to LCTOP eligibility requirements and a higher likelihood of meeting targets for project readiness and for priority populations served. Additionally, the project was approved in a prior LCTOP grant cycle, making it more likely than other potentially viable uses to be approved, again, by the State.

The Crenshaw/LAX Transit Corridor Operations Project will provide a new high-capacity transit line for Los Angeles County transit riders. This new service will enable the reduction of air pollutants and toxic air contaminant emissions by shifting single occupant vehicle drivers to transit. The Crenshaw/LAX Transit Line will serve populations in areas that meet the State's definition for disadvantaged and low-income communities. All eight of the new service's transit stations are located in such defined areas.

The FSI Pilot is expected to provide immediate financial relief to many of Los Angeles County's most vulnerable . The Pilot provides an opportunity to assess how a fareless system could support equity and may give insights into the effects of fares on initiatives to

- reduce congestion,
- increase transit ridership,
- decrease greenhouse gas emissions,

- increase access to opportunity for more residents, or
- reduce fare evasion penalties, which disproportionately impact low-income riders.

Staff recommends using this grant to fund the Crenshaw/LAX Transit Corridor Operations and/or FSI Pilot project because their characteristics align well with the grant program eligibility criteria and strongly support Metro's commitment to further reduce greenhouse gas emissions by expanding transit usage among Los Angeles County's residents and employees. Staff received support for both the Crenshaw/LAX project and FSI Pilot during and in response to community engagement opportunities.

## DETERMINATION OF SAFETY IMPACT

The requested actions will have no impact on the safety of our customers or employees.

## FINANCIAL IMPACT

Adoption of the LCTOP resolution and authorization of the CEO to execute the required documents to claim LCTOP funds would positively impact the agency's budget by making $51.2 million available to Metro.

### Impact to Budget

Claiming LCTOP funds will have a positive impact on the FY23 budget, as LCTOP funds are scheduled to be disbursed to Metro in July 2022 for use in FY23.

## EQUITY PLATFORM

Senate Bill 535 (de Leon, 2012) and Assembly Bill 1550 (Gomez, 2016) established criteria for meeting the LCTOP requirement to prioritize serving disadvantaged communities. The California Environmental Protection Agency (CalEPA) provides tools for identifying Disadvantaged Communities based on geographic, socioeconomic, public health, and environmental hazard criteria.

Metro, as the lead agency, must select and document the appropriate information to show that a proposed project meets all DAC and other population requirements. The State's criteria prioritize serving DACs and low-income communities. The LCTOP funds would fund operations for high quality transit that serves DACs, low-income communities, and Equity Focus Communities. All eight new stations on the Crenshaw/LAX rail line are within and adjacent to Equity Focus Communities as defined by Metro, as well as DACs and low-income communities as defined by SB 535 and AB 1550.

The proposed LCTOP grant funding will help Metro fund the operations of the Crenshaw/LAX Transit Corridor Project, which is an 8.5-mile rail transit service line that will benefit the impacted communities by providing improved access for the cities of Los Angeles, Inglewood, El Segundo, and portions of unincorporated Los Angeles County. The new transit line is expected to improve mobility for Equity Focus Communities by increasing transit options and improving system reliability by increasing access to Metro's rail and bus services that connect to educational, employment, and recreational opportunities. The goal of the FSI Pilot Program is to achieve greater equity by reducing

distance barriers, improving access to transit for all communities, and improving educational opportunities. Improved access to transit improves school attendance and academic performance, and could increase participation in extracurricular activities and employment and increases the probability of students becoming long-term transit riders. Increased transit ridership adds social and environmental benefits to the LA region.

## IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendations support Metro Vision 2028 Strategic Goal #1 to provide high-quality mobility options that enable people to spend less time traveling

## ALTERNATIVES CONSIDERED

The Board may choose not to approve the resolution in Attachment A. Staff does not recommend this alternative because it would risk the loss of Metro's FY 2021-22 LCTOP fund allocation amount of $46.9 million and the $4.2 million in LCTOP funds transferred by 16 municipal operators to Metro.

## NEXT STEPS

- June 1, 2022: Caltrans and CARB approve and submit project list to State Controller's Office.
- June 30, 2022: State Controller's Office releases approved project list.

## ATTACHMENTS

Attachment A - Resolution to Execute LCTOP Project, Certifications and Assurances and Authorized Agent Forms

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Reviewed by: James de la Loza, Chief Planning Officer, (213) 922-2920

Stephanie N. Wiggins
Chief Executive Officer

**ATTACHMENT A**

**Los Angeles County Metropolitan Transportation Authority**

**Board Resolution**

**Authorization for the Execution of the Certifications and Assurances and Authorized Agent Forms for the Low Carbon Transit Operations Program (LCTOP) for the Following Project:**

**Crenshaw/LAX Transit Corridor Operations Project and/or Fareless System Initiative Pilot - $51,241,974**

**WHEREAS,** the Los Angeles County Metropolitan Transportation Authority (Metro) is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) for transit projects; and

**WHEREAS,** the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

**WHEREAS,** sixteen Los Angeles County LCTOP recipients (Contributing Sponsors) have submitted "Letters of Intent" to transfer $4,299,135 in PUC 99314 FY2021-22 LCTOP funds to Metro for Metro's FY 2021-22 LCTOP Project; and

**WHEREAS,** Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

**WHEREAS,** the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and

**WHEREAS,** Metro wishes to delegate authorization to execute these documents and any amendments thereto to the Chief Executive Officer (CEO), or their designee; and

**WHEREAS,** Metro wishes to implement the following LCTOP project listed above;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Los Angeles County Metropolitan Transportation Authority that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances and the Authorized Agent documents and applicable statutes, regulations and guidelines for all LCTOP funded transit projects.

Los Angeles County
Metropolitan Transportation Authority

Metro

**NOW THEREFORE, BE IT FURTHER RESOLVED** that the CEO or their designee is authorized to execute all required documents of the LCTOP program and any Amendments thereto with the California Department of Transportation.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Los Angeles County Metropolitan Transportation Authority that it hereby authorizes the submittal of the following project nomination and allocation request to the Department in FY 2021-22 LCTOP funds:

**Project Name:** Crenshaw/LAX Transit Corridor Operations Project and/or Fareless System Initiative Pilot

**LCTOP Funds Requested:** $51,241,974 comprised of Metro's allocation of $46,942,839 and PUC 99314 allocations transferred to Metro from 16 Los Angeles County LCTOP Contributing Sponsors totaling $4,299,135 for Metro's FY 2021-22 LCTOP Project.

**Description:** Operations of the Crenshaw/LAX Transit Corridor light rail service, combined, as approved, with Metro's Fareless System Initiative Pilot.

**Benefit to Priority Populations:** The project alignment will operate through both disadvantaged communities as defined by SB 535 (2012) and/or low-income communities as defined by AB 1550 (2016). In addition, all eight new light rail stations are located within areas that meet the State's definition for disadvantaged and/or low-income communities. Therefore, the project will enable reduction of air pollutants and toxic air contaminant emissions as defined by the State by providing greater access to the regional transit system.

**Contributing Sponsors:** Antelope Valley Transit Authority, City of Arcadia, City of Burbank, City of Claremont, City of Commerce, City of Culver City, City of Gardena, City of La Mirada, Long Beach Transit, City of Montebello, City of Norwalk, City of Pasadena, City of Redondo Beach, City of Santa Clarita, City of Santa Monica and City of Torrance.

## C E R T I F I C A T I O N

The undersigned, duly qualified and acting as the Secretary of the Los Angeles County Metropolitan Transportation Authority, certifies that the foregoing is a true and correct representation of the Resolution adopted at a legally convened meeting of the Board of Directors of the Los Angeles County Metropolitan Transportation Authority held on Thursday, May 26, 2022.

**By:** _____
Interim Board Secretary, Los Angeles County Metropolitan Transportation Authority

Dated:

(SEAL)

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

Metro

# Board Report

**File #:** 2022-0251, **File Type:** Informational Report **Agenda Number:** 13.

**FINANCE, BUDGET AND AUDIT COMMITTEE**
**MAY 18, 2022**

**SUBJECT: MANAGEMENT AUDIT SERVICES FY 2022 THIRD QUARTER REPORT AND AUDIT CHARTER**

**ACTION: RECEIVE AND FILE**

## RECOMMENDATION

CONSIDER:

A. RECEIVING AND FILING the Management Audit Services FY 2022 third quarter report; and

B. ADOPTING the Management Audit Services Audit Charter (Attachment B).

## ISSUE

Management Audit Services (MAS) is required to provide a quarterly activity report to Metro's Board of Directors (Board) that presents information on audits that have been completed or in progress, including information related to audit follow-up activities.

In addition, standards require that MAS review the internal audit charter periodically, present it to executive management and obtain board approval. The internal audit charter is a formal document that defines MAS' purpose, authority, independence, and responsibility.

## BACKGROUND

It is customary practice for MAS to deliver the quarterly audit report. The FY 2022 third quarter report covers the period of January 1, 2022 through March 31, 2022.

MAS follows two audit standards: Generally Accepted Government Auditing Standards (GAGAS) issued by the Comptroller General of the United States, and the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors (IIA). To align with the updated standards' language, MAS updated the Audit Charter. The Audit Charter was last presented to the Board in October 2018.


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## DISCUSSION

MAS provides audit services in support of Metro's ability to provide responsive, accountable, and trustworthy governance. The department performs internal and external audits. Internal audits evaluate the processes and controls within the agency, while external audits analyze contractors, cities, and/or non-profit organizations that are recipients of Metro funds. The department delivers management audit services through functional groups: Performance Audit; Contract, Financial and Compliance Audit; and Administration and Policy, which includes audit support functions. Performance Audit is mainly responsible for internal audits related to Operations, Finance and Administration, Planning and Development, Program Management, Information Technology, Communications, Risk, Safety and Asset Management including the Chief Executive Office, and other internal areas. Contract, Financial and Compliance Audit is primarily responsible for external audits in Planning, Program Management and Vendor/Contract Management. MAS' functional units provide assurance to the public that internal processes and programs are being managed efficiently, effectively, economically, ethically, and equitably; and that desired outcomes are being achieved. This assurance is provided by MAS' functional units conducting audits of program effectiveness, economy and efficiency, internal controls, and compliance. Administration and Policy is responsible for administration, financial management, including audit support, audit follow-up, and resolution tracking.

The following chart summarizes MAS activity for FY 2022 third quarter:

| | **Completed in FY 2022 Third Quarter** | **In-Progress as of March 31, 2022** |
|---|---|---|
| Performance Audits | 3 audit projects | 3 audit projects |
| Contract, Financial and Compliance Audits | 3 audit projects with a total value of $3.3 million | 68 audit projects |
| Financial and Compliance Audits of Metro and subrecipients | 140 audit projects | |
| Audit Follow-up and Resolution* | 6 follow-up recommendations closed | |
| | 28 follow-up recommendations closed (OIG) | |

*Note: MAS performs audit follow-up for the Office of Inspector General (OIG).
The FY 2022 Third Quarter Report is included as Attachment A.

MAS revised the Board approved Audit Charter based on MAS' internal review and recommendations made by the independent Internal Quality Self-Assessment team. The revised Audit Charter was compared to the updated audit standards and promotes continued compliance. The updated Audit Charter is provided as Attachment B.

## EQUITY PLATFORM

There are no equity impacts or concerns from audit services conducted during this period.

## IMPLEMENTATION OF STRATEGIC PLAN GOALS

Management Audit Services FY 2022 Third Quarter Report and Audit Charter support Metro's Vision 2028 Goal #5: Provide responsive, accountable, and trustworthy governance within the Metro organization.

## NEXT STEPS

Management Audit Services will continue to report audit activity throughout the current fiscal year.

## ATTACHMENT

A. FY 2022 Third Quarter Report
B. Management Audit Services Audit Charter

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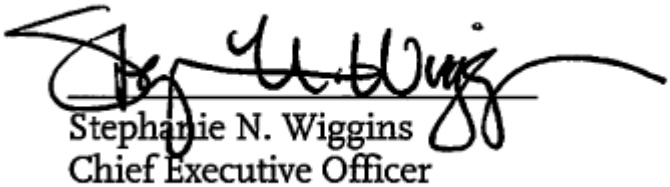

Stephanie N. Wiggins
Chief Executive Officer

# Quarterly Report to Metro Board of Directors

## FY 2022 Third Quarter

Metro

MANAGEMENT
AUDIT SERVICES

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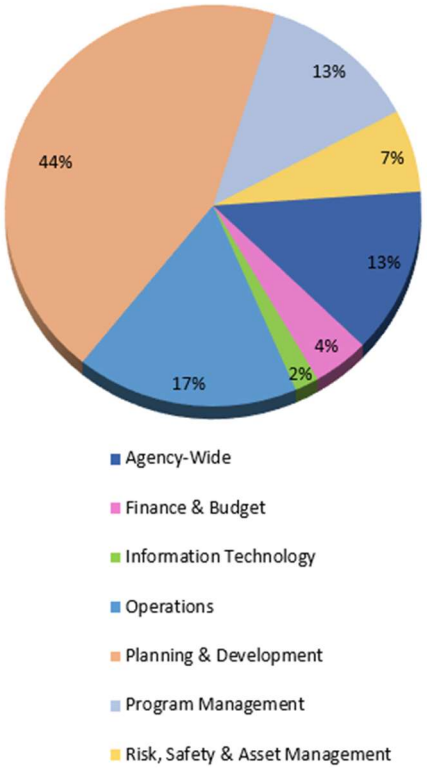
# Executive Summary

In Progress Audits
as of March 31, 2022

Summary of Audit Activity
by Department
Reporting Period
January 1, 2022 – March 31, 2022




## *Summary of In Progress Audit Activity*

Management Audit Services (MAS) has 71 in progress projects as of March 31, 2022, which include 3 performance audits and 68 contract, financial and compliance audits. The in-progress performance audits are listed in Appendix A.

As of the reporting period, there are 61 open MAS audit recommendations; and 29 open Office of Inspector General (OIG) audit recommendations.

## *Summary of Third Quarter Completed Audit Activity*

MAS completed 146 audit projects and closed 34 open audit recommendations. The projects are comprised of 3 performance audits; 3 contract, financial and compliance audits; and 140 financial and compliance audits of Metro and subrecipients issued by independent certified public accountant (CPA) firms.

The completed performance audits are highlighted on page 4. The completed contract, financial and compliance audits are highlighted on page 6. The financial and compliance audits of Metro and subrecipients issued by the external CPA firms are highlighted on page 7.

A summary of closed and open audit recommendations is included on page 12.

## *Department Highlights*

MAS continues to implement the Quality Assurance Improvement Program, updated the Audit Charter, and completed a successful external quality assurance review. A summary of department highlights is included on page 10.

# Performance Audits

This section includes performance audits completed according to Generally Accepted Government Auditing Standards in addition to other types of projects performed by the Performance Audit team to support Metro. The other types of projects may include independent reviews, analysis, or assessments of select areas. The goal of non-audit projects is to provide Metro with other services that help support decision making and promote organizational effectiveness.

## *Agreed Upon Procedures for Metro-Owned RINs*

MAS contracted with Talson Solutions, LLC to report on agreed‑upon procedures for Metro‑owned renewable identification numbers (RINs). The objective was to assist Metro's Environmental Compliance and Sustainability department by preparing attest reports following the procedures detailed in the Electronic Code of Federal Regulations to verify that Metro's Environmental Protection Agency (EPA) reporting of RINs for renewable energy credits are complete and accurate for calendar year 2020.

The auditors noted that one quarterly EPA report had not been filed timely, and retirement of expired RINs had not been recorded in the EPA system. Metro management concurred and outlined corrective actions.

## *Business Interruption Fund (BIF) Pilot Program*

MAS contracted with BCA Watson Rice to conduct an audit of the Pilot Business Interruption Fund and Pacific Coast Regional Small Business Development Corporation's (PCR) compliance with the Los Angeles County Metropolitan Transportation Authority's (Metro) Business Interruption Fund (BIF) Administrative Guidelines and Fund Disbursement Procedures. The objective of this audit was to determine PCR's compliance with Metro's BIF Administrative Guidelines and Fund Disbursement Procedures for the year ended June 30, 2021.

The auditors found that PCR complied, in all material respects, with Metro's Business Interruption Fund Administrative Guidelines and Fund Disbursement Procedures.

## *Performance Audit of Information Security Awareness*

The objectives of this audit was to identify potential improvement opportunities relating to user information security awareness with a focus on:

- Information Security training oversight,
- Information Security's efforts and practices, and
- System user departments' efforts and practices.

MAS found that Metro's Information Technology Services (ITS) does provide Metro employees with policies, standards, training, and agencywide emails to support user information security awareness.

However, there is a need for Metro to strengthen oversight for information security awareness training. Additionally, ITS management should establish a guideline that guides decisions on who should receive information security awareness training and the type of training methods to be used. MAS identified two findings and two related matters as part of the audit, including eighteen (18) recommendations. Management concurred with most of the recommendations.

# Contract, Financial & Compliance Audits

MAS staff completed 3 independent auditor's report on agreed-upon procedures for the following projects:

| Project | Reviewed Amount | Questioned / Reprogrammed Amount |
|---|---|---|
| City of Redondo Beach – Pacific Coast Highway at Palos Verdes Boulevard Intersection Improvements Project | $351,493 | $45,415 |
| New Flyer of America, Inc. – U.S. Employment Program Compliance | N/A – Compliance | N/A – Compliance |
| City of Burbank – SR-134 Corridor Arterial Signal Improvements Project | $2,988,167 | $172,854 |
| **Total Amount** | $3,339,660 | $218,269 |

Details on contract, financial and compliance audits completed during FY 2022 third quarter are included in Appendix B.

# Financial and Compliance Audits of Metro

The following highlights the financial and compliance audits of Metro completed by the external CPA firms:

***Basic Financial Statements and Component Units Audits – Issued Various Dates***

MAS contracted with Crowe, LLP to conduct the basic financial statements and component unit audits for the year ended June 30, 2021. The resulting reports include:

- Annual Comprehensive Financial Report (ACFR);
- Single Audit for the Federal Funds;
- Federal Funding Allocation Data for NTD as a Transportation Operating Agency;
- Transportation Development Act (TDA) Operations Agency – 50% Expenditure Limitation Schedule;
- TDA Schedule of Revenue, Expenditure and Changes in Fund Balances;
- State Transit Assistance (STA) Special Revenue Fund Financial Statements;
- Service Authority for Freeway Emergencies (SAFE) Financial Statements; and
- Low Carbon Transit Operations Program (LCTOP) Compliance Audit.

The independent auditor issued unmodified opinions on all audit reports for FY21, which indicates that all financial statements for FY21 were fairly presented and that Metro complied in all material respects with the applicable financial reporting framework and compliance requirements.

Crowe identified two findings in the Single Audit Report related to timing issues in accordance with generally accepted accounting principles. Although Metro management agreed with the recommendations, management believes that Metro's presentation of the financial statements was appropriate as the statements followed the Current Financial Resources Measurement Focus and are transparent to the taxpayers.

***Consolidated Audits – Issued Various Dates***

MAS contracted with two firms, Simpson & Simpson, CPAs and Vasquez & Company, to conduct the financial and compliance audits of the following programs for the year ended June 30, 2021:

- Local Funding Program to 88 cities and Unincorporated Los Angeles County
    - Proposition A Local Return
    - Proposition C Local Return
    - Measure M Local Return
    - Measure R Local Return

  - Transportation Development Act (TDA) Article 3, Article 4 and Article 8 Programs
  - Proposition A Discretionary Incentive Program
- Prop A Discretionary Incentive Grant
  - Antelope Valley Transit Authority
  - Pomona Valley Transportation Authority
- Transit System Operators of Commerce, Redondo Beach, Torrance
  - Transit System Funds
  - Measure M 20%
  - Measure R 20%
- Proposition A Growth Over Inflation (GOI) Fund to Burbank, Glendale, LADOT and Pasadena
- Fare Subsidies Programs
  - Support for Homeless Re-Entry (SHORE) Program
  - Low-Income Fare is Easy (LIFE) Program
- Metrolink Program
- EZ Transit Pass Program
- Access Services
- LADOT

**Local Return**

Proposition A and C

Vasquez and Simpson found that the County and Cities complied, in all material respects, with the requirements in the Ordinances and Guidelines that are applicable to the Proposition A and Proposition C Local Return program for the fiscal year ended June 30, 2021.

The auditors found 29 instances of non-compliance for Proposition A and C, consisting of 5 minor findings related to untimely form submittals. Fourteen (14) findings with questioned costs totaling $1.3 million for Proposition A and $1.4 million thousand for Proposition C represent less than 1% of each total fund reviewed. The Local Return Program Manager is working with the cities to resolve the findings. The respective auditors will validate the resolution of the findings identified in these audits in the following years' audits.

Measure R

Vasquez and Simpson found that the County and Cities complied, in all material respects, with the requirements in the Ordinance and Guidelines that are applicable to the Measure R Local Return program for the fiscal year ended June 30, 2021.

The auditors found 10 instances of non-compliance for Measure R, consisting of 2 minor findings related to untimely form submittals. Seven (7) findings with questioned costs totaling $129 thousand for Measure R represent approximately less than 1% of the total amount reviewed. The Local Return Program Manager is working with the cities to resolve the findings. The respective auditors will validate the resolution of the findings identified in these audits in the following years' audits.

Measure M

Vasquez and Simpson found that the County and Cities complied, in all material respects, with the requirements in the Ordinance that are applicable to the Measure M Local Return program for the fiscal year ended June 30, 2021.

The auditors found 9 instances of non-compliance for Measure M, consisting of 2 minor findings related to untimely form submittals. Six (6) findings with questioned costs totaling $1.1 million for Measure M represent less than 1% of the total amount reviewed. The Local Return Program Manager is working with the cities to resolve the findings. The respective auditors will validate the resolution of the findings identified in these audits in the following years' audits.

Non-Local Return

The auditors found that schedules/financial statements for the various programs included in the Consolidated Audit present fairly, in all material respects. They also found that the entities complied, in all material respects, with the compliance requirements of their respective guidelines. However, the auditors noted several compliance findings; ten (10) findings for the LIFE program and eight (8) findings for the TDA Article 3 program. Metro Program Managers are working with the funds recipients to resolve the findings. The respective auditors will validate the resolution of the findings identified in these audits in the following years' audits.

A receive and file report with additional details on the Consolidated Audit will be brought to the committee in the coming months.

# Department Highlights

## *Quality Assurance Improvement Program*

During FY 2022 third quarter, MAS continued its efforts in the Quality Assurance Improvement Program (QAIP). Following is a summary of the various QAIP activities to support improved performance, quality, and value-added internal audit services:

- **Completed Activities**
  - Performed a comprehensive review and update of MAS' Audit Charter.
  - Completed External Quality Assurance Review (Peer Review) for FY19-21 to assess MAS' internal quality control system to determine conformance with the Institute of Internal Auditor (IIA) International Standards for the Professional Practice of Internal Auditing and Comptroller General of the United States Government Auditing Standards.
  - Performed comprehensive review and update of audit libraries (Consulting and Contract, Financial & Compliance) and procedural guidelines in accordance with auditing standards and best practices.
- **In-progress Activities**
  - Complete comprehensive review and update of MAS Strategic Plan.
- **Upcoming Activities**
  - Initiate efforts to determine MAS' maturity model as a business practice, industry standard, and continuous improvement tactic.

## *Audit Charter*

Auditing standards require that MAS review its internal audit charter periodically, present it to executive management and obtain Board approval. The internal audit charter is a formal document that defines MAS' purpose, authority, independence, and responsibility.

The Audit Charter was last approved by the Board in October 2018. The Generally Accepted Government Auditing Standards issued by the Comptroller General of the United States, and the International Standards for the Professional Practice of Internal Auditing issued by the IIA were revised in 2018 and 2017 respectively. The Board approved Charter was compared to the updated standards and is in compliance with the new requirements. Revisions to the charter were made based on MAS' review and recommendations from the Internal Quality Self-Assessment. The Audit Charter is included in Attachment B.

## *External Quality Assurance Review (Peer Review)*

The Association of Local Government Auditors (ALGA) conducted a peer review of MAS' compliance with Institute of Internal Auditors (Red Book) and with Comptroller General of the United States (Yellow book) standards and practices for the three-year period ending June 30, 2021. The peer review team, comprised of highly qualified audit professionals, certified that they are free from personal, external, and organizational impairments to independence. They evaluated MAS' quality control system, audit and consulting engagements process, staff qualifications, development, and training, as well as the audit follow-up process.

The peer review team concluded that MAS fully complies with Red Book and Yellow book standards and practices. Only a handful of local government audit organizations across the country have successfully completed a dual standards peer review. In addition, the team issued a report without management letter comments. The report is included in Appendix E.

# Audit Follow-Up and Resolution

The tables below summarize the open and closed audit recommendations as of March 31, 2022.

| MAS and External Audit Recommendations | | | | |
|---|---|---|---|---|
| **Executive Area** | **Closed** | **New** | **Currently Open** | **Open Past Due** |
| Communications | 2 | | | |
| Human Capital & Development | 3 | | | |
| Information Technology Services | | 10 | | |
| Operations | 1 | | 22 | 4 |
| Program Management | | | 10 | 2 |
| Risk, Safety & Asset Management | | | 3 | |
| Systems Security and Law Enforcement | | | 9 | |
| Vendor/Contract Management | | | 1 | |
| Total | 6 | 10 | 45 | 6 |

| OIG Audit Recommendations | | | | |
|---|---|---|---|---|
| **Executive Area** | **Closed** | **New** | **Currently Open** | **Open Past Due** |
| Congestion Reduction | | | 1 | |
| Human Capital & Development | 28 | | | |
| Operations | | | 6 | |
| Systems Security and Law Enforcement | | | 22 | |
| Total | 28 | | 29 | |

Details of open audit recommendations for MAS and OIG are included in Appendix C and D.

**Appendix A**

| Performance Audit - In Progress Audits as of March 31, 2022 | | | | |
|---|---|---|---|---|
| **No.** | **Area** | **Audit Number & Title** | **Description** | **Estimated Date of Completion** |
| 1 | Planning & Development | 21-PLN-P01 Micro Mobility Vehicles Program | Assess the progress made in achieving program goals and objectives, including assessing the consideration given to the Metro rapid equity assessment tool. | 5/2022 |
| 2 | Risk, Safety & Asset Management | 21-RSK-P03 Transit Asset Inventory Records | Evaluate the adequacy of the records for this area, with a focus on accuracy, completeness and proper controls over asset records. | 4/2022 |
| 3 | Planning & Development | 21-PLN-P02 Real Estate Management System | Determine if prior audit findings and recommendations have been considered as part of the upcoming implementation of the new Real Estate Management System. | 4/2022 |

**Appendix B**

| Contract, Financial and Compliance Audit - Audits Completed as of March 31, 2022 | | | | |
|---|---|---|---|---|
| **No.** | **Area** | **Audit Number & Type** | **Auditee** | **Date Completed** |
| 1 | Planning & Development | 20-HWY-A08 - Closeout | City of Redondo Beach | 1/2022 |
| 2 | Operations | 21-OPS-A01 - Agreed-Upon Procedures | New Flyer of America, Inc. | 2/2022 |
| 3 | Planning & Development | 20-HWY-A06 - Closeout | City of Burbank | 3/2022 |

**Appendix C**

| Open Audit Recommendations as of March 31, 2022 | | | | | | |
|---|---|---|---|---|---|---|
| **No.** | **Area** | **Audit Number & Title** | **Rec. No.** | **Recommendation** | **Original Completion Date** | **Extended Completion Date** |
| 1 | Systems Security and Law Enforcement | 18-RSK-P01 Performance Audit of Vendor / Contract Management's (V/CM's) Continuity of Operations Plan (COOP) | 1a | We recommend that the Emergency Management Unit collaborate with the business units, starting with V/CM, to ensure that the business unit COOPs, and all related documents (e.g., Standard Operating Procedures [SOPs]), include the essential content necessary to support the agency-wide program. **Update: Emergency Management resources have been fully committed to COVID-19 related emergency operations since March 2020, and are unavailable to assist V/CM.** | 6/30/2020 | 6/30/2022 |
| 2 | Vendor/Contract Management | 18-RSK-P01 Performance Audit of Vendor / Contract Management's (V/CM's) Continuity of Operations Plan (COOP) | 3 | We recommend that V/CM management work with Emergency Management to arrange for COOP execution training by an emergency management expert concurrently with each annual update. **Update: Emergency Management resources have been fully committed to COVID-19 related emergency operations since March 2020, and are unavailable to assist V/CM.** | 7/31/2020 | 6/30/2022 |
| 3 | Program Management | 18-RSK-P01 Performance Audit of Vendor / Contract Management's (V/CM's) Continuity of Operations Plan (COOP) | 4 | We recommend that the Chief Program Management Officer take the lead role in collaborating with all responsible parties, such as V/CM, Project Delivery Third Party Coordination, County Counsel, etc., to establish agreements with utility companies to guarantee service continuity and restoration in emergency situations. **Update: Metro continues to negotiate Essential Use designation with SCE, DWP & CPUC as a basis for utility emergency service agreements.** | 3/31/2020 | 6/30/2022 |
| 4 | Systems Security and Law Enforcement | 18-RSK-P02 Performance Audit of Finance (Payroll)'s Continuity of Operations Plan | 1 | We recommend that Emergency Management should coordinate with Payroll to facilitate training and add the additional details to Finance (Payroll)'s COOP and SOPs, including criteria for COOP activation and relocation decisions, flow charts, decision trees and step-by-step instructions. **Update: Emergency Management resources have been fully committed to COVID-19 related emergency operations since March 2020, and are unavailable to assist Finance.** | 2/28/2021 | 7/29/2022 |
| 5 | Systems Security and Law Enforcement | 18-RSK-P02 Performance Audit of Finance (Payroll)'s Continuity of Operations Plan | 2 | We recommend that Emergency Management should coordinate with Payroll to create an SOP template to include names, titles and contact details (phone numbers and emails) for all continuity personnel, such as the CMG, key continuity positions and successors. Advance team references should state "provided by ITS". **Update: Emergency Management resources have been fully committed to COVID-19 related emergency operations since March 2020, and are unavailable to assist Finance.** | 7/31/2020 | 7/29/2022 |

**Appendix C**

| Open Audit Recommendations as of March 31, 2022 | | | | | | |
|---|---|---|---|---|---|---|
| **No.** | **Area** | **Audit Number & Title** | **Rec. No.** | **Recommendation** | **Original Completion Date** | **Extended Completion Date** |
| 6 | Systems Security and Law Enforcement | 18-RSK-P02 Performance Audit of Finance (Payroll)'s Continuity of Operations Plan | 3 | We recommend that Emergency Management should coordinate with Payroll to review and assess the COOP and SOPs annually and verify that any resulting updates are implemented. **Update: Emergency Management resources have been fully committed to COVID-19 related emergency operations since March 2020, and are unavailable to assist Finance.** | 7/31/2020 | 7/29/2022 |
| 7 | Systems Security and Law Enforcement | 18-RSK-P02 Performance Audit of Finance (Payroll)'s Continuity of Operations Plan | 4 | We recommend that Emergency Management should coordinate with Payroll to schedule COOP execution training by an emergency management expert concurrently with each annual COOP update. **Update: Emergency Management resources have been fully committed to COVID-19 related emergency operations since March 2020, and are unavailable to assist Finance.** | 7/31/2020 | 7/29/2022 |
| 8 | Operations | 19-OPS-P02 Performance Audit of the Rail Communications Systems | 8 Total | The recommendations included in this report address findings in Metro's Operational System. **Update: As of April 2022, 6 of 12 recommendations were closed.** | On-going | |
| 9 | Operations | 19-OPS-P02 Performance Audit of the SCADA Security Controls | 7 Total | The recommendations included in this report address findings in Metro's Operational System. **Update: As of September 2021, 6 of 13 recommendations were closed.** | On-going | |
| 10 | Risk, Safety & Asset Management | 16-OPS-P03 Performance Audit of Accident Prevention Practices in the Operations Department | 2 | We recommend that the Chief Risk, Safety & Asset Management Officer raise awareness of the Field Observation and Feedback (FOF) program. **Update: Closed as of April 2022.** | 3/31/2020 | 12/31/2021 |
| 11 | Risk, Safety & Asset Management | 16-OPS-P03 Performance Audit of Accident Prevention Practices in the Operations Department | 3 | We recommend that the Chief Risk, Safety & Asset Management Officer develop additional input controls in the Transit Safe System, by designating required FOF form fields as mandatory, including Supervisors sign-off to review for accuracy of information, to prevent the close out of FOF records without completion of all required fields and to ensure quality of information is maintained. **Update: TransitSafe's replacement software is in the process of being configured and implemented and will include FOF reporting functionality. Due to the pandemic, vendor staffing changes and historical data transition issues, the implementation has been delayed.** | 7/31/2020 | 3/31/2022 |
| 12 | Risk, Safety & Asset Management | 16-OPS-P03 Performance Audit of Accident Prevention Practices in the Operations Department | 4 | We recommend that the Chief Risk, Safety & Asset Management Officer incorporate recommendation #3, above, in the upcoming replacement system of Transit Safe. | 12/31/2021 | |

**Appendix C**

| Open Audit Recommendations as of March 31, 2022 | | | | | | |
|---|---|---|---|---|---|---|
| **No.** | **Area** | **Audit Number & Title** | **Rec. No.** | **Recommendation** | **Original Completion Date** | **Extended Completion Date** |
| 13 | Systems Security and Law Enforcement | 19-RSK-P01 Performance Audit of System Security & Law Enforcement's Continuity of Operations Plan | 1 | We recommend that Emergency Management collaborate with SS&LE to establish at least three new locations to accommodate emergency back-up SS&LE command centers. As a suggestion, not more than one facility should be close to Gateway Plaza. The other two should be far enough away from Gateway and from each other that there is little risk that a wide area emergency could affect all three locations.<br>**Update: Emergency Management resources have been fully committed to COVID-19 related emergency operations since March 2020, and are unavailable to assist SS&LE.** | 7/30/2020 | 7/29/2022 |
| 14 | Systems Security and Law Enforcement | 19-RSK-P01 Performance Audit of System Security & Law Enforcement's Continuity of Operations Plan | 3 | We recommend that Emergency Management should coordinate with SS&LE to facilitate training and add the additional details to the SS&LE COOP and SOPs, including criteria for COOP activation and relocation decisions, flow charts, decision trees and step-by-step instructions.<br>**Update: Emergency Management resources have been fully committed to COVID-19 related emergency operations since March 2020, and are unavailable to assist SS&LE.** | 7/30/2021 | 7/29/2022 |
| 15 | Systems Security and Law Enforcement | 19-RSK-P01 Performance Audit of System Security & Law Enforcement's Continuity of Operations Plan | 4 | We recommend that Emergency Management should coordinate with SS&LE to create a Standard Operating Procedures template to include names, titles and contact details (phone numbers and emails) for all continuity personnel, such as the CMG, key continuity positions and successors; and reference and attach all COOP-related SOPs as Appendices to the COOP.<br>**Update: Emergency Management resources have been fully committed to COVID-19 related emergency operations since March 2020, and are unavailable to assist SS&LE.** | 7/30/2020 | 7/29/2022 |
| 16 | Systems Security and Law Enforcement | 19-RSK-P01 Performance Audit of System Security & Law Enforcement's Continuity of Operations Plan | 7 | We recommend that Emergency Management should coordinate with SS&LE to schedule COOP execution training by an emergency management expert concurrently with each annual COOP update (See COOP Appendix M).<br>**Update: Emergency Management resources have been fully committed to COVID-19 related emergency operations since March 2020, and are unavailable to assist SS&LE.** | 7/31/2021 | 7/29/2022 |
| 17 | Operations | 20-OPS-P02 Follow-up Performance Audit on Efficiency and Effectiveness of the Oversight of Contracted Bus Services | 1 | MAS recommends that Contract Services management establish a timeline and finalize the Contract Monitoring Plan. | 7/30/2022 | |

