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March 19, 2024

Metro CEO Stephanie Wiggins  
Los Angeles County Metropolitan Transportation Authority  
Sepulveda Transit Corridor Project  
One Gateway Plaza  
Los Angeles, CA 90012  
[wiginss@metro.net](mailto:wiginss@metro.net)

**Subject: 18 Unacceptable Metro Responses to SOHA’s 20 Questions on Sepulveda Pass Transit**

**Reference: Sherman Oaks Homeowners Association, *SOHA Demands At Least 90 Days to Review Sepulveda Transit Corridor Project DEIR and 15-Day Response to 20 Questions As Proof of Metro’s Trusted Project Stewardship, February 28, 2024***

Dear CEO Wiggins,

The Sherman Oaks Homeowners Association is in receipt of Metro’s disappointing response to our above-referenced letter. We critically reviewed your responses to our 20 questions about the project and found only one of them acceptable, one marginal, and 18 unacceptable, as detailed in Attachment A. Your email transmitting the responses noted that “Fortunately, we were able to confirm that the vast majority of the questions have already been answered publicly. The rest are based on misinformation, so we appreciate the opportunity to correct the record.” We do not concur because none of the questions have been answered publicly and none were based on misinformation.

Although we address each of your responses in Attachment A, we felt an example of why almost all responses are unacceptable would be valuable. We chose Question 1: “Why has Metro never explained at any public meeting that their STCP budget is only \$8 billion and insufficient to build four of its six alternatives?” Metro’s response to this question was unacceptable because Metro didn’t address our question at all in their response. We asked a “why” question, yet Metro provided no “why” explanation and no supporting facts. Metro never mentioned the budget. Metro never mentioned that any project alternative might be unaffordable within the budget. Metro noted it is standard industry practice to keep the public uninformed concerning cost and this can’t be true. Metro referred to its FAQs, Environmental Review Fact Sheet, and video as supporting information, but these are generic documents and irrelevant. I hope you can understand why we considered such a response unacceptable.

We request that you respond within 7 calendar days with acceptable responses to our questions. We ask you to present our complete questions instead of the first line of the question as you did in your unacceptable responses. Your tactic diminished the detail and impact of our questions.

In closing, we want you to understand how frustrated and disappointed we are trying to work with Metro. We are not alone. We talk to and read about many others countywide who feel the frustration – Bel Air, Lawndale, Burbank, Chinatown, and others. SOHA fully supports the concerns and issues raised by Fred Rosen and Keep Bel-Air Beautiful. Our perception is that Metro purposefully and intentionally keeps the public in the dark and has no interest in changing. Metro's responses to our questions were elusive and meaningless, and we simply can't understand why any public agency would act this way. Every Metro request for information shouldn't result in a promise of information in the future. Metro has more than enough information now, can mark it draft, and disseminate it. As Metro CEO, it's clear you have the power to change your organizational culture and do some very needed housecleaning. The three words we most often hear describing Metro are opaque, uncaring, and incompetent. Your inaction shows that you have no intention to change the existing culture, which is a sad state of affairs for the citizens of LA County.

Thank you.

### Request for Courageous Whistleblowers

SOHA continues to be concerned about how non-transparently and ineffectively Metro has conducted the Sepulveda Pass Transit project. There must be underlying deficiencies behind such abject failure to partner with communities and the public. We ask current and former Metro and Metro contractor personnel to think deeply and courageously about their own concerns and consider confidentially contacting the undersigned.

Respectfully,



Bob Anderson, MS, PE (NU 474)

