



Board Report

File #: 2021-0752, **File Type:** Minutes

Agenda Number: 2.

**REGULAR BOARD MEETING
DECEMBER 2, 2021**

SUBJECT: MINUTES

RECOMMENDATION

APPROVE Minutes of the Regular Board Meeting held October 28, 2021.



MINUTES

Thursday, October 28, 2021

10:00 AM

Board of Directors - Regular Board Meeting

DIRECTORS PRESENT:

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

Stephanie Wiggins, Chief Executive Officer

CALLED TO ORDER: 10:00 A.M.

ROLL CALL

1. APPROVED Consent Calendar Items: 2, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 19, 20, 24, 28*, 29, 30, 31, 35, and 36.

*Item required 2/3 vote.

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

| AN | JDW | KB | MB | JB | FD | EG | JH | PK | SK | HM | TS | HS |
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2. **SUBJECT: MINUTES** **2021-0700**

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held September 23, 2021.

3. **SUBJECT: REMARKS BY THE CHAIR** **2021-0695**

RECEIVED remarks by the Chair.

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4. **SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER** **2021-0696**

RECEIVED report by the Chief Executive Officer.

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

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

5. SUBJECT: I-605/VALLEY BOULEVARD INTERCHANGE IMPROVEMENT PROJECT THIRD-PARTY AGREEMENTS **2021-0091**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute all necessary agreements with third parties to complete the I-605 at Valley Boulevard Interchange Improvements Project.

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6. SUBJECT: I-105 EXPRESSLANES PLANS, SPECIFICATIONS, AND ESTIMATES (PS&E) AND RIGHT-OF-WAY (ROW) COOPERATIVE AGREEMENT **2021-0417**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute a Cooperative Agreement with the California Department of Transportation (Caltrans) for the I-105 ExpressLanes project for the Plans, Specifications, and Estimates (PS&E) and Right-of-Way (ROW) phases in an amount not to exceed \$7,260,000.

7. SUBJECT: JOINT DEVELOPMENT POLICY GOAL **2021-0496**

APPROVED ON CONSENT CALENDAR:

- A. a ten-year Joint Development goal of completing 10,000 housing units, at least 5,000 of which will be income-restricted; and
- B. RECEIVING AND FILING the response to Motion 15.1 (Dupont-Walker and Solis).

8. SUBJECT: I-405 SEPULVEDA PASS (PHASE 1) EXPRESSLANES INVESTMENT GRADE TRAFFIC AND REVENUE STUDY; AND I-10 EXPRESSLANES EXTENSION INVESTMENT GRADE TRAFFIC AND REVENUE STUDY **2021-0624**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. EXECUTE firm fixed price Contract No. PS67379000 with CDM Smith for comprehensive investment grade Traffic and Revenue (T&R) modeling services to produce the I-405 (Sepulveda Pass (Phase 1) ExpressLanes Investment Grade Traffic and Revenue (T&R) Study, for a three-year performance period, effective on November 20, 2021, in the amount of \$1,455,718 subject to the resolution of properly submitted protest(s), if any; and

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B. EXECUTE firm fixed price Contract No. PS67450000 with CDM Smith for comprehensive investment grade Traffic and Revenue (T&R) modeling services to produce the I-10 ExpressLanes Extension Investment Grade Traffic & Revenue (T&R) Study, for a two-year performance period, effective on November 20, 2021, in the amount of \$1,363,452 subject to the resolution of properly submitted protest(s), if any.

9. SUBJECT: STATE ACTIVE TRANSPORTATION PROGRAM **2021-0587**

APPROVED ON CONSENT CALENDAR the:

- A. State Active Transportation Program (ATP) Cycle 6 Grant Assistance Priorities; and
- B. Regional ATP Point Assignment Method.

10. SUBJECT: LINK UNION STATION (LINK US) PROJECT **2021-0548**

APPROVED ON CONSENT CALENDAR:

- A. Addendum No.1 to the California Environmental Quality Act (CEQA) Final Environmental Impact Report (FEIR); and
- B. ADOPTING a Revised Mitigation Monitoring and Reporting Plan (MMRP).

