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Agenda - Final

Thursday, July 15, 2021

12:00 PM

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Executive Management Committee

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Eric Garcetti, 2nd Vice Chair

James Butts

Sheila Kuehl

Tim Sandoval

Tony Tavares, non-voting member

Stephanie Wiggins, Chief Executive Officer

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

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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.

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

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x2 *Español (Spanish)*

x3 *中文 (Chinese)*

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Dial-in: 888-251-2949 and enter
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Please include the Item # in your comment.

Email: BoardClerk@metro.net

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Board Administration

One Gateway Plaza

MS: 99-3-1

Los Angeles, CA 90012

CALL TO ORDER**ROLL CALL**

APPROVE Consent Calendar Items: 29 and 30.

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

CONSENT CALENDAR**29. SUBJECT: MARKETING RESEARCH & BRANDING SERVICES**[2021-0408](#)**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to award Contract No. PS74537000 to Sensis, Inc. to provide marketing research and branding services for a three-year base term in an amount not-to-exceed \$1,126,200, and \$375,400 for each of the two, one-year option terms, for a combined not-to-exceed amount of \$1,877,000, effective August 1, 2021, subject to resolution of protest(s), if any.

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

30. SUBJECT: 2021 RECORDS RETENTION SCHEDULE[2021-0344](#)**RECOMMENDATION**

CONSIDER:

- A. APPROVING the 2021 Records Retention Schedule in Attachment A; and
- B. DELEGATING administrative authority to the CEO to eliminate obsolete records categories or to reduce retention periods as necessary due to changes in law or business requirements.

Attachments: [Attachment A - 2021 LACMTA Retention Schedule](#)
 [Attachment B - Obsolete Categories Removed from the Schedule](#)

NON-CONSENT**31. SUBJECT: PARTNERSHIP FOR HOUSING ACCELERATION**[2021-0409](#)**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute a Memorandum of Understanding between the Southern California Association of Governments

and Metro for reimbursement of up to \$1,600,000 for work associated with the implementation of the updated Joint Development Policy, the proposed Housing Lab, and accelerating the production of housing through the Joint Development program.

Attachments: [Attachment A - Memorandum of Understanding Presentation](#)

32. SUBJECT: MEASURE R AMENDMENT PUBLIC MEETING [2021-0378](#)

RECOMMENDATION

RECEIVE public comments on the Measure R Amendment.

Attachments: [Attachment A - Notice of Measure R Amendment](#)

33. SUBJECT: MEASURE R ORDINANCE AMENDMENT [2021-0377](#)

RECOMMENDATION

CONSIDER:

- A. APPROVING the Measure R Ordinance Amendment (Attachment A);
- B. APPROVING the Measure R Transit Program Guidelines (Attachment B);
- C. PROGRAMMING of projects in the Measure R South Bay Transit Investments program, as shown in Attachment C; and
- D. AUTHORIZING the CEO or their designee to negotiate and execute all necessary agreements and/or amendments for approved projects, including:
 - 1. the potential future reassignment to the Inglewood Transit Connector Joint Exercise of Powers; and
 - 2. advancement of \$1.9 million in working capital funds as part of the funding agreement.

(REQUIRES 2/3 VOTE OF THE FULL BOARD)

Attachments: [Attachment A - Measure R Ordinance Amendment](#)
 [Attachment B - Measure R Transit Program Guidelines](#)
 [Attachment C - South Bay Transit Investments Project List](#)

34. **SUBJECT: CHIEF COMMUNICATIONS OFFICER (CCO) QUARTERLY REPORT** [2021-0400](#)

RECOMMENDATION

RECEIVE CCO Quarterly Report

Attachments: [CCO Report - July 2021](#)

35. **SUBJECT: STATE AND FEDERAL REPORT** [2021-0453](#)

RECOMMENDATION

RECEIVE AND FILE July 2021 State and Federal Legislative Report.

36. **SUBJECT: FARELESS SYSTEM INITIATIVE (FSI) UPDATE JULY 2021** [2021-0464](#)

RECOMMENDATION

RECEIVE oral report on Fareless System Initiative (FSI) Update.

Attachments: [Attachment A – File # 2021-0372 Board Motion on FSI Presentation](#)

- SUBJECT: GENERAL PUBLIC COMMENT** [2021-0476](#)

RECEIVE General Public Comment

Consideration of items not on the posted agenda, including: items to be presented and (if requested) referred to staff; items to be placed on the agenda for action at a future meeting of the Committee or Board; and/or items requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Committee subsequent to the posting of the agenda.

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

Adjournment



Board Report

File #: 2021-0408, File Type: Contract

Agenda Number: 29.

EXECUTIVE MANAGEMENT COMMITTEE JULY 15, 2021

SUBJECT: MARKETING RESEARCH & BRANDING SERVICES

ACTION: APPROVE CONTRACT AWARD

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award Contract No. PS74537000 to Sensis, Inc. to provide marketing research and branding services for a three-year base term in an amount not-to-exceed \$1,126,200, and \$375,400 for each of the two, one-year option terms, for a combined not-to-exceed amount of \$1,877,000, effective August 1, 2021, subject to resolution of protest(s), if any.

BACKGROUND

Metro has been increasingly using consumer research (surveys and focus groups) to inform decision-making to achieve Vision 2028 objectives. Metro Marketing has been increasingly asked to lead important research projects, such as Line Naming, Station Naming, Microtransit Market and User Experience Evaluation, and Fareless Transit External Survey, among others. In addition, Metro Marketing has and will continue to conduct research to inform ridership growth marketing strategy, message development, digital user experience design, and more.

ISSUE

Historically, Metro Marketing has procured market research through our media buying agency as part of the media planning process. However, as the number of research products have increased and the types of research have expanded beyond media related research, a dedicated research agency specializing in marketing research is needed to more skillfully and efficiently deliver high quality data. This contract will also allow our media planning agency to focus solely on media planning, protecting the contract authority for its primary purpose.

The marketing research and branding agency will be an extension of the Marketing department and help to perform research and inform communication messages and strategies to build support for Metro's agenda, to grow ridership, and to improve the customer experience, among other agency objectives.

DISCUSSION

Through a small business set aside procurement, four firms submitted proposals. Metro staff evaluated the recommended certified small business marketing research and branding agency and determined they possess the necessary competencies to plan and execute marketing research and marketing consulting to support the Marketing department and broader Metro agency in achieving Vision 2028 objectives.

Considerations

Partnering with a marketing research and branding agency, with a wide variety of market research and marketing capabilities, will give Metro Marketing the flexibility to leverage the external resource as needed. The contract is structured such that Metro Marketing can do as much of the research in-house as resources allow or to rely on the partner agency for full-service work when internal resources are maxed out and/or the research needs are very complex.

DETERMINATION OF SAFETY IMPACT

No impact to safety has been determined.

FINANCIAL IMPACT

Metro Marketing, including projects funded by other departments, has spent approximately \$245,000 per year on average from FY18-20 on marketing research. With the anticipated marketing research projects over the next five years, the agency's spend on marketing research is expected to increase.

Of the \$1,877,000 contract amount, it is estimated that Metro Marketing will be responsible for approximately \$1,300,000 over five years, or \$260,000 per year. The remaining research expenditures on this contract will likely come from other departments' existing budgets.

Impact to Budget

By doing marketing research to guide messages and tactics, Metro's marketing budget can be spent more efficiently and effectively.

Funding for this market research and branding contract will parallel the projects direct charged by this contract and may include operating eligible sources such as fares and sales tax. Because this is a multi-year contract, departmental budgets will be allocated as needed by project managers in future years.

EQUITY PLATFORM

This contract was evaluated in an equitable manner and includes services that will be performed in a way that yields positive impacts for Equity Focused Groups.

1. This was a small-business-certified set aside procurement. Sensis Inc. (Sensis) made an SBE commitment as the prime and is performing 30% of the work with its own workforce. Sensis listed one (1) subcontractor. Sensis made a 100% SBE commitment and is meeting the Small

Business Prime Set-Aside requirements established for this project. Additionally, vendors were rated on their ability to provide research services among respondent samples at representative and Census-proportionate ratios of demographics, including gender, age, ethnicity, income, and sub-region. In addition, potential vendors were rated on their ability to provide research services in the following languages: Chinese, Japanese, Korean, Vietnamese, Armenian, Russian, Spanish, and English. We anticipate that these requirements will guide the selected vendor to conduct research that is representative of the diverse Metro region.

- Of note, of the four vendors who submitted proposals, three were minority owned businesses, suggesting that minority businesses had at least equal, if not greater, awareness of this procurement, than non-minority-owned businesses. The awarded vendor is also a minority-owned business.
2. As a function of the recommended vendor's ability to conduct research among representative groups of Los Angeles residents and transit riders, voices of all groups will be heard. In fact, while the following was not a criterion on which vendors were rated, the recommended firm, Sensis, Inc., brands themselves as a "cross-cultural" marketing agency, with a focus on Latino/Hispanic audiences. With 59% of LA Metro riders identifying as Latino, Sensis's expertise in researching and marketing to Latinos will help ensure the voice of this large and important group is heard.
 3. To summarize, this board report action is anticipated to benefit marginalized groups including those with limited English proficiency and people of color, particularly in the Latino/Hispanic community, through culturally sensitive and competent research activities that will inform Metro's own marketing and communication strategies in line with the region's diverse communities. There are no anticipated burdens or harms to marginalized groups, including unintended harms, anticipated with this board report item. No need for mitigation strategies is anticipated.

Further details on the procurement equity impacts are in Attachment B: DEOD Summary

ALTERNATIVES CONSIDERED

Alternatives to Board approval include (1) procuring research through our media agency, (2) procuring research on a project-by-project basis, and (3) building out the internal market research team, however each of these solutions has unique drawbacks.

1. **Procuring research through our media agency:** Given the amount of research anticipated, research would consume 80% of the media agency contract authority. In addition, the variety of and depth of research expertise needed goes beyond the scope of services of our media agency whose research would be primarily focused on determining the best media to use to achieve campaign goals.
2. **Procuring research on a project-by-project basis:** While much of the market research we do is planned well in advance, many research projects come down the pipeline quickly, needing to be done in 1-2 months. A typical procurement process takes 6-8 months, so having a contractor research vendor in place will make us more flexible and able to do research as needs arise. In addition, some research projects require continuity of methodology over time and having the same partner for three-to-five years allows for that. Finally, having a consistent

partner will lead to efficiencies as we will know each other's processes and won't have to start from scratch with every project.

3. **Building out the internal market research team:** The Marketing department has one full-time permanent, and one temporary employee. While building out the team would increase capacity, there will always be a need to procure outside partners to go out into the field and get survey completes.

NEXT STEPS

Upon Board approval, staff will execute Contract No. PS74537000 with Sensis, Inc.

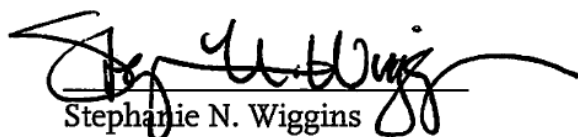
ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

Prepared by: Robert Heavrin, Manager, Communications, (213) 418-3238

Reviewed by: Glen Becerra, Executive Officer, Marketing, (213) 418-3264
Yvette Rapose, Chief Communications Officer, (213) 418-3154
Debra Avila, Chief Vendor/Contract Management Officer, (213) 418-3051



Stephanie N. Wiggins
Chief Executive Officer

PROCUREMENT SUMMARY

MARKET RESEARCH AND BRANDING AGENCY / PS74537000

1.	Contract Number: PS74537000	
2.	Recommended Vendors: Sensis, Inc.	
3.	Type of Procurement (check one): <input checked="" type="checkbox"/> RFP <input type="checkbox"/> IFB <input type="checkbox"/> IFB-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	Procurement Dates:	
	A. Issued: March 16, 2021	
	B. Advertised/Publicized: March 22, 2021	
	C. Pre-proposal Conference: March 31, 2021	
	D. Proposals Due: April 16, 2021	
	E. Pre-Qualification Completed: TBD	
	F. Conflict of Interest Form Submitted to Ethics: June 1, 2021	
	G. Protest Period End Date: July 17, 2021	
5.	Solicitations Picked up/Downloaded: 63	Proposals Received: 4
6.	Contract Administrator: Antwaun Boykin	Telephone Number: (213) 922-1056
7.	Project Manager: Robert Heavrin	Telephone Number: (213) 418-3238

A. Procurement Background

This Board Action is to approve the award of Contract No. PS74537000 issued in support of market research and branding services for Metro Communications Marketing Department for a three-year base term, with two, one-year option terms. Board approval of contract awards are subject to resolution of any properly submitted protest.

Request for Proposals (RFP) No. PS74537 was issued in accordance with and complies with Metro's Acquisition Policy for a competitive negotiated procurement and the contract type is indefinite delivery, indefinite quantity. The RFP was issued as a Small Business Set Aside procurement and was open to SBE certified small businesses only.

A virtual pre-proposal conference was held on March 31, 2021.

There were no amendments issued during the solicitation phase of this RFP. A total of four proposals were received on the due date of April 16, 2021.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Metro Communications Marketing Department was convened and conducted a comprehensive technical evaluation of the proposals received.

The proposals were evaluated based on the following evaluation criteria and weights:

- Degree of Skills, Experience, Capabilities for Quantitative Survey Operations: Brand Tracker and Ad-Hoc Surveys 30 percent

- Degree of Skills, Experience, Capabilities for Qualitative Market Research 20 percent
- Degree of Usefulness of Technology Platforms for DIY Survey Platform, Online Data Analysis Platform 10 percent
- Degree to Which Convey Skills & Experience for Full-Service Market Research, Brand and Marketing Consulting 10 percent
- Degree of Skills, Experience, Capabilities for Statistical Analysis 5 percent
- Degree of Usefulness of Technology Platforms for Market Research Online Community (I), and UX Testing 5 percent
- Cost 20 percent

The evaluation criteria are appropriate and consistent with criteria developed for other, similar service procurements. Several factors were considered when developing these weights, giving the greatest importance to degree of skills, experience, and capabilities for quantitative survey operations.

Of the four proposals received, three were determined to be within the competitive range and are listed below in alphabetical order:

1. Evitarus, Inc.
2. Noble Insight
3. Sensis, Inc.

One firm was determined to be outside the competitive range and was not included for further consideration.

On April 19, 2021, the technical proposals were distributed to the PET for their independent review and evaluation. On May 13, 2021, interviews were conducted with the firms within the competitive range. As a result of the evaluation process, the PET determined that the technical proposal received from Sensis, Inc. best addressed the RFP requirements and its personnel demonstrated they are qualified and experienced with all aspects of the required tasks. Based on a thorough evaluation of the proposals, the PET determined Sensis to be the highest ranked firm qualified to perform the services.

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	Sensis, Inc.				
3	Quantitative Survey Operations	94.33	30.00%	28.3	
4	Qualitative Market Research	81.16	20.00%	16.2	

5	Usefulness of Technology Platforms	100.00	10.00%	10.0	
6	Degree to Which Convey Skills and Experience	89.00	10.00%	8.9	
7	Statistical Analysis	87.33	5.00%	4.3	
8	Market Research Online Community (I), and UX Testing	93.33	5.00%	4.6	
9	Cost	95.50	20.00%	19.1	
10	Total		100.00%	91.4	1
11	Noble Insight				
12	Quantitative Survey Operations	80.00	30.00%	24.0	
13	Qualitative Market Research	76.66	20.00%	15.3	
14	Usefulness of Technology Platforms	75.00	10.00%	7.5	
15	Degree to Which Convey Skills and Experience	78.00	10.00%	7.8	
16	Statistical Analysis	71.33	5.00%	3.5	
17	Market Research Online Community (I), and UX Testing	86.66	5.00%	4.3	
18	Cost	100.00	20.00%	20.0	
19	Total		100.00%	82.4	2
20	Evitarus, Inc.				
21	Quantitative Survey Operations	70.00	30.00%	21.0	
22	Qualitative Market Research	82.33	20.00%	16.4	
23	Usefulness of Technology Platforms	81.66	10.00%	8.1	
24	Degree to Which Convey Skills and Experience	70.00	10.00%	7.0	
25	Statistical Analysis	78.66	5.00%	3.9	

26	Market Research Online Community (I), and UX Testing	60.00	5.00%	3.0	
27	Cost	46.50	20.00%	9.3	
28	Total		100.00%	68.7	3

C. Price Analysis

The proposed professional rates have been determined to be fair and reasonable based upon adequate competition, historical rates and technical analysis.

D. Background on Recommended Contractors

Sensis, Inc. is a Los Angeles based Metro certified SBE marketing agency with over 21 years of experience in advertising, digital communications, and multicultural marketing, across a variety of industries. Sensis has provided similar services for clients that include Metrolink, Foothill Transit and Auto Club Speedway.

DEOD SUMMARY

MARKET RESEARCH & BRANDING SERVICES / PS74537000

A. Small Business Participation

Effective June 2, 2014, per Metro's Board-approved policy, competitive acquisitions with three or more Small Business Enterprise (SBE) certified firms within the specified North American Industry Classification System (NAICS) as identified for the project scope shall constitute Small Business Set-Aside procurement. Accordingly, the Contract Administrator advanced the solicitation, including posting the solicitation on Metro's website, advertising, and notifying certified small businesses as identified by NAICS code(s) that this solicitation was open to SBE Certified Small Businesses Only.

Sensis, Inc., an SBE Prime, is performing 30% of the work with their own workforce and has listed an SBE subcontractor making a 100% SBE commitment.

SMALL BUSINESS SET-ASIDE

	SBE Prime Contractor	SBE % Committed
1.	Sensis, Inc. (Prime)	30%
2	ThinkNow	70%
Total SBE Commitment		100%

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy is not applicable to this contract.

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this contract.

D. Project Labor Agreement/Construction Careers Policy

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



Board Report

File #: 2021-0344, **File Type:** Policy

Agenda Number: 30.

**EXECUTIVE MANAGEMENT COMMITTEE
JULY 15, 2021**

SUBJECT: 2021 RECORDS RETENTION SCHEDULE

ACTION: APPROVE THE REVISED RECORDS RETENTION SCHEDULE

RECOMMENDATION

CONSIDER:

- A. APPROVING the 2021 Records Retention Schedule in Attachment A; and
- B. DELEGATING administrative authority to the CEO to eliminate obsolete records categories or to reduce retention periods as necessary due to changes in law or business requirements.

ISSUE

California Public Utilities Code Section 130051.23 requires the Los Angeles County Metropolitan Transportation Authority (LACMTA) to maintain records used for operational, financial, and legal reasons, and requires the board authorize any destruction of significant records. Revisions to the Records Retention Schedule have been routinely brought before the Board of Directors in past years.

At its September 2002 meeting, the board delegated administrative authority to the CEO for approving additions of new records categories and for extending the retention periods of categories. Authority to remove obsolete categories or reduce retention time periods was retained by the Board at that time. Delegating this additional administrative authority will streamline processing and reduce the amount of routine, administrative procedures that the Board must review.

To ensure Metro meets its legal requirements and business requirements for records retention, Board approval of the revised Records Retention Schedule ("Retention Schedule"), is required.

BACKGROUND

Since the Board last approved the Retention Schedule in November 2004, new legal requirements for retention emerged, and others were superseded. Beyond requirements, guidance from State and Federal authorities on best practices for retention has evolved; and the way Metro employees work has changed dramatically - Metro is creating new types of records, the period of time they need to be accessible has shifted, and some systems and formats referenced in the Retention Schedule are

obsolete.

In 2019, Metro's Research and Records Information Management (RRIM) Department procured a Records Retention Schedule Management Tool and configured the tool to work on Metro's network and manage Metro's Retention Schedule. This procurement included professional services of attorneys with expertise in records retention legal requirements to assist with modernizing the Retention Schedule. In 2020, these experts reviewed the schedule at length, mapped appropriate legal citations to retention categories, and recommended areas where categories with similar records and retention periods could be consolidated so the schedule is easier for employees to use.

The revised schedule attached is the product of over two years of research by Metro RRIM staff into State and Federal requirements and recommendations; hours reviewing Retention Schedules of other agencies, and interviewing their Records Managers; multiple reviews by records attorneys, including a final review before submitting for Board approval.

Summaries of changes and targeted trainings on the revised Retention Schedule are being prepared for Metro staff and departmental Records Coordinators. These will be finalized upon Board approval of the schedule.

DISCUSSION

The revised Records Retention Schedule accounts for the following changes to law and practice since the version approved by the Board:

- Per National Archives and Records Administration (NARA) guidance, indefinite retention periods are only used in rare cases. Permanent, archival records are now identified and retained as such, and other records are given finite retention based on legal and/or business requirements.
- The State of California no longer permits agencies to have Email as a stand-alone category on Retention Schedules. Email will now be retained based on its content, not its format.
- The internal organization of Metro has changed. For example, the Office of Records for "ADM7100 - Security Records" has shifted from Operations to System Security & Law Enforcement.
- Categories with similar types of records and similar retention periods have been identified and consolidated.
- Records Metro no longer creates or manages have been identified and removed from the Schedule. They will remain stored until the end of their life cycle and then destroyed. See Attachment C for a list of obsolete categories which were removed.

DETERMINATION OF SAFETY IMPACT

The Records Retention Schedule revisions do not impact the physical safety of Metro's staff or customers.

FINANCIAL IMPACT

The financial impact of approving the revised Retention Schedule is a reduction in legal exposure for Metro.

Impact to Budget

There is no impact to budget if approved.

EQUITY PLATFORM

The Retention Schedule is a tool which facilitates fair and just access to Metro's records. It standardizes information into categories, provides transparency into what records Metro creates, and defines the periods of time they are retained.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The Retention Schedule supports Metro's fifth Strategic Plan Goal:

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

ALTERNATIVES CONSIDERED

The alternative is to not accept the Retention Schedule revisions. This is not recommended as it would cause Metro's records retention practices to fall out of compliance with legal requirements, and the agency would continue to incur unnecessary costs of maintaining obsolete records.

NEXT STEPS

Guidance and training for departments on the changes to the Retention Schedule are being developed and will be implemented agency-wide upon Board approval of the schedule. Records Management will periodically bring the Retention Schedule to the CEO for review as new initiatives or legal changes require and will provide an annual summary of revisions.

ATTACHMENTS

Attachment A - 2021 LACMTA Records Retention Schedule

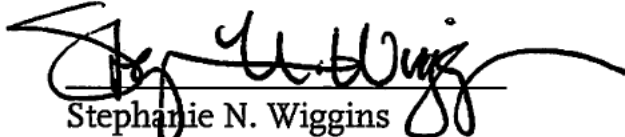
Attachment B - Obsolete Categories Removed from the Schedule

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David Lor, Principal Transportation Planner, (213) 922-2883

Shelly Ray, Principal Transportation Planner, (213) 418-3040

Reviewed by: Elba Higueros, Chief Policy Officer, (213) 922-6820



Stephanie N. Wiggins
Chief Executive Officer

2021 LACMTA Records Retention Schedule – DRAFT

ATTACHMENT A

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ACC1000 Accounts Payable	ACCTS PAYABLE VOUCHERS/INVOICES Records related to payment of financial obligations. Includes vouchers, invoices, travel reimbursement, business expenses, and statements. INCLUDES GRANT-RELATED FORMERLY IN ACC1110	ACC1100	ACC1001, ACC1110	UCP	NA	6 (Grant-related: LOG+3)	6 (Grant-related: LOG+3)	ACCOUNTING	Destroy paper after 6 mo. & retain electronic file 6 yrs. (Grant-related: retain electronic file LOG+3)		FIN/CFO	Citation: 49 C.F.R. § 18.42
ACC1000 Accounts Payable	NON-SEGREGATED AND POTENTIALLY GRANT-RELATED PAYABLE RECORDS Payable records not segregated as grant-related or not-grant related (1992-1998). Records related to payment of financial obligation that have been electronically scanned. INCLUDES RECORDS FORMERLY IN ACC1130	ACC1120	ACC1130	2	28	30	30	ACCOUNTING	For paper records, retain in department for 2 years and in offsite storage for 28 years; for electronic records, retain for 30 years.		FIN/CFO	Citation: 49 C.F.R. § 18.42 Disposition of paper records should begin in 2022.
ACC2000 Accounts Receivable	ACCOUNTS RECEIVABLE RECORDS (GENERAL) Accounts Receivable with records not fitting into any sub-category.	ACC2100		2	2		4	ACCOUNTING			FIN/CFO	Citation: 49 C.F.R. § 18.42
ACC2000 Accounts Receivable	CASH RECEIPT RECORDS Records documenting the receipt of cash.	ACC2200	ACC1003	2	4		6	ACCOUNTING			FIN/CFO	Citation: 49 C.F.R. § 18.42
ACC2000 Accounts Receivable	PASS SELLERS RECORDS Records pertaining to the sales of fare media. Includes correspondence with sellers.	ACC2300	ACC1005	ACT	6 MO	4	ACT+4	TAP OPERATIONS	EL. Destroy paper after 6 mo. & retain electronic file for 4 years		COM	Citation: 49 C.F.R. § 18.42
ACC2000 Accounts Receivable	FARE COLLECTION RECORDS Records of money received for transportation fare. Includes sales receipts, credit card receipts, bank deposit receipts, and cash receipts with complete back up documentation.	ACC2400		0.25	5.75		6	TREASURY/COMMUNICATIONS			COM	Citation: 49 C.F.R. § 18.42

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ACC2000 Accounts Receivable	TRANSIT ACCESS PASS Application records for Reduce Fare TAP cards (Senior, Disabled, College/Vocational, and Student) and Annual Contract Agreements for A-TAP, B-TAP and I-TAP cards. Applications are scanned and electronically stored on-line at the Regional TAP Service Center.	ACC2500		UCP	NA	4	4	CUSTOMER PRO. & SERVICE & METRO COMMUTE SERVICES	Destroy paper after 90 days & retain electronic file for 4 years or loss of eligibility	C		
ACC2000 Accounts Receivable	TAP REDUCED FARE DISABLED AND SENIOR APPLICATIONS Disabled and senior application records for Reduced Fare TAP cards. Applications are scanned into the department CRM database system. The application and support documents are then scanned into the Enterprise Content Management System and stored ten years..	ACC2510		UCP	NA	10	10	CUSTOMER PRO. & SERVICE & METRO COMMUTE SERVICES	Destroy paper after 90 days once images are captured in ECMS	C		New Category was added after the expiration date for permanently disabled and senior TAP card holders was extended to 10 years.
ACC3000 Ledgers	ACCOUNTING JOURNALS/LEDGERS Records used to transfer charges between accounts and for summarizing account information.	ACC3100	ACC1002	2	8		10	ACCOUNTING			FIN/CFO	Citation: 49 C.F.R. § 18.42
ACC4000 Capital Accounting	EQUIPMENT PURCHASE & SALES RECORDS Records documenting the procurement and disposition of long term organizational assets and property other than real-estate, depreciation, and improvements, as well as financial obligations associated with capital expenditures, such as purchases of equipment, furnishings, material transfers, and improvement to buildings or fixtures. INCLUDES GRANT-RELATED EQUIPMENT AND PURCHASE RECORDS FORMERLY IN ACC4110	ACC4100	ACC2000, ACC4110	Life of asset.	3		Life of Asset+3 (Grant-related: LOG+3)	ACCOUNTING	Grant-related: retain 3 years after final payment		FIN/CFO	Citation: 49 C.F.R. § 18.42
ACC4000 Capital Accounting	VEHICLE DMV REGISTRATION CERTIFICATE Records documenting ownership of revenue and non-revenue vehicles.	ACC4210		ACT	NA		ACT	OFFICE OF BOARD SECRETARY			BD	
ACC4000 Capital Accounting	VEHICLE ACQUISITION RECORDS Documenting the purchase, decommission and disposition of each revenue and non-revenue vehicle.	ACC4220	OPM5008	LOV	3		LOV+3	OPERATIONS VEHICLE TECHNOLOGY, NON-REVENUE VEHICLES			OPM	Citation: 49 C.F.R. § 18.42