Vice President and Transportation Committee Chair

Sherman Oaks Homeowners Association

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cc: Metro Sepulveda Transit Corridor Project File, Sharon Gookin (Metro Deputy CEO), Nicole Englund (Metro Chief of Staff), Elba Higueros (Metro Deputy Chief of Staff), Peter Carter (Metro STCP Project Manager), Jody Litvak (Metro Community Relations), LA Mayor Karen Bass (Metro Board Chair), Supervisor Janice Hahn (Metro Board First Vice Chair), Fernando Dutra (Metro Board Second Vice Chair), Supervisor Lindsey Horvath (Metro Board), Supervisor Kathryn Barger (Metro Board), Supervisor Holly Mitchell (Metro Board), Supervisor Hilda Solis (Metro Board), Council President Paul Krekorian (Metro Board), Councilmember Katy Yaroslavsky (Metro Board), Inglewood Mayor James Butts (Metro Board), Pomona Mayor Tim Sandoval (Metro Board), Glendale Councilmember Ara Najarian (Metro Board), Jacquelyn Dupont Walker (Metro Board), Congressmember Brad Sherman (30<sup>th</sup> District), Councilmember Nithya Raman (CD4), Councilmember Imelda Padilla (CD6), Councilmember Bob Blumenfield (CD3), John Alford (Congressmember Sherman Deputy), Justin Orenstein (Supervisor Horvath Transportation Director), Dave Perry (Supervisor Barger Transportation Director), Randall Winston (Mayor Bass Transit Director), Andrea Conant (CD4 Chief of Staff), Ackley Padilla (CD6 Chief of Staff), Karo Torossian (CD2 Chief of Staff), Gary Gero (CD5 Chief of Staff), Lisa Hansen (CD3 Chief of Staff), Mehmet Berker (CD4 Transportation Deputy), Sahag Yedalian (CD2 Transportation Deputy), Jarrett Thompson (CD5 Transportation Deputy), Jeff Jacobberger (CD3 Transportation Deputy), Lindsay Imber (President Sherman Oaks NC), Jeffrey Hartsough (Sherman Oaks NC), Jeff Kalban (Sherman Oaks NC), Avo Babian (Sherman Oaks NC), Travis Longcore (President Bel-Air Beverly-Crest NC), Leslie Elkan (Village at Sherman Oaks BID), Tammy Scher (Sherman Oaks Chamber of Commerce), Jamie Meyer (President, Bel Air Association), Chuck Meyer (Bel Air Association), Fred Rosen (Keep Bel-Air Beautiful), Marian Dodge (Hillside Federation), David Blaisdell (CEO, Bechtel Sepulveda Transit Corridor Partners), Michael Hoghooghi (CEO, LA SkyRail Express), Kevin Haboian (SVP, HTA Partners), Michael Beck (UCLA), Joshua Schank (InfraStratagies), Rachel Uranga (LA Times), Dave Zahniser (LA Times), Jill Cowan (NY Times), Paul Berger (Wall Street Journal), Jill Stewart (LA Daily News), Steve Scauzillo (LA Daily News), Jim Hampton (CityWatch), Jack Humphreville (CityWatch), Gary Baum (Hollywood Reporter); Marci Marks (Encino-Sherman Oaks-Studio City News), Matt Shaw (Westside Current), Jamie Paige (Valley Current), Joe Taglieri (Valley Current), Martin Macias (LA Public Press), David DeVoss (Valley VOTE), Eric George, Noah Helpen, Robert Silverstein, Richard Katz

## ATTACHMENT A – SOHA Rebuttal to Metro Question Responses – March 19, 2024

The Sherman Oaks Homeowners Association carefully reviewed Metro’s March 14<sup>th</sup> responses to our 20 questions about the Sepulveda Transit Corridor Project (STCP). We found one acceptable response, one marginal response, and 18 unacceptable responses as explained in this attachment, as detailed.

1. **Why has Metro never explained at any public meeting that their STCP budget is only \$8 billion and insufficient to build four of its six alternatives?** Metro knows its STCP budget because it is written into Measure M and is only \$8 billion in today’s dollars. This is important knowledge that Metro has seldom, if ever, touched on in public meetings. If asked how it factors affordability into its selection of the Locally Preferred Alternative (LPA) that is built, Metro will say that it does not and has never considered affordability before building a project (see video clip: <https://youtu.be/hb9FxfFITHg>). This is like someone who qualifies for a \$800,000 mortgage with 20% down trying to buy a \$3 million house. It is not a real-world viewpoint and could lead Metro to erroneously select an unaffordable LPA.

**Unacceptable Response – Metro didn’t address our question in their response below. Our question asked “why” Metro hasn’t explained their insufficient project at any public meeting. Metro has never explained this or included it in any public presentation. Metro does not explain this in its FAQs, Environmental Review Fact Sheet, or video. Stating this is standard industry practice is irrelevant and obviously ineffective because Metro overruns every project.**

This project will be funded in part by Measure M, the Los Angeles County sales tax approved by voters in 2016. Based on the environmental review process, a Locally Preferred Alternative, a project budget, and a funding plan will be developed. This funding plan will leverage Measure M funds with other sources of funding including local, state, and federal sources. This is a standard industry practice that helps agencies leverage multiple funding sources to deliver transportation projects. Recent successful examples of this approach for Metro include LPAs for Eastside Phase 2 Extension, East San Fernando Valley Light Rail Transit Project, and the Purple Line Extension, just to name a few.