12. SUBJECT: EIGHTH AMENDMENT TO LEASE AGREEMENT WITH DOWNTOWN PROPERTIES, LLC FOR THE OFFICE OF INSPECTOR GENERAL **2021-0518**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer or their designee to execute a 65-month (5 years, 5 months) lease amendment commencing March 1, 2022 with Downtown Properties, LLC ("Lessor"), for the Office of the Inspector General ("OIG") located at 818 West 7th Street in Los Angeles at a rate of \$38,736 per month with 3% annual escalations for a total of \$2,486,730 over the 65-month term.

13. SUBJECT: FIRST LEASE AMENDMENT AGREEMENT WITH THE STATE OF CALIFORNIA **2021-0619**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO), or their designee, to execute a five (5) year First Lease Amendment commencing October 1, 2021 with the State of California, ("Lessor") for the Division 2 Employee Parking Lot ("Location 403") located at 17th Street and Griffith Avenue in Los Angeles at a rate of \$13,447.00 per month with annual increases of three percent (3%) for a total of \$858,192.00 over the five (5) year term.

14. SUBJECT: CALIFORNIA SB1 STATE OF GOOD REPAIR PROGRAM 2021-0579

APPROVED ON CONSENT CALENDAR the Resolution in Attachment A to:

- A. AUTHORIZE the Chief Executive Officer (CEO) or designee to claim \$30,484,780 in fiscal year (FY) 2021-22 State of Good Repair Program (SGR) grant funds as the Regional Entity for Los Angeles County for this program;
- B. APPROVE the regional SGR Project List for FY2021-22; and
- C. CERTIFY that Metro will comply with all conditions and requirements set forth in the SGR Certification and Assurances document and applicable statutes, regulations, and guidelines.

15. SUBJECT: AUDIT SERVICES BENCH AMENDMENT 2021-0594

APPROVED ON CONSENT CALENDAR:

- A. AUTHORIZING the Chief Executive Officer to execute Modification No. 4 to Contract Nos. PS36627000 through PS36627004, PS36627006, PS36627008, PS36627009, PS36627011 through PS36627018 to exercise the second, one-year option, extending the contract term from January 1, 2022 to December 31, 2022; and increasing the total authorized not-to-exceed amount by \$2,288,000 from \$9,152,000 to \$11,440,000; and
- B. AWARDING AND EXECUTING task orders for an aggregate not-to-exceed amount of \$11,440,000.

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16. SUBJECT: SUBSTITUTE MOTION - 710 SOUTH CLEAN TRUCK PROGRAM 2021-0708

APPROVED Motion by Directors Hahn and Dutra that directs the CEO to take the following actions:

- A. Recommit \$50 million from Measure R I-710 South Corridor Project funds as "seed funding" for a 710 South Clean Truck Program,

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- B. Collaborate with the I-710 Task Force, local and regional stakeholders, cities, the Ports, the I-710 South Task Force, and the Gateway Cities COG to develop a 710 South Clean Truck Program that seeks to deploy Zero Emissions trucks in the I-710 Corridor as soon as possible,
- C. Conduct aggressive Federal and State advocacy to secure funding for a 710 South Clean Truck Program, including as many as possible of the 1,000 Zero Emissions trucks included in the FY22 California State budget.
- D. Report back to the Board in February 2022 and May 2022 with updates on stakeholder engagement and Program development and implementation, including areas for possible further study, consideration, and development to achieve Zero Emissions goods movement objectives along the I-710 South Corridor.

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19. SUBJECT: AUTOMATED STORAGE AND RETRIEVAL SYSTEM (ASRS) UPGRADE **2021-0592**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a single source, 24-month, firm fixed price Contract No. PS76506000 to Dematic Corporation, for a total amount of \$3,396,686, inclusive of sales tax subject to resolution of protest(s), if any.