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ACC4000 Capital Accounting	REAL-ESTATE ACQUISITION/APPRaisal/SURPLUS FILES Records pertaining to the MTA's acquisition, appraisal, and surplus of property for right of way facilities, etc.	ACC4300	LEG2000	ESS+1	10		ESS+11	REAL ESTATE	Retain for 11 years after the sale or disposition of property		ADM/COS	Citation: 49 C.F.R. § 18.42, CA GC 60201(d)(12)
ACC4000 Capital Accounting	RELOCATION FILES Pertaining to businesses that have been relocated	ACC4310		ACT+1	10		ACT+11	REAL ESTATE	Retain for 11 years after relocation		ADM/COS	
ACC4000 Capital Accounting	LEASE FILES (INCLUDES PROPERTY MGMT) Lease files and records pertaining to the MTA's management of property it purchased for potential future right of way or facilities locations. INCLUDES RECORDS FORMERLY IN ACC4325	ACC4320	LEG2003 ACC4325	ESS+10	9		ESS+10	REAL ESTATE	Retain for 10 years after the sale or disposition of property		ADM/COS	Citation: 49 C.F.R. Pt. 379, Appx. A
ACC4000 Capital Accounting	DEEDS AND LONG TERM REAL ESTATE AGREEMENTS Original deeds for MTA property, original long term easements, original long term ground leases, and related closing documents, deeds, easements, etc.	ACC4330		PE	NA		PE	REAL ESTATE			ADM/COS	Citation: 49 C.F.R. Part 379, Appendix A(A)(3)(d), CA GC 34090(a), CA GC 6254
ACC4000 Capital Accounting	UNION STATION ARCHIVAL RECORDS Summary and detailed records reports, plans schedules, photographs, drawings, contracts, agreements, and older personnel files, from 1937 - 2011.	ACC4360		ACT	IND		IND	GENERAL SERVICES	PA		PL	
ADM1000 General Administration Records	GENERAL ADMINISTRATION RECORDS Copies of department correspondence, announcements, and other general administrative documents (Significant correspondence is to be captured electronically and retained according to the relevant category on this schedule); activity and event tracking logs, schedules, and departmental goal records; Forms used to request services and track their completion (includes ITS requests and Travel requests). Also includes Department procurement files which contain departmental copies of requisitions, purchase orders and invoices. INCLUDES RECORDS FORMERLY IN ADM1100, ADM1200, ADM1310, ADM1320, ADM1330	ADM1001	ADM1100 ADM1200 ADM1310 ADM1003 ADM1320 ADM1330	3	NA		3	MULTIPLE	Travel Requests may contain security sensitive of personal information.	SS	MUL	Citation: CA GC 34090(d)

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ADM1000 General Administration Records	WORKING PAPERS AND REFERENCE MATERIALS - Preliminary drafts and supporting materials used in developing a finalized significant document, as well as individual project team members' copies of materials related to a project that is documented in final form elsewhere. Any materials maintained for informational purposes only, and not containing official records pertaining to significant MTA activities. INCLUDES RECORDS FORMERLY IN ADM1500 and ADM6230	ADM1400	ADM1004, ADM1500, REF1000, ADM6230, ADM1009	ACT	NA		ACT	MULTIPLE	EL		MUL	Citation: CA GC 34090 Next RRS review - consider removing this category and dealing with non- records/working papers in the Records Management policy.
ADM1000 General Administration Records	PROJECT MANAGEMENT & ADMINISTRATIVE PROJECT FILES Files documenting departmental administrative project activities.	ADM1600	ADM4000	ACT+1	2		ACT+3	MULTIPLE			MUL	Citation: CA GC 34090
ADM1000 General Administration Records	RMC SCAN Electronic and microfilmed copies of documents significant to LACMTA activities received in mail or from MTA staff.	ADM1700	ADM1003	UCP+0.5	NA	IND	PA	RECORDS MANAGEMENT	EL, PA - For Archival review every 30 years.		ADM/CO	As of January 2021, this category is no longer used. Records scanned by RMC will be processed into the appropriate category upon capture
ADM1000 General Administration Records	PUBLISHED REPORTS (Significant) All documents reporting on significant MTA activities (i.e. those with permanent historical or evidentiary value) not described in another category on this schedule.	ADM1800	ADM7000	UCP	IND	IND	PA	MULTIPLE	EL, PA - For Archival review every 30 years.			As of January 2021, this category is no longer used. Records scanned by RMC will be processed into the appropriate category upon capture
ADM1000 General Administration Records	PD/EMC/MOS-1 Electronic Records Imaged construction records related to Parsons Dillingham, Engineering Management Consultant and Minimum Operation Segment construction projects.	ADM1810		UCP	LOS+10	LOS+10	LOS+10	RECORDS MANAGEMENT	EL, PA - For Archival review every 30 years.			
ACC4000 Capital Accounting	UNION STATION and UNION STATION GATEWAY ADMINISTRATIVE, DEVELOPMENT, & FINANCIAL RECORDS Significant correspondence, project, and development records pertaining to the Union Station and Union Station Gateway building and property. Records also include: Purchase, Ownership, and Planning Activities. INCLUDES RECORDS FORMERLY IN ACC4370	ACC4350	LEG1003 ACC4370	ACT+3	IND, UCP+2	IND	IND	GENERAL SERVICES	PA, Gateway Building records - destroy paper 2- yrs after scanning	SS	ADM	Citation: 49 C.F.R. Part 379, Appendix A(A)(3)(d), 49 C.F.R. Part 379, Appendix A(D)(1)(a), 49 C.F.R. Part 379, Appendix A(K)(1)(d), CA GC34090(a), CA GC6254

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ADM1000 General Administration Records	LIBRARY ARCHIVAL DOCUMENTS AND DATA FILES Records that possess, archival value, that pertain to the MTA's history, and are maintained in the MTA's Library. Includes digital records with enduring significance to MTA activities - Permanent, evidentiary, and/or historical value. INCLUDES RECORDS FORMERLY IN ADM6310	ADM1900	ADM6310	IND	NA	IND	IND	LIBRARY	EL		ADM/COS/MUL	Citation: CA GC 34090
ADM2000 Equipment, Property Inventories, & Logs	PROPERTY MANAGEMENT RECORDS Records related to the tracking and maintenance of moveable agency property, including records related to vehicle equipment, tools, materials, and supplies owned, rented, or leased. Also includes security sensitive inventory and maintenance of moveable property that should not be disclosed for security reasons. INCLUDES RECORDS FORMERLY IN ADM2120, ADM2130, ADM2210	ADM2110	ADM2000, ADM2120, ADM2130, ADM2210	3	NA		3	MULTIPLE		SS	MUL	Citation: CA GC 34090
ADM3000 Policies & Procedures	LACMTA POLICIES Authority-wide records documenting approved procedures for performing activities to ensure uniformity and compliance with agency and legal requirements.	ADM3100	ADM3000	US	NA	US+10	US+10	RECORDS MANAGEMENT			ADM/CO	Citation: CA GC 34090, CA GC 40801
ADM3000 Policies & Procedures	DEPARTMENTAL PROCEDURES Records documenting approved procedures for performing activities pertaining to individual departments.	ADM3200		US	UCP	US+5	US+15	MULTIPLE			ADM/COS	Citation: CA GC 34090

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ADM6000 Computer Related Administrative Records	TRANSITORY COMMUNICATIONS Email, voicemail, text messages and chat messages should be retained as records based on their content, not their method of transmission. If the content of any message closely matches the subject matter contained in another category on this schedule, it must be retained for the same period of time specified for that category. Employees are responsible for managing communication records the same way they would any other records – according to the retention category which governs them. Transitory and personal emails which do not provide insight into Metro business, such as an email regarding lunch, should be deleted after no longer needed. Unless a communication is governed by another category and actively preserved by an employee under it, it is considered transient and will be dispositioned according to the ITS communication disposition schedule. CONTAINS RECORDS FORMERLY IN ADM6110 and ADM6410	ADM6100	ADM6110, ADM1008, ADM6140	NA	NA	NA	NA	MULTIPLE	EL		MUL	Citation: CA GC 6252(g) Next RRS review - consider removing this category and dealing with transitory communications in the Records Management policy. Transitory e-mail consists of electronic messages that are created primarily for the communication of informal information as opposed to the perpetuation or formalization of knowledge. Destroy transitory email when it has served its purpose.
ADM6000 Computer Related Administrative Records	INTERNET DOCUMENTS Electronic documents maintained on the MTA's public internet web sites, such as webpages and web documents which are not described in another records category. If the content of the webpage, document or data is a record of another another category on this schedule, it must be retained for whichever retention period is longer.	ADM6120		ACT	NA		ACT	MULTIPLE	EL		MUL	Citation: CA GC 34090
ADM6000 Computer Related Administrative Records	CALL DETAIL RECORDS Details of all calls to and from MTA phones.	ADM6150		NA	NA	1	1	INFORMATION TECHNOLOGY SERVICES				

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ADM7000 Security	SECURITY RECORDS Records related to protecting employees, equipment, buildings and information. Includes security clearances, pass card lists, and password lists.	ADM7100		3	NA		3	SYS. SECURITY & LAW ENFORCEMENT/GE N. SERVS./ ITS		SS	SSLE	
ADM7000 Security	SYSTEM SECURITY PLAN (SSP) Records related to the System Security Plan (SSP) Metro is required to prepare and keep on file pursuant to California Public Utilities Commission (CPUC) General Order (GO) 164.	ADM7110		US		US+6	US+6	SYS. SECURITY & LAW ENFORCEMENT		S	SSLE	Citation: CPUC General Order 164, item 5.2 - "This total scope must be completely covered by the internal safety and security audit conducted within a 3-year period, and every 3-year period thereafter."
ADM8000 Administrative Audit	INTERNAL and EXTERNAL AUDIT REPORTS Formal documents detailing the findings and recommendations of an audit, and response to recommendations. This includes departmental audits. INCLUDES FINANCIAL AUDITS FORMERLY RETAINED IN FIN5100.	ADM8100	ADM3001, FIN6001, FIN5100	UCP		ACT+15	ACT+15 (Grant-related: LOG+3)	MANAGEMENT AUDIT SERVICES, ACCOUNTING	EL. Destroy paper after 6 months upon captured		INT, FIN	Citation: 49 C.F.R. Part 379, Appendix A(A)6) - 3 years
ADM8000 Administrative Audit	INTERNAL AUDIT WORKING PAPERS Imaged collection of documents accumulated during an audit that support the conclusions of the audit report. Includes responses to audit recommendations.	ADM8110		3	US		US	MANAGEMENT AUDIT SERVICES			INT	Citation: 49 C.F.R. § 18.42; CA GC 34090; CA GC 40801
ADM8000 Administrative Audit	OIG FINAL RECORDS - OPINIONS, INVESTIGATION and AUDIT REPORTS (INSPECTOR GENERAL) - OIG final investigation reports including annual reports and confidential board communications. - OIG final reports of audits, studies, spot checks, inspections, reviews and other projects of a similar nature. Includes reports received by the OIG but generated by consultant hired by the OIG. - OIG final opinions, research, and records not otherwise part of an audit or investigative file.	ADM8200	ADM3002	ACT+5, digital or paper form		ACT+15 (including years in Dept.), digital or paper form	ACT +15	OFFICE OF INSPECTOR GENERAL		C, I, SS	OIG	Citation: 49 C.F.R. Part 379, Appendix A(A)6)(b); AB1960 130051.9.(d) - intranet1/dept/mtalibrary/About_the_LACMTA/Legislation_Full_Text/AB1960_1994.txt

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ADM8000 Administrative Audit	OIG AUDIT and INVESTIGATION WORKING PAPERS Does not include drafts, or consultant working papers which are not received by the OIG, or to which OIG does not have access.	ADM8210		ACT+3 years digital or paper form		ACT+5 years (including years in Dept.) digital or paper form	ACT+5 years digital or paper form	OFFICE OF INSPECTOR GENERAL		C, SS	OIG	Citation: 49 C.F.R. § 18.42; CA GC 34090; CA GC 40801
CON1000 Vendor Contractual Records	CONTRACT ADMINISTRATOR'S FILE File maintained by the contact administrator containing pre-award records including unsuccessful proposals to awarded contracts (only retain solicitation material of a cancelled procurement; Bids and proposals of a cancelled solicitation are to be shredded or sent back to the proposer) and post award records pertaining to an MTA vendor contract including official contractual correspondence; documents pertaining to insurance, subcontractors, and/or contract closeout. Executed solicitations, contracts, amendments and change orders are retained in CON1200.	CON1100	CON2000	LOC+1	29		LOC+30	PROCUREMENT	V, GR	SS, C, N, TS		Citation: 49 C.F.R. § 18.42; CA GC 26202.1, 60201
CON1000 Vendor Contractual Records	CONTRACT WORK ORDERS Orders dealing with budget, schedule, and scope to accomplish a task within a contractual scope of work.	CON1130	CON5000	LOC+1	29		LOC+30	PROCUREMENT	GR		PRO/CFO	Citation: 49 C.F.R. § 18.42
CON1000 Vendor Contractual Records	WARRANTIES Records documenting the contractor's written guarantee of a product's performance and responsibility or rectify defective work or equipment. Does not include bus warranties, see OPM5300.	CON1140	CON6000	ACT	UCP	Life of Warranty +10	Life of Warranty +10	MULTIPLE	EL. Destroy paper upon captured		PRO/CFO	
CON1000 Vendor Contractual Records	EXECUTED CONTRACTUAL DOCUMENTS CAPTURED ON ELECTRONIC MEDIA Executed contracts along with their RFP/solicitation, proposals, amendments and change orders, imaged by RMC on permanent media.	CON1200	CON1000	UCP	NA	LOC+10	LOC+10	RECORDS MANAGEMENT	EL, V		PRO/CFO	Citation: 49 C.F.R. Part 379, Appendix A(A)5); CCP 337

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CON1000 Vendor Contractual Records	PURCHASE ORDERS Imaged authorizations for purchase of goods or expenditure of funds issued by Procurement. INCLUDES GRANT-RELATED PURCHASE ORDERS FORMERLY IN CON1310	CON1300	CON2002, CON1310	LOC+1	9	LOC+10	LOC+10 (Grant-related: LOG+3)	PROCUREMENT	EL, GR Grant-related: retain 3 years after final payment		PRO/CFO	
CON1000 Vendor Contractual Records	PACKING SLIPS Purchase receipt for items procured by MTA from outside vendors.	CON1320		4	NA		4	PROCUREMENT				Citation: 49 C.F.R. § 18.42; CA GC 34090; CCP 337
CON1000 Vendor Contractual Records	CONTRACTOR PRE-QUALIFICATION FILE Imaged submittals and evaluations of documents qualifying a firm to bid on an MTA procurement.	CON1400	CON4000	2	3	5	5	PROCUREMENT	EL	C, TS	INT/CFO	
CON1000 Vendor Contractual Records	LABOR COMPLIANCE AND CONTRACT COMPLIANCE FILES Records related to the contractors' compliance with all terms of the contract including, fair wage and equal opportunity requirements. Contract Compliance files contain contract documents including Goal Evaluation Form, BIS/Proposal Evaluation Summary & Calculations, Conformed Documents, Board Report, Project Labor Agreement (PLA) and Construction Careers Policy (CCP) closed out project files, and other contract related correspondence. INCLUDES CONTRACT COMPLIANCE AND GRANT-RELATED LABOR COMPLIANCE FILES FORMERLY IN CON1510 AND CON1530	CON1500	CON7000, CON1510, CON1530	LOC+1	29		LOC+30 (Grant-related: LOG+3)	LABOR COMPLIANCE	GR Grant-related: retain 3 years after final payment		COS/EO	Citation: 49 C.F.R. § 18.42 Future RRS review - consider reducing retention to LOC+10. 30 years is well beyond the legal requirement, and other contacts are retained for 10 years (also well beyond the legal requirement)
CON1000 Vendor Contractual Records	ESTIMATING Back-up and supporting materials of estimated cost of contract.	CON1600		UC	15	UC+15	UC+15	ESTIMATING	EL. Destroy paper files after 6 mo. & retain electronic files upon project completion plus 15 years	C, N		

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CON1000 Vendor Contractual Records	CONTRACT ACCOUNTING FILES Contract Accounting payment backup records.	CON1700		2	28		30	ACCOUNTING	GR			
CON2000 Agreements	AGREEMENTS Memoranda of understanding and other agreements with other organizations, except 3rd party and vendor contracts. Includes Master Cooperative Agreements, and grant-related agreements. INCLUDES AGREEMENT RECORDS FORMERLY IN CON2200 AND CON2210	CON2100	CON2200, CON2210	LOC+1 (Grant related: LOG+1)	3		LOC+4 (Grant related: LOG+4)	PROCUREMENT	Grant-related: retain 3 years after final payment V		PRO/CFO	Citation: 49 C.F.R. § 18.42; 49 C.F.R. Part 379, Appendix A(A)5; CCP 337
ENG1000 Design Engineering Documents	DESIGN SUBJECT AND REVIEW DOCUMENTS Records documenting the various formal reviews of engineering project designs. INCLUDES RECORDS FORMERLY IN ENG1200.	ENG1100	ENG1200	UC+3	12		UC+15	CONSTRUCTION, OPERATIONS		SS		
ENG1000 Design Engineering Documents	ENGINEERING DRAWINGS Design drawings executed and maintained for MTA. May be updated throughout the project. Includes CADD drawings, Mylar drawings, As-Built drawings, drawings of items or equipment made in-house or purchased, and redone drawings to reflect actually completed projects. INCLUDES RECORDS FORMERLY IN ENG2110, ENG2120, ENG2130, ENG2140	ENG1300	ENG1300 ENG2110 ENG2120 ENG2130 ENG2140	ACT	LOS+10		LOS+10	CONSTRUCTION, OPERATIONS	Previous retention was Indefinite, it is now Life of System, plus 10 years.	SS	CON	
ENG1000 Design Engineering Documents	CANCELLED PROJECTS Engineering records related to cancelled construction projects.	ENG1400		ACT	10		ACT+10	CONSTRUCTION, OPERATIONS		SS	CON	
ENG2000 Construction Implementation Engineering Docs	CONSTRUCTION DIG ALERTS Notifications of excavations in areas containing utility lines.	ENG2001	ENG1001	1	2		3	CONSTRUCTION, OPERATIONS			CON	Citation: CA GC 34090

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ENG2000 Construction Implementation Engineering Docs	CALCULATIONS Engineering calculations for MTA systems and facilities.	ENG2125		ACT	UCP	IND	IND	CONSTRUCTION, OPERATIONS	Destroy paper 6 months after captured	SS		
ENG2000 Construction Implementation Engineering Docs	FIRE/SAFETY RECORDS System safety records that include as-built drawings, specifications, and drawings per code at the time of construction.	ENG2150		UC	15		UC+15	SYSTEM SAFETY		SS	CON	
ENG2000 Construction Implementation Engineering Docs	PHOTOS, PRECONSTRUCTION Photos & videos taken by insurance consultant and maintained by Risk Management to protect against illegitimate claims of damage.	ENG2210		UC	15		UC+15	CONSTRUCTION, OPERATIONS			CON	Future RRS review: Consider combining ENG2210 AND ENG2220
ENG2000 Construction Implementation Engineering Docs	PHOTOS, PROJECT PROGRESS Photos taken during construction of construction site and work.	ENG2220		UC	15	IND	UC+15	CONSTRUCTION, OPERATIONS	Destroy paper 6 months after captured.	SS	CON	Future RRS review: Consider combining ENG2210 AND ENG2220
ENG2000 Construction Implementation Engineering Docs	PROJECT RECORD SPECIFICATIONS Contract technical specifications that incorporate changes annotated onto as-built specifications.	ENG2300		LOS+10	NA	IND	IND	CONSTRUCTION, OPERATIONS	Destroy paper 6 months after captured. PA - For Archival review every 30 years post-LOS.	SS	CON	
ENG2000 Construction Implementation Engineering Docs	OPERATION & MAINTENANCE DATA Manuals and other material related to operating and maintaining the system constructed.	ENG2400		LOS	NA	LOS+10	LOS+10	CONSTRUCTION, OPERATIONS	Destroy paper 6 months after captured.	SS	CON	
ENG2000 Construction Implementation Engineering Docs	CONSTRUCTION SUBJECT FILES Subject/correspondence/reports arranged by approved subject codes maintained by the Project Manager or Resident Engineer and constituting the official Project Record.	ENG2500		UC	LOS+10	LOS+10	LOS+10	CONSTRUCTION, OPERATIONS	Destroy paper 6 months after captured.	SS	CON	

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ENG2000 Construction Implementation Engineering Docs	SUBMITTALS Work-products submitted by contractors to satisfy terms of contract.	ENG2600		ACT+1	UCP	LOC+10	LOC+10	PROCUREMENT	Destroy paper 6 months after captured.	SS	CON	
ENG2000 Construction Implementation Engineering Docs	QUALITY MANAGEMENT FILES Quality Management audits and surveillance files of the MTA's construction projects.	ENG2700		ACT+3	12		ACT+15	QUALITY ASSURANCE		SS	CON	
ENV1000 Environmental Records	ENVIRONMENTAL AND WORKPLACE INSPECTION/TESTING/EXPOSURE/MONITORING Records related to the inspection, testing, monitoring, and analysis of the environment and workplace for possible hazards and hazardous substances. CONTAINS RECORDS FORMERLY IN HUM4430	ENV1100	ENV1000, HUM4430	ACT+1	29		IND	CORPORATE SAFETY			OPM	Citation: 8 Cal. Code Regs. § 3204 - at least 30 years
ENV1000 Environmental Records	ENVIRONMENTAL PROJECT FILES Environmental report working files/deskfiles and related documents, including maps specifications and similar documents pertaining to environmental issues associated with MTA construction, functions, operation, and maintenance.	ENV1200		ACT	15		ACT+15	ENVIRONMENTAL				
ENV2000 Hazardous Material Records	HAZARDOUS MTA CHEM INV FORMS (HCS-88) and MATERIAL SAFETY DATA SHEETS Records explaining the dangers associated with different chemicals found in the workplace. Imaged MSDS sheet required by OSHA that details dangers & proper handling of dangerous substances maintained on electronic imaging system. INCLUDES RECORDS FORMERLY IN HUM4410	ENV2100	ENV2000, HUM4410, HUM4004	ACT	ACT+40		ACT+40	CORPORATE SAFETY	Retain for as long as the material is present/used, plus 40 years.		OPM	Citation: 8 Cal. Code Regs. § 3204(d)(1)(B)(2); 29 C.F.R. § 1910.1200(g)(4) - Retain for as long as the material is present/used, plus 30 years.
ENV3000 Hazardous Waste Records	HAZARDS, HAZARDOUS WASTE MANIFEST FORMS, UNDERGROUND STORAGE TANK O&M Records detailing the disposition of environmentally dangerous materials, Including the maintenance and disposition of waste storage tanks. INCLUDES RECORDS FORMERLY IN ENV3200	ENV3100	ENV3000, ENV3200, ENV4000	ESS+1	ESS+10	ESS+11	ESS+11	MULTIPLE	Retain for 11 years after sale or disposition of the material or property.		MUL	Citation: 40 CFR 122.21(p) - at least 3 years

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ENV4000 Environmental Impact	ENVIRONMENTAL IMPACT RECORDS Reports that are prepared under the California Environmental Quality Act (CEQA) and Environmental Impact Statements required by the National Environmental Policy Act (NEPA). Environmental reports describe and analyze the significant environmental effects of a project and include: Published Drafts, Final Reports, Supplemental Reports, Negative Declarations, Impact Statements, and Community Comments.	ENV4100		ACT	IND		IND	MULTIPLE	PA - For Archival review every 30 years.		MUL	
FIN1000 Finance Transactions	FINANCE GENERAL Finance records not belonging in more specialized categories.	FIN1100	FIN1003	3	NA		3	FINANCE			FIN	
FIN1000 Finance Transactions	BANKING (DEPOSITS/CANCELLED CHECKS, ETC.) Records related to banking activities.	FIN1200	FIN1001	2	4		6	TREASURY			FIN	
FIN1000 Finance Transactions	OFFICIAL TRANSCRIPTS CD copy of official transcripts produced by bond counsel for all debt and lease issues; records of bond proceeds expenditures and investment of bond proceeds; Final Arbitrage Reports for each debt issue after 1986; private use analysis and mitigation.	FIN1320		ACT	NA		ACT	TREASURY	Destroy when no longer needed.	C, N, P		
FIN2000 Investment Records	INVESTMENT AND LOAN/CREDIT RECORDS Records related to passive investments in stocks, bonds, mutual funds and pension funds to track and manage investments. Records documenting electronic transfer of MTA funds. Credit statements and lending files, including TIFIA America fast forward TIFIA loans. INCLUDES RECORDS FORMERLY IN FIN1300, FIN2200 and FIN31000	FIN2100	FIN2000	ACT+2	UCP	IND	IND	TREASURY, ACCOUNTING	V		FIN	Citations: CA GC 34090; CCP 337; CA GC 53607
FIN3000 Credit Records	BAD DEBTS/UNCOLLECTABLE ACCT RECORDS Records related to the monitoring, collecting, and writing off of bad debts. Includes authorizations, supporting details of uncollectible accounts.	FIN3200	FIN5000	UCP	NA	ACT+6	ACT+6	ACCOUNTING	EL. Destroy paper after scanned and verified & retain electronic file 6 yrs.		FIN	Citations: CCP 337.5

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FIN4000 Credit Records	FINANCIAL STATEMENTS (ANNUAL) Financial statements, reports, and background information submitted to government agencies, stakeholders, etc.	FIN4100	FIN6000	10	UCP	IND	IND	ACCOUNTING			FIN	Citation: 26 C.F.R. § 1.1244(e)-1(a)(2)(iv) - requirement is 5 years, Virgo recommends 10.
FIN6000 Grants Management	GRANT MANAGEMENT FILES Programmatic, statistical, and supporting documents relevant to program regulations of state and federal grant agreements. Includes record of grant award, and audit reports.	FIN6100	ADM5001	LOG+1	2		LOG+3	PROGRAM MANAGEMENT	G		FIN	Citation: 49 C.F.R. § 18.42
FIN9000 OMB Records	BUDGET (ANNUAL) Approved annual budget for each fiscal year, and proposed budgets.	FIN9100	FIN9000	ACT+1	UCP+10	IND	IND	OFFICE OF MANAGEMENT & BUDGET	PA - For Archival review every 30 years.		FIN	
FIN9000 OMB Records	BUDGET (ANNUAL) SUPPORT & BUSINESS PLANNING/FORECASTING DOCUMENTS Records related to budget preparation, including department budget submittals. Records related to future planning and forecasting for internal processes. Includes annual plans, strategic plans, facility planning. Does not include transportation planning. INCLUDES RECORDS FORMERLY IN FIN9200	FIN9110	FIN9001, FIN9200	ACT+2	UCP+5	US+5	US+5	OFFICE OF MANAGEMENT & BUDGET	Retain for 5 years after the final document is superseded.		FIN	Citation: CA GC 34090
HUM1000 Human Resources	HUMAN RESOURCES GENERAL HR records not classified in other categories.	HUM1100	HUM1000	ACT+3	NA		ACT+3	HUMAN RESOURCES		C	ADM	
HUM2000 Benefits	BENEFITS/INSURANCE PLANS, CONTRIBUTIONS & DISTRIBUTIONS Records related to agency-sponsored benefit plans. Includes insurance, pension, disability, medical, and survivor program; vesting; vacation; educational assistance; savings plans; flexible spending claims; and correspondence explaining benefits plans. Also includes records detailing actual monies contributed and disbursed. INCLUDES RECORDS FORMERLY IN HUM2300	HUM2100	HUM2000, HUM2300	ACT+3	3		ACT+6	BENEFITS	V	C	FIN	Citation: 29 C.F.R. § 4007.10(a)