Metro has shared this information with the public through its Frequently Asked Questions (FAQs), our Environmental Review Fact Sheet, and Video provided both at its public meetings and on the project website. Video was provided both at public meetings and on the project website.

2. **Why has Metro never publicly presented information on the capital and operations and maintenance (O&M) cost estimates for its current six alternatives – and what are today’s capital and O&M cost estimates for each alternative?** Metro only once presented cost estimates for its original four Feasibility Study concepts HRT1, HRT2, HRT3, and MRT1 at its July/August 2019 public meetings. To date, Metro has spent about \$35 million on its Environmental Studies contract with HTA Partners, and \$40 million each on its two PDA contracts with SkyRail and Bechtel – about \$110 million. This does not include Metro’s internal and other costs and is about three times more than Metro historically spends to prepare for its Board decision on which alternative to build. Yet when asked, Metro has continued to claim that further studies are needed before they can present cost estimates on the six alternatives. This may be because Metro knows that only two of its six alternatives are affordable within Metro’s \$8 billion budget. Yet the public needs to and should know these estimates before commenting on the DEIR – and the Metro Board should know too before they overcommit.

**Unacceptable Response – Metro didn’t address our question in their response below. Our question asked “why” has Metro never publicly presented cost estimates for the six alternatives and asked for the cost estimates. An explanation of when Metro will finally share cost estimates is irrelevant and not an acceptable response.**

As shared in the Fall 2023 community meetings and in the project FAQs, cost estimates for each alternative are in the process of being developed. This information will be shared with the public before the release of the Draft Environmental Impact Report (DEIR).

3. **What are Metro’s specific plans and funding sources for securing the tens of billions of additional dollars needed to build subways under the Sepulveda Pass?** Metro must have a financial plan for funding the STCP. No trusted-steward agency would consider building a \$25 to \$30 billion subway if they only had \$8 billion in available funding. But Metro is doing just this. Construction inflation is at an all-time high and rising twice as fast as consumer inflation. Federal and California transportation spending are being drastically reduced or even curtailed. Metro must have hidden sources of billions for its projects. They need to tell the public about these sources – or tell the public that certain alternatives may simply not be affordable. It’s only fair.

**Unacceptable Response – Metro didn’t address our question in their referenced response below. Metro needs to convincingly explain its funding plan now because Metro may have to increase its federal and state funding requests by a factor of five or six – and the public needs to know if that is possible and plausible.**

See response to Q1 above. [This was Metro’s response.]

4. **Why has Metro never provided any information on construction time or schedule estimates for any of its STCP concepts at any public meeting from 2018 to today – and what are today’s construction time and schedule estimates for each alternative?** Metro has never publicly presented any construction time or schedule information at any of its public meetings for either Metro’s original four Feasibility Study concepts HRT1, HRT2, HRT3, and MRT1 or for its final six alternatives currently under study. Metro must know this information – and the public deserves to know it too. Such information is critical for public understanding of an alternative’s viability and for public submission of educated comments and questions to the Metro Board. The public’s impression of one alternative versus another may drastically change if one takes four to five years to build while another takes twelve to fifteen years.

**Unacceptable Response – Metro didn’t address our question in their response below. Our question asked “why” Metro has not provided any construction time or schedule information. The Metro response below is irrelevant as it only restates that Metro plans to provide the information at some time in the future.**

Metro has consistently stated in public meetings and FAQs that information about construction methods, impacts, mitigations, and timeframe are being developed as a part of the environmental review process. At the most recent public meeting for the Sepulveda Transit Corridor Project in the Fall of 2023, Metro stated that this information would be shared before the release of the DEIR.

5. **Why has Metro used contractors HNTB and AECOM for every major STCP study since 2010 and why isn’t Metro able to find other viable and possibly more innovative contractors?** Both companies were partnered with Parsons Brinkerhoff for the 2010 STCP Planning Study, partnered together with WSP (formerly Parsons Brinkerhoff) as the Sepulveda Mobility Partners joint venture for the 2016 STCP Feasibility Study, and partnered together with Terry Hayes as the HTA Partners joint venture for the ongoing STCP Environmental and Advanced Conceptual Engineering Studies. There must be other experienced contractors across LA County, California, and the country – possibly more innovative ones. It almost seems anti-competitive to select the same contractors for every study.

