

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

West Santa Ana Branch City Manager Technical Advisory Committee

Teleconference Meeting Via ZOOM

May 12, 2020

PRESENT: Chair, John Moreno, City of Paramount
Karen Lee, City of Artesia
Manuel Acosta, City of Bell
Jim DellaLonga, City of Bellflower
Sal Lopez, City of Cudahy
Vaniah De Rojas, City of Downey
Sergio Infanzon, City of Huntington Park
Elaine Kunitake, Los Angeles County
Joe Perez, City of South Gate
Carlos Fandino, City of Vernon

ABSENT: Michael O’Kelly, City of Bell Gardens
Sabrina Chan, City of Cerritos
Jennifer Vasquez, City of Maywood

ALSO PRESENT: **Cities/County:** Jocelyn Rivera Olivas, Office of Supervisor Hahn; Len Gorecki, City of Bellflower; Aaron Hernandez, City of Cudahy.
Metro: Sharon Weisman, Luke Klipp, Metro Director Mayor Garcia; Meghna Khanna, June Susilo, Elizabeth Carvajal, Michael Turner, Anna Hermilin, Rick Meade, Teddy Low, Mark Dierking, Eduardo Cervantes.
Eco-Rapid Transit: Allyn Rifkin.
Gateway Cities COG: Nancy Michali, Karen Heit, Joel Arevalos.

Chairperson John Moreno called the meeting to order at 2:05 pm. He asked for approval of the minutes and Jim Dellalonga, City of Bellflower moved to approve the minutes for April 14 and 28 CM TAC working sessions. Chair Moreno introduced Meghna Khanna, Metro WSAB Project Manager.

Discussion of WSAB Master Cooperative Agreement

Ms. Khanna started her presentation by thanking the cities for their comments on the draft Master Cooperative Agreement (MCA) that she has received – Artesia, Cudahy, Downey and Huntington Park. She has integrated the received comments into a Comment-Response Matrix. As part of today’s presentation, she will be responding to key questions. She mentioned that she had received comments from the city of Paramount and COG staff that will be included in the matrix and responded to as well. Ms. Khanna has sent out requests to each WSAB Corridor city to schedule individual meetings to address MCA concerns, and another TAC meeting to discuss it further can be scheduled if needed.

Ms. Khanna stated that the key objective of today’s presentation is to, in support of the individual city sessions, to confirm the Project Schedule and the Purpose and Scope of the MCA, and to respond to the

initial city comments. She reviewed the Schedule for MCA Negotiations, including efforts that have been completed:

- Submit draft MCA for comment April 2, 2020
- Cities to submit initial comments on draft MCA April 27, 2020
- Cities to submit further comments on draft MCA May 8, 2020
- Bi-weekly group working sessions This session May 12, 2020**
- Individual City sessions May/June 2020
- Agree to terms* August-October 2020
- Metro Board approves MCAs September-November 2020
- Execute MCAs October-December 2020

Minutes notes: *Agree to terms and City Councils approve MCAs; **including sessions held on April 14 and 28.

Ms. Khanna then reviewed the Overall WSAB Project Schedule, which is as follows:

- Draft EIS/R release Early 2021
- Locally Preferred Alternative (LPA) selection Mid 2021
- Final EIR Certification Late 2021
- Record of Decision (EIS) Late 2021
- P3 Request for Qualifications (RFQ) Following LPA selection
- P3 Request for Proposal (RFP) Following Final EIR
- Project groundbreaking 2023

Ms. Khanna reiterated that the key objective for today’s presentation, before the individual city meetings was to provide:

1. Purpose and Scope of the MCA
2. WSAB Project Schedule
3. Initial responses to City comments.

Purpose and Scope of the MCA

June Susilo explained that the MCA is an agreement outlining how a City and Metro will work together to deliver the WSAB Project. Signing of the MCA did not include any commitments to: Betterments, 3% Local Contribution, First/Last Mile projects, and Advanced Design issues. Advanced Design will result in refinement of project plans at the 30%, 60% and 90% levels of design.

Ms. Susilo stated that before signing the MCA, Metro and each City will agree on –

- Boundaries/Limits of the “City Portion” based on extent of the project alignment within a City as reflected on the 15% design plans sent to each City.
- List of City Standards, such as City civil standards, or LA County DPW, AASHTO, etc. to be reflected in project design.

Minute notes: LA County DPW – LA County Department of Public Works; and AASHTO – American Association of State Highway and Transportation Officials.

After signing the MCA, Ms. Susilo stated that Metro and each City will agree on the first Annual Work Plan identifying required City’s review and support time. Based on the Annual Work Plan, she said that

required work orders will be identified and Metro’s Form 60s completed based on the payment process identified in the MCA. With this in place, cities can confirm project city staffing and/or hire consultants. Ms. Susilo stated that Scope of Work Orders for City review and support time will occur during –

- Advance design efforts (30%, 60% and 90% levels) when Cities will be paid to review and approve the designs for rearrangements within the City’s right-of-way; and
- Construction when Cities will provide inspection, permit and approval time during construction of rearrangements within the City’s right-of-way.