**Appendix C**

| Open Audit Recommendations as of March 31, 2022 | | | | | | |
|---|---|---|---|---|---|---|
| **No.** | **Area** | **Audit Number & Title** | **Rec. No.** | **Recommendation** | **Original Completion Date** | **Extended Completion Date** |
| 18 | Operations | 20-OPS-P02 Follow-up Performance Audit on Efficiency and Effectiveness of the Oversight of Contracted Bus Services | 2 | MAS recommends that Contract Services management develop formal written policies and procedures that include a) a requirement that decisions requiring executive approval be documented and b) a requirement that all modifications of contractual terms be documented and executed by the Contract Administrator. | 12/31/2021 | |
| 19 | Operations | 20-OPS-P02 Follow-up Performance Audit on Efficiency and Effectiveness of the Oversight of Contracted Bus Services | 3 | MAS recommends that Contract Services management formulate and establish a formal training program to support skills development in the monitoring of contractor's performance. | 12/31/2021 | |
| 20 | Operations | 20-OPS-P02 Follow-up Performance Audit on Efficiency and Effectiveness of the Oversight of Contracted Bus Services | 4 | MAS recommends that Contract Services management continue to work with appropriate stakeholders to resolve the fareboxes issue and establish a timeline by when this will be completed. Once fareboxes are operational, the reconciliation process should be fully restored to include the triggering of a revenue compliance inspection for variances exceeding the threshold by above or below 2%. **Update: The Fareless System Initiative has delayed the resolution of the fareboxes issue.** | 4/30/2021 | 3/31/2022 |
| 21 | Operations | 18-AGW-P01-B Performance Audit of Internal Controls Over Overtime Payments – AFSCME (Transportation Operations) | 1 | Bus and Rail Transportation management should implement periodic training or retraining for all Transit Operations Supervisors (TOS), Rail Transit Operations Supervisors (RTOS) and first line transportation management concerning the calculation of overtime eligible hours and the proper use of payroll codes. **Update: Training content is nearing completion; work on delivery media is in progress.** | 12/31/2021 | 4/30/2022 |
| 22 | Operations | 18-AGW-P01-B Performance Audit of Internal Controls Over Overtime Payments – AFSCME (Transportation Operations) | 3 | Bus Transportation management should provide training to Bus Transportation managers, scheduling staff and TOS on these exceptions to enable proper scheduling and approvals of actual time incurred. **Update: Training will be provided in the month following issuance of the new policy.** | 12/31/2021 | 4/30/2022 |
| 23 | Operations | 18-AGW-P01-B Performance Audit of Internal Controls Over Overtime Payments – AFSCME (Transportation Operations) | 4 | Bus and Rail Transportation management should enforce retention of required overtime (OT) related documents for all instances of OT worked, including partial and split shifts. **Update: An on-line overtime request tool to replace paper request forms is now under development, which will permit storage, retention, retrieval and reporting of all overtime requests across the system at any time.** | 9/30/2021 | 4/30/2022 |

**Appendix C**

| Open Audit Recommendations as of March 31, 2022 | | | | | | |
|---|---|---|---|---|---|---|
| **No.** | **Area** | **Audit Number & Title** | **Rec. No.** | **Recommendation** | **Original Completion Date** | **Extended Completion Date** |
| 24 | Operations | 18-AGW-P01-B Performance Audit of Internal Controls Over Overtime Payments – AFSCME (Transportation Operations) | 5 | Bus and Rail Transportation management should train and periodically remind all line management, TOS and RTOS of overtime documentation and retention requirements.<br>**Update: The on-line request tool for Recommendation 4 above will resolve this issue.** | 9/30/2021 | 4/30/2022 |
| 25 | Operations | 18-AGW-P01-B Performance Audit of Internal Controls Over Overtime Payments – AFSCME (Transportation Operations) | 6 | Bus and Rail Transportation management should require employees to file copies of system overtime request forms for other divisions at their home division.<br>**Update: The on-line request tool for Recommendation 4 above will resolve this issue.** | 9/30/2021 | 4/30/2022 |
| 26 | Operations | 18-AGW-P01-B Performance Audit of Internal Controls Over Overtime Payments – AFSCME (Transportation Operations) | 7 | Bus and Rail Transportation management should require employees to bring supporting paperwork back to their home division each time they work at another division.<br>**Update: The on-line request tool for Recommendation 4 above will resolve this issue.** | 9/30/2021 | 4/30/2022 |
| 27 | Operations | 18-AGW-P01-B Performance Audit of Internal Controls Over Overtime Payments – AFSCME (Transportation Operations) | 8 | Bus and Rail Transportation management should ensure copies of documentation supporting overtime are retained as required at both divisions when employees transfer permanently from one division to another.<br>**Update: The on-line request tool for Recommendation 4 above will resolve this issue.** | 9/30/2021 | 4/30/2022 |
| 28 | Program Management | 22-CON-P02 Performance Audit of Program Management Support Services | 1 | Review and verify that terms and conditions of the Contract are understood, including standards, regulations, guidelines, policies, and procedures. KKCS/Triunity JV should comply with all applicable Metro policies and procedures per the Contract. | 11/30/2021 | |
| 29 | Program Management | 22-CON-P02 Performance Audit of Program Management Support Services | 2 | Begin tracking and monitoring vehicle use and maintenance, as required by the Contract. | 11/30/2021 | |
| 30 | Program Management | 22-CON-P02 Performance Audit of Program Management Support Services | 3 | KKCS/Triunity JV should document verification of qualifications and experience to support job titles billed to the Contract; and Metro should, by contract modification, require the Contractor to perform and document background, resume, and reference checks for all new consultants proposed to Metro. | 12/31/2021 | |
| 31 | Program Management | 22-CON-P02 Performance Audit of Program Management Support Services | 1 | Metro management should re-evaluate any need for 24-hour non-revenue passenger vehicles (NRVs) and establish a formal requirement for written approval prior to assignment of NRVs to Metro employees. | 2/28/2022 | |

**Appendix C**

| Open Audit Recommendations as of March 31, 2022 | | | | | | |
|---|---|---|---|---|---|---|
| **No.** | **Area** | **Audit Number & Title** | **Rec. No.** | **Recommendation** | **Original Completion Date** | **Extended Completion Date** |
| 32 | Program Management | 22-CON-P02 Performance Audit of Program Management Support Services | 2 | Metro should lease required project vehicles directly through Metro's procurement processes, and only include NRVs in professional services and/or consulting contracts upon conducting a needs assessment and cost-benefit analysis. | 2/28/2022 | |
| 33 | Program Management | 22-CON-P02 Performance Audit of Program Management Support Services | 3 | If Metro continues to allow employees to operate contractor owned/leased vehicles, Metro policies and procedures should be developed to guide usage by employees. | 2/28/2022 | |
| 34 | Program Management | 22-CON-P02 Performance Audit of Program Management Support Services | 4 | Metro management should provide relevant staff with compliance training for the Contract and related policies. | 2/28/2022 | |
| 35 | Program Management | 22-CON-P02 Performance Audit of Program Management Support Services | 5a | Metro management should implement the following retroactive corrective action for the leased project vehicles operated by six (6) Metro employees within Program Management: Assess whether 24-hour use of an NRV is necessary, document the justification and obtain approval for use in writing. | 2/28/2022 | |
| 36 | Program Management | 22-CON-P02 Performance Audit of Program Management Support Services | 5b | Metro management should implement the following retroactive corrective action for the leased project vehicles operated by six (6) Metro employees within Program Management: Determine how best to resolve and enforce the commuter mileage (fringe benefit tax) issue retroactively and ensure the required forms are completed and filed, including applicable penalties and interest for Metro and its employees to be in compliance. Any required forms that have not been submitted should be submitted, including 24-Hour Assigned Vehicle & Overnight Use Commuter Mileage Forms, if necessary and amended W-2s. | 2/28/2022 | |
| 37 | Program Management | 22-CON-P02 Performance Audit of Program Management Support Services | 5c | Metro management should implement the following retroactive corrective action for the leased project vehicles operated by six (6) Metro employees within Program Management: Determine whether the monthly parking, that should have been paid by the six (6) Metro employees, that was paid through the Contract should be repaid by the employees to Metro. | 2/28/2022 | |
| 38 | Program Management | 22-CON-P02 Performance Audit of Program Management Support Services | 5d | Metro management should implement the following retroactive corrective action for the leased project vehicles operated by six (6) Metro employees within Program Management: Ensure Metro staff involved and injured in the vehicle incident as well as the Program Management Department complete all required forms to properly report the accident to the appropriate Metro department(s). | 12/31/2021 | |

**Appendix C**

| Open Audit Recommendations as of March 31, 2022 | | | | | | |
|---|---|---|---|---|---|---|
| **No.** | **Area** | **Audit Number & Title** | **Rec. No.** | **Recommendation** | **Original Completion Date** | **Extended Completion Date** |
| 39 | Information Technology Services | 20-ITS-P03 Performance Audit of Information Security Awareness | 1 | We recommend the Deputy Chief Information Technology Officer require that Information Security management specify the reminder notification requirements (e.g., due date, timing, and frequency of training reminders) via the Metro LMS, when Talent Development management enables the automated notification feature, and establish a formal guideline to escalate reporting for non-compliance with training requirements. | 8/30/2022 | |
| 40 | Information Technology Services | 20-ITS-P03 Performance Audit of Information Security Awareness | 2 | We recommend the Deputy Chief Information Technology Officer require Information Security management to: a) Determine whether there is a need for information security awareness training to cover necessary policy requirements related to information security; and b) Incorporate any near-term policy updates related to information security in the information security awareness training material. | 12/31/2023 | |
| 41 | Information Technology Services | 20-ITS-P03 Performance Audit of Information Security Awareness | 3 | We recommend the Deputy Chief Information Technology Officer require acknowledgement from system users of having received IT policies and standards that are critical to information security and/or evidence of completion of training(s) prior to granting access to Metro's network and system. | 12/31/2022 | |
| 42 | Information Technology Services | 20-ITS-P03 Performance Audit of Information Security Awareness | 4 | We recommend the Deputy Chief Information Technology Officer formally define, document, and communicate the roles and responsibilities related to oversight of mandatory and required trainings, including formalizing the definition of required training. | 8/30/2022 | |
| 43 | Information Technology Services | 20-ITS-P03 Performance Audit of Information Security Awareness | 5 | We recommend the Deputy Chief Information Technology Officer establish a timeframe target with the LMS for resolving the current outstanding technical issues. | 8/30/2022 | |
| 44 | Information Technology Services | 20-ITS-P03 Performance Audit of Information Security Awareness | 6 | We recommend the Deputy Chief Information Technology Officer establish a timeframe target with Human Capital & Development management to enable the automated notification feature. | 8/30/2022 | |
| 45 | Information Technology Services | 20-ITS-P03 Performance Audit of Information Security Awareness | 7 | We recommend that the Deputy Chief Information Technology Officer require Information Security management to establish a formal guideline that guides decisions on who should receive information security awareness training and the type of such training method. This guideline should consider the access levels of users, the cost-benefit associated with training different groups of users, and the risks associated with not providing training to particular users. Training and its frequency may be customized and tailored to provide the education and information applicable and necessary to the group of participants. | 6/30/2023 | |

**Appendix C**

| Open Audit Recommendations as of March 31, 2022 | | | | | | |
|---|---|---|---|---|---|---|
| **No.** | **Area** | **Audit Number & Title** | **Rec. No.** | **Recommendation** | **Original Completion Date** | **Extended Completion Date** |
| 46 | Information Technology Services | 20-ITS-P03 Performance Audit of Information Security Awareness | 8 | We recommend that the Deputy Chief Information Technology Officer require Information Security management to consult with Metro County Counsel to establish a minimum requirement and/or expectation for consultants related to information security; a) Existing consultants, b) Future consultants. | 9/30/2022 | |
| 47 | Information Technology Services | 20-ITS-P03 Performance Audit of Information Security Awareness | 10 | We recommend the Talent Development management formally document the roles and responsibilities of i) Talent Development, and of ii) sponsoring departments when a required training course is developed. This includes, for example, identifying who will be taking the training, who will enroll participants, etc. | 9/30/2022 | |
| 48 | Information Technology Services | 20-ITS-P03 Performance Audit of Information Security Awareness | 11 | We recommend the Talent Development management work with the LMS provider to support the training needs for consultants as necessary. | 9/30/2022 | |

**Appendix D**

| OIG Open Audit Recommendations as of March 31, 2022 | | | | | | |
|---|---|---|---|---|---|---|
| **No.** | **Area** | **Audit Number & Title** | **Rec. No.** | **Recommendation** | **Original Completion Date** | **Extended Completion Date** |
| 1 | Operations | 17-AUD-04 Review of Metro Safety Culture and Rail Operational Safety | 6 Total | The 117 recommendations included in this report address findings in Safety Culture, Red Signal Violations, Safety Assessment of Infrastructure Elements, Technology, Operations and Maintenance, Human Resources, and etc. **Update: As of April 2022, 115 of 117 recommendations were closed.** | Pending | |
| 2 | Congestion Reduction | 20-AUD-06 Review of LA Metro's Freeway Service Patrol Program | 6 | LA Metro FSP should set a target for its Benefit-to-Cost ratio, either in comparison to the statewide average or develop its own annual target. This is especially important as costs are expected to rise over the next several years as insurance and vehicle costs continue to escalate. If such the annual target is not met, it would trigger LA Metro FSP to conduct a deeper evaluation of its program and identify potential strategies to improve the following year's performance. | 10/1/2020 | 7/1/2022 |
| 3 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 2 | SSLE should ensure that future contracts include a contract budget that specifies the amount of funds budgeted for each contract year and develop procedures to help ensure that the annual budgets are adhered to. | Pending | |
| 4 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 3 | SSLE should in future contracts, to more effectively control and track the use of contract funds, allocate within the budget a separate reserve amount to be used for special events and enhanced deployments. | Pending | |
| 5 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 4 | SSLE should for future contracts, consider the impact that the use of full-time contracted personnel will have on the use of funds over the life of the contract. In addition, specify within the contract the job classifications, and number of positions within each classification that can be charged to the Metro contract on a full-time basis. | Pending | |
| 6 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 5 | SSLE should execute a contract modification if it is determined that LBPD sworn personnel will be assigned to the contract on a full-time basis. | 12/31/2021 | |
| 7 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 8 | SSLE should review all LAPD invoices for FY20 to determine if there are other incidents where the personnel hourly billing rate exceeds the approved maximum fully burdened hourly rate for the job classification. | 12/31/2021 | |

Any findings that have not been corrected 90 days after the due date are reported as late.

**Appendix D**

| OIG Open Audit Recommendations as of March 31, 2022 | | | | | | |
|---|---|---|---|---|---|---|
| **No.** | **Area** | **Audit Number & Title** | **Rec. No.** | **Recommendation** | **Original Completion Date** | **Extended Completion Date** |
| 8 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 9 | SSLE should request a refund of $3,170.52 and any additional overbillings identified from LAPD. | 12/31/2021 | |
| 9 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 10 | SSLE should for future contracts, work with each contractor to include language in their respective contracts that more thoroughly and clearly define how services will be billed and what costs will be allowed and/or disallowed. | Pending | |
| 10 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 11 | SSLE should continue to work on strengthening controls in the area of monitoring and oversight by addressing the deficiencies cited in areas such as Community Policing and Key Performance Indicators. | Pending | |
| 11 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 12 | SSLE should complete and finalize the Compliance Audit Procedures Manual. | 12/31/2021 | |
| 12 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 13 | SSLE should review on a periodic basis the qualifications of a sample of officers from each of the law enforcement agencies to determine that contract requirements are being adhered to. | 10/31/2021 | 3/31/2022 |
| 13 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 14 | SSLE should for required training, consider developing and requiring officers to take refresher courses after working on the contract for two or more years. | 12/31/2021 | |
| 14 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 15 | SSLE should for required reporting, review with input from the law enforcement agencies, the reports and information currently required to determine if changes are necessary. As part of this review determine if different or additional information would be more beneficial. | Pending | |

Any findings that have not been corrected 90 days after the due date are reported as late.

**Appendix D**

| OIG Open Audit Recommendations as of March 31, 2022 | | | | | | |
|---|---|---|---|---|---|---|
| **No.** | **Area** | **Audit Number & Title** | **Rec. No.** | **Recommendation** | **Original Completion Date** | **Extended Completion Date** |
| 15 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 16 | SSLE should with input from the three law enforcement agencies, develop baseline performance levels (targets and goals) for key performance indicators. | 10/31/2021 | 1/31/2022 |
| 16 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 17 | SSLE should develop and update annually a written agency-wide Community Policing Plan. | 10/31/2021 | 1/31/2022 |
| 17 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 20 | SSLE should include in future contracts the requirement of wearing body cameras by all contracted law enforcement personnel when policing the Metro System. | Pending | |
| 18 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 21 | SSLE should establish with the three contracted law enforcement agencies procedures for accessing video footage from body cameras when necessary, including for compliance, auditing, and investigative reasons. | 10/31/2021 | 1/31/2022 |
| 19 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 22 | LAPD should ensure that each personnel's hourly billing rate does not exceed the approved maximum fully burdened hourly rate for that job classification. | 10/31/2021 | 12/31/2021 |
| 20 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 23 | LAPD should develop procedures to help ensure that even during departmental wide mobilizations and/or special deployments that only those officers who meet contract requirements are placed on the Metro contract. | 10/31/2021 | 12/31/2021 |
| 21 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 24 | LAPD should include in the Annual Community Policing Plan a description of the specific training provided to its officers in the area of Problem Oriented Policing. | Pending | |

Any findings that have not been corrected 90 days after the due date are reported as late.

**Appendix D**

| OIG Open Audit Recommendations as of March 31, 2022 | | | | | | |
|---|---|---|---|---|---|---|
| **No.** | **Area** | **Audit Number & Title** | **Rec. No.** | **Recommendation** | **Original Completion Date** | **Extended Completion Date** |
| 22 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 25 | LASD should assign personnel to the Metro contract only after they are Post Certified and have met all contract requirements. | 10/31/2021 | 12/31/2021 |
| 23 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 26 | LASD should include in its annual Community Policing Plan a description of the specific training provided to its officers in the area of Problem Oriented Policing. | 10/31/2021 | 3/31/2022 |
| 24 | Systems Security and Law Enforcement | 22-AUD-02 Audit of Metro Transit Security Services Performance For the Fiscal Year Ended June 30, 2020 | 28 | LBPD should assign only those officers to the contract who have 18 months of law enforcement experience and have met all other contract requirements related to personnel and training. | 10/31/2021 | 3/31/2022 |

Any findings that have not been corrected 90 days after the due date are reported as late.

# External Quality Control Review

of the
Los Angeles County Metropolitan Transportation Authority

Conducted in accordance with guidelines of the
**Association of Local Government Auditors**
for the period July 2018 through June 2021

# Association of Local Government Auditors

February 28, 2022

Shalonda Baldwin, Executive Officer, Administration
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, California, 90012

Dear Ms. Baldwin,

We have completed a peer review of the Los Angeles County Metropolitan Transportation Authority Management Audit Services (MAS) for the period July 1, 2018 to June 30, 2021. In conducting our review, we followed the standards and guidelines contained in the Peer Review Guides published by the Association of Local Government Auditors.

We reviewed the internal quality control system of your audit organization and conducted tests in order to determine if your internal quality control system operated to provide reasonable assurance of conformance with the *International Standards for the Professional Practice of Internal Auditing (the Standards)* issued by the Institute of Internal Auditors, as part of their *Professional Practices Framework* and reasonable assurance of compliance with *Government Auditing Standards* issued by the Comptroller General of the United States, as well as applicable legal and regulatory requirements. Due to variances in individual performance and judgment, conformance does not imply adherence to standards in every case but does imply adherence in most situations.

Based on the results of our review, it is our opinion that during the period July 2018 through June 2021 the MAS internal quality control system was suitably designed and operating effectively to provide reasonable assurance of conformance with *the Standards* for assurance engagements and compliance with *Government Auditing Standards*, resulting in a rating of pass.

We have prepared a separate letter mentioning a few areas where your office excels.

Neha Sharma

Neha Sharma, CIA, CPA, CISA
City of Austin

Theresa Watson, CIA, CGAP
City of Houston

449 Lewis Hargett Circle, Suite 290, Lexington, KY 40503, Phone: (859) 276-0686, Fax: (859) 278-0507
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# Association of Local Government Auditors

February 28, 2022

Shalonda Baldwin, Executive Officer, Administration
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, California, 90012

Dear Ms. Baldwin,

We have completed an ALGA Peer Review of the Los Angeles County Metropolitan Transportation Authority for the period July 2018 through June 2021 and issued our Report thereon dated February 28, 2022. We are issuing this companion letter to offer certain observations stemming from our peer review.

We would like to mention some of the areas in which we believe your office excels.

- **Internal Quality Review Process**
  - Your office conducts a quality assurance, which is performed by a third party. This process provides an opportunity to verify the level of compliance to auditing standards and identify corrective actions necessary to improve operations.
  - Management Audit Services (MAS) has committed resources to quality control. The extensive independent review of each engagement ensures that audit reports are produced with sufficient and appropriate evidence.
- **Staff Qualifications and Development**
  - MAS contain highly qualified professionals holding a variety of certifications
  - MAS is committed to staff development through providing continuous professional training and development.
- **Audit Working Papers**
  - The documentation of work performed in Teammate was thorough and well organized for the engagements reviewed by us.
- **Independence and Objectivity**
  - The office has established a culture and expectation of independence and objectivity within the organization.

We extend our thanks to you and your staff for the cooperation and assistance extended to us during our review.

Sincerely,

*Neha Sharma*

Neha Sharma, CPA, CIA, CISA
City of Austin

Theresa Watson, CIA, CGAP
City of Houston

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# Management Audit Services
# Audit Charter

## I. INTRODUCTION

Los Angeles County Metropolitan Transportation Authority (LACMTA) maintains an active audit function within the administration of LACMTA's Office of the Chief Executive Officer (OCEO), reporting the results of its audit work to LACMTA's Board of Directors. This Audit Charter defines the mission, scope, commitment to quality, authority and accountability, independence, responsibility of LACMTA's Management Audit Services, the OCEO, the Board, as well as LACMTA management.

Management Audit Services assists LACMTA to accomplish its objectives by understanding LACMTA's strategies and by bringing a systematic, disciplined, and risk-based approach to evaluating and recommending improvements to the effectiveness of risk management, internal controls, and governance processes. Management Audit Services also provides support to ensure that third parties receiving funding from LACMTA through contractual arrangements have properly accounted for the use of funds and complied with all applicable requirements.

## II. MISSION

Management Audit Services provides independent, objective audit, attestation, and consulting services designed to add value and improve LACMTA's operations.

## III. SCOPE

The scope of work performed by Management Audit Services includes the examination and evaluation of the adequacy and effectiveness of LACMTA's network of risk management, internal controls, and governance. This includes audits of internal LACMTA operations as well as audits of third parties in a contractual arrangement with LACMTA. The work performed by Management Audit Services is intended to provide support to ensure:

- Risks are appropriately identified and managed;
- Financial, managerial, and operating information is evaluated, accurate, reliable and timely;
- Resources are acquired economically, used efficiently, and adequately protected;
- Program results are consistent with established objectives and goals, and operations or programs are being carried out as planned;
- Evaluation of legislative or regulatory issues impacting LACMTA are recognized, addressed appropriately and interaction with governance groups occurs;

- Employee actions comply with policies, standards, procedures and applicable laws and regulations;
- Consulting services related to governance, risk management and control are appropriate for the organization;
- Opportunities for improving internal controls, streamlining processes, and improving public perception identified during audits are communicated to the appropriate level of management; and
- Interactions and arrangements with third parties, including contractors and recipients of grant funds comply with policies, standards, procedures and applicable laws and regulations.

## IV. COMMITMENT TO QUALITY

Management Audit Services will maintain quality control procedures and a quality assurance and improvement program that covers all aspects of Management Audit Services activity. Management Audit Services will deliver upon the commitment to quality through focused activities such as: ensuring a quality assurance improvement program, facilitating annual internal assessments, and ensuring external assessments are conducted at least every three years. The Chief Audit Executive will provide consistent and timely communications to the CEO, and/or the CEO's Executive Designees, the Board, and LACMTA management.

Management Audit Services adheres to the following professional standards and codes:

- Government Auditing Standards promulgated by the Comptroller General of the United States;
- International Standards for the Professional Practice of Internal Auditing (Standards), Code of Ethics, Core Principles, and Definition of Internal Auditing issued by the Institute of Internal Auditors;
- Information Systems Auditing Standards promulgated by the Information Systems Audit and Control Association;
- Standards promulgated by the American Institute of Certified Public Accountants and their Code of Professional Conduct;
- LACMTA's Employee Code of Conduct and Administrative Code, and
- Management Audit Services' Audit Policy Manual and applicable procedures.

## V. AUTHORITY AND ACCOUNTABILITY

Management Audit Services performs audit engagements and non-audit services for departments, programs, functions, systems, contracts, grant recipients, and

other activities based on the approved annual audit plan, or specific requests that are received from the CEO, and/or the CEO's Executive Designee, the Board, management; or as identified by the Chief Audit Executive.

Management Audit Services, with strict accountability for confidentiality and safeguarding of records and information, has staff sign Confidentiality Statements annually. Documents provided to Management Audit Services will be handled in the same prudent manner as by those employees normally accountable for them. Management Audit Services is authorized to:

- Maintain full, free and unrestricted access to any and all information, functions, operations, systems, properties, personnel and other relevant materials necessary to accomplish its work. All employees are requested to assist fully in making available material or information requested by Management Audit Services or any external auditors contracted to perform on behalf of Management Audit Services.
- Access to contracted third parties will be handled in accordance with contractual terms;
- Maintain full and free access and reporting responsibilities through LACMTA's Finance, Budget and Audit Committee;
- Allocate resources, set frequencies, select subjects, determine scopes of work, and apply the techniques required to accomplish audit objectives; and
- Obtain the necessary assistance of personnel in functions where audit engagements, services or activities are being performed, as well as other specialized services from external consultants.

Management Audit Services in the discharge of duties is accountable to LACMTA's CEO and Board to:

- Provide adequate audit coverage to the areas set forth under the mission and scope of work sections of this Audit Charter;
- Report significant issues related to the processes for managing risk and governance practices of the organization, including potential improvements to those processes, and provide information concerning such issues through resolution;
- Provide periodic information on:
    - the status and results of the annual audit plan;
    - the sufficiency of department resources, including proper reporting;
    - notification to the CEO, and/or CEO's Executive Designee, and the Board when resource constraints prevent the coverage of a risk as identified through the annual agency-wide risk assessment and included in the annual audit plan, or related to a special request;
    - ensuring resources are sufficient and competent through actions such as staff augmentation and outsourcing; and

- Establish a follow-up process to track and monitor the effective implementation of management actions related to findings, recommendations, and/or issues.

## VI. INDEPENDENCE

Management Audit Services is independent of LACMTA's operations and activities. Specifically, Management Audit Services staff may not review areas in which staff was responsible for the design or operation of the area. Auditors are responsible for maintaining independence and integrity in all services provided.

All Management Audit Services activities shall remain free from interference relative to matters of audit selection, scope, procedures, frequency, timing, or report content to maintain independence and objectivity. The Chief Audit Executive shall report any impairment to independence; or restriction or limitation to audit selection, scope, procedures, frequency, timing; or report content promptly to the OCEO and the Board.

As a means of ensuring independence, the Chief Audit Executive will report administratively to the OCEO and maintain a functional reporting relationship to the Board. This structure permits the rendering of impartial and unbiased judgment essential to the proper conduct of audits.

Management Audit Services is not authorized to perform any operational duties for LACMTA, which shall include:

- Implementing internal controls;
- Developing policies or procedures on behalf of management;
- Installing systems;
- Preparing records that are the responsibility of management; and
- Engaging in any other activity that may impair internal auditor's objectivity and/or independence of judgment.

## VII. RESPONSIBILITIES

### A. Management Audit Services is responsible for:

- Developing and executing a flexible risk-based annual audit plan which considers LACMTA's objectives and strategies, including any risks or internal control concerns identified by management; and submitting that plan to the OCEO and the Board for review and approval;
- Preparing or updating the agency-wide risk assessment annually and incorporating the results into the annual audit plan;

- Implementing the annual audit plan, as approved, including as appropriate, any special tasks or projects requested by the CEO, and/or CEO's Executive Designee, the Board, and management;
- Reporting significant audit findings to the CEO, and/or CEO's Executive Designee, the Board, including management;
- Providing management with adequate time to respond to audit findings and including management's response in the final reports;
- Presenting quarterly reports to the OCEO and the Board that summarize the results of audit activities, highlight Audit Plan progress, describe any adjustments made to the Audit Plan, and recommended changes to the Audit Plan based on new information or special requests;
- Keeping the OCEO and LACMTA's Finance, Budget and Audit Committee informed of emerging risks and issues and recommending audits to provide relevant, timely information about these areas to support oversight and decision making;
- Maintaining a professional audit staff with sufficient knowledge, competencies, skills, experience, and professional certifications to meet the requirements of this Audit Charter;
- Conducting objective and constructive audits, attestations, and consulting services;
- Consulting services, which are advisory in nature, can be provided as long as the services do not impair Management Audit Services' independence and fall within the scope outlined in the Audit Charter;
- Exercising due professional care in all of our work products;
- Acting in a professional manner at all times;
- Coordinating external audits of LACMTA;
- Considering external auditors and regulators' scopes of work, as appropriate, for the purpose of providing optimal audit coverage at a reasonable overall cost;
- Referring suspected fraud, waste, or abuse promptly to the Office of the Inspector General; and
- Establish a quality control and assurance improvement program.

**B.** Management is responsible for:

- Maintaining an effective system of internal controls, documenting policies and procedures, and ensuring information is accurate and reliable;
- Complying with policies and procedures;
- Cooperating fully with auditors during the discharge of their duties including replying promptly to Management Audit Services requests and recommendations; making themselves available for meetings and discussions related to audit matters; and

- Providing a response to audit findings and recommendations and assuring timely implementation of agreed upon corrective action(s) to audit recommendations.

## **C.** The OCEO is responsible for:

- Overseeing the daily administrative work:
  - Timekeeping and time approval;
  - Leave requests of the CAE – reviewing, approving;
  - Training requests;
  - Internal budget management and processing;
  - Internal office procedures (office space, furnishings, overhead issues like utilities, building management, information technology, employee on-boarding);
  - Personnel issues;
  - Any other office issues not related to the content or distribution of an audit report.
  - Approving the Audit Charter;
  - Approving a risk-based audit plan;
  - Approving the Management Audit Services budget and resource plan;
  - Receiving timely communications from the Chief Audit Executive summarizing results of audit activities; and
  - Making appropriate inquiries of management and the Chief Audit Executive to determine if there are any inappropriate scope or resource limitations.

## **D.** The Board is responsible for:

- Establishing, maintaining, and assuring that Management Audit Services has sufficient authority to fulfill its duties by
  - Approving the Audit Charter;
  - Approving a risk-based audit plan;
  - Approving the Management Audit Services budget and resource plan;
  - Receiving timely communications from the Chief Audit Executive summarizing results of audit activities; and
  - Making appropriate inquiries of management and the Chief Audit Executive to determine if there are any inappropriate scope or resource limitations.

The Audit Charter may be modified by a written document executed by all of the participating parties. This Audit Charter will be effective upon execution and will continue indefinitely until it is modified.

IN WITNESS WHEREOF, the parties hereto have caused this Audit Charter to be executed by their proper officers thereunto duly authorized, and their official seals to be affixed as of May __, 2022.

Los Angeles County Metropolitan Transportation Authority

Board of Directors

By: _____
Stephanie N. Wiggins
Chief Executive Officer

By: _____
Board Clerk

# Management Audit Services
# Audit Charter

## I. INTRODUCTION

Los Angeles County Metropolitan Transportation Authority (LACMTA) maintains an active audit function under the administration~~direction~~ of LACMTA's Office of the Chief Executive Officer (OCEO), reporting the results of its audit work to LACMTA's Board of Directors. ~~with responsibility to report its activities to the Chief Executive Officer (CEO), and/or the CEO's Executive Designee; and LACMTA's Board of Directors (Board).~~ This Audit Charter defines the mission, scope, commitment to quality, authority and accountability, independence, responsibility of LACMTA's Management Audit Services, the OCEO, ~~including~~ the Board, as well as LACMTA management. Management Audit Services assists LACMTA to accomplish its objectives by understanding LACMTA's strategies and by bringing a systematic, disciplined, and risk-based approach to evaluating and recommending improvements to the effectiveness of risk management, internal controls, and governance processes. Management Audit Services also provides support to ensure that third parties receiving funding from LACMTA through contractual arrangements have properly accounted for the use of funds and complied with all applicable requirements.

**Commented [S1]:** Use of the term 'under the direction of' implies a relationship where the OCEO **directs** the activities of the audit function which we understand is not the case in practice. Suggest changing 'under the direction of' to 'within the'

**Commented [DK2]:** Recommend considering language like "report the results of its work to the Board". Can certainly add CEO, Executive Designee, and others – but clearly and initially saying "we report audits to the Board" is a good practice.

**Commented [DK3]:** Consider possible noted changes to clarify administrative vs functional roles (see supporting document.

**Commented [S4]:** Make consistent the use of Board and LACMTA Finance, Budget, and Audit Committee. Throughout the charter – they seem to be used interchangeably. In making this reference consistent, also clarify to where the reporting relationship is. Is it to the Board, or the Board's Finance, Budget, and Audit Committee

**Commented [DK5]:** All of this is trying to illustrate that MAS resides within OCEO and is in OCEO's administrative portfolio, while reporting the results of its audit work to the Board.

**Commented [DK6]:** This seems to blend OCEO and the Board – if the intent is to clarify the functional vs administrative roles, suggest this grammatical change to separate OCEO and the Board.

## II. MISSION

Management Audit Services provides independent, objective audit, attestation, and consulting services designed to add value and improve LACMTA's operations.

## III. SCOPE

The scope of work performed by Management Audit Services includes the examination and evaluation of the adequacy and effectiveness of the LACMTA's network of risk management, internal controls, and governance. This includes audits of internal LACMTA operations as well as audits of third parties in a contractual arrangement with LACMTA. The work performed by Management Audit Services is intended to provide support to ensure:

- Risks are appropriately identified and managed;
- Financial, managerial, and operating information is evaluated, accurate, reliable and timely;
- Resources are acquired economically, used efficiently, and adequately protected;
- Program results are consistent with established objectives and goals, and operations or programs are being carried out as planned;
- Evaluation of legislative or regulatory issues impacting LACMTA are recognized, addressed appropriately and interaction with governance groups occurs;

- Employee actions comply with policies, standards, procedures and applicable laws and regulations;
- Consulting services related to governance, risk management and control are appropriate for the organization;
- Opportunities for improving internal controls, streamlining processes, and improving public perception identified during audits are communicated to the appropriate level of management; and
- Interactions and arrangements with third parties, including contractors and recipients of grant funds comply with policies, standards, procedures and applicable laws and regulations.

## IV. COMMITMENT TO QUALITY

Management Audit Services will maintain quality control procedures and a quality assurance and improvement program that covers all aspects of Management Audit Services activity. Management Audit Services will deliver upon the commitment to quality through focused activities such as: ensuring a quality assurance improvement program, facilitating annual internal assessments, and ensuring external assessments conducted at least every three years. The Chief Audit Executive will provide consistent and timely communications to the CEO, and/or the CEO's Executive Designees, the Board, and LACMTA management.