**Marginal Response – Metro didn’t address the second part of our question in their response below. Our question asked “why” Metro could not find more innovative contractors, and we asked that because Metro’s Feasibility Study contractor completely overlooked and omitted the monorail concept running along the 405 freeway right of way in the Valley.**

Metro initiated two procurements to study the Sepulveda Transit Corridor. Both procurements were competitively bid (with four proposers and two proposers, respectively) and awarded to the highest-

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ranked firms based on the evaluation criteria. The competing teams chose the participants on each team; Metro in no way partnered any of the firms.

- 6. Did contractor(s) help Metro develop project cost estimates for Measure M or was Metro solely responsible for them?** In 2016, voters approved Measure M to build about 80 new transit and transportation projects in LA County. Measure M Attachment A listed every project and provided funding and cost estimates for each project. Metro is overrunning these estimates on every project it builds, which could indicate that these initial Measure M cost estimates were unrealistically low and should be investigated. To do this, it's critical to understand if a contractor did or did not assist Metro in developing the Measure M estimates.

**Unacceptable Response – Metro's explanation for their cost estimates increasing by factors of two and three above Measure M are not rationale or believable, and do not justify why the Measure M estimates are consistently unrealistically low by a factor of at least two and often three.**

Metro hired a consultant to prepare the Measure M cost estimates, which were based on assumptions available in 2015, and were reviewed by Metro's estimating team. Many factors contribute to the early cost estimates differing from more recent estimates including inflation, market conditions, the supply of labor, etc. Attachment A of the Measure M ordinance indicated that many of the projects were still subject to environmental review and thus project costs might change depending on that result.

- 7. Why do Metro and its contractors always develop initial design concepts before talking with impacted communities?** It would always seem more effective and transparent to work closely with all potentially impacted communities before developing concepts and drawing routes for transit projects – asking the communities for their concerns and inputs before the fact, rather than their comments after the fact. Metro does not do this. They instead have contractors first develop concepts and routes, and then ask communities to comment how they feel about them. When communities submit comments or questions about concepts or routes, Metro does not seem to take these seriously and work with communities to resolve the concerns. This is not a transparent nor effective practice, and borders on being dishonest. It's not the sign of a trusted steward and community partner.

**Unacceptable Response – Metro response below is irrelevant and ignores our question. The response reaffirms that Metro developed 48 ideas before learning public's desires and concerns. Our question was "why" does Metro not meet with public before developing concepts.**

In 2017, Metro initiated the planning process for the Sepulveda Transit Corridor Project specifically with public input. As a part of the Feasibility Study, Metro brought 48 ideas to the public as thought-starters that were meant to engage the public in a conversation about how to achieve the project objective: to provide a high quality, reliable transit alternative to connect the San Fernando Valley to the Westside. From June 2018 to August 2019, Metro held 10 public meetings and gathered more than 1200 public comments that were reviewed and considered.

After conducting multiple rounds of analysis, incorporating public feedback, and applying evaluation criteria, Metro further refined and narrowed these concepts. Community feedback continues to influence the alternatives under study.

- 8. What actions did Metro employ to implement its "partnership with the public" that former Metro CEO Phil Washington promised in his December 2016 letter?** In his heartfelt letter after voters passed Measure M, Phil Washington stated: "We look forward to our continued partnership as we move forward to deliver Measure M to the people of LA County. We are committed to keeping you updated and engaged in our progress as we implement this world-class program." Looking back today, it seems like Metro never tried to realize such a partnership and certainly never implemented it. This further detracts from Metro as a trusted steward.

**Unacceptable Response – Metro response to our question below is irrelevant. Metro’s definition of a partnership is insulting. Holding public meetings with minimized information and selective Q&A responses is not a partnership and not even close to true outreach. It is not public involvement. Metro is not partner to the public.**

Metro has continued – and expanded – its partnership with the community since the passage of Measure M. This includes the nationally recognized Community-Based Organization Strategy (CBO), Metro Youth Council, and Countywide Faith Leaders Program, among others. Metro has expanded and refined its Project Labor Agreements, Construction Careers Program, and commitments to contracting with small businesses.

Since the passage of Measure M and the Feasibility Study for the Sepulveda Transit Corridor project, Metro has steadfastly focused on executing an outreach program that provides a wide range of opportunities for engagement. Given the regional importance of this project, the outreach has been focused not only within the study area but also in the surrounding communities from which trips through the corridor originate, particularly in the northern San Fernando Valley.

To that end, the team has held multiple, bilingual (English and Spanish) forums for community engagement. Metro has hosted 22 public meetings, engaged with more than 12,000 stakeholders, and gathered more than 7,000 comments. Copies of the meeting presentations, materials, and recordings of the virtual community meetings are posted on Metro’s website.

