



Board Report

File #: 2022-0653, **File Type:** Minutes

Agenda Number: 2.

**REGULAR BOARD MEETING
SEPTEMBER 22, 2022**

SUBJECT: MINUTES

RECOMMENDATION

APPROVE Minutes of the Regular Board Meeting held August 25, 2022.



NORTH LOS ANGELES COUNTY Transportation Coalition JPA

August 15, 2022

The Honorable Ara Najarian
Chair, Board of Directors
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012

RE: **Strongly Support** SR14 Traffic Safety Improvement Project Motion, Metro Board Planning Committee Agenda Item 10, August 17, 2022 meeting.

Dear Chair Najarian:

On behalf of the North Los Angeles County Transportation Coalition JPA (NCTC) member agencies – Los Angeles County 5th District, the Cities of Lancaster, Palmdale and Santa Clarita – located in North Los Angeles County, we **strongly support** the Metro Board Motion Support SR14 Traffic Safety Improvement Project, Agenda Item 10 for the Metro Board Planning Committee to be held on August 17, 2022. Please see the attached NCTC JPA SR14 Talking Points dated March 2022 for key project, safety, and community highlights.

For years, NCTC members have been working with Caltrans and Metro to address the unsafe conditions currently on the SR14 in the Santa Clarita and Antelope Valleys of North Los Angeles County. The NCTC JPA members appreciate the continued partnership with Metro and Caltrans. In fact, during an August 3, 2022 meeting with NCTC, both Caltrans and Metro outlined next steps for various immediate SR14 Safety Improvements that could be completed, while pursuing a PAED/AA environmental clearance “shovel-ready” study to choose the best locally preferred alternative to improve mobility and freeway conditions. The NCTC JPA Board has allocated \$4.7M in Measure M Multi Subregional Program (MSP) funds to the shovel-ready study.

To close, NCTC **strongly supports** the SR14 Traffic Safety Improvement Project Motion, that is scheduled to be considered by the Metro Board Planning Committee at their August 17, 2022 meeting. Thank you for your leadership on this critical lifesaving North Los Angeles County safety and mobility issue.

Sincerely,

Arthur V. Sohikian
Executive Director

Attachment: NCTC JPA SR14 Talking Points, March 2022.



North LA County Transportation Priorities

SR-14 Traffic Safety Improvement Project

1. SR-14 project is a traffic safety improvement project—not capacity enhancement

- SR-14 is the only viable roadway for 500,000 people in Antelope and Santa Clarita Valleys including communities such as Agua Dulce, Acton,
- Unsafe current sub-standard configuration is same as in 1980: 1,600 collisions and more than 30 deaths between 2014 and 2018.
- The sub-standard lane drop configuration has created bottlenecks contributing to more accidents and deaths per capita than other similar facilities across the county and state
- Population skyrocketed since 1980: Antelope Valley nearly doubled in 30 years.
- Completed the SR-14 Project Study Report.
- Next step is environmental clearance with Caltrans & Metro. Cost \$40-\$60 million
- NCTC has committed \$4.7 million of Measure M funds.

2. SR-14 Traffic Safety Improvement Project consists of correcting the sub-standard lane-drop design to a safe consistent design from Santa Clarita to Palmdale.

- Correcting the unsafe sub-standard freeway consists of fixing six locations.
- The current proposed project is ready for environmental clearance consists of three project locations over 13 miles estimated to cost \$170 million and are located between Golden Valley Road Off-ramp to Newhall Avenue, Agua Dulce Canyon Road Off-ramp to Sand Canyon Road OC, and at Newhall Avenue UC to Golden Valley Road.
- These three locations could be completed by TBD.

3. North LA County is an Underserved and Equity Focused Community

- About 1 in 3 people in North LA County live in an equity focused community
- Poverty rate: Lancaster - 21.7% Palmdale – 15.6%, Santa Clarita – 8.2%
- In Palmdale & Lancaster nearly 1 in 10 people are over 65 yrs old. Santa Clarita:11.7%
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- SR-14 is the only goods movement route between North LA County and Greater LA
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- School Free/Reduced Lunch Program, Lancaster K-6 eligible: 75%



NORTH LOS ANGELES COUNTY
Transportation Coalition JPA



SR-14 Traffic Safety Improvement Project (Cont.)

4. SR-14 Freeway is a Strategic Gateway for National Defense

- SR-14 is named the Aerospace Highway since it is a strategic link for national defense
- Serves as an important roadway for 100,000 aerospace workers who work at Edwards Air Force Base, NASA, and other defense related businesses.

5. What is the SR-14 Traffic Safety Improvement Project?

It is a series of lane safety improvements along the SR-14 freeway in six segments. If funding were available to build what is needed, the proposed installations are on both the northbound and southbound direction, in order of prioritization as follows:

Southbound SR-14

1. Golden Valley Road Off-ramp to Newhall Avenue UC
2. Agua Dulce Canyon Road Off-ramp to Sand Canyon Road OC
3. Pearblossom Highway to Escondido Canyon Road OC

Northbound SR-14

1. Newhall Avenue UC to Golden Valley Road
2. Sand Canyon Road OC to Soledad Canyon Road
3. Puritan Mine Road UC to Sierra Highway OC

Due to budget constraints, three segments were identified to be studied into the Environmental clearance phase and preliminary engineering. They are:

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2. Agua Dulce Canyon Road Off-ramp to Sand Canyon Road OC (6.6 miles)

Northbound SR-14

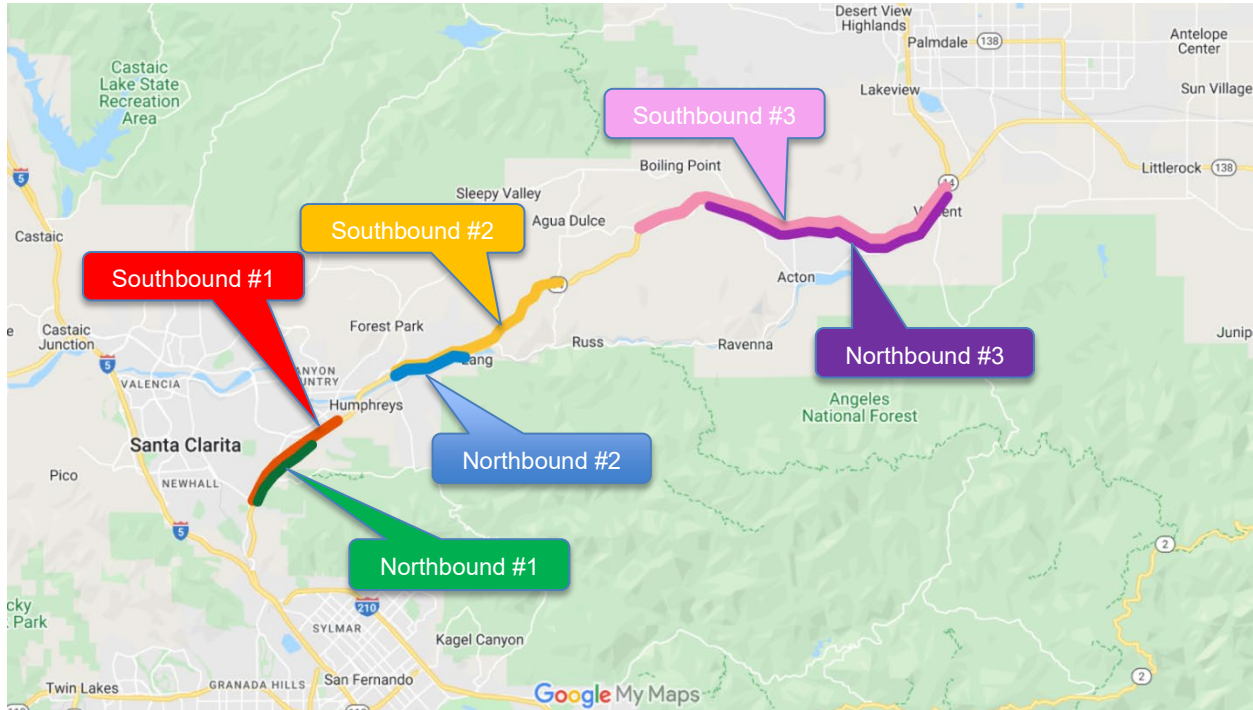
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NORTH LOS ANGELES COUNTY
Transportation Coalition JPA



SR-14 Gap Closure/Capacity Improvement Project Map



Southbound SR-14	Next Phase
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The estimated cost for completing the three projects identified as a priority is approximately \$170 million dollars. These three projects are Southbound 1 & 2, and Northbound 1 and they are positioned for environmental clearance. Staff is pursuing state and local sources of funding to build this project. The other three projects have not been evaluated in a Project Study Report and have no start date or estimated cost at this time.



NORTH LOS ANGELES COUNTY
Transportation Coalition JPA



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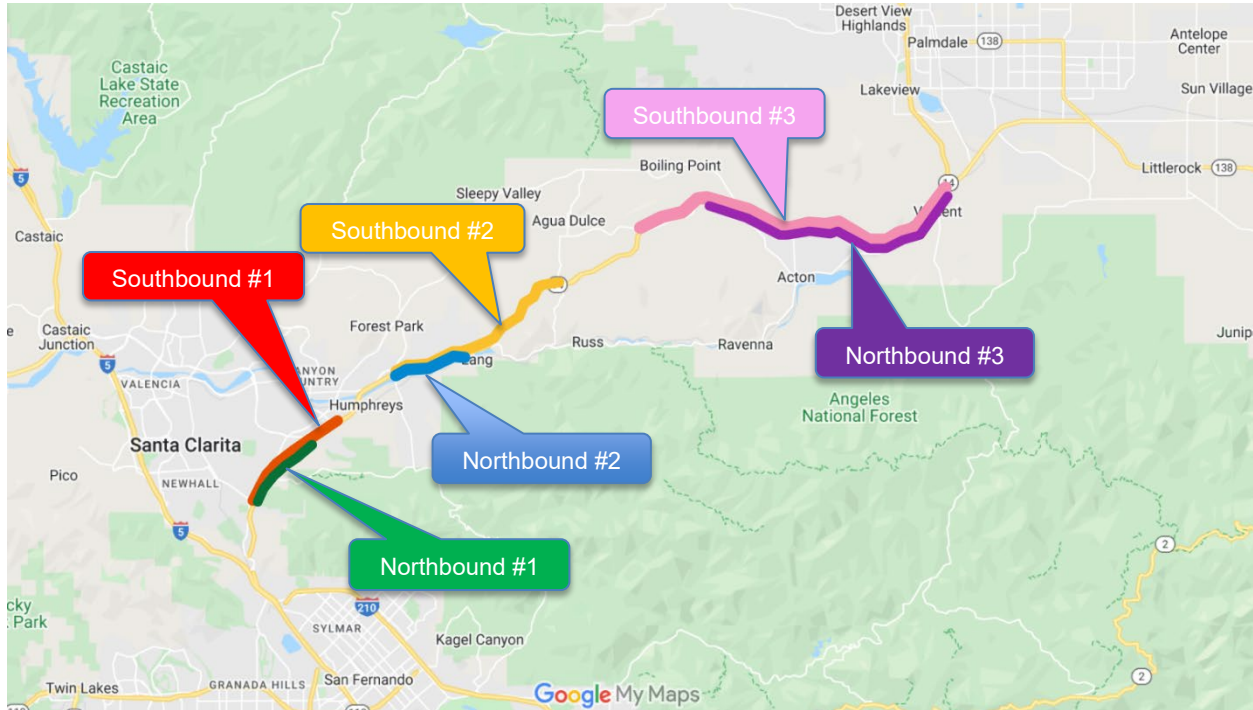
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R. REX PARRIS
MAYOR

MARVIN CRIST
VICE MAYOR

DARRELL DORRIS
COUNCIL MEMBER

RAJ MAHLI
COUNCIL MEMBER

KEN MANN
COUNCIL MEMBER

JASON CAUDLE
CITY MANAGER

44933 Fern Avenue
Lancaster, CA 935534
661.723.6000
cityoflanasterca.org

August 15, 2022

**RE: Strongly Support SR14 Traffic Safety Improvement Project Motion,
Metro Board Planning Committee Agenda Item 10, August 17, 2022 meeting**

Dear Chair Najarian:

On behalf of the city of Lancaster, a member agency of the North Los Angeles County Transportation Coalition JPA (NCTC), we strongly support the Support SR14 Traffic Safety Improvement Project Motion on the Metro Board Planning Committee August 17, 2022, Agenda.