Management Audit Services adheres to the following professional standards and codes:

- Government Auditing Standards promulgated by the Comptroller General of the United States;
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- Information Systems Auditing Standards promulgated by the Information Systems Audit and Control Association;
- Standards promulgated by the American Institute of Certified Public Accountants and their Code of Professional Conduct;
- LACMTA's Employee Code of Conduct and Administrative Code, and
- Management Audit Services' Audit Policy Manual and applicable procedures.

## V. AUTHORITY AND ACCOUNTABILITY

Management Audit Services performs audit engagements ~~and services~~ for departments, programs, functions, systems, contracts, grant recipients, and other

**Commented [DK7]:** This is a suggestion to clarify that MAS is not performing "non-audit services" – work that is outside of standards. Could also say "MAS performs work for departments, programs. . .".

activities based on the approved annual audit plan, or specific requests that are received from the CEO, and/or the CEO's Executive Designee, the Board, including management; or as identified by the Chief Audit Executive.

**Commented [DK8]:** Another clarifying option is just to say "Management Audit Services performs engagements based on the approved annual audit plan, or specific requests. . . "

Management Audit Services with strict accountability for confidentiality and safeguarding of records and information is authorized to:

- Maintain full, free and unrestricted access to any and all information, functions, operations, systems, properties, personnel and other relevant materials necessary to accomplish its work. All employees are requested to assist fully in making available material or information requested by Management Audit Services or any external auditors contracted to perform on behalf of Management Audit Services. Access to contracted third parties will be handled in accordance with contractual terms. Management Audit Services staff signs Confidentiality Statements annually. Documents provided to Management Audit Services will be handled in the same prudent manner as by those employees normally accountable for them;
- Maintain full and free access and reporting responsibilities through LACMTA's Finance, Budget and Audit Committee;
- Allocate resources, set frequencies, select subjects, determine scopes of work, and apply the techniques required to accomplish audit objectives; and
- Obtain the necessary assistance of personnel in functions where audit engagements, services or activities are being performed, as well as other specialized services from external consultants.

Management Audit Services in the discharge of duties is accountable to LACMTA's CEO and Board to:

- Provide adequate audit coverage to the areas set forth under the mission and scope of work sections of this Audit Charter.
- Report significant issues related to the processes for managing risk and governance practices ~~controlling the activities~~ of the organization, including potential improvements to those processes, and provide information concerning such issues through resolution. ~~This includes risk management and governance practices.~~
- Provide periodic information on the status and results of the annual audit plan and the sufficiency of department resources, including ~~-~~proper reporting and notification to the CEO, and/or CEO's Executive Designee, and the Board when resource constraints prevent the coverage of a risk as identified through the annual agency-wide risk assessment and included in the annual audit plan, or related to a special request, and e~~ This includes e~~nsuring ~~the~~ resources are sufficient and competent through actions such as staff augmentation and outsourcing. ~~The Chief Audit Executive will ensure proper reporting and notification to the CEO, and/or CEO's Executive Designee, and the Board when~~

**Commented [S9]:** This bullet point seems to be trying to do multiple things. Suggest it be split into two separate points

~~resource constraints prevent the coverage of a risk as identified through the annual agency wide risk assessment and included in the annual audit plan; or related to a special request.~~

- Establish a follow-up process to track and monitor the effective implementation of management actions related to findings, recommendations, and/or issues.

## VI. INDEPENDENCE

Management Audit Services is independent of LACMTA's operations and ~~the~~ activities ~~it reviews~~. Specifically, Management Audit Services staff may not review areas in which staff was responsible for the design or operation of the area. Auditors are responsible for maintaining independence and integrity in all services provided.

All Management Audit Services activities shall remain free from interference relative to matters of audit selection, scope, procedures, frequency, timing, or report content to maintain independence and objectivity. The Chief Audit Executive shall report any impairment to independence; or ~~unjustified~~ restriction or limitation to audit selection, scope, procedures, frequency, timing; or report content promptly to the OCEO and the Board~~, as appropriate~~.

As a means of ensuring independence, the Chief Audit Executive~~Management Audit Services~~ will report administratively to the OCEO and maintain a functional reporting relationship to the Board. This structure permits the rendering of impartial and unbiased judgment essential to the proper conduct of audits.

Management Audit Services is not authorized to perform any operational duties for LACMTA, which shall include:

- Implementing internal controls;
- Developing policies or procedures on behalf of management;
- Installing systems;
- Preparing records that are the responsibility of management; and
- Engaging in any other activity that may impair internal auditor's judgment.

## VII. RESPONSIBILITIES

### A. Management Audit Services is responsible for:

- Developing and executing a flexible risk-based annual audit plan which considers LACMTA's objectives and strategies, including any risks or internal

**Commented [DK10]:** This suggestion is intended to clarify the "managers manage, but auditors audit" theme – that LACMTA operates, and MAS audits LACMTA's work.

**Commented [DK11]:** We suggest that any of the listed restrictions/limitations would be unjustified – suggest deleting the word "unjustified" so MAS would report all independence impairments to the OCEO and the Board.

**Commented [DK12]:** The impairments listed here would be extremely serious – suggest removing "as appropriate" since any concerns at these levels should be reported.

**Commented [S13]:** This wording change from current audit charter improves organizational independence, We suggest changing MAS to CAE as CAE is referred to in the IIA standards.

To illustrate how these relationships will work in practice, suggest developing separate sections for each in section VII Responsibilities rather than grouping them together.

control concerns identified by management; and submitting that plan to the OCEO and the Board for review and approval;

- Preparing or updating the agency-wide risk assessment annually and incorporating the results into the annual audit plan;
- Implementing the annual audit plan, as approved, including as appropriate, any special tasks or projects requested by the CEO, and/or CEO's Executive Designee, the Board, ~~including~~ and management;
- Reporting significant audit findings to the CEO, and/or CEO's Executive Designee, the Board, including management;
- Providing management with adequate time to respond to audit findings and including management's response in the final reports;
- Presenting quarterly reports to the OCEO and the Board that summarize the results of audit activities, highlight Audit Plan progress, describe any adjustments made to the Audit Plan, and recommended changes to the Audit Plan based on new information or special requests;
- Keeping the OCEO and LACMTA's Finance, Budget and Audit Committee informed of emerging risks and issues and recommending audits to provide relevant, timely information about these areas to support oversight and decision making;
- Maintaining a professional audit staff with sufficient knowledge, competencies, skills, experience, and professional certifications to meet the requirements of this Audit Charter;
- Conducting objective and constructive ~~performance~~ audits, attestations, and consulting services, ~~other non-audit engagements, which include performance and attestation audits~~;
- Consulting services, which are advisory in nature, can be provided as long as the services do not impair Management Audit Services' independence and fall within the scope outlined in the Audit Charter;
- Exercising due professional care in all of our work products;
- Acting in a professional manner at all times;
- Coordinating external audits of LACMTA;
- Considering external auditors and regulators' scopes of work, as appropriate, for the purpose of providing optimal audit coverage at a reasonable overall cost;
- Referring suspected fraud, waste, or abuse promptly to the Office of the Inspector General; and
- Establish a quality control and assurance improvement program.

**Commented [S14]:** Suggest revising to make consistent with language in mission statement

**B.** Management is responsible for:

- Maintaining an effective system of internal controls, documenting policies and procedures, and ensuring information is accurate and reliable;
- Complying with policies and procedures;

- Cooperating fully with auditors during the discharge of their duties including replying promptly to Management Audit Services requests and recommendations; making themselves available for meetings and discussions related to audit matter, and
- Providing a response to audit findings and recommendations and assuring timely implementation of agreed upon corrective action(s) to audit recommendations.

**C.** The OCEO and Board are responsible for:

- Establishing, maintaining, and assuring that Management Audit Services has sufficient authority to fulfill its duties by:
  - Approving the Audit Charter;
  - Approving a risk-based audit plan;
  - Approving the Management Audit Services budget and resource plan;
  - Receiving timely communications from the Chief Audit Executive summarizing results of audit activities; and
  - Making appropriate inquiries of management and the Chief Audit Executive to determine if there are any inappropriate scope or resource limitations.

The Audit Charter may be modified by a written document executed by all of the participating parties. This Audit Charter will be effective upon execution and will continue indefinitely until it is modified.

**Commented [S15]:**
In order to more fully demonstrate the differences between an administrative relationship with the OCEO and a functional relationship with the Board, suggest separating these into two sections:

-The OCEO is responsible for:
-The Board is responsible for:
-

The items currently listed here are some of those included in the Interpretation of 1110 – Organizational Independence in the Red Book which are specifically related to demonstrating a functional relationship to the Board. To assign them to both the OCEO and the Board confuses rather than clarifies the relationships with both.

Suggest developing an OCEO is responsible for section which defines what the administrative relationship looks like. If approval of items is part of that that's OK, as long as final approval is given to the Board

In Board is responsible for section, add as many items in the 1110 interpretation section as possible.

**Commented [DK16R15]:** Added some potential administrative functions to the memo for consideration in "The OCEO is responsible for" section if one is added – basically, OCEO would oversee the daily administrative work, while the Board would have the functions now listed above.

**Commented [DK17]:** See accompanying memo for suggested lists of both administrative and functional duties. Not critical to add the full lists to the Charter itself but see if these lists comport with your general intent/understanding of these roles.

# Management Audit Services
# Audit Charter

IN WITNESS WHEREOF, the parties hereto have caused this Audit Charter to be executed by their proper officers thereunto duly authorized, and their official seals to be affixed as of ~~October 2021~~May 2022.

Los Angeles County Metropolitan Transportation Authority

Board of Directors

By: _____
Stephanie N. Wiggins
Chief Executive Officer

By: _____
Board Clerk

Management Audit Services

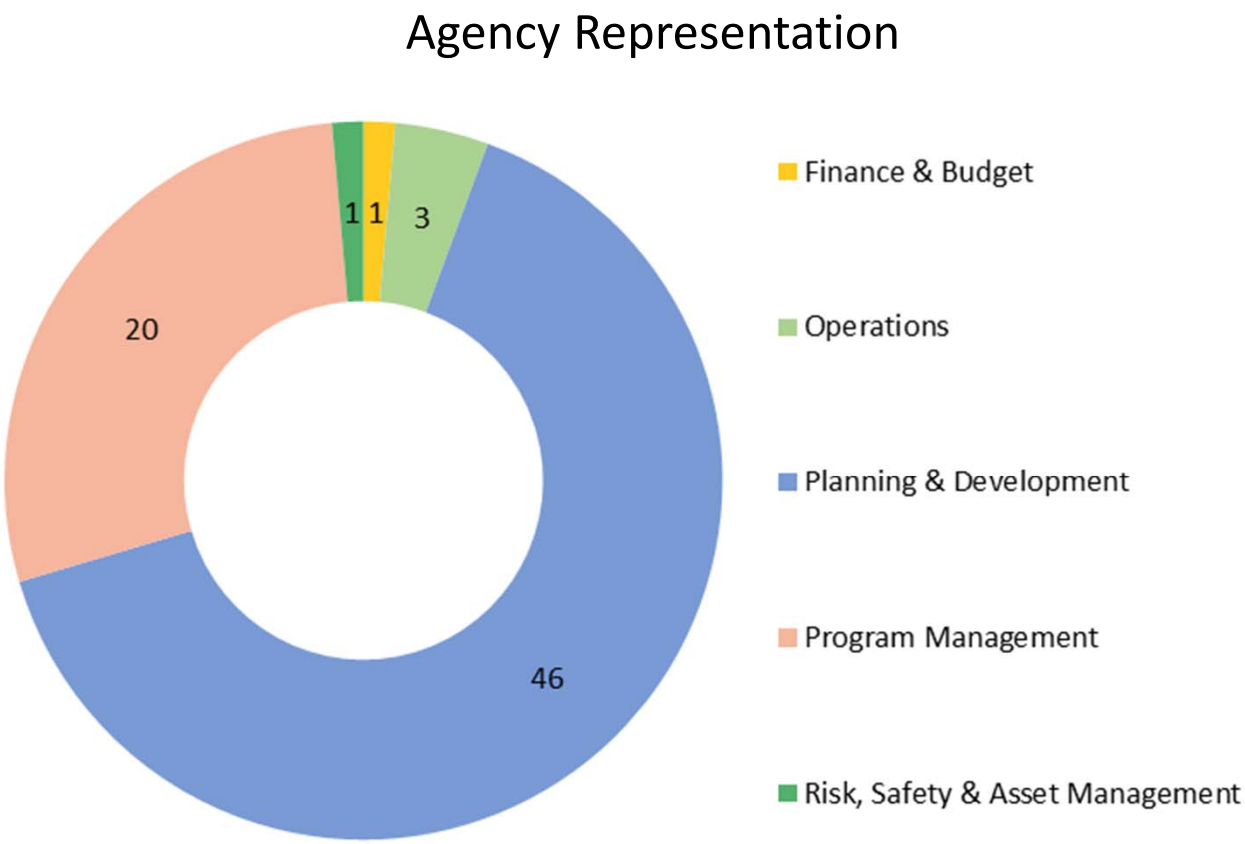
# FY 2022 Third Quarter Report

Finance, Budget & Audit Committee
May 18, 2022

Metro

MANAGEMENT
AUDIT SERVICES

# In Progress: MAS Audit Activity




- 3 Performance Audits
- 68 Contract, Financial and Compliance Audits

# In Progress: Performance Audits

| | Audit Title | Description | Estimated Completion<br>FY22 Q4<br>Apr - Jun |
|---|---|---|---|
| 1 | Micro Mobility Vehicles Program | Assess the progress made in achieving program goals and objectives, including assessing the consideration given to the Metro rapid equity assessment tool. | |
| 2 | Transit Asset Inventory Records | Evaluate the adequacy of the records for this area, with a focus on accuracy, completeness and proper controls over asset records. | |
| 3 | Real Estate Management System | Determine if prior audit findings and recommendations have been considered as part of the upcoming implementation of the new Real Estate Management System. | |

# Completed: Metro-Owned Renewable Identification Numbers (RINS)

## Objective

Verify that Metro's Environmental Protection Agency (EPA) reporting of RINs for renewable energy credits are complete and accurate.

## Audit Results

Talson Solutions, LLC found that one finding that required corrective action related to the RINS activity reports.

## Findings / Recommendation Themes

### Finding 1: RINS Activity Reports

- File quarterly activity reports
- Retire the expired RINs in the EMTS system

# Completed: Business Interruption Fund (BIF) Pilot Program

## Objective

Determine Pacific Coast Regional Small Business Development Corporation's (PCR) compliance with the Los Angeles County Metropolitan Transportation Authority's (Metro) Business Interruption Fund (BIF) Administrative Guidelines and Fund Disbursement Procedures.

## Audit Results

BCA Watson Rice found that PCR complied, in all material respects, with Metro's BIF Administrative Guidelines and Fund Disbursement Procedures as listed in the notes to the BIF Pilot Program.

# Completed: Performance Audit Of Information Security Awareness

## Objective

Identify potential improvement opportunities relating to user information security awareness with a focus on Information Security training oversight, efforts and practices, and system user departments' efforts and practices.

## Audit Results

MAS found that Information Technology Services (ITS) continuously provides staff with policies, standards, training, and agencywide emails to support user information security awareness.

## Findings / Recommendation Themes

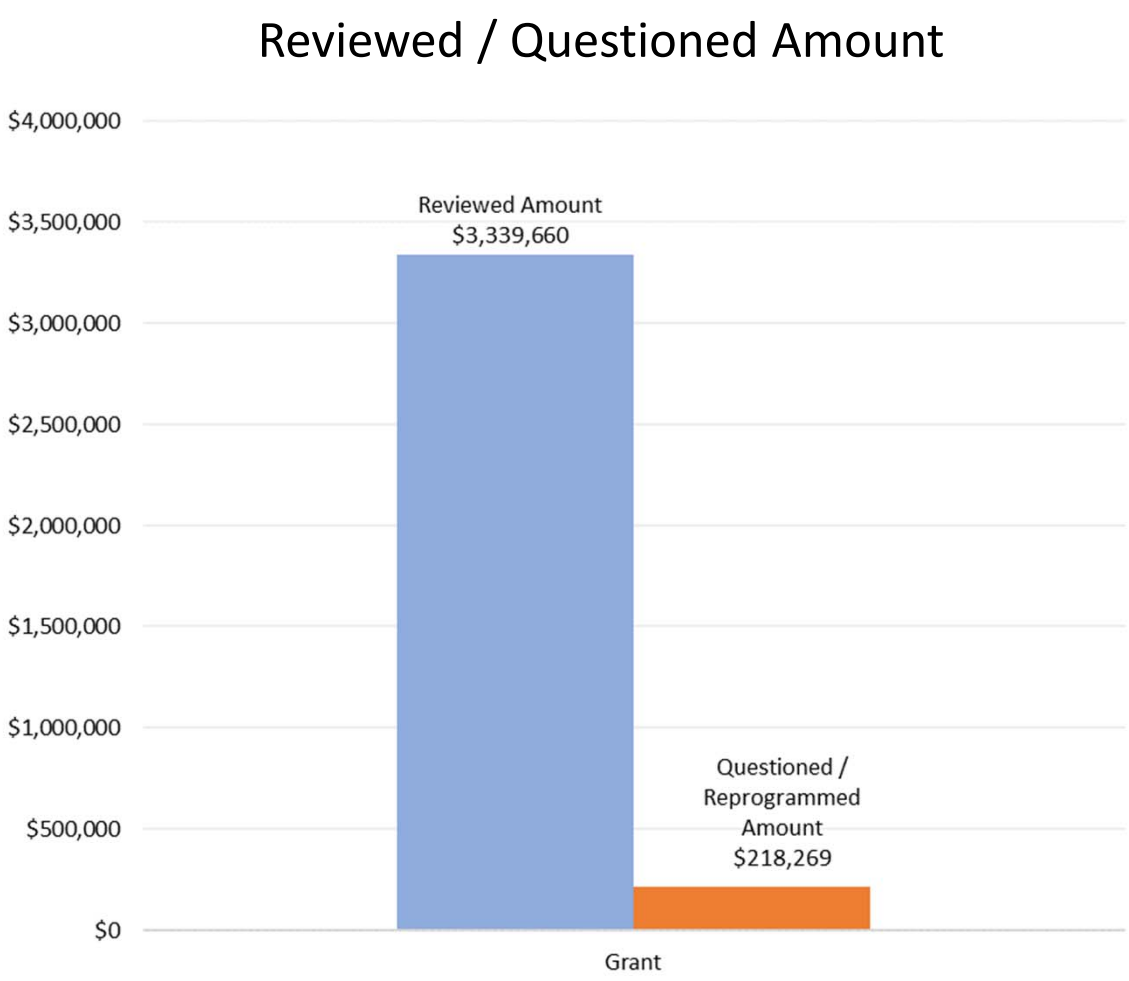
### Finding 1: Strengthen oversight and monitoring over information security training

- Specify reminder notification requirements (e.g., due date, frequency).
- Determine training needs to cover necessary policy requirements and incorporate any near-term policy updates related to information security.
- System users acknowledgement of having received IT policies/standards and/or completion of training(s).
- Define, document, and communicate roles and responsibilities related to oversight of mandatory/required trainings.
- Establish timeframe target for resolving technical issues and enabling automated notification feature.

### Finding 2: System user awareness training program exclusions

- Establish a formal guideline that guides decisions on training method and who should receive training
- Establish minimum requirement and/or expectation for consultants and support the training needs as necessary.
- Document the roles and responsibilities of Talent Development, and sponsoring departments when required training is developed.

# Completed: Contract, Financial & Compliance Audits




- Delivered financial audits that reviewed $3.3 million of funding; and identified $218 thousand (7%) for reprogramming

# Management Audit Services Audit Charter

- Formal document that defines MAS' purpose, authority, independence, and responsibility
- Standards require that MAS periodically review and obtain Board of Directors approval
    - Last approved in October 2018
- Revised based on MAS' review and independent Internal Quality Self-Assessment (IQSA) recommendations
    - Board approval May 2022

# Next Steps

- Present FY 23 annual audit plan to executive leadership and the Board of Directors
- Report on Consolidated Audit Reports (FY 21)
- Ensure ongoing implementation of performance and financial audits and reporting

Thank you

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Los Angeles, CA

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# Board Report

**File #:** 2021-0814, **File Type:** Contract **Agenda Number:**

**OPERATIONS, SAFETY AND CUSTOMER EXPERIENCE COMMITTEE**
**MAY 19, 2022**

**SUBJECT: PS51220, ZEBGO PARTNERS, JOINT VENTURE, ZERO EMISSIONS PROGRAM MASTER PLAN**

**ACTION: APPROVE RECOMMENDATIONS**

## RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

A. EXECUTE Modification No. 8 with ZEBGO Partners, JV, to continue technical consultant services for the Zero Emission Bus (ZEB) Program Master Plan and as needed tasks for ZE implementation support at the cost-plus fixed fee price of $3,500,624, increasing the Contract value from $7,139,376 to $10,640,000 thus allowing for an 18 month period of performance extension from June 30, 2022 to January 1, 2024; and

B. INCREASE Contract Modification Authority by $350,062 for a total of $3,850,687 to facilitate the as needed tasks for ZE implementation support under Modification No. 8.

## ISSUE

Staff forecasts the completion of Phase 1 efforts within the current Not-To-Exceed (NTE) authorization and current period of performance expiring on June 30, 2022. Staff seeks to advance to Phase 2 of technical support by extension of the performance period and increasing modification authority to meet the 2030 Zero Emission goal set by the Board.

## BACKGROUND

In July 2017, the Board approved Motion #50 (Attachment A) by Directors Bonin, Garcetti, Najarian, Hahn, and Solis (with friendly amendments) to establish a working group and develop strategies for a master plan detailing the steps and costs associated with converting the Metro bus fleet to Zero Emission by 2030. The motion resulted in the contract authorization to award to ZEBGO a cost-plus/fixed fee contract to provide technical consulting support services to meet the 2030 motion. ZEBGO's focus has been primarily to assist Metro with Phase 1 of the conversion to ZEB; specifically, development of the 1st iteration of the Master Plan and support the conversion of the G & J lines ZEB service.

ZEBGO provides technical consultant services with efforts that include the ZEB Roll Out Plan development/updates, ZEB Master Plan refinement, implementation support for transition to a ZEB

fleet, technical consulting and advisory support for Charging Infrastructure installations. This includes as needed tasks such as the development of technical specifications and contract documents for bus and infrastructure projects, design support for 100% design for Metro divisions, charge management modeling, designs for equipment placement, new technology evaluation support and project development for the Industrial Park to facilitate transit project delivery and promote innovation.

Status of ZEB Conversion

In March 2021, staff presented a board report recommending approval of the ZEB Rollout Plan, a CARB requirement. The plan included parameters to convert the entire Metro fleet to BEBs by the 2030 target. This includes the conversion of Metro bus divisions, installing en-route chargers, and procurement of nearly 2,000 BEBs for an estimated $3.5 billion dollars. Following Board approval, the report was provided to California Air Resources Board (CARB).

To date, Metro has awarded three ZEB contracts for battery electric bus (BEB) acquisitions and electrification of the G (Orange) and J (Silver) BRT lines; one with New Flyer for forty 60' BEB's operating on the G Line; and two with BYD for five 60' BEB's for the G Line and one hundred 40' BEB's planned for the J Line and local service. Upon completing these bus acquisitions, one hundred forty-five (145) BEB's will be incorporatedinto the fleet.

ZEB service started on the G Line in July 2020, with full battery electric operations by early 2021. On October 13, 2021, Metro held a press conference to announce the successful conversion of the G Line from CNG to 100% Zero Emissions operations. Staff is targeting J Line electrified service by the end of 2022 to early 2023.

In May 2021, the Board authorized the CEO to contract with Southern California Edison (SCE) for a 10MWh substation installation at Division 9 in El Monte. In June 2021, the Board approved a $50M Life of Project budget to electrify the J Line as soon as possible. Additionally, authorization was granted to purchase BYD charging equipment for Division 9. Lastly, staff was authorized to start FY22 midyear recruitment for an additional five (5) newly created positions to support J line charging infrastructure installations.

## DISCUSSION

The ZEBGO contract was originally awarded on September 27, 2018, with a NTE value of $7,139,376 and a period of performance expiring on June 30, 2022. This recommendation seeks authorization for additional contract authority and an 18-month period of performance extension for the contract. At the time of award, Metro was tasked to develop a Master Plan to accelerate ZEB conversion to meet a 2030 target completion, well in advance of the CARB Innovative Clean Transit (ICT) rule requiring 100% ZEB fleet conversion by 2040.

The ZEB rollout plan was created during the NextGen Bus Plan development that changed the deployment of the bus fleet. Within this window, multiple COVID-19 related challenges arose, including the March 2020 Stay-at-Home declaration, severe financial constraints, and COVID related staff absenteeism. After nearly 2 years, some of these challenges remain and continue to impact the

ZEB program.

Despite these challenges, ZEBGO produced the Rollout plan, supported evolving ZEB Program infrastructure development, and continued various project specific tasks to meet the ZEB conversion target by 2030. They successfully supported the achievement of G Line electrification and are currently working to support J line electrification. With remaining contract funding limits and task orders in place, ZEBGO will complete the Master Plan Phase I task orders within the approved period of performance and contract authority limits. These tasks include:

- Industry Outreach
- Metro Ops Inventory
- Assessment of Best Industry Practices
- Support Negotiations with Utilities
- Facilitate Conceptual Design Support

With recommended contract modification approval, ZEBGO can continue to support Metro into the next phase of the rollout plan without risk to project momentum. The foremost priority includes updating the Zero Emission Master Plan based on post COVID travel patterns, current Next-Gen service levels, reassessing division facility conversions to address service needs and refining cost / schedule strategies for optimal Battery Electric Bus (BEB) conversion/deployments with an eye towards leadership in regional standardization and inter-operability within the 2030 target.

In the June 2021 Board meeting, staff presented a $3.5 billion dollar cost estimate for 2030 conversion. BEB technology is evolving rapidly such that there may be price points Metro may consider in its procurement strategies to reduce the estimated costs. This next phase will include a strategic conversion analysis of Metro's bus divisions that matches evolving bus technologies and charging advancements coupled with NextGen service scheduling parameters. Based on the most current BEB procurement costs, it is apparent that Battery Electric Bus technology carries a cost premium to build an electric motor power train over the traditional CNG engine. Additionally, charging infrastructure and equipment are a new need to support electrification and thus carries a similar premiums for new installations. Ultimately economies of scale for materials and productions have not yet been achieved with these newer products. ZEBGO's consultant expertise may be used to selectively reduce the price premiums of bleeding edge adoptions while bringing zero emissions to the region by 2030.

## DETERMINATION OF SAFETY IMPACT

The approval of this Contract will have no negative impact to system safety.

## FINANCIAL IMPACT

Upon recommendation approval, the total not-to-exceed contract amount will be $10,640,000. Staff will fund ongoing work for this contract using approved FY22 and future FY project budgets. There will be no impact to the Vehicle Engineering and Acquisitions Program level budget. Staff will rebalance approved budget limits in the current and future FY to ensure contract tasks progress within approved financial limits. Since this is a multi-year contract, the cost center manager will be

accountable for budgeting the balance of funds in future fiscal years.

Impact to Budget

The current source of funds for these actions are Measure R Admin and task orders funded by capital projects with authorized LOPs. Since the project tasks are funded with existing LOP budgets and annual study project funds, the funding sources will vary according to established funding plans for the respective projects. No task order(s) shall be issued, which increases a capital project LOP. Staff will reassess funding sources and apply other applicable fund sources as they become available to the respective projects.

## EQUITY PLATFORM

The near-term efforts planned for consultant services focus on electrification of the J Line.

The J Line provides bus services to Equity Focused Communities (EFC's) from El Monte Station to Downtown Los Angeles to Harbor Gateway Transit Center. The J Line runs through the 10 and 110 Freeways along a dedicated BRT lane and serves the following ridership (Fall 2019 Silver Line Rider Survey):

- 48% below $25K household income (42.5% below poverty line)
- 68.3% had no car available
- 74% use transit 5+ days a week
- Rider Ethnicity: Latino 58.3%; Black 15.2; White 10.6%; Asian/Pacific Islander 9.8%; Other 6.1%

It is recognized that BEBs provide improved air quality and quieter services compared to current Renewable Natural Gas (RNG) bus fleet. Accordingly, BEBs stand to improve air quality, reduce noise pollution, and improve overall health and quality of life aspects for affected J Line EFCs. However, RNG compared to BEB ranges are not at the point where 1 for 1 service replacement can be provided without increasing risks to the quality of service. Staff will provide options for further electrified J Line services as BEB range performance is improved and/or additional charging infrastructure installations are completed.

The ZEBGO contract is required to meet a DBE goal of 17.26%. As of Feb 2022, the contract has exceeded its DBE goal by achieving a 20.17% cumulative to date DBE participation level.

## IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation supports strategic plan goals:
#2 Deliver Outstanding trip experiences for all users of the Transportation System
#4 Transform LA County through regional collaboration and national leadership

Conversion of our bus fleet to BEB provides an outstanding trip experience for the bus system patrons. The BEB fleet will include modern amenities such as wifi and USB charge ports. As stated earlier, BEBs provide improved air quality and quieter services compared to the CNG/RNG bus fleets. Accordingly, BEBs stand to improve air quality, reduce noise pollution, and improve overall

health and quality of life aspects for affected communities where BEB services will be rolled out.

This recommendation supports the Board motion for Zero Emissions by 2030, accelerating the conversion of the CNG/RNG Bus fleet to Clean Battery Electric Fleet by 10 Years. Approval of this recommendation keeps LA Metro in the leadership position to guide the conversion of mega bus fleets to electrification. LA Metro is the largest agency in the West Coast converting to BEB services to this scale.

## ALTERNATIVES CONSIDERED

Staff considered preparing a new procurement for continuing ZEB technical consultant services. This alternative is not recommended due to the extended delays impacts to the ZEB program as we work toward a 2030 target. All current and future projects continue towards accelerated ZEB delivery. Recruitment for consultant staff and associated learning curves for consultants will delay the Program.

Metro could rely exclusively on internal staff to perform the work. This alternative is not recommended as it would not be cost effective to maintain this level of expertise in-house on a full-time basis. Additionally, it would take staff away from the core operation functions and be more costly than contracting them on a task order basis.

The Board of Directors may choose not to authorize the Contract recommendations for these projects; however, this alternative is not recommended by staff, as the projects are critical to support the planning necessary for conversion to Zero Emission operation by 2030 and Industrial Park. Without the additional contract support the timely delivery of the plans would be at risk. Approval of the recommendations are more favorable over a new solicitation as it is the most expeditious approach to achieving the above enumerated benefits for Equity Focused Communities

## NEXT STEPS

Upon Board approval, staff will execute the contract recommendations and issue task orders to ZEBGO.

## ATTACHMENTS

Attachment A - Board Motion 50
Attachment B - Procurement Summary
Attachment C - Contract Modification/Change Order Log
Attachment D - DEOD Summary

Prepared by: Quintin Sumabat, Deputy Executive Officer, Vehicle Engineering & Acquisition (213) 922-4922
Jesus Montes, Sr. Executive Officer, Vehicle Engineering & Acquisition (213) 418-3277

Reviewed by: Conan Cheung, Chief Operations Officer, Mobility Services & Development

(213) 418-3034
Debra Avila, Deputy Chief Vendor/Contract Manager Officer, (213) 418-3051

Stephanie N. Wiggins
Chief Executive Officer

Los Angeles County
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Metro

# Board Report

**File #:** 2017-0524, **File Type:** Motion / Motion Response **Agenda Number:** 50

**REVISED**
**REGULAR BOARD MEETING**
**JULY 27, 2017**

**Motion by:**

**DIRECTORS BONIN, GARCETTI, NAJARIAN, HAHN and SOLIS**
**AS AMENDED BY SOLIS, KUEHL and BARGER**

**FRIENDLY AMENDMENT BY FASANA**

July 27, 2017

## Strategic Plan for Metro's Transition to Zero Emission Buses

LA Metro has developed a comprehensive plan to deliver a complete transition to zero emission electric buses by 2030. The transition plan is contingent on two primary factors: continuous advancements in electric bus technology (which must increase range, reduce bus weights, reduce charging times, extend battery life cycles), as well as a drop in prices as the technology develops.

As electric bus technology continues to advance, our electric grid is becoming cleaner by gradually eliminating coal from our energy portfolio and replacing it with renewable sources. A full transition to electric buses coupled with renewable energy sources promises mobility with significantly lower environmental impacts from this form of transportation.

In order to maintain our bus fleet in a state of good repair, Metro plans to continue replacing its aging bus fleet at approximately 200 buses per year. With firm local hiring requirements in Metro bus procurement, routine bus procurement presents a recurring opportunity that bolsters our local labor force in perpetuity.

In 2012, Metro's U.S. Employment Plan resulted in the award of an $890 million contract to Kinkisharyo, a factory in Los Angeles County, and 404 quality railcar manufacturing jobs. Similarly, Metro can leverage recurring bus replacements to bolster labor throughout Los Angeles County

Metro plans to spend nearly one billion dollars on bus procurements in the next ten years That level of investment, coupled with a transition to all electric buses, presents an opportunity for LA County to demonstrate leadership on combating climate change, and can make Los Angeles the central marketplace for new electric bus technology: a County rich with quality manufacturing jobs rooted in technologies that provide mobility, sustain a healthy environment and create career paths in clean

energy technologies.

**SUBJECT: MOTION BY BONIN, GARCETTI, NAJARIAN, HAHN AND SOLIS AS AMENDED BY SOLIS, KUEHL AND BARGER**

**RECOMMENDATION**

WE THEREFORE MOVE that the Board:

A. ENDORSE the Strategic Plan for Metro's Transition to Zero Emission Buses;

B. DIRECT the CEO to create a zero emission bus infrastructure working group comprised of Metro staff, federal and state regulators and local utility companies to track market availability and to cultivate ongoing collaboration among stakeholders. The working group will monitor market rates for emerging zero emission bus technology to support Metro's 2030 transition plan:

1. Working group to report to the Board annually with the latest technology innovations to support the cost/benefit analysis of fleet conversion

2. MTA to host an industry forum to solicit innovative solutions to delivering the 2030 plan;

C. AMEND the Metro federal legislative plan to advocate for local jobs as a critical factor in the evaluation criteria of MTA procurements; and

D. DEVELOP an equity threshold consistent with Title VI regulations for priority deployment of electric buses in underserved communities.

FURTHER MOVE that the Board direct staff to:

A. As part of establishing a working group:

1. EXPAND the invitation to regional air quality regulators (e.g. South Coast Air Quality Management District), the American Public Transportation Association and California Transit;

2. EXAMINE and TRACK vehicle technology and performance, energy production and pricing, infrastructure needs and life-cycle analysis and creative funding opportunities.

B. COORDINATE with the County of Los Angeles to explore opportunities to develop a countywide incentive structure to promote and attract more companies to manufacture, assemble and produce zero-emission transit vehicles and related technologies and infrastructure in Los Angeles County;

C. Widely PROMOTE and ENCOURAGE municipal transit agencies/operators to participate in the established process by which to co-procure ("piggyback procurement" provisions) zero-

emission transit vehicles;

D. ENSURE that MTA maintains the flexibility to explore the best available technologies that contributes to zero-emissions and/or net-negative emissions in the Los Angeles County public transit sector.

**FRIENDLY AMENDMENT BY FASANA** that staff report back to the board with a timeline and any commitments by parties before we undertake our next bus purchase and answers to the following questions:

A. Will electric buses and their batteries deliver the guaranteed range and service?

B. Can municipal and electric utilities timely invest in the grid in order to power electric buses?

C. Which strategies will maximize Metro's ability to receive cap and trade credits?

D. How and when can charging infrastructure be deployed at our bus divisions? More importantly, how will such infrastructure be paid for?