The team also recognized that many people are not able to participate in public meetings or feel comfortable doing so. Therefore, they have also engaged the public at events/festivals, stakeholder briefings/meetings, transit stations, churches, and youth events.

All this public engagement has been and will continue to be shared on the project website. An outreach summary will also be included as part of the Draft EIR.

9. **Why didn’t Metro increase the STCP budget in 2019 per Measure M procedures when a Metro ridership analysis error required lengthening the STCP project route by 20% and added two additional Valley stations?** At Metro’s January 2019 public meetings, former STCP Project Manager Cory Zelmer presented a chart that showed errors in Metro’s ridership analysis. These errors required adding about three miles to the Valley-side STCP route to prevent overloading passenger capacity for Metro’s future East San Fernando Valley Transit Corridor Project. This seemed a perfect opportunity for Metro to increase the STCP budget, as allowed by Measure M, but they chose not to. The public needs to understand why Metro chose not to adjust the budget.

**Unacceptable Response – Metro didn’t address our question in their response below. Our question was “why” didn’t Metro increase the STCP Measure M budget when an error increased the project’s length by 20% (and we feel this was a major error, not a minor refinement).**

All six of the project alternatives, both heavy rail alignments and monorail alignments, were lengthened in 2019 based on the analysis contained in the Feasibility Study. The study anticipated heavy ridership demand on the East San Fernando Valley Light Rail corridor and the Metrolink Antelope Valley corridor. These were not errors, rather they were refinements based on the analysis and additional data. Additional costs related to these refinements will be captured in the cost estimates currently under development as part of the environmental review process.

10. **Why did Metro never acknowledge the unfairness of its original HRT3 concept with noisy elevated heavy rail trains operating 30 feet above Sepulveda Blvd for five miles in only the Valley and consider eliminating this concept early?** Metro never talked to any person or organization in the Valley before deciding that elevated trains were a viable concept. This was unfair to Valley residents who strongly objected to noisy elevated heavy rail subway trains operating 30 feet above Sepulveda Blvd for five miles in only Sherman Oaks and Van Nuys. Metro ignored public comments and pleas to

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remove this concept from further consideration. The original HRT3 concept has now morphed into Bechtel's current Alternative 4 which Metro continues to study today – a concept the Valley has denounced as unreasonable and unfair. The public deserves an explanation – and maybe an apology.

**Unacceptable Response – Metro didn't address our question in their response below. Our question asked "why" Metro never acknowledged the unfairness of this concept nor considered eliminating the concept from further evaluation. Today, the Valley still does not understand why this concept ever existed.**

The impact of noise on communities is one of the many possible impacts Metro studies when considering transit projects. It was specifically identified in the 2019 Feasibility Study as a potential impact related to elevated alternatives. Metro is completing technical analyses related to noise for all alternatives as part of the environmental process. The findings of these studies will be presented to the community for review as part of the Draft EIR, and Metro will invite the public's comment on these impacts as it considers a locally preferred alternative recommendation.

- 11. Why has Metro always disingenuously responded to potential project eminent domain questions by saying that nothing has yet been decided?** This is an affront to worried residents and businesses – and blatantly misleading. Everyone understands that Metro has made no final eminent domain decisions, but Metro's concepts have always had obvious eminent domain consequences. For example, Metro's original HRT3 concept that morphed into Bechtel's current Alternative 4 has obvious eminent domain impacts near Sepulveda Blvd and Valley Vista Blvd. Metro highlighted these impacts at its July/August 2019 public meetings in a Metro rendering where 150+ houses, condos, apartments, and businesses disappeared and were replaced by elevated tracks and an above-ground station. In response to a resulting audience question on eminent domain, Metro STCP Project Manager Peter Carter responded that Metro had not yet thought about eminent domain (see video clip: <https://youtu.be/tCg7hLVxaV8>). Yet Metro had thought enough about it to tell its artist what to draw for the rendering.

**Unacceptable Response – Metro didn't address our question in their response below. Metro's response is generic, and our question explains a specific Metro rendering example which Metro's response did not address. Metro instead noted a fact sheet that is generic and irrelevant to our question.**

Metro understands that potential property acquisitions can be concerning to local residents. However, the exact alignments have not yet been determined, and therefore, any potential property impacts or potential property acquisitions are not certain.

Property acquisitions and impacts are determined during the environmental review process, which is not yet complete. Often property acquisitions are a required element of transportation projects in urban areas but one that Metro staff works to minimize.