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HUM2000 Benefits	PENSION PLANS AND SUMMARY INFORMATION Records related to IRS Form 550 including, pension plans, pension valuations, actuarial reports, benefits statements, and performance evaluation reports. Also includes records pertaining to cumulative years of service, total pension contributions, accrued benefits, pension plans vendor payment records, etc. INCLUDES RECORDS FORMERLY IN HUM2400	HUM2200	HUM2002, HUM2400, HUM2400	ACT	6		ACT+6	BENEFITS		C	ADM	Citation: 29 C.F.R. § 4007.10(a)
HUM3000 Individual Employee Files	HR EMPLOYEE PERSONNEL FILE (NON-MED) Summary and detailed records for individual employees related to hiring, promotion, performance, transfer, termination, etc. maintained by HR or the department. Records of training and development activities, including requests, approvals, educational assistance, certificates of completion, and certification to perform tasks. Also includes files documenting each operator's training and certification. INCLUDES OPERATORS PERFORMANCE RECORDS FORMERLY IN HUM6510 and VEHICLE TRANSIT TRAINING FILES FORMERLY IN HUM5200	HUM3100	HUM3000, HUM6510, HUM6007, HUM5200, HUM5001	UNTIL TERMINATION OF EMPLOYMENT	5		UNTIL TERMINATION OF EMPLOYMENT +5	HUMAN RESOURCES	Send department files to HR when employee separates from MTA. Exception: Active Bus/Train Operator files can be sent to RMC for convenience storage after 3-yrs.	C	MUL	Citations: CA GC 34090; CA GC 6250; PRA 6254; IPA 1798.40; 49 C.F.R. § 655.71(b)(2); CA GC 12946; 29 CFR 1627.3
HUM3000 Individual Employee Files	IMMIGRATION & NATURALIZATION SVC FORM I-9 Immigration & naturalization Form 1-9. Individuals employment eligibility verification records.	HUM3200	HUM3002	ACT+3	NA		ACT+3	HUMAN RESOURCES	Keep in department until employee separates from MTA plus 3-yrs.	C	ADM	
HUM4000 Employee Health & Safety Records	HR EMPLOYEE MEDICAL RECORDS – GENERAL Employee medical records related to medical treatment, examinations, medical history, etc. maintain by HR or the department. INCLUDES RECORDS FORMERLY IN HUM4110	HUM4100	HUM4000, HUM4110	UNTIL TERMINATION OF EMPLOYMENT	5		UNTIL TERMINATION OF EMPLOYMENT +5	HUMAN RESOURCES	Send files to HR when employee separates from MTA. Exception: Active Bus/Train Operator files can be sent to RMC for convenience storage after 3-yrs.	C	MUL	Citation: 29 C.F.R. § 1910.1020, 29 C.F.R. 825.500

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HUM4000 Employee Health & Safety Records	EMPLOYEE MEDICAL RECORDS-HAZARD EXPOS Records pertaining to exposures to hazardous materials.	HUM4200	HUM4001	ACT	UCP	UNTIL TERMINATION OF EMPLOYMENT +40	UNTIL TERMINATION OF EMPLOYMENT +40	CORPORATE SAFETY	If injury occurred, documents may be required for litigation or claim.	C	OPM/ADM	Citation: 29 C.F.R. § 1910.1020; 8 Cal. Code Regs. §3204 (d)(1)(A)(B)
HUM4000 Employee Health & Safety Records	INJURY/ILLNESS PROGRAM FILES Records detailing MTA programs promoting employee health and safety (IIPP Binders).	HUM4300	HUM4012	5	NA		5	DIVISIONS			OPM/ADM	
HUM4000 Employee Health & Safety Records	EMPLOYEE ACCIDENT/INJURY RECORDS Records related to on-the-job injury.	HUM4310	HUM4002	UNTIL TERMINATION OF EMPLOYMENT + 5	NA		UNTIL TERMINATION OF EMPLOYMENT + 5	MULTIPLE		C	MUL	Citation: Citation: 29 C.F.R. § 1910.1020, 29 C.F.R. 825.500, CCP 335.1 (Statute of limitations for filing a workers compensation claim is 2 years.)
HUM4000 Employee Health & Safety Records	OSHA 200 LOG AND SUMMARY (MONTHLY) Monthly report sent to OSHA each month detailing accidents, OSHA inspection records and response to incidents.	HUM4320	HUM4003	6	NA		6	CORPORATE SAFETY			OPM/ADM	Citation: CAL. CODE REGS. tit. 8, § 14300.44
HUM4000 Employee Health & Safety Records	EXPOSURE AND AUDIOMETRIC TESTING Records related to exposure and audiometric testing conducted for employees.	HUM4420	HUM4005	UNTIL TERMINATION OF EMPLOYMENT + 2	UCP	UNTIL TERMINATION OF EMPLOYMENT + 2	UNTIL TERMINATION OF EMPLOYMENT + 2	CORPORATE SAFETY				
HUM4000 Employee Health & Safety Records	SAFETY AND EMERGENCY PLANS Plans for coping with disaster and emergency (e.g., fire and earthquake evacuation, etc.) and safe operation of the transit system. Includes required state and federal reports.	HUM4500		US	3		US+3	CORPORATE SAFETY/GENERAL SERVICES		S	OPM	Citation: 49 CFR Part 673.31

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HUM4000 Employee Health & Safety Records	DRUG & ALCOHOL POSITIVE TEST RESULTS, TEST REFUSALS, AND MIS REPORTS TO FTA Records of employee verified positive drug or alcohol test results including completed follow-up files, documentation of refusals to take required drug or alcohol tests, employee referrals to the substance abuse professional, and copies of annual MIS reports submitted to FTA. INCLUDES RECORDS FORMERLY IN HUM4620	HUM4610	HUM4006, HUM4007, HUM4620	5	NA		5	HUMAN RESOURCES		C	ADM	Citation: 49 CFR Part 655.71(b)(1) FTA requires these records are retained in departmental file for 5 years. No off-site storage.
HUM4000 Employee Health & Safety Records	DRUG & ALCOHOL PROGRAM SELECTION, COLLECTION AND TRAINING FILES Records related to random testing and files of selectees not tested and reason. Documents generated in connection with decisions to administer reasonable suspicion drug or alcohol tests, and decisions on post-accident drug and alcohol testing. Records related to the collection process, and employee training.	HUM4630	HUM4008	2	NA		2	HUMAN RESOURCES		C	ADM	Citation: 49 C.F.R. § 655.71(b)(2)
HUM4000 Employee Health & Safety Records	DRUG & ALCOHOL NEGATIVE TEST RESULTS Records showing proof of negative drug or alcohol test results. INCLUDES RECORDS FORMERLY IN HUM4650 AND HUM4660	HUM4640	HUM4009, HUM4650, HUM4011, HUM4660, HUM4010	1	NA		1	HUMAN RESOURCES		C	ADM	Citation: 49 C.F.R. § 655.71(b)(3)
HUM5000 Training Development	ORGANIZATIONAL TRAINING AND DEVELOPMENT FILES Records related to the development and operation of agency-sponsored training programs and seminars, and organizational development. Includes management and supervisor development, course listings, schedules, outlines and materials. INCLUDES TRAINING AND CLASS RECORDS FORMERLY IN HUM5101, HUM5105, AND GRANT-RELATED TRAINING FROM HUM5110. Individual employee training records go in HUM3100.	HUM5100	HUM5000, HUM5110, HUM5101, HUM5105	US	3 (Grant-related: LOG+3)	US+6	US+6 (Grant-related: LOG+3)	HUMAN RESOURCES, ORGANIZATIONAL DEVELOPMENT & TRAINING	Grant-related: Retain 3 years after final payment		ADM	Citations: 49 C.F.R. § 655.71(b)(2), GC6250 et seq

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HUM5000 Training Development	DMV CERTIFICATE FILES Files reviewed by DMV to ensure operator training and readiness.	HUM5210	HUM5003	5	IND		IND	OPERATIONS DIVISIONS TRANSPORTATION		C	OPM	
HUM6000 Salary Administration	SALARY ADMINISTRATION GENERAL RECORDS Records related to the payment of salaries and wages that are not included under any other sub-category (e.g. Acct-10's, TOWP, vacation adjustments, cash out, sick donations, etc.)	HUM6100	HUM6000	3	3		6	HUMAN RESOURCES			ADM	Citation: 29 C.F.R. § 516.5; Labor Code 226; GC 60201
HUM6000 Salary Administration	TIMESHEETS AND ADJUSTMENTS Employee timesheets, payroll adjustments(ACCT-172), and leave balance records (ACCT-10). Include MMAS,TOTS and SCM. INCLUDES RECORDS FORMERLY IN HUM6120	HUM6110	HUM6001, HUM6120	3	27	30	30	PAYROLL, OPERATIONS DIVISIONS				Citation: 29 C.F.R. Part 516.5; Labor Code §§ 1174, 1197.5; GC 60201 These records are electronically captured and no more paper records are being accepted into storage - the paper retention requirement can be removed from the schedule after 2033
HUM6000 Salary Administration	DIRECT DEPOSIT SLIPS/MANUAL CHECKS Records documenting employees' electing to have their paycheck deposited directly in to their bank account and manually prepared payroll checks.	HUM6130		UCP	2	4	4	PAYROLL	EL. Destroy paper after 2-yrs upon capture and retain image 4 years			For future RRS review - potentially combine with hum6100; these are also admin records, not records of the deposits themselves.
HUM6000 Salary Administration	GARNISHMENT Records documenting court-ordered withholding from an employee's pay for a third party.	HUM6140		UCP	2	30	30	PAYROLL	EL. Destroy paper after 2-yrs upon capture and retain image 30 years			Citation: 29 C.F.R. 825.500
HUM6000 Salary Administration	BI-WEEKLY EMPLOYEE PAYROLL REPORTS Computer generated reports related to the payment of salaries and wages.	HUM6200	HUM6004	NA	NA	6	6	PAYROLL	EL.	C	FIN	Citation: 29 C.F.R. § 516.5; Labor Code Section 226(a) - at least three years. Statute of limitations for labor code violations can extend back four years. For future RRS review - Potentially consolidate with HUM6100.
HUM6000 Salary Administration	W-2 FORMS ON COM Annual records of employee earnings given to the employee and to the government.	HUM6300		UCP	NA	6	6	PAYROLL	EL.	C		For future RRS review - Consider combining HUM6300 and HUM6310

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HUM6000 Salary Administration	W-4 FORMS Imaged records modifying the number of deductions an employee is claiming.	HUM6310		UCP	NA	6	6	HUMAN RESOURCES	EL. Destroy paper after 6 months upon capture and retain image 6 years	C		For future RRS review - Consider combining HUM6300 and HUM6310
HUM6000 Salary Administration	OPERATORS DAILY PAY PACKAGE Daily collection of annotated computer-generated daily reports listing which buses were in service and which drivers were driving them.	HUM6500	HUM6002	1	5	6	6	OPERATIONS DIVISIONS TRANSPORTATION	Also electronically stored in TOAST/HASTUS Resource Sys.		OPM	
HUM6000 Salary Administration	WORK TIME ALTERATIONS Operators overtime slips and Operators scheduled deviation time.	HUM6520	HUM6006	3	NA		3	OPERATIONS DIVISIONS MAINTENANCE			OPM	
HUM6000 Salary Administration	SCHEDULE CHECKERS ASSIGNMENT Records related to employees daily assignments. Scheduled Checkers assignment with alterations to their assignments.	HUM6600	HUM6003	1	5		6	PLANNING			PL	
HUM7000 Employee Selection Files	METRO JOB POSTINGS Records related to all Metro Job postings/bulletins. Applicant records, resumes, etc., are retained in HUM3100. Metro internal announcements/bulletins about postings are retained in PUB4000.	HUM7000	HUM7000	1	9		10	HUMAN RESOURCES		C		
HUM7000 Employee Selection Files	BACKGROUND INVESTIGATION RECORDS Records pertaining to investigation of people that applied for employment with LACMTA.	HUM7100		3	7		IND	HUMAN RESOURCES		C, I		
HUM7000 Employee Selection Files	LEADER TESTING RECORDS Employee performance test results.	HUM7110		ACT+3	NA		ACT+3	CENTRAL INSTRUCTION MAINTENANCE		C		

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HUM8000 Employment Standards and Compliance	TRIP REDUCTION PLAN (SCAQMD) RECORDS Records documenting MTA's effort to reduce number of employee vehicle trips. Includes Home-to-Work Surveys used to determine how employees commute and thereby determine compliance with SCAQMD trip/commute reduction plans including Employee Commute Reduction Program. INCLUDES RECORDS FORMERLY IN HUM8110	HUM8100	HUM8000, HUM8001, HUM8110	UCP	NA	ACT+3	ACT+3	GENERAL SERVICES	EL		ADM	Per SCAQMD Rule 2202, these records must be retained for a minimum of 3 years. In some cases, they require longer retention. See Rule 2202(I)(G) for exceptions. Longer retention is authorized to meet these exceptions, or if the records are required for business use. Paper records are no longer generated. All records currently in off-site storage will be destroyed after 3 years.
HUM8000 Employment Standards and Compliance	VIOLENT INCIDENT REPORTS Reports of violent employee behavior in the work place.	HUM8300	HUM8003	ACT+5	NA		ACT+5	HUMAN RESOURCES		C, I	ADM	
HUM8000 Employment Standards and Compliance	FAMILY CARE AND MEDICAL LEAVE (FCML & FMLA) FILES Records documenting applications, and authorizations for FCML.	HUM8400	HUM8004	ACT+6M O	NA	4	ACT+4	HUMAN RESOURCES	EL. Destroy paper after 6 months upon capture	C	ADM	Citation: 29 CFR § 825.500 From Joe Parise: Department has requested the files to be scanned into ECMS
LEG1000 Business Organization	CEO MAIL RECORDS Imaged records of communications addressed to the CEO	LEG1010		UCP	NA	IND	IND	EXECUTIVE OFFICE	EL, PA - For Archival review every 30 years.			
LEG1000 Business Organization	BUSINESS ORGANIZATION GENERAL RECORDS Records related to the establishment of, and rules governing, the operation of the organization.	LEG1100	LEG1000	10	UCP	PE	PE	OFFICE OF BOARD SECRETARY	EL		BD	Citation: GC34090(d), 49 C.F.R. § Part 379 Appendix A(A)(1)b
LEG1000 Business Organization	BOARD AND FORMAL COMMITTEE MEETING RECORDS Records related to Board meetings. Includes all non-board meetings required by law, as well as all Board sub-committee meetings. Includes recordings of Board meetings, and all communications distributed by the Board Secretary to Board members. INCLUDES RECORDS FORMERLY IN LEG1210, LEG1300 and LEG1500	LEG1200	LEG1001, LEG1210, LEG1300, LEG1500	1	UCP	PE	PE	OFFICE OF BOARD SECRETARY	V		BD	Citation: GC34090(d), 49 C.F.R. § Part 379 Appendix A(A)(2) CONFIDENTIAL MEETINGS SHOULD REMAIN SEPARATE in LEG1200
LEG1000 Business Organization	CONFIDENTIAL BOARD & COMMITTEE MEETING RECORDS Records of closed Board sessions involving eminent domain, personnel, and other confidential matters.	LEG1220		PE	NA		PE	OFFICE OF BOARD SECRETARY	Tape and hard copy stored in Board Sec. Office	C, P, N	BD	Citation: GC34090(d), 49 C.F.R. § Part 379 Appendix A(A)(2)

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LEG1000 Business Organization	INSURANCE (POLICIES/AMENDMENTS, ETC.) Records related to coverage affecting agency liability. Includes policies, amendments, riders, and proof of payment.	LEG1600	LEG3000	ACT+1	IND		IND	RISK MANAGEMENT	V	C, SS		
LEG1000 Business Organization	CLAIM/LITIGATION CASE FILES Records of claims and lawsuits.	LEG1700	LEG4000	FR	FR		FR+4	RISK MANAGEMENT		C, SS, P, I, N	MUL	
LEG1000 Business Organization	WORKERS COMP. CLAIMS Workers compensation claim files for job-related injuries.	LEG1730		FR	5		FR+5	RISK MANAGEMENT		C, SS, I	RISK	Citation: CAL. CODE REGS. tit. 8, § 10102(a)
LEG1000 Business Organization	ADA, EO, AND TITLE VI COMPLAINT FILES COMPLAINT FILES (BY INDIVIDUALS) Formal complaints of violation of federal equal opportunity laws.	LEG1740	LEG4004	FR	5		FR+5	CIVIL RIGHTS PROGRAM COMPLIANCE		C, SS, I		Citation: 49 CFR § 27.121
HUM8000 Employment Standards and Compliance	TITLE 6 RECORDS (ANALYSIS) AND ADA RECORDS Records documenting analysis reports, notice of Title 6, memos, postings, etc. Records documenting compliance with Americans with Disabilities Act, for employees, future employees and riders. INCLUDES RECORDS FORMERLY IN HUM8200 Formal complaints go in LEG1740.	LEG1745	HUM8002, HUM8200	ACT+4		ACT+4	ACT+4	CIVIL RIGHTS PROGRAM COMPLIANCE,	Required for reporting to FTA every 3 years. Destroy 4 years after report submittal.			Citation: FTA Circular 4702.1B - requires reporting on compliance every 3 years.
LEG1000 Business Organization	COLLECTIVE BARGAINING AGREEMENT (CBA) GRIEVANCE FILES (MAJOR 2nd LEVEL CASES) Records pertaining to the disposition of formal employee complaints against management. Includes TCU grievances. INCLUDES RECORDS FORMERLY IN LEG1755	LEG1750	LEG4002, LEG1755, LEG4004	ACT+2	8		ACT+10	MULTIPLE		C, SS, I	MUL	
LEG1000 Business Organization	LABOR/ARBITRATION FILES Records of precedent-setting settlements and rulings.	LEG1760	LEG4003	ACT+2	UCP	IND	IND	LABOR/EMPLOYEE RELATIONS		C, I, N, P	ADM	
LEG1000 Business Organization	GRIEVANCE FILE 2nd LEVEL (MINOR INFRACTIONS) Records pertaining to the disposition of minor infractions of employee complaints.	LEG1770		3	NA		3	LABOR/EMPLOYEE RELATIONS		C, I		

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LEG5000 Legal Compliance	LEGAL COMPLIANCE DOCS (FTA, EEOC, ETC.) Records related to the preparation of documents required by various agencies. Includes reporting and filings with agencies such as FTA, OSHA, EPA, EEOC, SBOE, etc.; also includes external program audits required by government agencies.	LEG5100	LEG5000	7	UCP	IND	IND	MULTIPLE				
LEG5000 Legal Compliance	FTA-FEDERAL TRANSPORTATION FTA electronic system which collects information from the TOTS, Scheduling, and ATMS for reporting to the FTA.	LEG5110		NA	NA	10	10	SERVICE PERFORMANCE & ANALYSIS	EL			
LEG5000 Legal Compliance	TAX RETURNS Tax returns and supporting documents filed by the MTA.	LEG5200	LEG5001	10	NA		10	ACCOUNTING			FIN	
LEG5000 Legal Compliance	LICENSES/PERMITS Records, including licenses and permits, required to conduct business, collect fares, etc.	LEG5300	LEG5002	ACT	3		ACT+3	MULTIPLE			MUL	
LEG5000 Legal Compliance	COURT ORDER/AGENCY COMPLIANCE DOCS Records related to unique court orders issued to the MTA.	LEG5400	LEG5003	ACT	3		ACT+3	MULTIPLE			MUL	
LEG5000 Legal Compliance	ETHICS COMPLIANCE RECORDS Records pertaining to compliance with ethics requirements issued by the MTA and other government bodies. Includes documentation of evaluations of potential Code of Conduct violations; Ethics Opinions; Lobbyist Reports (Quarterly); Reconsideration opinions (evaluation of bidder and proposer good faith efforts) documentation; and Conflict of Interest Reports. INCLUDES RECORDS FORMERLY IN LEG5515, LEG5510, LEG5525, and LEG5530	LEG5500	LEG5515, LEG5510, LEG5004, LEG5525, LEG5530, LEG5008	2	5		7	ETHICS			ETHICS	
LEG5000 Legal Compliance	STATEMENT OF ECONOMIC INTERESTS Imaged CA700 forms detailing economic holdings of employees and Board members.	LEG5520	LEG5005	2	5	7	7	ETHICS	EL			Citation: GC 81009
LEG5000 Legal Compliance	AB1234 ETHICS TRAINING Ethics training records of elected and other specified agency officials. Ethics department is required to maintain all related documents (certificates, training notifications, legal updates, etc.) and proof of completion certifications.	LEG5535		3	2		5	ETHICS				

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LEG5000 Legal Compliance	METRO PARKING CITATION, FARE EVASION AND CODE OF CONDUCT VIOLATION HEARINGS Documents maintained for record keeping purposes including copies of the original citation (parking or fare evasion ticket), photos, correspondence, notes taken at the hearing, hearing video, copies of the findings from the 1st level review and the 2nd level hearing official's finding recommendation.	LEG5540		FR+5, digital or paper form		FR+5, digital or paper form	FR+5	TRANSIT COURT	May include personal identifying information. For historical purposes, records of this sort may be retained beyond the minimum.	C, SS	OIG	
LEG5000 Legal Compliance	DBE CERTIFICATION RECORDS File of businesses certified as disadvantaged. Records pertaining to MTA's attempt to provide economic opportunities to small and/or disadvantaged businesses, both approved and denied. INCLUDES RECORDS FORMERLY RETAINED IN LEG5620	LEG5610	LEG5006, LEG5620, LEG5007	ACT+2	1		ACT+3	DIVERSITY & ECONOMIC OPPORTUNITY	Keep approved certification records 3 years after expiration. Keep denied application records 3 years after denial.		EO	Citation: 49 C.F.R. § 26.11(d), 49 C.F.R. § 26.109, 49 C.F.R. § 18.42
LEG5000 Legal Compliance	COMMUNITY SERVICE FILE Files that are mandated by the court to track community service work hours.	LEG5700	LEG5009	5	NA		5	STOPS & ZONES			OPM	
LEG5000 Legal Compliance	COPYRIGHT/TRADEMARK/PATENT RECORDS Records related to preparation, filing, maintenance, and rights for patents and copyrights.	LEG7000	LEG7000	ACT+1	UCP	IND	IND	RECORDS MANAGEMENT	PA	C, SS, I, TS	ADM	
LEG5000 Legal Compliance	LABOR RELATIONS NEGOTIATION FILES Records pertaining to the negotiation of labor contracts with the Unions.	LEG8000	LEG8000	ACT+3	UCP	IND	IND	LABOR/EMPLOYEE RELATIONS		C, N, P	LAB REL	
LEG5000 Legal Compliance	LEGAL SERVICE ORIGINAL SUBPOENAS Original subpoenas received in Legal Services to garnish Metro employees' wages. INCLUDES RECORDS FORMERLY IN LEG9005	LEG9000	LEG9005	1	2		3	LEGAL SERVICES	Retain originals for 3 years, destroy copies after 1 year.			
MAR1000 Marketing	MARKETING ACTIVITY RECORDS Records related to marketing or sales activities with vendors and potential customers. INCLUDES GRANT-RELATED RIDE SHARE MARKETING RECORDS FORMERLY IN MAR1110	MAR1100	MAR1000, MAR1110	3 (Grant-related: LOG)	NA (Grant-related: 3)		3 (Grant-related: LOG+3)	COMMUNICATIONS	Grant-related: retain in department until after grant has closed.		COM	

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ATTACHMENT A

RECORD SERIES	RECORD CATEGORY NAME & DESCRIPTION	RETENTION CODE	Old Retention Category Code	Years to Retain paper in Dept. Files (Physical)	Yrs.to Retain Original in Off-site Storage (Off-Site)	Yrs.to Retain System Storage (Electronic)	TOTAL RETENTION	OFFICE OF RECORDS	COMMENTS	Sensitive Records	Executive Area	Notes
OPM1000 Operations and Maintenance Records	OPERATIONS & MAINTENANCE GENERAL Records generated by the Divisions not belonging to another category (includes track allocation, mainline operating clearance, inspection records, yard switch, manual block, clearance card, etc.).	OPM1100	OPM1000	2	3		5	OPERATIONS		SS	OPM	Citation: GC 34090
OPM2000 Operations and Maintenance Records	OPERATIONS SCHEDULING RECORDS Records pertaining to the development, revision, and issue of bus schedules (paddle board, work runs, supervisor summaries, consent decree, etc.).	OPM2100	OPM2000	UCP	10	10	10	SERVICE PERFORMANCE ANALYSIS			OPM	Electronic records. All current records in off-site storage will be destroyed after 10 years (no more paper records being generated).
OPM2000 Operations and Maintenance Records	OPERATIONS PULLOUT SHEETS (Rollout) Daily sheets produced by Scheduling detailing pull-out time for each scheduled bus/train for a division; the transportation and maintenance sections annotate the drivers and coach numbers assigned.	OPM2200	OPM2001	1 MO	10	10	10	OPERATIONS				
OPM2000 Operations and Maintenance Records	OPERATIONS PLANNING LINE FILES Records pertaining to the development and revision of bus routes (Route Instructions, Service Change Summaries, timeload, etc.).	OPM2300	OPM2002	ACT	NA	AR	AR	OPERATIONS PLANNING, SCHEDULING	EL		OPM	
OPM2000 Operations and Maintenance Records	STOPS & ZONES T2 LINE FILES Master lists of bus lines and stops.	OPM2400	OPM2003	UCP	NA	AR	AR	STOPS & ZONES	EL	SS	OPM	
OPM3000 Operations and Maintenance Records	CERTIFICATE OF DRIVING SKILL Records related to the contract with the DMV for employee testing, licensing documentation. Includes the DL170, dl260, drive test, pre-trip examination, and all personal information for the person being tested.	OPM3200		1	4		5	OPERATIONS CENTRAL INSTRUCTION			OPM	
OPM4000 Accident and Incident Records	VEHICLE ACCIDENT/INCIDENT REPORTS Reports of accidents and incidents occurring on buses or trains.	OPM4100	OPM3001	1MO	10	10	10	OPERATIONS DIVISIONS	EL	C, SS, I	OPM	Citation: CA GC 34090
OPM4000 Accident and Incident Records	SUMMARY OF VEHICLE ACCIDENTS AND INCIDENTS High-level summary reports of accidents and incidents occurring on buses and trains and all regulatory reports.	OPM4110	OPM3002	2	1	3	3	OPERATIONS/ SAFETY	EL	C, I	OPM	Citation: CCP 338