E. Why is Metro's role critical for the adoption of low NOX engines in the trucking industry? What assurances do we have that this will take place when Metro has operated cleaner engines since the 1990s without adoption of these technologies by the trucking industry?

F. What are the resiliency impacts to our service if electricity or natural gas service is disrupted? What is our back-up plan?

G. Metro can intervene in regulatory proceedings at the California Public Utilities Commission for investor owned utilities regarding transportation electrification and equivalent natural gas proceedings as appropriate. Metro needs to assess the current regulatory schedule for such proceedings, develop advocacy position, and indicate that our adoption of electrification may be affected if electric transportation infrastructure is funded by shareholders, recovered through rates, and implemented on a timely basis.

H. Conversely, how will Metro undertake the capital investments directly? Foothill Transit has intervened in the active proceeding. Antelope Valley and other providers are engaged. Metro needs to be more actively engaged and needs to report back to our Board on what is at stake. In SCE's service area, demand charges make the operating costs of electric buses more costly than natural gas vehicles. Are we working to influence changes to the rate schedules?

I. Can RNG be adopted without direct Metro involvement by substituting RNG for natural gas purchased out of state? We should participate in any state framework that could create linkages between Metro's adoption of RNG and RNG implementation by the trucking industry.


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## PROCUREMENT SUMMARY

## TECHNICAL CONSULTANT FOR ZERO EMISSION BUS MASTER PLAN / CONTRACT NO. PS51220

| | | | | |
|---|---|---|---|---|
| **1.** | **Contract Number**: PS51220 | | | |
| **2.** | **Contractor**: ZEBGO Partners, Joint Venture | | | |
| **3.** | **Mod. Work Description**: See Attachment B | | | |
| **4.** | **Contract Work Description**: See list of pending and negotiated changes in Attachment B. | | | |
| **5.** | **The following data is current as of**: 2/14/22 | | | |
| **6.** | **Contract Completion Status** | | **Financial Status** | |
| | | | | |
| | **Contract Awarded:** | 10/01/2018 | **Contract Award Amount:** | $7,139,376 |
| | **Notice to Proceed (NTP):** | 10/22/2018 | **Total of Modifications Approved:** | $0 |
| | **Original Complete Date:** | 06/30/2020 | **Pending Modifications (including this action):** | $3,500,624 |
| | **Current Est. Complete Date:** | 06/30/2022 | **Current Contract Value (with this action):** | $10,640,000 |
| | | | | |
| **7.** | **Contract Administrator**: Greg Baker | | **Telephone Number**: (213) 922-7577 | |
| **8.** | **Project Manager**: Quintin Sumabat | | **Telephone Number**: (213) 922-4922 | |

## A. Procurement Background

This Board Action is to approve Contract Modification No. 8 for Contract No. PS51220 issued to provide technical consulting support services to develop comprehensive plans for phasing in zero emission buses (ZEB) on Metro's entire system, including Local and Rapid bus routes, by 2030. This Modification increases the Contract not-to-exceed (NTE) total by $3,500,624 to continue services.

This Contract Modification will be processed in accordance with Metro's Acquisition Policy and the contract type is a cost-plus fixed fee. All other terms and conditions remain in effect.

On September 27, 2018, the Board awarded Contract No. PS51220 to ZEBGO Partners, JV, for technical consultant services for the ZEB Program Master Plan, in the NTE amount of $7,139,376. Attachment B shows the list of pending and negotiated change orders.

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

## B. Cost Analysis

The recommended price of $3,500,624, has been determined to be fair and reasonable based upon an independent cost estimate, cost analysis, technical evaluation, fact finding, and negotiations.

| Proposal Amount | Metro ICE | Negotiated Amount |
|---|---|---|
| $4,152,883 | $3,500,624 | $3,500,624 |

## CONTRACT MODIFICATION/CHANGE ORDER LOG

## TECHNICAL CONSULTANT FOR ZERO EMISSION BUS MASTER PLAN / CONTRACT NO. PS51220

| Mod. No. | Description | Status (approved or pending) | Date | $ Amount |
|---|---|---|---|---|
| 1 | Modify and replace Exhibit A- Advanced Memorandum of Costs, Attachment A-1 Labor Rates; and modify Statement of Work to include Subject Matter Expert support. | Approved | 12/14/18 | $0 |
| 2 | Modify and replace Exhibit A- Advanced Memorandum of Costs, Attachment A-1 Labor Rates | Approved | 10/28/19 | $0 |
| 3 | Modify and replace Exhibit A- Advanced Memorandum of Costs, Attachment A-1 Labor Rates; and extend the period of performance to December 31, 2020. | Approved | 4/7/20 | $0 |
| 4 | Extend the period of performance through June 30, 2021. | Approved | 12/21/20 | $0 |
| 5 | Extend the period of performance through December 31, 2021. | Approved | 6/30/21 | $0 |
| 6 | Modify and replace Exhibit A- Advanced Memorandum of Costs, Attachment A-1 Labor Rates. | Approved | 7/9/21 | $0 |
| 7 | Modify and replace Exhibit A- Advanced Memorandum of Costs, Attachment A-1 Labor Rates; add new subcontractor to the Contract; and extend the period of performance through June 30, 2022. | Approved | 10/26/21 | $0 |
| **8** | **Increase Contract total; modify and replace Exhibit A- Advanced Memorandum of Costs, Attachment A-1 Labor Rates; and extend the period of performance to January 2, 2024.** | **Pending** | **Pending** | **$3,500,624** |
| | **Modification Total:** | | | **$3,500,624** |
| | **Original Contract:** | **Approved** | | **$7,139,376** |
| | **Total:** | | | **$10,640,000** |

## DEOD SUMMARY

## TECHNICAL CONSULTANT FOR ZERO EMMISSION BUS (ZEB) PROGRAM MASTER PLAN/PS51220

### A. Small Business Participation

ZEBGO Partners, JV (ZEBGO), a partnership formed between WSP USA, Inc. and STV Incorporated made a 17.26% Disadvantaged Business Enterprise (DBE) commitment. The contract is 57% complete and the current DBE participation is 29.36%, exceeding the DBE commitment by 12.10%.

While ZEBGO's overall DBE participation is compliant, the firm addressed the underutilization of DBE subcontractors on the team citing shifts in the amount of team members required in response to ZEBGO's needs and available DBE personnel over the course of this project, as well impacts due to repeated extensions of the contract. ZEBGO also noted that the cost-Plus-Fixed-Fee nature of this contract, as well as other contract provisions, have made utilization of staff for all firms challenging. Notwithstanding, ZEBGO has affirmed its efforts to utilize listed DBE firms as committed.

| **Small Business Commitment** | **DBE 17.26%** | **Small Business Participation** | **DBE 29.36%** |
|---|---|---|---|

| | **DBE Subcontractors** | **Ethnicity** | **% Committed** | **Current Participation[1]** |
|---|---|---|---|---|
| 1. | Advantec Consulting Engineers, Inc. | Asian-Pacific American | 1.87% | 0.73% |
| 2. | Capitol Government Contract Specialist | Hispanic American | 10.08% | 8.00% |
| 3. | 3COTECH, Inc. | Caucasian Female | 0.36% | 18.81% |
| 4. | Virginkar & Associates, Inc. | Sub-Continent Asian American | 4.95% | 1.82% |
| | **Total** | | **17.26%** | **29.36%** |

*[1]Current 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

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

## C. Prevailing Wage Applicability

Prevailing wage is not applicable to this modification.

## D. Project Labor Agreement/Construction Careers Policy

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

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# Board Report

**File #:** 2022-0185, **File Type:** Contract **Agenda Number:** 18.

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE**
**MAY 19, 2022**

**SUBJECT: GLASS REPLACEMENT AND INSTALLATION SERVICES**

**ACTION: APPROVE CONTRACT MODIFICATION**

## RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Modification No. 4 to Contract No. OP1405120003367 with Los Angeles Glass Company, Inc. for Glass Replacement, and Installation services in the amount of $1,440,000, increasing the contract four-year base authority from $2,795,911 to $4,235,911.

## ISSUE

The existing glass replacement and installation services contract four-year base term expires on August 31, 2023. Due to a significant increase in broken glass vandalism targeting elevator glass panels and map cases system-wide, there is insufficient authority remaining within the existing contract. Therefore, approving Modification No. 4 to increase contract authority by $1,440,000 is required to ensure service continuity and safe operations through March 31, 2023. Also, this action will allow time to complete the in-depth feasibility review and cost-benefit analysis being conducted considering other alternatives providing this critical as-needed glass replacement and installation services moving forward.

## BACKGROUND

On August 14, 2019, Metro executed a four-year base, firm fixed unit rate Contract No. OP1405120003367 with Los Angeles Glass Company, Inc., a Metro certified Small Business Enterprise (SBE) to provide glass replacement and installation services for Metro's bus and rail facilities system-wide, effective September 1, 2019.

Under the existing contract, the contractor is required to provide as-needed board-up for broken glass panels, glass replacement and installation services system-wide.

Since January 2020 through June 2021, the contractor responded to 436 incidents for vandalized broken glass panels requiring board-up and replacement services. The contract average monthly burn rate increased 2.5 times when compared with the months prior to January 2020, leading to


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insufficient authority remaining.

On February 24, 2022, Metro Board of Directors approved Contract Modification No. 3 increasing the contract four-year base authority for a not-to-exceed amount of $2,795,911 through June 30, 2022. Staff is to report back to the Board and provide updates on the status of the in-depth feasibility review and cost-benefit analysis of all possible alternatives to provide safe, timely, reliable and cost-effective glass replacement and installation services. Staff is also to provide the Board with updates on exploring vandalism resistant materials to protect elevator glass and monitoring the broken glass vandalism trend in consideration of Metro's Transit Security current efforts through the Vandalism Task Force.

## DISCUSSION

There are various types of glass panels used throughout the Metro system for map cases, security guard shacks, fire hose and fire extinguisher cabinets, and elevators within the elevator cab, hoistway and doors. Standard glass panels are used for map cases, while special tempered laminated glass panels are used for the elevator hoistway, cabs and doors. Bullet-proof glass panels are also used for Metro's security guard shacks system wide. Glass panels are subject to damage due to vandalism, breakage, accidents, and natural disasters requiring timely board-up and replacement.

Since September 2021 through mid-March 2022, the contractor has responded to 315 incidents for broken glass vandalism with a replacement and installation cost of $967,000. The FY22 vandalism trend to-date reflects 2.6 times the replacement and installation cost of broken glass vandalism when compared with FY21. Fifty-eight percent of the 315 broken glass incidents targeted elevator glass panels, impacting 103 elevators, which represent 68**%** of Metro's transit system elevators, affecting units' availability and service reliability.

Elevator glass panels are special, tempered, laminated and fire resistant in accordance with State elevator safety codes. When vandalized, elevator glass panels replacement and installation require additional manpower, longer installation time and significantly higher material cost when compared to the replacement and installation cost of map case damaged glass panels.

In April 2021, staff initiated a project to install cameras inside elevator cabs. To date, 10 cameras have been installed along Metro B Line (Red) inside the two (2) elevators at Pershing Square station, the two (2) Elevators at Civic Center station and the six (6) elevators at 7$^{th}$/Metro station. These actions are necessary to enhance elevators' safety, cleanliness and customer experience. This project is ongoing to ensure installing cameras inside all other 105 elevator cabs system-wide. In addition, cameras exist inside elevator cabs along Metro L (Gold) Line Foothill Extension and Metro E (Expo) Line as part of the system expansion project.

While Metro's consultant is in the process of conducting an in-depth feasibility review and cost-benefit analysis of all possible alternatives to provide safe, timely, reliable and cost-effective glass replacement and installation services, staff has been evaluating a vandalism resistant product to protect elevator glass panels that are required within the elevator cab and hoistway, to ensure compliance with State elevator safety and operations code requirements.


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A demonstration and mockup of a ¼" thick fire rated clear polycarbonate protective shield product approved for usage within the elevator cab and hoistway has been installed and tested, confirming product resilience to sharp objects and significant strong force applications when compared with shattered glass panels exposed to similar conditions. The polycarbonate protective shield is anticipated to be installed in mid-May 2022, starting with the identified top 10 elevators highly targeted with broken glass vandalism system-wide, to be expanded as necessary. Considering the current conditions, the product's minimum life expectancy is five (5) years with the likelihood of additional years thereafter. The cost of fully installed polycarbonate protective shield throughout the top 10 targeted elevators is 7.5 times less than the cost of board-up and replacement of vandalized broken glass panels for the same number of units, considering product's vandalism resistant specifications and extended life expectancy under the current conditions.

The installation of polycarbonate protective shield will support Metro's efforts to enhance customer experience through providing patrons a safe and reliable access to Metro stations especially for individuals with disabilities, senior citizens, patrons with children and others who heavily rely on Metro's transit elevators.

Providing timely response for as-needed glass replacement and installation services is critical to Metro's operations to address emergencies, avoid service interruptions and provide a safe and reliable environment to our patrons.

System Security & Law Enforcement Support & Vandalism Task Force

Recurring elevator broken glass vandalism incidents continue to be reported to System Security and Law Enforcement (SSLE) for their attention and follow-up. This follow-up includes gathering any available evidence and available video to help identify suspects. As a result of this ongoing issue, SSLE has engaged law enforcement, contract security, and Metro Transit Security (MTS) to maximize patrols in areas around elevators in addition to coordination with Mitsubishi personnel, Metro's Vertical Transportation maintenance contractor to help prevent and respond to the number of vandalism reports. MTS continues to lead the Vandalism Task Force to support this type of coordination where information is shared and strategies discussed to help prevent these incidents.

The Vandalism Task Force comprised of various Metro stakeholders including Maintenance and Engineering (M&E), Physical Security, Rail Operations Control, and Metro's law enforcement partners (LASD, LAPD & LBPD) meet bi-weekly to address vandalism issues with current efforts to include:

- Continuous reporting of vandalism incidents, and analysis
- Reinforce marketing campaign- see something say something messaging for the public to use the Transit Watch App for any vandalism activities observed. The marketing campaign includes the following:
    - Paid media supporting Transit Watch app is currently running online banners, paid social, connected TV, paid search and bus benches
    - The Transit Watch app campaign has delivered 2.19M impressions, 12.9k clicks and has driven 2,692 downloads (3/28/21 - 4/28/21)
    - Metro is also promoting the Transit Watch app via owned channels on digital kiosks, brochures for law enforcement and bus and rail car cards

- Coordinating efforts with Communications to create a template for:
  - Signage to advise CCTV (where applicable)
  - Signage warning of prosecution for vandalism
- Recommending improved and new CCTV functions and cameras for all elevators
- Exploring other available alternatives to protect elevator glass panels
- Supporting the installation of polycarbonate protective shield to mitigate broken glass vandalism

## DETERMINATION OF SAFETY IMPACT

The approval of this item will ensure continuity of maintenance services with timely response to as-needed board-up for broken glass panels and glass replacement services in an effort to provide safe, on-time and reliable services system-wide.

## FINANCIAL IMPACT

Upon Board approval of the FY23 budget, funding of $1,440,000 is included under cost center 8370 - Facilities Contracted Maintenance Services, account 50308, Service Contract Maintenance, under various projects.

Since this is a multi-year contract, the cost center manager and Deputy Chief Operations Officer (Interim), Maintenance and Engineering will be accountable for budgeting the cost in future years.

Impact to Budget

The current source of funds for this action includes State and Local funds including Fares. Using these funding sources ensure the best allocation given approved funding provisions and guidelines.

## EQUITY PLATFORM

Providing timely responses for as-needed glass replacement and installation services is critical for Metro's patrons. It ensures elevators are operational and service is reliable and accessible, especially for those with disabilities, older adults and others, while providing safe and reliable environment to all of our patrons. Prolonged elevator downtime due to vandalized or damaged glass panels causes delays, trip disruptions, and potential safety challenges, for patrons requiring the use of the elevators to complete their trip. Rail Operations are required to request alternate accessibility services for impacted customers with disabilities by requesting Access Services which extends trip times for impacted customers, limits access to the rest of Metro's transit system and can negatively impacts the customer's experience.

Metro customers, including those with Limited English Proficiency (LEP) can report broken glass and vandalism through the Customer Relations numbers posted throughout the rail and bus system. Customers have the option of communicating with Metro through nine (9) different languages using our translation service. Metro also ensures translated signage is posted for those reporting broken glass on the Metro system.

This contract is part of the Small Business Enterprise (SBE) Prime (Set-Aside) Program. Los Angeles Glass Company, Inc., is a Metro certified SBE contractor and made 100% SBE commitment as the Prime.

## IMPLEMENTATION OF STRATEGIC PLAN GOALS

This board action supports Strategic Goal 5: Provide responsive, accountable, and trustworthy governance within the Metro organization. Performing timely as-needed broken glass panel board-up and replacement services will ensure providing safe environment to our patrons, accessibility, and service reliability, and enhancing customers' overall experience.

## ALTERNATIVES CONSIDERED

The Board may elect not to approve this recommendation. This option is not recommended as it would result in a gap in service impacting Metro's system safety, operations and customer experience.

## NEXT STEPS

Upon approval by the Board, staff will execute Modification No. 4 to Contract No. OP1405120003367 with Los Angeles Glass Company, Inc., to continue providing broken glass panel board-up, glass replacement and installation services system-wide.

Concurrently, a Metro consultant is in the process of conducting an in-depth feasibility review and cost-benefit analysis of all other alternatives including evaluating existing practices, available resources, and recommending options along with proposed resources for hiring and training of any additional personnel, and purchase of additional equipment, vehicles and supplies, as necessary. The assessment utilizes an equity lens to ensure that all efforts relative to glass replacement are justifiable and responsive to customer needs, Metro policies and board directives, with an anticipated completion date of early June.

## ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - Contract Modification/Change Order Log
Attachment C - DEOD Summary

Prepared by: Errol Taylor, Acting Deputy Chief Operations Officer,
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8301
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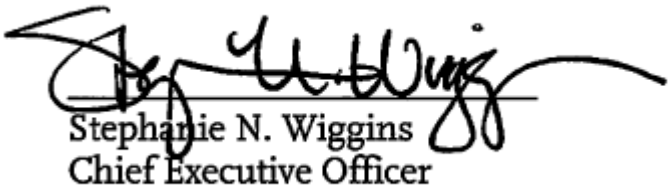


Stephanie N. Wiggins
Chief Executive Officer

## PROCUREMENT SUMMARY

## GLASS REPLACEMENT AND INSTALLATION SERVICES/OP1405120003367

| | | | | |
|---|---|---|---|---|
| **1.** | **Contract Number**: OP1405120003367 | | | |
| **2.** | **Contractor**: Los Angeles Glass Company, Inc. | | | |
| **3.** | **Mod. Work Description**: Increase contract authority | | | |
| **4.** | **Contract Work Description**: Provide glass replacement and installation services for Metro's bus, rail, and other Metro facilities system-wide | | | |
| **5.** | **The following data is current as of**: 4/12/22 | | | |
| **6.** | **Contract Completion Status** | | **Financial Status** | |
| | | | | |
| | **Contract Awarded:** | 9/1/19 | **Contract Award Amount:** | $895,911 |
| | **Notice to Proceed (NTP):** | N/A | **Total of Modification Approved:** | $1,900,000 |
| | **Original Complete Date:** | 8/31/23 | **Pending Modification (including this action):** | $1,440,000 |
| | **Current Est. Complete Date:** | 8/31/23 | **Current Contract Value (with this action):** | $4,235.911 |
| | | | | |
| **7.** | **Contract Administrator**: Aielyn Dumaua | | **Telephone Number**: (213) 922-7320 | |
| **8.** | **Project Manager**: Gregory Montoya | | **Telephone Number**: (213) 922-6737 | |

## A. Procurement Background

This Board Action is to approve Modification No. 4 to Contract No. OP1405120003367 with Los Angeles Glass Company, Inc. to provide glazier services, including but not limited to, installation and repair of various types of glass panels at Metro bus, rail and other Metro facilities system-wide.

This contract modification will be processed in accordance with Metro's Acquisition Policy and the contract type is a firm-fixed unit rate.

In September 2019, Metro awarded a four-year contract to Los Angeles Glass Company, Inc. to provide glass replacement and installation services.

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

## B. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based on price analysis. Rates that were established as part of the competitive contract award in September 2019 shall remain unchanged, are subject to prevailing wage rates set by the State of California and are lower than current market rates for similar services. Therefore, the recommended increase in contract value is in the best interest of Metro.

| Proposed Amount | Metro ICE | Modification Amount |
|---|---|---|
| $1,440,000 | $1,440,000 | $1,440,000 |

## CONTRACT MODIFICATION/CHANGE ORDER LOG

## GLASS REPLACEMENT AND INSTALLATION SERVICES/OP1405120003367

| Mod. No. | Description | Date | Amount |
|---|---|---|---|
| 1. | Increase contract authority to provide as-needed board-up for broken glass panels, glass replacement, and installation services system-wide | 5/31/21 | $ 100,000 |
| 2 | Increase contract authority to provide as-needed board-up for broken glass panels, glass replacement, and installation services system-wide | 8/16/21 | $ 900,000 |
| 3 | Increase contract authority to provide as-needed board-up for broken glass panels, glass replacement, and installation services system-wide | 3/31/22 | $ 900,000 |
| 4 | **Increase contract authority to provide as-needed board-up for broken glass panels, glass replacement, and installation services system-wide** | **PENDING** | **$ 1,440,000** |
| | **Modification Total:** | | **$ 3,340,000** |
| | **Original Contract:** | **8/14/19** | **$ 895,911** |
| | **Total Contract Value:** | | **$ 4,235,911** |

## DEOD SUMMARY

## GLASS REPLACEMENT AND INSTALLATION SERVICES/ OP1405120003367

### A. Small Business Participation

Los Angeles Glass Company Inc., a Small Business Prime, made a 100% Small Business Enterprise (SBE) commitment. The project is 44% complete and the current level of SBE participation is 100%.

| Small Business Commitment | 100% SBE | Small Business Participation | 100% SBE |
|---|---|---|---|

| | SBE Subcontractors | % Committed | Current Participation[1] |
|---|---|---|---|
| 1. | Los Angeles Glass Company, Inc. (SB Prime) | 100% | 100% |
| | **Total** | **100%** | **100%** |

*[1]Current 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

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

### C. Prevailing Wage Applicability

Prevailing Wage 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).

### D. Project Labor Agreement/Construction Careers Policy

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

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

Metro

# Board Report

**File #:** 2021-0773, **File Type:** Program **Agenda Number:** 1.

**REVISED**
**CONSTRUCTION COMMITTEE**
**MAY 19, 2022**

**SUBJECT: LINK UNION STATION PROJECT**

**ACTION: APPROVE RECOMMENDATIONS**

## RECOMMENDATION

APPROVE:

A. The California High Speed Rail Authority Project Management Funding Agreement (PMFA) in the amount of $423.335 million for the Link US Phase A Project and authorize the CEO to execute the Project Management Funding Agreement (PMFA) pursuant to Senate Bill 1029; and

B. A Partial Preconstruction Phase Life of Project Budget in the amount of $297.818 million, including $121.382 million for the new Preconstruction Work and $176.436 million for work previously approved by the Board since 2015.

## ISSUE

The California High Speed Rail Authority Board of Directors unanimously approved the PMFA in the amount of $423.335 million for the Link US Phase A Project on April 27, 2022 pursuant to Senate Bill 1029. Subsequently, the California State Department of Finance approved the PMFA On May 11. 2022 pursuant to Chapter 152, Statues of 2012. Staff is requesting the Board to approve the PMFA for the Link US Phase A Project and authorize the CEO to execute the PMFA. Staff is also requesting approval of a Partial Preconstruction Life of Project Budget in the amount of $297.818 million, including $121.382 million of the new Preconstruction Work and previously board-approved pre-construction work totaling $176.426 million dating back to 2015.

## BACKGROUND

The Link Union Station (Link US) Project will transform how commuter and intercity rail operates in Southern California with run-through capability at Los Angeles Union Station (LAUS) providing one-seat rides from San Luis Obispo to San Diego, increasing commuter and intercity rail services by up to 60%, and accommodating future high-speed rail service. The Link US Project is planned to be implemented in two phases:

1. Phase A would include construction of the full viaduct structure over the US-101 freeway that

accommodates up to nine (9) new run-through tracks, track, signal, and communication work in the throat area, run-through platform, quiet zone ready improvements at Main Street grade crossing, active transportation improvements and preliminary engineering design for Phase B. The Phase A improvements has received full funding commitments of $950.398 million.

2. Phase B would include raising the rail yard up to 15 feet for the run-through track viaduct structure, new platforms, a newly expanded passageway with retail and passenger amenities, 2 new outdoor plazas, escalators and elevators to all platforms, optimization of the throat with a new lead track and opportunity for a world class terminal station. Phase B is fully funded for planning, environmental and preliminary engineering, but it is not funded for final design and construction. Staff is working with the funding partners to seek federal, state, and local funds for the design and construction of Phase B.

CEQA & NEPA

Under a separate funding agreement with CHSRA, LACMTA received American Recovery and Reinvestment Act federal funds in 2017 for environmental and planning work for the Link US Project. The Link US Project completed California Environmental Quality Act (CEQA) environmental clearance in July 2019, and a CEQA amendment was approved in October 2021. Furthermore, the Link US Project is in the process of completing National Environmental Policy Act (NEPA) environmental clearance as early as August 2023, with California High Speed Rail Authority (CHSRA) as the NEPA Lead Agency.

## DISCUSSION

On April 27, 2022, the California High Speed Rail Authority Board of Directors unanimously approved the PMFA in the amount of $423.335 million for the Link US Phase A Project pursuant to Senate Bill 1029, subject to review and approval by the California State Department of Finance (DOF)(refer to Attachment A- CHSRA ~~Draft~~ Final Resolution Link US Phase A PMFA). Subsequently, the CHSRA submitted the PMFA to DOF on April 29, 2022 and the DOF approved the PMFA of the Link US Project Phase A pursuant to Chapter 152, Statues of 2012 on May 11, 2022 (refer to Attachment B- State DOF Proposition 1A Agreement Approval). Consequently, staff is requesting the Board to approve the PMFA for the Link US Phase A Project and authorize the CEO to execute the PMFA . In partnership and collaboration with CHSRA and Southern California Regional Rail Authority, the Link US PMFA for Phase A will grant CHSRA the following rights and benefits:

1. HSR station in the heart of downtown Los Angeles with a run-through track bridge structure that will fully accommodate the future HSR tracks in Los Angeles Union Station.
2. The right to build all necessary improvements to allow HSR operations and operate two (2) HSR tracks on the LACMTA Railroad Right of Way consistent with a consensus design for the corridor within certain sections of the Valley and River Subdivisions and without impairing functionality or the uses of, or the maximum capacity associated with, the operations by other existing rail operators on the existing tracks in the Railroad Right of Way. This right is also subject to the requirements of all existing or modified Shared Use Agreements (as they may be further modified) that govern the use and operation of such existing tracks within the Railroad Right of

Way. CHSRA will be responsible for the full construction costs of HSR tracks and all facilities to be constructed on LACMTA property for the HSR rail service. If separately funded, LACMTA, in partnership with CHSRA, has the option to construct two HSR tracks in the corridor and subject to the restrictions identified above.

3. The right to operate four (4) HSR trains per hour per direction on the four-track shared corridor. The Parties jointly and cooperatively commit to identify and pursue funding, if needed, for an additional (fifth) track in the LACMTA-owned Right-of-Way, needed to accommodate future uses by other passenger rail and/or freight operators. When the State makes further investments in the corridor beyond the Funds to be provided under this PMFA, CHSRA will coordinate with LACMTA on further agreements for an expansion of operating rights beyond four (4) trains per hour per direction.

4. Non-exclusive inter-city operating rights on the Railroad Right of Way subject to the approval by the United States Surface Transportation Board (STB). LACMTA will cooperate and support CHSRA's efforts to obtain such STB approval. CHSRA will exercise its operating rights along this route, with the understanding that a more detailed operating plan will be required, along with follow-on agreements for maintenance and operations and any required amendments to the existing Shared Use Agreements between or among CHSRA and SCRRA, BNSF Railway and Union Pacific Railroad (UPRR) which will need to be negotiated in good faith prior to any exercise of such operating rights by CHSRA.

5. Cooperation and support for CHSRA in negotiating such maintenance and operations agreements and amendments to the Shared Use Agreements with SCRRA, BNSF Railway and UPRR as may be needed to allow for HSR operations on two (2) HSR tracks based on an approved HSR operating plan provided by CHSRA, and without limiting the operating rights and requirements for construction and operation of rail projects already approved by LACMTA's Board.

<u>CMGC Project delivery</u>

The Link US Project Phase A will be delivered utilizing the Construction Manager General Contractor (CMGC) project delivery approach that the Board previously approved on December 5, 2019. The CMGC project delivery method enables Metro to engage a CM/General contractor during the final design process in collaboration and partnership with Architectural/Engineering (A/E) Designer to develop the project scope, optimize the design, improve quality, assess the market conditions to determine and manage costs, and share risks as summarized in the Attachment C - Lifecycle of the CMGC Project Delivery Method.

There are two phases to the CMGC project delivery method, Preconstruction and Construction, and the staff recommended action seeks budget approval for the Preconstruction Phase only:

**1.** **Preconstruction Phase**, when the CM/General Contractor and designer work side by side to review constructability, undertake value engineering, conduct site investigations, assess market conditions, provide current contractor pricing, risk assessments and construction schedule at each successive prescribed design intervals to finalize the design. The goal of the CMGC project delivery method is to design and construct to budget.

The CM/General Contractor is engaged for preconstruction services to provide open book construction cost estimates throughout the design development. The CMGC process is intended to enable Metro and the General Contractor to successfully negotiate a construction contract at the completion of the design, within the approved budget. However, since the CMGC project delivery method is not a competitive construction bid and if for whatever reason the General contractor's pricing significantly exceeds the project budget, the process provides flexibility to off-ramp the CM/General Contractor at each design interval or any time for convenience throughout the Preconstruction Phase. Therefore, if the off-ramp is exercised, Metro can take advantage of all the work already performed by the CM/General Contractor and pivot to a different project delivery method with competitive construction pricing such as a design-bid-build.

2. **Construction Phase**, when the General Contractor has the first right to perform the Construction Work under a supplemental construction contract. After the final design has been completed and if the General Contractor has successfully negotiated a construction contract with Metro, the General Contractor builds the project. Staff will need to complete the NEPA environmental work by Summer 2023 before the Construction work can begin.

Partial Preconstruction Phase Life of Project Budget

Staff is seeking approval of a Partial Preconstruction Life of Project (LOP) Budget in the amount of $297.818 million, which includes $121.382 million of new Preconstruction Work and Preconstruction work totaling $176.426 million approved by the Board since 2015 for environmental, planning, preliminary engineering, third party, soft costs and real estate acquisitions for Phase A (refer to Attachment D - Link US Partial Preconstruction Phase LOP Budget). This approval will enable the Link US Project Phase A to proceed with the first phase of the CMGC project delivery method, the Preconstruction Phase. Subject to Board approval in June 2022 of the CM/General Contractor, CM/General Contractor will collaborate with the Link US team to refine the preliminary engineering design to budget, work with Designer to develop the final design and prepare construction pricing as summarized in the Attachment B Lifecycle of the CMGC Project Delivery Method. With the approval of the Partial Preconstruction Phase LOP Budget, staff will provide the Board with the accountability identified in Board Motion by Directors Garcetti, Butts and Dupont Walker on January 25, 2018 (refer to Attachment E- Motion on Board Delegated Authority).

The new Preconstruction Work consists of NEPA environmental, preliminary engineering, final design, third-party work, real estate acquisitions, including early demolition, and all associated soft costs (legal, CMGC Project management, permit, etc.) as categorized in Table 1. The third-party work includes work performed by the City of Los Angeles, Metrolink, Amtrak, BNSF, LOSSAN, Caltrans, utilities, and other regulatory and jurisdictional agencies.

**Table 1 - Link US Partial Preconstruction Phase LOP Budget (all amounts in millions)**

| Activity/Phase | Board Authorized Amount from Inception to October 2019 | Board Authorized Amount in June 2021 | New Preconstruction Work | TOTAL Partial Preconstruction Phase LOP Budget Request |
|---|---|---|---|---|

| | | | | |
|---|---|---|---|---|
| **PA&ED Phase**: Planning/Environmental/Preliminary Engineering, Third Party Work and Related Soft Costs | $ 80.431 | - | **$ 4.000** | **$ 84.431** |
| **PS&E Phase:** Final Design, Third Party Work, project management and all related soft costs | $ 14.915 | - | **$ 61.409** | **$ 76.324** |
| **R/W Phase:** Real Estate Acquisitions and Early Demolition | $ 4.416 | $ 76.674 | **$ 55.973** | **$ 137.063** |
| **TOTAL** | **$99.762** | **$ 76.674** | **$ 121.382** | **$ 297.818** |

Development of the Life of Project Budget

As early as Fall of 2023, staff will return to the Board when the project is ready to start the second phase of the CMGC project delivery method, the Construction Phase. Staff will request the Board to supplement the Partial Preconstruction Phase LOP Budget for some Early Construction Work during the Preconstruction Phase. Under the CMGC project delivery method, the establishment of the Life of Project (LOP) Budget will be reassessed throughout the life of the project by phases. Therefore, after the final design for the Main Construction Work of the Link US Project Phase A is complete and a collaborative risk analysis with the CM/General Contractor is performed along with construction pricing and scheduling with appropriate contingencies in accordance with Metro's Best Practices Study, staff will return to the Board to seek approval for the LOP Budget as early as Spring 2024.

## DETERMINATION OF SAFETY IMPACT

The Link US project is being planned and designed in accordance with Metro and Metrolink standards, state and federal requirements. Approval of the Preconstruction Budget for Phase A of Link US project will have no impact on safety.

## FINANCIAL IMPACT

The Link US Phase A Partial Preconstruction Phase LOP Budget in an amount of $297.818 million is fully funded with $51.672 million in Measure R 3% Commuter Rail funds, $18.726 million in California High Speed Rail planning funds, and $227.42 million in State Transit Intercity Rail Capital Program (TIRCP) funds. Staff will return to the board for approval for the Life of Project budget once negotiations with the General Contractor for the Phase A Main Construction Work are successfully concluded. The anticipated cash flow is shown in Attachment D Link US Phase A Partial Preconstruction Phase LOP Budget.

This is a multi-year project and the Project Manager, Cost Center Manager and Chief,Program Management Officer are responsible for budgeting for future year expenditures.

Impact to Budget

There is no impact to the FY22 budget as the amount of $63.1 million is included in the approved FY22 budget for cost center 2415 under Link US 460089. The funding sources for the Partial Preconstruction LOP Budget are not eligible to be used for Metro bus/rail operating or capital budget expenses.

## EQUITY PLATFORM

The Link US Project will provide better transit connectivity and increase rail service capacity by as much as 60%. Project equity benefits and impacts include:

1. Foster livable and healthy communities by increasing access to transit and reducing reliance on automobiles, resulting in a reduction in greenhouse gas emissions and other harmful air pollutants. In addition, the Link US run-through tracks will reduce the times that Metrolink and Amtrak trains idle at LAUS, saving as much as five minutes for each ride and resulting in fewer emissions from Diesel locomotives.

2. Inclusive engagement practices to communicate the expected outcomes and benefits of the Link US Project to the populations with limited English proficiency (LEP). Project fact sheets, frequently asked questions (FAQs) and the Executive Summary of the FEIR were provided in other languages including Spanish, Japanese, Chinese, Vietnamese and Korean.

