

**MINUTES OF THE MEETING OF THE
GATEWAY CITIES COUNCIL OF GOVERNMENTS**

West Santa Ana Branch City Manager Technical Advisory Committee

Teleconference Meeting Via ZOOM

April 14, 2020

PRESENT: Chair, John Moreno, City of Paramount
Vice-Chair, Gilbert Livas, City of Downey
William Rawlings, City of Artesia
Alex Gonzalez, City of Bell
Sabrina Chan, City of Cerritos
Santor Nishizaki, City of Cudahy
Raul Alvarez, City of Huntington Park
Ricardo Reyes, City of Huntington Park
Elaine Kunitake, Los Angeles County
Jennifer Vasquez, City of Maywood
Michael Flad, City of South Gate
Carlos Fandino, City of Vernon

ABSENT: Michael O’Kelly, City of Bell Gardens
Jeff Stewart, City of Bellflower

OTHERS PRESENT: **Cities/County:** Karen Lee, City of Artesia; Manuel Acosta, City of Bell; Vaniah de Rojas, City of Downey; Cesar Roldan, Sergio Infanzon, City of Huntington Park; Edel Vizcarra, Jocelyn Rivera-Olivas, Los Angeles County.
Metro: Sharon Weisman, Transportation Deputy, Luke Klipp Metro Director Mayor Garcia. Meghna Khanna, June Susilo, Elizabeth Carvajal, Anna Hermilin, Teddy Low, Eduardo Cervantes, Mark Dierking, Desiree Portillo-Rabinov, and Rani Narula-Woods.
Eco-Rapid Transit: Michael Kodama, Allyn Rifkin.
Gateway Cities COG: Karen Heit, Nancy Michali, Joel Arevalos and Colin Cross.

Committee Chair, Paramount City Manager John Moreno, called the meeting to order at 2:42 pm. Roll call was made by self-introduction. Minutes from the meeting of February 18 were approved.

Meghna Khanna, Metro West Santa Ana Branch Light Rail Corridor (WSAB) Project Manager, gave a presentation on the development of the corridor cities’ Master Cooperative Agreements (MCA). She explained that a draft MCA template was mailed to each city on April 2, 2020. Ms. Khanna reviewed the accelerated project schedule with the P3 process interwoven into the environmental process.

Discussion of WSAB Project Master Cooperative Agreement

This meeting was the first TAC working session focused on the Master Cooperative Agreement (MCA) proposed to be signed between Metro and the WSAB Corridor cities. WSAB Project Manager Khanna started the presentation by indicating that her presentation would echo the presentation developed by

Nancy Michali, COG WSAB Project Manager. Her presentation addressed seven key issues related to the MCA review and agreement process.

1. **Schedule for MCA Negotiations.** In response to concerns raised in that presentation, Metro revised the MCA schedule to address the Corridor cities' concerns about understanding the implications of the MCA and in response to pressing city responsibilities due to the Covid-19 crisis. In addition to today's TAC work session, a second work session will be scheduled for Tuesday, April 28. The schedule for the MCA process was identified with a range of dates to allow for flexibility of timing for execution of the MCAs between cities:
 - Metro-City agree to MCA terms – August-October 2020
 - Taking MCAs to Metro Board for approval – September-November 2020
 - Signing of the MCAs – October-December 2020.
2. **MCA Overview.** Ms. Khanna reviewed a list of areas of concerns highlighted by the COG and cities and the specific MCA sections where they are addressed. She presented an overview of the main goals of the WSAB Project, the project scope, phases and schedule to highlight when key activities would occur. June Susilo then provided an overview of MCA roles and responsibilities for Metro, the P3 Developer and each City in each of the project phases. Her presentation focused primarily on the project efforts: Enabling Works, LACMTA Retained Scope and the P3 Project Scope.

Chairperson Moreno asked a question about cities assisting with the procurement of necessary property/right-of-way (ROW); was it meant that city assistance would be required with the Union Pacific Railroad (UPRR)? Ms. Khanna replied that ROW assistance only applied to properties owned by each City. Ms. Susilo reviewed and defined the meaning of the anticipated contractual packages anticipated for the WSAB Project: 1) Enabling Works includes advanced utility relocation, freight track relocation and grade crossings; 2) Metro's scope would include ROW acquisition and provision of fare equipment, art installations, security and enforcement activities, for example; and 3) the P3 Contractor's scope which will include construction of the WSAB LRT project and operation and maintenance of the line. Ms. Khanna provided background information on why the responsibilities were divided in this manner.

3. **City Facility Rearrangements.** Ms. Susilo then moved on to a discussion of City Facility Rearrangements. City facility rearrangements refers to city facilities that may need to be relocated or moved – and the related Metro and City roles and responsibilities. Metro will be primarily responsible for designing and constructing the Rearrangements. The City will review and approve Designs for any Rearrangements, and will inspect and accept these facilities.

Metro may request a City to provide support services via Work Orders. Ms. Susilo went on to describe the work order process, which includes an Annual Work Plan developed by each city to plan their resources and preparation of a Metro "Form 60" (Professional Services Cost/Price Summary) for any work or services.

Ms. Susilo then described the three-step Design Review Process: 1) the City receives a design review package and has 5 days to notify Metro if it is incomplete or deficient; 2) the City then has 21 days to comment, otherwise the package is deemed approved by the city; and 3) Resubmission of a rejected design also has a 21-day approval requirement for the City.