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OPM4000 Accident and Incident Records	OPERATIONS CONTROL CENTER RECORDINGS Data collected by Central Control. Includes data routinely collected daily, and functional data recorded on ATMS System. Includes records formerly in OPM4210 and OPM4330	OPM4200	OPM4000, OPM4210, OPM4330, OPM4002	UCP	NA	1	1	OPERATIONS CONTROL CENTERS	EL	C, I, SS, AV	OPM	Citation: CA GC 34090.6, CA GC 53160
OPM4000 Accident and Incident Records	MAJOR INCIDENT RECORDINGS Data collected by Central Control related to serious accidents and incidents - Recorded on ATMS System. Tapes of telephone conversations regarding serious accidents and incidents. Accident and incident records preserved by video recording systems on buses, rail cars, and at stations and facilities. Includes records formerly in OPM4340 and OPM4360	OPM4220	OPM4001, OPM4340, OPM4003, OPM4360	2	NA	2	2	OPERATIONS CONTROL CENTERS	EL, Recordings which are evidence in a claim or litigation must be retained until litigation is resolved. Tape is overwritten every 72 hours.	C, SS, I, AV	OPM	Tape is overwritten every 72 hours. Only the portion of a recording reported as an incident is preserved. Citation: CA GC 34090.6 "In the event that the recordings are evidence in any claim filed or any pending litigation, they shall be preserved until pending litigation is resolved."
OPM5000 Vehicle Maintenance Records	VEHICLE MAINTENANCE, INSPECTION, AND DEFECT REORDS Revenue and non-revenue vehicle (including tow trucks and forklifts) maintenance records. Records of periodic inspections of coaches/cars, preventative maintenance, unscheduled repairs, and modifications to equipment - current and historical. Includes cards filled out by operator noting defects and annotated by Mechanics with indication of repair. INCLUDES RECORDS FORMERLY IN OPM5500, OPM5600 and OPM5700.	OPM5100	OPM5000, OPM5500, OPM5002, OPM5600, OPM5003, OPM5700, OPM5004	3	18	LOV+3	LOV+3	OPERATIONS MAINTENANCE , OPERATIONS DIVISIONS MAINTENANCE	If Life of Vehicle is unknown, destroy records after 20 years.		OPM	Citation: 8 CAL Code Reg. 3203 (b) (1)
OPM5000 Vehicle Maintenance Records	BUS ACCEPTANCE DOCUMENTS Records of acceptance of each new bus; documentation checklist, NABI documentation list, NABI working notes, MTA documentation list, and MTA working notes.	OPM5200	OPM5008	6	14		20	OPERATIONS MAINTENANCE			OPM	
OPM5000 Vehicle Maintenance Records	BUS WARRANTY FILES Records of warranty arrangements, warranty claims and warranty coverage and repair documentation and invoices.	OPM5300		7	LOV+4		LOV+4	OPERATIONS MAINTENANCE			OPM	

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OPM5000 Vehicle Maintenance Records	OPERATIONS EQUIPMENT DAMAGE RPT Hard copy reports on damages to buses and trains.	OPM5400	OPM5001	1	5		6	OPERATIONS MAINTENANCE			OPM	
OPM5000 Vehicle Maintenance Records	ROAD FAILURE TREND ANALYSIS (33-72) Statistical report of road failures of revenue vehicles.	OPM5800	OPM5005	1	NA		1	OPERATIONS DIVISIONS MAINTENANCE			OPM	
OPM5000 Vehicle Maintenance Records	ROAD FAILURE REPORTS & SUMMARIES (Road Call) Individual and summarized reports of revenue vehicles road failures.	OPM5810	OPM5006	1	6		7	OPERATIONS DIVISIONS MAINTENANCE			OPM	
OPM3000 Operations and Maintenance Records	OPERATIONS TRAINING RECORDS Training files including records related to the program for periodic instruction of railroad employees, including program amendments. Also includes basic operator training, maintenance training, division support, TOS training, course materials, and training manuals. INCLUDES RECORDS FORMERLY IN OPM3100 and OPM5920. Records documenting each operator's training and certification are retained in HUM3100.	OPM5910	OPM3000, OPEM3100, OPM5007, OPM5920	US	NA	US+10	US+10	OPERATIONS DIVISIONS TRANSPORTATION	EL, Keep original hardcopy in office storage for 18 months after they have been imaged		OPM	
OPM6000 Transit Police	TRANSIT SECURITY GENERAL RECORDS Records pertaining to activities of the Transit Security.	OPM6100	OPM6000	2	4		6	SYSTEM SECURITY & LAW ENFORCEMENT		C, I	SSLE	
OPM6000 Transit Police	TRANSIT SECURITY DISPATCH RECORDINGS Dispatched audio recording of incidents.	OPM6200	OPM6001	EL	NA	4 MO	4 MO	SYSTEM SECURITY & LAW ENFORCEMENT	EL	C, I	SSLE	
OPM7000 Congestion Relief	SAFE RECORDS Records related to Freeway Service Patrol, 511, Call boxes, RIITS and Metro Express Lanes.	OPM7100	OPM7000	2	IND		IND	MOTORIST SERVICES			OPM	
OPM7000 Congestion Relief	MOTORIST ASSIST FORMS – SCANNED Forms recording assistance provided to individual motorists.	OPM7110	OPM7001	1 MO	11 MO		1	MOTORIST SERVICES		C	OPM	

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OPM8000 Rail Maintenance	SIGNAL & COMMUNICATION FILES Records related to inspection, maintenance and testing of grade crossing signals.	OPM8100		3	1		4	OPERATIONS DIVISIONS MAINTENANCE RAIL			PL	
PPA1000 Transportation Planning	SCAG OVERALL WORK PROJECT PLAN Records pertaining to transportation projects approved and monitored by SCAG.	PPA1010	PPA1000	3	NA		3	COUNTYWIDE PLANNING & DEV.	PA		PL	
PPA1000 Transportation Planning	REGIONAL TRANSPORTATION PLANS Regional transportation plans for all modes.	PPA1100		3	UCP		PE	COUNTYWIDE PLANNING & DEV.	PA - For Archival review every 30 years.			Citation: CA GC 34090
PPA1000 Transportation Planning	MTA TRANSPORTATION SUPPORT DOCUMENTATION Working papers and support documents for regional transportation plan.	PPA1110		ACT	3		ACT+3	COUNTYWIDE PLANNING & DEV.	PA, GR			Citation: CA GC 34090
PPA1000 Transportation Planning	MATERIALS FOR QUARTERLY REPORT FOR COUNTYWIDE PLANNING (Back-up material) Documents used to prepare Countywide Planning & Programming sections quarterly status reports.	PPA1300		1	2		3	COUNTYWIDE PLANNING & DEV.			PL	
PPA2000 Transportation Project Programming	TRANSPORTATION AND JOINT DEVELOPMENT PROJECT FILES Planning project files (Call For Projects and Non-Call for Projects) for multiple modes including highway, bikeway, and rail containing environmental reports conceptual studies, feasibility studies, correspondences, moves, project application materials (studies, surveys and pictures), etc. Includes records pertaining to the MTA's partnering with other organizations to develop property near its stations or other transportation elements. INCLUDES RECORDS FORMERLY IN ACC4340 AND PPA2110	PPA2100	PPA1001, PPA2100, PPA2110, AC4340, LEG2004	UCP	UCP+10	IND	IND	COUNTYWIDE PLANNING & DEV.	EL, GR, PA Keep original hardcopy in off-site storage for 10-years after they have been imaged		PL	
PPA2000 Transportation Project Programming	LOCAL TRANSIT FILES (MUNI & CITY FILES) Local city file containing proposition A&C memoranda of understanding; TDA/STA claims; Section 9/n. D.T.I performance audits; SRTDS; State Control Reports, etc.	PPA2200		3	UCP	IND	IND	COUNTYWIDE PLANNING & DEV.	PA - For Archival review every 30 years.		PL	

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PPA2000 Transportation Project Programming	IMMEDIATE NEEDS PROGRAM FILES Immediate needs program records (include trip information, trip summaries, funding authorizations, invoices, and vouchers) documenting the program that distributes taxi vouchers and bus tokens to those with transportation needs and no other means to meet them.	PPA2210		ACT+1	2		ACT+3	COUNTYWIDE PLANNING & DEV.				
PPA3000 Transportation Systems Analysis	TRANSPORTATION SYSTEM ANALYSIS AND NATIONAL DATABASE Records pertaining to the development and publishing of analytical transportation studies and models. Also includes documents used to provide statistical transportation data to the National Transportation Database. INCLUDES RECORDS FORMERLY IN PPA3200	PPA3100	PPA1001, PPA3200	3	UCP	IND	IND	COUNTYWIDE PLANNING & DEV.	PA, GR		PL	
PPA3000 Transportation Systems Analysis	TRANSPORTATION MODELING RECORDS Print outs of data describing alternative transportation forecast.	PPA3300		ACT+1	20		20	COUNTYWIDE PLANNING & DEV.			PL	
PUB1000 Public Affairs	PUBLIC AFFAIRS/COMMUNITY RELATIONS RECORDS All records related to Public Relations. Includes records of public meetings held to discuss transportation issues and changes, letters received from the public regarding transportation issues and changes, Photo release, press release, and model release forms, including consent agreement forms produced by multiple departments. Includes project notifications on Metro websites and electronic/email project newsletters. INCLUDES RECORDS FORMERLY IN PUB1200, PUB1300 and PUB3000	PUB1100	PUB1000, PUB1200, PUB1001, PUB1300, PUB1002, PUB 3000	3	UCP	IND	IND	MULTIPLE	GR, PA - For Archival review every 30 years.		MUL	
PUB1000 Public Affairs	PUBLIC COMMENT/COMPLAINT RECORDS Transit service related comments, commendations, and complaints	PUB1500		5	5		10	CUSTOMER SERVICE	EL. Retain paper in Dept 5 years and 5 years offsite.			
PUB2000 Public Affairs	GOVERNMENT RELATIONS RECORDS Records related to the MTA's relations with local, state, and federal government officials and bodies.	PUB2000	PUB2000	5	NA		5	GOVERNMENT RELATIONS	PA		COM	

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PUB4000 Public Affairs	INTERNAL COMMUNICATIONS EMPLOYEE NEWSLETTERS/ALL STAFF MEMOS Newsletters and memos distributed to all staff and/or special employee groups. MYMETRO.NET Documents posted on the Intranet that are internal communications to staff in the following categories: Headline news stories and photos, CEO hotline, news releases, employee policies and instructions. CONTAINS RECORDS FORMERLY IN ADM6135	PUB4000	PUB4000	3	UCP	IND	IND	MULTIPLE	EL, PA - For Archival review every 30 years.			
PUB5000 Public Affairs	ART COLLECTION DATABASES/RECORDS Records of special art fabricator specifications, conservator reports, inventory assessments/surveys and financial appraisals. Public and portable artworks.	PUB5100		UCP	NA	IND	IND	METRO ART	EL, PA - For Archival review every 30 years.		MUL	

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Document Revision History

Original – ADOPTED BY THE BOARD OF DIRECTORS, 05/24/1995

- REV. 1 – APPROVED BY THE BOARD OF DIRECTORS, 05/24/1996
- REV. 2 – APPROVED BY THE BOARD OF DIRECTORS, 06/25/1997
- REV. 3 – APPROVED BY THE BOARD OF DIRECTORS, 09/23/1998
- REV. 4 – APPROVED BY THE BOARD OF DIRECTORS, 09/23/1999
- REV. 5 – APPROVED BY THE BOARD OF DIRECTORS, 03/22/2001
- REV. 6 – APPROVED BY THE BOARD OF DIRECTORS, 09/26/2002
- Rev. 7 – APPROVED BY CHIEF EXECUTIVE OFFICER, 10/08/2003
- Rev. 8 – APPROVED BY CHIEF EXECUTIVE OFFICER, 06/29/2004
- Rev. 9 – APPROVED BY THE BOARD OF DIRECTORS, 12/13/2004
- Rev. 10 – APPROVED BY CHIEF EXECUTIVE OFFICER, 04/05/2005
- Rev. 11 – APPROVED BY CHIEF EXECUTIVE OFFICER, 06/14/2006
- Rev. 12 – APPROVED BY CHIEF EXECUTIVE OFFICER, 07/10/2008
- Rev. 13 – APPROVED BY CHIEF EXECUTIVE OFFICER, 10/21/2008
- Rev. 14 – APPROVED BY CHIEF EXECUTIVE OFFICER, 10/17/2010
- Rev. 15 – APPROVED BY CHIEF EXECUTIVE OFFICER, 7/14/2011
- Rev. 16 – APPROVED BY CHIEF EXECUTIVE OFFICER, 5/25/2012
- Rev. 17 – APPROVED BY CHIEF EXECUTIVE OFFICER, 8/27/2013
- Rev. 18 – APPROVED BY CHIEF EXECUTIVE OFFICER, 4/06/2015

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SPECIAL RECORDS CATEGORIES

C - Confidential Records (Records received by Metro with the intention that Metro used without any transfer of ownership as a result of the nature of the records.)

DR - Records Stored Offsite for Disaster Recovery (Backed-up data, systems and application records).

I - Investigative Records (Investigation information and data relating to incidents or accidents on all Metro vehicles and facilities)

N - Internal Negotiation Records

P - Privileged Records (Communication from Legal Counsel to the Board of Director).

SS - Security Sensitive Records (Facility records, transportation systems, communication or security systems and all other systems).

TS - Procurement/Trade Secret (Formulas, plan, patterns, process, tool, mechanism, compound, procedure, production data or compilation of information which is not patented.)

US - Until Superseded or obsolete

V - Vital Business Record

2021 LACMTA RETENTION SCHEDULE

Records which Metro no longer creates or manages which were removed from the schedule.

I. Control/Input Documents

RECORD SERIES	RECORD CATEGORY NAME & DESCRIPTION	RECORD CODE	OFFICE OF RECORD	YRS ACTIVE	YRS INACTIVE	TOTAL YRS
ADM6000 Computer Related Administrative Records	CONTROL/INPUT DOCUMENTS Documents used by staff to input data into a computer, to verify that input, or to track the status of a database.	ADM6200	Multiple	UV*	NA	UV

*UV = Until Verified

Reason for removal:

Each department inputting data into a database system has a more specific retention period based on the type of data and/or project it supports, therefore this series is no longer needed.

II. Informal Meeting Agendas/Minutes

RECORD SERIES	RECORD CATEGORY NAME & DESCRIPTION	RECORD CODE	OFFICE OF RECORD	YRS ACTIVE	YRS INACTIVE	TOTAL YRS
LEG1000 Business Organization	INFORMAL MEETING AGENDAS/MINUTES Minutes of informal or unofficial committee meetings. Including audio recordings	LEG1400	Multiple	3	IND*	IND

*IND = Indefinite

Reason for removal:

The Brown act prohibits a majority of the Board from gathering together to discuss LACMTA matters outside of formal meetings, and requires Board members to guard against discussing LACMTA matters in informal settings. Meetings with Agendas and Minutes documenting LACMTA business would be considered formal meetings and these records are retained under LEG1200 (Board & Formal Committee Meeting Records) or LEG1220 (Confidential Board & Committee Meeting Records)

III. County Counsel Records

RECORD SERIES	RECORD CATEGORY NAME & DESCRIPTION	RECORD CODE	OFFICE OF RECORD	YRS ACTIVE	YRS INACTIVE	TOTAL YRS
LEG5000 Legal Compliance	COUNTY COUNSEL ELECTRONIC RECORDS: LEGAL CORRESPONDENCE RECORDS Imaged official legal correspondence created to substantiate the rights, obligation and interests of public transportation system, employees and client. LEGAL DOCUMENT RECORDS Imaged records related to court proceedings for County Counsel. PLEADINGS Imaged court records of litigation and court documentation for County Counsel	LEG5800	County Counsel	ACT*	ACT+6	ACT+6
LEG5000 Legal Compliance	LEGAL PROJECT FILES Records related to determining legal requirements and providing legal advice for the agency.	LEG6000	County Counsel	ACT	10	ACT+10
LEG5000 Legal Compliance	LEGAL OPINIONS Records that document specific legal advice provided.	LEG6010	County Counsel	IND	N/A	IND
LEG5000 Legal Compliance	EVIDENCE CASE FILES Legal cases that have historical value and contain evidence.	LEG6020	County Counsel	ACT	20	ACT+20

*ACT = Active

Reason for removal:

These records were added when Metro started scanning County Counsel Records. Shortly after this program started, it was cancelled with internal organizational changes by County Counsel. County Counsel manages its records independently of Metro.

IV. Operations Contract Records

RECORD SERIES	RECORD CATEGORY NAME & DESCRIPTION	RECORD CODE	OFFICE OF RECORD	YRS ACTIVE	YRS INACTIVE	TOTAL YRS
OPM5000 Vehicle Maintenance Records	OPERATIONS CONTRACT RECORDS Imaged contracts	OPM5930	Operations Central Construction	ACT	N/A	ACT+3

Reason for removal:

The Records Management Center has no records in this category. Additionally, contracts are managed in a dedicated category, CON1200 (Executed Contracts)

V. Quarterly Report for Countywide Planning

RECORD SERIES	RECORD CATEGORY NAME & DESCRIPTION	RECORD CODE	OFFICE OF RECORD	YRS ACTIVE	YRS INACTIVE	TOTAL YRS
PPA1000 Transportation Planning	QUARTERLY REPORT FOR COUNTY WIDE PLANNING Countywide Planning and Programming section quarterly status reports.	PPA1200	Countywide Planning & Dev.	3	IND	IND

Reason for removal:

These reports are for the Board of Directors and are included in Board Reports. We have a separate retention category for retention of Board Reports (LEG1200 – board and Formal Committee Meeting Records). Managing Countywide Planning’s Quarterly Reports in an additional, stand-alone category is duplicative.

VI. Benefit Assessment Files

RECORD SERIES	RECORD CATEGORY NAME & DESCRIPTION	RECORD CODE	OFFICE OF RECORD	YRS ACTIVE	YRS INACTIVE	TOTAL YRS
PPA4000 Benefits Assessment	BENEFIT ASSESSMENT ADMIN FILES Records pertaining to the assessment of a fee on property benefiting from transportation improvements.	PPA4100	Countywide Planning/Real Estate	ACT+1	UCP*	IND
PPA4000 Benefits Assessment	BENEFIT ASSESSMENT CASE FILES Records pertaining to the disposition of individual property owners contesting their benefit assessment.	PPA4200	Countywide Planning/Real Estate	ACT+4	UCP	IND

*UCP = Until Captured on electronic media

Reason for removal:

The category is obsolete, as Metro no longer uses Benefit Assessment Districts. There are 59 boxes from 1984-1996 in off-site storage which will be retained indefinitely. Destruction of these records would require archival review, and approval if destruction is recommended.

**Board Report**

File #: 2021-0409, **File Type:** Agreement**Agenda Number:** 31.

**EXECUTIVE MANAGEMENT COMMITTEE
JULY 15, 2021****SUBJECT: PARTNERSHIP FOR HOUSING ACCELERATION****ACTION: APPROVE RECOMMENDATION****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute a Memorandum of Understanding between the Southern California Association of Governments and Metro for reimbursement of up to \$1,600,000 for work associated with the implementation of the updated Joint Development Policy, the proposed Housing Lab, and accelerating the production of housing through the Joint Development program.

ISSUE

The Board of Directors adopted an updated Joint Development (JD) Policy in June 2021 in order to streamline JD projects, bolster Metro's commitment to affordable housing, and encourage innovation around housing and equity. Housing affordability is a state-wide issue, and the Southern California Area of Governments (SCAG) is funding regional partners to complete planning activities that will accelerate housing production with funds made available by the State of California. The opportunity is well-timed to expedite the implementation of the JD Policy. To that end, SCAG and Metro have negotiated a scope of work in which SCAG will reimburse Metro for up to \$1,600,000 for work associated with the implementation of the updated JD Policy, the proposed Housing Lab, and other work associated with accelerating the production of housing.

BACKGROUND

The JD Policy was updated in June 2021 in order to address the worsening issues of housing undersupply, affordability and homelessness in LA County. The new JD Policy proposes a Housing Lab to encourage innovation around housing and equity, a new methodology for ensuring neighborhood stabilization and housing alignment, and a system of metrics for measuring policy outcomes.

The State of California 2019-20 Budget Act, also known as Assembly Bill (AB) 101, appropriated a new one-time program to fund planning activities that enable regions and jurisdictions to accelerate housing production and meet housing needs established by the Regional Housing Needs Assessment (RHNA). Under the Regional Early Action Planning (REAP) Program, SCAG and other designated councils of governments design their program frameworks for implementation of eligible REAP planning activities supporting regional policy objectives to accelerate housing production.

DISCUSSION

Metro and SCAG staff have developed a scope of work aimed at expediting implementation of key elements of the JD Policy including strategic planning, advanced feasibility studies, community outreach, surveys and metrics, and the Housing Lab. A Memorandum of Understanding (MOU) is required to authorize the formal partnership and scope of work between SCAG and Metro and to facilitate the transfer of grant funds. The grant will pay for two temporary fellowship positions as well as consultant costs to complete the following scope of work:

- A Strategic Plan will identify Metro's JD priorities for the next five to ten years and identify the resources and steps required to accelerate equitable development.
- A Parking and Station Access Strategy will evaluate station access along a transit corridor as a whole, allocating parking holistically to unlock more Metro land for housing
- Advanced Feasibility Studies for specific JD sites will provide additional analysis on market conditions and zoning requirements at the time of site selection.
- Asset Mapping to help Metro better understand opportunities to build on existing community resources in JD projects.
- Neighborhood AMI Methodology will analyze incomes and prevailing market rents for neighborhoods in which projects are proposed, with the goal of delivering units that would be affordable to people who live in the neighborhood.
- A System of Metrics and Housing Dashboard will help to measure the true benefit of transit-oriented housing through an annual tenant survey that would enable JD to track metrics such as transit use, demographic data (as allowed/feasible), and empirical data on the effectiveness of the JD program.
- The Housing Lab will explore housing innovations on a pilot basis to test new methods for achieving outcomes faster, more efficiently, and more equitably. Strategies may include land banking, community land trusts, partnerships to finance preservation or construction of moderate-income housing, modular/ prefab technologies, and alternate typologies such as micro-units and co-housing.

The period of performance under the grant is from the date of execution to June 30, 2023. The MOU requires quarterly and annual reporting along with a project close-out report.

DETERMINATION OF SAFETY IMPACT

The recommended action will not have any direct impact on safety.

FINANCIAL IMPACT

The recommended action has been budgeted in the 2022 Fiscal Year and will be reimbursed by the SCAG REAP Program. Since this is a multiyear program, the Chief Planning Manager, Project Manager, and Cost Center Manager will be responsible and accountable for budgeting the remaining program funds in subsequent fiscal years. The 2022 Fiscal Year funds will be programmed in the Joint Development Cost Center, 2210, in Project 610011. A new Task Number will be created to track the programmed funds.

Impact to Budget

The source of funds for the Housing Lab are provided by SCAG through the REAP Program and are not eligible for bus/rail operations or capital expenses. The recommended action will have no impact on the 2022 Fiscal Year budget.

EQUITY PLATFORM

One of the most powerful ways Metro can improve Angelenos' access to opportunity is by leveraging Metro property for housing and other community benefits. Funding through the SCAG grant will accelerate Metro's delivery of housing and community benefits under the updated Joint Development Policy.

The Partnership for Housing Acceleration aims to accelerate delivery of income-restricted housing throughout LA County as means to alleviating the structural inequities that are exacerbated by the regional housing shortage. The strategic planning efforts will also prioritize the needs of historically underserved communities by prioritizing the JD work program according to equity focus communities, communities at risk of gentrification, and areas with greater access to opportunity. Consistent with the JD Policy, projects that are prioritized through the strategic planning effort will be carefully considered and designed in partnership with the surrounding community, to elevate projects that will uplift and enhance communities and, as much as possible, reduce historic burdens or harm.

Community outreach and asset mapping will be prioritized in the work, with the goal to proactively avoid any potential negative consequences to communities. The Neighborhood AMI methodology, introduced in the adopted Joint Development Policy, combined with this Partnership strategic planning will facilitate, prioritize low-income communities and communities of color and seek to providing housing units that are accessible to the pre-existing communities in which projects are built and to stabilize rather than gentrify neighborhoods. Data collection and reporting will verify the impacts of the work and allow for iterative changes to focus benefits for marginalized groups.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The partnership for housing acceleration is fulfilling Strategic Plan Goal 3.2 by seeking to catalyze TOCs with affordable housing and stabilize neighborhoods, and Goal 3.4 by playing a leadership role in addressing homelessness.

NEXT STEPS

Staff will finalize and negotiate the attached form of MOU, set up accounting and reporting procedures consistent with the MOU requirements, and seek to fill the fellowship positions.

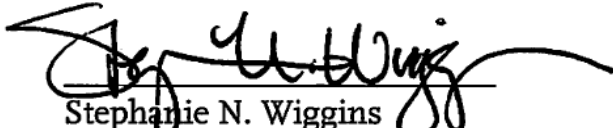
ATTACHMENTS

Attachment A - REAP Funding Memorandum of Understanding

Prepared by: Marie Sullivan, Manager, Countywide Planning & Development, (213) 922-2556
Wells Lawson, DEO, Countywide Planning & Development, (213) 922-7217

Nick Saponara, EO, Countywide Planning & Development, (213) 922-4313
Holly Rockwell, SEO - Real Estate, Transit Oriented Communities and Transportation
Demand Management, (213) 922-5585

Reviewed by: James de la Loza, Chief Planning Officer, (213) 922-2920



Stephanie N. Wiggins
Chief Executive Officer

MEMORANDUM OF UNDERSTANDING

SCAG Overall Work Program (OWP) No: 300-4872Y0.03

Federal/State Awarding Agency: State of California, Department of Housing and Community Development

Sub-Recipient Name: Los Angeles County Metropolitan Transportation Authority

Total Amount of Federal Funds Obligated to the Sub-Recipient: \$0

Total Amount of Non-Federal Funds Obligated to the Sub-Recipient: \$1,600,000

Total Amount of the Sub-Award: \$1,600,000

Subaward Period of Performance Start Date: September 3, 2021

Subaward Period of Performance End Date: June 30, 2023

Type of Contract: Project Specific

Method of Payment: See Section 6 of this MOU

Subaward Project Title: PARTNERSHIP FOR HOUSING ACCELERATION - REGIONAL EARLY ACTION PLANNING (REAP) GRANT PARTNERSHIPS AND OUTREACH

Subaward Project Description: Regional Early Action Planning (REAP) Grant Partnerships and Outreach will utilize REAP funding to implement planning projects to further the development of housing within the Los Angeles County jurisdiction.

Metro's Joint Development (JD) portfolio will grow rapidly over the next decade with the acquisition of properties for new transit lines throughout LA County. It is anticipated that more than 40 new sites will join the JD portfolio, effectively doubling its size. This large influx of sites represents a key opportunity to build up to 10,000 units of transit-adjacent housing, but will require robust, strategic planning to accelerate the delivery of units as these sites come online.