Please see the attached NCTC JPA SR14 Talking Points (March 2022) for key project highlights. NCTC JPA members have been working for years with Caltrans and Metro on unsafe conditions currently on the SR14 in the Santa Clarita and Antelope Valleys in North Los Angeles County.

The City of Lancaster appreciates the continued partnership with Metro and Caltrans and in fact, during an August 3, 2022 meeting with NCTC, both Caltrans and Metro outlined the next steps for immediate SR14 Safety Improvements that can be completed, while pursuing a PAED/AA environmental clearance “shovel-ready” study to choose the best locally preferred alternative to improve mobility and freeway conditions. NCTC JPA Board has allocated \$4.7M in Measure M Multi Subregional Program (MSP) funds to the shovel-ready environmental study.

To close, the City of Lancaster strongly supports the SR14 Traffic Safety Improvement Project Motion, Metro Board Planning Committee Agenda Item 10, August 17, 2022 meeting.

Thank you for your deliberation and leadership on this critical North Los Angeles County mobility issue.

Sincerely,

Marvin E. Crist, Vice Mayor, City of Lancaster



PALMDALE

a place to call home

August 16, 2022

STEVEN D. HOFBAUER
Mayor

RICHARD J. LOA
Mayor Pro Tem

LAURA BETTENCOURT
Councilmember

AUSTIN BISHOP
Councilmember

JUAN CARRILLO
Councilmember

The Honorable Ara Najarian
Chair, Board of Directors
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012

RE: **Strongly Support** SR14 Traffic Safety Improvement Project
Motion, Metro Board Planning Committee Agenda Item 10, August
17, 2022, meeting.

38300 Sierra Highway

Dear Chair Najarian:

Palmdale, CA 93550-4798

On behalf of the North Los Angeles County Transportation Coalition
JPA (NCTC) member agencies – Los Angeles County 5th District,
the Cities of Lancaster, Palmdale, and Santa Clarita – located in
North Los Angeles County, we **strongly support** the Metro Board
Motion Support SR14 Traffic Safety Improvement Project, Agenda
Item 10 for the Metro Board Planning Committee to be held on
August 17, 2022. Please see the attached NCTC JPA SR14 Talking
Points dated March 2022 for key project, safety, and community
highlights.

Tel: 661/267-5100

Fax: 661/267-5122

TDD: 661/267-5167

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Metro to address the unsafe conditions currently on the SR14 in the
Santa Clarita and Antelope Valleys of North Los Angeles County.
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Auxiliary aids provided for

communication accessibility

upon 72 hours notice and request.

The Honorable Ara Najarian
Chair, Board of Directors
Los Angeles County Metropolitan Transportation Authority
August 16, 2022
Page 2

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A handwritten signature in black ink, appearing to read 'Austin Bishop', with a long horizontal stroke extending to the right.

Austin Bishop
Chairman
North Los Angeles County
Transportation Coalition

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Transportation Coalition JPA



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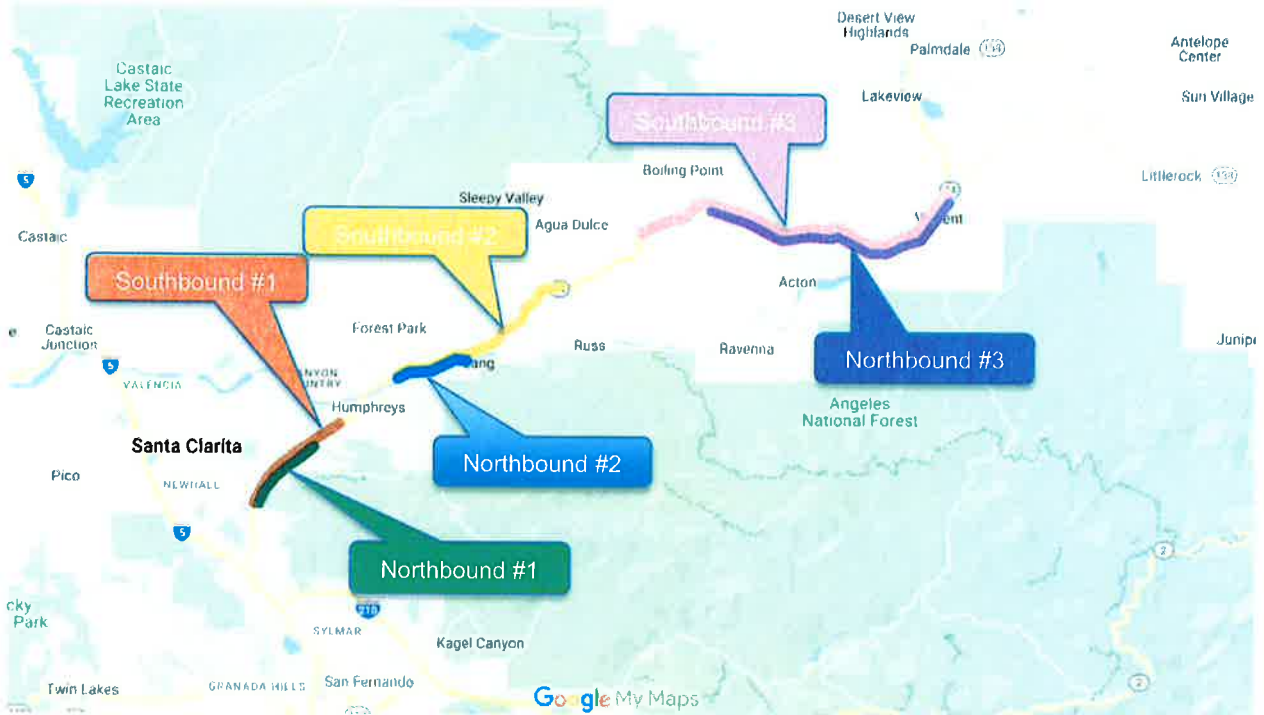
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Transportation Coalition JPA



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CAPITOL OFFICE
1021 O STREET
SUITE 7630
SACRAMENTO, CA 95814
TEL (916) 651-4025
FAX (916) 651-4925

GLENDALE DISTRICT OFFICE
601 EAST GLENOAKS BLVD.
SUITE 210
GLENDALE, CA 91207
TEL (818) 409-0400
FAX (818) 409-1256

SATELLITE OFFICE
201 EAST BONITA AVE.
SAN DIMAS, CA 91773
TEL (909) 599-7351
FAX (909) 599-7692

SENATOR.PORTANTINO@SENATE.CA.GOV

California State Senate

ANTHONY J. PORTANTINO
SENATOR
TWENTY-FIFTH SENATE DISTRICT



COMMITTEES
APPROPRIATIONS
CHAIR
BANKING & FINANCIAL INSTITUTIONS
GOVERNMENTAL ORGANIZATION
INSURANCE

SELECT COMMITTEES
CALIFORNIA, ARMENIA & ARTSAKH
MUTUAL TRADE, ART, AND
CULTURAL EXCHANGE
CHAIR

August 11, 2022

The Honorable Ara Najarian
Board Chair, Metro
One Gateway Plaza
Los Angeles, CA 90012

RE: Support for the Metro Gold Line Foothill Light Rail Extension TIRCP Application

Dear Board Chair Ara Najarian:

I am writing to ask Metro to prioritize and fully support the Gold Line Foothill Extension application for the new Transit and Intercity Rail Capital Program (TIRCP) grant program. This application is to secure the remaining funds needed to complete the Pomona to Montclair segment of the project.

This last piece of the Gold Line Foothill Extension will add miles of light rail service to our region's transit network, easing one of the state's most congested traffic areas. The extension will increase ridership and eliminate greenhouse gas pollutants. It will play an integral role in the economic development of the area by creating housing for families, and enabling quicker travel time for commuters to reach their destinations. This Extension is within a ½-mile of stations, surrounded by multiple universities and colleges, students will have a short walk, bike or bus ride to the station. Tourist and residents visiting the Los Angeles County Fairplex will be able to enjoy their ride with no traffic.

The Foothill Extension project will address existing and future traffic congestion by providing a cost-effective alternative travel option for millions of residents, students, workers and visitors; as well as new opportunities to live and work near transit. It will improve mobility, reduce greenhouse gas emissions, create new connectivity and corridor safety, and benefit numerous disadvantaged communities, a perfect project for our constituents, a project the TIRCP funds should support. Thank you for your consideration of the application.

If you have any questions, feel free to contact me or my Transportation Deputy, Dominick Correy, at (818)409-0400 or Dominick.Correy@sen.ca.gov. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Anthony J. Portantino".

Anthony J. Portantino
Senator, 25th District

August 2022 OPS Public Comments

From: [REDACTED]

Sent: Monday, August 15, 2022 2:16 PM

To: Board Clerk <BoardClerk@metro.net>

Subject: My public comment for the Operations, Safety, and Customer Experience Committee on 8/18

To whom it may concern,

There are many issues with LA Metro's rail service, that much is obvious. The main concern I wish to bring up today is that of the digital ETA displays on station platforms and station lobbies. They are virtually always either displaying incorrect information, having important information obscured by borderline irrelevant status updates, or even display zero information at all.



What is going on? I would legitimately like to know what the issue is and what can be done to resolve it. It makes using Metro more difficult than it needs to be and feels like a baseline service for Metro users that is simply ignored.

It feels painfully obviously like no one making the decisions at Metro ever rides Metro, and that's upsetting to me. What can we do to fix this?

Please do SOMETHING or Metro rail will fall into complete disrepair.

Thank you for your time.

[REDACTED]

From: [REDACTED]

Sent: Thursday, August 18, 2022 8:01 AM

To: Board Clerk <BoardClerk@metro.net>

Subject: Bad service

I've been waiting for bus 53 at central/88th for more than 1 hour and I've been late for work because of the mishandling of this service, some of us don't have time to buy a car, and we depend on this service but this doesn't work.

Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
2010 Main Street, 8th Floor | Irvine, CA 92614-7214
Telephone: 949.553.1313 | Facsimile: 949.553.8354
www.allenmatkins.com

K. Erik Friess
E-mail: rfriess@allenmatkins.com
Direct Dial: 9498515478 File Number: 392729.00001/4854-6072-1965.2

VIA ELECTRONIC MAIL

August 18, 2022

Clerk of the Board
Los Angeles County Metropolitan
Transportation Authority
Board Secretary's Office
One Gateway Plaza
Mail Stop 99-3-1
Los Angeles, CA 90012

Email: LangstonCo@metro.net

Re: Objections to the LACMTA's August 25, 2022, hearing on a proposed resolution of necessity for partial condemnation of Spectrum Investment Corporation's property located at 21339 Sherman Way, Canoga Park (APN 2111-030-018) in connection with LACMTA's G Line (Orange) Bus Rapid Transit Improvement Project

Dear Clerk of the Board:

This firm represents Richard Shapiro and his Spectrum Investment Corporation, the owner of 21339 Sherman Way, Canoga Park, which is the subject of the LACMTA's Notice of Hearing to adopt a resolution of necessity authorizing partial condemnation for a permanent partial fee acquisition and a temporary construction easement on the property in connection with LA Metro's G Line (Orange) Bus Rapid Transit Improvement Project.

We submit this letter in lieu of appearing and objecting at the hearing to detail and preserve Spectrum's objections to LA Metro's proposed resolution of necessity. As LA Metro has yet to publish its meeting agenda, Spectrum is unable to include the Agenda Item Number for the adoption of the resolution of necessity in this letter. Spectrum requests that this objection letter be included in the record for the corresponding Agenda Item Number for adoption of the resolution of necessity (once assigned by LA Metro).

We request that copies of this objection letter be distributed to all LA Metro decision-makers prior to their considering the adoption of any resolution of necessity.

OBJECTIONS

1. LA Metro has not satisfied State-mandated prerequisites for adopting a resolution of necessity. More specifically, LA Metro failed to make an offer of just compensation based on an adequate appraisal of the property. Thus, LA Metro cannot adopt a resolution of necessity.

Under California Eminent Domain Law, a condemning agency must comply with several procedural prerequisites before adopting a resolution of necessity and instituting a condemnation action. Among other requirements, the condemning agency: (1) must appraise the fair market value of the property to be condemned; (2) must make an offer of just compensation reflective of that value; (3) must provide a written statement explaining the basis of the agency's determination of fair market value; and (4) must engage in good faith negotiations before initiating a condemnation action. (Gov. Code, §§ 7267.1, 7267.2; Code Civ. Proc., § 1245.230.)

LA Metro has not completed the above-listed prerequisites for adopting a resolution of necessity to condemn Spectrum's property. Specifically, LA Metro is required to pay Spectrum the fair market value for the property LA Metro intends to take. (Cal. Const., art. I, § 19; Code Civ. Proc., § 1263.310.) Accordingly, LA Metro's appraisal must accurately reflect the fair market value of Spectrum's property and take into account all relevant considerations.

But LA Metro's appraisal is seriously defective, as detailed below. Because of these significant defects in the appraisal, LA Metro has not properly made an offer pursuant to Government Code section 7267.2 and cannot make a finding that it has. Thus, LA Metro cannot properly adopt a resolution of necessity.

LA Metro's appraisal misses the proper value of the property.

Spectrum's property is a corner lot that fronts a major commercial thoroughfare – Sherman Way. It has prime visibility from both Sherman Way and the neighboring major cross street, Canoga Avenue.

Spectrum's current tenant of the property is a vehicle-sales business. But, as LA Metro's appraiser acknowledged, the highest-and-best use of the property is very different from the current use. As the appraiser recognized, the continued use as a vehicle-sales lot is only an interim use until redevelopment plans.

Spectrum's property is ripe for redevelopment. But LA Metro's appraiser missed that the real highest-and-best use is, at a minimum, a quick-serve restaurant, like a Dunkin Donuts, and likely is a dense residential development – not a retail/light industrial use. And the appraiser missed that notching out the primary and most visible corner of the property and then blocking most of the frontage for more than five years makes either of these real highest-and-best uses impossible.

LA Metro's appraisal used non-reflective and outdated comparable sales.

To determine land value, the appraisal includes 10 "comparable" land sales. All of these "comparable" sales were located in different cities from Spectrum's property, with some properties as far as twenty-six miles away. Many land sales were of vacant, unimproved land only, even though Spectrum's property is entitled and improved with a single-story building. The numerous vacant land sales used by LA Metro's appraiser drove down the value conclusion for Spectrum's property. Many of the "comparable" land sales are not reflective of Spectrum's property.

Further, many of the sales dates of these properties were over a year prior to the date of value in LA Metro's appraisal. Some sales were as far back as October 2019, which is a very different real-estate market. Property values have increased dramatically in these last three years. Such outdated "comparable" sales do not reflect fair market value in this rapidly escalating real-estate market. This should be reflected in LA Metro's appraisal.

LA Metro's appraisal grossly underestimates Spectrum's devastating severance damages, both for loss of the corner of the property and arising from LA Metro's taking the bulk of the property's frontage for more than five years as a "temporary" construction easement.

LA Metro is permanently taking approximately 1/3rd of the property's frontage on Sherman Way, drastically reducing the property's visibility and view. Even though this is the prime corner and best portion of the property, LA Metro's appraiser opines to nominal severance damages to the remainder property. Specifically, the appraiser opines to only a 12.5% decrease in value of the remainder in the after condition (\$80 per square foot in the before condition versus \$70 per square foot in the after condition). This is much too low – the damages to the remainder are dramatically more.

LA Metro's appraisal completely ignores the severance damages that will arise from LA Metro's 65-month "temporary" construction easement that will consume much of the remaining frontage on Sherman Way. This is an extremely long period of time – about 5.5 years. And the construction swallows another 26 feet of the frontage along Sherman Way. So LA Metro will be blocking nearly 60% of the property's frontage along Sherman Way (56 feet of 95 feet total) *for more than five years*. Obviously, during these 5.5 years LA Metro will be preventing Spectrum from redeveloping the property; the property is now de facto frozen in time. Yet LA Metro's appraiser assigned *zero* dollars of severance damages for this.

LA Metro's appraisal misses that its taking renders Spectrum's remainder property an uneconomic remnant. LA Metro has failed to make a proper offer of just compensation to buy the entire property so to as avoid saddling Spectrum with an uneconomic remnant.

All of this means that LA Metro's taking will render Spectrum's remainder property an "uneconomic remnant," meaning that, at Spectrum's request, LA Metro must treat the acquisition as

Clerk of the Board
August 18, 2022
Page 4

a full take and must acquire the remainder of the property. (Gov. Code, § 7267.7, subd. (a) ["If the acquisition of only a portion of a property would leave the remaining portion in such a shape or condition as to constitute an uneconomic remnant, the public entity shall offer to acquire the entire property if the owner so desires."]; see also Code Civ. Proc., § 1240.410, subd. (b) ["Whenever the acquisition by a public entity by eminent domain of part of a larger parcel of property will leave a remnant, the public entity may exercise the power of eminent domain to acquire the remnant in accordance with this article."].) The determination of whether a remnant is uneconomic depends on whether it is subjectively uneconomic to the owner, even if the remnant might have market value if sold to someone else. (Caltrans Right of Way Manual, Chapter 8, at § 8.06.22.00 [categorizing "uneconomic remnant" as property that is uneconomic "to the owner"].)

Spectrum is not in a position to be saddled with an odd remnant that is undevelopable for more than five years. Accordingly, on June 9, 2022, Spectrum demanded that LA Metro acquire the entire property as an uneconomic remnant. LA Metro rejected Spectrum's demand without any explanation. Obviously, this was a violation of LA Metro's statutory obligation to negotiate in good faith.

2. Conclusion.

Because the evidence presented in these objections establishes that LA Metro's appraisal is fundamentally flawed, LA Metro must commission a new appraisal that properly assesses Spectrum's property and make a new offer before proceeding with a resolution of necessity. (See Cal. Code Regs., tit. 25, § 6182, subd. (i)(2).)

As set forth above, LA Metro cannot validly adopt any proposed resolution of necessity to condemn Spectrum's property. Spectrum therefore respectfully requests that LA Metro (1) *not* proceed with the adoption of any resolution of necessity and that LA Metro instead (2) obtain a new appraisal that properly values the property and resultant severance damages and (3) make a proper offer to purchase, one that includes an offer to acquire the entire property so as to avoid leaving behind an uneconomic remnant.

Very truly yours,



K. Erik Friess

KEF:nnt

PETERSON LAW GROUP

PROFESSIONAL CORPORATION
SUITE 290
19800 MACARTHUR BOULEVARD
IRVINE, CALIFORNIA 92612

TELEPHONE: (949) 955-0127
FACSIMILE: (949) 955-9007
www.petersonlawgroup.com

August 23, 2022

Los Angeles County Metropolitan Transportation Authority
c/o Collette Langston, Board Clerk
Email: LangstonCo@metro.net

Re: Intent to adopt a Resolution of Necessity to acquire a portion of 21339 Saticoy Street, Canoga Park (APN 2109-031-017; Metro Parcel Nos. MOL-004-001 and -002), for the Metro Orange Line Bus Rapid Transit Improvement Project.

HEARING DATE: August 25, 2022, at 10:00 AM.

Members of the Board:

This office represents property owner Astra Holding, Inc., and Solaris Trading Corporation doing business as Grand American Tire, which operates a tire retail store and regional tire distribution center on the above referenced property. We request that this letter and its attachments (Exhibit 1) be made part of the record at the above referenced hearing, and we request the right to appear at the hearing and be heard at the hearing on this matter.

We object to Metro adopting a resolution of necessity on three grounds:

1. The project is not planned or located in the manner that will be most compatible with the greatest public good and the least private injury. (Code Civ. Proc., §§ 1240.030(b), 1245.230(c)(2));
2. The property sought to be acquired is not necessary for the project. (Code Civ. Proc., §§ 1240.030(c), 1245.230(c)(3));
3. As a result of the first two grounds, above, the offer made by Metro does not rise to the level of a legally compliant offer as a condition precedent to eminent domain. (Govt Code §7267.2; and Code Civ. Proc. §1245.230(c)(4).)

In its decision, we urge Metro to consider that because of the proposed acquisitions, the claims in the resulting eminent domain case may be in the 7-figure range, taking into account severance damages to the remainder property and loss of business goodwill caused by Metro's acquisitions.

Metro seeks to acquire a permanent fee acquisition (184.7 square feet) and a temporary construction easement, or TCE (313.3 square feet), for a 64-month duration (5 years, 4 months). While the proposed acquisitions may seem minimal given the small number of square footage needed by

Metro, the result will have disastrous consequences for Grand American's multi-million dollar tire distribution operation, which stores, sells, ships, and supplies tires on a regional and national level. The property supports a retail store fronting Saticoy Street, and a distribution operation and warehouse, which occupies the majority of the 41,809 square foot property. The acquisitions will have major impacts on both aspects of the business.