4. **Betterments.** The discussion moved on to the issue of “Betterments” as mentioned in the MCA. A betterment is defined as: an upgrade, change or addition to a City Facility requested by the City, or a change to the applicable City Standards after the establishment of the Basis of Design; or any upgrade, change or addition which will not be of direct benefit to the WSAB Project. She gave an example from another project where a City requested construction of a plaza next to the station – that was outside of the station’s footprint. Cities are financially responsible for the cost of any betterments.
5. **Defining the “City Portion.”** Metro will work with each City to define the relevant “City Portion” to be addressed in each City’s MCA. Metro will work closely with each City to reach agreement on the appropriate City Portion. Where station areas and/or track segments fall within multiple jurisdictions, boundary agreements will need to be agreed-upon.
6. **Status and Availability of Design Drawings/Documents.** Ms. Khanna next presented information of when Metro will provide Cities with the relevant station and alignment drawings and documents. These documents are considered confidential and not for public distribution (until the Draft EIS/R is made public in early 2021). Acceptance of the documents and plans by the city will require executing a Non-Disclosure Agreement. The current 15% level of design documents are designed to support the environmental review documentation, and Metro held several meetings in 2018 and 2019 to solicit feedback from the cities which is incorporated as part of the 15% design effort.
7. **Enabling Works Scope and Status.** Ms. Susilo went on to discuss several typical enabling work efforts. The first example was a simple grade crossing showing impacts to existing utility lines and freight tracks – and the resulting required relocation of a water line. A second example of enabling work addressed a more complicated grade crossing that required more utility relocations and a street closure. Completion of the Enabling Works would clear the rail ROW for the P3 Developer to construct the WSAB LRT project with reduced constraints and potential schedule delays.

Cities will be requested to approve plans involving city-owned utilities and to assist with franchised-owned utilities. Metro and UPRR have executed a PE (Preliminary Engineering) agreement to work on design issues. Ms. Khanna reviewed the grade crossings that were approved in 2018 through the project rescoping process and pointed out that any additional grade crossing modifications at this point in the process would cause environmental delays.
8. **Response to Initial City Questions.** Ms. Susilo reviewed City requests for clarifications on Enabling Work and she and Meghna provided responses.
9. **Understanding the City and Metro Teams.** The presentation concluded with a list of the City staff and Metro staff that would be involved in the project during MCA Negotiations and then during MCA Implementation (Planning, Design and Construction). Ms. Khanna reviewed the schedule for providing the project design drawings and comments, the next working session (April 28th) and submittal of additional City comments/questions.

TAC Member Discussion

John Moreno then opened the work session to TAC member discussion.

Paul Phillips, City of Bell, asked about questions that might arise during the development of the MCA. Ms. Khanna stated that there would be another TAC work session on April 28 to review the MCA as well as the opportunity to set up meetings with individual city meetings to discuss their concerns.

Gilbert Livas, City of Downey, asked a question about a betterment that occurs within the footprint of the station. Ms. Susilo said that it is not necessarily about the location. A request for work that does not fit within the project scope and/or is not a direct benefit to the project might be considered a betterment to be funded by the city, much is dependent upon what item is being considered.

Chairperson Moreno stated that most cities will be requesting something within the station/project footprint, and he would like to see betterments more precisely defined. Ms. Khanna offered to create a list of betterments that fall within the station footprint that meet the project standards. Anna Hermelin referred to the more detailed betterment definition included in the draft form of the MCA.

Sergio Infanzon, Community Development Director, City Huntington Park, thanked Metro for the MCA time extensions. Mr. Infanzon questioned the lack of detail for specific grade crossings and what information is needed for the City to react to work being presented to the City. Ms. Khanna said the drawings and documents would be provided to the cities starting next Monday, April 20, 2020. These plans are at the 15% level of design to support the environmental document. Mr. Infanzon cited that there a lot of questions from other city representatives that need to be resolved. He additionally requested a master calendar that includes the TOC process.

Ms. Susilo emphasized the need for executing the MCA before any design related discussions could proceed.

Ms. Khanna indicated that Metro has signed a Letter of Agreement (LOA) with Los Angeles County and are working on an umbrella MCA.

Chairperson Moreno had a question regarding whether the cost of betterments would be counted as part of the 3% Local Contribution. Ms. Khanna said no, that is not the case, but she would defer to the Metro funding team for a more detailed response. Mr. Moreno asked when the land acquisition plans will be available. Ms. Khanna responded that the land acquisition plans form a sensitive part of the environmental process, but noted that the acquisition footprint can be identified in the draft project drawings and documents available to be shared with the cities (confidentially) starting Monday, April 20.

Update on Grants

Chairperson Moreno introduced Colin Cross, representing the state Housing and Community Development (HCD) and working with the Gateway Cities COG. Mr. Cross introduced the availability and grant scheduling of the AB 101 Local Early Action Planning (LEAP) Grants. He indicated that joint city applications are encouraged and WSAB jurisdictions should avail themselves of this opportunity, particularly cities that share a station area. Writing and approval of inclusionary housing ordinances are an acceptable grant activity. The funding is non-competitive – based on city population. The Gateway Cities COG is hosting a webinar scheduled on May 18th to assist cities with the grants process.

Chairperson Moreno introduced Elizabeth Carvajal from Metro's Transit Oriented Communities group. Ms. Carvajal presented the Transit Oriented Development Strategic Implementation Plan (TODSIP) planning efforts to date. She reviewed the funding available for three categories of TOD-related activities over the next three years and the level of funding that would be available. Ms. Carvajal talked

about leveraging other funding and possible project ideas within the program's eligibility requirements. She addressed the issue of Equity Focused Communities (EFC) and defined that a majority of the Corridor's cities qualified under EFC criteria. There were no questions for Elizabeth Carvajal.

Next Meeting

The next City Managers TAC working session will be held in two weeks on April 28th. Ms. Khanna requested that City questions/concerns be sent in advance of that meeting.

Ms. Michali will be preparing a City Managers TAC Master Calendar that includes the TOC process as requested by Mr. Infanzon.

The meeting was adjourned at 3:05 pm.