Support for planning and process improvements is needed within the JD team to ensure that Metro is able to develop and implement a strategic plan to accelerate the delivery of affordable housing on its incoming properties. In support of these efforts, Metro JD proposes two, two-year fellowship positions, one at a senior level, (the Senior Fellow) and one at a junior level (the Junior Fellow), as well as consultant support providing technical and strategic advisory services as needed.

MEMORANDUM OF UNDERSTANDING

BETWEEN THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS AND Los Angeles County Metropolitan Transportation Authority FOR Partnership for Housing Acceleration

(SCAG Project/OWP No. 300-4872Y0.03)

This Memorandum of Understanding (“MOU” or “Agreement”) is by and between the **Southern California Association of Governments** (“SCAG”) and the Los Angeles County Metropolitan Transportation Authority (“Sub-Recipient”), for the Partnership for Housing Acceleration, subsequently herein referred to as “Project.” SCAG and the Sub-Recipient are individually referred to herein as “Party” and may be collectively referred to herein as “Parties.”

RECITALS

WHEREAS, SCAG is a Joint Powers Agency and a federally designated Metropolitan Planning Organization (MPO) for Southern California. As an MPO, SCAG is primarily responsible for the development of a Regional Transportation Plan/Sustainable Communities Strategy (“RTP/SCS”) for the counties of Imperial, Los Angeles, Orange, San Bernardino, Riverside, and Ventura;

WHEREAS, the State of California (the “State”), Department of Housing and Community Development (“Department”) is authorized to provide up to \$47,471,023 (the “Full Funding Amount”) to SCAG under the Regional Early Action Planning Grant Program (the “REAP Program”), the regional component of the Local Government Planning Support Grants Program (as described in Health and Safety Code section 50515.02);

WHEREAS, based on SCAG’s Regional Council action at its March 5, 2020 meeting, of the authorized Full Funding Amount, approximately up to \$23 million will be allocated to fund subregional partnership projects for planning activities that will accelerate housing production and facilitate compliance in implementing the Sixth Cycle of Regional Housing Needs Allocation (“RHNA”) (the “Subregional Partnership Program”), and the funding amount available for each subregional partner will be based on the final Sixth Cycle of RHNA allocation;

WHEREAS, on September 3, 2020, SCAG’s Regional Council approved Subregional Partnership Program Guidelines (the “Guidelines”) and authorized SCAG’s Executive Director or his designee to enter into agreements with the designated subregional partner under the REAP Program;

WHEREAS, the Sub-Recipient, as the designated subregional partner, developed and submitted their proposals consistent with the Subregional Partnership Program Guidelines (“Project”) and SCAG reviewed and approved the Project;

WHEREAS, pursuant to its annual Overall Work Program (“OWP”), SCAG will be engaged in activities and projects that will require certain technical, professional, or support services from time to time related to its work regarding the Subregional Partnership Program;

WHEREAS, the purpose of this MOU is to describe the responsibilities of the Parties, which includes SCAG to provide funding for the Project;

WHEREAS, SCAG, for the benefit of the Project, will hire a consultant (“Consultant”) to perform the services required for the Project as described in the REAP Subregional Partnership Program application (“Scope of Work”);

WHEREAS, consistent with the funding schedule in the Subregional Partnership Program Guidelines, SCAG shall contribute a maximum, not to exceed full suballocation amount of state funds for the Project as detailed in Section 5 (Funding Requirements) (“Grant Funds”). The Grant Funds include funding to be utilized by SCAG for the procurement of the Consultant, and for payments to the Consultant under SCAG’s contract with the Consultant. Section 6 (Compensation) specifies the amount of Grant Funds to be provided directly to Sub-Recipient.

WHEREAS, the Sub-Recipient’s designated project manager, in coordination with SCAG’s designated project manager, will ensure the Scope of Work is performed by the Consultant;

WHEREAS, subject to the conditions described in the Subregional Partnership Program Guidelines, reimbursable activities by the Sub-Recipient and Consultant will begin on September 3, 2020, and shall be completed by June 30, 2023;

WHEREAS, this MOU shall supersede and replace any previous agreements or negotiations between SCAG and the Sub-Recipient related to the Project described herein; and

WHEREAS, SCAG’s Fiscal Year is from July 1 through June 30.

NOW THEREFORE, IT IS MUTUALLY AGREED THAT:

1. MOU Contents

This MOU is comprised of these terms and conditions and any attached Exhibits and may be amended only by written agreement between SCAG and the Sub-Recipient. The Recitals to this Agreement are also incorporated herein by this reference.

2. Scope of Work

- a. The Sub-Recipient shall perform its duties under the Scope of Work and under this MOU, in accordance with applicable State requirements, and the provisions of this MOU.
- b. SCAG shall only be obligated to make payments to the Sub-Recipient from REAP Program funding that SCAG actually receives and only for work performed as part of the Scope of Work regarding the Project. SCAG intends to use state funds to meet its funding obligations described herein.
- c. The Sub-Recipient shall use the Grant Funds to perform its duties in accordance with the approved Scope of Work as contained in the timeline and budget and related information outlined in the Subregional Partnership Program application and any subsequent applications.

- d. The Sub-Recipient has requested that SCAG procure a Consultant for the benefit of the Project. SCAG will enter into a contract with the selected Consultant.
- e. If SCAG is able to contract for services at a lower cost than outlined in Sub-Recipient's Subregional Partnership Program application and approved Scope of Work budget, including any contingency retained by SCAG for Consultant costs, the remaining funds may be used to fund other REAP programs by SCAG. The Sub-Recipient shall have the opportunity to submit a revised Scope of Work Approval form detailing a proposed use for the remaining funds within 30 days of execution of the contract creating the cost savings. The proposed use is subject to approval by the SCAG Project Manager, and must be proposed to fund meaningful work which adheres to the guidelines.
- f. The approved Scope of Work shall be documented using the Scope of Work Approval Form, attached hereto as "Exhibit A" and incorporated herein by this reference and subsequently herein referred to "Approval Form." The completed Approval Form must be signed and agreed upon by Subrecipient Project Manager and SCAG Project Manager, prior to the performance of the Scope of Work. The completed Approval Form may be signed by way of a manual or authorized digital signature, or a signature stamp. The completed Approval Form may be amended subject to approval by SCAG. No alteration or deviation of the Scope of Work shall be valid unless the completed Approval Form is amended and properly signed and agreed upon by both Parties.
- g. The Sub Recipient's Scope of Work includes, but is not limited to, the following activities that shall be carried out in coordination with SCAG.
 - i. Draft all scopes for the Project work;
 - ii. Act as Project manager (PM) point of contact for procurements (with SCAG Analyst);
 - iii. Write and negotiate the final Task Order/Notice to Proceed for the Consultant;
 - iv. Direct the work of the Consultant;
 - v. Review and approve Consultant invoices prior to submission to SCAG;
 - vi. Reporting/invoicing as necessary.
- h. Following execution of the contract between the SCAG and the Consultant, the Sub-Recipient shall be responsible, in consultation with SCAG, for overseeing and managing the Consultant's activities in performing the Scope of Work, and the Consultant's compliance with its obligations under the Consultant's contract with SCAG. Each Party's Project Manager shall review and approve Consultant's invoices.
- i. The Sub-Recipient's Project Manager shall be responsible for final approval of Consultant's deliverables consistent with the Scope of Work; provided, however, that prior to approving a deliverable from the Consultant, the Sub-Recipient's Project Manager shall consult with SCAG's Project Manager.
- j. In the event that the Sub-Recipient believes an amendment to the Consultant contract is required, the Sub-Recipient shall notify SCAG's Project Manager in writing of the recommended changes and basis therefor. Any decision to amend the Consultant contract shall be made by SCAG, in its sole discretion. Sub-Recipient shall have no authority to promise or execute any such amendment, and Sub-Recipient shall not make any representations to the Consultant regarding a proposed amendment.

- k. The Sub-Recipient shall provide SCAG with quarterly reports and a final report as specified in Section 7 of this MOU.
- l. The Sub-Recipient agrees that SCAG, or its authorized representative(s), shall have access to and the right to examine, audit, excerpt, copy or transcribe any pertinent transaction, activity, or record relating to this Agreement. All such material shall be kept and maintained by the Sub-Recipient and shall be made available to SCAG during the term of this Agreement unless SCAG's advance written permission is given to dispose of any such material.

3. Term

The Term of this Agreement shall begin on the Effective Date of the Agreement and continue until June 30, 2023, hereinafter referred to as the "Completion Date," unless terminated earlier as provided herein. Time is of the essence in the performance of services under this MOU.

4. Program Management

- a. All work under this MOU shall be coordinated with SCAG and the Sub-Recipient through the Project Managers.
- b. For purposes of this MOU, SCAG designates the following individual as its Project Manager:

Ma'Ayn Johnson
Housing Program Manager
(213) 236-1975
johnson@scag.ca.gov

SCAG reserves the right to change this designation upon written notice to the Sub-Recipient.

- c. For purposes of this MOU, the Sub-Recipient designates the following individual as its Project Manager:

Wells Lawson
Deputy Executive Officer, Joint Development
(213)-922-7217
LawsonW@metro.net

The Sub-Recipient reserves the right to change this designation upon written notice to SCAG.

5. Funding

- a. SCAG's contribution to the Project is funded wholly with state REAP Program funds, in an amount not to exceed one million six hundred thousand Dollars (\$1,600,000), which amount includes the funds to be paid by SCAG to the Consultant. SCAG shall not be obligated to make payments for any Project costs that exceed one million six hundred thousand Dollars (\$1,600,000).

- b. SCAG reserves the right, in its sole discretion, to discontinue funding the Program and terminate the contract as described in Section 22 of this MOU.
- c. Any costs for which the Sub-Recipient receives reimbursement or credit that is determined by a subsequent audit or other review by either SCAG, the Department or other State authorities to be ineligible or otherwise unallowable, are to be repaid by the Sub-Recipient within thirty (30) calendar days of the Sub-Recipient receiving notice of audit findings and a written demand for reimbursement from SCAG. Such repayment shall include interest, penalties or related fees, as determined by the Department or other State authorities. Should the Sub-Recipient fail to reimburse unallowable costs due to SCAG within thirty (30) calendar days of demand, or within such other period as may be agreed between both parties hereto, SCAG is authorized to withhold future payments due to the Sub-Recipient.

6. Compensation

- a. The maximum amount payable to Sub-Recipient under this Agreement, including all expenses, shall not exceed \$1,600,000, subject to Sections 3 (Term) and 5 (Funding Requirements) of this Agreement. SCAG shall not be obligated to make payments to Sub-Recipient under this Agreement for any costs that exceed the foregoing sum.
- b. This is a Lump Sum with Milestone/Progress Payment Agreement. Sub-Recipient shall be paid based upon completion of deliverables as outlined in the Scope of Work Approval Form.

7. Invoices and Progress Reports

- a. SCAG's contribution to the Project shall be made on a reimbursement basis to the Sub-Recipient after the Sub-Recipient has performed the services made pursuant to the Scope of Work, and as direct payments to the Consultant under SCAG's contract with the Consultant. All invoices submitted to SCAG for payment shall be e-mailed to accountspayable@scag.ca.gov (file cannot exceed 10MB) and SCAG Project Manager.
- b. Not less frequently than once in every month, the Sub-Recipient shall submit an invoice to SCAG using the Invoice Report, attached hereto and incorporated herein by this reference and subsequently herein referred to as "Exhibit B." SCAG shall reimburse the Sub-Recipient for paid Staff charges. The Invoice Report shall be accompanied by the attachments noted on the Invoicing Checklist and shall include a narrative description of the progress towards completion of tasks related to the Project, along with copies of paid Staff charges and a proof of the payments.
- c. The Invoice Report shall include the following information:
 - 1) Names of Sub-Recipient personnel performing Project work
 - 2) Dates and times of Project work
 - 3) Location of Project work
 - 4) Itemized costs, including identification of each employee, contractor or subcontractor staff who provided services during the period of the invoice, the number of hours and hourly rates for each such employee, including timesheets showing charges to the Project; invoices and vouchers, evidencing in proper detail the nature of the charges, and other documentation requested by SCAG; contractor or subcontractor staff member, authorized travel expenses with receipts, receipts for authorized materials or supplies, and subcontractor invoices.

- 5) The Sub-Recipient shall submit narrative reports indicating percentage of completion with each set of invoices to allow the SCAG's Project Manager to determine if the Sub-Recipient is performing to expectations, is on schedule, is within funding limitations, as well as to communicate interim findings, and to afford occasions for airing difficulties respecting special problems encountered so that remedies can be developed.
- d. Incomplete or inaccurate invoices shall be returned to the Sub-Recipient unapproved for correction.
 - e. All direct costs billed must be specifically identified and supported with original receipts, invoices, or statements. Travel expenses and per diem rates are not to exceed the rate specified by the State of California Department of Human Resources for similar employees (i.e. non-represented employees) unless written verification is supplied that government hotel rates were not then commercially available to the Sub-Recipient, its sub-recipient, contractors, and/or subcontractors, at the time and location required as specified in the following link: <https://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx>. Also see website for summary of travel reimbursement rules.
 - f. By the tenth day following the start of a new quarter (i.e., January 10, April 10, July 10, October 10), the Sub-Recipient shall submit a Quarterly Report using the Sub-Recipient Report Template provided by SCAG Project Manager to the Sub-Recipient Project Manager prior to the due date. A copy of the Sub-Recipient Report Template is attached hereto as "Exhibit C" and incorporated herein by this reference and subsequently herein referred to as the "Report Template". The Report Template may be modified at any time by the SCAG Project Manager, and will be provided to the Sub-Recipient Project Manager as soon as the change is in effect. The Quarterly Report shall include, in narrative form, a description of services performed by Sub-Recipient's staff and Consultant as well as progress toward completion of tasks related to the Project for the prior quarter and a reporting of all costs incurred regarding the Project.
 - g. By February 10 of each year following receipt of funding pursuant to this MOU, the Sub-Recipient shall submit an Annual Report using the Report Template. The Annual Report shall include, in narrative form, a description of services performed by Sub-Recipient's staff and Consultant as well as progress toward completion of tasks related to the Project for the prior year and a reporting of all costs incurred regarding the Project for that period.
 - h. On April 10, 2021, the Sub-Recipient Project Manager shall submit the Housing Element Progress portion of the Report Template to SCAG Project Manager. The Housing Element Progress section shall thereafter be required annually, as part of the Annual Report due on February 10 of each year.
 - i. As each project is finalized, and no later than July 21, 2023, the Sub-Recipient shall submit a Close-Out Report for each project, in a format to be determined by the SCAG Project Manager. At the time of the drafting of this MOU, the Awarding Agency, State of California, Department of Housing and Community Development has not provided the requirements for the Close-Out Report due to the Department by all grantees at the conclusion of the grant performance period. Therefore, the Close-Out Report format required by SCAG of Sub-Recipients is not available at this time, but will be provided to the Sub-Recipient Project Manager by SCAG Project Manager once it becomes available.

- j. On all documents submitted to SCAG for the Project, including Invoices, Quarterly Reports, Annual Reports, and Close Out Form, the Project Number (OWP No. 300-4872.03) shall be referenced from the Effective Date through June 30, 2023.
- k. The Parties acknowledge that SCAG's fiscal year is from July 1 to June 30. The Sub-Recipient agrees to submit all invoices to SCAG for services rendered through June 30th, no later than July 21st during the Term of this Agreement (e.g., 7/21/21, 7/21/22, & 7/21/23). SCAG shall not be obligated to pay the Sub-Recipient for any invoice received after such date.

8. Accounting Records

- a. The Sub-Recipient shall establish and maintain an accounting system conforming to Generally Accepted Accounting Principles ("GAAP") to support Invoices which segregate and accumulate the costs of work elements by line item and produce Progress Reports which clearly identify reimbursable costs and other expenditures by work elements.
- b. The Sub-Recipient shall establish a separate ledger account for receipts and expenditures of Grant Funds and maintain expenditure details in accordance with the scope of work, project timeline and budget.
- c. The Sub-Recipient shall maintain documentation of its competitive bid process consistent with the Sub-Recipient's procurement procedures and comply with the requirements set forth in Section 2.f, all applicable laws, rules, regulations and ordinances applicable to Sub-Recipient governing procurement, and all applicable provisions of California state law, and financial records of expenditures incurred during the course of the project in accordance with GAAP.
 - i. The Sub-Recipient agrees that SCAG or designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this MOU.
 - ii. The Sub-Recipient shall be responsible for maintaining accounting records as specified above.
- d. SCAG's contract with the Consultant will include the accounting requirements contained in this section, and Sub-Recipient shall assist with ensuring compliance by the Consultant with such requirements.

9. Allowable Uses of Grant Funds

- a. SCAG shall not award or disburse funds unless it determines that the Grant Funds shall be expended in compliance with the terms and provisions of the Notice of Funding Opportunity (NOFA) for the REAP Program pursuant to Chapter 3.1 of Health and Safety Code (Sections 50515 to 50515.05) (Chapter 159, Statutes of 2019), which includes associated forms and guidelines and this Agreement.
- b. Grant Funds shall only be used by the Sub-Recipient for project activities approved by SCAG that involve planning activities in accordance with the NOFA published by the Department.

- c. Grant Funds may not be used for administrative costs of persons employed by the Sub-Recipient for activities not directly related to eligible activities.
- d. The Sub-Recipient shall use no more than 5 percent (5%) of the total Grant Funds for administrative costs related to the Project. For purposes of this MOU, administrative costs are defined as: preparing invoices and supporting documentation; preparing quarterly progress reports; and participating in project management meetings. Additional funds may be used from other sources solely contributed by the Sub-recipient to support the Sub-recipient's administration of the Project.
 - i. The Sub-Recipient must clearly indicate if funds will be used towards administrative costs on or before the Effective Date of this MOU.
 - ii. If the Sub-Recipient is seeking reimbursement for indirect costs, they must annually submit an Indirect Cost Allocation Plan ("ICAP") or an Indirect Cost Rate Proposal ("ICRP") to its cognizant agency for indirect costs in accordance with Title 2 Code of Federal Regulations Part 200 (2 CFR 200) Uniform Administrative Requirements, Cost Principles, And Audit Requirements for Federal Awards. The cognizant agency for indirect costs means the federal agency responsible for reviewing, negotiating, and approving indirect cost allocation plans or indirect cost proposals. The Sub-Recipient must include their estimated indirect cost rate in the project application and provide a copy of the acceptance letter from their cognizant agency for the approved ICAP or ICRP for the current fiscal year. Indirect costs may be sought for reimbursement only if the Sub-Recipient has received ICAP/ICRP approval from its cognizant agency on or before the Effective Date of this MOU.
 - iii. All indirect costs may only be charged as administrative costs and are subject to limit on administrative costs set in Section 9d.
 - iv. The Sub-Recipient must inform SCAG in writing if an ICAP/ICRP will be utilized, and indirect costs charged to the administrative cost allowance on or before the Effective Date of this MOU.
- e. The Sub-Recipient shall be accountable to SCAG and the Department to oversee Consultants' performance. The agreement between SCAG and the Consultant shall provide for compliance with all applicable requirements of this Agreement as determined by SCAG.
- f. SCAG will provide reimbursement only for approved and eligible costs incurred after September 3, 2020, as described in the conditions of the Subregional Partnership Program Guidelines.
- g. There must be a strong implementation component for the funded activity through REAP, including, where appropriate, agreement by the Sub-Recipient to submit the completed planning document to the applicable board, council, or other entity for adoption. The Sub-Recipient that does not formally request adoption of the funded activity may be subject to repayment of the Grant Funds.
- h. In the event that it is determined, at the sole discretion of SCAG, that the Sub-Recipient is not meeting the terms and conditions of the Agreement, immediately upon receiving a written notice from SCAG to stop work, the Sub-Recipient shall cease all work under the Agreement. SCAG has the sole discretion to determine that the Sub-Recipient meets the terms and conditions after a stop work order, and to deliver a written notice to the Sub-Recipient to resume work under the Agreement.

10. Electronic Version of Work Products

- a. For purposes of this Agreement, “Work Products” shall mean any deliverables, including reports, data files, newsletters or any other written or electronic materials provided pursuant to the Scope of Work.
- b. The Sub-Recipient shall submit one (1) electronic copy of all completed deliverables associated with the Project to the assigned SCAG Project Manager.
- c. SCAG shall own all Work Products and shall grant to the Sub-Recipient a perpetual royalty-free, non-assignable, non-exclusive and irrevocable license to reproduce, publish or otherwise use Work Products related to the Project and developed as part of this MOU; provided, however, that any reproduction, publishing, or reuse of the Work Products will be at the Sub-Recipient’s sole risk and without liability or legal exposure to SCAG.
- d. Subject to any provisions in the California Public Records Act to the contrary, SCAG’s contract with the Consultant shall require that all deliverables and related materials related to the Project shall be held confidential by Consultant. Nothing furnished to the Sub-Recipient or SCAG which is otherwise known or is generally known, or has become known, to the related industry shall be deemed confidential. The Sub-Recipient shall also safeguard such confidential materials from unauthorized disclosure, using the same standard of care to avoid disclosure, as the Sub-Recipient treats its confidential information, but in no case less than reasonable care.

11. MOU Changes

No alteration or deviation of the terms of this MOU shall be valid unless made in writing in the form of MOU Amendment and fully and properly executed by both parties. If an amendment is to become effective before the date of full execution by the Parties, the effective date of such amendment shall be no earlier than the date that SCAG received the Request.

12. Notices

Any notice or notices required or permitted to be given pursuant to this MOU may be personally served on the other party by the party giving such notice, or may be served by certified mail, return receipt requested, to the following addresses:

To SCAG: Cindy Giraldo
 Chief Financial Officer
 Southern California Association of Governments
 900 Wilshire Blvd., Suite 1700
 Los Angeles, CA 90017
 (213) 630-1413
 giraldo@scag.ca.gov

SCAG reserves the right to change this designation upon written notice to the Sub-Recipient.

To Sub-Recipient: Wells Lawson

Deputy Executive Officer, Joint Development
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
(213)-922-7217
LawsonW@metro.net

13. Insurance

The Sub-Recipient, at its own expense, shall procure and maintain policies of insurance of the types and amounts below, for the duration of the MOU. The policies shall state they afford primary coverage. Notwithstanding the foregoing, Sub-Recipient shall have the right, at its election but upon written notice to SCAG, to maintain all such insurance required under this Section 13 under a program of self-insurance or self-administered claims in lieu of purchasing such insurance; provided, however, that the scope and coverage limits are not less than those required below in subdivisions (a) and (b) below and provided, further, that the provisions in subdivision (c) apply to any self-insurance program. Any notice by Sub-Recipient shall detail consistency of its self-insurance program with the requirements of this Section 13. The minimum required insurance coverage required by SCAG is set forth below unless otherwise waived by SCAG, in its sole discretion. SCAG shall, in its contract with the Consultant, require that the Consultant provide insurance as specified in this section, and as further detailed in subparagraph (g) below.

a. Minimum Scope of Insurance – Coverage shall be at least as broad as:

- 1) Insurance Services Office Commercial General Liability coverage (Occurrence form CG0001), or its equivalent.
- 2) Insurance Services Office form number CA0001 (Ed. 1/87) covering Automobile Liability, code 1 (any auto) or its equivalent.
- 3) Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.
- 4) Professional Liability (Errors and Omissions) insurance appropriate to the Consultant's profession. This policy is only required to be provided by the Consultant.

b. Minimum Limits of Insurance – The Sub-Recipient and SCAG shall maintain limits no less than:

- 1) General Liability: \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
- 2) Automobile Liability: Including contractual liability insuring owned, non-owned, hired and all vehicles by the Sub-Recipient with a combined single limit of not less than \$1,000,000 applicable to bodily injury, or death, and loss of or damage to property in any one occurrence.
- 3) Workers' Compensation Liability: Including Occupational Diseases in accordance with California Law and Employers' Liability Insurance with a limit of not less than \$1,000,000 each

accident.

- 4) Professional Liability Insurance: With limits of not less than \$1,000,000 per occurrence. In addition, it shall be required that the professional liability insurance policy remain in effect for six (6) months after the Completion Date of this MOU.
- c. Other Insurance Provisions – Both Sub-Recipient and SCAG should comply with the other insurance provisions. The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:
- 1) SCAG, its officials and employees are to be covered as additional insureds, as respects to liability arising out of the activities performed by or on behalf of the Sub-Recipient, products and completed operations of the Sub-Recipient; premises owned, occupied or used by the Sub-Recipient; or automobiles owned leased, hired or borrowed by the Sub-Recipient. The coverage shall contain no special limitations on the scope of protection afforded to SCAG, its officials and employees.
 - 2) For any claims related to this Project, the Sub-Recipient’s insurance coverage shall be primary insurance as respects SCAG, its officials and employees. Any insurance or self-insurance maintained by SCAG shall be excess of the Sub-Recipient’s insurance and shall not contribute with it.
 - 3) Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to SCAG, its officials and employees.
 - 4) The Sub-Recipient’s insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer’s liability.
 - 5) Workers’ Compensation and Employer’s Liability policies shall contain the inclusion of SCAG, its members, subsidiaries, officials and employees and shall provide a waiver of subrogation.
- d. Deductibles and Self-Insured Retentions – Any deductibles or self-insured retentions in amounts over \$10,000 must be declared to and approved by SCAG.
- e. Acceptability of Insurers – Insurance is to be placed with California admitted insurers with a current A.M. Best’s rating of no less than A and be admitted, unless otherwise approved by SCAG.
- f. Verification of Coverage – The Sub-Recipient shall furnish SCAG with original endorsements and certificates of insurance evidencing coverage required by this clause. All documents are to be signed by a person authorized by that insurer to bind coverage on its behalf. All documents are to be received and approved by SCAG before work commences. Upon request of SCAG at any time, the Sub-Recipient shall provide complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications.
- g. Consultant Insurance Requirements- SCAG shall require that the Consultant provide insurance in the types and amounts as specified above. SCAG shall require that the Consultant name the Sub-Recipient as an additional insured and provide the above specified endorsements in favor of Sub-Recipient as well as in favor of SCAG.

14. Indemnification

- a. Except for the negligence or willful misconduct of SCAG and any of its directors, officers, agents, employees, assigns, and successors in interest, the Sub-Recipient undertakes and agrees to defend, indemnify, and hold harmless SCAG and any of its directors, officers, agents, employees, assigns, and successors in interest from and against all suits and causes of action, claims, losses, demands and expenses, including, but not limited to, attorney's fees and cost of litigation, damage or liability of any nature whatsoever, for death or injury to any person, including SCAG's employees and agents, or damage or destruction of any property of either party hereto or of third parties, arising in any manner by reason of the acts, errors or omissions or violations of law by the Sub-Recipient, employees and agents in connection with its activities in pursuing the Project or under this MOU.
- b. SCAG shall require that the Consultant provide indemnification for Sub-Recipient to the same extent as SCAG, in the contract(s) between SCAG and the Consultant for work related to this Agreement.