3. Improve access to opportunities by providing multi-modal transit options and increasing connectivity for transit-dependent populations. The improved rail service will also provide better access for the diverse communities along the Antelope Valley and San Bernardino Metrolink lines, where annual household income, automobile availability, and employment levels are lowest compared to the Metrolink system as a whole. The Link US Project will enable more frequent Metrolink and Amtrak services and accommodate future high-speed rail services, all of which expand access to jobs and services from other parts of the Southern California region and beyond for LA County residents. Further, it is estimated that the Link US Project will generate 4,500 jobs during construction and will result in over 200 permanent jobs.

4. Improve the quality of life for low-income residents, including those at the William Mead Homes, the first affordable housing project in the City of Los Angeles constructed in the 1950s and located within the Metro Equity Focused Areas, by:

    a. A new sound wall that will be designed to reduce noise from both existing train operations and future increases in train operations; and,
    b. Quiet-zone ready safety improvements at the railroad crossing on N. Main Street. A quiet zone would significantly reduce the train horn noise in the area.

5. Improve accessibility and user experience for passengers at LAUS by:
    a. Replacing all ramps between the passageway and the train platforms with ADA compliant elevators and modern escalators.
    b. Including additional transit amenities including restrooms, waiting areas, retail, etc.

c. Improving wayfinding to allow more seamless transfer of transportation services by including new static and modern dynamic signage installations within the Project limits to be designed in English and Spanish and other accommodations to assist those with hearing and/or visual impairments.

Utilization of the Partial Preconstruction Phase LOP Budget will enable equitable opportunities to increase transportation access disparities by providing multi-modal transit options to Equity Focus Communities (EFCs) in Los Angeles County transit users in the future. Staff is working with these EFCs, at their request, to develop opportunities that address their transportation priorities and mobility needs. As existing or new opportunities are developed throughout the Preconstruction Budget, equitable mobility options will be evaluated and incorporated into the project. This Preconstruction Budget does not have a direct equity impact, rather it will allow for Metro to promote the state's goals of reducing greenhouse gas emissions and traffic-related air pollution, promoting the development of a multi-modal transportation system, and providing clean, efficient access to destinations that can reduce transportation disparities.

## IMPLEMENTATION OF STRATEGIC PLAN GOALS

The Link US project supports Strategic Goal 1: Provide high-quality mobility options that enable people to spend less time traveling. The proposed run-through tracks would increase regional and intercity rail capacity and reduce train idling at Los Angeles Union Station (LAUS), enable one-seat rides from Santa Barbara County to San Diego County through LAUS, and accommodate a new high -quality transportation option such as High-Speed Rail in Southern California. The project also supports Strategic Goal 2: Deliver outstanding trip experiences for all users of the transportation system. The proposed new passenger concourse and the new outdoor plaza (West Plaza) would improve customer experience and satisfaction by enhancing transit and retail amenities at LAUS and improving access to train platforms with new escalators and elevators. Lastly, the project supports Strategic Goal 4: Transform LA County through regional collaboration and national leadership. The project requires close collaboration with many local, regional, State and Federal partners including City of Los Angeles, SCRRA, LOSSAN Authority, Caltrans, CHSRA, CalSTA, FRA and Amtrak.

## ALTERNATIVES CONSIDERED

The Board may choose not to move forward with approval of the Partial Preconstruction Phase LOP Budget. This is not recommended because the preconstruction work is fully funded, and we will incur schedule delays and corresponding costs if the project does not move forward. Furthermore, this may impact grant funding agreements with Caltrans for TIRCP funds and CHSRA.

## NEXT STEPS

After Board approval, staff will

1. Work with CHSRA to receive an executed PMFA by June 2022.
2. Return to the Board in June 2022 to seek approval for CMGC contract award.
3. Complete the NEPA environmental work by Summer 2023.
4. Return to the Board by Fall 2023 for Early Construction Work.

Attachment A - CHSRA ~~Draft~~ Final Resolution Link US Phase A PMFA
Attachment B - State DOF Proposition 1A Agreement Approval
Attachment C - CMGC Capital Project Lifecycle
Attachment D - Link US Phase A Partial Preconstruction LOP Budget
Attachment E - Motion on Board Delegated Authority

Prepared by: Vincent Chio, Senior Director, Regional Rail, (213) 418-3178
Scott McConnell, Executive Officer, Regional Rail, (213) 922-4980
Jeanet Owens, Senior Executive Officer, Regional Rail, (213) 418-3189

Reviewed by: Bryan Pennington, Chief Program Management Officer (213) 922-7449
Nalini Ahuja, Chief Financial Officer (213) 922-3088

Stephanie N. Wiggins
Chief Executive Officer

CALIFORNIA High-Speed Rail Authority

# CALIFORNIA HIGH-SPEED RAIL
# RESOLUTION #HSRA 22-07

**Approval of the Project Management and Funding Agreement for the Los Angeles Union Station (Link US) Project, a major capital investment for High-Speed Rail**

**Authorization to Submit the Project Management and Funding Agreement to the Department of Finance for Review and Approval as required by Senate Bill 1029, Statutes of 2012**

**Whereas**, the California High-Speed Rail Authority (Authority) is responsible for the development and implementation of intercity high-speed rail service pursuant to California Public Utilities Code sections 185030 *et seq.*;

**Whereas**, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, chapter 20 (commencing with section 2704) of Division 3 of the Streets & Highways (S&H) Code (Proposition 1A) was approved by the voters of the State in November 2008;

**Whereas**, Proposition 1A authorized bonds for purposes of developing a high-speed train system (as defined in the proposition);

**Whereas**, in 2012 the Authority entered into a Memorandum of Understanding with various other agencies in Southern California (2012 MOU) to implement early investments that would provide near-term benefits but that ultimately would be required for Authority operations in the future, and the Link US Project at Los Angeles Union Station was the highest priority project listed in the 2012 MOU due to its tremendous mobility and connectivity benefits for Southern California;

**Whereas**, in the Budget Act of 2012 (Senate Bill 1029), based on that 2012 MOU, the Legislature appropriated $500 million in Proposition 1A bond proceeds to fund the types of early investments identified in the 2012 MOU;

**Whereas**, in September 2019, the Authority entered into a Memorandum of Understanding with the Los Angeles County Metropolitan Transportation Authority (LACMTA), the lead agency implementing the Link US Project, and the California State Transportation Agency to work cooperatively to access Proposition 1A funds for the Link US Project and to enter into a Project Management and Funding Agreement;

**Whereas**, California S&H Code section 2704.08(d) requires a detailed funding plan (Funding Plan) and preparation of a corresponding independent consultant report for a corridor or usable segment thereof prior to expenditure of the Proposition 1A bond proceeds;

**Whereas**, the Authority prepared a Funding Plan to utilize Proposition 1A bond proceeds for the Link US Project (Incremental Capital Investment (#2) within the Burbank to Los Angeles and Los Angeles to Anaheim Corridor pursuant to S&H Code section 2704.08(d), and engaged an independent consultant that prepared a report to the Authority Board pursuant to S&H Code section 2704.08(d)(2) both of which were completed and approved by the Board in April, 2020, through resolution #HSRA 20-01;

**Whereas**, Board Resolution #HSRA 20-01 directed the Chief Executive Officer (CEO) to begin to negotiate with LACMTA a Project Management and Funding Agreement (per Senate Bill 1029), and any other needed agreements, and to return to the Authority Board for authorization to enter into such agreement; and to ensure the recommendations made by the Authority's independent consultant are addressed in the Project Management and Funding Agreement;

**Whereas**, the Funding Plan calls for an Authority contribution of $423.335 million in Proposition 1A bond proceeds towards the costs of the Link US Project (Phase A) to complete final design, right-of-way acquisition, and construction activities;

**Whereas**, the Authority has negotiated a Project Management and Funding Agreement (as required by SB 1029) with LACMTA;

**Whereas**, in Senate Bill 1029, the Legislature also requires that the Project Management and Funding Agreement be approved by the Department of Finance;

**Therefore, it is resolved:**

- The Authority approves the Project Management and Funding Agreement for the Los Angeles Union Station "Link US" Project.

- The CEO is authorized to submit the Project Management and Funding Agreement to Department of Finance for review and approval, and to finalize and execute the Project Management and Funding Agreement upon Department of Finance approval.

Vote: Richards; Miller; Pena; William; Camacho; Perea; Ghielmetti
Yes: 7
No: 0
Absent: Schenk; Escutia
Date: April 28, 2022

o0O0o

ATTACHMENT B

DEPARTMENT OF FINANCE

Gavin Newsom ▪ Governor

915 L Street ▪ Sacramento CA ▪ 95814-3706 ▪ www.dof.ca.gov

May 11, 2022

Brian P. Kelly
Chief Executive Officer
California High-Speed Rail Authority
770 L Street, Suite 620
Sacramento, CA 95814

RE: Approval of the Project Management and Funding Agreement for the Los Angeles Union Station Project

Dear Chief Executive Officer Kelly,

This letter is to notify the California High-Speed Rail Authority (Authority) of Department of Finance approval of the Project Management and Funding Agreement (PMFA) submitted pursuant to Chapter 152, Statutes of 2012, or the Los Angeles Union Station Project (Project).

Chapter 152 appropriated $1.1 billion in Proposition 1A funding for the construction of locally-sponsored "bookend" projects that will eventually be part of the California's High-Speed Passenger Rail system. Of this amount, $500 million was designated for a broad list of projects in Southern California. The Authority has reached an agreement to provide $423.4 million to fund a portion of the Project, which will be matched with $527 million from other private, local, and state funding sources.

Chapter 152 made distribution of the bookend funds to local project sponsors contingent upon Finance approval of a PMFA between the local project sponsor and the Authority. The Authority submitted the PMFA to Finance on April 29, 2022. Finance has completed a review and approves the PMFA.

For any further questions, please contact me at (916) 322-2263.

Sincerely,

Teresa Calvert

Teresa Calvert
Program Budget Manager

cc: Toks Omishakin, Secretary, California State Transportation Agency

# Attachment C: CMGC Capital Project Lifecycle

| INITIATE | PRELIMINARY ENGINEERING & ENVIRONMENTAL APPROVAL | | ROW ACQUISITION & CMGC PROCUREMENT | FINAL DESIGN & EARLY WORKS | MAIN CONSTRUCTION | PROJECT CLOSEOUT |
|---|---|---|---|---|---|---|
| **STAGE 1** | **STAGE 2** | **STAGE 3** | **STAGE 4** | **STAGE 5** | **STAGE 6** | **STAGE 7** |
| **Project Initiation** | **Identify Preferred Alternative & Begin Preliminary Design** | **Environmental Clearance, Prepare for Construction** | **Right-of-Way Acquisition & CMGC Procurements** | **Final Design & Early Construction** | **Main Construction, Testing & Commissioning** | **Project Closeout** |
| Define initial concept, framework, cost and schedule | 15% Preliminary Engineering | 35% Preliminary Engineering | Right-of-Way Acquisition/Early Demolition | Final Design (Constructability, Value Engineering, Building Information Model) | Start of Main Construction | Construction completed and transfer completed project from contractor to Agency |
| Initial scope evaluated in programmatic environmental impact statement with 5% | Risk Assessment, define preliminary scope, cost and schedule | FInal (EIR/EIS) Environmental Clearance | Procure CMGC Contractor & CMGC Support Services (RFQ/RFP/Award) | Site Investigation, Construction Phasing Plan and subcontracting plan | Manage shared risks, cost and schedule | Detailed project documentation complete |
| | Draft Environmental Impact Report (EIR/EIS) | Determine and Seek Approval of Project Delivery Method | Third party agreements/work - railroads, local jurisdictions, utilities | Design/Construction Schedule & Cost Estimates for each design milestone | Minimize scope creep, change order and/claims | Revenue Service |
| Identify potentional Risk | Evaluate Range of Alternatives & Identify Preferred Alternative | Identiy Right of Way and Utility Relocations | Environmental permits - federal agencies | Independent Cost Estimates to validate cost estimates & shared risk assessment | Substantial Completion | |
| | | Risk Assessment, Scope, cost, schedule | Risk assessment | Third Party Agreement & Work and Advance utility relocation | Ready for track and systems | |
| | | | Refine Scope, cost, schedule | Negotiate Firm Fixed Price (FFP) for Early & Main Construction. If negotiation for FFP is successful, award early and main construction work within Board approved LOP | Track & Systems Testing and Commissioning | |
| | | | | *If negotation of FFP is unsuccessful, pivot to Design Bid Build or other project delivery method | Pre-revenue testing | |

**Pre-Construction Phase**

**Construction Phase**

# Attachment D - Link Union Station Phase A Project Partial Preconstruction LOP Budget

| Use of Funds | Total | 2015 Thru FY 21 | FY 22 | FY 23 | FY 24 | FY 25 |
|---|---|---|---|---|---|---|
| **Planning, Enviromental and Preliminary Engineering Services including Third Party and Soft Costs** | $ 84.431 | $ 80.431 | $ 1.000 | $ 2.500 | $ 0.500 | |
| **Right of Way Activities (Acquisitions, Early Demolition, etc.)** | $ 137.063 | $ 0.200 | $ 55.600 | $ 71.263 | $ 10.000 | |
| **Final Design Phase** | $ 76.324 | $ 4.000 | $ 6.500 | $ 22.000 | $ 24.000 | $ 19.824 |
| *Final Design Engineering Services* | $ 40.000 | $ 2.000 | $ 4.000 | $ 12.000 | $ 13.000 | $ 9.000 |
| *Preconstruction Services* | $ 18.324 | | $ 0.500 | $ 6.000 | $ 6.000 | $ 5.824 |
| *Third Party and Soft Costs (Agreements, Utility Relocation, Agency, Legal, etc.)* | $ 18.000 | $ 2.000 | $ 2.000 | $ 4.000 | $ 5.000 | $ 5.000 |
| **Partial Preconstruction LOP Budget** | **$ 297.818** | **$ 84.631** | **$ 63.100** | **$ 95.763** | **$ 34.500** | **$ 19.824** |

| Source of Funds | Total | 2015 Thru FY 21 | FY 22 | FY 23 | FY 24 | FY 25 |
|---|---|---|---|---|---|---|
| CHSRA ARRA and Other Funds (PA&ED, PS&E) | $ 18.726 | $ 14.807 | $ 1.650 | $ 0.350 | $ 1.919 | |
| CalSTA TIRCP Funds (PA&ED, PS&E and ROW) | $ 227.420 | $ 25.154 | $ 60.450 | $ 93.413 | $ 30.581 | $ 17.822 |
| LACMTA Measure R Funds | $ 51.672 | $ 44.670 | $ 1.000 | $ 2.000 | $ 2.000 | $ 2.002 |
| **Total Funding for Partial Preconstruction LOP Budget** | **$ 297.818** | **$ 84.631** | **$ 63.100** | **$ 95.763** | **$ 34.500** | **$ 19.824** |

ATTACHMENT E

Metro

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

Metro

# Board Report

**File #:** 2017-0924, **File Type:** Motion / Motion Response **Agenda Number:** 31.1.

**REGULAR BOARD MEETING**
**JANUARY 25, 2018**

**Motion by:**

**GARCETTI, BUTTS, AND DUPONT-WALKER**

**Board Delegated Authority**

In January 2017, the MTA Board approved a one-year pilot to delegate the CEO the authority to execute project agreements up to the Life-of-Project (LOP) budget for the Crenshaw/LAX, Regional Connector, and Purple Line Extension Section 1 & 2 projects.

The one-year contract authority pilot program appears to be effective, and MTA states that the pilot has generated an estimated of over $20 million in cost savings.

The pilot program allows quick decision-making to avoid potential delays, allows for DBE's to receive adequate compensation, and avoids delays in payments.

An additional benefit also includes the lowering of cost risk factors when interested bidders submit their proposals.

Currently, MTA Chief Program Management Officer provides a monthly project status update at MTA Construction Committee that includes a Change Activity list for each capital transit project.

Each change consists of one line item with a brief description and cost.

Additional details on the justification for each change are required to enhance transparency, Los Angeles County voters expect every tax dollar is accounted for in a transparent manner.

With the flexibility of executing project agreements up to the Life-of-Project (LOP) budget, it should also come with greater responsibilities in accountability.

**SUBJECT: MOTION BY GARCETTI, BUTTS, AND DUPONT-WALKER**

**<u>Board Delegated Authority</u>**

WE THEREFORE MOVE that the Board direct the CEO to:

A. Include the following information in the form of quarterly report to the Board:

1. Provide a detailed description and explanation of each change order above $500,000 issued and executed;

2. Provide details of the timeline for each change order and/or claim that is submitted and approved. Including the date of contractor submission and MTA execution;

3. Include the contract modification and/or change order amount that was submitted and what was approved by MTA staff and/or the CEO; and

4. Issue the first quarterly report to the Board by April 2018.

B. Include the following pre-conditions to ensure accountability:

- All MTA transit and regional rail capital projects program-wide must establish a Life of Project budget at the beginning of the project in order to be eligible for inclusion in this policy.

WE FURTHER MOVE that the Inspector General:

C. Perform periodical random spot-check audits of these projects to ensure to the Board that the system and policy are performing in the manner described in the recommendation.

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

Metro

# Board Report

**File #:** 2017-0827, **File Type:** Program **Agenda Number:** 31.

**CONSTRUCTION COMMITTEE**
**JANUARY 18, 2018**

**SUBJECT: BOARD DELEGATED AUTHORITY FOR LOP BUDGET MANAGEMENT**

**ACTION: APPROVE RECOMMENDATIONS**

## RECOMMENDATION

CONSIDER:

A. RECEIVING AND FILING report on the Board delegated authority to the Chief Executive Officer (CEO) one-year pilot program authorizing negotiation and execution of project related agreements, including contract modifications, up to the Life-of-Project (LOP) budgets on Crenshaw/LAX, Regional Connector, Westside Purple Line Extension Section1 and Section 2 Projects; and

B. AUTHORIZING the Chief Executive Officer to negotiate and execute project related agreements, including contract modifications, up to the authorized Life-of-Project Budget on all transit and regional rail capital projects program-wide.

## ISSUE

On January 26, 2017, the Board of Directors delegated the CEO authority, for a pilot period of one-year, to execute project related agreements including contract modifications up to the LOP budget on the four mega transit corridor projects currently in progress - Crenshaw/LAX, Regional Connector, Westside Purple Line Extension Section 1 and Section 2 Projects. The Board also directed staff to provide monthly reports, which included any pending project-related agreements, change orders, contract modifications and any significant changes to project contingency. This report summarizes the results and impacts of this one-year pilot program, and recommends the continuation and expansion of the program.

## DISCUSSION

Metro construction projects are often fast-moving, challenging and complex. Quick decision-making is required to take advantage of opportunities to keep the project moving and avoid costly delays. These opportunities require actions to be taken by project management to direct contractors through execution of contract modifications. As Metro projects have grown in size and complexity over the years, the authorization levels delegated to staff and the CEO have not kept pace with the demands

of the projects. On a large mega-project, the CEO's authorization level is often exceeded, thus requiring Board approval of an action.

The need to bring a contract modification to the Board for approval can add at least two months in the authorization process for all actions including time sensitive actions that may impact the project schedule critical path. By continuing the current Board delegated authority to the CEO, contractors will have the opportunity to start time-sensitive critical work immediately. Time is critical to achieving a successful project completion date and any time delay to a project can have exponential cost risks, including extended overhead payments due the contractor should the project be delayed.

In the most recent Los Angeles Construction Market Analysis Update received by the Board in September 2015, contractors working on Metro projects have indicated that the time in processing changes is a significant cost and schedule risk. As a result the contractors have had to include contingencies in their contract prices to address this risk. Any extended time in processing changes also puts subcontractors, including Disadvantaged Business Enterprises (DBEs), at risk of not receiving timely payment for work performed.

Under the current pilot program, changes and modifications are thoroughly reviewed and evaluated by a number of Program Management and Vendor/Contract Management (V/CM) executive management staff as follows:

- Up to $500,000 by Director, Contract Administration and Project Manager;
- Above $500,000 up to $1M by Executive Officer, Vendor/Contract Management (V/CM) and Deputy Chief Program Management Officer;
- Above $1M up to $5M by Chief V/CM Officer and Chief Program Management Officer; and
- Above $5M are elevated to the CEO for approval.

Based on the cumulative contract value, including changes and modifications executed under the Pilot Program, there was an overall increase in DBE participation across all four mega transit corridor projects during the one-year pilot period. Continuing forward, staff will review each change and modification for DBE participation to ensure opportunities for DBEs are maximized.

## Results of the Program

As approved by the Board at the January 26, 2017 meeting, staff has implemented the pilot program and provided monthly reports to the Board. Staff also conducted an analysis to assess the program results and impact during the one-year pilot period.

### Avoidance of Schedule Delays

Based on the data collected during the one-year pilot period, cumulatively among the four mega transit construction projects, change items were elevated to the CEO for expeditious action needed rather than waiting for the process for Board approval. This delegation resulted in projects avoiding schedule delays of up to 6 months and their related cost impacts. Metro staff has estimated that the pilot program has cumulatively generated cost savings that ranges from $22.5M to $30M, measured by project schedule delay avoidance. These cumulative cost savings are approximated using the average cost to the Crenshaw/LAX, Regional Connector, Westside Purple Line Extension Section 1 and 2 Projects for schedule delays range from $3.3 to $5 million per month for a total of $6.6 to $10

million per action for a 2-month delay.

By example, in July 2017, Regional Connector Project was faced with an unexpected need to replace the three screw conveyers to the tunnel boring machine (TBM) as they had been damaged after striking unforeseen site conditions during the first of two mining drives. The tunnel boring activity is on the critical path for the entire project. The estimated cost for the task was in excess of $1 million. Replacement was accomplished during the ten-week preparation period prior to launching the second drive. The task of overseas procurement, followed by the placement and fitting of the new screws into the TBM assembly was accomplished during the scheduled reset and made possible by the CEO authorizing the procurement and associated installation labor under the pilot program. Without the pilot program, a substantial delay to schedule, at a cost of $5 million per month, would have been experienced owing to the lead-time connected with the development and approval of regular Board actions.

By another example, in late May 2017, Westside Purple Line Extension (PLE) Section 1 Project identified an opportunity to increase the project schedule float by advancing the excavation work at the Wilshire/La Brea Station, which is on the critical path of this project schedule. Those work activities estimated in excess of $10 million were elevated to the CEO for review and approval. For this specific change, a prompt turn-around was needed to take advantage of the opportunity to increase the project schedule float. Any prolonged process to implement this change would have resulted in a lost opportunity to gain back float. Without the pilot program, at least two-thirds of the float savings could not have been realized. With the pilot program in place, the change was elevated for the CEO approval and for the work to begin in the field. With the pilot program in place for this specific change, 130 days were added to the project schedule float.

Additional Program Benefits

In addition to allowing the projects to expedite execution of changes rather than incurring delays due to a lengthy approval of changes, there were additional positive program benefits realized, which are summarized as follows:

- Provides staff with the flexibility, responsibility and authority to manage the fast moving projects consistent with the need for quick decision-making and approvals. This is consistent with the Inspector General Office's Capital Project Construction Management Best Practices Study that was presented to the Board in April 2016, which recommended that project/construction management staff in charge be empowered and responsible for the change control process, with support from co-located professional contract administrators. This approach creates streamlined and effective project management allowing for project decisions to be formalized quickly, thus avoiding schedule delays.

- Maintains transparency as projects are still required to seek Board approval for any action requiring LOP budget approval or increase. The Board receives project updates through detailed Monthly Project Status Reports, monthly updates on the project status to the Construction Committee, and the Annual Program Evaluation (APE) presentation.

- Keeps the big picture focus on overall project budget management as opposed to detailed change orders. Since inception of the pilot program through early December 2017, a total of fifteen (15)

project actions were or will be addressed at the CEO level rather than requiring Board approval, one of which is pending CEO approval and execution.

- Maintain consistency with industry best practices for effective project management. The timely processing of contract modifications is a key element of project successes. With the significant increase in number and size of projects and the accelerated implementation schedule for delivering Metro's Capital Program, including the projects on the 28 by 2028 initiative presented at the November 30, 2017 Board meeting, a streamlined project management is integral to successful project delivery. This approach is consistent with other national transit agencies including San Jose, Seattle, and Denver.

## ALTERNATIVES CONSIDERED

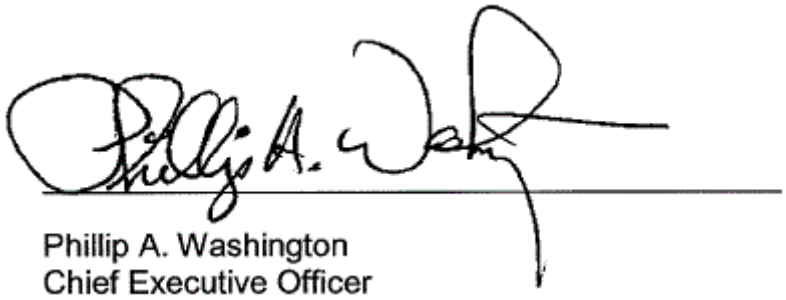
The alternative to staff recommendation is to not extend the delegated authority to other transit capital and regional rail projects program-wide. However, this is not recommended as capital projects will benefit from streamlined and efficient project management.

## NEXT STEPS

Staff will make the necessary changes to the policies and procedures to reflect this expanded delegation of authority to include all transit capital and regional rail projects program-wide. Monthly reports will be provided to the Board reflecting project related agreements and contract modifications executed under this delegated authority.

Prepared by: Brian Boudreau, Senior Executive Officer, Program Control, 213-922-2474

Reviewed by:
Debra Avila, Chief Vendor/Contract Management Officer, 213-418-3051
Richard F. Clarke, Chief Program Management Officer, 213-922-7557



Phillip A. Washington
Chief Executive Officer

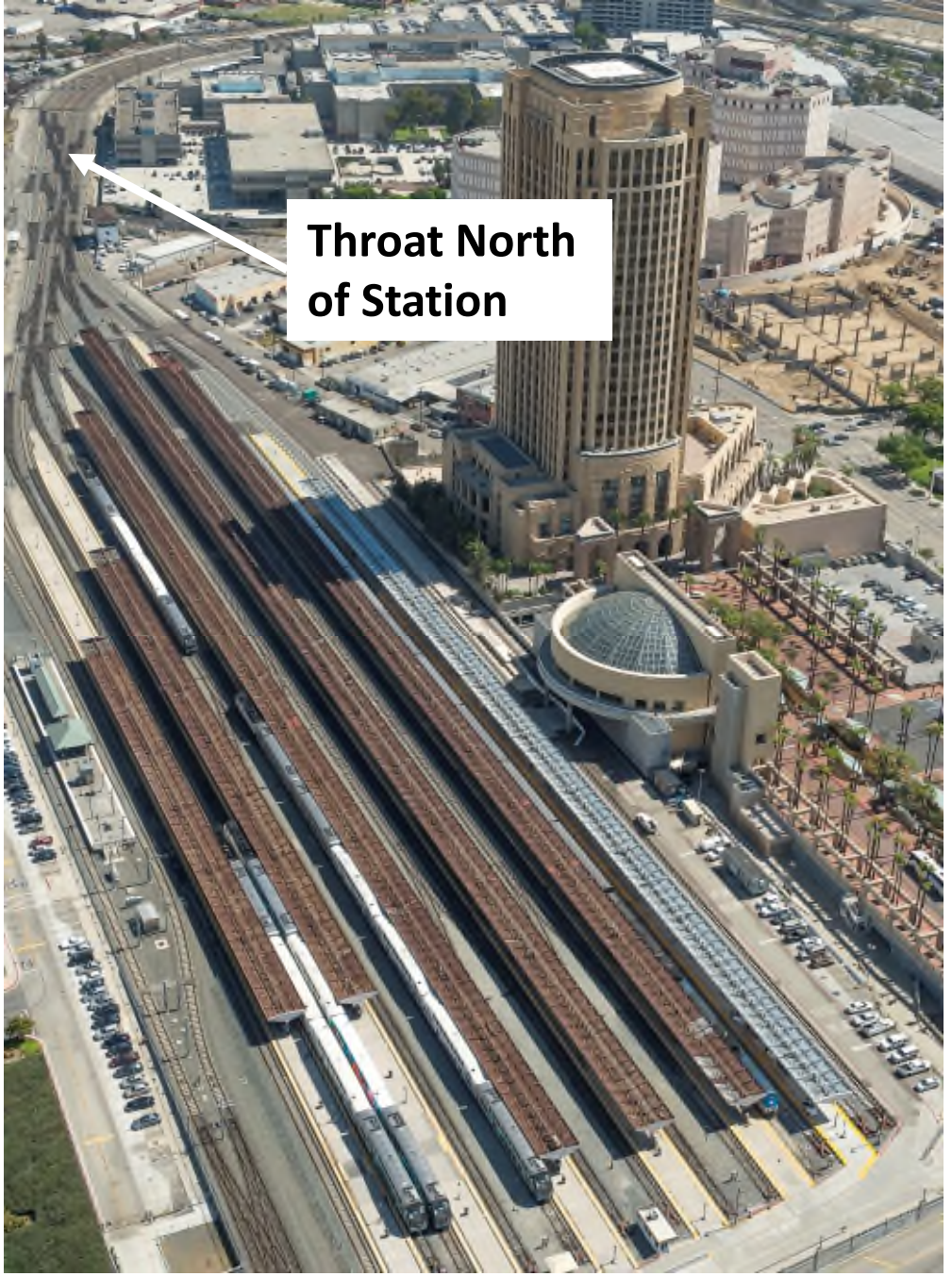
# Link Union Station (Link US) Project

Concept Rendering – subject to change

## Construction Committee

## May 19, 2022

Metro




## Los Angeles Union Station Today

Built in 1939 | Union Station is a stub end station and has not been modernized since it was built

# Link US Project is implemented in two phases, Phase A and Phase B

The major component of Phase A is the run-through bridge structure

## Phase A - Funded

### SEGMENT 1 – THROAT AREA

1. Rail signal, communications and track work
2. Utility relocation

### SEGMENT 2 – COMMERCIAL & CENTER ST

1. Property acquisition
2. Utility relocation
3. Street and ATP improvements

### SEGMENT 3 – VIADUCT & RUN-THROUGH

1. Viaduct structure over US-101 (full width) and south of US-101 to 1st Street.
2. Two run-through tracks from Union Station Platform 4 to mainline tracks
3. Signal and communication

## Phase B - Not Funded

### SEGMENT 4 – RAIL YARD/CONCOURSE AREA

1. Raising of the rail yard, including new platforms and tracks, new stairs, escalators and elevators, and new bridges over Cesar Chavez Avenue and Vignes Street.
2. Proposed modified expanded passageway, including including East and West Plazas
3. Add remaining run-through tracks and new lead track in the throat

Metro

# Existing Commuter and Intercity Rail Services at Los Angeles Union Station (Pre-Covid)

| Carrier | Service | # of Weekday Trains (2020) |
|---|---|---|
| Metrolink | Riverside | 12 |
| | 91 / Perris Valley Line | 11 |
| | Antelope Valley | 30 |
| | Orange County | 23 |
| | San Bernardino | 38 |
| | Ventura | 33 |
| LOSSAN | Pacific Surfliner | 26 |
| Amtrak | Southwest Chief; Coast Starlight; Sunset Limited | 5 |
| | **Total** | **178** |

**There is a total of 178 commuter and intercity trains every weekday in addition to Metro light rail service and Metro subway service every 15 minutes or less during the peak**

Metro


4

# Link US Project Full Buildout (Phases A and B)

## Up to 9 run-through tracks, 6 new reconstructed platforms

# Proposed Commuter and Intercity Rail Services with the Link US Project

New High-Speed Rail Service with the Same Number of Platforms at Los Angeles Union Station

| Carrier | Service | # of Weekday Trains (2040) |
|---|---|---|
| Metrolink | Riverside | 22 |
| | 91 / Perris Valley Line | 23 |
| | Antelope Valley | 48 |
| | Orange County | 41 |
| | San Bernardino | 48 |
| | Ventura | 51 |
| LOSSAN | Pacific Surfliner | 38 |
| Amtrak | Southwest Chief; Coast Starlight; Sunset Limited and future routes | 9 |
| California High-Speed Rail | San Francisco to Los Angeles Union Station | 173 |
| Brightline West High-Speed Rail | Las Vegas to Los Angeles Union Station (via Palmdale using High Desert Corridor) | 50 |
| | Total | 503 |

**Weekday Trains are expected to almost triple by 2040, with new High-Speed Rail service**

Metro

# CHSRA Project Management Funding Agreement

## APPROVE $423.335 MILLION for Link Union Station Phase A

1. **April 27, 2022-** The California High Speed Rail Authority (CHSRA) Board approved the Project Management Funding Agreement (PMFA) for Link Union Station Project subject to the review and approval by California State Department of Finance (DOF).

2. **May 11, 2022** - The DOF approved the PMFA for the Link Union Station Project.

# APPROVE Project Management Funding Agreement

## FOR $423.335 MILLION for Link Union Station Phase A

**In Partnership with CHSRA and SCRRA, staff is requesting approval of the CHSRA PMFA that will grant the CHSRA the following rights and benefits:**

1. **HSR station in the heart of downtown Los Angeles**

2. At CHSRA's sole cost, **the right to build all necessary improvements to allow HSR operations and operate two (2) HSR tracks on the LACMTA Railroad Right of Way** consistent with a consensus design for the corridor and **without impairing functionality or the uses of, or the maximum capacity and subject to the requirements of all existing or modified Shared Use Agreements** (as they may be further modified) that govern the use and operation of such existing tracks within the Railroad Right of Way. In partnership with CHSRA, has the option to construct two HSR tracks in the corridor and subject to the restrictions identified above.

3. **The right to operate four (4) HSR trains per hour per direction on the four-track shared corridor. The Parties jointly and cooperatively commit to identify and pursue funding, if needed, for an additional (fifth) track in the LACMTA-owned Right-of-Way, needed to accommodate future uses by other passenger rail and/or freight operators.** When the State makes further investments in the corridor beyond the Funds to be provided under this PMFA, CHSRA will coordinate with LACMTA on further agreements for an expansion of operating rights beyond four (4) trains per hour per direction.

# CHSRA Project Management Funding Agreement

## APPROVE $423.335 MILLION for Link Union Station Phase A

**(continue) In Partnership with CHSRA and SCRRA, staff is requesting approval of the CHSRA PMFA that will grant the CHSRA the following rights and benefits:**

4. **Non-exclusive inter-city operating rights on the Railroad Right of Way subject to the approval by the United States Surface Transportation Board (STB).** LACMTA will cooperate and support CHSRA's efforts to obtain such STB approval. **CHSRA will exercise its operating rights along this route, with the understanding that a more detailed operating plan will be required, along with follow-on agreements for maintenance and operations** and any required amendments to the existing Shared Use Agreements between or among CHSRA and SCRRA, BNSF Railway and Union Pacific Railroad (UPRR) which will need to be negotiated in good faith prior to any exercise of such operating rights by CHSRA.

5. **Cooperation and support for CHSRA in negotiating such maintenance and operations agreements and amendments to the Shared Use Agreements with SCRRA, BNSF Railway and UPRR as may be needed to allow for HSR operations on two (2) HSR tracks based on an approved HSR operating plan provided by CHSRA, and without limiting the operating rights and requirements for construction and operation of rail projects already approved by LACMTA's Board**.