WSAB Project Schedule

Ms. Khanna then walked the TAC through the detailed project schedule delineating key project efforts.

1. Environmental & Advanced Conceptual Engineering (ACE) providing a 15% level of project design.

- Key dates are:
 - Draft EIR/EIS document for public review Early 2021
 - Selection of the Locally Preferred Alternative (LPA) Mid-2021
 - Final EIR/S document Late 2021
 - Record of Decision (EIS) Late 2021
- Related efforts include:
 - Preparation of Urban Design Guide 2020-2021
 - First/Last Mile Plan with 30% design and cost estimates Mid-2021-Late 2023

2. Design Review/Betterments

- Agree on City Limits and Standards
 - Sign Master Cooperative Agreement December 2020
- Design Review/Betterments Discussion/Support During Construction
 - Agree on Betterments for Enabling Works Basis of Design Mid 2021
 - Agree on Betterments for P3 Project Scope Basis of Design Early 2022

3. Enabling Works including utilities, freight relocation and grade crossings

- Engineering and Procurement
 - 30% level of design Early 2021
 - **60%/Basis of Design** **Mid 2021**
 - 90% level of design Late 2021
 - 100% level of design Early 2022
- Enabling Works Construction Early 2023→

4. P3 Project Scope including rail system, stations and other elements

- Request for Qualifications (RFQ) Mid 2021
- Request for Proposals (RFP) Early 2022
- P3 Contractor On-Board Late 2023
- Initiate Design and Build Construction Work Late 2023→

Ms. Khanna emphasized the two project points when project betterments could be identified – first, during the definition of the Enabling Works Basis of Design anticipated to be completed in mid-2021; and then prior to completion of the P3 Project Scope of Basis of Design projected to be completed in early 2022.

Initial Responses to City Comments

Ms. Susilo and Ms. Khanna reviewed the initial responses to city comments on the draft MCA document focusing on questions that were asked by multiple cities or those that would have a significant project impact.

The first issue that Ms. Susilo spoke about regarded the question raised about Article 1.1(b) project description and requested a reference to the Initial Operating Segment (IOS) decision be added in the MCA, including references to possible provision of an interim terminus station(s). Ms. Susilo stated that the MCA addresses how the City and Metro will work together within each city's boundaries. The project alignment terminus does not change how the future rail work within each city's boundaries.

Ms. Khanna addressed the question about whether Metro will perform all of the project work? What were the deadlines for city review? She stated the baseline assumption is that Metro anticipates Metro contractors will perform all design and construction work. Metro rarely requests a city to perform design or construction; there are special occasions when it makes sense for a city to perform the work. In that case, Metro would prepare a work order for that specific effort.

Karen Lee, City of Artesia, asked whether the MCA refers to the "city" boundary or the "station area" boundary? Ms. Khanna replied that the MCA applied to enabling and construction work within the city boundaries.

Sergio Infanzon, City of Huntington Park, asked when the City was to receive the project documents. Ms. Khanna replied that the project design documents had been sent to the City, but she would be happy to resend them.

Leonard Gericke, City of Bellflower, asked about the duration of the MCA – is it a binding agreement through construction? What is the relationship between the MCA and identification and inclusion of betterments? Does it include a commitment to the 3% Local Contribution? Ms. Khanna replied that the MCA covers all project activities through construction. By signing the MCA, cities are not committing to betterments or First/Last Mile projects. The MCA establishes the process for incorporating future betterments and is an agreement to start the process. Design packages will be prepared for city review at the 30%, 60% and 90% level of design. The 3% local contribution will be a separate discussion and negotiation. The MCA outlines the process for identifying and paying for betterments. Ms. Susilo added that the 15% level of design plans were not at a level to feasibly discuss betterments and that later more detailed plans will provide a better basis to identify and design betterments. The MCA defines the betterment process and the forms required. The 3% Local Contribution will be negotiated with each city under a separate agreement.

Allyn Rifkin, Eco-Rapid Transit JPA, stated that he understood that a Non-Disclosure Agreement (NDA) must be signed by each city before receiving the documents; and asked if all of the cities have signed NDAs? Ms. Khanna replied that all cities with the exception of Artesia, Cudahy and South Gate have executed NDAs as of today. The City of Artesia submitted comments and requested revisions to the NDA.

Ms. Khanna concluded by restating that she will be sending messages to schedule individual meetings with each City. A full TAC discussion of key issues can be scheduled as needed. She affirmed 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.

TAC Member Discussion

Chair Moreno asked for any TAC member comments and received none.