Metro's Property Acquisition Fact Sheet has been shared at all in-person community meetings and links to the fact sheet have been provided at virtual community meetings. The fact sheet is also linked from the project's website, referenced and linked in our FAQs. The fact sheet is available [here](#).

- 12. How does Metro justify that they publicly stated multiple times that a monorail concept along the 405 freeway was impossible, yet today's Alternatives 1, 2, and 3 employ this same route?** In 2019, Bob Anderson of the Sherman Oaks Homeowners Association and Jeff Kalban of the Sherman Oaks Neighborhood Council developed an alternate monorail concept along the 405 freeway that could be affordable and quicker to build and wasn't elevated above Sepulveda Blvd for five miles in the Valley. They began presenting their alternate concept to elected officials and Metro. Metro told them multiple times that such a concept was impossible for improbable reasons that kept changing. Yet today Metro has a contract with LA SkyRail Express for three alternatives employing this concept. Metro and its

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Feasibility Study contractor Sepulveda Mobility Partners unprofessionally overlooked this obvious high-potential concept. At best, this demonstrates that the Feasibility Study was weak; at worst flawed.

**Unacceptable Response – Metro ignored our question in their response below. Metro’s response is false because page 4-12 their Initial Screening Report states “An aerial configuration in the median of I-405 was ruled out because the I-405 ExpressLanes project is planned to be constructed in the median of I-405 between I-10 and US 101 …” Metro’s Feasibility Study only considered a monorail operating above Sepulveda Blvd in the Valley (MRT1) and this concept was not advanced into the environmental process. Yet today, Alternatives 1, 2, and 3 are aerial configurations along the 405 in the Valley. Metro never considered such a concept.**

Since the beginning of the Feasibility Study in 2017, Metro has stated that monorail could be an option for this project. Monorail alternatives have been advanced to the environmental process for further study.

13. **What is the status and plan forward for Pre-Development Agreement (PDA) arrangements that the LA SkyRail Express and Bechtel Sepulveda Transit Corridor Partners teams are each developing under \$60 million Metro contracts?** Metro has not presented any information on the SkyRail and Bechtel PDA contract arrangements at any public meetings from 2019 to 2024. The public has little idea what PDAs are, let alone how challenging it is to manage two competitive PDAs in parallel with environmental studies. Metro must be more open and honest about the PDAs.

**Unacceptable Response – Metro didn’t address our question in their response below. Our question asked for the “status and plan forward” for the PDA arrangements. Metro’s response provided neither the status nor the plan forward.**

The role of PDAs has been described in various public presentations, including the contract award presentation in May 2021 and public meetings, on Metro’s The Source blog and in Metro’s project FAQs. A PDA is an agreement with a contractor to initiate the development of a project through a public-private partnership model designed to incentivize innovations in design, engineering, construction approach, financing, and operations.

Metro has continued to work with both PDA teams to further the development of their respective alternatives as Metro advances the environmental process. Throughout this process the PDA teams have participated in Metro’s outreach and engagement efforts and have received direct feedback from the public. Metro has contracted both PDA teams to provide support through the development of the design for their respective alternatives.

Information about Public-Private Partnership delivery method has been included in the FAQs.

14. **What are the general arrangements and parameters for a possible Public-Private Partnership (P3) arrangement with Metro contractors SkyRail and Bechtel?** Metro has told the public nothing about potential Public-Private Partnership (P3) arrangements that could result in a new and different method for financing the LPA selected by the Metro Board. The public needs time and information to understand the basics of financially complex P3s, so they can ask educated questions about them. Metro’s plans for potentially using P3 arrangements have been in place since February 2021. Metro cannot wait until the Draft Environmental Impact Report is released to begin to educate the public about P3s. The public needs information now on employing a P3 and the financial risks it may impose.

**Unacceptable Response – Metro didn’t address our question in their response below. Our question asks for “general arrangements and parameters” for a possible P3 agreement. Metro provided only generic P3 information that is irrelevant.**

Metro engaged two PDA teams to provide innovative ideas and deliverables for Metro’s use in the environmental review process. Right now, Metro is concentrating on completing the environmental



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review process and identifying the locally preferred alternative. It is important to highlight that the engagement with these teams doesn't commit us to any specific course of action just yet. Once Metro has identified the locally preferred alternative, we will carefully assess whether partnering with one of these teams for project implementation aligns with our goals, or if alternative avenues would be more suitable. When we get to this point, we will be sure to share all relevant information with the public.