# Link US Funding Plan (established in 2018)

## FUNDING SOURCES

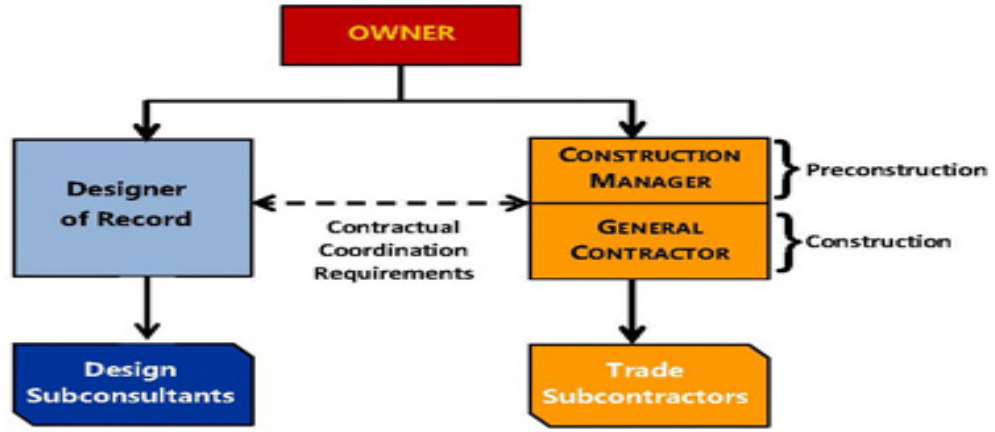
| Funding Source | Amount ($ in millions) | Partial Preconstruction Phase LOP Budget Request |
|---|---|---|
| State Proposition 1A/High Speed Rail Bonds | $423.335* | - |
| State Transit Intercity Rail Capital Program (TIRCP) | $337.571* | $227.420 |
| State Transportation Improvement Program (STIP) | $60.820* | - |
| Metro Measure R 3% | $51.672* | $51.672 |
| Other Metro Local funds | $13.274** | - |
| SCRRA JPA Contribution (Non-Metro) | $40.000* | - |
| Other HSR Funds | $18.726* | $18.726 |
| LOSSAN/Amtrak | $5.000** | - |
| Total | $950.398 * | $297.818 |

1. 98% of the funding for Link US Phase A funding plan as been secured with the CHSRA approval of the PMFA – $932.124 million (out of $950.398 million)
2. Staff is working is on securing the remaining 2% or $18.274 million which is not needed until main line construction begins as early as 2024.

# Construction Management/General Contractor

## Two Phases of CMGC Project Delivery Method

1. **The CM/GC project delivery method consists of two phases:**
   a) **Preconstruction Phase**
   b) **Construction Phase**




2. **The goal of the CMGC project delivery method is to design and construct to budget**.
   a) **The contractor acts as the (construction manager) consultant during the design process** and can offer constructability and pricing feedback on design options and can identify risks based on the contractor's established means and methods. As noted earlier, **this process also allows the owner to be an active participant during the design process and make informed decisions on design options based on the contractor's expertise**.
   b) When the owner considers the design to be complete, the construction manager then has an opportunity to negotiate a price on the project based on the completed design, schedule and risks. **If the owner, designer and independent cost estimator agree that the contractor has submitted a fair price, the owner issues a construction contract and the construction manager then becomes the general contractor.**

# CMGC Project Life Cycle (Metro Board approved CMGC 12/5/19)

## Staff is requesting Partial Life of Project Budget for Preconstruction Phase

**Staff is seeking approval of a Partial Preconstruction Life of Project (LOP) Budget in the amount of $297.818 million compromising of:**

1. **$121.382 million of new Preconstruction Work**
2. **Previously Board approved Preconstruction work totaling $176.426 million since 2015** for environmental, planning, preliminary engineering design, third party work, soft costs and real estate acquisitions for Phase A. The CEQA FEIR was completed July 2019 and amended in October 2021.

| INITIATE | PRELIMINARY ENGINEERING & ENVIRONMENTAL APPROVAL | | ROW ACQUISITION & CMGC PROCUREMENT | FINAL DESIGN & EARLY WORKS | MAIN CONSTRUCTION | PROJECT CLOSEOUT |
|---|---|---|---|---|---|---|
| STAGE 1 | STAGE 2 | STAGE 3 | STAGE 4 | STAGE 5 | STAGE 6 | STAGE 7 |
| Project Initiation | Identify Preferred Alternative & Begin Preliminary Design | Environmental Clearance, Prepare for Construction | Right-of-Way Acquisition & CMGC Procurements | Final Design & Early Construction | Main Construction, Testing & Commissioning | Project Closeout |

Pre-Construction Phase

Construction Phase

# CMGC – PRECONSTRUCTION PHASE

## Staff is requesting Partial Life of Project Budget for Preconstruction Phase

| INITIATE | PRELIMINARY ENGINEERING & ENVIRONMENTAL APPROVAL | | ROW ACQUISITION & CMGC PROCUREMENT | FINAL DESIGN & EARLY WORKS | MAIN CONSTRUCTION | PROJECT CLOSEOUT |
|---|---|---|---|---|---|---|
| STAGE 1 | STAGE 2 | STAGE 3 | STAGE 4 | STAGE 5 | STAGE 6 | STAGE 7 |
| Project Initiation | Identify Preferred Alternative & Begin Preliminary Design | Environmental Clearance, Prepare for Construction | Right-of-Way Acquisition & CMGC Procurements | Final Design & Early Construction | Main Construction, Testing & Commissioning | Project Closeout |

Pre-Construction Phase

Construction Phase

NEW PRECONSTRUCTION WORK IS COMPLETED AT STAGE 5

RETURN TO THE BOARD FOR FUNDING FOR EARLY CONSTRUCTION WORK AND LOP FOR MAIN CONSTRUCTION WORK

## New Preconstruction Work of $121.382 million

1. **Complete the NEPA Environmental Document by August 2023**
2. **Continue with Third Party agreements for advance utility relocations (LADWP, Telecomm, Gas, etc.)**
3. **Continue with Real Estate Acquisitions and on-going engineering support services**
4. **Continue work on preliminary engineering/final design**
5. **Prepare for CMGC award for Preconstruction Services subject to Board approval in June 2022**

# CMGC – PRECONSTRUCTION PHASE

Staff is requesting Partial Life of Project Budget for Preconstruction Phase

| Activity/Phase | Board Authorized Amount from Inception to October 2019 | Board Authorized Amount in June 2021 | New Preconstruction Work | TOTAL Partial Preconstruction Phase LOP Budget Request |
|---|---|---|---|---|
| PA&ED Phase: Planning/Environmental/Preliminary Engineering, Third Party Work and Related Soft Costs | $ 80.431 | - | $ 4.000 | $ 84.431 |
| PS&E Phase: Final Design, Third Party Work/Utility Relocation, project management and all related soft costs | $ 14.915 | - | $ 61.409 | $ 76.324 |
| R/W Phase: Real Estate Acquisitions and Early Demolition | $ 4.416 | $ 76.674 | $ 55.973 | $ 137.063 |
| TOTAL | $99.762 | $ 76.674 | $ 121.382 | $ 297.818 |

**All funding has been secured and there is no impact to the FY22 budget** as the amount of $63.1 million is included in the approved FY22 budget for cost center 2415 under Link US 460089.

# Next Steps

**After Board approval, staff will**

1. **Work with CHSRA to receive an executed PMFA by June 2022.**

2. **Return to the Board in June 2022 to seek approval for CMGC contract award for preconstruction services only.**

3. **Complete the NEPA environmental work by Summer 2023.**

4. **Return to the Board by Fall 2023 for funding for Early Construction Work to supplement the Partial Preconstruction LOP budget.**

# QUESTIONS?

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

Metro

# Board Report

**File #:** 2022-0090, **File Type:** Project **Agenda Number:** 27.

**EXECUTIVE MANAGEMENT COMMITTEE**
**MAY 19, 2022**

**SUBJECT: METRO ADVISORY BODY COMPENSATION POLICY UPDATE**

**ACTION: APPROVE RECOMMENDATIONS**

## RECOMMENDATION

CONSIDER:

A. APPROVING proposed amendments to the Metro Advisory Body Compensation Policy (ABC Policy) (Attachment A); and

B. DELEGATING authority to the CEO or their designee to amend the ABC Policy, with the exception of the advisory body tiers and respective compensation amounts, as-needed to implement the policy.

## ISSUE

The ABC Policy became effective on October 1, 2021. Policy implementation has surfaced the need to 1) clarify the Elected Official and Staff exemption and 2) facilitate a consistent method for collecting demographic information on advisory body membership to comply with requirements under the Federal Transit Administration's Title VI Circular 4702.1B.

## BACKGROUND

During the Metro Board meeting on September 23, 2021, the Board approved the Metro Advisory Body Compensation Policy (ABC Policy) and delegated authority to the CEO, or the CEO's designee, to compensate Metro advisory body members pursuant to Metro's ABC Policy. (See Attachment B.) The ABC Policy determines if and when members of the public who serve on Metro advisory bodies can be compensated. Advisory bodies are defined as Metro-created or sanctioned groups that voluntarily provide input to Metro on programs, projects, and other initiatives. The ABC Policy has three tier categories for compensation: 1) Advise, 2) Advise and Prepare, and 3) Advise and Collaborate, and each tier authorizes compensation amounts of 1) $100, 2) $150, and 3) $200,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respectively, per general meeting. (See Attachment C.) The level of responsibility, time commitment, and roles of the advisory member increase with each tier. (See Attachment C.) All members may also be compensated at $50 per subcommittee meeting. Compensation is entirely voluntary and is not required.

Implementation for each advisory body includes four steps: 1) Compensation Tier Determination, 2) Advisory Member Notification and Decision, 3) Administrative Paperwork Submission; and 4) ABC Policy Payment Processing, which is ongoing. During step two, staff administering the five Metro Service Councils raised questions about the eligibility exemption for Elected Officials and asked for clarification, noting that Elected Officials that serve on the Service Councils were eligible for compensation prior to the approval of the ABC Policy. The approved ABC Policy language states, “The Policy currently excludes LACMTA employees and any public agency, Councils of Governments, or elected office staff who serve on advisory bodies as part of their professional role.”

Furthermore, the Federal Transit Administration’s (FTA) Title VI Circular 4702.1B states that FTA financial assistance recipients “that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.” Based on discussions with Metro’s Title VI program staff, regular collection and tracking of demographic data would assist Metro in complying with the Federal Transit Administration’s Title VI Circular 4702.1B.

## DISCUSSION

### Proposed Amendments

1. Elected Officials

The five Metro Service Councils were established in 2003 through approval by the Metro Board. Per agreement with regional stakeholders who participated in the Councils’ creation, Service Council members, including Elected Officials, are eligible for compensation. Accordingly, staff recommends that the ABC Policy be updated to 1) add a grandfather clause that allows Elected Officials that serve on one of the five Metro Service Councils established in 2003 to remain eligible for compensation, and 2) clarify that, except as exempted under the Service Council grandfather clause, Elected Officials and staff of Elected Officials are not eligible for compensation under the ABC Policy if participating on a Metro advisory body in their role as an Elected Official or staff of an Elected Official. Elected Officials serving on the Service Councils must meet all other requirements for eligibility to receive compensation.

2. Demographic Data

To ensure compliance with the FTA's Title VI Circular 4702.1B, staff recommends amending the ABC Policy to require all Metro advisory body administrators distribute a survey to all advisory body members to collect demographic data, including race/ethnicity. This information would be gathered as each new member joins and every three years with the Title VI program update. Completion of the survey would be voluntary for members. Upon the approval of this Report, initial surveys must be distributed and collected by July 1, 2022.

## FINANCIAL IMPACT

There is no impact to the existing FY22 budget as a result of this report.

## EQUITY PLATFORM

The Advisory Body Compensation Policy is one tool in a growing toolkit that helps reduce barriers and support participation in Metro's decision-making and planning processes. The ABC Policy was developed to advance equitable outcomes that uplift the lived experiences of individuals representing historically marginalized and vulnerable groups by providing fair compensation and alleviating a financial barrier to participation for members who do not have the ability to donate their time to Metro. These amendments will provide the data to help Metro track advisory body member demographics and help ensure diverse representation that reflect the LA County region and Metro's ridership. These amendments will also help ensure implementation of the Policy remains fair and equitable.

## IMPLEMENTATION OF STRATEGIC PLAN GOALS

These recommendations supports strategic plan goals #4.1 and #3.3 by helping Metro collaborate with the public, foster trust with everyday stakeholders in its planning processes and creates an opportunity for robust community engagement opportunities that reflect the communities Metro serves.

## NEXT STEPS

Upon Board approval, the Advisory Body Compensation Policy will be amended.

## ATTACHMENTS

Attachment A - Amended Advisory Body Compensation Policy
Attachment B - File #: 2021-0509 Metro Advisory Body Compensation Policy
Attachment C - Metro Advisory Body Policy

Prepared by: KeAndra Cylear Dodds, Executive Officer, OER (213) 922-4850

Reviewed by: Nicole Englund, Chief of Staff, (213) 922-7950

Stephanie N. Wiggins
Chief Executive Officer

Los Angeles County
Metropolitan Transportation Authority

Metro
Metro

# GENERAL MANAGEMENT
# Advisory Body Compensation Policy (ABCP)

(GEN 62)

## POLICY STATEMENT

Pursuant to the Board Approved Equity Platform (March 2018), Los Angeles County Metropolitan Transportation Authority (LACMTA) is committed to incorporating equity into all facets of LACMTA's decision-making and genuinely engaging impacted communities in ~~it's~~its processes, while continuously pursuing equitable outcomes in everything it does. This commitment includes investing resources to remove barriers and eliminate disparities in the participation of Black, Indigenous, People of Color (BIPOC) and other marginalized people in decision-making processes. This includes but is not limited to households with low-incomes, people with disabilities, immigrants, people with limited English proficiency, members of the lesbian, gay, bisexual, transgender and queer community, older adults, and youth. LACMTA acknowledges the systemic barriers and financial and emotional costs faced by BIPOC and other marginalized people in participating in LACMTA's decision-making processes. The Advisory Body Compensation Policy ("Policy") offers a compensation model designed to support and sustain participation by members of the public in advisory bodies across LACMTA's portfolio.

## PURPOSE

The Advisory Body Compensation Policy applies to LACMTA-established or sanctioned advisory bodies and is intended to determine when and how to compensate members of the public who serve on advisory committees.

## APPLICATION

This policy applies to members of LACMTA-created or sanctioned advisory bodies.

Advisory body members are independent, and no language in the Policy will be construed to create the relationship of agent or employee, as between an advisory body member and LACMTA. Advisory body members will not be, or be construed to be, the employees or agents of LACMTA.

| _____ | _____ | _____ |
|---|---|---|
| APPROVED: County Counsel or N/A | Department Head | ADOPTED: CEO |

Effective Date: _____

Date of Last Review: _____

Los Angeles County
Metropolitan Transportation Authority

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# GENERAL MANAGEMENT
# Advisory Body Compensation Policy (ABCP)

(GEN 62)

## 1.0 GENERAL

The Office of Equity and Race will administer this policy by serving as a resource for departments through implementation, overseeing eligibility determinations, overseeing, and tracking compensation tier determinations in coordination with Community Relations, and leading policy review and updates, as necessary.

The department, office, or unit responsible for administering an advisory body will be responsible for ensuring a compensation tier determination is made, budgeting for, funding, and ensuring payment of compensation for that advisory body, submitting five-year reviews to the CEO, and otherwise implementing the policy, as necessary.

## 2.0 PROCEDURES

These procedures establish administrative guidelines for determining compensation of members of the public serving on advisory bodies.

### 2.1 Defining Advisory Bodies

Advisory bodies are LACMTA-created or sanctioned groups, regardless of name, that voluntarily provide input to LACMTA on program, project, and other issues, and develop recommendations, when requested, to enhance projects, programs, or other provisions. The primary purpose of advisory bodies is to provide LACMTA with input and/or expertise from the perspective of members of the public or experts in specific fields. Advisory bodies can also bring together members of the public with views that are not often heard by LACMTA. Below is a list of factors for determining whether a body is an eligible advisory body under the Policy. An eligible advisory body does not need to fulfill every qualifier listed below in order to be eligible for the Policy, nor is the list intended to be inclusive of all roles that advisory bodies may play at LACMTA.

Advisory bodies are groups that:

- Have defined roles, responsibilities, and membership
- Have members who offer specific or unique perspective, knowledge, skills, or experience which LACMTA may not have or otherwise adds value to LACMTA's work
- Provide input and recommendations to LACMTA on projects, scopes of work, programs, policies, budgets, and other provisions
- Review and evaluate the various transportation proposals and alternatives within Los Angeles County
- Provide technical input and assistance to LACMTA on issues affecting local transit systems or transportation programs in Los Angeles County

- Assist LACMTA in improving and promoting bus and rail services to specific populations
- Assist LACMTA in improving and promoting transportation related projects and programs to specific populations
- Provide independent oversight and enhanced level of accountability for expenditures of sales tax revenues made under the adopted expenditure plan(s~~)~~), as required by legislation.

Any new advisory body that is created or sanctioned by LACMTA will need to pose a unique or different value than existing advisory bodies and be reviewed for eligibility under the Policy.

### 2.2 Advisory Body Eligibility

Members serving on any formal advisory body, that has been or is created or sanctioned by LACMTA, are eligible for compensation under the Policy as of the effective date unless determined ineligible by the preceding legislation, charters or bylaws, or provisions in the Policy. Eligibility for the Policy may include informal advisory bodies that have been created by LACMTA and will be assessed on a case-by-case basis. Upon a determination that members of the public are asked to fulfill the same or similar roles as those described in compensation tiers below for informal advisory bodies, they will be eligible for compensation based on the tier that best fits their role. Groups that LACMTA participates in or facilitates but did not create or sanction will not be eligible for compensation under this Policy. Advisory bodies developed for project-based needs will be assessed on a case-by-case basis for eligibility under the Policy. Further information on the eligibility of project-based groups will be outlined in the forthcoming Implementation Guidelines.

### 2.3 Advisory Body Member Eligibility

All members of the public serving on LACMTA advisory bodies will be eligible for compensation regardless of immigration status, housing status, ability, or any other status that may be a barrier to participation. The Policy currently excludes LACMTA employees and any public agency, Councils of Governments, ~~or~~ elected ~~office~~officials or staff of elected officials who serve on advisory bodies as part of their professional role, except as exempted in 2.3.1. Members who 1) work for a contractor or organization holding an active contract with LACMTA and 2) participate or are listed in the contract activities, while serving on an advisory body are not eligible for advisory body compensation for the duration of the contract. This applies to all contractors, including non-profit organizations and community-based organizations. Once no longer under contract with LACMTA, an advisory body member may receive compensation. Further, the Policy only applies to members of the public who are formal members of LACMTA

created and sanctioned advisory bodies. Application of the Policy to unofficial advisory bodies will be determined on a case-by-case basis.

#### 2.3.1 Service Council Grandfather Clause

The Board established the LACMTA Service Councils in 2003. Per agreement with regional stakeholders who participated in the Councils' creation, Service Council members, including elected officials, are eligible for compensation. For the following five Service Councils approved at that time, elected officials and their staff will be eligible to receive compensation.

1) Gateway Cities Service Council
2) San Fernando Valley Service Council
3) San Gabriel Valley Service Council
4) South Bay Service Council
5) Westside/Central Service Council

Elected officials and their staff must meet all other eligibility and attendance requirements provided in this Policy and applicable Service Council bylaws to receive payment.

### 2.4 Advisory Body Member Tiers

The Policy has three tier categories for compensation: 1) Advise, 2) Advise and Prepare, and 3) Advise and Collaborate. The level of responsibility and roles of the advisory member increase with each tier, along with the compensation rate. Tiers focus on the advisory body member's potential time commitment, roles, and responsibilities while serving on the advisory body.

- The Advise tier applies to advisory body members that largely play the role of an advisor for LACMTA staff with minimal responsibilities outside of attending meetings.
- The Advise and Prepare tier applies to body members responsible for one to two hours of advance preparation for meetings on top of attending meetings.
- The Advise and Collaborate tier applies to members whose responsibilities include collaboration with other members, LACMTA staff, and/or other community members or external partners, to develop a shared vision and outcomes. The Advise and Collaborate tier should be applied when advisory

members have a moderate to significant workload outside of advisory committee meetings.

Determination of an advisory body's categorization in a specific tier will be determined by the LACMTA department managing the respective advisory body, in consultation with the Office of Equity and Race and Community Relations.

| LACMTA Advisory Body Compensation Policy Tiers | |
|---|---|
| **Tiers** | **Roles and Responsibilities** |
| **Advise** | -Participate in advisory body meetings once a month or less<br>-Provide feedback on topics discussed at the advisory body meeting<br>-Includes light advance review of materials in preparation for meetings |
| **Advise and Prepare** | -Participate in advisory body meetings once a month or less<br>-May participate in advisory subcommittees<br>-Provide feedback on topics discussed at the advisory body meeting<br>-Advise or provide feedback on pieces of LACMTA's scope of work, such as draft community engagement plans<br>-May require 1-2 hours of advance review of materials or other preparation for meetings, including workgroup meetings, community engagement efforts, and other tasks per meetings |
| **Advise and Collaborate** | -Participate in advisory body meetings twice a month or more<br>-Participate in advisory subcommittees<br>-May require 2-4 hours of advance review of materials or other preparation for meetings, including readings, workgroup meetings, and other tasks per meeting<br>-Provide input on how LACMTA will design, plan, and execute pieces of LACMTA's scope of work<br>-Provide input on substantial scopes of work from LACMTA, provide expertise on topics that other technical consultants are typically compensated for<br>-Support LACMTA with external outreach or engagement with the public, a particular community or population, an affiliated group, and/or community-based organizations (CBO) on topics addressed in the advisory body |

### 2.5 Advisory Body Compensation Structure

The compensation structure has three tiers which align with the advisory body member tiers. Compensation will be provided on a per meeting basis, with a fiscal year

maximum. Payments will be provided by a check or direct deposit, unless an alternate form of compensation is required, as described in section 2.5.6.

2.5.1 Compensation Structure

The Advise tier compensation rate is set on a per meeting attended basis, with each subsequent tier increasing per meeting, up to the CEO-approved maximum. Alternates encouraged to attend and/or that participate in their body meetings will be paid at lower rates than the assigned compensation tier for their advisory body. (See Attachment 1: Advisory Body Compensation Charts, Table 1 for current rates).

The Policy includes an annual cap on compensation totals for advisory body member participation for each fiscal year. A cap, or maximum, serves to manage budget and workload for each advisory body, but does not preclude a department from providing higher compensation with justification. All advisory members will be compensated only for meetings attended, regardless of the advisory body meeting schedule. Advisory body members are responsible for determining accuracy of their meeting attendance, as discussed in section 2.5.6 below. Compensation will only apply to roles and responsibilities identified by advisory body administrators. Advisory body members will not be compensated for time spent on activities conducted outside of defined roles and responsibilities.

2.5.2 Subcommittee Meeting Rates

Advisory committee members may participate in both regular and subcommittee meetings. Some committees may include alternate and/or non-voting members who may only actively participate in subcommittee meetings. Participation in any subcommittee meetings will be compensated at a designated rate per meeting, regardless of whether the participant is a regular advisory committee member or an alternate/non-voting member, up to the cap rate for their compensation tier or member status. (See Attachment 1: Advisory Body Compensation Charts, Table 1 for current rates). Members of the public who participate in subcommittee meetings but are not regular or alternative members of the general advisory body will not be eligible for compensation under this Policy.

If an advisory body does not have existing subcommittees as of the effective date of the Policy, the body will need to have a process to define subcommittees and require approval from LACMTA staff who facilitate the body for subcommittee participation to be eligible for compensation. Advisory body members will be required to provide a justification for the creation of the subcommittee as well as identify scope. An acceptable justification may include a reason, such as regular

body meetings not providing sufficient time to discuss critical topics relevant to the advisory body.

2.5.3 Maximum Compensation

Each compensation tier includes a maximum amount a participant may receive as a committee member in a single fiscal year. After a member's fiscal year maximum is reached, additional participation will be uncompensated until the start of the next fiscal year. Maximum compensation thresholds apply to eligible advisory bodies for each individual member. For example, if a member of the public serves on more than one LACMTA advisory body, that individual is subject to separate capped maximum compensation amounts for each separate advisory body.

Each department will be responsible for funding and tracking the compensation for advisory bodies they manage. A cap, or maximum, serves to manage budget and workload for each advisory body, but does not preclude a department from providing higher compensation with justification. It will be up to the individual discretion of the lead department, office, or unit to budget for, justify during the tier determination process, and provide compensation beyond the annual maximum compensation amount identified in the Policy. For projects that include advisory bodies in their scope of work, sufficient budget should be allocated for advisory member compensation at the determined tier.

2.5.4 Compensation Tier Determination

Each department, office, or unit responsible for administering an advisory body will submit their proposed compensation tier, maximum budget for the advisory body including any justification if higher than prescribed under the Policy, and documentation of Policy funding in the annual budget to the Office of Equity and Race and Community Relations for review of consistency with the Policy. Once the Office of Equity and Race and Community Relations approve the proposed compensation tier, LACMTA staff will commence payment of the advisory body. If the proposed compensation tier is determined to be inconsistent with the Policy, the lead department, office, or unit will be requested to resubmit for another round of review. If the lead department, office, or unit determines that the body is not eligible for compensation, a justification must be submitted for review and confirmation by the Office of Equity and Race. If the roles and responsibilities of an advisory body change or expand, the lead will be required to submit for another review of the compensation tier for that body. Further guidance on compensation tier determination will be provided in the Implementation Guidelines.

2.5.5 Memorandum of Understanding and Compensation Agreement

Advisory members who serve on a body without existing bylaws and charters must sign a Memorandum of Understanding (MOU) that summarizes the roles and responsibilities for participation on their advisory body and the determined compensation tier. The MOU provided with the Policy is meant to serve as a template for advisory bodies and should be amended to fit application to eligible bodies as necessary. Bodies with existing bylaws and charters will be required to amend their bylaws and charters with the compensation tier determination and updated roles and responsibilities, and payment details as applicable by the Policy.

Receiving compensation from LACMTA is entirely voluntary and is not required. Members of the public can choose to opt in or out of receiving compensation from LACMTA via the Compensation Agreement which all advisory body members will be required to sign. Compensation Agreements will be valid for the length of the advisory body's established term or one fiscal year for advisory bodies without established terms. Compensation Agreements will require annual review and updates only if needed to reflect any changes in membership or anything that would affect a member's eligibility, the advisory body's tier status determination, or the payment agreement among advisory body members.

If an advisory body member wishes to change their opt-out decision during the fiscal year after a Compensation Agreement was finalized, they will need to request a change with a staff representative of the LACMTA department managing their advisory body to determine budget and administrative feasibility for a mid-year change. Retroactive payment will not apply for the period the member opted out of payment.

All advisory members who receive compensation will also be required to submit a W4 and/or other required documentation if a compensation alternative is needed.

2.5.6 Payment Processing

Advisory body members will be paid within one (1) month of their last meeting, pending confirmed attendance of each meeting. It is the responsibility of advisory body members to clarify or correct inaccurate record of their meeting attendance with the managing LACMTA staff of the advisory body. Compensation alternatives will be available for advisory body members who may require compensation in a form other than check or direct deposit.

Payment will be issued via check or direct deposit unless a member requires a compensation alternative. Members who request a check will have it mailed to the address provided or will be able to pick up checks at LACMTA Headquarters or a Division nearest to them. Office, department, or unit leads must notify advisory body members of the option to pick up checks at nearby LACMTA Divisions if an alternative is requested.

## 2.6 Compensation Alternatives

### 2.6.1 Compensation Alternatives Criterion

This Policy seeks to reduce barriers to advisory body participation for all members of the public. Compensation alternatives are available to accommodate advisory body members who may not be able to accept compensation in the form of a check or direct deposit. Reasons for requesting compensation alternatives must be kept private and not impact the participation of an advisory body member. Compensation alternatives will only be available for advisory members who qualify for any of the following criterion:

- The advisory body member is unbanked and/or unable to open a financial institution account;
- The advisory body member is a minor under the age of 18 years old;
- The advisory body member concurrently receives social or public benefits during their tenure **and** additional forms of income would make them ineligible for these existing benefits; and/or
- The advisory body member does not have a United States Social Security card or number.

If an advisory body member qualifies under one or more of the criterion above, LACMTA may provide potential payment alternatives such as pre-paid cards, gift cards, or an LACMTA-provided TAP Card at an amount equal to the member's determined compensation rate. Some compensation alternatives may still be considered income and may not be a suitable alternative for those who receive social benefits and for whom additional forms of income would make them ineligible for these existing benefits. Additional compensation alternatives are being explored and will be finalized in the forthcoming Implementation Guidelines.

### 2.6.2 Compensation Alternative Eligibility Review

Eligibility for alternative compensation will be reviewed by an inter-departmental team comprised of representatives from the Office of Equity and Race and

Community Relations on an as-needed basis. Eligibility for alternative compensation accommodations would be set for the tenure of an advisory member's service on all LACMTA advisory bodies unless the member requests a re-evaluation due to a change in eligibility. Acceptable changes in eligibility are loss, or a reasonable anticipation of loss, of social or public benefits, an advisory member becoming eligible to receive compensation via check or digital transfer or change in possession of a Social Security number.

### 2.7 Compliance Oversight

The Policy and all activities will be monitored on an annual basis through an independent review and/or audit performed by LACMTA Management Audit Services to ensure compliance by all LACMTA-created or sanctioned advisory bodies.

### 2.8 Participation Support

Participation support is a tool for promoting more equitable outcomes for members of the public who may experience barriers to participating in advisory bodies. It includes resources provided to facilitate public participation in advisory body meetings, such as food, childcare, transportation, translation/live interpretation, and other incentives that facilitate public participation towards equitable outcomes. Participation support is different from compensation and should not be considered a replacement for compensation as established by this Policy.

### ~~2.9~~2.9 Demographic Data Collection

In compliance with FTA Title VI requirements, LACMTA does not deny anyone's ability to serve on advisory bodies based on the grounds of race, color, national origin or any other protected status. To ensure compliance, all LACMTA Advisory Body administrators must distribute the Demographics Survey (Attachment 4) to its members and submit all completed surveys to the Office of Civil Rights, Racial Equity, and Inclusion. The survey will be distributed triennially to all Advisory Body members, and given to any new members joining in the interim.

### 2.10 ABCP Best Practices

The following best practices are to be implemented with every advisory body that is eligible under the Policy. ABCP best practices are meant to support staff in implementation of the Policy and ensure that implementation is consistent. They are as follows:

- Build advisory body compensation costs into department budgets annually.

- Advise members that compensation received as part of the advisory body constitutes income and could impact any public benefits.
- Determine and clearly communicate compensation tiers and payment methods before any participation begins.
- Issue payment to advisory body members within one (1) month of their last meeting, pending confirmed attendance of each meeting.

The Office of Equity and Race will regularly review the ABCP best practices, incorporating internal and/or external agency practices, as appropriate.

## 3.0 Sunset Dates

Existing advisory bodies, with the exception of those governed by legislation, will have sunset dates established every five years from the date of their tier determination for a review of the body's scope, role, compensation tier, and accomplishments, to be evaluated by the CEO. Sunset dates will be up to five years after the Policy tier determination date for existing and future advisory bodies.

## 4.0 DEFINITION OF TERMS

**Compensation Alternatives** – Payment accommodations, such as general gift cards or pre-paid cards, available to advisory body members who may be unbanked, who concurrently receive social or public benefits during their tenure and where additional forms of income would make them ineligible for these existing benefits, and/or who do not have a United States Social Security card or number.

**Compensation Agreement** – A signed payment agreement between the advisory body members and LACMTA that outlines requirements to receive payment and allows the advisory body member to opt in or out of receiving payment.

**Memorandum of Understanding (MOU)** – An agreement made between LACMTA and the advisory member that outlines roles and responsibilities, expectations, compensation tier, payment process and timeline, and schedule.

**Social or Public Benefits** – Payments received by an individual for membership or eligibility in various government programs including, but not limited to, Social Security, Disability (short-term, Social Security, veterans, workers' compensation, long-term, retirement, etc.), Family and Medical Leave Act (FMLA) or Pregnancy Disability Leave, CalFresh, Women, Infants, & Children (WIC), Medi-Cal or Health Care/Coverage, and/or Unemployment.

**Unbanked Populations** – Members of the public who may not have a bank account or may be unable to open a financial institution account that can receive direct payment from LACMTA.

## 5.0 RESPONSIBILITIES

**Community Relations** reviews compensation tiers for each advisory body and requests for compensation alternatives.

**Management Audit Services (MAS)** will conduct annual audits of advisory body compliance and compensation.

**Office of Equity and Race** oversees implementation of the Policy; oversee advisory body eligibility determinations; advises departments, offices, or units on Policy implementation; reviews compensation tier for each advisory body; reviews requests for compensation alternatives

**Office, Department or Unit Leading Advisory Body** determines and submit compensation tier review for each advisory body it leads; submits requests for compensation alternatives; executes MOUs and Compensation Agreements with advisory body members; budgets appropriate funding for payment of advisory body members from the office, department, or unit's budget; and submits attendance forms to Payroll for payment of advisory body members.

**Payroll** issues payment to advisory body members for bodies with completed attendance form

## 6.0 FLOWCHART

Not applicable.

## 7.0 REFERENCES

- Metro Equity Platform (2018)

## 8.0 ATTACHMENTS

1. Advisory Body Compensation Charts
2. Memorandum of Understanding
3. Compensation Agreement
4. Demographics Survey

# GENERAL MANAGEMENT
# Advisory Body Compensation Policy (ABCP)

(GEN 62)

## 9.0 PROCEDURE HISTORY

~~XX/XX~~10/01/21 New policy

04/21/22 Revised: added grandfather clause for service councils established in 2003, and mandatory demographic data collection.

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

Metro

# Board Report

**File #:** 2021-0509, **File Type:** Policy **Agenda Number:** 34.

**REVISED**
**EXECUTIVE MANAGEMENT COMMITTEE**
**SEPTEMBER 16, 2021**

**SUBJECT: METRO ADVISORY BODY COMPENSATION POLICY**

**ACTION: APPROVE RECOMMENDATIONS**

## RECOMMENDATION

CONSIDER:

A. APPROVING the Metro Advisory Body Compensation Policy (ABCP) (Attachment B); and

B. DELEGATING authority to the CEO, or CEO's designee, to compensate Metro advisory body members pursuant to Metro's ABCP Administrative Policy or as otherwise approved by the Metro Board.

## ISSUE

During the Metro Board Meeting on February 25, 2021, Directors Mitchell, Garcetti, Solis, Kuehl, and Dupont-Walker requested a report to the Board with a review of compensation for Metro's advisory bodies and a policy for the reasonable compensation of their members (see Attachment A).

## BACKGROUND

Metro hosts a diverse range of councils, committees, and other advisory groups, most of whom have members who are not compensated for their time or expertise. The Advisory Body Compensation Policy offers a compensation model for participation by public members in Metro's advisory bodies across its portfolio. Metro recognizes that our planning and decision-making processes could perpetuate practices that harm our most marginalized and vulnerable users without the participation of advisory group members with diverse and important cultural, geographic, or historically marginalized experiences. The time, expertise, and responsibility that public members bring to Metro advisory bodies are valuable to the agency and should be duly compensated through a standardized process.

The ABCP was developed by the Office of Equity and Race in partnership with the Offices of Communications, Ethics, Planning, and County Counsel to ensure the Policy is holistic and comprehensive in its application. Lead departments, offices, or units of existing advisory bodies were

also consulted in the development of the ABCP.

## DISCUSSION

The Advisory Body Compensation Policy was developed after a review of best practices. Staff conducted a literature review of national and local government agencies that have developed compensation policies for advisory bodies, including the cities/towns of Seattle, Los Angeles, Boulder, Chicago, Mill Valley, and Palm Beach, the county of Los Angeles, and Oregon Metro. Compensation frameworks of Oregon Metro, Palm Beach (town), and Los Angeles County emerged as the most compelling and relevant case studies and were used to develop the framework for ABCP.

All compensation policies reviewed recognize that compensation for advisory members acknowledges the unique expertise that public members bring forth to advisory bodies through lived experience and cultural expertise that an Agency would otherwise not have if members of the public were not on advisory bodies.