The property's main driveway fronts Saticoy Street on the southwest corner of the property, and is a relatively narrow ingress access point for a commercial property of this operation, spanning approximately 42-feet in width. (See **Exhibit 1-1**: Grand American google overhead; all pages have been internally paginated.) This driveway is the main entry point for its retail operations. It is secondary for multi-axle commercial trucks to pick up and deliver tires from Grand American's 22,000 square foot warehouse. The current configuration of the retail store and warehouse on the property provides a workable configuration for access, circulation, parking, and use that the business has uniquely orchestrated over the years and depends on to operate.

1. The Acquisition will not result in the least private injury.

Metro's proposed acquisition will be located on this driveway and substantial portions of Grand American's retail parking for customers. Taken together, Metro's acquisition will extend across this relatively narrow driveway for a total of 38 feet across, essentially making the driveway completely useless for 5 years and 4 months, while occupying numerous designated parking spots for the retail building. (**Exhibit 1-2 – 1-5**: Metro PSOMAS acquisition maps; **Exhibit 1-5**: the scope and measurements of the permanent take and TCE; **Exhibit 1-6 – 1-8**: photos and street view captures illustrating the narrow driveway fronting Saticoy).

The duration and scope of the acquisition will render both the driveway and various parking spaces inaccessible and inflict significant problems on the intricate interaction between the retail store, the massive tire warehouse, and the shipping operation on the property. Grand American will likely be required to use traffic flow and circulation control, which will require constant and complex coordination between customers parking, deliveries from multi-axle big-rig trucks, and interaction between the retail store adjacent warehouse. All entry and exit points will occur at the same remaining driveway on the eastside of the property fronting Deering Avenue. This remaining driveway is incapable of facilitating concurrent ingress and egress for every aspect of this multi-faceted business.

The loss of parking spaces on the south portion of property fronting Saticoy will render the property out of code compliance concerning parking ratios required by code; and on a practical level, customers will have no place to park. To make matters worse, the 5 year, 4 month TCE will cause a loss of turning radius; diminished access and maneuverability for not only large semi-trucks, but also emergency vehicles from the fire department; and a loss of access to Grand American's facilities. The TCE duration will turn the driveway fronting Saticoy into a construction warzone, with the remaining driveway fronting Deering Avenue facing bottle-necked vehicles and multi-axel delivery trucks.

As a result, a 5+ year parking issue caused by the TCE and the permanent take, inaccessibility, circulation and code compliance problems will undoubtedly cause customers to simply avoid the property altogether and seek business elsewhere; as well as cause the property to suffer non-conforming status under zoning laws.

2. The property sought is not necessary for the project.

Metro already owns or controls the relatively small square footage of real estate it needs for the proposed addition to the existing Orange Line. As shown in **Exhibit 1-9 and 1-10**, Metro either owns, or has an existing easement adjacent to the western property line of the Grand American property. This brush-covered, vacant dirt strip is more than sufficient for Metro's needs, especially considering that the permanent acquisition is for a mechanical arm crossing with a minimal footprint.

Together with the enormously problematic results the acquisition will cause to the property and the business, this existing Metro dirt parcel within inches of the Grand American driveway has more than sufficient square footage for the proposed mechanical crossing arm. This illustrates that the private property Metro seeks to partially acquire and occupy for an extensive 5 years and 4 months is not needed in order for Metro to accomplish the purposes of the proposed acquisition.

Business owner Grand American, and property owner Astra Holding, vehemently object to adoption of the resolution of necessity; and urge Metro to reconsider its alternatives. If the Metro Board chooses to ignore the valid points in this objection letter, it will almost certainly face a substantial monetary claim in the resulting eminent domain proceeding due to significant severance damages and loss of business goodwill.

Sincerely,



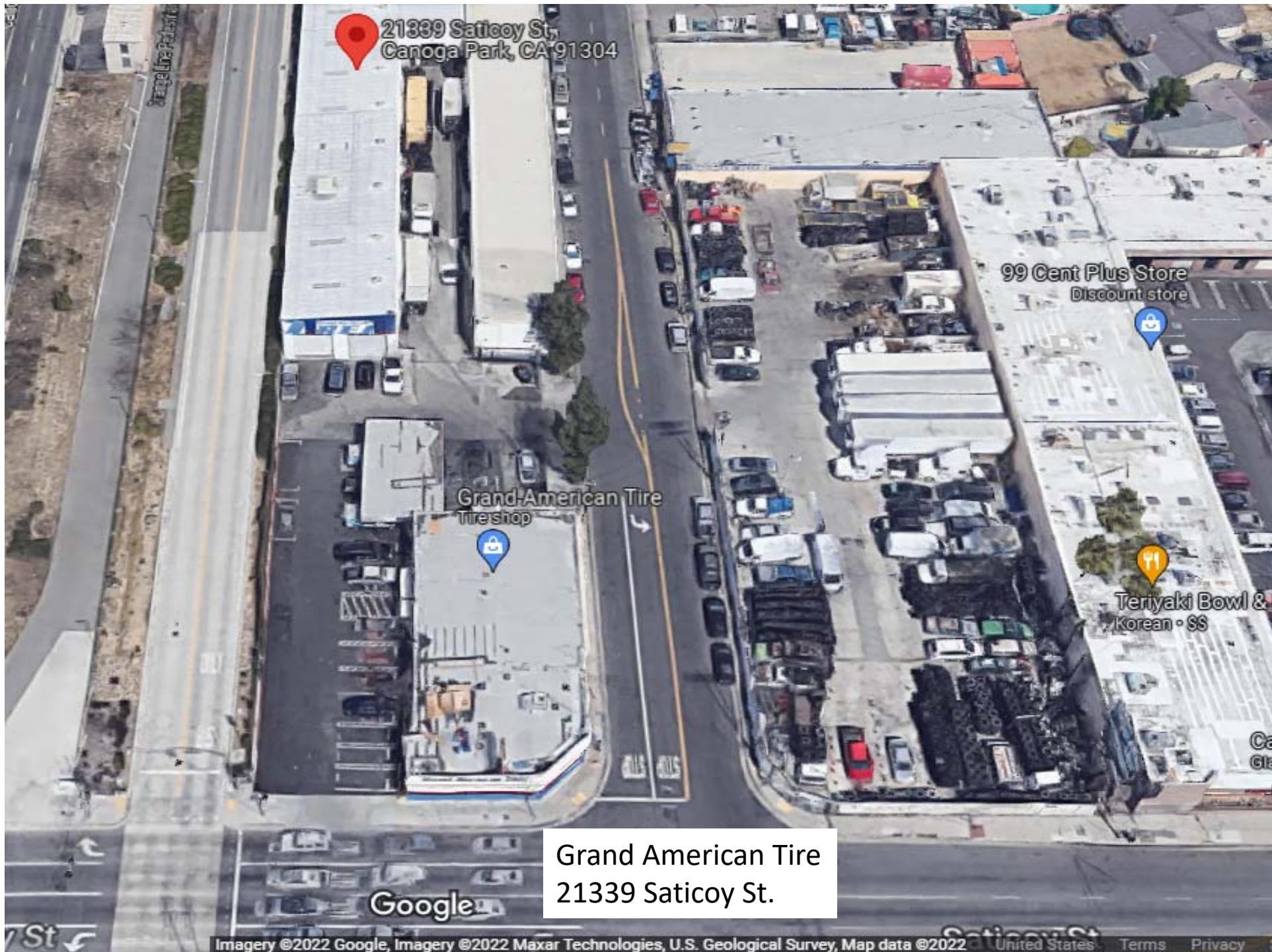
John S. Peterson

Encl.: Exh. 1

cc: Todd R. Moore
Hahn & Hahn LLP
Email: tmoore@hahnlawyers.com

Craig Justesen
Email: JustesenC@metro.net

EXHIBIT 1



21339 Saticoy St,
Canoga Park, CA 91304

99 Cent Plus Store
Discount store

Grand American Tire
Tireshop

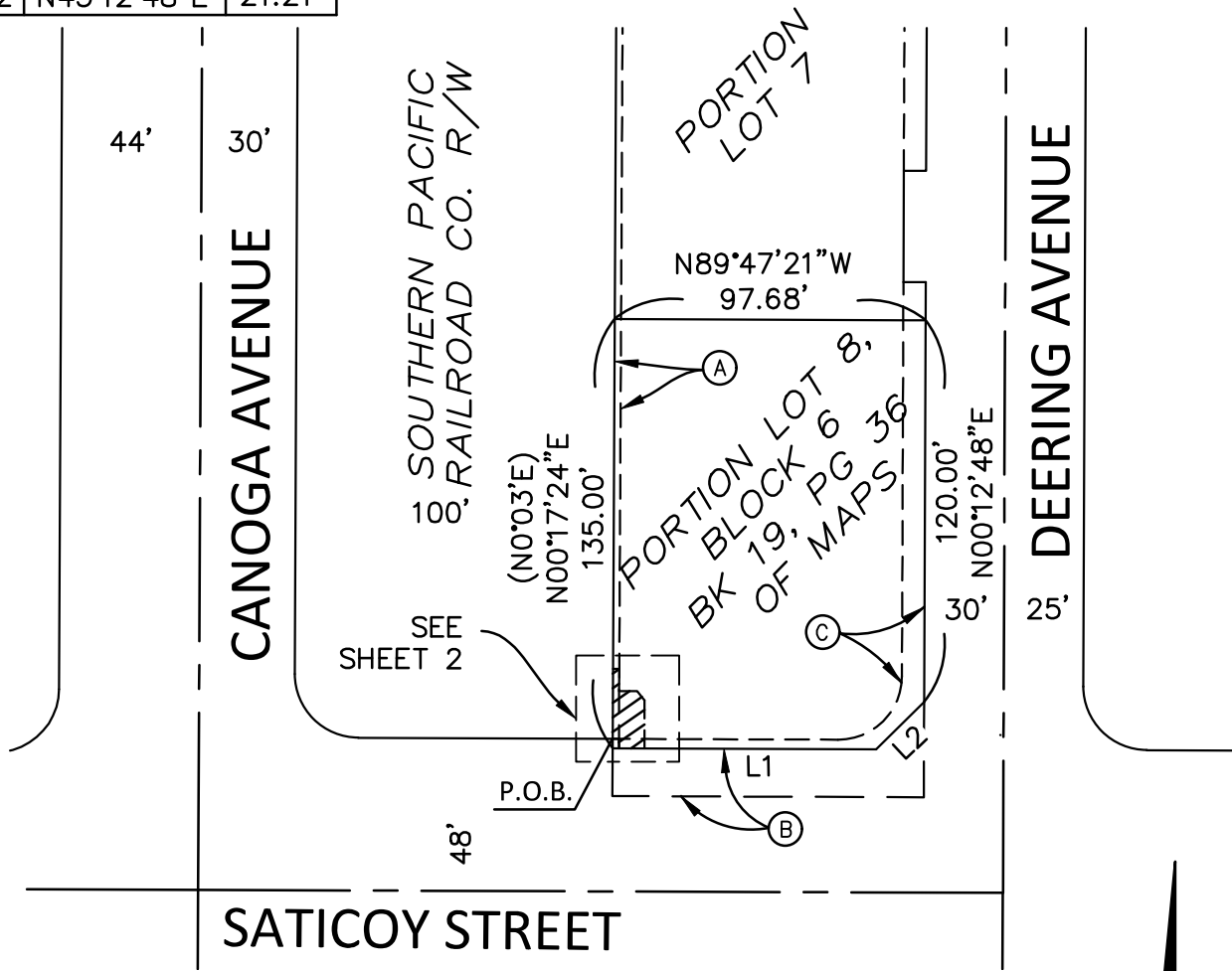
Teriyaki Bowl &
Korean • SS

Grand American Tire
21339 Saticoy St.