Information about Public-Private Partnership delivery method has been included in the FAQs.

15. **Why are Metro Alternatives 1, 2, 3, 4, and 5 being designed under \$60 million Pre-Development Agreement contracts with SkyRail and Bechtel, while Alternative 6 is being designed as a lesser-cost task under a non-PDA contract with Metro's environmental contractor HTA Partners?** It makes little sense for Metro to design one of its six alternatives using a different type of contract, especially since that alternative also uses a different older subway technology. Metro and its Board cannot think this will result in a fair comparison across all six alternatives, especially a subway under Sepulveda Blvd with driverless trains (Alternative 5) versus a subway under Van Nuys Blvd with driver-operated trains (Alternative 6). On top of creating an apples-to-oranges situation, Metro also created a conflict-of-interest problem because their environmental contractor HTA Partners is environmentally evaluating an alternative they are also designing. Metro had to add a complex "firewall" to HTA's contract that administratively separates HTA's environmental studies team from their Alternative 6 design team. At best this seems like Alternative 6 is being shortchanged; at worst like this created an unfair comparison. Metro unfortunately has made none of this transparent to the public.

**Unacceptable Response – Metro didn't address both parts of our question in their response below. Metro's response stated that activities related to P3 are not being performed for Alternative 6 but did not explain why this occurred, the potential impacts of this on the project, or the implications to the Locally Preferred Alternative selection.**

Metro recognized that it was important to advance the study of an alternative that aligned with the Measure M expenditure plan, which initially conceived of a Van Nuys alignment for the project. This alignment was also studied during the feasibility phase and remained a reasonable alternative at the conclusion of that study. Since this alternative was not being advanced by either of the PDA teams, Metro utilized existing provisions within its contract with the environmental consultant to advance study of the Van Nuys Alignment. The development of all alternatives is being done at the same level of detail for environmental analysis. Activities related to P3 are part of the PDA team contracts, while P3 elements are not part of the environmental consultant contract.

16. **What has caused Metro already slipping the STCP construction schedule by about two years?** Metro's August 2019 STCP Industry Day presentation on the Pre-Development Agreement Approach to Public-Private Partnership Delivery (P3) highlighted completion of STCP environmental analyses by the end of 2024. Yet Metro has not yet announced dates for release of the STCP Draft Environmental Impact Report (DEIR) or for the Metro Board decision on the Locally Preferred Alternative (LPA) to be built. Yet when asked about the LPA decision date at Metro's January 2023 public meeting in Van Nuys, Jody Litvak of Metro Community Relations stated that Metro might release the DEIR toward the end of 2024 and might make the LPA decision in early 2025 (see video clip: <https://youtu.be/q13UA8uCu60>). This is a two-year schedule slip, and rumors hint that these milestones may slip further. This does not demonstrate Metro's stewardship and again shows lack of public transparency on the project.

**Unacceptable Response – Metro’s response below is irrelevant. Our question asked what caused construction of the project to already slip two years, which it has per the schedule in your environmental contract (modification 4) with HTA Partners. This schedule continues to show DEIR release by June 2022 and the LPA decision by November 2022 – yet today DEIR release is the end of 2024 or later, and the LPA decision is at least six months after that. Construction start has slipped at least two years.**

Metro does not yet have a construction schedule for this project but expects to provide information on this topic prior to the release of the DEIR, consistent with other Metro projects.

17. **Why did Metro present a misleading statistically unsupported pie chart at its June 2022 Public Scoping Community Update webinar and purport it was statistically valid?** Metro presented a pie chart that implied 93% of all the public supported heavy rail while only 7% supported monorail. This pie chart and its supporting statistics appears nowhere in Metro’s Scoping Summary Report prepared by HTA Partners – probably because no competent contractor would publish such unsupported data. The pie chart was misleading at best and potentially fraudulent at worst. Yet Metro Project Manager Peter Carter and Metro Community Relations Director Jody Litvak presented the chart like it was based on 100% of public comments that Metro received. It wasn’t. Less than 5% of public comments had to be twisted a bit to develop the pie chart. This is not honest conduct for a public agency.

**Unacceptable Response – Metro response below is disingenuous. Metro did not openly state at their public meeting and did not highlight on public presentation charts that less than five percent of the public commented on “support for a specific alternative” – and this is inexcusable and basically dishonest.**

At the June 2022 virtual community meeting, Metro shared an overview of the 3100 submissions received from the public during the scoping period. The presentation provided details about how comments were submitted, the geographic distribution of the commenters, and the key topics the public raised. Among the many topics highlighted, Metro noted that of those who expressed support for a specific alternative, 93% supported a heavy rail alternative. This was not described as being a statistically valid reflection of county residents. Rather, it represented a percentage of the 3,100 submissions received from the public.

