Committee Chair, Paramount City Manager John Moreno called the meeting to order at 2:10 pm. The meeting began without a quorum.

Roll-call was taken by self-introduction. Agenda items were reordered to accommodate the expected late arrival of MTA Project Manager Meghna Khanna.

**Local Cities 3% Requirement**

Chair Moreno introduced Adam Stevenson – Senior Director, Grants Management to discuss the 3% local contribution requirement. Stevenson began with the Measure R background where the 3% local contribution was not as enforceable. He indicated the recent Measure M Expenditure Plan details the 3% contribution as an integral part of the plan. He gave an example as to how the 3% is calculated and when it is calculated; during the 30% design stage. The allocation of the 3% requirement is a function of a city’s acreage within ½ mile of proposed stations as well as the mileage of the proposed
line affecting a city. He stated that the 3% estimates are likely to be higher when the project reaches the 30% mark in 2023.

A key milestone will be the selection of a Public Private Partner (3P) for the project. The 3P RFIQ is anticipated to be released in 2021 and when the project will be at 15% design. The actual 3P contract, scheduled for 2023, will require the advancement of the design to the 30% level. Construction may start in 2023. Credit can be given for costs incurred now ahead of the 30% design. He reviewed the different methodologies for determining the 3% from center track line to the half-mile radius to First/Last Mile (FL/M) one-fourth mile. Michael Ervin asked if a city’s border is more than half-mile mile outside the station area then there is no 3% contribution required; this was affirmed to be the case.

He then went on to discuss funding options. He discussed the eligibility of cities using Local Return Funds and Subregional Equity Funds. He also discussed the use of in-kind contributions such as waiving permits and fees, and real estate. Elaine Kunitake from Los Angeles County asked about First/Last Mile (FL/M) projects and how they integrate into the plan. Stevenson explained the difference between FL/M improvements and betterments. Betterments are specifically not counted as part of the project. FL/M projects are an integral part of the project design and count as part of the project cost; this is the distinction. FL/M projects must be in effect and developed by the 30% design phase. The FL/M project must be included in the 30% design. Moreno brought up the example of the City of Paramount’s FL/M bikeway project that will run through the project area and when will it start. According to the Metro planners the WSAB FL/M plan hasn’t started but there should be some initial conversation on its elements with the cities.

Elaine Kunitake from LA County asked about the cost of segments. Right now the entire project is being considered to assess the 3%. Karen Heit, Gateway COG staff mentioned the Inglewood 3% assessment and how the city negotiated away the inclusion of the more expensive Los Angeles subway sections that provided no benefit to Inglewood thereby reducing the basis for the assessment. A question was asked about how the percentages will be calculated to individual cities. MTA staff will return in August to have more discussion on applicability of cost.

Master Cooperative Agreements

Anna Hermelin with Ashurst Consultants stepped in for Meghna Khanna regarding the topic of Master Cooperative Agreements (MCA).

Hermelin began by reviewing the overall project timeline objective which is to deliver the operating line in time for the 2028 Olympics. She then went on to review and discuss the elements of the MCA document that defines the roles and responsibility of each city and MTA during the final design, planning and construction of the line as well as the
reimbursement for costs accrued by the cities. MTA will do some preliminary utility work on its own and the 3P design/builder will come in a little later. Chair Moreno asked about when the "design freeze" occurs. The 3P design/builder determines the scope of the project and sets the baseline for development.

She reviewed elements of the design phase including traffic management, construction rearrangements, maintenance and final maintenance. She reviewed constraints and risk elements such as the Union Pacific Railroad right-of-way negotiations, California Public Utility Commission grade crossing approvals, real estate acquisitions, hazard materials remediation and timing. Traffic management, permanent and temporary street closures are also negotiated through the MCA.

Hermelin reviewed the timeline with the Locally Preferred Alternative selection process continuing through 2021 and achieving Advanced Civil Engineering to 15% design. The timing for the Record of Decision is in 2022. MTA expects the MCAs to be signed in 2021. She went over a chart that outlined roles and responsibilities for all three parties under the 3P process. 3P developer generally performs the majority of the responsibilities under an MCA.

She reviewed a very tight MCA schedule for negotiating and approving MCAs with comments due by April 20 and Metro Board approval by 7/25/20; executing the MCAs by 8/3/20. Chair Moreno – expressed concern about the very, very, tight schedule and trying to get the MCA through the city approval process and the city attorney’s office. MTA doesn’t think they will need to change the MCA after the 3P franchisee is selected. There might be changes to project design but they should not change the MCA. Moreno asked about the relationship between the MTA and the 3P developer. The developer will act as a subcontractor. The 3P developer will be viewed as the contractor for the project. Gilbert Livas asked how will suggested changes be managed though the different cities and how will consistency be assured? The response was there will be a procedure for changes within the MCA, but Livas was asking about managing different requirements for the MCA. Moreno asked if there is a hold-out what happens as there might be a city that holds out. Heit asked, as an example, if the City of Beverly Hills ever signed an MCA for the Purple Line Subway Phase 2 and how that project was proceeding without an MCA. The WSAB cities don’t want the project to be held up by lack of an MCA with any city.

The April WSAB TAC meeting will include a session on the MCA. Moreno asked about trying to schedule a conference call for the city attorneys. Hermelin asked about what information would be required ahead of time. Moreno asked about the relationship between the developer and MTA who is the responsible party. Sergio Infanzon, community Development Director – City of Huntington Park asked about the relationship between the maintenance, traffic and the actual design, How can cities put a cost on something that is undefined, he expressed the need for a baseline. The response was scope elements of the LPA help will help determine the cost of the alignment. The MCA
will specify costs for reviewing documents and contain funds for plan review for the cities.

**Other discussion items**

A report on the last WSAB TAC as provided to the Eco-Rapid Transit JPA was included as information for Committee.

A 3P update reviewed the RFP/RFPQ elements. The development of the performance contract is underway.

Union Pacific Railroad (UP) negotiations will begin when the negotiation agreement is executed. The WSAB Line and UP potential have 10 miles of shared corridor. UP is talking ground rules for the negotiation, the process has just started. Metro staff is estimating any potential agreement is a year away.

There was further discussion of economic development.

The next meeting will be held in Columbia Memorial Space Center, 12400 Columbia Way, Downey CA 90242, on March in Downey on Tuesday, March 17, from 2pm – 4pm. The meeting adjourned at 3:45 pm.