Google

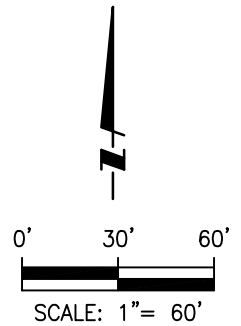
TABULATED DATA

L1	N89°47'21"W	82.86'
L2	N45°12'48"E	21.21'



PLOTTED EASEMENTS

- (A) EASEMENT FOR PUBLIC UTILITIES RECORDED IN BOOK 6515, PAGE 32 OF DEEDS.
- (B) IRREVOCABLE OFFER TO DEDICATE STREET AND HIGHWAY EASEMENT, RECORDED AS RECORDING NO. 2437 IN BOOK D3553, PAGE 936, O.R.
- (C) IRREVOCABLE OFFER TO DEDICATE PUBLIC UTILITIES EASEMENT, RECORDED AS INSTRUMENT NO. 2000-260695, O.R.

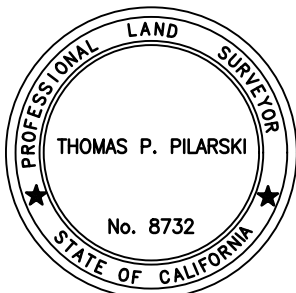


LEGEND

- INDICATES ACQUISITION AREA
- INDICATES CENTERLINE
- INDICATES PARCEL LINE
- INDICATES EASEMENT LINE
- P.O.B. POINT OF BEGINNING
- T.P.O.B. TRUE POINT OF BEGINNING
- () INDICATES RECORD DATE PER BOOK 19, PAGE 36 OF MAPS

THIS EXHIBIT WAS PREPARED UNDER MY DIRECTION:

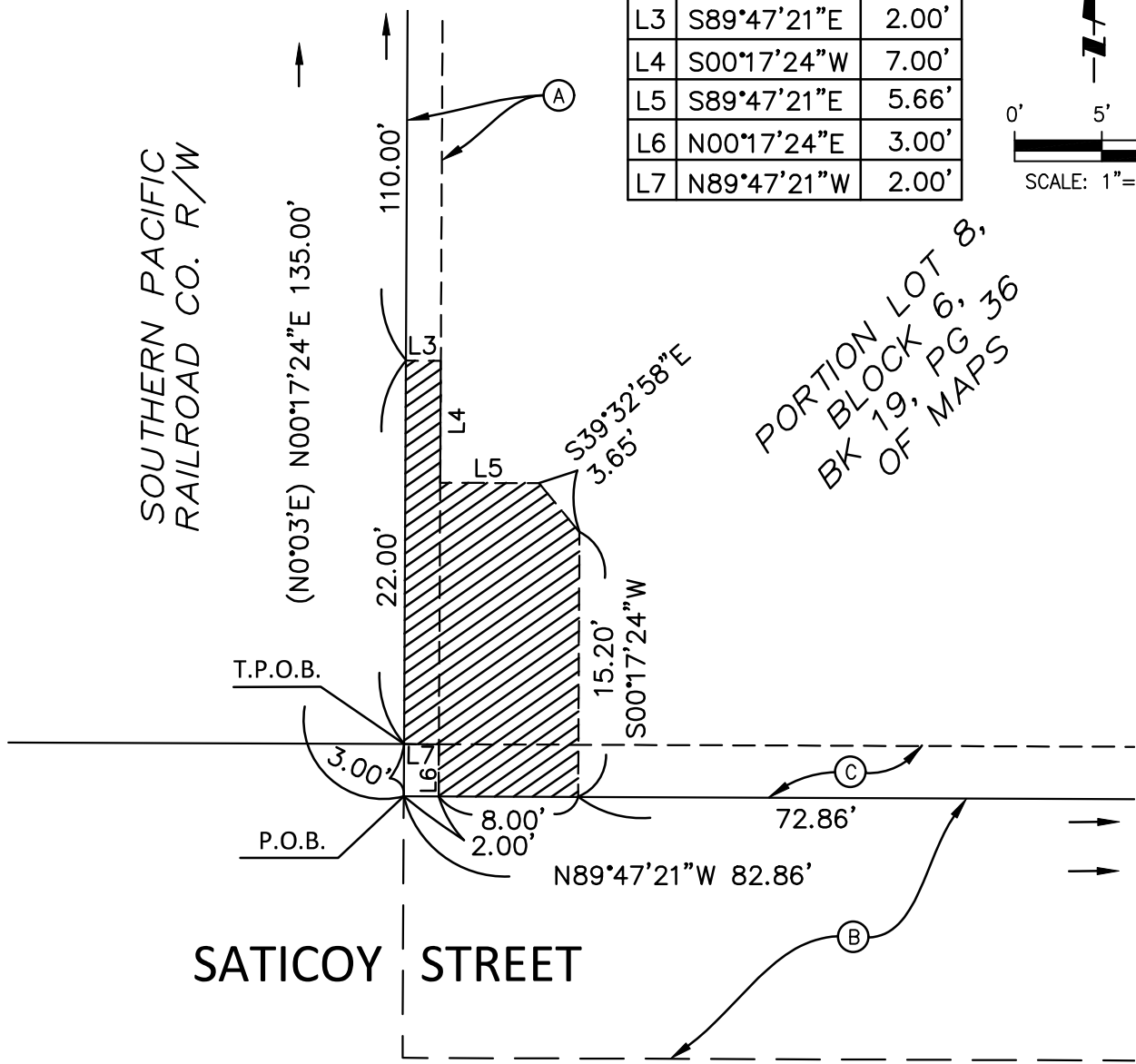
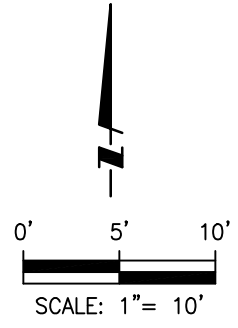
 02/17/22
 THOMAS P. PILARSKI DATE



IN THE CITY OF LOS ANGELES,
 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

APN: 2109-031-017	SHEET 1 OF 2	SCALE 1" = 60'
EXHIBIT "B" ACQUISITION AREA	PSOMAS 5 HUTTON CENTRE DRIVE, SUITE 300 SANTA ANA, CA 92707 (714) 751-7373 www.psomas.com	DRAFTED JSP
		CHECKED TP
		DATE FEB. 17, 2022
		JOB NUMBER 2MOT010101

TABULATED DATA		
L3	S89°47'21"E	2.00'
L4	S00°17'24"W	7.00'
L5	S89°47'21"E	5.66'
L6	N00°17'24"E	3.00'
L7	N89°47'21"W	2.00'



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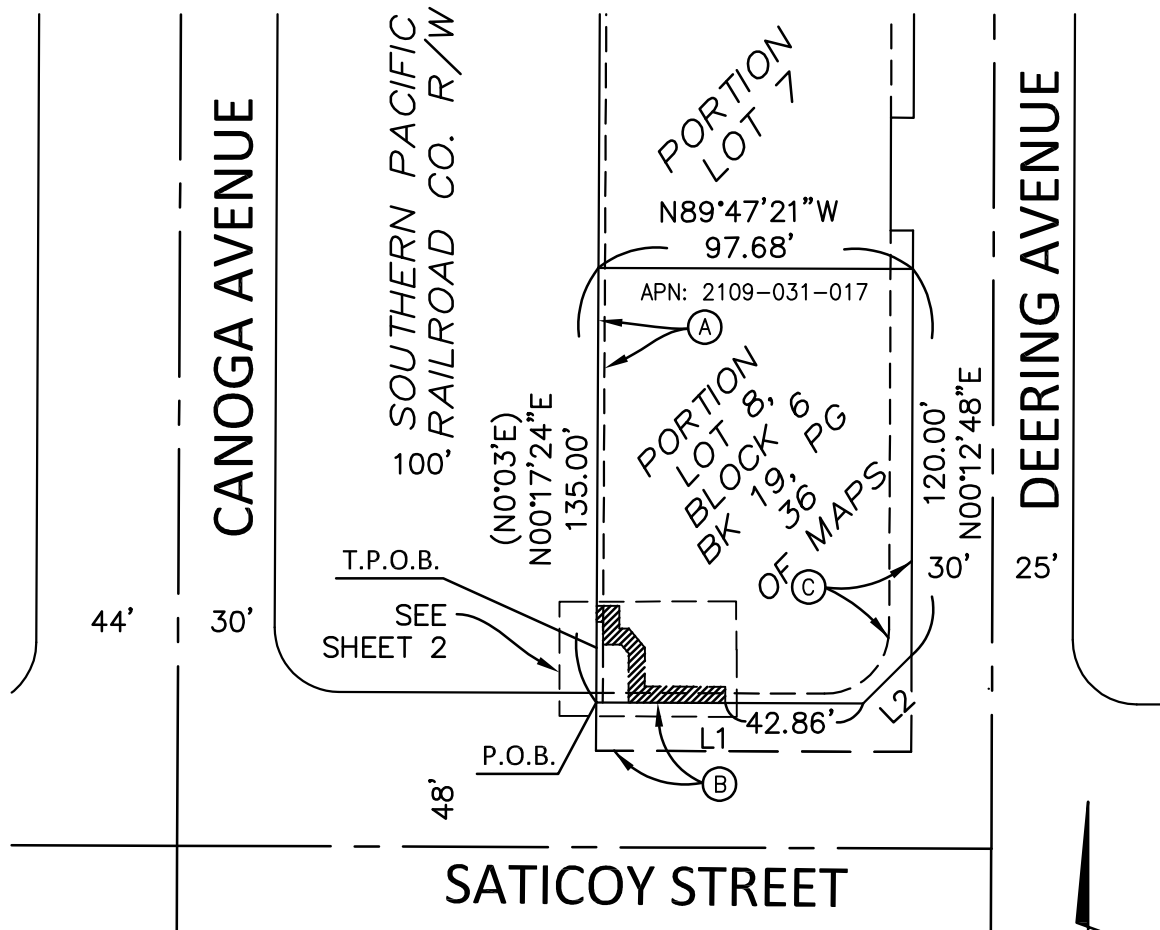
LEGEND

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- INDICATES CENTERLINE
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IN THE CITY OF LOS ANGELES,
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

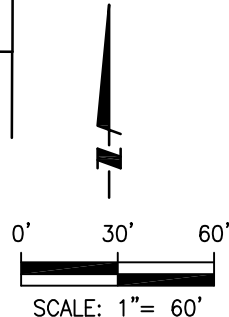
APN: 2109-031-017	SHEET 2 OF 2	SCALE 1" = 10'
EXHIBIT "B"	PSOMAS 5 HUTTON CENTRE DRIVE, SUITE 300 SANTA ANA, CA 92707 (714) 751-7373 www.psomas.com	DRAFTED JSP
ACQUISITION AREA		CHECKED TP
		DATE FEB. 14, 2022
		JOB NUMBER 2MOT010101