20. SUBJECT: PURCHASE OF SAFETY VESTS **2021-0576**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a two-year, Indefinite Delivery/Indefinite Quantity (IDIQ) Contract No. MA75908000 for reflective safety vests with Safety Vibe Inc. The Contract one-year base amount is \$577,649 inclusive of sales tax, and the one-year option amount is \$595,869, inclusive of sales tax, for a total contract amount of \$1,173,518, subject to resolution of any properly submitted protest(s).

**24. SUBJECT: CONTRACT MODIFICATION - LA COUNTY DEPARTMENT 2021-0550
OF HEALTH SERVICES C3 HOMELESS OUTREACH
TEAMS HOME AT LAST (HAL) SHELTER BED PILOT
EXTENSION**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Amendment No. 4 to the Letter of Agreement for Multidisciplinary Street-Based Engagement Services (Contract No. MO136727000-32385), to include extending the homeless shelter bed program (Home At Last (HAL)) through January 31, 2022, for outreach team enhancements and capabilities in an amount not-to-exceed \$1,250,000, increasing the total cost from \$26,200,000, to \$27,450,000, inclusive of administrative fees and other pilot initiatives.

**28. SUBJECT: EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT 2021-0543
PROJECT**

APPROVED ON CONSENT CALENDAR:

- A. FINDING that authorization of the use of alternative delivery methods, including Progressive Design-Build (PDB), will achieve integration of design, project works, and other components in an efficient manner the East San Fernando Valley (ESFV) Light Rail Transit Project (Project) pursuant to Public Utilities Code Section 130242; and
- B. APPROVING a competitive solicitation of a PDB contract to achieve the proposed design approach, specific project features and functions, and other project criteria in addition to price, pursuant to Public Utilities Code 130242 (e).

(REQUIRED 2/3 VOTE OF THE FULL BOARD)

**29. SUBJECT: EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT 2021-0544
PROJECT**

APPROVED ON CONSENT CALENDAR:

- A. FINDING that authorization of the use of Public/Private Partnership (P3) will achieve the design, build, finance, and participation in oversight of Operation and Maintenance of solar photovoltaic (PV) power (commonly known as solar panels) generation system at the Maintenance and Storage Facility for the East San Fernando Valley Transit Corridor Project (ESFV) pursuant to Public Utilities Code Section 130242; and

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- B. APPROVING a competitive solicitation of a P3 contract to achieve the proposed design, specific features and functions, and other qualifications in addition to price, pursuant to Public Utilities Code Section 130242.

30. SUBJECT: CONSTRUCTION MANAGEMENT SUPPORT SERVICES FOR CAPITAL PROJECTS **2021-0572**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. AWARD AND EXECUTE a three-year cost plus fixed fee contract, Contract No. AE76301MC081 with Zephyr Rail, to provide Construction Management Support Services for Capital Projects, in an amount not-to-exceed \$3,519,211.94 for the three-year base period, plus two (2) one-year options if deemed appropriate, subject to resolution of any properly submitted protest(s); and
- B. EXECUTE individual Task Orders within the Board approved not-to-exceed amount.

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31. SUBJECT: LOCAL PREFERENCE **2021-0686**

APPROVED ON CONSENT CALENDAR Motion by Directors Hahn, Dupont-Walker, Butts, Mitchell, Dutra, and Kuehl that directs the CEO to:

- A. Survey local preference best practices nationally and make recommendations for local preference criteria;
- B. Evaluate and recommend changes to Metro policies regarding advancing local preference in small, medium, and disadvantaged business contracting;
- C. Review State and Federal laws and regulations and make recommendations for inclusion in future Federal and State Legislative Priorities; and,
- D. Report back on these requests in February 2022.

35. SUBJECT: FARE POLICY CHANGE

2021-0679

APPROVED ON CONSENT CALENDAR:

- A. The results of the Fare Equity analysis for changing free fares to 5 years and under.
- B. Changing the fare policy to raise the maximum age of free fare from under age 5 to under age 6.

