

**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 28, 2020

PRESENT: Chair, John Moreno, City of Paramount
Vice-Chair, Gilbert Livas, City of Downey
Karen Lee, City of Artesia
Manuel Acosta, City of Bell
Jim DellaLonga, City of Bellflower
Sabrina Chan, City of Cerritos
Santor Nishizaki, City of Cudahy
Sergio Infanzon, City of Huntington Park
Elaine Kunitake, Los Angeles County
Michael Flad, City of South Gate

ABSENT: Michael O’Kelly, City of Bell Gardens
Jennifer Vasquez, City of Maywood
Carlos Fandino, City of Vernon

ALSO PRESENT: **Cities/County:** Megan Covarrubias, Manuel Acosta, City of Bell; Aaron Hernandez, Steve Farrell, City of Cudahy; Vaniah De Rojas, Delfino Consunji, Aldo Schindler, City of Downey; Rafael Casillas, City of Paramount; Cesar Roldan, City of Huntington Park; Edel Vizcarra, Jocelyn River-Olivas, Los Angeles County. **Metro:** Sharon Weisman, Luke Klipp, Metro Director Mayor Garcia. Meghna Khanna, June Susilo, Anna Hermilin, Eduardo Cervantes, Teddy Low, Rick Meade. Brett Roberts, Julia Brown. **Eco-Rapid Transit:** Allyn Rifkin
Gateway Cities COG: Karen Heit, Nancy Michali, Joel Arevalos.

Chairperson John Moreno called the meeting to order at 2:37 pm. Mr. Moreno turned the meeting over to Metro WSAB Project Manager Meghna Khanna.

Ms. Khanna began by reiterating the overall WSAB project schedule emphasizing the planned release of the Draft EIS/R document for public review in early 2021 and selection of the Locally Preferred Alternative (LPA) in mid-2021. Following the LPA decision, the Metro Board will authorize release of a Request for Qualifications (RFQ) for P3 developers. Ms. Khanna then reviewed the schedule for the Master Cooperative Agreement (MCA) commenting that timely signing of the MCAs is critical in order to begin the enabling work to support start of project construction by 2023. The project schedule calls for Metro and the Cities to agree on the MCA terms in the months of August through October and sign the agreed-upon document October through December. The MCAs will be approved by the Metro Board during the September to November timeframe.

The City Managers TAC meeting scheduled for May 12 will continue discussion of the MCA as will individual MCA city meetings to be scheduled in May. Ms. Khanna indicated that she had received comments on the Draft MCA from the cities of Downey and Huntington Park. She is requesting that City questions and comments be forwarded to her by May 8th for the May 12th meeting.

The key objective of today's meeting was to explain what a Betterment is, and related concepts and processes as described in the MCA. Ms. Khanna turned the presentation over to June Susilo, WSAB Program Manager to begin the discussion of betterments.

Basis of Design. Ms. Susilo started with a definition of what is meant by the "basis of design" for the project, which is the baseline assumptions and requirements that Metro will use as the basis for the design and construction of the WSAB Project. For the Enabling Works, the Basis of Design will be determined approximately in mid-2021 at a 60% level of design documents. For the P3 Project Scope, the Basis of Design will be defined before the release of the procurement documents.

City Rearrangements. Ms. Susilo then talked about "City Rearrangements" – the relocation and/or replacement of City infrastructure or construction of new City infrastructure. Metro is responsible for all costs of Rearrangements unless the Rearrangement represents a Betterment requested by the City. A Betterment is defined as work that is beyond the required project scope, and beyond the project definition/scope as described in the environmental documents.

Betterment Examples. Ms. Susilo provided an example of a Betterment from the Exposition Light Rail Transit (LRT) Line located in the City of Santa Monica to better serve the community. In this case, the City wanted to add a second station entrance at the Colorado/17th Street Station. Metro redesigned the station and the approximately \$3 million cost was paid for by the City. Another Expo Line betterment example was located at the Olympic/26th Street Station located in the City of Santa Monica. The City requested and paid approximately \$6.8 million for converting the station from a single platform to two side platforms and providing a second entrance.

A third betterment example was discussed by Ms. Khanna for the Metro Gold Line project in the City of South Pasadena. The City had developed a South Pasadena Transit District Specific Plan which called for creation of a transit plaza and reconfiguration of an adjacent street outside of the station footprint. The City and Metro negotiated station amenities, a transit plaza betterment and street configuration betterment. Metro did the work as part of the rail project and the City paid for it.

A fourth example was related to Gold Line Foothill Extension within the City of Arcadia. Per the Metro Grade Crossing Policy, the crossing of Santa Anita Avenue was identified as warranting an at-grade crossing due to the level of vehicular activity. The City wanted and paid for a grade separation solution that cost approximately \$12.5 million (2006 cost – Ms. Khanna noted that the cost would be higher now ranging from \$50 to \$75 million) to mitigate traffic impacts and to create a gateway to their city.