15. Records Retention and Audits

- a. The Sub-Recipient shall maintain all source documents, books and records connected with the Project and all work performed under this MOU for a minimum of three (3) years after the end of term of this MOU. Records relating to any and all audits or litigation relevant to this MOU shall be retained for five years after the conclusion or resolution of the matter or the date an audit resolution is achieved for each annual SCAG Overall Work Program ("OWP"), whichever is later, and shall make all supporting information available upon request for inspection and audit by representatives of SCAG, the Department, the California State Auditor, or other authorized government agency. Copies shall be made and furnished by SCAG upon request at no cost to SCAG.
- b. SCAG shall maintain all source documents, books and records connected with the Project under this MOU for a minimum of three (3) years after the end of term of this MOU. Records relating to any and all audits or litigation relevant to this MOU shall be retained for five years after the conclusion or resolution of the matter or the date an audit resolution is achieved for each annual SCAG OWP, and shall make all supporting information available upon request for inspection and audit by representatives of the Sub-Recipient, the Department, the California State Auditor, or other authorized government agency. Copies shall be made and furnished by the Sub-Recipient upon request at no cost to the Sub-Recipient.
- c. At any time during the term of this Agreement, SCAG and the Department may perform a financial audit of any and all phases of the award. At SCAG and the Department's request, the Sub-Recipient shall provide, at its own expense, a financial audit prepared by an independent certified public accountant. SCAG and the Department has the right to review project documents and conduct audits during project implementation and over the project life.
- d. The Sub-Recipient agrees that SCAG and the Department shall have the right to review, obtain, and copy all records and supporting documentation to the performance of this Agreement. The Sub-Recipient agrees to provide any relevant information requested.

- e. The Sub-Recipient agrees to permit SCAG and the Department access to its premises, upon reasonable notice, during normal business hours for the purpose of interviewing employees who might reasonably have information related to such records and inspecting and copying such books, records, accounts, and other material that may be relevant to a matter under investigation for the purpose of determining compliance with statutes, program guidelines, and this Agreement.
- f. If any litigation, claim, negotiation, audit, monitoring, inspection or other action has been started before the expiration of the required record retention period, all records must be retained by the Sub-Recipient until completion of the action and resolution of all issues which arise from it. Records relating to any and all audits or litigation relevant to this Agreement shall be retained for five (5) years after the conclusion or resolution of the matter. SCAG shall include this records retention requirement in its contract with the Consultant.
- g. If applicable, the Sub-Recipient agrees to include all costs associated with this MOU and any amendments thereto to be examined in the annual audit and in the schedule of activities to be examined under a single audit prepared by the Sub-Recipient in compliance with Subpart F of the Office of Management and Budget's Uniform Grant Guidance, formerly referred to as Circular A-133. The Sub-Recipient is responsible for assuring that the Single Auditor has reviewed the requirements of this MOU. Copies of said audits shall be submitted to SCAG.
- h. Neither the pendency of a dispute nor its consideration by a Party or the State shall excuse the other Party from full and timely performance in accordance with the terms of this MOU.

16. General Terms and Conditions

- a. The Sub-Recipient shall adhere to the requirements contained in the State of California General Terms and Conditions (GTC 04/2017) now incorporated by reference. Such requirements shall apply to the Sub-Recipient to the same extent as SCAG and may include, but are not limited to:
 - 1) Recycling Certification
 - 2) Non-Discrimination Clause
 - 3) Anti-Trust Claims
 - 4) Child Support Compliance Act
 - 5) Priority Hiring Considerations
 - 6) Small Business Participation and DVBE Participation

17. Equal Employment Opportunity/Nondiscrimination

- a. In the performance of work undertaken pursuant to this MOU, the Parties and their assignees and successors in interest, shall affirmatively require that their employees and contractors shall not unlawfully discriminate, harass or allow harassment, against any person, employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.
- b. The Parties shall ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. The Parties shall comply with the

provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.), the applicable regulations promulgated there under (California Code of Regulations, Title 2, Section 11000 et seq.), the provisions of Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the Government Code (Gov. Code §§11135-11139.5), and the regulations or standards adopted by the awarding state agency to implement such article.

- c. The Parties shall permit access by representatives of SCAG, the Department of Fair Employment and Housing and the awarding state agency upon reasonable notice at any time during the normal business hours, but in no case less than 24 hours' notice, to such of its books, records, accounts, and all other sources of information and its facilities as said Department shall require to ascertain compliance with this clause. The Parties shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement. The Parties shall include the nondiscrimination and compliance provisions of this clause in all sub-agreements to perform work under this MOU.
- d. The applicable regulations of the Fair Employment and Housing Commission implementing the Government Code sections referenced above, are incorporated into this MOU by reference and made a part hereof as if set forth in full.
- e. In the event of noncompliance by either Party with the nondiscrimination provisions of this MOU, the other Party may cancel, terminate or suspend the MOU, in whole or in part.
- f. If required by Department, additional or alternate sanctions for noncompliance may be imposed.

18. Conflict of Interest

The Parties shall comply with federal and state conflict of interest laws, regulations and policies as well as all applicable federal and state laws, regulations and policies in connection with its activities pursuant to this Agreement.

19. Independent Contractor

The Sub-Recipient and its officers, employees and agents shall be independent contractors in the performance of this MOU, and not officers, employees, contractors or agents of SCAG.

20. Disputes

- a. In the event of a dispute among the Parties concerning a question of fact arising under this Agreement that is not disposed of by agreement, which involves a decision by the Department's Housing Policy Development Manager (or the Manager's designee) who may consider any written or verbal evidence submitted by SCAG, the decisions of the Department shall be final and not subject to further appeal pursuant to Health and Safety Code Section 50515.04(g). SCAG shall include in such submittal to the Department any written or verbal evidence submitted to SCAG by the Parties, at the discretion of SCAG, as part of this process. Neither the pendency of a dispute nor its consideration by the Department will excuse the Parties from full and timely performance in accordance with the terms of this agreement.

- b. For other disputes and except as otherwise provided in this MOU, if a dispute arises between the Parties to this MOU, the Parties hereto agree to use the following procedure to resolve such dispute, prior to pursuing other legal remedies:
- c. A meeting shall be held promptly between the Parties that will be attended by the Sub-Recipient's Project Manager and SCAG's Project Manager as well as individuals with decision-making authority (to the extent reasonably possible), who will attempt in good faith to negotiate a resolution of the dispute.
- d. If the Parties are unsuccessful in resolving the dispute under (c) above, they may:
 - 1) agree to submit the matter to mediation, binding judicial reference, or a private adjudicator (if all Parties so agree); or
 - 2) initiate litigation following advance written notice to the other Party of not less than thirty (30) days.
- e. If any Party should bring a legal action against the other to enforce the terms of this MOU, the prevailing Party shall be entitled to recover reasonable attorneys' fees and costs, as determined by a court of competent jurisdiction in said proceeding.

21. Noncompliance

In addition to such other remedies as provided by law, in the event of nonperformance or noncompliance with any grant condition or specific requirement of this MOU, this MOU may be terminated pursuant to Section 22.

22. Termination of MOU

- a. Termination for Convenience. Either Party may terminate this MOU at any time by giving written notice to the other party of such termination at least thirty (30) calendar days before the effective date of such termination. In such event, all finished or unfinished documents and other materials as described in the MOU shall be provided to SCAG and the Sub-Recipient shall be paid for all services performed by the Sub-Recipient through the effective date of termination, provided the required consultation between the Sub-Recipient and SCAG has been undertaken in accordance with Section 2(f) of this MOU. Any Party terminating this MOU before the effective date of termination shall be responsible for any actual, incurred termination costs incurred by the Consultant as a result of such termination notice.
- b. Termination for Cause (Sub-Recipient Default). If through any cause, the Sub-Recipient shall fail to timely and adequately fulfill its obligations under this MOU, or if the Sub-Recipient violates any of the covenants, agreements, or stipulations of this MOU, SCAG shall thereupon have the right to terminate the MOU by giving not less than ten (10) calendar days written notice to the Sub-Recipient of the intent to terminate and specifying the effective date thereof. SCAG shall provide a reasonable opportunity for the Sub-Recipient to cure prior to termination. In no event shall such opportunity to cure extend beyond the term of the MOU. In the event that SCAG invokes this termination clause, all finished or unfinished documents and other materials as described in the MOU shall be returned to SCAG at its option.

- c. Termination for Cause (SCAG Default). If through any cause, SCAG shall fail to timely and adequately fulfill its obligations under this MOU, or if SCAG violates any of the covenants, agreements, or stipulations of this MOU, the Sub-Recipient shall thereupon have the right to terminate the MOU by giving not less than ten (10) calendar days written notice to SCAG of the intent to terminate and specifying the effective date thereof. The Sub-Recipient shall provide a reasonable opportunity for SCAG to cure prior to termination. In no event shall such opportunity to cure extend beyond the term of the MOU. In the event that the Sub-Recipient invokes this termination clause, all finished or unfinished documents and other materials as described in the MOU shall be returned to the Sub-Recipient at its option.

23. Non-Assignment

- a. Neither Party shall assign this MOU, or any part thereof, without the written consent of each Party to this MOU, which consent may be granted, withheld or conditioned in the consenting Party's sole and absolute discretion. Any assignment without such written consent shall be void and unenforceable.
- b. The covenants and agreement of this MOU shall inure to the benefit of, and shall be binding upon, each of the Parties and their respective successors and assignees.

24. Release of Information

The Sub-Recipient shall not release any information to a third party or otherwise publish or utilize any information obtained or produced by it as a result of or in connection with the performance of services under this Agreement without the prior written authorization of SCAG, except as required by law (including, without limitation, pursuant to the California Public Records Act) and with prior written notice to SCAG.

25. Non-Exclusivity

Nothing herein is intended nor shall be construed as creating an exclusive arrangement between SCAG and the Sub-Recipient. This Agreement shall not restrict SCAG from acquiring similar, equal or like services from other entities or sources.

26. Severability

If any provision of this MOU is held to be illegal, invalid, or unenforceable, in whole or in part, such provision shall be modified to the minimum extent necessary to make it legal, valid, and enforceable, and the legality, validity, and enforceability of the remaining provisions shall not be affected thereby.

27. Survival

The following sections survive expiration or termination of this MOU:

Section 10 (Electronic Version of Work Products)

Section 14 (Indemnification)

Section 20 (Disputes)

28. Jurisdiction and Venue

This MOU shall be deemed an agreement under the laws of the State of California and for all purposes shall be interpreted in accordance with such laws. Both Parties hereby agree and consent to the exclusive jurisdiction of the courts of the State of California and that the venue of any action brought thereunder shall be Los Angeles County, California.

29. Waiver

No delay or failure by either Party to exercise or enforce at any time any right or provision of this Agreement shall be considered a waiver thereof of such Party's right thereafter to exercise or enforce each and every right and provision of this Agreement. A Waiver to be valid shall be in writing but need not be supported by consideration. No single waiver shall constitute a continuing or subsequent waiver.

30. Standard of Care

The Parties shall perform the work required for the production of the Project under this MOU in accordance with generally accepted industry standards, practices, and principles applicable to such work.

31. Force Majeure

Neither the Sub-Recipient nor SCAG shall be liable or deemed to be in default for any delay or failure in performance under this MOU and Consultant shall not be liable under its contract with SCAG for interruption of services resulting, directly or indirectly, from acts of nature, civil or military authority, acts of public enemy, war, strikes, labor disputes, pandemics, or any other similar cause beyond the reasonable control of the Sub-Recipient, SCAG or Consultant, provided that the Party seeking to delay or excuse its performance as a result of such event shall notify the other Party in writing of such circumstances within not more than ten (10) days following the first occurrence of the event forming the basis of the delay or excuse of performance. In the event that the Party seeking to delay or excuse its performance fails to timely deliver the notice described in the previous sentence, then such event shall not relieve the Party from its timely performance.

32. Execution of MOU or Amendment

This MOU, or any amendment related thereto (Amendment), may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same agreement. The signature page of this MOU or any Amendment may be executed by way of a manual or authorized digital signature. Delivery of an executed counterpart of a signature page to this Agreement or an Amendment by electronic transmission scanned pages shall be deemed effective as a delivery of a manually or digitally executed counterpart to this Agreement or any Amendment.

33. Effective Date

This MOU shall be effective as of the last date in which the document is executed by both Parties.

34. Entire MOU

This MOU, including the attached Exhibits A, B C, and D represents and contains the entire agreement of the Parties with respect to the matters set forth herein. This MOU supersedes any and all prior negotiations, discussions and, if any, previous agreements between the Parties.

35. Authority

The Sub-recipient warrants and certifies that it possesses the legal authority to execute this Agreement and to undertake administration of the proposed Project, and that a resolution, motion, or similar action has been fully adopted or passed, as an official act of the Sub-recipient's governing body, authorizing receipt of SCAG Grant Funds, and directing and designating the authorized representative(s) of the Sub-recipient to act in connection with the Project specified and to provide such additional information as may be required by SCAG.

**SIGNATURE PAGE TO
MEMORANDUM OF UNDERSTANDING
NO. M-00x-21**

IN WITNESS WHEREOF, the Parties have caused this MOU to be executed by their duly authorized representatives as of the dates indicated below:

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (“SCAG”)

By: _____
Cindy Giraldo
Chief Financial Officer
Date _____

APPROVED AS TO FORM:

By: _____
Michael R.W. Houston
Chief Counsel
Date _____

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
 (“LACMTA”)**

By: _____
Holly Rockwell
Senior Executive Officer
Date _____

APPROVED AS TO FORM:

RODRIGO A. CASTRO-SILVA
County Counsel

By: _____
Michelle Acosta
Senior Deputy County Counsel
Date _____

Exhibit A

Scope of Work Approval Form



Regional Early Action Planning (REAP) Grant
Subregional Partnership Program
Scope of Work Approval Form - Project Summary

Subregional Partner: _____

- Original Scope of Work Approval Add or Remove Project Manager
 Revision Requested to Projects (Please check all that apply)
 Revise/Delete a Previously Approved Project or Task Change Funding Allocation Between Projects
 Add a New Project Project/Task Date Change ~~Change~~ Change in Deliverable
 RHNA Adjusted Allocation Initiated by SCAG

Other (Please describe)

SCAG Approval Date: _____

Revision Request Date: _____

Approved Summary of Projects and Activities (application approved on XX,XX,XXX)

	Project/Activity Name	Phase 1 funding	Phase 2 funding	Total Project Funding
1				
2				
3				
4				
5				
6				
7				
	Phase Total			
	Total Approved Funding Amount			

Please check the box below if you are intending to use funding for administrative costs. If you do not elect to utilize the 5% admin allowance, the award amount will not be affected, but all funds must be used for program activities. This decision can not be changed later, so please choose carefully.

- A portion of the requested funding amount above will be applied as "administrative costs", which can be up to 5% of the total project funding.

If you checked the box above, please indicate if you plan to utilize:

- The entire 5% allowable under the grant terms.
- A different percentage: Click or tap here to enter text.
- A specific dollar amount: Click or tap here to enter text.



Project Metrics

Each REAP project requires a metric to qualitatively measure the outcome of the project. Project metrics selected on this form will be included in the REAP SRP quarterly progress reporting form for your subregion. *Please select all metrics that will apply to your approved projects:*

1. Accessory dwelling unit projects
 - Number of ordinances updated or adopted resulting from the project
 - Range of weeks (or other **time period**) saved to approve permits from streamlined process (compared to baseline/current conditions)
 - Units permitted under project implementation/affordable units permitted under project implementation
 - Number of pre-approved plans designed and approved
 - Other: (please specify)
2. Outreach/public engagement projects
 - Number of events/meetings
 - Number of participants
 - Number of elected official/decisionmaker participants
 - Number of website hits
 - Number of video hits
 - Number of tool users or downloads
 - Other: (please specify)
3. GIS-related projects
 - Increase in total residential capacity and/or affordable residential capacity (compared to baseline/current capacity)
 - Other: (please specify)
4. AFFH-related projects
 - Number of adopted/implemented programs that increase access to fair housing
 - Other: (please specify)
5. Housing trust fund projects
 - Number of loan documents generated
 - Number of additional identified funding sources and amounts
 - Grants applied for and awarded if successful
 - Other: (please specify)
6. Plans and/or policies for implementation that are not related to ADUs (e.g., zoning ordinance updates, streamlined permitting processes, adoption of zoning strategies, etc.)
 - Additional unit capacity resulting from drafting or adopting plan (compared to baseline/current conditions)
 - Range of weeks (or other **time period**) saved to approve permits from streamlined process (compared to baseline/current conditions)
 - Other: (please specify)



Regional Early Action Planning (REAP) Grant
Subregional Partnership Program
Scope of Work Approval Form - Project Metrics

Use the space below to indicate any metrics not listed above that will be used to measure progress on your project(s), and indicate the project number(s) measured by the metric(s).

Other projects (please specify metrics)

Click or tap here to enter text.



Regional Early Action Planning (REAP) Grant
 Subregional Partnership Program
 Scope of Work Approval Form - Project Detail

SCAG will provide enough copies of the following two pages for each approved project.

1	Project Name
<input type="checkbox"/> Metrics for this project have been selected in the "Project Metrics" portion of this form. <i>Please consult with the SCAG Project Manager if you need assistance in determining appropriate metrics for this project.</i>	
Brief Description of Project: <i>As provided in initial approved application</i>	
Alignment with SCAG Connect SoCal regional priorities: <i>As provided in initial approved application</i>	



Housing element progress

Subregional partners must demonstrate jurisdictional progress toward housing element preparation before projects and activities that are not directly related to housing element preparation can be funded. In the section below, please list the jurisdictions your subregional area covers, planned SB 2 and LEAP activities (if any), and housing element progress. If a LEAP grant has not yet been awarded, please also indicate in the table. The rubric below can be used to indicate housing element progress: Use additional space or add additional lines, if needed.

- A. The jurisdiction has either consultant or dedicated staff resources for their housing element updates, with all updates underway; no additional REAP support is proposed.*
- B. The jurisdiction has either consultant or dedicated staff resources for their housing element updates. A REAP support project for housing element updates is proposed by our subregion.*
- C. The jurisdiction has neither consultant nor dedicated staff resources for their housing element updates. A REAP support project for housing element updates by our subregion is NOT proposed. This jurisdiction will need technical assistance resources for their housing element update.*
- D. Our subregion is unaware of the status of housing element updates for this jurisdiction*

Jurisdiction	SB 2 or LEAP (Local Early Action Program) Tasks re: Housing Element	Housing element progress (A, B, C. or D.)



Regional Early Action Planning (REAP) Grant
Subregional Partnership Program
Scope of Work Approval Form

Please provide more information about the new requested project. Use additional pages if needed, and copy the template if more than one new project is being requested.

New Project Name:	
Estimated cost	
Expected start date	
Expected end date	
Does this project require the procurement of at least one consultant?	<input type="checkbox"/> no <input type="checkbox"/> yes ___ total number of consultant firms expected for projects
Agency expected to procure consultant	<input type="checkbox"/> subregional partner <input type="checkbox"/> SCAG <input type="checkbox"/> Other, please specify:
Agency expected to administer or implement project or activity*	<input type="checkbox"/> subregional partner <input type="checkbox"/> SCAG <input type="checkbox"/> Other, please specify:
Which agency will be directly paying consultant invoices?	<input type="checkbox"/> subregional partner (SCAG will reimburse the subregional partner) <input type="checkbox"/> SCAG
Does this project require adoption or approval by a local decision-making body for implementation?	<input type="checkbox"/> no <input type="checkbox"/> yes If yes, please specify the expected adoption/approval date: _____

**The implementing agency cannot have any unresolved audit findings from prior government contracts and cannot be party to pending land use, housing, or environmental litigation which could impact the proposed activities.*



Regional Early Action Planning (REAP) Grant
Subregional Partnership Program
Scope of Work Approval Form

Please provide more details about the project or activity, including:

- Brief description of project key deliverables and tasks, proposed performance indicators
- Nexus to housing production and why the task necessary for the adoption or implementation of the listed eligible activities for any tasks that are considered indirect to housing production (e.g., EIRs or General Plan amendments)
- Expected outcome of project or activity (i.e., plans for adoption or implementation)
- Related tasks that will be funded from other funding sources besides REAP (e.g., LEAP, SB 2) and the amount
- You may add additional space, as needed

Alignment with SCAG Connect SoCal regional priorities (refer to Program Guidelines and attachment)

Please describe below how the project or activity aligns and advances Connect SoCal and Housing Program regional priorities and framework. You may add additional space, as needed.

Exhibit B Invoice Report Format

Use Agency Letterhead							
SAMPLE				INVOICE			
Email invoice to: accountspayable@scag.ca.gov Cindy Giraldo Chief Financial Officer Southern California Association of Governments 900 Whilre Blvd., Ste 1700 Los Angeles, CA 90017				Date: _____ Invoice #: _____ Invoice Period: _____ MOU #: _____ OWP #: _____ Project Title: _____			
Cost Categories	Hourly Rate	Hours	Budget	Current Invoice	Previously Invoiced	YTD Expenditure	Balance
<u>Tasks (labor only)</u>							
Task 1				\$0.00	\$0.00	\$0.00	\$0.00
Task 2				\$0.00	\$0.00	\$0.00	\$0.00
Task 3				\$0.00	\$0.00	\$0.00	\$0.00
Task 4				\$0.00	\$0.00	\$0.00	\$0.00
Task 5				\$0.00	\$0.00	\$0.00	\$0.00
Task 6				\$0.00	\$0.00	\$0.00	\$0.00
Task 7				\$0.00	\$0.00	\$0.00	\$0.00
Subtotal - Tasks		-	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<u>Overhead & Fringe (if applicable)</u>							
Overhead	0.00%			\$0.00	\$0.00	\$0.00	\$0.00
Fringe	0.00%			\$0.00	\$0.00	\$0.00	\$0.00
Subtotal - Overhead & Fringe:			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<u>Fixed Fee (if applicable)</u>							
Fixed Fee	0.00%			\$0.00	\$0.00	\$0.00	\$0.00
Subtotal - Fixed Fee:			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<u>Other Direct Costs (ODCs)</u>							
Travel				\$0.00	\$0.00	\$0.00	\$0.00
Printing - Directly Chargeable only				\$0.00	\$0.00	\$0.00	\$0.00
Other				\$0.00	\$0.00	\$0.00	\$0.00
Subtotal - ODCs:			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<u>Consultant/Subconsultant</u>							
Consultant 1				\$0.00	\$0.00	\$0.00	\$0.00
Consultant 2				\$0.00	\$0.00	\$0.00	\$0.00
Consultant 3				\$0.00	\$0.00	\$0.00	\$0.00
Consultant 4				\$0.00	\$0.00	\$0.00	\$0.00
Subtotal - Consultant/Subconsultant:			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
GRAND TOTAL			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Please send check to: CITY OF TBD Address City/State/ZIP							
By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise.							
Signature of an Authorized Official				Title			
Full Name of An Official who is authorized to legally bind the Organization				Date			

Exhibit C



Project/Activity Task Tracker Required for Quarterly and Annual Reports

Please write a brief description of progress for each task/subtask. Narrative reporting on overall project will be reported in the Project Progress Narrative section of this form. Indicate if the task is complete, and the date the deliverable was completed. Please attach any and all deliverables to this report.

Task and sub-tasks	Staff/Consultant/Both	Estimated cost	Begin date	End date	Deliverable	Deliverable Completion Date
1.						Click or tap to enter a date.
<input type="checkbox"/> Task Completed <input type="checkbox"/> Deliverable Attached Description of progress:						
2.						Click or tap to enter a date.
<input type="checkbox"/> Task Completed <input type="checkbox"/> Deliverable Attached Description of progress:						
3.						Click or tap to enter a date.
<input type="checkbox"/> Task Completed <input type="checkbox"/> Deliverable Attached Description of progress:						
4.						Click or tap to enter a date.
<input type="checkbox"/> Task Completed <input type="checkbox"/> Deliverable Attached Description of progress:						
5.						Click or tap to enter a date.



Regional Early Action Planning (REAP) Grant
 Subregional Partnership Program
 Sub-Recipient Reporting Form

Task and sub-tasks	Staff/Consultant/Both	Estimated cost	Begin date	End date	Deliverable	Deliverable Completion Date
<input type="checkbox"/> Task Completed <input type="checkbox"/> Deliverable Attached	<i>Description of progress:</i>					
6.						Click or tap to enter a date.
<input type="checkbox"/> Task Completed <input type="checkbox"/> Deliverable Attached	<i>Description of progress:</i>					
7.						Click or tap to enter a date.
<input type="checkbox"/> Task Completed <input type="checkbox"/> Deliverable Attached	<i>Description of progress:</i>					
8.						Click or tap to enter a date.
<input type="checkbox"/> Task Completed <input type="checkbox"/> Deliverable Attached	<i>Description of progress:</i>					
9.						Click or tap to enter a date.
<input type="checkbox"/> Task Completed <input type="checkbox"/> Deliverable Attached	<i>Description of progress:</i>					
10. Administrative	Staff					
Total projected cost						



Project Metrics Required for Quarterly and Annual Reports

Below are the metrics for this project as approved in consultation with SCAG Project Manager. Please provide the data for the applicable reporting period. Add as many lines as necessary, and you may include other metrics that are also applicable, as appropriate.

Metric	Baseline	As of 3/31/21	As of 6/30/21	As of 9/30/21	As of 12/31/21	As of 3/31/22	As of 6/30/22	As of 9/30/22	As of 12/31/22	As of 3/31/23	As of 6/30/23	Change
Other Quantitative Metrics: <i>(optional)</i>												
Other Qualitative Metrics: <i>(optional)</i>												



Project Progress Narrative Required for Quarterly and Annual Reports

Project: _____

Please describe in narrative format the progress for this project during the reporting period. Include any actions taken to further project tasks and indicate if the project is proceeding according to the timeline in the Scope of Work Approval Form. List any challenges to progress that occurred during the reporting period and plans to address those challenges. If project was completed during this reporting period, please indicate the date completed, and include any outstanding deliverables with your report.

<input type="checkbox"/> Project Complete Date Completed: Click or tap to enter a date.
Briefly describe the status of the project as of the end of the reporting period:
List actions taken to further project tasks:
Identify any delays to project schedule and plans to address the delays. (If none, please indicate N/A):
List any other challenges to progress during this reporting period. (If none, please indicate N/A):
Identify any needs for additional technical assistance from SCAG. (If none, please indicate N/A):



Housing Element Progress Required by April 10, 2021 and thereafter on Annual Reports Only

In the section below, please list the jurisdictions your subregional area covers and housing element progress. The rubric below can be used to indicate housing element progress: Use additional space or add additional lines, if needed.

- A. *Work on housing element update has not been initiated*
- B. *Draft housing element update is underway/proceeding, but not yet submitted to HCD*
- C. *Draft housing element update has been submitted to HCD; HCD review is pending or has been received/*
- D. *Revised Draft housing element update pursuant to initial HCD review is proceeding*
- E. *Revised Draft housing element update has been submitted to HCD, HCD review is pending or has been received*
- F. *Housing element update has been Adopted and submitted to HCD, certification pending*
- G. *Adopted housing element being revised pursuant to HCD review noncompliance findings*
- H. *Housing element update has been adopted, submitted to HCD, found in compliance with State law, and is being implemented*

Jurisdiction	Housing element progress as reported in application	Housing element progress (A-F) April 2021	Housing element progress (A-F) February 2022	Housing element progress (A-F) February 2023	Housing element progress (A-F) June 2023
		Choose an item.	Choose an item.	Choose an item.	Choose an item.
		Choose an item.	Choose an item.	Choose an item.	Choose an item.
		Choose an item.	Choose an item.	Choose an item.	Choose an item.
		Choose an item.	Choose an item.	Choose an item.	Choose an item.
		Choose an item.	Choose an item.	Choose an item.	Choose an item.
		Choose an item.	Choose an item.	Choose an item.	Choose an item.
		Choose an item.	Choose an item.	Choose an item.	Choose an item.
		Choose an item.	Choose an item.	Choose an item.	Choose an item.