36. SUBJECT: TICKETS OR PASSES DISTRIBUTION POLICY

2021-0634

APPROVED ON CONSENT CALENDAR:

- A. the Tickets or Passes Distribution Policy; and
- B. AUTHORIZING the Chief Ethics Officer to amend the policy consistent with any changes in state law or Metro priorities.

**37. SUBJECT: ZERO EMISSIONS TRANSPORTATION
INFRASTRUCTURE WORKING GROUP**

2021-0689

APPROVED AS AMENDED Motion by Directors Krekorian, Garcetti, Kuehl, Barger, Hahn, and Solis that the CEO and or her designee participate along with other appropriate staff in the City of Los Angeles' ZE Transportation Infrastructure working group to work collaboratively to meet the following objectives;

- A. Identify opportunities for collaboration on deploying shared charging infrastructure for all fleet needs (all vehicle classes, both revenue and non-revenue vehicles), while ensuring that renewable and resilience measures are included. This effort should optimize the amount of shared or multi-agency accessible zero-emission fueling infrastructure in the region.
- B. Analyze any potential efficiencies in joint procurement and long-term planning.
- C. Evaluate opportunities for co-locating and co-developing zero-emissions vehicle charging infrastructure with both public and private agencies.
- D. Maximize capacity for EVs through deploying electric vehicle charging/fueling equipment in underutilized parking lot facilities for public and/or agency use. Each agency (where applicable) should provide a report back to its respective governing board listing such opportunities in parking lots, including the number of available parking spaces in each lot.

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- E. Maximize and coordinate funding and grant applications for shared charging, storing, and other infrastructure opportunities.
- F. Explore collective procurement opportunities and other procurement innovations, such as common bid language that allows all agencies to take advantage of a contract awarded by any of the other agencies, with special emphasis on encouraging and incentivizing local businesses to benefit from such procurement.
- G. To the greatest extent possible, set cross-agency standards for charging, materials, measurement (hourly need), and telematics needs to ensure a regional standard.
- H. Explore ways to maximize coordination with private industry investments in zero-emission fuel infrastructure in order to facilitate meeting current or anticipated agency EV needs (for example, relating to construction, power, and storage). Such steps might include a notification protocols to ensure that all agencies will be able to take advantage of any potential electrification infrastructure synergies during large private sector electrification projects.
- I. Explore the use of battery storage and energy management for shared charging infrastructure projects between working group members. Work with LADWP and Southern California Edison to identify strategies to leverage battery storage to achieve system resiliency alongside fleet electrification projects.
- J. Share lists and maps of assets that can be used in a unified plan for zero-emission infrastructure, including parking lots, layover locations, park and rides, and existing EV facilities.
- K. Identify other public agencies, including the County of Los Angeles Department of Public Works, Internal Services Department, and Chief Executive Office, that can participate in the work of the working group to expand long-term zero-emission infrastructure planning further.

WE FURTHER MOVE that the CEO report back to the board on a quarterly basis to provide updates on these goals.

DUPONT-WALKER AMENDMENT: Prioritize the deployment of Zero Emission Infrastructure based on equity criteria.

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41. SUBJECT: PUBLIC EDUCATION CAMPAIGN FOR ENHANCED LIFE PROGRAM, HALF-PRICED PASSES AND FARE RESUMPTION **2021-0646**

RECEIVED AND FILED the Communications plan update supporting LIFE program expansion, half-priced passes and fare resumption.

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42. 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 **2021-0707**

THE BOARD FOUND:

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.

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43. SUBJECT: CLOSED SESSION

2021-0699

- A. Conference with Legal Counsel - Anticipated Litigation - G.C.54956.9(d)(4):
Initiation of Litigation (One Case)

NO REPORT

- B. Public Employee Performance Evaluations - G.C. 54957(b)(1)
Titles: Chief Executive Officer, General Counsel, Board Clerk, Chief Ethics
Officer, Inspector General

NO REPORT

ADJOURNED AT 1:55 P.M.

Prepared by: Jessica Vasquez Gamez
Administrative Analyst, Board Administration



Collette Langston, Board Clerk