### Defining Advisory Bodies

Advisory bodies are groups, regardless of name, that provide input to Metro on program, project, and other issues, and develop recommendations, when requested, to enhance projects, programs, or other provisions. Below is a list of factors for determining whether a body is an eligible advisory body under the ABCP. An eligible advisory body does not need to fulfill every qualifier listed below to be eligible for the ABCP, nor is the list intended to be inclusive of all roles that advisory bodies may play at Metro.

Advisory bodies are groups that:

- Have defined roles, responsibilities, and membership
- Have members who offer specific or unique perspective, knowledge, skills, or experience which Metro may not have or otherwise adds value to Metro’s work
- Provide input and recommendations to Metro on projects, scopes of work, programs, policies, budgets, and other provisions
- Review and evaluate the various transportation proposals and alternatives within Los Angeles County
- Provide technical input and assistance to Metro on issues affecting local transit systems or transportation programs in Los Angeles County
- Assist Metro in improving and promoting bus and rail services to specific populations
- Assist Metro in improving and promoting transportation related projects and programs to specific populations
- Provide independent oversight and enhanced level of accountability for expenditures of sales tax revenues made under the adopted expenditure plan(s)

Eligibility for Advisory Body Compensation Policy

Members of any formal advisory body, which has been created or sanctioned by Metro now or in the future, are eligible for compensation as of the effective date unless determined ineligible by preceding legislation or charters or bylaws.

Metro currently has 16 advisory bodies, with the five service councils, Measure M Oversight Committee, and the Public Safety Advisory Committee (as of July 2021) being the only groups currently receiving or approved to receive compensation. All advisory bodies created or sanctioned by Metro in the future will be eligible for compensation under the ABCP, unless determined ineligible by legislation or provisions in the ABCP. See Attachment C ~~B~~ for eligibility determinations for existing advisory bodies.

Advisory Body Member Tiers

The ABCP has three tier categories for compensation: 1) Advise, 2) Advise and Prepare, and 3) Advise and Collaborate. The level of responsibility and roles of the advisory member increase with each tier, along with the compensation rate. Tiers focus on the advisory body member's potential time commitment, roles, and responsibilities while serving on the advisory body.

- The Advise tier applies to advisory body members who largely play an advisor for Metro staff with minimal responsibilities outside of attending meetings.
- The Advise and Prepare tier applies to body members responsible for one to two hours of preparation for meetings on top of attending meetings.
- The Advise and Collaborate tier applies to members whose responsibilities include collaboration with other members, Metro staff, and/or other community members or external partners, to develop a shared vision and outcomes.

Advisory Body Compensation Structure

The ABCP compensation structure includes three tiers of compensation, starting at $100 per meeting, with a maximum of $200 per meeting. Alternates encouraged to attend and/or participate in their body meetings will be paid $25 less than the assigned compensation tier for their advisory body. Participation in any subcommittee meetings will be compensated at a rate of $50 per meeting and count toward the annual cap rate for their compensation tier or advisory body membership type. All compensation is subject to increases based upon the Consumer Price Index (CPI). See the table below for a full outline of the compensation fee structure by compensation tier.

The ABCP includes an annual cap on compensation totals for advisory body member participation for

each fiscal year. A cap, or maximum, serves to manage budget and workload for each advisory body, but does not preclude a department from providing additional compensation with justification. All advisory members will be compensated only for meetings attended, regardless of the advisory body meeting schedule.

| **Metro Advisory Body Compensation Structure*** | | | | |
|---|---|---|---|---|
| **Compensation T** | **Regular Compensation Rate** | **Maximum Compensation Per Fiscal Year** | **Alternate Rate** | **Maximum Compensation Per Fiscal Year** |
| | | | | |
| **Advise** | $ 100 per meeting | $3,100 | $75 per meeting | $2,500 |
| **Advise and Prep** | $ 150 per meeting | $4,300 | $125 per meeting | $3,700 |
| **Advise and Collaborate** | $ 200 per meeting | $5,500 | $175 per meeting | $4,900 |
| **Subcommittee Participation On** | $ 50 per meeting | $1,200 | $50 per meeting | $1,200 |

*CPI annual increases can occur.

Advisory Body Member Compensation Eligibility

All public members serving on Metro advisory bodies will be eligible for compensation regardless of immigration status, housing status, ability, or any other status that may be a barrier to participation. The ABCP excludes Metro employees and any public agency, Councils of Government, or elected office staff who serve on advisory bodies as part of their professional role. Members who 1) work for a contractor or organization holding an active contract with LACMTA and 2) participate or are listed in the contract activities, while serving on an advisory body are not eligible for advisory body compensation for the contract duration. This applies to all contractors, including non-profit organizations and community-based organizations. Further, the ABCP only applies to members of the public who are formal members of Metro created and sanctioned advisory bodies. Application of the ABCP to future advisory bodies will be determined on a case-by-case basis.

The ABCP includes potential compensation alternatives for those who may not be able to accept compensation in the form of a check or direct deposit, which will be finalized in the forthcoming Implementation Guidelines.

Compensation Agreement

Receiving compensation from Metro is entirely voluntary and is not required. Members of the public can choose to opt in or out of receiving compensation from Metro via the Compensation Agreement which all advisory body members will be required to sign.

## FINANCIAL IMPACT

The financial impact to the FY22 budget will be determined by individual departments, in consultation with the Office of Equity and Race and Community Relations, as they implement the ABCP. Overall, the financial impact is estimated to range from $331,200 to $1,518,000 per fiscal year, inclusive of all existing advisory bodies eligible. The actual amount will depend on the final determination of the tier level for each existing advisory body and the determination of eligibility for new advisory bodies.

## EQUITY PLATFORM

The Advisory Body Compensation Policy is one tool in a growing toolkit, that helps reduce barriers and support participation in Metro's decision-making and planning processes. The ABCP helps advance equitable outcomes that uplift the lived experiences of historically marginalized and vulnerable users by providing compensation and alleviating a financial barrier to participation for members who do not have the ability to donate their time to Metro. All public members, regardless of immigration status, housing status, ability, or any other status that may be a barrier to participation, are eligible for the ABCP.

## IMPLEMENTATION OF STRATEGIC PLAN GOALS

This recommendation supports strategic plan goals #4.1 and #3.3 by helping Metro collaborate with the public, foster trust with everyday stakeholders in its planning processes and creates an opportunity for robust community engagement opportunities that reflect the communities Metro serves.

## NEXT STEPS

The Office of Equity and Race will develop Implementation Guidelines to accompany the ABCP and support staff implementing the ABCP to their advisory bodies. Training will also be provided to all Metro staff who lead an advisory body to ensure comprehensive application of the ABCP.

## ATTACHMENTS

Attachment A - 2021-0187 Board Motion
Attachment B - Advisory Body Compensation Policy
Attachment ~~B~~ C - ~~Existing~~ Advisory Body Compensation Charts

Prepared by: Carolyn Vera, Principal Transportation Planner, OER (213) 424-5994
KeAndra Cylear Dodds, Executive Officer, OER (213) 922-4850

Reviewed by: Nicole Englund, Chief of Staff, (213) 922-7950

Stephanie N. Wiggins
Chief Executive Officer

Los Angeles County
Metropolitan Transportation Authority

Metro

# GENERAL MANAGEMENT
# Advisory Body Compensation Policy (ABCP)

(GEN 62)

## POLICY STATEMENT

Pursuant to the Board Approved Equity Platform (March 2018), Los Angeles County Metropolitan Transportation Authority (LACMTA) is committed to incorporating equity into all facets of LACMTA's decision-making and genuinely engaging impacted communities in its processes, while continuously pursuing equitable outcomes in everything it does. This commitment includes investing resources to remove barriers and eliminate disparities in the participation of Black, Indigenous, People of Color (BIPOC) and other marginalized people in decision-making processes. This includes but is not limited to households with low-incomes, people with disabilities, immigrants, people with limited English proficiency, members of the lesbian, gay, bisexual, transgender and queer community, older adults, and youth. LACMTA acknowledges the systemic barriers and financial and emotional costs faced by BIPOC and other marginalized people in participating in LACMTA's decision-making processes. The Advisory Body Compensation Policy ("Policy") offers a compensation model designed to support and sustain participation by members of the public in advisory bodies across LACMTA's portfolio.

## PURPOSE

The Advisory Body Compensation Policy applies to LACMTA-established or sanctioned advisory bodies and is intended to determine when and how to compensate members of the public who serve on advisory committees.

## APPLICATION

This Policy applies to members of LACMTA-created or sanctioned advisory bodies.

Advisory body members are independent, and no language in the Policy will be construed to create the relationship of agent or employee, as between an advisory body member and LACMTA. Advisory body members will not be, or be construed to be, the employees or agents of LACMTA.

Ronald W. Stamm
APPROVED: County Counsel or N/A

Nicole Englund
Department Head

ADOPTED: CEO

Effective Date: 9/23/21

Date of Last Review: _____

# GENERAL MANAGEMENT
# Advisory Body Compensation Policy (ABCP)

(GEN 62)

## 1.0 GENERAL

The Office of Equity and Race will administer this Policy by serving as a resource for departments through implementation, overseeing eligibility determinations, overseeing and tracking compensation tier determinations in coordination with Community Relations, and leading policy review and updates, as necessary.

The department, office, or unit responsible for administering an advisory body will be responsible for ensuring a compensation tier determination is made, budgeting for, funding, and ensuring payment of compensation for that advisory body, submitting five-year reviews to the CEO, and otherwise implementing the Policy, as necessary.

## 2.0 PROCEDURES

These procedures establish administrative guidelines for determining compensation of members of the public serving on advisory bodies.

### 2.1 Defining Advisory Bodies

Advisory bodies are LACMTA-created or sanctioned groups, regardless of name, that voluntarily provide input to LACMTA on program, project, and other issues, and develop recommendations, when requested, to enhance projects, programs, or other provisions. The primary purpose of advisory bodies is to provide LACMTA with input and/or expertise from the perspective of members of the public or experts in specific fields. Advisory bodies can also bring together members of the public with views that are not often heard by LACMTA. Below is a list of factors for determining whether a body is an eligible advisory body under the Policy. An eligible advisory body does not need to fulfill every qualifier listed below in order to be eligible for the Policy, nor is the list intended to be inclusive of all roles that advisory bodies may play at LACMTA.

Advisory bodies are groups that:

- Have defined roles, responsibilities, and membership;
- Have members who offer specific or unique perspective, knowledge, skills, or experience which LACMTA may not have or otherwise adds value to LACMTA's work;
- Provide input and recommendations to LACMTA on projects, scopes of work, programs, policies, budgets, and other provisions;
- Review and evaluate the various transportation proposals and alternatives within Los Angeles County;
- Provide technical input and assistance to LACMTA on issues affecting local transit systems or transportation programs in Los Angeles County;

- Assist LACMTA in improving and promoting bus and rail services to specific populations;
- Assist LACMTA in improving and promoting transportation related projects and programs to specific populations; and/or
- Provide independent oversight and enhanced level of accountability for expenditures of sales tax revenues made under the adopted expenditure plan(s)

To be eligible under the Policy, any new advisory body that is created or sanctioned by LACMTA will need to pose a unique or different value than existing advisory bodies and be reviewed for eligibility.

## 2.2 Advisory Body Eligibility

Members serving on any formal advisory body, that has been or is created or sanctioned by LACMTA, are eligible for compensation under the Policy as of the effective date unless determined ineligible by enabling legislation, charters or bylaws, or provisions in the Policy. Eligibility for the Policy may include informal advisory bodies that have been created by LACMTA and will be assessed on a case-by-case basis. Upon a determination that members of the public are asked to fulfill the same or similar roles as those described in compensation tiers below for informal advisory bodies, they will be eligible for compensation based on the tier that best fits their role. Groups that LACMTA participates in or facilitates but did not create or sanction will not be eligible for compensation under this Policy. Advisory bodies developed for project-based needs will be assessed on a case-by-case basis for eligibility under the Policy. Further information on the eligibility of project-based groups will be outlined in the forthcoming Implementation Guidelines.

## 2.3 Advisory Body Member Eligibility

All members of the public serving on LACMTA advisory bodies will be eligible for compensation regardless of immigration status, housing status, ability, or any other status that may be a barrier to participation. The Policy currently excludes LACMTA employees and any public agency, Council of Governments, or elected office staff who serve on advisory bodies as part of their professional role. Members who 1) work for a contractor or organization holding an active contract with LACMTA and 2) participate or are listed in the contract activities while serving on an advisory body are not eligible for advisory body compensation for the duration of the contract. This applies to all contractors, including non-profit organizations and community-based organizations. Once no longer under contract with LACMTA, an advisory body member may receive compensation. Further, the Policy only applies to members of the public who are formal members of LACMTA-created and sanctioned advisory bodies. Application of the Policy to unofficial advisory bodies will be determined on a case-by-case basis.

## 2.4 Advisory Body Member Tiers

The Policy has three tier categories for compensation: 1) Advise, 2) Advise and Prepare, and 3) Advise and Collaborate. The level of responsibility and roles of the advisory member increase with each tier, along with the compensation rate. Tiers focus on the advisory body member's potential time commitment, roles, and responsibilities while serving on the advisory body.

- The Advise tier applies to advisory body members that largely play the role of an advisor for LACMTA staff with minimal responsibilities outside of attending meetings.
- The Advise and Prepare tier applies to body members responsible for one to two hours of advance preparation for meetings on top of attending meetings.
- The Advise and Collaborate tier applies to members whose responsibilities include collaboration with other members, LACMTA staff, and/or other community members or external partners, to develop a shared vision and outcomes. The Advise and Collaborate tier should be applied when advisory members have a moderate to significant workload outside of advisory committee meetings.

Determination of an advisory body's categorization in a specific tier will be determined by the LACMTA department managing the respective advisory body, in consultation with the Office of Equity and Race and Community Relations.

| LACMTA Advisory Body Compensation Policy Tiers | |
|---|---|
| **Tiers** | **Roles and Responsibilities** |
| **Advise** | -Participate in advisory body meetings once a month or less<br>-Provide feedback on topics discussed at the advisory body meeting<br>-Includes light advance review of materials in preparation for meetings |
| **Advise and Prepare** | -Participate in advisory body meetings once a month or less<br>-May participate in advisory subcommittees<br>-Provide feedback on topics discussed at the advisory body meeting<br>-Advise or provide feedback on pieces of LACMTA's scope of work, such as draft community engagement plans<br>-May require 1-2 hours of advance review of materials or other preparation for meetings, including workgroup meetings, community engagement efforts, and other tasks per meetings |
| **Advise and Collaborate** | -Participate in advisory body meetings twice a month or more<br>-Participate in advisory subcommittees<br>-May require 2-4 hours of advance review of materials or other preparation for meetings, including readings, workgroup meetings, and other tasks per meeting<br>-Provide input on how LACMTA will design, plan, and execute pieces of LACMTA's scope of work<br>-Provide input on substantial scopes of work from LACMTA, provide expertise on topics that other technical consultants are typically compensated for<br>-Support LACMTA with external outreach or engagement with the public, a particular community or population, an affiliated group, and/or community-based organizations (CBO) on topics addressed in the advisory body |

## 2.5 Advisory Body Compensation Structure

The compensation structure has three tiers which align with the advisory body member tiers. Compensation will be provided on a per meeting basis, with a fiscal year maximum. Payments will be provided by a check or direct deposit, unless an alternate form of compensation is required, as described in section 2.5.6.

### 2.5.1 Compensation Structure

The Advise tier compensation rate is set on a per meeting attended basis, with each subsequent tier increasing per meeting, up to the CEO-approved maximum. Alternates encouraged to attend and/or that participate in their body meetings will be paid at lower rates than the assigned compensation tier for their advisory body. (See Attachment 1: Advisory Body Compensation Charts, Table 1 for

current rates).

The Policy includes an annual cap on compensation totals for advisory body member participation for each fiscal year. A cap, or maximum, serves to manage budget and workload for each advisory body, but does not preclude a department from providing additional compensation with justification. All advisory members will be compensated only for meetings attended, regardless of the advisory body meeting schedule. Advisory body members are responsible for determining accuracy of their meeting attendance, as discussed in section 2.5.6 below. Compensation will only apply to roles and responsibilities identified by advisory body administrators. Advisory body members will not be compensated for time spent on activities conducted outside of defined roles and responsibilities.

2.5.2 Subcommittee Meeting Rates

Advisory committee members may participate in both regular and subcommittee meetings. Some committees may include alternate and/or non-voting members who may only actively participate in subcommittee meetings. Participation in any subcommittee meetings will be compensated at a designated rate per meeting, regardless of whether the participant is a regular advisory committee member or an alternate/non-voting member, up to the cap rate for their compensation tier or member status. (See Attachment 1: Advisory Body Compensation Charts, Table 1 for current rates). Members of the public who participate in subcommittee meetings but are not regular or alternative members of the general advisory body will not be eligible for compensation under this Policy.

If an advisory body does not have existing subcommittees as of the effective date of the Policy, the body will need to have a process to define subcommittees and require approval from LACMTA staff who facilitate the body for subcommittee participation to be eligible for compensation. Advisory body members will be required to provide a justification for the creation of the subcommittee as well as identify scope. An acceptable justification may include a reason, such as regular body meetings not providing sufficient time to discuss critical topics relevant to the advisory body.

2.5.3 Maximum Compensation

Each compensation tier includes a maximum amount a participant may receive as a committee member in a single fiscal year. After a member's fiscal year maximum is reached, additional participation will be uncompensated until the start of the next fiscal year. Maximum compensation thresholds apply to eligible advisory bodies for each individual member. For example, if a member of the public serves on more than one LACMTA advisory body, that individual is subject to separate capped maximum compensation amounts for each separate advisory

body.

Each department will be responsible for funding and tracking the compensation for advisory bodies it manages. A cap, or maximum, serves to manage budget and workload for each advisory body, but does not preclude a department from providing higher compensation with justification. It will be up to the individual discretion of the lead department, office, or unit to budget for, justify during the tier determination process, and provide compensation beyond the annual maximum compensation amount identified in the Policy. For projects that include advisory bodies in their scope of work, sufficient budget should be allocated for advisory member compensation at the determined tier.

2.5.4 Compensation Tier Determination

Each department, office, or unit responsible for administering an advisory body will submit their proposed compensation tier, maximum budget for the advisory body including any justification if higher than prescribed under the Policy, and documentation of Policy funding in the annual budget to the Office of Equity and Race and Community Relations for review of consistency with the Policy. Once the Office of Equity and Race and Community Relations approve the proposed compensation tier, LACMTA staff will commence payment to members of the advisory body. If the proposed compensation tier is determined to be inconsistent with the Policy, the lead department, office, or unit will be requested to resubmit for another round of review. If the lead department, office, or unit determines that the body is not eligible for compensation, a justification must be submitted for review and confirmation by the Office of Equity and Race. If the roles and responsibilities of an advisory body change or expand, the lead will be required to submit for another review of the compensation tier for that body. Further guidance on compensation tier determinations will be provided in the Implementation Guidelines.

2.5.5 Memorandum of Understanding and Compensation Agreement

Advisory members who serve on a body without existing bylaws and charters must sign a Memorandum of Understanding (MOU) that summarizes the roles and responsibilities for participation on their advisory body and the determined compensation tier. The MOU provided with the Policy is meant to serve as a template for advisory bodies and should be amended to fit application to eligible bodies as necessary. Bodies with existing bylaws and charters shall amend their bylaws and charters with the compensation tier determination and updated roles and responsibilities, and payment details as applicable by the Policy.

Receiving compensation from LACMTA is entirely voluntary and is not required. Members of the public can choose to opt in or out of receiving compensation

from LACMTA via the Compensation Agreement which all advisory body members will be required to sign. Compensation Agreements will be valid for the length of the advisory body's established term or one fiscal year for advisory bodies without established terms. Compensation Agreements will require annual review and updates only if needed to reflect any changes in membership or anything that would affect a member's eligibility, the advisory body's tier status determination, or the payment agreement among advisory body members.

If an advisory body member wishes to change their opt-out decision during the fiscal year after a Compensation Agreement was finalized, they will need to request a change with a staff representative of the LACMTA department managing their advisory body to determine budget and administrative feasibility for a mid-year change. Retroactive payment will not apply for the period the member opted out of payment.

All advisory members who receive compensation will also be required to submit a W4 and/or other required documentation if a compensation alternative is needed.

2.5.6 Payment Processing

Advisory body members will be paid within one (1) month of their last meeting, pending confirmed attendance of each meeting. It is the responsibility of advisory body members to clarify or correct inaccurate record of their meeting attendance with the managing LACMTA staff of the advisory body. Compensation alternatives will be available for advisory body members who may require compensation in a form other than check or direct deposit.

Payment will be issued via check or direct deposit unless a member requires a compensation alternative. Members who request a check will have it mailed to the address provided or will be able to pick up checks at LACMTA Headquarters or a Division nearest to them. Office, department, or unit leads must notify advisory body members of the option to pick up checks at nearby LACMTA Divisions if an alternative is requested.

## 2.6 Compensation Alternatives

2.6.1 Compensation Alternatives Criteria

This Policy seeks to reduce barriers to advisory body participation for all members of the public. Compensation alternatives are available to accommodate advisory body members who may not be able to accept compensation in the form of a check or direct deposit. Reasons for requesting compensation alternatives must be kept private and not impact the participation of an advisory body

member. Compensation alternatives will only be available for advisory members who qualify for any of the following criteria:

- The advisory body member is unbanked and/or unable to open a financial institution account;
- The advisory body member is a minor under the age of 18 years old;
- The advisory body member concurrently receives social or public benefits during their tenure **and** additional forms of income would make them ineligible for these existing benefits; and/or
- The advisory body member does not have a United States Social Security card or number.

If an advisory body member qualifies under one or more of the criteria above, LACMTA may provide potential payment alternatives such as pre-paid cards, gift cards, or an LACMTA-provided TAP Card at an amount equal to the member's determined compensation rate. Some compensation alternatives may still be considered income and may not be a suitable alternative for those who receive social benefits and for whom additional forms of income would make them ineligible for these existing benefits. Additional compensation alternatives are being explored and will be finalized in the forthcoming Implementation Guidelines.

2.6.2 Compensation Alternative Eligibility Review

Eligibility for alternative compensation will be reviewed by an inter-departmental team comprised of representatives from the Office of Equity and Race and Community Relations on an as-needed basis. Eligibility for alternative compensation accommodations would be set for the tenure of an advisory member's service on all LACMTA advisory bodies unless the member requests a re-evaluation due to a change in eligibility. Acceptable changes in eligibility are loss, or a reasonable anticipation of loss, of social or public benefits, an advisory member becoming eligible to receive compensation via check or digital transfer or change in possession of a Social Security number.

## 2.7 Compliance Oversight

The Policy and all activities will be monitored on an annual basis through an independent review and/or audit performed by LACMTA Management Audit Services to ensure compliance by all LACMTA-created or sanctioned advisory bodies.

## 2.8 Participation Support

Participation support is a tool for promoting more equitable outcomes for members of the public who may experience barriers to participating in advisory bodies. It includes

resources provided to facilitate public participation in advisory body meetings, such as food, childcare, transportation, translation/live interpretation, and other incentives that facilitate public participation towards equitable outcomes. Participation support is different from compensation and should not be considered a replacement for compensation as established by this Policy.

### 2.9 ABCP Best Practices

The following best practices are to be implemented with every advisory body that is eligible under the Policy. ABCP best practices are meant to support staff in implementation of the Policy and ensure that implementation is consistent. They are as follows:

- Build advisory body compensation costs into department budgets annually;
- Advise members that compensation received as part of the advisory body constitutes income and could impact any public benefits;
- Determine and clearly communicate compensation tiers and payment methods before any participation begins; and
- Issue payment to advisory body members within one (1) month of their last meeting, pending confirmed attendance of each meeting.

The Office of Equity and Race will regularly review the ABCP best practices, incorporating internal and/or external agency practices, as appropriate.

## 3.0 Sunset Dates

Existing advisory bodies, with the exception of those governed by legislation, will have sunset dates established every five years from the date of their tier determination for a review of the body's scope, role, compensation tier, and accomplishments, to be evaluated by the CEO. Sunset dates will be up to five years after the Policy tier determination date for existing and future advisory bodies.

## 4.0 DEFINITION OF TERMS

**Compensation Alternatives** – Payment accommodations, such as general gift cards or pre-paid cards, available to advisory body members who may be unbanked, who concurrently receive social or public benefits during their tenure and where additional forms of income would make them ineligible for these existing benefits, and/or who do not have a United States Social Security card or number.

**Compensation Agreement** – A signed payment agreement between the advisory body members and LACMTA that outlines requirements to receive payment and allows the advisory body member to opt in or out of receiving payment.

**Memorandum of Understanding (MOU)** – An agreement between LACMTA and the advisory member that outlines roles and responsibilities, expectations, compensation tier, payment process and timeline, and schedule.

**Social or Public Benefits** – Payments received by an individual for membership or eligibility in various government programs including, but not limited to, Social Security, Disability (short-term, Social Security, veterans, workers' compensation, long-term, retirement, etc.), Family and Medical Leave Act (FMLA) or Pregnancy Disability Leave, CalFresh, Women, Infants, & Children (WIC), Medi-Cal or Health Care/Coverage, and/or unemployment.

**Unbanked Population** – Members of the public who do not have a bank account and are unable to open a financial institution account that can receive direct payment from LACMTA.

## 5.0 RESPONSIBILITIES

**Community Relations** reviews compensation tiers for each advisory body and requests for compensation alternatives.

**Management Audit Services (MAS)** will conduct annual audits of advisory body compliance and compensation.

**Office of Equity and Race** oversees implementation of the Policy; oversees advisory body eligibility determinations; advises departments, offices, or units on Policy implementation; reviews compensation tiers for each advisory body; reviews requests for compensation alternatives

**Office, Department or Unit Leading Advisory Body** determines and submits compensation tier review for each advisory body it leads; submits requests for compensation alternatives; executes MOUs and Compensation Agreements with advisory body members; budgets appropriate funding for payment of advisory body members from the office, department, or unit's budget; and submits attendance forms to Payroll for payment of advisory body members.

**Payroll** issues payment to advisory body members for bodies with completed attendance form.

## 6.0 FLOWCHART

Not applicable.

## 7.0 REFERENCES

- Metro Equity Platform (2018)

## 8.0 ATTACHMENTS

1. Advisory Body Compensation Charts
2. Memorandum of Understanding
3. Compensation Agreement

## 9.0 PROCEDURE HISTORY

09/23/21 New policy

Los Angeles County
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ATTACHMENT 1

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# ADVISORY BODY COMPENSATION CHARTS

Advisory body compensation tiers are as follows, subject to CEO approval.

**Table 1: Compensation Structure**

| LACMTA Advisory Body Compensation Structure | | | | |
|---|---|---|---|---|
| **Compensation Tier** | **Regular Compensation Rate** | **Maximum Compensation Per Fiscal Year** | **Alternate Rate** | **Maximum Compensation Per Fiscal Year** |
| **Advise** | $ 100 per meeting | $3,100 | $75 per meeting | $2,500 |
| **Advise and Prepare** | $ 150 per meeting | $4,300 | $125 per meeting | $3,700 |
| **Advise and Collaborate** | $ 200 per meeting | $5,500 | $175 per meeting | $4,900 |
| **Subcommittee Participation Only** | $ 50 per meeting | $1,200 | $50 per meeting | $1,200 |

LACMTA has 16 advisory bodies as listed below. Six of the 16, including the Service Councils and Measure M Oversight Committee, received compensation and one was approved for compensation prior to the Policy. The table below lists existing advisory bodies and their proposed eligibility under the Policy.

This table will be updated as the Board of Directors or the Chief Executive Officer approve new advisory bodies.

**Table 2: Advisory Body Eligibility**

| Advisory Body | Current Compensation | Eligibility for ABCP | Justification |
|---|---|---|---|
| Office of Extraordinary Innovation Advisory Board | Not currently compensated | Eligible | Fulfill roles and responsibilities in ABCP |
| Accessibility Advisory Committee | Not currently compensated | Eligible | Fulfill roles and responsibilities in ABCP |
| Technical Advisory Committee (TAC) | Not currently compensated | Eligible with exception | Majority of advisory body members work for government, city, or other agencies. One member is a member of the public. |
| Transportation Business Advisory Council (TBAC) | Not currently compensated | Eligible | Fulfill roles and responsibilities in ABCP |

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ATTACHMENT 1

| | | | |
|---|---|---|---|
| Public Safety Advisory Committee | Not currently compensated | Eligible | Compensation approved by LACMTA Board in July 2021 |
| Community Advisory Council (CAC) | Not currently compensated | Eligible | Fulfill roles and responsibilities in ABCP |
| Policy Advisory Council (PAC) | Not currently compensated | Eligible with exception | Majority of advisory body members work for government, city, or other agencies. |
| Metro Sustainability Council | Not currently compensated | Eligible | Fulfill roles and responsibilities in ABCP |
| Independent Citizen's Advisory and Oversight Committee - Prop A and C (ICAOC) | Not currently compensated | Not eligible | Not eligible for compensation per ICAOC Bylaws |
| Measure M Independent Taxpayer Oversight Committee | $100/meeting | Eligible | Currently receive compensation. Fulfill roles and responsibilities in ABCP |
| Measure R Independent Taxpayer Oversight Committee* | Not currently compensated | Not eligible | Legislation prohibits compensation |
| Gateway Cities Service Council* | $100/meeting | Eligible | Currently receive compensation. Fulfill roles and responsibilities in ABCP |
| San Fernando Valley Service Council* | $100/meeting | Eligible | Currently receive compensation. Fulfill roles and responsibilities in ABCP |
| San Gabriel Valley Service Council* | $100/meeting | Eligible | Currently receive compensation. Fulfill roles and responsibilities in ABCP |
| South Bay Service Council* | $100/meeting | Eligible | Currently receive compensation. Fulfill roles and responsibilities in ABCP |
| Westside/Central Service Council* | $100/meeting | Eligible | Currently receive compensation. Fulfill roles and responsibilities in ABCP |

*Advisory bodies approved by the Board of Directors

Metro

# LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

# [Advisory body name here] MEMORANDUM OF UNDERSTANDING (MOU)

## Section 1 Handling Instructions

1. The title of this document is the Los Angeles County Metropolitan Transportation Authority (LACMTA) **[Advisory body name here]** Memorandum of Understanding (MOU).
2. LACMTA is the Authority for this document, which will conform to Metro values, policies, and procedures. Any changes to this document will require the approval and sign-off by Metro's designated authorities described herein.
3. Requests for interpretation of this document, additional copies, and suggestions for changes should be addressed to the **[lead department, office or unit administering advisory body]**

*1.1.1.1 Executive Officer, EO Name*
Office, Department or Unit
Phone Number
E-mail

*1.1.1.2 Facilitator Position, Facilitator Name*
Office, Department or Unit
Phone Number
E-mail

# Section 2 Table of Contents

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## Section 3 Memorandum of Understanding (MOU) of the LACMTA Advisory Body

**Article I: Purpose**

[The primary purpose of the advisory body.]

**Article II: Mission & Objectives**

[The mission and objectives of the advisory body.]

**Objective 1 – [...]**

**Objective 2 – [...]**

**Objective 3 – [...]**

**Article III: Advisory Body Member Roles & Responsibilities**

[Discuss roles and responsibilities.]

A. **Roles and Responsibilities:** Each advisory body member will fulfill the roles and responsibilities as part of their term on the **[insert advisory body name here]**.

   a. **Roles**
      i. [List roles here]
   b. **Responsibilities:**
      i. [List responsibilities here]

**Article IV: Membership & Structure**

***(Use the language that applies to your advisory body)***

B. **Advisory Body Members:** The **[advisory body name here]** will consist of **[number of members]** members.

   a. **Alternate members:** The **[advisory body name here]** will consist of alternate members consisting of **[number of members]** who will support the **[advisory body name here]** membership in the event of vacancies due to resignation or removal from the **[advisory body name here]**. ***(Remove this section if there are no alternates on your advisory body.)***

C. **Attendance** At each meeting, the **[advisory body name here]** facilitator will take attendance. It is the responsibility of the advisory body member to confirm their attendance or correct any errors in regards to documenting their attendance.

D. **Voluntary Participation and Compensation**: Participation on the **[advisor body name here]** is voluntary. **[Advisory body name here]** membership will be eligible for compensation, consistent with LACMTA's Advisory Body Compensation Policy for advisory body involvement from members of the public. The compensation tier of this advisory body is **[insert tier name here]** at the compensation rate of **[insert compensation rate here]** per meeting and a compensation of **[insert subcommittee compensation rate here]** per subcommittee meeting for a maximum compensation of **[insert maximum compensation amount identified in ABCP for members and alternates here]** per fiscal year which is identified as July through June for LACMTA.

   Confirmed attendance of each meeting will be required in order for compensation to be issued. Payment will only be issued for meetings with confirmed attendance of the advisory body member. It is the responsibility of the advisory body member to confirm their attendance or correct any errors in regards to documenting their attendance. Members will not be compensated for meetings they do not attend. Metro employees who serve on an advisory body are not eligible for compensation under the Policy.

E. **Service Term:** The term of the **[advisory body name here]** and its membership shall be from **[beginning date]**, until **[end date]**.

Any member of the advisory body may resign from the **[advisory body name here]** at any time by delivering written and signed notice of the resignation to the **[advisory body name here]** and to Metro staff administering the advisory body. The resignation shall be effective upon receipt.

I agree to fulfill the roles and responsibilities identified in this MOU and understand that receiving payment as a member of this advisory body is contingent upon successful execution of these roles, meeting attendance, and completion of the Compensation Agreement.

| | |
|---|---|
| **Member Name** | **Advisory Body Administrator Name** |
| **Member Signature** | **Advisory Body Administrator Signature** |
| **Date:** | **Date:** |

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ATTACHMENT 3

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# LACMTA Compensation Agreement for Advisory Body Members

Contingent upon continuous fulfillment of the roles and responsibilities identified in the MOU and confirmed attendance at meetings, advisory body members are eligible for compensation on a per meeting basis under LACMTA's Advisory Body Compensation Policy.

The compensation tier is **[insert compensation tier here]** for a rate of **[insert compensation rate here]** per meeting for **[advisory body name here]**. I understand that attendance taken at each meeting will be used to issue payment. Members will not be compensated for meetings they do not attend. It is their responsibility to confirm their attendance at each meeting or correct any errors in regards to documenting their attendance.

The Policy excludes LACMTA employees and any public agency, Council of Governments, or elected office staff who serve on advisory bodies as part of their professional role. Members who 1) work for a contractor or organization holding an active contract with LACMTA and 2) participate or are listed in the contract activities while serving on an advisory body are not eligible for advisory body compensation for the duration of the contract. This applies to all contractors, including non-profit organizations and community-based organizations. Once no longer under contract with LACMTA, an advisory body member may receive compensation.

Advisory body members are independent, and no language in this Compensation Agreement shall be construed to create the relationship of agent or employee, as between an advisory body member and LACMTA. Advisory body members shall not be, or be construed to be, the employees or agents of the LACMTA.

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ATTACHMENT 3

I elect to do the following with the compensation I am eligible for as a member of the advisory body:

- ☐ Opt-in to receive compensation as part of my term on the advisory body
- ☐ Opt-out of receiving compensation as part of my term on the advisory body

| | |
|---|---|
| **Member Name** | **Advisory Body Administrator Name** |
| **Member Signature** | **Advisory Body Administrator Signature** |
| **Date:** | **Date:** |

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# Board Report

**File #:** 2020-0501, **File Type:** Motion / Motion Response **Agenda Number:** 29.

**EXECUTIVE MANAGEMENT COMMITTEE**
**MAY 19, 2022**

**SUBJECT: SUBREGIONAL EQUITY PROGRAM GUIDELINES**

**ACTION: APPROVE RECOMMENDATION**

## RECOMMENDATION

APPROVE guidelines for the use of the Subregional Equity Program funds (Attachment A).