Partnership for Housing Acceleration

Planning & Programing Committee

July 14, 2021

Legistar File #2021-0409

Recommended Action



AUTHORIZE the Chief Executive Officer to execute a Memorandum of Understanding between the Southern California Association of Governments and Metro for reimbursement of up to \$1,600,000 for work associated with the implementation of the updated Joint Development Policy, the proposed Housing Lab, and accelerating the production of housing through the Joint Development program.

Background

- Updated Joint Development (JD) Policy adopted June 2021
- JD Policy Goal:
Create high-quality homes, jobs, and places near transit for those who need them most, as soon as possible.
- SCAG Regional Early Action Planning (REAP) program provides funding to help meet Regional Housing Needs Assessment (RHNA) allocations.
- SCAG and Metro JD have identified a scope of work for \$1,600,000 of REAP funding over the next two years to accelerate JD housing.



Scope of Work



JD Policy Value

Equity & Inclusion

Access

Performance

Innovation

Housing Accelerator Tasks

Neighborhood AMI Methodology

Parking and Access Studies

Advanced Feasibility Studies

Housing Lab

Community Asset Mapping

Community Outreach

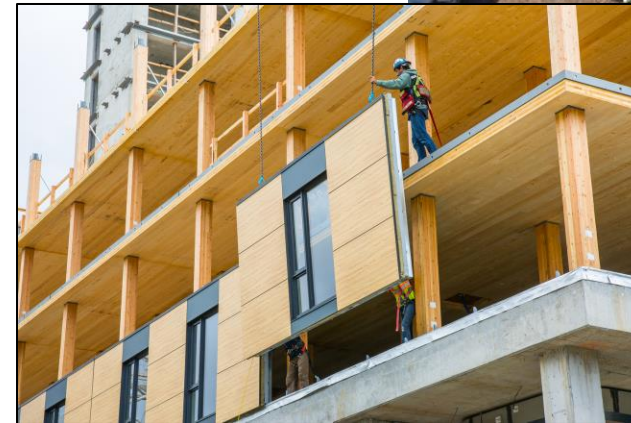
Metrics and Dashboard

Industry Knowledge Share

Potential Housing Lab Elements



- Land banking
- Community land trusts
- Public-private financing partnerships
- Preservation strategies
- Modular and prefabricated units
- Micro-units and co-housing
- Mass timber Construction



Next Steps

- Execute 2-year MOU
- Hire Fellows
- Retain consultants as needed
- Launch Housing Lab in 2022



Board Report

File #: 2021-0378, **File Type:** Public Hearing

Agenda Number: 32.

**EXECUTIVE MANAGEMENT COMMITTEE
JULY 15, 2021**

SUBJECT: MEASURE R AMENDMENT PUBLIC MEETING

ACTION: RECEIVE PUBLIC COMMENTS

RECOMMENDATION

RECEIVE public comments on the Measure R Amendment.

DISCUSSION

This item is to consider public comments regarding the Measure R Amendment, which is being considered at the July 15, 2021 Executive Management Committee meeting. Notice of this public meeting is required by the Measure R Ordinance and was provided to the Los Angeles County Board of Supervisors and the city councils of each city in Los Angeles County, and posted for the public (Attachment A).

EQUITY PLATFORM

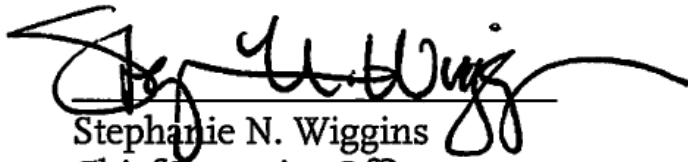
This Board item provides the opportunity for members of the public and local representatives to give input on the proposed Measure R Amendment. Notice of this public meeting was published on Metro's website, posted in the lobby of One Gateway Plaza, published in both an English language and Spanish language newspaper of general circulation, and in a South Bay neighborhood newspaper. The notice was also emailed and mailed to the Board of Supervisors and the city councils of each city in Los Angeles County. The notice and holding of the public meeting are consistent with the second pillar of the Equity Platform, Listen and Learn.

ATTACHMENTS

Attachment A - Notice of Measure R Amendment

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



Proposed Measure R Sales Tax Ordinance Amendment

Dear Mayor/Councilmember/Supervisor:

The Los Angeles County Metropolitan Transportation Authority (Metro) will hold a **public meeting on July 15, 2021 at 12 PM** prior to the proposed adoption by the Metro Board of Directors of an amendment to the Measure R Sales Tax Ordinance. This public meeting will be a part of the Executive Management Committee of the Metro Board. The proposed amendment would transfer up to \$400 million from the Measure R Highway Capital Subfund identified for highway projects in the South Bay subregion to eligible Transit Capital Projects within the South Bay. The proposed amendment would add a new Section 18 to the Measure R Ordinance to read as follows:

“Section 18.0 TRANSFERRING NET REVENUES BETWEEN SUBFUNDS

- Net Revenues not to exceed \$400,000,000 shall be transferred from the Highway Capital Subfund to the Transit Capital Subfund no later than January 2030 for use on eligible Transit Capital Projects within the South Bay subregion. The amount of Net Revenues for the “Interstate 405, I-110, and SR-91 Ramp and Interchange Improvements (South Bay)” project on line 33 in Attachment A is reduced from \$906,000,000 to \$506,000,000. The “South Bay Transit Investments” project is added to the Transit Capital Projects as shown in Amended Attachment A.
- Any surplus Net Revenues under Section 7(d)(4) may be transferred from the Transit Capital Subfund to the Highway Capital Subfund no later than January 2030 for one or more Highway Projects within the same subregion as the completed Transit Project.
- Any surplus Net revenues under Section 7(e)(4) may be transferred from the Highway Capital Subfund to the Transit Capital Subfund no later than January 2030 for one or more Transit Projects within the same subregion as the completed Highway Project.”

A mark-up of the affected sections of the Measure R Expenditure Plan is included as Attachment A [here>>](#)

If you or your representatives have any questions or comments regarding this matter, please do not hesitate to contact us or to participate in the public meeting on July 15, 2021 at Metro's Executive Management Committee Meeting. The agenda will be posted on Metro's website 72 hours in advance [here>>](#)

Sincerely,

Board Clerk



Board Report

File #: 2021-0377, **File Type:** Ordinance / Administrative Code

Agenda Number: 33.

**EXECUTIVE MANAGEMENT COMMITTEE
JULY 15, 2021**

SUBJECT: MEASURE R ORDINANCE AMENDMENT

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

CONSIDER:

- A. APPROVING the Measure R Ordinance Amendment (Attachment A);
- B. APPROVING the Measure R Transit Program Guidelines (Attachment B);
- C. PROGRAMMING of projects in the Measure R South Bay Transit Investments program, as shown in Attachment C; and
- D. AUTHORIZING the CEO or their designee to negotiate and execute all necessary agreements and/or amendments for approved projects, including:
 - 1. the potential future reassignment to the Inglewood Transit Connector Joint Exercise of Powers; and
 - 2. advancement of \$1.9 million in working capital funds as part of the funding agreement.

(REQUIRES 2/3 VOTE OF THE FULL BOARD)

ISSUE

This Board action approves an amendment to the Measure R Ordinance (the Ordinance) to allow transfers between the highway and transit subfunds and adds a program of transit projects requested by the South Bay subregion.

The added program of projects is for transit uses and would be the first Measure R transit program. This action approves Measure R Transit Guidelines that create a process and eligibility requirements to ensure the requested uses of funds for this program are consistent with the provisions of the Ordinance, existing Board policy, and other statutory requirements.

Should the Board approve the amendment and guidelines, this item would program \$233.7 million of funding from Fiscal Year (FY) 2021-22 through FY26 for the Inglewood Transit Connector (ITC) project, as a component of the South Bay Transit Investments program. The Board's approval will serve as the basis for Metro to enter into a funding agreement with the implementing agency.

The City of Inglewood intends to transfer the ITC assets, including any grant and funding agreement, to a joint powers authority. Metro's Measure R funding agreements have historically included a provision that the grantee cannot assign it without the approval of the Metro CEO or designee. This Board item gives authorization to allow an assignment to the joint powers authority as a provision in the planned funding agreement.

The City of Inglewood has requested that \$1.9 million is advanced to the city, as opposed to the standard process where Metro reimburses the recipient of Measure R funds for documented expenditures. The city has requested the advance to avoid a loss of interest earnings on city cash balances and or interest cost on any loaned funds.

BACKGROUND

The Metro Board approved the amendment language at the June 2020 Board meeting. The approval started a 365-day notice period to the Los Angeles County representatives in the state legislature. The Ordinance requires that any proposed amendment be presented at a public meeting, which is noticed to the Los Angeles County Board of Supervisors and the city council of each city in Los Angeles County, and reviewed by the Measure R Oversight Committee. The Measure R Oversight Committee reviewed the amendment language and approved a resolution that the amendment furthers the purpose of the Ordinance at its November 2020 meeting.

The Measure R Ordinance can be amended upon two-thirds vote of the Board. However, any amendment to provide for a transfer of moneys between the highway and transit subfunds can only occur every ten years, beginning 2020.

DISCUSSION

The amendment transfers \$400,000,000 of Measure R highway funds to the transit subfund, resulting in funding for a new Measure R transit program. The South Bay subregion was the only entity to request an amendment and asked that \$400,000,000 from the "Interstate 405, I-110, I-105, and SR-91 Ramp and Interchange Improvements (South Bay)" Measure R highway program is transferred to a new "South Bay Transit Investments" program. South Bay identified a list of project names that could potentially be submitted to Metro for funding from the new transit program, and this list is added as a footnote to the Expenditure Plan.

The amendment also allows surplus funds, which exist if less than the amount of funding identified in the Measure R Ordinance Expenditure Plan is spent on a project or program, to be used on either highway or transit. This will allow any surplus from a Measure R highway project, including the "Interstate 5 North Capacity Enhancements from SR-14 to Kern County Line (Truck Lanes)" and "I-5 Capacity Enhancement from SR-134 to SR-170," to be spent on transit uses.

The Board action approves guidelines for requesting and obtaining funding from Metro for the new transit program, to ensure compliance with Ordinance restrictions and Board policies that affect subregional programs. The guidelines give South Bay the opportunity to submit information on requested uses of funds, including a project description, cost estimate, project schedule, and proposed uses of funds. Upon a compliance review by Metro staff, the proposed uses will be presented to the Board. There is no restriction on the annual or total dollar amount requested or programmed to South Bay, up to \$400,000,000, as there were no comparable restrictions on the Measure R Highway Programs.

South Bay Transit Investments Program

The South Bay subregion is represented by the South Bay Cities Council of Governments (SBCCOG) and includes the cities of Carson, El Segundo, Gardena, Hawthorne, Hermosa Beach, Inglewood, Lawndale, Lomita, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Torrance, and communities of the City of Los Angeles, and unincorporated areas of the County of Los Angeles. The SBCCOG submitted the required information for the Inglewood Transit Connector project to Metro staff in June 2021, in accordance with the draft guidelines (Attachment B). The SBCCOG will be given the opportunity to submit additional project information to be funded from the South Bay Transit Investments program for Metro Board consideration in September 2021.

EQUITY PLATFORM

The Measure R amendment affects a funding program where the use of the funds is determined by the South Bay subregion. The amendment will fund and help deliver transit investments in the subregion, which may provide access to opportunity for communities in need and historically underserved, presuming the future ridership reflects the current rider demographics in the regional Los Angeles County transit system. It is unclear whether this amendment helps respond to or address an identified or expressed need from marginalized communities, or there are disparities in access to transit in the South Bay, as public information on the potential uses is limited and has yet to be submitted to Metro, with the exception of the ITC. The list of potential uses includes the cities of Gardena and Carson, which have Equity Focus Communities as identified by Metro. The City of Inglewood has prepared a draft environmental impact report for the ITC and this document does not specifically include information on marginalized communities or disparities in access to transit. However, the report states that the ITC would be consistent with the city's Environmental Justice Element of its general plan, which focuses on issues of equity when planning for future growth and development in the city. Environmental Justice is a prominent issue in the city as residents primarily reside in disadvantaged communities and the City of Inglewood ranks among the top 25 percent in California with the highest pollution burden and socioeconomic vulnerabilities. The ITC project would also be entirely within or adjacent to Equity Focus Communities as identified by Metro.

FINANCIAL IMPACT

Impact to Budget

Funding for the new South Bay Transit Investments program is not included in the FY22 budget.

Should the Board approve the amendment and guidelines, and South Bay submit acceptable transit uses, the program may need to be funded in FY22. The source of funding would be a transfer of available cash from the Measure R highway subfund.

Multi-Year Financial Impact

The amendment would transfer highway funds to transit and defund ten Measure R highway projects that were approved as part of the Measure R Highway Program, received \$62 million for planning work, but have not yet started construction. If these projects continue to be pursued, a source of funding for the estimated \$412 million (excluding contingency) would be needed to complete construction. If construction is pursued after a delay to any of the projects, this may require that environmental and or design work is redone given the time lapsed.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This item may help provide high-quality mobility options that enable people to spend less time traveling (Goal #1) and provides responsive, accountable, and trustworthy governance within the Metro organization (Goal #5).

NEXT STEPS


Upon Board adoption, the amendment will take effect in forty-five days. Metro staff will contact the South Bay subregion and solicit any proposed uses for the new Measure R Transit Program.

ATTACHMENTS

Attachment A - Measure R Ordinance Amendment
Attachment B - Measure R Transit Program Guidelines
Attachment C - South Bay Transit Investments Project List

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

1 SECTION 18. TRANSFERRING NET REVENUES BETWEEN SUBFUNDS

2 a. Net Revenues not to exceed \$400,000,000 shall be transferred from
3 the Highway Capital Subfund to the Transit Capital Subfund no later than January
4 2030 for use on eligible Transit Capital Projects within the South Bay subregion. The
5 amount of Net Revenues for the "Interstate 405, I-110, I-105, and SR-91 Ramp and
6 Interchange Improvements (South Bay)" project on line 33 in Attachment A is
7 reduced from \$906,000,000 to \$506,000,000. The "South Bay Transit Investments"
8 project is added to the Transit Capital Projects as shown in Amended Attachment A.

9 b. Any surplus Net Revenues under Section 7(d)(4) may be transferred
10 from the Transit Capital Subfund to the Highway Capital Subfund no later than
11 January 2030 for one or more Highway Projects within the same subregion as the
12 completed Transit Project.

13 c. Any surplus Net Revenues under Section 7(e)(4) may be transferred
14 from the Highway Capital Subfund to the Transit Capital Subfund no later than
15 January 2030 for one or more Transit Projects within the same subregion as the
16 completed Highway Project.

Proposed One-Half Cent Sales Tax for Transportation: Expenditure Plan
30 Years, Fiscal Year (FY) 2010 - 2039

As Adopted by the Los Angeles County Metropolitan Transportation Authority Board of Directors July 24, 2008 and Amended _____, 2021
(\$ in millions)

for reference only - not priority order	Subfund	Potential Project in Alphabetical Order by Category (project definition depends on final environmental process)	Cost Estimate	New Sales Tax (Assembly Bill 2321)			Other Funds			Funds Available Beginning	Expected Completion	
				Minimum	Additional	Total	Federal Funding	State Funding	Local Funding (Rail is 3% except as noted)			
1	Transit Projects: New Rail and/or Bus Rapid Transit Capital Projects. Could include rail improvements or exclusive bus rapid transit improvements in designated corridors.											
2			Escalated \$									
3		Eastside Light Rail Access (Gold Line)	\$ 30	\$ 30	\$ -	\$ 30	\$ -	\$ -	\$ -	FY 2010	FY 2013	
4		Exposition Boulevard Light Rail Transit	\$ 1,632 ^a	\$ 925	\$ -	\$ 925	\$ -	\$ 353	\$ 354	FY 2010-12	FY 2013-15	
5		Metro and Municipal Regional Clean Fuel Bus Capital Facilities and Rolling Stock (Metro's share to be used for clean fuel buses)	\$ 150	\$ 150	\$ -	\$ 150	\$ -	\$ -	\$ -	FY 2010	FY 2039	
6		Regional Connector (links local rail lines)	\$ 1,320	\$ 160	\$ -	\$ 160	\$ 708	\$ 186	\$ 266 ^b	FY 2014-16	FY 2023-25	
7			Current 2008 \$									
8	Transit Capital Projects	Crenshaw Transit Corridor - project acceleration	\$ 1,470	\$ 235.5	\$ 971.5	\$ 1,207	To be determined		\$ 263 ^c	FY 2010-12	FY 2016-18	
9		Gold Line Eastside Extension	\$ 1,310	\$ -	\$ 1,271	\$ 1,271			\$ 39	FY 2022-24	FY 2033-35	
10		Gold Line Foothill Light Rail Transit Extension	\$ 758	\$ 735	\$ -	\$ 735			\$ 23	FY 2010-12	FY 2015-17	
11		Green Line Extension to Los Angeles International Airport	\$ 200	\$ -	\$ 200	\$ 200			TBD ^d	FY 2010-12	FY 2015-28 ^d	
12		Green Line Extension: Redondo Beach Station to South Bay Corridor	\$ 280	\$ -	\$ 272	\$ 272			\$ 8	FY 2028-30	FY 2033-35	
13		San Fernando Valley I-405 Corridor Connection (match to total project cost)	TBD	\$ -	\$ 1,000	\$ 1,000			\$ 31	FY 2030-32	FY 2038-39	
14		San Fernando Valley North-South Rapidways (Canoga Corridor) - project acceleration	\$ 188	\$ 32 ^e	\$ 150	\$ 182			\$ 6	FY 2010-12	FY 2014-16	
15		San Fernando Valley East North-South Rapidways - project acceleration	\$ 70	\$ 68.5 ^e	\$ -	\$ 68.5			\$ 2	FY 2013-15	FY 2016-18	
16		West Santa Ana Branch Corridor (match to total project cost)	TBD	\$ -	\$ 240	\$ 240			\$ 7	FY 2015-17*	FY 2025-27*	
17		Westside Subway Extension - to be opened in segments	\$ 4,200 ^f	\$ 900	\$ 3,174	\$ 4,074			\$ 126	FY 2013-15	FY 2034-36	
17a		South Bay Transit Investments	\$ 500 ⁿ	\$ -	\$ -	\$ 500	\$ -	\$ -	\$ -	As funds become available		
		Capital Project Contingency (Transit)-Escalation Allowance for lines 8-17 to be based on year of construction	\$ 7,331	\$ 173	\$ 3,103	\$ 3,276	\$ 2,200	\$ 1,015	\$ 840 ^g	FY 2010	FY 2039	
19	Total New Rail and/or Bus Rapid Transit Capital Projects		\$ 18,939 ^h	\$ 3,408.5	\$ 10,381.5	\$ 13,790	\$ 2,908	\$ 1,554	\$ 1,965	FY 2010	FY 2039	
			\$ 19,439			\$ 14,290						
			<u>\$ 19,339</u>			<u>\$ 14,190</u>						

**Proposed One-Half Cent Sales Tax for Transportation: Expenditure Plan
30 Years, Fiscal Year (FY) 2010 - 2039**

As Adopted by the Los Angeles County Metropolitan Transportation Authority Board of Directors July 24, 2008 and Amended _____, 2021
(\$ in millions)

for reference only - not priority order	Subfund	Potential Project in Alphabetical Order by Category (project definition depends on final environmental process)	Cost Estimate	New Sales Tax (Assembly Bill 2321)			Other Funds			Funds Available Beginning	Expected Completion
				Minimum	Additional	Total	Federal Funding	State Funding	Local Funding (Rail is 3% except as noted)		
20	Highway Projects: Capital Projects - Carpool Lanes, Highways, Goods Movement, Grade Separations, and Soundwalls										
21			Escalated \$								
22		Alameda Corridor East Grade Separations Phase II	\$ 1,123	\$ 200	\$ 200	\$ 400	\$ 200	\$ 336	\$ 187 ⁱ	As funds become available	
23		BNSF Grade Separations in Gateway Cities	\$ 35	\$ -	\$ 35	\$ 35	\$ -	\$ -	\$ -	As funds become available	
24		Countywide Soundwall Construction (Metro regional list and Monterey Park/SR-60)	\$ 250	\$ 250	\$ -	\$ 250	\$ -	\$ -	\$ -	FY 2010	FY 2039
25		High Desert Corridor (environmental)	\$ 33	\$ -	\$ 33	\$ 33	\$ -	\$ -	\$ -	As funds become available	
26		Interstate 5 / St. Route 14 Capacity Enhancement	\$ 161	\$ 90.8	\$ -	90.8	\$ 15	\$ 41	\$ 14 ^j	FY 2010	FY 2013-15
27		Interstate 5 Capacity Enhancement from I-605 to Orange County Line	\$ 1,240	\$ 264.8	\$ -	\$ 264.8	\$ 78	\$ 834	\$ 63 ^j	FY 2010	FY 2016-17
28		I-5 Capacity Enhancement from SR-134 to SR-170	\$ 610	\$ 271.5	\$ -	\$ 271.5	\$ 50	\$ 264	\$ 24 ^j	FY 2010	FY 2013
29		I-5 Carmenita Road Interchange Improvement	\$ 389	\$ 138	\$ -	\$ 138	\$ 97	\$ 154	\$ - ^j	FY 2010	FY 2015
30			Current 2008 \$								
31	Highway Capital Projects	Highway Operational Improvements in Arroyo Verdugo subregion	\$ 170	\$ -	\$ 170	\$ 170	To be determined			As funds become available	
32		Highway Operational Improvements in Las Virgenes/Malibu subregion	\$ 175	\$ -	\$ 175	\$ 175					
33		Interstate 405, I-110, I-105, and SR-91 Ramp and Interchange Improvements (South Bay)	\$ 906	\$ -	\$ 906 \$ 406 <u>\$ 506</u>	\$ 906 \$ 406 <u>\$ 506</u>					
34		Interstate 5 North Capacity Enhancements from SR- 14 to Kern County Line (Truck Lanes)	\$ 2,800	\$ -	\$ 410	\$ 410					
35		Interstate 605 Corridor "Hot Spot" Interchanges	\$ 2,410	\$ -	\$ 590	\$ 590					
36		Interstate 710 North Gap Closure (tunnel)	\$ 3,730	\$ -	\$ 780	\$ 780					
37		Interstate 710 South and/or Early Action Projects	\$ 5,460	\$ -	\$ 590	\$ 590					
38		State Route 138 Capacity Enhancements	\$ 270	\$ -	\$ 200	\$ 200					
39		Capital Project Contingency (Highway)-Escalation Allowance for lines 31-38 to be based on year of construction	\$ 2,575	\$ -	\$ 2,575.9	\$ 2,576					
40			Total Capital Projects Highway: Carpool Lanes, Highways, Goods Movements, Grade Separations, and Soundwalls	\$ 22,337	\$ 1,215.1	\$ 6,664.9 \$ 6,164.9 <u>\$ 6,264.9</u>					

**Proposed One-Half Cent Sales Tax for Transportation: Expenditure Plan
30 Years, Fiscal Year (FY) 2010 - 2039**

As Adopted by the Los Angeles County Metropolitan Transportation Authority Board of Directors July 24, 2008 and Amended _____, 2021
(\$ in millions)

for reference only - not priority order	Subfund	Operating and Capital Programs	Percent of New Sales Tax Net Revenues	New Sales Tax (Assembly Bill 2321)			Other Funds			Funds Available Beginning	Expected Completion
				Minimum	Additional	Total Escalated	Federal Funding	State Funding	Local Funding (Rail is 3% except as noted)		
41	Ops	Bus Operations (Countywide Bus Service Operations, Maintenance, and Expansion. Suspend a scheduled July 1, 2009 Metro fare increase for one year and freeze all Metro Student, Senior, Disabled, and Medicare fares through June 30, 2013 by instead using Metro's Formula Allocation Procedure share of this subfund.)	20%	\$ -	\$ 7,880	\$ 7,880 ^k	Not Applicable			FY 2010	FY 2039
42	Ops	Rail Operations (New Transit Project Operations and Maintenance)	5%	\$ -	\$ 1,970	\$ 1,970 ^k				FY 2010	FY 2039
43	Local Return	Major street resurfacing, rehabilitation and reconstruction; pothole repair; left turn signals; bikeways; pedestrian improvements; streetscapes; signal synchronization; and transit.	15% ^l	\$ 250	\$ 5,660	\$ 5,910 ^k				FY 2010	FY 2039
44	Tran. Cap.	Metro Rail Capital Projects - System Improvements, Rail Yards, and Rail Cars	2%	\$ -	\$ 788	\$ 788 ^k				FY 2010	FY 2039
45	Tran. Cap.	Metrolink Capital Improvement Projects within Los Angeles County (Operations, Maintenance, and Expansion)	3%	\$ 70	\$ 1,112	\$ 1,182 ^k				FY 2010	FY 2039
46		Subtotal Transit and Highway Capital Projects	\$ 41,276^m	\$ 4,623.6	\$ 17,046	\$ 21,670	\$ 2,908	\$ 1,554	\$ 2,253	FY 2010	FY 2039
47		Subtotal page 4		\$ 320.0	\$ 17,410	\$ 17,730	Not Applicable				
48		1.5% for Administration	N/A	\$ 10	\$ 590	\$ 600	Not Applicable			FY 2010	FY 2039
49		Total		\$ 4,953.6	\$ 35,046	\$ 40,000	\$ 2,908	\$ 1,554	\$ 2,253	FY 2010	FY 2039

**Proposed One-Half Cent Sales Tax for Transportation: Expenditure Plan
30 Years, Fiscal Year (FY) 2010 - 2039**

As Adopted by the Los Angeles County Metropolitan Transportation Authority Board of Directors July 24, 2008 and Amended _____, 2021

(\$ in millions)

Notes:

- a. The Exposition Blvd Light Rail Transit project includes the following funds: Prop 1B Transit Modernization funds (\$250 M), State Transportation Improvement Program funds (\$103 M), Metro Propositions A and C funds (\$354 M).
- b. Systemwide ridership forecasts indicate need for a Regional Connector downtown. This expenditure plan assumes that Metro Long Range Transportation Plan funds freed-up from the Exposition Phase II project by passage of this sales tax will be redirected to the Regional Connector project by the Metro Board.
- c. Local funding for the Crenshaw Transit Corridor assumes a 3% local contribution (\$44 M) and a Metro Long Range Transportation Plan contribution (\$219 M).
- d. Local funding target and project schedule to be determined due to potential LAX contribution. First segment is included in the Crenshaw project.
- e. The San Fernando Valley North-South Rapidways minimum of \$100 M is divided between the East and Canoga segments.
- f. Unescalated cost estimate to Westwood.
- g. Assumes a 3% local contribution to the Escalation Allowance (\$225 M) and a Metro Long Range Transportation Plan contribution for project scheduling risk (\$615 M).
- h. Total new rail and/or bus rapid transit capital projects cost estimate subject to change when cost estimates are developed for the San Fernando Valley I-405 Corridor Connection (line 13) and the West Santa Ana Branch Corridor (line 16).
- i. The precise amounts of Federal and local funding for the Alameda Corridor East Grade Separations Phase II project are subject to change.
- j. For projects funded from other sources on or before December 31, 2008, the funds freed-up by passage of this sales tax shall remain in the subregion in which the project is located for projects or programs of regional significance (per AB 2321).
- k. Amounts are estimates. Actual amounts will be based on percentage of actual sales tax receipts net of administration.
- l. Local Return to the incorporated cities within Los Angeles County and to Los Angeles County for the unincorporated area of the County on a per capita basis per annual California Department of Finance population data.
- m. The total project cost estimate for the transit and highway capital projects of \$41.2 B includes \$12.9 B in as yet unidentified federal, state, local, and public-private partnership funds for highway projects.
- n. The South Bay Transit Projects listed below, depending on readiness, could be included with South Bay Highway projects submitted to Metro in the FY 2022 Metro Budget Request development process by October 31, 2020. Anticipated available funding could then be accessed as early as July 2021.
 1. Carson Circuit Fashion Outlet Regional Transit Center
 2. GTrans Purchase of up to 15 expansion buses
 3. GTrans Solar Energy Generation/Bus Fueling Infrastructure Project
 4. Beach Cities Transit: Transit Operations & Maintenance Facility
 5. Torrance Transit Return of the Red Car Urban Circulator Trolley
 6. Torrance Transit Expansion Buses
 7. Torrance Transit Regional Transit Center Parking Structure
 8. Torrance Transit MicroTransit Expansion of the Torrance Community Transit Program
 9. Torrance Transit Construction of Heavy-Duty Electric Vehicle Charging Station
 10. City of Inglewood: Inglewood Transit Connector Project

Legend: Ops = Operations; Tran. Cap. = Transit Capital; SR = State Route; I = Interstate

* The West Santa Ana Branch matching funds would be accelerated by utilizing Long Range Transportation Plan resources freed-up by the use of new sales tax funds on the Interstate 5 Capacity Enhancement from I-605 to Orange County Line project (line 27).