Ms. Susilo discussed two other types of typical betterments requested by cities. First, as the rail project requires relocating of utility lines, a city may request a larger size to increase facility capacity for future growth, for example, replacing an existing 30" storm drain with a 40" storm drain. The city pays for the delta in cost between the two size of pipelines. Another common city request is for Metro to upgrade curb ramps on the opposite side of the street from a station.

Approval process for betterments. Once a betterment is identified or a request is made, Metro reviews the request and either approves or denies approval and assigns the City the cost of the improvement. The city and Metro work together on the design, and Metro typically performs the work.

Ms. Khanna then started a presentation of initial responses to city comments received.

Steve Farrell from the City of Cudahy stated that he had submitted a list of the comments to be addressed, and Ms. Khanna said they would be included and responded to in May. Mr. Farrell asked: Is there a timeframe for submitting proposed betterments? Will betterments require City Council approval? Ms. Susilo responded that after the MCA has been executed, designs for the Enabling Works will be advanced to 30% and when reviewing those designs, cities may make comments that may be identified as Betterments. She also added that cities can also submit requests sooner if they chose using the process identified in the MCA. Ms. Khanna replied that she expects that if a city cost is associated, city council approval is required.

Aldo Schindler, City of Downey, asked what if a requested betterment is located within the project area versus outside the Metro design area? Ms. Khanna referred to the South Pasadena station as an example where the City of South Pasadena decided to spend city funds to augment the project budget for station art and design. Identified as betterments, the city's investment resulted in upgrades to the baseline materials used on the platforms, landscaping, lighting and other station elements. Mr. Schindler asked about Metro's baseline standards and whether there was room for discussion? Ms. Susilo referred to a Santa Monica station where the City wanted special paving and different lighting – the City paid the delta in costs.

What if the design request from a city for a station is different from Metro's standard project elements, but is not more costly? Ms. Susilo noted that the Metro Board has adopted a consistent approach to station design throughout Metro's rail system. Ms. Khanna noted that the Systemwide Design identifies elements of continuity (those that look the same throughout the system) and elements of variability. The areas of variability are where the cities can reflect their community, such as with station area landscaping and artwork. It is desirable to have design consistency along the Corridor for project identity and ease of maintenance along with design variability, such as artwork and landscaping. The Metro Art group works closely with communities to ensure artwork reflects the unique identity of each station area.

Karen Lee, City of Artesia, asked: If a City pays for betterments, is that cost part of the 3% Local Contribution? How does Metro ensure the selection of local artists? Ms. Khanna replied that the specific 3% Local Contribution guidelines are being developed and will be available during September or October. Ms. Khanna stated that the solicitation to select local artists will be through a Request for Proposal developed with extensive community input, which will continue through the artwork production phase.

Sergio Infanzon, City of Huntington Park, requested additional information to help the city make their betterments decisions. Metro design standards should be included in the 15% drawings. There is a difficulty with cities not knowing what project elements each city will be receiving based on the initial plans and then identifying betterments that they may want. Ms. Khanna stated that as project design is advanced, Metro will continue working with the cities so that they can understand design features that

are part of the project scope, so that betterments envisioned by the cities can be identified and discussed. Also, cities will have the draft 15% design documents for reference.

Rafael Casillas from the City of Paramount asked how did the City of Santa Monica pay for the betterments? What type of funding did they use? Ms. Khanna did not know what funding will be available, but will get back to the group with that information. Mr. Casillas mentioned that some of the Gold Line betterments used state Active Transportation Funds. Ms. Khanna stated that the Metro First/Last Mile group will start working with the cities soon, and the cities will have the opportunity to have input on the First/Last Mile plans. He asked if drainage issues associated with train construction require expanded drainage capacity, is that considered a betterment? Ms. Susilo said any impacts resulting from changes to utilities due to the project, such as run-off impacts, will be included as part of project and are not considered a betterment.

Luke Klipp, Metro Board Member Mayor Garcia's office, asked about potential street relocations related to station access plans. Ms. Khanna said First/Last Mile plans will be developed and will go through a separate environmental process than the current Draft EIS/R process. Urban design guidelines are being developed and Metro is hoping to share a draft of the guidelines with the TAC in Jul/August.

Jim Dellalunga, City of Bellflower, asked when will the cities be able to engage in mixed-use project integration decisions? Ms. Khanna said this will be integrated into the next steps as part of the development of the Basis of Design documents. Further discussion of this issue will occur with the TAC.