## ISSUE

Board Motion 38.1 from May 2020 (Attachment B) requests “Standard and explicit criteria for how and when a subregion’s SEP allocation may be accelerated to meet their needs”. In response, this item proposes newly created guidelines for the Subregional Equity Program (SEP) that identify how the funds can be accelerated, as well as detail on the future administration of this Measure M Multi-year Subregional Program (MSP).

## BACKGROUND

The SEP is included in row 68 of the Measure M Expenditure Plan. The source of funding for the SEP is not specified in the Expenditure Plan, and the SEP is eligible for funding of Measure M “Systemwide Connectivity Projects” (i.e., projects related to regional facilities). The total spending available for the SEP is equal to $1,196 million from FY 2018 to FY 2057.

The SEP was added to the Expenditure Plan in June 2016 after all other MSPs were included and funded in the Long Range Transportation Plan (LRTP) financial forecast. Because the SEP was allocated planned funding after all other Measure M projects and programs, there was no available funding for the SEP until FY 2043, and this is how SEP funds are programmed in the 2020 LRTP.

In four prior instances, Metro recommended SEP funds be accelerated for use prior to FY 2043. This was done to address cost overruns on Foothill 2B in July 2019, Crenshaw/LAX in May 2020, Eastside Access Improvements Project in March 2021, and Westside Purple Line Extension Section 1 in May 2021, all subject to approval from the respective subregions. Not all subregions have approved their SEP for these recommendations (Board motion 48 from June 2021 henceforth eliminates SEP from consideration to address funding shortfalls during construction). The existing Measure M Guidelines and Administrative Procedures do not specifically describe how the SEP can be accelerated. Several of the subregions have asked Metro staff about the availability of SEP funds.


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The Gateway Cities COG has requested the SEP for active transportation projects and to supplement local return for jurisdictions in this subregion. The South Bay COG has already committed the entire South Bay SEP for the Centinela Grade Separation Project. The Los Angeles City Council approved the commitment of the City of LA's portion of Central City Area SEP to an Arts District rail station, Vermont Transit Corridor, and Crenshaw Northern Extension.

## DISCUSSION

This Board item proposes SEP guidelines that identify the process for allocating funds to the subregions comparable to the process for other MSPs, and parameters for the acceleration of funds.

Staff will prepare five-year SEP funding estimates for the subregions, no later than October 31, 2022, including inflation adjustments in accordance with the Measure M Ordinance and pursuant to Board Motions 36.1 from July 2019, 38.1 from May 2020, and 48 from June 2021. The current estimated funding availability for the SEP will be programmed over the next five fiscal years. Metro staff will prepare future funding estimates by October 31 of each year.

The proposed guidelines provide for the future acceleration of SEP funding if recommended by Metro staff and in compliance with existing Board policies, including the Measure M Early Project Delivery Strategy (EPD) from November 2017. The EPD requires scoring of proposals to accelerate funds based on factors including the amount of local match and the status of the project in its development process, so long as the acceleration does not negatively impact the funding of other Measure M projects and programs.

The proposed guidelines will also allow the subregions to exchange the SEP with another MSP that is allocated to the subregion. This type of exchange is described as “inter-program borrowing” in the Final Guidelines and may be beneficial to a subregion to accelerate SEP funds that can be spent on either transit or highway uses, whereas the exchanged MSP may only be used for one purpose.

### Eligible Uses

The SEP funds can be used on transit and highway capital eligible under the Measure M Ordinance, which includes first/last mile, active transportation, and complete streets projects, as identified by the subregions. In addition to transit and highway projects led by the subregions, the SEP funds can be used to pay for capital obligations of the subregions or cities that comprise the subregions, such as the obligation for cities to pay a 3% local agency contribution for new Metro rail projects with stations in their jurisdiction.

### Outreach to Subregions

This Board item was postponed from September 2020 to allow for input from Board staff and the subregions. Metro staff prepared a “white paper” and subsequent “policy paper” that summarizes the proposed guidelines, had multiple meetings with Board staff to discuss their input, and presented the information to the Central City Area, Westside Cities, Gateway, San Gabriel Valley, and Arroyo Verdugo subregions and responded to questions and statements from their respective boards and staff. Additionally, the CEO shared the draft guidelines with the Executive Directors’ of the region’s Councils of Governments for their review and feedback. The proposed guidelines incorporate input from Board staff. The subregions prepared correspondence that includes commentary on the

proposed guidelines. Metro staff believe the proposed guidelines are consistent with specific requests on the content of the guidelines.

## FINANCIAL IMPACT

Impact to Budget

This item would make funds available for subregions on eligible transit and highway capital projects submitted to Metro for approval. Funding will not be required in FY 2022 for the SEP as any initial amounts will be programmed for FY 2023 or FY 2024. Should funding be needed in FY 2023 it would be paid from federal funds, and or the Measure M 35% Transit and or 17% Highway Subfunds.

## EQUITY PLATFORM

This report seeks Board approval of guidelines for the programming of funds to subregions, for capital projects as proposed by the cities and/or implementing agencies of the subregions in Los Angeles County. It does not change how the funds can be used. The cities and/or implementing agencies have discretion, subject to the provisions of the Measure M Ordinance, Final Guidelines, and Administrative Procedures, to determine the capital projects they will undertake, and will lead and prioritize all proposed transportation improvements, including procurement, the environmental process, outreach, final design, and construction. Nevertheless, Metro will continue to work with the subregions and cities to encourage engagement of stakeholders, including those with the greatest mobility needs, that can enhance continued efforts to fund projects that improve transportation deficiencies.

Based on the scopes previously submitted to Metro by the implementing agencies, local improvements have historically been within the public right-of-way and include infrastructure upgrades and/or enhancements such as traffic signal upgrades, signal synchronization, turn pockets, intersections, curbs, sidewalks, bike lanes, and center median improvements. Future annual reports regarding the programming of subregional funds that are presented to the Board for approval will identify any project level equity-related issues of concerns identified through the cities' project selection process.

## IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation supports strategic plan goal # 5 and helps ensure fiscal responsibility in how funding determinations are made and transparency in the agency's investment decisions.

## ALTERNATIVES CONSIDERED

The Board can choose to modify, amend, or reject the guidelines. Any such action should consider the financial and policy implications on Metro's overall financial capacity and ability to fund other Metro projects and programs.

## NEXT STEPS

Metro staff will incorporate the guidelines into the Measure M Final Guidelines and post these for public dissemination. Metro staff will distribute the SEP financial forecast to the subregions in tandem with the annual forecast of funding for other active MSPs no later than October 31, 2022, and accept and review any proposals to accelerate funding in consideration of the provisions of the Measure M Ordinance and Board-adopted policies including the EPD.

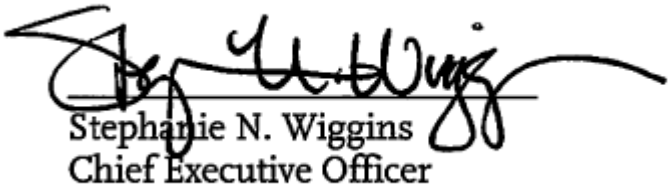
Metro staff will return to the Board for approval of specific projects and programming amounts funded from the SEP, likely at the same time as the programming for other MSPs is submitted to the Board for a subregion.

## ATTACHMENTS

Attachment A - Proposed Subregional Equity Program Guidelines
Attachment B - Motion 38.1

Prepared by: Craig Hoshijima, EO, Countywide Planning & Development, (213) 418-3384
Laurie Lombardi, SEO, Countywide Planning & Development, (213) 418-3251

Reviewed by: James de la Loza, Chief Planning Officer, (213) 922-2920



Stephanie N. Wiggins
Chief Executive Officer

## IX.i SUBREGIONAL EQUITY PROGRAM

### INTRODUCTION

The Subregional Equity Program (SEP) is a MSP on row 68 of the Measure M Expenditure Plan. It has Guidelines separate from the MSP Guidelines because the amount of Local, State, Federal, Other and Measure M funding is not specified, a total amount of spending for each subregion is identified, and any spending can be for either transit or highway modes as defined in the Ordinance, which includes first/last mile, active transportation, and complete streets improvements. Projects that subregions submit for this program are subject to the definitions provided in the Ordinance and these Guidelines, and are limited to capital projects.

### Process

The SEP will go through a subregional program development process similar to the other subregional MSP. The amount of SEP funding available will be consistent with the most recent Long Range Transportation Plan or Short Range Transportation Plan financial forecast presented to the Metro Board, subject to any changes in Metro's financial capacity during the interviening period from the most recent financial forecast and the distribution of SEP funding amounts. Additional funding capacity may be incorporated into the SEP from one-time funding such as the federal infrastructure bill. It will be adjusted for inflation in accordance with the Ordinance and Board motion 36.1 (Board file #2019-0598). The source of Local, State, Federal, Other and Measure M funding for the SEP, both transit and highway, will be identified in the financial forecast. Administrative and procedural details for the process may be developed upon the adoption of these Guidelines, in the event it facilitates the functioning of the program. Generally, the development process will follow the steps provided in the following table:

**Table IX.i: Subregional Equity Program Project Development Process**

**Step 1:** Metro provides a five-year programming funding forecast for each subregion based on the amounts provided in the Measure M Expenditure Plan.*****

↓

**Step 2:** Subregional entities will develop a preliminary list of subregional projects for inclusion in the five-year plan.****** The plan development will include public participation based on parameters developed by Metro. The final list of projects will be included in the five-year programming plans.

↓

**Step 3:** For each MSP within their respective subregion including the SEP, a subregional entity adopts a five-year project development and implementation plan for adoption by the Metro Board. The plan will identify specific projects and phasing, allocated and anticipated funding amounts, and project timing, including final delivery commitments.

↓

**Step 4:** Project sponsors may apply for funding consistent with the Guidelines and related procedures, based on adopted five-year subregional fund programming plans. Funding agreements will be executed between Metro and project sponsor(s).

↓

**Step 5:** Subregional agencies may update or amend their adopted five-year programming plans on an annual basis reflecting project modifications, deletions, or additions of new projects, subject to the process in Steps 1-3. All plans and plan modifications must be consistent with relevant administrative procedures, funding agreements, and Metro Board adopted policies.

↓

**Step 6:** Following Metro approval of projects, project sponsor(s) and Metro include the relevant subregional entity in all communications regarding project development and delivery.

*****_Metro will announce the funding forecast by year concurrently with the announcement of the other MSP funding forecasts, and the amounts will extend five years from the date of the announcement and cover the same time period as the other MSP funding forecasts._

****** _Coordination with Metro staff is required to ensure project eligibility, as determined by Metro and the applicable State or federal grant criteria. Administrative review procedures developed specific to each MSP program area (Highway, Transit modes as defined in the Ordinance, which includes first/last mile, active transportation, and complete streets improvements) will be applied to projects submitted and include plan requirements and eligible use of funds within each MSP program area._

Resources to support the steps listed in Table IX.i can be drawn from SEP funds (subject to any restrictions on amounts funded from State or federal grants), not to exceed 0.5% of the amounts for any single year determined in Step 1 of Table IX.i. Any additional resources to support the steps in Table IX.i must be drawn from resources under the control of the subregion or its constituent cities.

**Advancing Funds**

Metro Staff Recomendation

The amount of SEP funding that has not already been expended or allocated by the Board to another use can be advanced if recommended by Metro staff and adequately noticed to and approved by the respective subregion pursuant to Motion 38.1 (Board file #2020-0356). This motion calls for "Subregional governing body approval of any funding recommendation and use" and "Written notice to the respective Subregional governing body and representative Board offices at least 120 days before Metro recommends the use of SEP funding to ensure adequate time for subregions to understand and approve any funding recommendations."

Beginning June 17, 2021, Motion 48 (Board file #2021-0435) amends the "Measure R and Measure M Unified Cost Management Policy" to eliminate the SEP from consideration to address project funding shortfalls during construction. Subregions may still choose to make SEP eligible for selected Measure M projects before they enter the construction phase.

SEP funding can also be advanced and included in the five-year funding forecast described in Table IX.i. This can occur if Measure M or other local, State, federal, or other funding is made available during the five-year period due to a reduction in funds programmed for a capital project resulting from a decrease in project cost, cancellation or defunding of the project, or provision of other local funds to supplant the funds, as identified and requested by a subregion. In addition, if new local, State, federal, or other funding, that is not already programmed by Metro for another use, is made available, this could be included in the five-year SEP funding forecast and credited against the balance available.

Request by Subregion

The programming of SEP funds can be considered for acceleration if requested by a subregion and in compliance with existing Board policies, including the Measure M Early Project Delivery Strategy (EPD) from November 2017 (Board file #2017-0686) and the MSP inter-program borrowing provisions in the Measure M Final Guidelines. The EPD requires scoring of proposals to accelerate funds based on factors including the amount of local match and the status of the project in its development process, so long as the acceleration does not negatively impact the funding of other Measure M projects and programs. Metro staff will evaluate the financial

impact of any proposed SEP programming and consider the potential use of debt to finance the SEP that may reduce the immediate cash flow requirement. Metro will accept all proposals by subregions, provide recommendations, and submit the proposals and recommendations to the Metro Board for consideration, which could involve an amendment to the Measure M ordinance.

The subregions may also request SEP funding to deliver a project by borrowing, or exchanging, from another MSP that has programmed funding in earlier years, in accordance with the "Cashflow Management" section of the Measure M Final Guidelines. Metro staff will be available to provide technical assistance to the subregions in preparing any proposal to borrow SEP funds.

**Supplemental Funds Requirements**

If project sponsors are able to fully fund projects identified in their five-year plans, consistent with procedures established within these Guidelines with SEP funds, the project sponsor may proceed to request disbursement of those funds. However, if the project requires supplemental Metro support or funding, including Metro staff resources, then the project must comply with all requirements attached to Metro-sponsored or controlled fund sources and policies, as appropriate. For example, if a project using SEP funds is matched with discretionary fund programs managed by Metro, the project is subject to all evaluation criteria, reporting requirements or other provisions of that discretionary program. There is no minimal amount of additional Metro investment that would prevent additional Measure M policy requirements. The only exception to this rule is use of Local Return funding from sales tax measures A, C, R or M. Once the Metro supplemental funding request is made, staff will notify project sponsors of policy implications.

Projects and programs utilizing additional assistance or funding are encouraged to comply with the Metro Board adopted Small Business Enterprise (SBE) Program and the Prohibition against Discrimination or Preferential Treatment by State and Other Public Entities.

**READINESS**

The timing of the actual distribution of funds will be determined based on project readiness. The Timely Use of Funds principle applies to the MSP and SEP and require establishing project readiness to be able to access program funds.

Project readiness will apply to separate phases of a project. Readiness thresholds will be determined for planning, environmental, right of way, and construction, and will be defined as appropriate for each funding category as determined by Metro (i.e., Highway, Transit, Active Transportation, etc.).

**PROGRAM MANAGEMENT CONSIDERATIONS**

The SEP funds are subject to the cash flow parameters within these Guidelines. Project sponsors must notify Metro by the last day of February of each year of the amount of subregional funding they plan to use, by project, in the subsequent fiscal year, which for Metro begins July 1. This is needed for Metro budget purposes, and the cash flow expenditure estimate provided may differ from the initial Metro funding forecast or amounts programmed in the funding agreements between Metro and the subregions. When notice is not provided, funding availability will be on a first-come, first-served basis in the subsequent fiscal year.

Per the Cashflow provisions in Section VI, the Metro Board will consider tools that allow for expediting projects within and among subregional programs. Subregional project sponsors can elect to borrow from one MSP fund amount (including the SEP) to accelerate a project in another MSP fund of a different type that may not be available until a later year. This type of inter-program borrowing within the MSP requires approval from Metro and the affected subregion.

**AUDIT REQUIREMENTS**

Use of Measure M funds will be subject to audit and oversight, and all other applicable state and local laws.

**REVISIONS TO PROGRAM GUIDELINES**

These program guidelines may be revised by the Metro Board of Directors at any time.

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Los Angeles, CA

Metro

# Board Report

**File #:** 2020-0356, **File Type:** Motion / Motion Response **Agenda Number:** 38.1.

**CONSTRUCTION COMMITTEE**
**MAY 21, 2020**

**Motion by:**

**DIRECTORS GARCETTI, BUTTS, GARCIA AND HAHN**

Related to Item 38: Crenshaw/LAX Transit Project

**SUBJECT: CRENSHAW/LAX TRANSIT PROJECT**

## RECOMMENDATION

APPROVE Amending Motion by Directors Garcetti, Butts, Garcia and Hahn directing the CEO to:

A. Allocate $33.1 million of CMAQ, plus the revenue generated from LAWA acquisition of property and easements (at least $1.7 million) to fund immediate LOP budget needs on the Crenshaw/LAX project.

B. After taking CMAQ and LAWA-generated revenues off the top, approve the use of Subregional Equity Program (SEP) funding for the remainder of the $90 million Crenshaw/LAX LOP budget increase, subject to formal approval from each subregion's governing body and according to the 2016 subregional borders designating the LAX area as a Regional Facility and conforming the South Bay subregion to the South Bay COG's boundaries:

| Subregion | Miles | Percent |
|---|---|---|
| Central Los Angeles | 3.40 | 41.4% |
| South Bay | 3.32 | 40.4% |
| Regional Facility: LAX Area | 1.50 | 18.2% |
| Total | 8.22 | 100.0% |

These SEP funds shall be escalated from 2015 dollars in accordance with Board file 2019-0598, which reaffirmed that each subregion's SEP allocation as listed in the Measure M Expenditure Plan (line item 68,note s.) is listed in 2015 dollars and escalated to year-of expenditure in accordance with the escalation policies in the Measure M expenditure plan;


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C. Defer any future recommendation or use of any unprogrammed SEP funding pending the development, in partnership with all Board offices, of a uniform process by which Subregions can elect to use SEP funding, including but not limited to:

1. Subregional governing body approval of any funding recommendation and use;
   a. Hereby acknowledging that the South Bay COG has already committed the entire South Bay SEP for the Centinela Grade Separation Project.

2. Written notice to the respective Subregional governing body and representative Board offices at least 120 days before Metro recommends the use of SEP funding to ensure adequate time for subregions to understand and approve any funding recommendations;

3. Standard and explicit criteria for how and when a subregion's SEP allocation may be accelerated to meet their needs, consistent with Board file 2019-0598 (see above);

D. Report back on all the above during the September 2020 Board cycle.

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# Board Report

**File #:** 2022-0101, **File Type:** Motion / Motion Response **Agenda Number:** 30.

**EXECUTIVE MANAGEMENT COMMITTEE**
**MAY 19, 2022**

**SUBJECT: 48 BY ’28: INCREASING SMALL AND DISADVANTAGED BUSINESS PARTICIPATION**

**ACTION: APPROVE RECOMMENDATIONS**

## RECOMMENDATION

CONSIDER:

A. RECEIVING and FILING the report back to Motion 43 on a 48 by 2028 Policy Objective to Increase Small and Disadvantaged Business Participation; and

B. ADOPTING the Top 8 for 48 by ‘28 Plan.

## ISSUE

On December 2, 2021, the Board passed Motion 43 (Directors Solis, Hahn, Dupont-Walker, Sandoval, and Butts) requesting a report back in March 2022 on the development of a policy objective to ensure Metro’s capital program 28 by ’28 accelerates the increase of small and disadvantaged business participation by directing as many contract and procurement dollars as possible toward small and disadvantaged businesses.

## BACKGROUND

Metro’s Small, Disadvantaged and Disabled Veteran Business Enterprise programs and initiatives such as Small Business Prime set-aside program, Contracting Outreach and Mentoring Program, Contractor Bonding & Assistance Program, and Medium
Size Business Program are catalyst for economic opportunity and expands access to contracting opportunities. In 2021, Metro further enhanced the SB Prime program by increasing its contract threshold requirement, creating two new tiers, MSZ-I and MSZ-II, in the Medium Sized program, and the development of a Dashboard and Scorecard to track prime contractor performance in meeting and or exceeding SBE/DBE and DVBE contract goals. In February 2022, the Board approved the Local Small Business Enterprise (LSBE) Preference program to strengthen the local economy and maximize contracting opportunities that increase the capacity and growth of local small and historically under-utilized businesses within the communities in which Metro’s transportation projects are being built. To do more to foster the inclusion of small, disadvantaged, and historically under-

utilized businesses in Metro's contracting, staff has been asked to bring forth recommendations to support a 48 by '28 aspirational policy objective.

In response to the Board motion, Metro has developed a 48 by '28 plan. According to U.S. Small Business Administration (SBA), small businesses represent 99.9% of all U.S. businesses. Small businesses not only contribute to the economic recovery of communities, but successful small businesses bring growth and innovation, and help stimulate economic growth by providing employment opportunities. Los Angeles County, as the country's largest small business economy, has approximately 250,000 local small businesses that account for 43% of the local workforce.

From the lens of equity and inclusion, Metro's 28 by '28 plan embraces the opportunity to develop meaningful innovative strategies to further assist, develop, grow, and increase utilization and participation of small, minority, and women owned businesses in Metro's contracting program.

The following table provides background information on Metro's contracting spend with small business for fiscal years 2019 through 2021. As depicted in this table, the pandemic impacted small business participation, demonstrating the need for enhanced small business initiatives.

| | FY19 | FY20 | FY21 | Average |
|---|---|---|---|---|
| SBE Commitment $'s | $95,694,827.00 | $347,391,780.00 | $198,242,320.00 | $213,776,309.00 |
| SBE Commitment % | 34% | 28% | 22% | 28% |

## DISCUSSION

Metro understands that it will take a collective effort both agency-wide and regionally to achieve the 48 by '28 aspirational target. In aiming to achieve the target, all of Metro's small business and disadvantage business programs and initiatives that generate SBE and DBE participation on Metro contracts, will contribute towards reaching the aspirational target. Metro will assess attainment of the aspirational target against its annual contracting spend, inclusive of an estimated $2 billion in sales tax through Local Return.

The Top 8 for 48 X '28 Plan includes the following eight initiatives:

1. **Roll-Out 15-Day Pay Initiative for Small Business Enterprise (SBE) as Primes**: To help with cash flow constraints that many small business firms experience, Metro will enact a 15-day Pay initiative for SBE's that perform as primes. Metro will reduce the current net 30-day payment contract term to net 15-days (Phase I). In phase 2 of this initiative, Metro will expand the 15-day pay to LSBEs and non-LSBE primes that subcontract at least 30% of the contract value with eligible LSBE firms.


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2. **Explore Feasibility of increasing the SBE certification Personal Net Worth (PNW) cap and a potential SBE certification reciprocity with** the Los Angeles Unified School District (LAUSD).**:** Exploring both of these components is worthwhile in Metro's efforts to increase the pool of certified SBE firms.

   Staff has begun to research the feasibility of a PNW adjustment formula. Metro's SBE program is the most flexible to consider this type of review. Additionally, staff will also explore the viability of establishing small business certification reciprocity with LAUSD.

   Staff will bring forth any future recommendation(s) to the Board for consideration.

3. **Coordination of Efforts with the Los Angeles Area Chamber of Commerce OneLA Collaborative:** The OneLA Inclusive Procurement program focuses on creating a pathway to contract opportunities for local, small and diverse businesses. Metro is a member of this collaborative that provide mentorship, training and relationship-building opportunities through a regional partnership to advance a more equitable, sustainable and resilient economic recovery. As part of our targeted strategies to support the 48x28 motion and increase the capacity and availability of firms to support Metro's small business initiatives, including our soon-to-be launched Local Small Business Enterprise Program (LSBE), staff is proposing to strengthen our collaborative efforts with OneLA by:

   a. Providing Metro and Transportation specific "How To Do Business With Metro" workshops to small businesses graduating from the OneLA training cohort program. This training will be provided as cohorts graduate from the OneLA Program in addition to regular information provided during the training series.

   b. Refer OneLA graduating construction contractors to Metro's Contractor Development and Bonding Program to receive on-going technical assistance and resources.

   c. Implementing a process by which OneLA Training graduates are informed of Metro contracting opportunities, including opportunities via Metro's LSBE Program.

   d. Expediting the Small Business certification review timeline for firms enrolled in the OneLA Training Program to facilitate firms bidding and/or proposing on Metro contract opportunities. Staff is implementing a change to the application system to ask firms if they are currently enrolled or have graduated from the OneLA Training Program.

   e. Coordinating a Recognition Campaign, in conjunction with the Los Angeles Area Chamber of Commerce, to celebrate prime contractors, small businesses and others who have gone above and beyond the requirements of Metro's small business initiatives.

4. **Enhancing the reach of Metro's Small Business Outreach Efforts by Advertising Metro**

**Events on the City of Los Angeles' RAMP Portal:** The City of Los Angeles has created a new, comprehensive web-based portal for the regional vendor community named the Regional Alliance Marketplace for Procurement (RAMP). Joining this portal to advertise Metro outreach events and new initiatives will allow Metro to reach a greater number of firms as the goal of RAMP is to provide a one-stop regional business marketplace.

5. **Engage Local Return and Transit Operators:** Metro is exploring the opportunity to extend the 48 by '28 initiative regionally through the Local Return program. The purpose is to increase the percentage of sales tax dollars available for SBE's and creating new opportunities for SBEs as part of accelerating an equitable recovery from the pandemic within the Los Angeles County region. As a condition of voter approval, 25 percent of the Proposition A tax revenues, 20 percent of the Proposition C tax revenues, 15 percent of Measure R and 17 percent of Measure M tax revenues are earmarked for the Local Return Programs to be used by cities, the County of Los Angeles, and transit operators in developing and/or improving local public transit, paratransit, and related transportation infrastructure.

   As required in the respective adopting ordinances, Local Return funds are allocated and distributed monthly to jurisdictions on a "per capita" basis by Metro. Metro will seek to partner with the cities, transit operators and County of Los Angeles to participate in a regional voluntary initiative to encourage and highlight the role Local Return funds can play in advancing small business enterprise utilization on eligible local return projects throughout the County. Understanding that some cities and County of Los Angeles may have their own small business programs, Metro will partner to provide free technical assistance if needed, by encouraging the use of Metro's existing SBE program , if no SBE program is in place. In April, staff issued a survey to local return recipients to obtain information on their current SBE program and any current expenditures with SBE's, if available. Staff will continue to dialogue with the local return recipients on the 48 by '28.

6. **Enhance capacity building and access to capital:** The CFAP is a new proposed component of Metro's bond program (Contractor Development and Bonding Assistance Program) designed to assist small businesses with access to capital by using their Metro contract as collateral while performing on a Metro contract. The CFAP was approved by the Board in April 2022. During Phase 2 of this initiative, Metro will seek to expand to non-construction firms.

7. **Encourage Support for Federal Program Changes:** Metro has identified five areas to champion for change and to advance in the Federal arena, including:

   a. Recommending that the U.S. DOT allow federal recipients to exclude contract modifications for settlements and time delays from the total contract value. Prime contractors have expressed that such changes do not have DBE opportunities and should therefore be excluded from its DBE commitment. Currently, when there is a change to a contract on which there is a DBE contract goal, then that contract goal

applies to the change order as well as to the original contract.

b. Steering Metro's Federal advocacy efforts towards encouraging the Federal Railroad Administration (FRA) to stand-up a Disadvantaged Business Enterprise (DBE) Program similar to that of the Federal Transit Administration.

c. Encouraging the U.S. Department of Transportation to allow for Local Small Business Preferences and goals.

d. Working with Metro's Federal Advocacy Team for the "Rally behind the Equity in Infrastructure Project," a federal Initiative geared towards increasing the number, size and scope of contracts going to certified small and minority owned businesses in the infrastructure space.

e. Encouraging the U.S Department of Transportation to review the Personal Net Worth cap for DBE certification in line with cost of living and other factors that vary across the Nation to ensure that California socially and economically small businesses are able to equitably participate in the Program.

f. Initiating a new Disparity Study to determine the capacity and availability of firms to work on Metro's contracting program, in addition to assessing any potential barriers and/or discrimination that would limit firms from bidding on Metro's procurements.

8. **Increase Small Business Program Regional Attainments:** Staff recommends partnering with the regional local return and transit operator recipients to jointly achieve the goals of the 48 X 28 initiative, as discussed in Items 1 through 7 above. Staff believes that these approaches and partnerships, including reporting to the Board annually on our progress towards 48x28, will garner increased regional small business participation in time for the 2028 Olympic Games. The development of this plan, which incorporates Metro's existing, new and/or enhanced initiatives, along with the encouraged use of Metro's Small Business programs by local return recipients and transit operators, not only improves small business participation, but is in line with the intent of the 48 X 28 Board motion. The below table denotes how these 2 combined elements of our Program (Metro goals and local/ transit operator goals),will increase opportunities for Small Business participation and allows the flexibility for Metro to increase its own Small Business Annual goals, based on Small Business Dashboard metrics, as necessary to achieve the intent of the Board Motion.

| AGENCY | FY23 | FY24 | FY25 | FY26 | FY27 | FY28 |
|---|---|---|---|---|---|---|
| **Metro SBE Goal** | 30%+ | 30%+ | 30%+ | 30%+ | 30%+ | 30%+ |
| **Local / Transit Operator Goals** | TBD | TBD | TBD | TBD | TBD | TBD |
| **48X28 Goal** | | | | | | 48%+ |

Additionally, staff will continue its efforts to launch the LSBE Preference program by June 1, 2022, which will contribute to reaching 48 percent by 2028 initiatives.


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Metro will continue its current outreach initiatives that are not directly addressed in the plan to include initiating and coordinating a Countywide Certification Campaign with regional speaking engagements to diverse Chambers of Commerce including associations and Supervisorial Districts. Also, as part of Metro's Shared Responsibility Program, internal Departments will be required to prepare annual written plans on their efforts to increase contracting opportunities to include, but not limited to, unbundling components of projects for SB Prime and Medium Size opportunity, increasing bid/build opportunities, and continual cooperation and partnership in the phased increased program goal and contract goal levels.

Finally, staff considered comments from the Transportation Business Advisory Council (TBAC), the Southern California Chapter of the Associated General Contractors (AGC), and the Los Angeles County of the American Council of Engineering Companies (ACEC) on the 48 by '28 initiative. TBAC offered support of the program, while the AGC expressed some concern with the pool of available certified firms to bid on opportunities, small businesses over-extending themselves, and suggested Metro consider net 15-day payment terms to prime contractors.

## FINANCIAL IMPACT

Board approval of the recommendations do not have direct financial impact. Should funds be needed, they will be requested through the annual budget process and in the case of projects with Board authorized life-of-project budget, funds will not exceed the authorized level. For multi-year contracts, respective Cost Center manager(s), Project Manager(s), and Chief cabinet officer(s) are responsible for annual budget requests.

## EQUITY PLATFORM

Staff recommendations are to increase the utilization of small, local small business, disadvantaged, minority, and women-owned business enterprise firms in Metro's contracting program. Currently there are 2,340 Metro SBE certified firms. Of those SBE certified firms, 1,601 are also DBE certified. As a result, 68% of Metro's SBE certified firms are minority and/or women owned. These recommendations will help with the County's economic recovery by increasing the percentage of transportation dollars that remain in the region and within economically and socially disadvantaged communities. As Metro continues to establish progressive goals on projects to increase opportunities, the new recommendations will help to achieve the aspirational target of 48 by '28.

## IMPLEMENTATION OF STRATEGIC PLAN GOALS

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

## NEXT STEPS

Upon Board approval, staff will proceed with implementing the 48 by '28 Plan. The increase to the

SBE Program goal will be effective July 1, 2022. Metro will highlight its progress in tracking toward reaching the 48 percent target by 2028 on an annual fiscal year-end basis. It is expected that as plan initiatives are implemented, elements of reporting and tracking will be adjusted.

## ATTACHMENTS

Attachment A - Motion 43 (December 2, 2021 Board Meeting)

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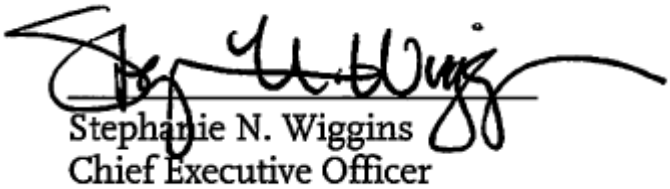

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# Board Report

**File #:** 2021-0766, **File Type:** Motion / Motion Response **Agenda Number:** 43.

**REGULAR BOARD MEETING**
**DECEMBER 2, 2021**

**Motion by:**

**DIRECTORS SOLIS, HAHN, DUPONT-WALKER, SANDOVAL, AND BUTTS**

48 by ‘28: Increasing Small and Disadvantaged Business Participation

The U.S. Department of Transportation (USDOT) requires state and local transportation agencies to establish goals for participation of disadvantaged business enterprises (DBE) on contracts and procurements supported by the USDOT. This DBE participation goal is determined by the state or local agency based on a variety of factors including the availability of qualified DBE’s. Metro re-evaluates its DBE participation goal every three years and the current goal covering Federal Fiscal Years 2022 through 2024 is 28 percent. Metro also has a Small Business Enterprise (SBE) program for projects without federal funds, which was first established in 1997 with an initial goal of 15 percent SBE utilization. Today, Metro’s overall SBE participation goal is 30 percent, and a participation goal of 3 percent for Disadvantaged Veteran Business Enterprises (DVBE) is also set any time an SBE goal is established for a contract. During any contract solicitation preparation process, Metro staff considers whether or not to establish a DBE, SBE and DVBE participation goal based on various factors such as funding type and availability of subcontracting opportunities. When these participation goals are established, they become a mandatory condition of award and awardees are expected to meet or exceed their participation goals over the duration of the contract. We further understand that firms can meet DBE goals by submitting satisfactory evidence of having conducted Good Faith Efforts. These goals are partly intended to help address the disparities between the number of available small, minority- and women-owned businesses qualified to do certain kinds of work and the actual proportion of Metro contract/procurement dollars that are awarded to them.

Over 90 percent of businesses in Los Angeles County are small businesses with less than 20 employees, and Los Angeles County has more minority- and women-owned businesses than any other county in the nation. Those businesses are truly representative of the County, where over 70 percent of the population is a person of color. More than 15,000 small businesses have reported temporary and/or permanent closure as a result of the pandemic, and communities of color have borne the brunt of COVID-19’s economic and public health impacts. In particular, Latinx individuals, who make up over 48 percent of the County, have seen severe impacts since the onset of the pandemic. In January 2021, daily death rates for Latinx communities in Los Angeles County exploded by 1,000 percent from 3.5 per 100,000 Latinx residents to 40 deaths per 100,000 Latinx residents. Small businesses, especially those in communities of color, have struggled to stay afloat and have been closing at higher levels due to drastically decreased revenues.


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Metro is currently in the midst of delivering an ambitious program of capital projects called Twenty-Eight by ’28. This initiative mainly addresses planning, design and construction of projects and does not address where those contract dollars are going. With an $8 billion budget, Metro has the capacity to help accelerate recovery in Los Angeles County by directing as many contract and procurement dollars as possible towards small and disadvantaged businesses. To help accomplish this, Metro can establish a new policy objective to reach 48 percent participation by small and disadvantaged businesses on contracts and procurements.

**SUBJECT: 48 BY ’28: INCREASING SMALL AND DISADVANTAGED BUSINESS PARTICIPATION**

## RECOMMENDATION

APPROVE Motion by Directors Solis, Hahn, Dupont-Walker, Sandoval, and Butts that the Board of Directors direct the Chief Executive Officer to establish an aspirational policy objective for Metro to reach 48% participation by small and disadvantaged businesses on contracts and procurements by 2028, and to report back in March 2022 with recommendations to achieve the goal.