MEASURE R TRANSIT PROGRAM GUIDELINES

Introduction

The Measure R Program includes two capital fund types – highway and transit – and allows for transfers between the two capital funds. These guidelines serve as administrative guidance for external partners who are programming transit capital projects within the designated Measure R transit program. These guidelines define a process and eligibility requirements to ensure the requested uses of funds for this program are consistent with the provisions of the Ordinance, existing Board policy as specified for subregional programs, and other statutory requirements.

For any subregional projects that are implemented by Metro or include an award of supplemental non-Measure R funding, use of Measure R transit funds must be consistent with all Board adopted policies and plans, and consistent with Metro goals for equity, sustainability, mobility, accessibility, and safety. Governing policies and plans include, but are not limited to:

- 2020 Long Range Transportation Plan (LRTP)
- Moving Beyond Sustainability (MBS)
- Complete Streets Policy
- Active Transportation Strategic Plan (ATSP)
- First/Last Mile Strategic Plan (FLMSP)
- Urban Greening Plan
- Bus Rapid Transit Vision and Principles Study (BRT V&P)

Any other applicable Board plans and policies adopted prior to the Board's approval of funding will apply to the project and remain in effect for the duration of the project's delivery. Additionally, to the degree that Metro assistance is required for project delivery, all Metro procurement policies and project standards will apply.

Step 1 Fund Availability

Metro Board action is required to approve funding levels for project(s) and incorporating the funding in the annual Metro budget for payment of project expenses, pursuant to any agreements between Metro and project(s) sponsor(s).

In order to assist Metro with fund availability and budgeting so that such actions align with project delivery, project sponsors will submit reasonable expenditure estimates based on credible project readiness documentation. Metro can delay budgeting of funding if project readiness detail is unavailable.

Metro staff will provide concurrence of eligible projects and may request supplemental information to verify program nexus and funding eligibility prior to requesting Metro Board approval.

Step 2 Project Eligibility

Coordination with Metro staff is required to determine project eligibility. The project must be a transit capital project to be eligible. Exceptions to the transit capital requirement are project sponsor overhead or support expenses not to exceed 0.5% of total project expenses in any given fiscal year. Examples of support or overhead expenses include but are not limited to planning activities prior to the environmental phase.

The amount and timing of the 0.5% overhead support funding will be defined in a funding agreement between Metro and the subregional entity/project sponsor. Any expenses applied to the 0.5% support funding must be directly related to project delivery or project development, and subject to all documentation requirements as defined by the funding agreement or Metro's invoice processing policies/practices/requirements.

The nexus for all expenses must be in conformity with Metro Board actions related to the project and the funding agreement.

The project sponsor is responsible for public outreach to ensure local stakeholder consultation in prioritizing the project and related funding.

Step 3 Subregional Entity Adoption

The project sponsor(s) do not have to be a subregional entity, also known as Councils of Governments (COGs), as identified/defined in the Metro sales tax ordinance (Measure R and Measure M may differ). However, the COG (subregional entity) must also adopt the project for confirmed approval of the use of the funds, as a component of the Measure R transit program allocated to the subregion under the ordinance.

Step 4 Metro Fund Agreements

Following Metro Board approval of funds, Metro staff will begin executing funding agreements with project sponsors.

Project funding agreements will comprise project specific approvals. Measure R funds requested for a project must not exceed available Measure R funding approved by the Metro Board. If Measure R funds required are in excess of available/approved funds, Metro may ask the project sponsor, and the approving subregional entity, to prioritize or delay certain projects. Project sponsor is defined as the entity developing and delivering the capital project. The project sponsor will develop a scope of work which will detail the following:

- a) Specific project location/physical limits
- b) Detailed project description including nature of transit capital investment

- c) Detailed project schedule, including list of completed phases
- d) Detailed funding plan – including phases of the project that will be funded, and source(s) of all funds
 - All funds must be committed
 - Supplemental fund requirements will be triggered if the project sponsor cannot fully fund the project
- e) Possible need and justification for using funds for overhead or support expenses (not to exceed 0.5% of total expenses)
- f) Final Jurisdictional Support/Community or Council actions (e.g., resolution)

There will be reporting and audit requirements of the projects once an agreement is executed. All reports, expenditures, agreements, and related project requirements are subject to audit and will require all appropriate documentation (such as contractor invoices, timesheets, receipts, etc.).

Payment will be issued once an invoice is approved by Metro staff, to ensure that the submitted expense is within the approved scope of work attached to the project funding agreement. Metro shall determine which expenditures qualify as eligible for payment, and that determination shall be final.

Step 5 Project Changes

If the project sponsor would like to change their project scope, schedule or funding, the project sponsor will consult with both Metro and the subregional entity, subject to Metro Board approval.

Project sponsors seeking to amend the scope, request additional funding, or cease work on a project will provide a letter to Metro detailing the request and provide sufficient justification for Metro to review the proposed change. Project deletions are strongly discouraged where funds have been partially expended. Metro will require additional detailed information as to why a project cannot be completed prior to any substitutions. Funding agreements may include reimbursements for project expenses, loss of 10% retention (or less depending on grant requirements), or other penalties.

Metro will provide concurrence of eligible new project and modifications to existing projects consistent with the existing project description.

The Metro Board will approve funding agreement amendments and other related actions.

South Bay Subregion
 Measure R South Bay Transit Investments Program

	Agency	Project ID No.	Project/Location	Funding Phases	Note	Prior Alloc	Alloc Change	Current Alloc	Prior Year Prog	FY2021-22	FY2022-23	FY2023-24	FY2024-25	FY2025-26
1	Inglewood		City of Inglewood	PS&E, ROW Construction				\$ 233,700,000		\$ 65,555,118	\$ 137,726,003	\$ 10,124,967	\$ 20,293,912	\$ -



Board Report

File #: 2021-0400, **File Type:** Informational Report

Agenda Number: 34.

**EXECUTIVE MANAGEMENT COMMITTEE
JULY 15, 2021**

SUBJECT: CHIEF COMMUNICATIONS OFFICER (CCO) QUARTERLY REPORT

ACTION: ORAL REPORT

RECOMMENDATION

RECEIVE CCO Quarterly Report

EQUITY PLATFORM

Equity is at the center of everything we do in Communications. The oral report will not only highlight activities of the last quarter, it will also serve to highlight its active role in equity. Some examples of how equity is prioritized includes: How equity is highlighted in the LA communities where Metro Art is reflected; over 50% of artists commissioned represent BIPOC communities, it is evidenced in the elevated voices we seek to hear from when developing transit and active transit solutions that uplift communities through targeted engagement, and in the innovative approach where bikes are donated to equity focused communities, rather than being sent to auction.

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

Stephanie N. Wiggins
Chief Executive Officer



Chief Communications Officer Report

Executive
Management
Committee

July 2021

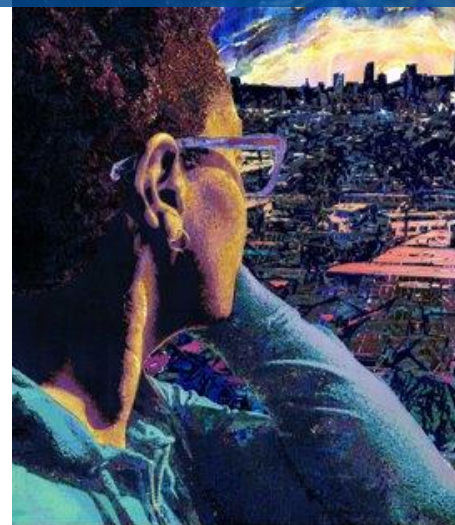
Arts and Design Programs



Eric Almanza, *Journey Home*



Bodeck Hernandez, *Legacy*



LP Aekili Ross, *Blue Sights*



Jazmine Atienza, *Last Stop*

Uplifting the Human Spirit Through Metro Art



Cat Ferraz, *Vovó Santinha*



Kristina Ambriz, *Wall of Concrete*



Cody Lusby, *Playful Transportation*



Alepis Hernandez, *Monday Morning*

Community Relations

We're fostering collaboration with local communities.

COMMUNITY-BASED ORGANIZATION PARTNERING STRATEGY

Elements for Successful Partnering in Professional Services



Study Timeline



Metro



Customer Care

Customer Programs and Services has partnered with Metro's Systems Security and LAPD to provide unclaimed Lost & Found bags held for over 90 days for K9 Bomb Unit training. **20** bags have been transferred to date.



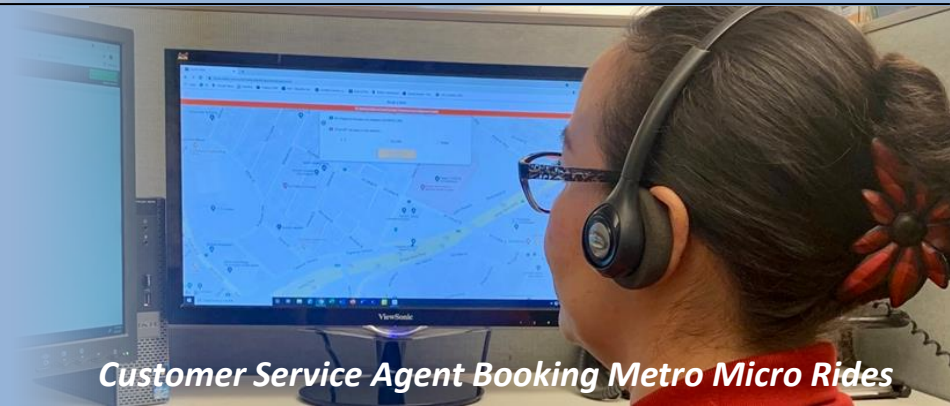
K9 Bomb Unit Bag Training



Bikes Marked for Adopt-A-Bike Pick-up

Customer Care has transferred **515** unclaimed Lost and Found bikes to the "Adopt-a-Bike Program" to date.

The Contact Center received an average of **242** "Metro Micro" ride booking calls per month.



Customer Service Agent Booking Metro Micro Rides

Government Relations



Federal Highlight:

- Metro continues to work with our Congressional delegation to support the American Jobs Plan, President Biden's infrastructure initiative.

State Highlight:

- Metro's 3 sponsored bills (Senate Bill 44 and Assembly Bills 811 and 917) have all successfully passed their houses of origin and continue to move through the legislative process.

Marketing

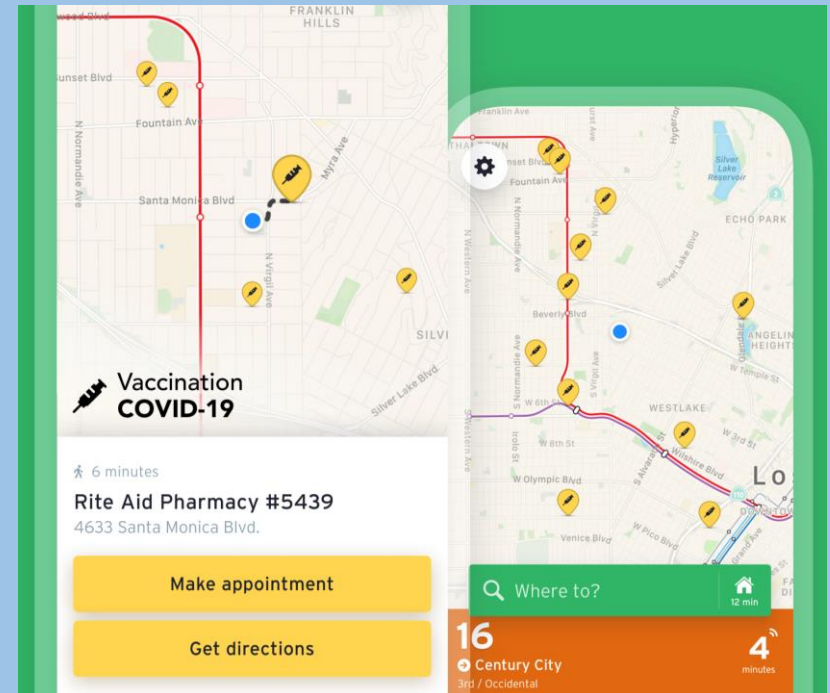
MyBus 2.0

Working with Service Planning, Customer Care and Operations, we improved this wildly popular customer tool in time for NextGen phase 2.



Vax Sites in Transit App

We made it possible for our customers to find, schedule and plan a trip to their nearest vax site.



Public Relations

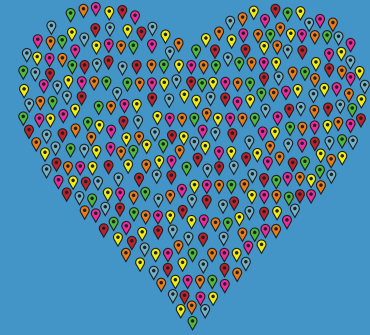


FRONTLINE WORKERS



Stop Asian Hate

Stop Asian hate. Be kind, LA.



For resources, visit metro.net/bekind.

<https://twitter.com/metrolosangeles/status/1389289949929824260>

AAPI
HERITAGE
MONTH

VISIT THESE LA NEIGHBORHOODS:

CAMBODIATOWN
CHINATOWN
HISTORIC FILIPINOTOWN
KOREATOWN
LITTLE BANGLADESH
LITTLE INDIA
LITTLE TOKYO
SAWTELLE JAPANTOWN
THAI TOWN

[LA Metro on Twitter](#)

"May is #AAPIHeritageMonth. Celebrate our diverse communities and neighborhoods and check out these upcoming local events:

<https://t.co/JorxtNiHQW>"

twitter.com

LA IS FOR EVERYONE

**SEE OR EXPERIENCE A HATE CRIME
OR INCIDENT? REPORT IT.**

Call 2-1-1 or 3-1-1 to report a hate incident.
Call 9-1-1 to report a crime in progress.
Assistance available in multiple languages.

Find resources at
CivilAndHumanRights.LACity.org/LAforALL



#LAFORALL



**Thank you.
Questions?**



File #: 2021-0464, File Type: Oral Report / Presentation

Agenda Number: 36.

**EXECUTIVE MANAGEMENT COMMITTEE
JULY 15, 2021**

SUBJECT: FARELESS SYSTEM INITIATIVE (FSI) UPDATE JULY 2021

ACTION: ORAL REPORT

RECOMMENDATION

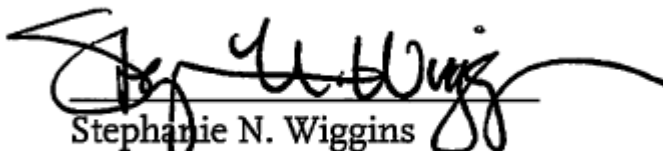
RECEIVE oral report on Fareless System Initiative (FSI) Update.

ATTACHMENTS

Attachment A - File # 2021-0372 Approved Motion on Fareless System Initiative (FSI) May 2021

Prepared by: Devon Deming, Interim Deputy Executive Officer, FSI (213) 922-7957

Reviewed by: Nicole Englund, Chief of Staff, OCEO, (213) 922- 7950


Stephanie N. Wiggins
Chief Executive Officer



Board Report

File #: 2021-0372, File Type: Motion / Motion Response

Agenda Number: 45.

REVISED
REGULAR BOARD MEETING
MAY 27, 2021

Motion by:

DIRECTORS GARCETTI, MITCHELL, AND KREKORIAN

Fareless System Initiative

Metro's Fareless System Initiative (FSI) is one of the most transformative efforts Metro can take to help Los Angeles County emerge from the pandemic, advance equity, reduce transportation emissions, simplify students' return to school, and increase ridership.

The pandemic has hit students hard. Once the Department of Public Health and schools deem it safe for students to fully return to in-person learning, Metro, municipal operators (munis), and school districts should do everything possible to make the transition back effortless for these families. Studies across the country have shown that the lack of access to transportation is a barrier to student attendance and, therefore, academic success.

Moreover, Metro riders' median household income is \$19,325 systemwide, with approximately 70 percent of Metro riders considered low-income under federal Department of Housing and Urban Development definitions. Many of our riders depend on Metro to reach their jobs as essential workers, and during the pandemic they suffered unavoidable financial impacts. Fareless transit would alleviate some of this burden, helping Los Angeles County get back on its feet.

As the FSI pilot has been developed, the following items remain to be finalized:

1. An efficient implementation process, as well as agreements with the school districts, needs to be put in place to distribute fareless K-12 and Community College student passes.
2. A final funding plan needs to be created.
3. A key concern of municipal operators is the continuation of existing funding agreements with community colleges. These funding agreements have, in many cases, taken years to negotiate. While FSI remains a pilot, these agreements and processes should be kept in place.
4. A mission statement and goals are necessary to help communicate the need for this program.
5. The existing FSI Task Force that developed the pilot should be re-formed to focus on implementation.

Board action is required to ensure these key areas of risk can be addressed and to provide clarity on

FSI's advancement and next steps.

SUBJECT: FARELESS SYSTEM INITIATIVE

RECOMMENDATION

APPROVE Motion by Directors Garcetti, Mitchell, and Krekorian that the Board direct the Chief Executive Officer to implement the Fareless System Initiative, subject to a final financial plan and while pursuing cost-sharing agreements.

WE FURTHER MOVE that the Board direct the Chief Executive Officer to:

Administrative Coordination

- A. Develop strategies to streamline and simplify the eligibility process for participants, striving to remove as many barriers to entry as possible;
 - 1. Include an evaluation of a self-attestation process for low-income riders;
- B. Partner with school districts on administrative coordination to enable availability at pilot launch to all LA County school and community college districts (based on each district's interest), including but not limited to any required Memoranda of Understanding or TAP coordination;

Funding

- C. In partnership with implementation partners and key stakeholders, pursue and support federal and state opportunities and legislation to fund the Fareless System Initiative, both the pilot phase and any permanent program (should the Board decide to continue past the proposed pilot period), including but not limited to the federal Freedom to Move Act;
- D. Pursue reasonable cost-sharing agreements with school districts;
 - 1. Seek to take advantage and leverage any existing student transportation fee programs (e.g., student-approved LACCD fees);
 - 2. Seek to preserve existing funding agreements between school districts and transit operators;
 - a. Wherever municipal operators have existing fareless agreements with community college districts, consider accepting muni student transit passes on Metro for the duration of the pilot;
 - 3. Seek new funding agreements for districts without any existing discounted or fareless student pass programs (e.g., U-Pass);
- E. Consider pursuing private funding opportunities, including but not limited to philanthropic partnerships;

Follow-Up

F. Report to the Board monthly on the development, launch, and performance of the Fareless System Initiative. The first update should include:

1. A mission statement and goals for the FSI pilot;
2. Lists of interested municipal operators, school districts, and community college districts;
3. An update on the refined FSI financial plan; and
4. Identification of a cross-departmental implementation team.

HAHN AMENDMENT: Direct the Chief Executive Officer to prepare a financial plan for the implementation of a Fareless System Initiative that meets the conditions provided below to the Board's satisfaction:

1. Municipal and local operators that choose to participate will be fully included and provided the same type of fare subsidy as Metro transit operations, in order to ensure a seamless rider experience regardless of geographic location or transit provider;
2. The initiative is funded without reducing existing transit operations or state of good repair expenditures or by using regional funding typically committed to bus and rail transit operations or intended for the capital program;
3. Opportunities to expand or adjust existing fare subsidy programs to maximize community benefit have been studied and presented to the Board; and,
4. An initiative can be scaled and/or targeted in a manner that best aligns with Metro's Equity Platform, adopted by the Board in March 2018.

MITCHELL AMENDMENT: Direct Metro CEO to Continue the current fare collection policy in perpetuity until the Metro Board is satisfied with a financial plan for Fareless.

BONIN AMENDMENT:

1. Report back in the financial plan with information on the costs, including administration, technology, and enforcement, of the proposed pilot program compared to a universal fare-free system.
2. Include in the overall final program evaluation:
 - a. Reach of the program, including student and low-income participation rates.
 - b. Effectiveness of the program in improving mobility, increasing student attendance and performance, shifting travel behavior, reducing automobile use, and increasing transit ridership.

- c. The net cost of the program and cost per rider.

SOLIS AMENDMENT: Report back on the feasibility of using the Federal American Rescue plan funding for the pilot.

Metro's Fareless System Initiative (FSI)

Fareless System Initiative (FSI) Update
Executive Management Committee
Thursday, July 15, 2021

Devon Deming
Interim Deputy Executive Officer
Fareless System Initiative (FS)
demingd@metro.net
(213) 978-7957



May Board Motion

Requested implementation of the Fareless System Initiative, subject to a final financial plan and while pursuing cost-sharing agreements, and to report to the Board monthly on the development, launch, and performance of FSI.

Requirements included:

- Streamlined, efficient application and administration
- Cost-sharing agreements with K-12 districts and community colleges
- Maintaining existing agreements between colleges and transit agencies
- Identifying new funding source

Background for Phase 1

- 69% of 1.4 million K-12 students qualify for Free and Reduced-Price Meal programs for low-income families
- 20% of junior high school students and 23% of LA adults are obese
- People who take transit are 44% less likely to be overweight
- An AA degree increases income potential by up to 47%
- Only 30% of community college students graduate, and only 26% of African American students and 22% of Latino students

Program Goals - Phase 1 (K-14)

Increase ridership, increase student success, and improve student health by building on existing Metro and regional student pass programs, to make access to transit fareless for all K-12 and community college students in LA County through cost-sharing partnerships with districts (school and community college) and transit agencies

Equity Analysis

FSI Task Force used the Rapid Equity Assessment Tool to analyze the impacts of the proposed FSI Pilot Program.

Phase 1 of the FSI Program seeks to increase access to transit for all K-12 and Community College students by:

- Eliminating payment of fare at boarding
- Reducing application barriers by streamlining card distribution and registration through school partners
- Providing program materials in multiple languages
- Including a phone registration process

K-12 District Partnerships: Status

Proposed cost-sharing for District K-12 Partnerships would be \$3 per student per year for all students in district and would include:

- Distribution of free TAP Cards through District
- Unlimited rides on all participating transit agencies in LA County

38 districts have expressed interest in becoming Partners representing:

- 1,139 schools
- 695,610 students
- \$2,086,830

Community College Partnerships: Update

- Maintain all existing agreements between colleges and transit agencies
- Recommend schools transition from opt-in to opt-out programs
- Proposed cost-sharing for new Community College Partnerships for Year 1 would be \$7 per student per year for all students in district for first year:
 - Distribution of free TAP Cards through District
 - Unlimited rides on all participating transit agencies in LA County
- Cost difference based on Community College average ridership of 7 boardings per week vs. K-12 average ridership of 3 Boardings per week
- This would give colleges time to assess usage and pass student referendum for student fee for Year 2, if desired
- Under Muni/College agreements, student fees range from \$7-\$9.50 per term

Phase 1 Costs

Due to scope of Phase 1, projections are limited to fare revenue losses

- Defeasance of bonds (\$80M) not necessary for implementation of Phase 1
- Administration, operations, and security will be covered by existing budget

\$ in millions	FY19 (pre-COVID)	FY22	FY23	Estimated Fare Revenue Losses
<u>Fare Revenue Losses</u>				
Metro K-12 Students ⁽¹⁾	\$ 27.0	\$ 7.7	\$ 25.8	\$ 33.5
Muni/Local K-12 Students ⁽²⁾	8.2	8.2	8.2	16.4
Community College Students ⁽³⁾		-	-	-
	\$ 15.9	\$ 34.0	\$ 49.9	

NOTES:

1. Metro fare revenue loss:

- FY22 based on FY22 budgeted amount of \$73.2M and 10.5% K-12 share
- FY23 based on estimated 95.5% of pre-covid ridership levels

2. Muni/Local fare revenue loss:

- Estimates are based on Metro percentage shares of K-12 fare revenues applied to countywide 2019 NTD data (pre-pandemic levels)

3. Regional U-Pass program and existing community college agreements held by muni/local operators will continue under current contracts, except that all community college passes will be accepted as valid fare on all participating FSI Operators

Phase 1 Funding Plan

Identified new funding for Phase 1:

- Metro plans to propose ARPA to fund Metro's participation
- In consultation with regional transit operators, Metro is recommending use of their ARPA allocations to fund their participation

Potential new funding

- K-12 school districts interested in cost-sharing
- Continue to seek additional funding to support the pilot

Program Analysis

- Program Analysis will be done by combination of national and local organizations and will include:
 - Increase in riders/boardings
 - Increase in frequency of usage
 - Improvements to K-12 attendance and K-12 and Community College success
 - Improvements in student health and wellness
 - Effect on customer experience
 - Equity analysis
 - Cost of program / Future funding
- Program data for each group will be analyzed separately

Metro Youth Council

- Missing youth voices in existing planning process, advisory councils and committees.
- Youth Council is aimed at students between 14 and 17 who represent the diverse demographics and geographic areas of LA County.
- Youth Council will be made up of 26 members representing Metro's nine sub-regions.

Fareless System Initiative

- FSI Plan-Phase 1 will leverage the Youth Council efforts

Public Participation

- Build a pipeline of riders and transit leaders as it moves towards engaging K-14 students in LA County.

Recommendation

1. August 2021 implementation of Phase 1 of the Fareless System Initiative, including proposed cost-sharing agreements for K-12 and Community College Districts ;
2. Adoption of the final financial plan for Phase 1, including utilizing Metro's portion funding of American Recovery Plan Act (ARPA) funds to cover Metro's fare revenue loss not covered by cost-sharing agreements

Next Steps

- Upcoming meetings with regional transit agencies to finalize funding recommendations
- Finalizing research on fare collection cost
- Preparing written board report for distribution on July 16 to seek Metro Board approval of Phase 1 funding and implementation plan with anticipated August 2021 launch date
- Continuing discussions with school districts, community colleges, and transit agencies who have expressed interest in participating



Fareless System Initiative