TABULATED DATA		
L1	N89°47'21"W	82.86'
L2	N45°12'48"E	21.21'



LEGEND

-  INDICATES TEMPORARY CONSTRUCTION EASEMENT
- — — — — INDICATES CENTERLINE
- INDICATES PARCEL LINE
- - - - - INDICATES EASEMENT LINE
- P.O.B. POINT OF BEGINNING
- T.P.O.B. TRUE POINT OF BEGINNING
- () INDICATES RECORD DATE PER BOOK 19, PAGE 36 OF MAPS

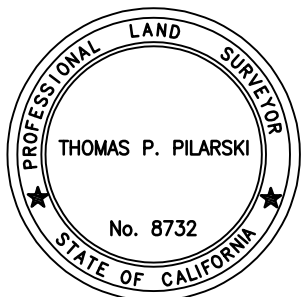


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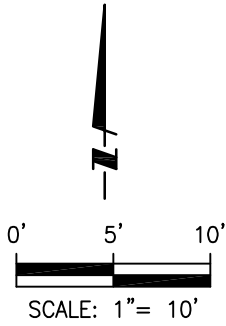
THIS EXHIBIT WAS PREPARED UNDER MY DIRECTION:

 02/22/22
 THOMAS P. PILARSKI DATE



IN THE CITY OF LOS ANGELES,
 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

APN: 2109-031-017	SHEET 1 OF 2	SCALE 1" = 60'
EXHIBIT "B" TEMPORARY CONSTRUCTION EASEMENT	PSOMAS 5 HUTTON CENTRE DRIVE, SUITE 300 SANTA ANA, CA 92707 (714) 751-7373 www.psomas.com	DRAFTED JSP
		CHECKED TP
		DATE FEB. 22, 2022
		JOB NUMBER 2MOT010101

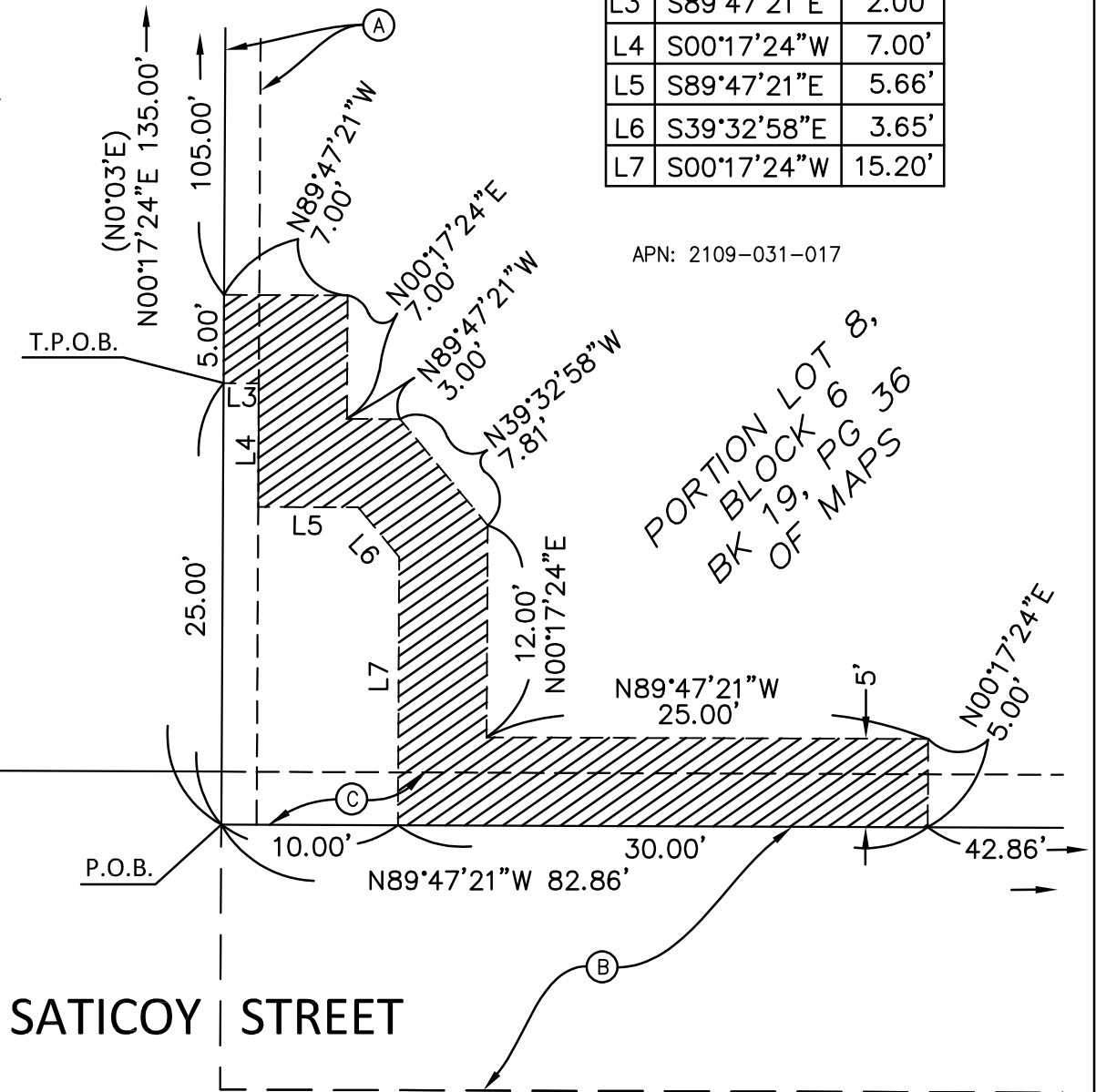


TABULATED DATA		
L3	S89°47'21"E	2.00'
L4	S00°17'24"W	7.00'
L5	S89°47'21"E	5.66'
L6	S39°32'58"E	3.65'
L7	S00°17'24"W	15.20'

APN: 2109-031-017

PORTION LOT 8,
BLOCK 6
BK 19, PG 36
OF MAPS

SOUTHERN PACIFIC
RAILROAD CO. R/W



SATICOY STREET

LEGEND

- INDICATES TEMPORARY CONSTRUCTION EASEMENT
- INDICATES CENTERLINE
- INDICATES PARCEL LINE
- INDICATES EASEMENT LINE
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IN THE CITY OF LOS ANGELES,
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

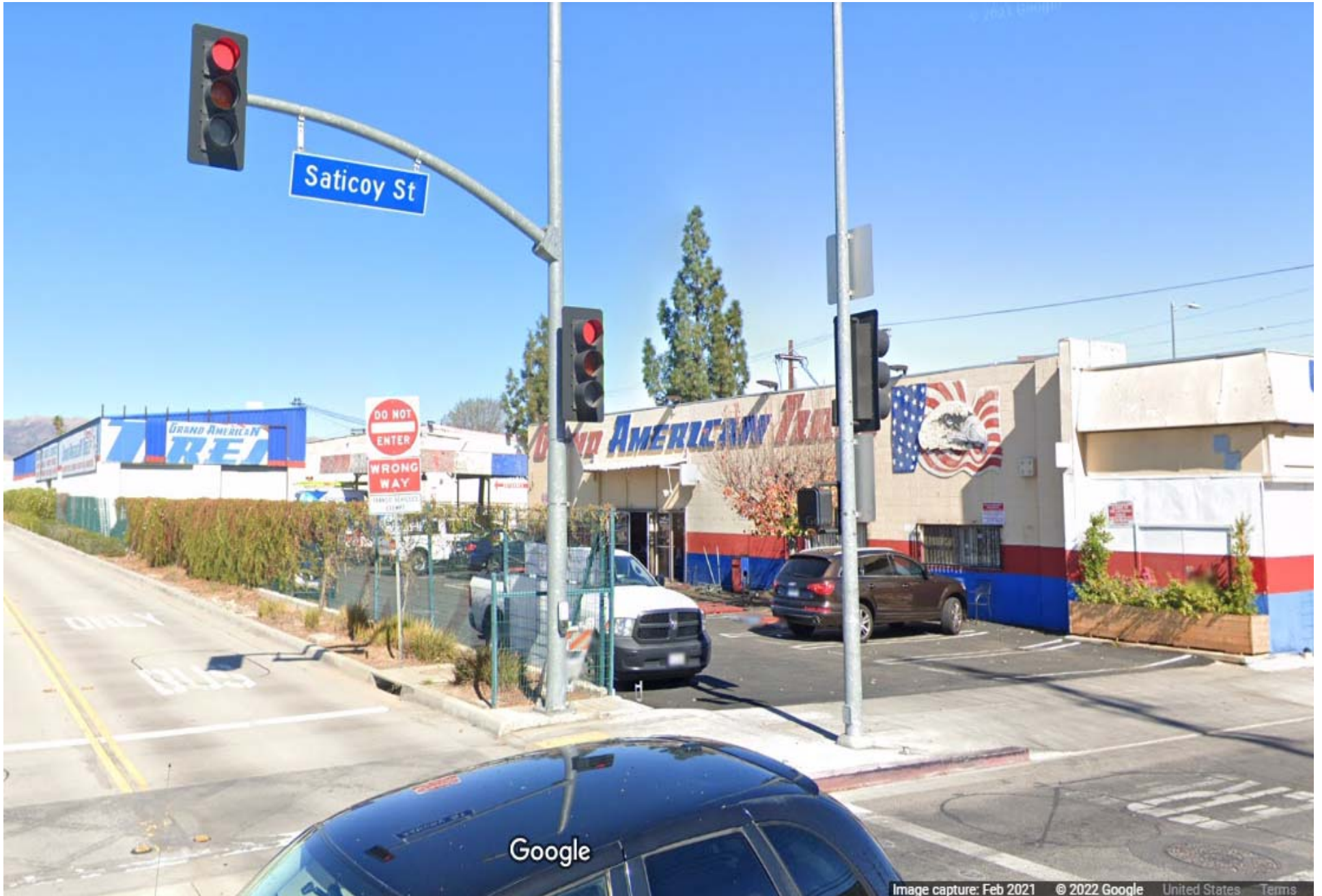
APN: 2109-031-017	SHEET 2 OF 2	SCALE 1" = 10'
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		CHECKED TP
		DATE FEB. 22, 2022
		JOB NUMBER 2MOT010101



Grand American Tire – South Driveway on Saticoy



Grand American South Driveway



Saticoy / Orange Line intersection



Exh. 1-9



Exh. 1-10

August 2022 RBM Public Comments

From: [REDACTED]
Sent: Tuesday, August 23, 2022 12:58 PM
To: Board Clerk <BoardClerk@metro.net>
Subject: Board Meeting of August 25 - Item 44

For the Board – Public Comment

Sent from [Mail](#) for Windows

It's great that Metro is willing to help the San Gabriel Valley Council of Governments with a loan to help the shortfall of the ACE Projects. As you all know, the ACE Program has, for the most part been a success. However, one must stop and realize facts. Ever since the merger of the San Gabriel Valley Council of Governments and ACE, the ACE program budgets and schedules have been horribly mismanaged. The capital projects are the most expensive undertaking of the COG but the most ignored. Staffing is a problem. The current Director of Capital Projects has resigned, the Director of Government Affairs resigned but was replaced by the Manager of Community Relations who had also resigned. The key Senior Management Analyst at the SGVCOG resigned. Staff turnover is an issue. Unhappy staff cannot be expected to put forth the effort it takes to properly manage projects of this magnitude. The Executive Director has no active participation in overseeing the capital projects.