Karen Heit, COG staff, asked about the status of the WSAB right-of-way (ROW) Class 1 bike lane? Ms. Khanna replied that the existing bikeway path in Bellflower will be relocated adjacent to the future train tracks, and future sections of the path will be incorporated into the ROW design. Mr. Moreno, City of Paramount, verified that Metro staff is working with his city to make the bikeway happen.

The next set of questions referred to specific sections of the Draft MCA:

Section 3.5 (a) City standards – Will city standards be followed by Metro? Each City and Metro staff will discuss and specific the design standards to be followed. The agreed City standards will be listed in the MCA before signing.

Section 2.5 (a) Applicability of local permits and zoning. Is Metro exempt from local codes and permits? Yes, it is. As a state-authorized agency, it follows state regulations, such as those identified by the California Public Utilities Commission (CPUC) regarding rail ROW-related permitting and construction.

Section 2.5 (d) Review timeframes in the project schedule. What if Metro fails to meet the specified review timeframe, which then causes a city to miss their review deadline? Can a city claim money for additional work due to project delays? Cities will have 21 days to review design plans, if Metro misses a deadline, the deadline for the City will be revised. Ms. Khanna indicated that in general Metro would design and construct the project. If a City is requested by Metro to perform a portion of the construction work, Metro will negotiate a work order with the City as identified in the MCA, including terms for a cost allocation upon delay.

Section 7.1 Reimbursement for work done under a work order. Metro will reimburse the city for any work performed under a work order negotiated with the city. If the scope is limited to abandonment, Metro will reimburse the city for the abandonment of any city facility, but a city would not get compensated for any additional out-of-scope work performed by the City at its election.

Section 4.3 Replacement of ROW. A question was asked related to clarification of terms and city responsibilities related to acquisition of replacement rail ROW/land. Metro is responsible for acquisition of any rail or private property required for the project. If private property is required for utility relocation, Metro would do the work and pay any related costs. Specific full and partial ROW takes are identified in the environmental documents. If additional property is required in the future, each city will be asked to review those plans as they are developed.

There were other submitted comments/answers that will be distributed, but not discussed due to time constraints. Metro required any additional comments be sent by May 8th for the May 12th TAC meeting. They will provide written comments to all questions and will schedule meetings with individual cities.

Chairperson Moreno called for any additional questions.

Rafael Casillas requested funding to review project plans, including for third party consultants, and asked what information should be included on Metro's Form 60? Ms. Khanna replied that funding for city review of project documents will be available through signing of the MCA and preparation of an annual work plan. Metro's current fiscal year will end June 30, 2020 – and cities can prepare a work plan from signing of the MCA through the end of June 2021. A majority of the project design work is anticipated to occur starting in early 2021. Metro staff can assist cities with preparing Form 60s once a work plan is in place.

Karen Lee requested slide 4 of Metro's presentation brought back up to ask a question. She wanted to discuss about betterments counting towards meeting the 3% Local Contribution required of each city. The City needs help in negotiating the MCA. Ms. Khanna said the MCA is a "process" document defining the project process as well as providing a betterment definition. It defines how Metro and the cities work together. Ms. Susilo stated that Metro requires signed MCAs, then as Metro and the cities move forward on the detail of the design reviews, Metro and the City can talk through specific requests for Betterments. The MCA is a critical path document. Nancy Michali said the cities should discuss the Betterments issue in more detail amongst themselves before identifying the individual city Betterments. City-specific standards and policies need to be identified in the MCA.

Moreno moved on to the status of the Non-Disclosures Agreements: the cities of Artesia, Cudahy, South Gate and Vernon still need to submit NDAs.

Next TAC Meeting

The next CM TAC meeting is scheduled for May 12th; and the 3% Local Contribution discussion is on the horizon. Chairperson Moreno asked the City Managers to forward agenda issues to Nancy Michali. The presentation from this meeting will be sent out this afternoon.

Sergio Infanzon asked a general question concerning coordination of the WSAB project with the Rails to River (R2R) bike project. Will the R2R bike project impact or integrate with the WSAB project? Ms. Khanna mentioned that the R2R team had met with City staff. (Post meeting note: Karen Macias, Mayor, Raul Alvarez, Assistant City Manager and Mr. Infanzon met with Metro in July of last year to discuss Metro's plan to hire a consultant to look at the R2R alternatives in light of the WSAB project utilizing the freight corridor and limited Randolph Street ROW. Ms. Macias expressed her support of the R2R project, but understood the challenges. Ms. Khanna will advise the R2R team to contact City of Huntington Park for a follow-up meeting.)

When will there be a discussion on the railroad ROW negotiations with the Union Pacific Railroad? This will be added to the May agenda.

When will the Covid-19 impacts be assessed and shared? Metro is in the process of preparing a financial look ahead that will be shared at the Metro Board June meeting.

There was a last call for questions, seeing none, the meeting was adjourned at 3:19 pm.