18. **Why did Metro publish a misleading Metro Summer 2022 Survey about the STCP based on untrue assumptions provided to public respondents?** Metro contracted with FM3 Research to conduct the survey and collect public opinion. FM3 interviewed 1,032 interested adult residents. Their initial finding was bad – that 66% of those surveyed noted “... they had not read, heard, or seen anything as of yet about the Project.” This is a damning statement about Metro’s public outreach program’s effectiveness. FM3 provided survey respondents with background information including one patently untrue statement that “funding for the project is already in place.” Per Measure M, funding is not already fully in place for four of Metro’s project alternatives currently under study. FM3 then asked various survey questions and developed useless survey results based on untrue presumptions they gave to the public. This is not the way a trusted and transparent steward should conduct a survey.

**Unacceptable Response – Metro response below is dishonest. Metro proves this in their response because they state “The question was designed this way to remove potential prejudice against raising taxes to fund this project, ...” Knowing what something costs isn’t prejudicial, it’s common sense. Metro must be afraid of what the public might say and do if they knew the true costs and significant unaffordability of the various alternatives.**

Metro understands how, absent context, you could come to this conclusion. The survey referenced was conducted in Summer 2022, following scoping, which is an early step in the environmental review process. The survey was agnostic as to the specific alternatives and sought to solicit views about various project elements assuming funding was in place. The question was designed this way

## **ATTACHMENT A – SOHA Rebuttal to Metro Question Responses – March 19, 2024**

to remove potential prejudice against raising taxes to fund this project, which would not be necessary given its placement in the Measure M Expenditure Plan together with other funding strategies. This is consistent with industry accepted survey research protocols. We also used the survey to assess preferences about various Project elements from the perspectives of riders as well as residents.

19. **What exact assumptions do Metro and its contractors use for STCP ridership analysis that appear to result in unreasonable ridership differences between monorails and subways?** Metro presented preliminary ridership analysis results at its October 2023 public meetings. The analysis claimed that monorail alternatives without an on-campus UCLA station will have dramatically lower ridership than monorails or subways with an on-campus station. There currently is no north-south rapid transit to UCLA. Any such transit, whether it has an on-campus station or requires transfer to an automated people mover, will be an order-of-magnitude better, take much less time, and cost less than no rapid transit. Students feel entitled to the quickest, most direct transit possible. But students will take any transit that is only a few minutes longer and requires an easy transfer because it will be so much better than driving, paying to park, and walking to class. Metro’s preliminary ridership results are at best questionable and cannot be assumed accurate unless Metro fully explains the assumptions that the results are based on.

**Unacceptable Response – Metro didn’t address our question in their response below. Our question asked for the “exact assumptions” used for ridership analysis, not the generic types of assumptions employed.**

At the fall 2023 community meetings, Metro discussed the assumptions that go into its Federal Transit Administration-approved model used to develop ridership estimates. Those assumptions include travel time, proximity to population and jobs, the number of transfers people need to make to get to their destination, and more.

20. **What is the status and plan forward for the I-405 High-Occupancy Toll (HOT) Lanes project on the 405 freeway through the Sepulveda Pass, because these lanes are STCP’s precursor?** The HOT Lanes project is formally Phase 1 of the Sepulveda Transit Corridor Project per Measure M. Yet the project currently does not appear on the Metro website’s list of projects. Rumor had it that the HOT Lanes were Metro’s hope of additional revenues for unaffordable subways under the Sepulveda Pass. Metro must keep the public informed about the status and plan forward for the 405 HOT Lanes project because it has major impacts on STCP funding needs going forward.

**Acceptable Response – We do however wonder if the project will be completed by its June 2026 Measure M opening date.**

The I-405 Express Lanes began environmental review with Scoping in Summer 2021. Since then, Metro and Caltrans continue to advance technical studies to develop the Draft Environmental Impact Report and Environmental Impact Statement (EIR/EIS), expected to be released in Summer 2024.

Most recently, at the Fall 2023 Project meetings, representatives from the I-405 Express Lanes project participated with their own information centers, where they shared data about their project, answered questions and took feedback. A virtual meeting focused exclusively on the I-405 Express Lanes also took place in the Fall of 2023. Information on the I-405 Express Lanes is in fact available on the Metro website.