I would urge you to look carefully at their management, or lack thereof, of the capital projects and ask yourself can they be trusted to continue capital projects. It appears it is no longer their area of expertise. Perhaps its time to hand capital projects over to Metro.

-----Original Message-----

From: [REDACTED]
Sent: Wednesday, August 24, 2022 11:14 AM
To: Board Clerk <BoardClerk@metro.net>
Subject: Concern about Metro B line

Hello,

I am a metro rider and have noticed that the metro B line in particular has become extremely neglected and dangerous. I would like to express my concern to the metro board in hopes that they will do something to address their lack of cleanliness and unsafe conditions in the stations and on the trains. I'm not sure who to communicate with. I don't understand how representation works with the metro board. Can you please point me in the right direction?

Thank you,

[REDACTED]



MINUTES

Thursday, August 25, 2022

10:00 AM

Board of Directors - Regular Board Meeting

DIRECTORS PRESENT:

Ara J. Najarian, Chair

Jacquelyn Dupont-Walker, 1st Vice Chair

Kathryn Barger

Mike Bonin

James Butts

Fernando Dutra

Eric Garcetti

Paul Krekorian

Holly J. Mitchell

Tim Sandoval

Mark Archuleta, non-voting member

Stephanie Wiggins, Chief Executive Officer

CALLED TO ORDER: 10:03 A.M.

ROLL CALL

1. APPROVED Consent Calendar Items: 2, 5, 6, 7, 8, 10, 13, 14, 15, 17, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36, and 40.

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

JDW	JH	KB	MB	JB	FD	EG	PK	SK	HJM	TS	HS	AN
Y	A	Y	Y	Y	Y	Y	Y	A	Y	Y	A	Y

2. **SUBJECT: MINUTES** 2022-0557

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held June 23, 2022, and the Special Board Meeting held July 20, 2022.

3. **SUBJECT: REMARKS BY THE CHAIR** 2022-0555

RECEIVED remarks by the Chair.

JDW	JH	KB	MB	JB	FD	EG	PK	SK	HJM	TS	HS	AJN
P	A	P	P	P	P	P	P	A	P	P	A	P

4. **SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER** 2022-0556

RECEIVED report by the Chief Executive Officer.

JDW	JH	KB	MB	JB	FD	EG	PK	SK	HJM	TS	HS	AJN
P	A	P	P	P	P	P	P	A	P	P	A	P

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	AJN = A.J. 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

5. SUBJECT: COUNTYWIDE CALL FOR PROJECTS **2022-0447**

APPROVED ON CONSENT CALENDAR:

- A. RECERTIFYING \$16.6 million in existing Fiscal Year (FY) 2022-23 commitments from previously approved Countywide Call for Projects (Call) and AUTHORIZING the expenditure of funds to meet these commitments;
- B. DEOBLIGATING \$0.65 million of previously approved Call funding and hold in RESERVE;
- C. AUTHORIZING the Chief Executive Officer (CEO) or their designee to:
 - 1. negotiate and execute all necessary agreements and/or amendments for previously awarded projects; and
 - 2. amend the FY 2022-23 budget, as necessary, to include the 2022 Countywide Call Recertification and Extension funding in the Subsidies budget;
- D. APPROVING changes to the scope of work for:
 - 1. City of Bell - Florence Avenue Pedestrian Improvements (#F7634); and
- E. RECEIVING AND FILING:
 - 1. time extensions for 69 projects; and
 - 2. reprogram for five projects.

6. SUBJECT: MEASURE M 3% LOCAL CONTRIBUTION GUIDELINES REVISIONS **2022-0445**

APPROVED ON CONSENT CALENDAR the release of the draft revised Measure M 3% Local Contribution Guidelines .

7. SUBJECT: HIGH DESERT CORRIDOR JOINT POWERS AGENCY **2022-0338**

APPROVED ON CONSENT CALENDAR Metro participation in the Joint Powers Agreement creating the High Desert Corridor Joint Powers Agency.

8. SUBJECT: CMAQ FUNDING UPDATE **2022-0448**

APPROVED ON CONSENT CALENDAR:

- A. RECEIVING AND FILE the Congestion Mitigation and Air Quality (CMAQ) Funding Update; and
- B. ADOPT Modification to Financial Stability Policy to prioritize available CMAQ Program federal grants to the greatest extent possible for any eligible operations costs.

**9. SUBJECT: RAIL TO RIVER ACTIVE TRANSPORTATION CORRIDOR - 2022-0129
SEGMENT B**

APPROVED:

- A. RECEIVING the Rail to River Segment B Supplemental Alternative Analysis Study Findings; and
- B. the recommendation to maintain Randolph Street as the preferred alignment and continue coordination with Corridor Cities and Related Projects.

DUTRA AMENDMENT: Return to the Board in October 2022 with a funding plan to further develop "Rail to River" Segment B, including environmental clearance, design, and construction.

JDW	JH	KB	MB	JB	FD	EG	PK	SK	HJM	TS	HS	AJN
Y	A	Y	Y	Y	Y	A	Y	A	Y	Y	A	Y

10. SUBJECT: SR 14 TRAFFIC SAFETY IMPROVEMENT PROJECT MOTION 2022-0520

APPROVED ON CONSENT CALENDAR Motion by Directors Najarian, Butts, and Barger that the CEO direct staff to work with Caltrans to find a path forward to correct sub-standard configurations for the 3 locations ready for environmental clearance, including a funding plan, and provide monthly progress updates to the Board beginning October 2022.

13. SUBJECT: CYBERSECURITY LIABILITY INSURANCE PROGRAM 2022-0454

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to negotiate and purchase a cybersecurity liability insurance policy with up to \$50 million in limits at a cost not to exceed \$2.8 million for the 12-month period effective September 1, 2022 to September 1, 2023.

14. SUBJECT: SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS' LOCAL CONTRIBUTION AND DIRECT LOAN TO ALAMEDA CORRIDOR EAST - MONTEBELLO CORRIDOR PROJECT 2022-0470

AUTHORIZED ON CONSENT CALENDAR and delegate authority to the Chief Executive Officer (CEO) or their designee to negotiate and execute all necessary agreements to enter into a direct loan of \$61.1 million, current estimate, between the Los Angeles County Metropolitan Authority (Metro) and the San Gabriel Valley Council of Governments (SGVCOG). The loan advances partial funding for the Montebello Corridor Project that has a total project cost of \$216.2 million.

15. SUBJECT: FY23 AUDIT PLAN **2022-0508**

ADOPTED ON CONSENT CALENDAR the Fiscal Year 2023 (FY23) Proposed Annual Audit Plan (AAP).

17. SUBJECT: CORRECTION TO PAY GRADE AND ANNUAL SALARY **2022-0502**
FOR BOARD CLERK POSITION

APPROVED ON CONSENT CALENDAR:

- A. the correction of the Board Clerk position of the Los Angeles County Metropolitan Transportation Authority from a Pay Grade HAA to Pay Grade HBB; and
- B. the Board Clerk position annual salary of \$168,896 retroactive October 4, 2021.

21. SUBJECT: TITLE VI EQUITY ANALYSIS POLICIES **2022-0248**

ADOPTED ON CONSENT CALENDAR Title VI Equity Analysis Policies.

22. SUBJECT: SERVICE STANDARDS POLICIES FOR TITLE VI **2022-0430**
PROGRAM UPDATE

ADOPTED ON CONSENT CALENDAR Service Standards policies for Title VI Program Update.

23. SUBJECT: SERVICE MONITORING RESULTS FOR TITLE VI **2022-0431**
PROGRAM UPDATE

ADOPTED ON CONSENT CALENDAR Service Monitoring Results for Title VI Program Update.

24. SUBJECT: EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT PROJECT, PUBLIC PRIVATE PARTNERSHIP FOR SOLAR PANELS AT MAINTENANCE AND STORAGE FACILITY **2022-0443**

AUTHORIZED ON CONSENT CALENDAR:

- A. the Chief Executive Officer (CEO) to award and execute a public-private partnership (P3) Contract No. PS84743000, East San Fernando Valley Light Rail Maintenance and Storage Facility Solar and Energy Storage System Public Private Partnership, for a maximum duration of 15 years, with PCS Energy LLC pursuant to Public Utilities Code Section 130242, in the amount of \$1,063,190, for Phase 1 (Preconstruction design services) subject to the resolution of any timely protest(s), if any. Pricing for Phase 2 (Finance, design, supply, installation, and commissioning) and Phase 3 (Monitor systems performance and oversight of Metro O&M activities) will be negotiated in the future with a not to exceed margin percentage of 10% and 12%, respectively; and
- B. ESTABLISHING Contract Modification Authority (CMA) for 10% of the not-to-exceed contract award value and authorizing the CEO to execute individual Contract Modifications within the CCMA and within the project budget authorization.

JDW	JH	KB	MB	JB	FD	EG	PK	SK	HJM	TS	HS	AJN
Y	A	Y	Y	Y	Y	Y	C	A	Y	Y	A	Y

25. SUBJECT: EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT PROJECT - CONSTRUCTION SUPPORT SERVICES CONTRACT **2022-0438**

AUTHORIZED ON CONSENT CALENDAR:

- A. the Chief Executive Officer to award and execute a seven-year contract ending in September 2029, for Contract No. AE82218, with Arcadis Mott MacDonald (AMM) ESFV LRT JV on a Cost Reimbursable Plus Fixed-Fee basis to provide Construction Management Support Services (CMSS) for the East San Fernando Valley (ESFV) Light Rail Transit Project (Project), for an amount of \$65,606,451, subject to the resolution of any timely protest; and
- B. ESTABLISHING Contract Modification Authority (CMA) for \$6,560,645 (10%) of the not-to-exceed contract award value and authorizing the CEO to execute individual Contract Modifications within the CMA and within the project budget authorization.

JDW	JH	KB	MB	JB	FD	EG	PK	SK	HJM	TS	HS	AJN
Y	A	C	Y	C	Y	Y	Y	A	C	Y	A/C	Y

26. SUBJECT: METRO G LINE BUS RAPID TRANSIT IMPROVEMENTS PROJECT **2022-0440**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. AWARD a firm fixed price Contract No. PS85661000 to Valley Transit Partners, for Phase 1 Preconstruction Services of the Progressive Design-Build contract for the Metro G Line Bus Rapid Transit Improvements Project (Project) in the amount of \$43,997,256, subject to the resolution of protest(s) if any;
- B. ESTABLISH a Preconstruction Phase-of-Project Budget (Preconstruction Budget) for the Project in the amount of \$149,683,000; and
- C. NEGOTIATE and EXECUTE all project-related agreements and modifications to existing contracts within the authorized Preconstruction Budget.