Project Updates/Discussion Items

Transit Oriented Development Strategic Implementation Plan (TOD SIP)

Elizabeth Carvajal, LA Metro, Senior Director, Transit Oriented Communities, presented a current overview of Metro's Transit Oriented Development Strategic Implementation Plan funding opportunities. In October of 2019, the Metro Board approved Metro staff support for a three year Implementation Plan to:

- Conduct new planning studies related to the WSAB Transit Oriented Development Strategic Implementation Plan (TOD SIP) recommendations;
- To provide grant-matching funds to enable jurisdictions to pursue grant opportunities and provide the cash flow needed to take on typical grant reimbursement requirements; and
- To provide grant writing assistance to WSAB local jurisdictions.

Any activities funding within this Implementation Program must demonstrate a nexus with the six WSAB TOD SIP categories of activities outlined in the WSAB TOD SIP document: Governance; Equitable Development & Community Preservation; Transit Supportive Planning; Placemaking; Mobility, Access & Connectivity; and Sustainability & Resilience. Applicants can download the WSAB TOD SIP Implementation Program Description and Instructions, and Intake Forms at: metro.net/projects/todsip. An Eblast is being sent out today informing possible applicants of a revised submittal date for Intake Forms. The form submittal date has been extended from June 16, 2020 to Monday, August 31, 2020.

Union Pacific Railroad Negotiations

Meghna Khanna introduced Rick Meade of LA Metro who is leading the negotiation efforts with the Union Pacific Railroad. The proposed WSAB alignment shares 10 miles of its alignment with freight rail operators. Four of the 10 miles of freight tracks-impacted alignment is owned by UP, and the remaining six miles are owned by the Ports of Long Beach and Los Angeles. In addition to the UP ownership of the Wilmington, Alhambra and La Habra subdivisions, UP has operating rights along the Ports-owned section. Currently, Metro is in the preliminary stage of negotiations as UP and Metro identify technical, construction, and operational concerns. There have not been any real estate or track-related discussions yet. Due to COVID-19 precautions, an initial in-person meeting has been delayed until the end of May or early June.

Sergio Infanzon, City of Huntington Park, asked if UP could delay the start of WSAB project construction? Mr. Meade responded that while UP has different concerns and a unique approach, Metro and UP have a good working relationship. Decisions are run through their Omaha corporate headquarters which does add time to the process.

Chairperson Moreno offered Metro assistance with UP negotiations as the City has experience working with UP.

Pending Legislation – SB 1366 WSAB Project

Michael Turner, LA Metro, Deputy Executive Officer, Government Relations, discussed the status of legislation introduced by State Senator Archuletta and co-authored by Speaker Rendon and Senator Gonzalez. Introduced in February 2020, SB 1366 would require the WSAB Project to be built as a single segment and include 11 specified stations as part of an initial operating segment. Metro has concerns including funding availability for the entire alignment, and the need to allow the federal and state environmental review process to be completed without any perceived prejudice towards the outcome. The Locally Preferred Alternative, including the Initial Operating Segment and related stations, is typically identified upon completion of the environmental process (anticipated mid-2021). The Metro Board adopted a “Work with Author” position.

Chair Moreno asked about the likelihood of the bill being heard? Mr. Turner answered that while he cannot predict the likelihood of legislator actions, the State legislature has limited ability to hear new bills this year. Metro is working with all of the authors to ensure the WSAB Project is built from Southeast Los Angeles to Downtown Los Angeles. It is one of the four Metro Board-adopted “Pillar projects” identified for project acceleration, and Metro is pursuing funding from all possible sources.

WSAB City Manager TAC Project Calendar

Nancy Michali WSAB City Manager TAC Consultant, shared “Look-Ahead Calendar” presenting information on the following items for the time period from May through December 2020: 1) TAC Agenda Items, 2) Upcoming Metro and City Project Actions, and 3) Current Economic Development Grants, such as the non-competitive grants available to the cities from the California Housing and Community Development Local Early Action Program (HCD LEAP). The calendar will be updated on a monthly basis and distributed to TAC members.

TAC Member Discussion

Chair Moreno asked if there were any further TAC members questions or comments. Two TAC members raised the following questions.

Karen Lee, City of Artesia: Does the HCD LEAP program have a “Corridor” project category? Ms. Michali responded that the grant funding is city-specific, but as some cities were not planning on utilizing their full grant allotment, Nancy Pfeffer, Executive Director of the Gateway Cities COG was planning to write a letter to the HCD requesting that the remaining balance of LEAP funding remain in the WSAB Corridor to allow for planning efforts addressing corridor-wide housing and infrastructure issues.

Sergio Infanzon, City of Huntington Park: The two drawings received by the City from Metro show the alignment through the city, but information on the utilities is missing. Ms. Khanna responded that all current project information is presented on the two drawings, including information on utilities and track relocations.

Next TAC Meeting

The next CM TAC meeting is scheduled for June 9th and will focus on an overview of Metro Transit Oriented Development tools and planning efforts.

The Metro presentation items from this meeting will be electronically distributed to TAC members this afternoon.

Chairperson Moreno made a final call for comments and hearing none, adjourned the meeting.