JDW	JH	KB	MB	JB	FD	EG	PK	SK	HJM	TS	HS	AJN
Y	A/C	C	Y	C	Y	Y	Y	A	Y	Y	A/C	Y

27. SUBJECT: METRO I-105 EXPRESSLANES - CONSTRUCTION MANAGER/GENERAL CONTRACTOR CONTRACT **2022-0442**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. AWARD a firm-fixed-price contract, Contract No. PS84667000 to Flatiron-Myers, Joint Venture, for I-105 ExpressLanes Project Construction Manager/General Contractor (CM/GC) Phase 1 in the amount of \$7,997,461, for Preconstruction Services for a period of performance of 30 months, subject to the resolution of protest(s), if any;
- B. ESTABLISH a Preconstruction Phase-of-Project Budget (Preconstruction Budget) for the I-105 ExpressLanes Project (Project) in an amount of \$119,391,538; and
- C. NEGOTIATE and EXECUTE all project-related agreements and modifications to existing contracts within the authorized Preconstruction Phase-of-Project Budget (Preconstruction Budget).

JDW	JH	KB	MB	JB	FD	EG	PK	SK	HJM	TS	HS	AJN
Y	A	C	Y	Y	Y	Y	Y	A	Y	Y	A	Y

**28. SUBJECT: METRO EXPRESSLANES PROJECTS - PROGRAM
MANAGEMENT SUPPORT SERVICES**

2022-0441

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. AWARD task order-based Contract No. AE83974000 for Program Management Support Services (PMSS) to HNTB Corporation, in the amount of \$66,913,860 for a seven (7) year base period and \$6,142,748 for a two-year option, for a total of nine (9) years and a maximum total of \$73,056,608, subject to resolution of protest(s), if any;
- B. ESTABLISH Contract Modification Authority (CMA) for \$7,305,660 (10%) of the not-to-exceed contract award value and authorizing the CEO to execute individual Contract Modifications within the CMA and within the respective project budget authorizations.

JDW	JH	KB	MB	JB	FD	EG	PK	SK	HJM	TS	HS	AJN
Y	A	C	Y	C	Y	Y	Y	A	C	Y	A/C	Y

**29. SUBJECT: METRO I-105 EXPRESSLANES - ROADSIDE TOLL
COLLECTION SYSTEM**

2022-0427

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. AWARD firm fixed price Contract No. PS78835000 for the I-105 ExpressLanes Roadside Toll Collection System (RTCS) Design, Build, Operate, and Maintain (DBOM) contract to Conduent State and Local Solutions Inc. in the amount of \$66,067,392 for a 12-year base period including the occupancy detection system, \$13,161,324 for the first three-year option term for operations and maintenance, \$14,165,857 for the second three-year option term for operations and maintenance, and \$1,217,700 for a standalone Traffic Management Center, for a total contract value of \$94,612,273, subject to resolution of protest(s), if any.
- B. EXECUTE individual Contract Modifications within the Board-approved CMA in the not to exceed amount of \$6,606,739, to cover the costs of anticipated future changes to the contract as informed by past experience with other Metro ExpressLanes contracts of similar nature, scope, and duration.

32. SUBJECT: A650 HEAVY RAIL VEHICLE STATIC CONVERTER LOW VOLTAGE POWER SUPPLY (LVPS) PURCHASE 2022-0432

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a 60-month, firm fixed unit price Contract No. OP82170000 to Kiepe Electric LLC for the purchase of forty-two (42) new Low Voltage Power Supply (LVPS) units of static converters in support of the A650 Heavy Rail Vehicle (HRV) fleet. The Contract's one-year base amount of \$472,306 (5 units), and the one-year option amount of \$1,470,195 (37 units), is for a total contract amount of \$1,942,501, inclusive of sales tax. This recommendation is subject to the resolution of any properly submitted protest(s).

33. SUBJECT: HEAVY RAIL VEHICLE FLEET VINYL SEAT OVERHAUL 2022-0414

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 4 to Contract No. MA52153000 with Molina Manufacturing for the A650 Heavy Rail Vehicle (HRV) Vinyl Seat Overhaul contract to extend the Period of Performance by 24 months through September 4, 2025, and increase the Not-to-Exceed Total Contract Price by \$499,110, from \$475,040.24 to \$974,150.24.

34. SUBJECT: METRO RED AND PURPLE MAINLINE RAIL FASTENER REPLACEMENT 2022-0415

AUTHORIZED ON CONSENT CALENDAR:

- A. the Chief Executive Officer to award a 60-month, Firm Fixed price Contract No. OP8666000 to Transdev Rail Inc., the lowest responsive and responsible bidder, for the purchase of Metro Red and Purple Mainline Fastener Replacement for a not-to-exceed amount of \$28,703,169.90, inclusive of sales tax. This recommendation is subject to the resolution of any properly submitted protest(s).
- B. INCREASING the Life of Project (LOP) Budget for the Metro Red and Purple Mainline Fastener Replacement, capital project number 205125, by \$8,850,000 from \$28,130,000 to \$36,980,000.

35. SUBJECT: MEMBERSHIP ON METRO'S SAN FERNANDO VALLEY AND WESTSIDE CENTRAL SERVICE COUNCILS 2022-0395

APPROVED ON CONSENT CALENDAR nominees for membership on Metro's San Fernando Valley and Westside Central Service Councils.

36. SUBJECT: METRO FREEWAY SERVICE PATROL

2022-0323

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

A. EXECUTE contract modifications for 4 existing Freeway Service Patrol (FSP) contracts in an aggregate amount of \$4,466,000 thereby increasing the contract amounts from \$4,816,957 to \$9,282,957 and extending the periods of performance for the following contracts:

- Beat 24: T.G. Towing, Inc. Contract No. FSP2833200FSP1424, for \$582,000 for up to 12 months, increasing the total contract amount from \$4,114,302 to \$4,696,302;
- Beat 29: Platinum Tow & Transport, Inc. Contract No. FSP3470600B29, for \$438,000 for up to 12 months, increasing the total contract amount from \$3,707,024 to \$4,145,024;
- Beat 42: Platinum Tow & Transport Contract No. FSP2842100FSP1442, for \$438,000 for up to 12 months, increasing the total contract amount from \$3,526,231 to \$3,964,231; and
- Beat 60: Freeway Towing, Inc. Contract No. FSP5768900B60, for \$3,008,000 for up to 24 months, increasing the total contract amount from \$5,255,700 to \$8,263,700.

B. APPROVE a change in the beat cap policy to increase the number of FSP Light Duty (FSPLD) tow service beats that a vendor can be awarded from 2 to 4, establish a two beat cap limit for FSP Heavy Duty (FSPHD), and a one contract cap for FSP Regional (FSPR) (Regional contracts are comprised of multiple beats).

JDW	JH	KB	MB	JB	FD	EG	PK	SK	HJM	TS	HS	AJN
Y	A	Y	Y	Y	Y	Y	Y	A	Y	Y	A/C	Y

40. 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

2022-0558

APPROVED ON CONSENT CALENDAR 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.

41. SUBJECT: VERMONT TRANSIT CORRIDOR

2022-0416

RECEIVED AND FILED status report on Vermont Transit Corridor Project's Community-Based Partnership Program.

JDW	JH	KB	MB	JB	FD	EG	PK	SK	HJM	TS	HS	AJN
P	A	P	P	P	P	P	P	A	P	P	A	P

42. SUBJECT: COLLECTIVE BARGAINING AGREEMENT

2022-0496

AUTHORIZED the Chief Executive Officer to:

- A. EXECUTE a successor collective bargaining agreement with the Sheet Metal, Air, Rail and Transportation Union (SMART) effective July 1, 2022; and
- B. AMEND the FY23 budget in the amount of \$46.5 million for the implementation of the wage and benefit changes for the approval of the final collective bargaining agreement.

JDW	JH	KB	MB	JB	FD	EG	PK	SK	HJM	TS	HS	AJN
Y	A	Y	Y	A	Y	Y	Y	A	Y	Y	A	Y

**43. SUBJECT: WESTBOUND SR-91 ALONDRA BOULEVARD TO 2022-0298
SHOEMAKER AVENUE IMPROVEMENT PROJECT
RESOLUTION OF NECESSITY**

APPROVED BY TWO-THIRDS VOTE:

- A. HOLDING a public hearing on the proposed Resolution of Necessity; and
- B. ADOPTING the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire a partial fee interest ("Fee") and a 48-month Temporary Construction Easement ("TCE") from the property located at 12642 Palm Street, Cerritos, California 90703 with APN of 7016-020-026 (the "Property Interest") as identified in Attachment A.

JDW	JH	KB	MB	JB	FD	EG	PK	SK	HJM	TS	HS	AJN
Y	A	Y	Y	Y	Y	Y	Y	A	Y	Y	A	Y

**44. SUBJECT: METRO G (ORANGE) LINE BUS RAPID TRANSIT 2022-0428
IMPROVEMENT PROJECT RESOLUTIONS OF NECESSITY**

APPROVED BY TWO-THIRDS VOTE:

- A. HOLDING a public hearing on the proposed Resolutions of Necessity; and
- B. ADOPTING the Resolutions of Necessity authorizing the commencement of an eminent domain action to acquire certain property interests in parcels MOL-001, MOL-004, MOL-006 & MOL-008 as listed in List of Parcels Included in the Resolutions of Necessity (Attachment A). The properties listed are herein referred to as "the Property Interests."

JDW	JH	KB	MB	JB	FD	EG	PK	SK	HJM	TS	HS	AJN
Y	A	Y	Y	Y	Y	Y	Y	A	Y	Y	A	Y

45. SUBJECT: CLOSED SESSION

2022-0567

A. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9(d)(1)

1. The California Endowment v. LACMTA, et al., LASC Case No. 22STCP01030

NO REPORT.

2. Patrick Chammas v. LACMTA, Case No. BC716264

APPROVED settlement in the amount of \$16,238,183.

JDW	JH	KB	MB	JB	FD	EG	PK	SK	HJM	TS	HS	AJN
Y	A	A	Y	A	Y	A	Y	A	Y	Y	A	Y

3. Maria Diaz. et al. v. LACMTA, Case No. BC669575

APPROVED settlement in the total amount of \$475,000. The settlement will be split \$280,000 for plaintiff Soto and \$195,000 for plaintiff Diaz.

JDW	JH	KB	MB	JB	FD	EG	PK	SK	HJM	TS	HS	AJN
Y	A	A	Y	A	Y	A	Y	A	Y	Y	A	Y

4. Tangelada Trawick v. LACMTA, Case No. 19STCV31057

APPROVED settlement in the amount of \$450,000.

JDW	JH	KB	MB	JB	FD	EG	PK	SK	HJM	TS	HS	AJN
Y	A	A	Y	A	Y	A	Y	A	Y	Y	A	Y

5. Robert L. Warnock, et al. v LACMTA, Case No. 22STCP02310

NO REPORT.

B. Conference with Real Property Negotiators – G.C. 54956.8

Property: Union Station – East Portal, 800 North Alameda Street, Los Angeles, California 90012.

Agency Negotiator: Holly Rockwell and Steve Jaffe.

Negotiating Parties: Greyhound Lines, Inc.

Under Negotiation: Price and terms.

NO REPORT.

ADJOURNED AT 1:16 P.M. IN MEMORY OF TARA THOMAS.

Prepared by: Jessica Vasquez Gamez -
Administrative Analyst, Board Administration



Collette Langston, Board Clerk