



## CITY OF BEVERLY HILLS STAFF REPORT

**Meeting Date:** May 15, 2012

**To:** Honorable Mayor & City Council

**From:** Mahdi Aluzri, Assistant City Manager *MA*

**Subject:** Request from Vice Mayor Mirisch to Amend the Resolution Previously Adopted by the City Council Regarding the Westside Subway Extension

**Attachments:**

1. Letter Dated February 8, 2012
2. Resolution Approved by the City Council on April 17, 2012
3. Proposed Draft Resolution

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### **INTRODUCTION**

A resolution approved by the City Council was delivered to the Los Angeles Metropolitan Transit Authority Board of Directors on April 6, 2012 regarding the City Council's position regarding the Westside Subway Extension project as proposed in Metro's FEIR/FEIS. This resolution is attached.

### **DISCUSSION**

The attached draft resolution was developed by Vice Mayor Mirisch who is requesting City Council review and approval. The resolution incorporates language already stated by the City Council in a letter to Metro dated February 8, 2012 reiterating the City Council's unanimous opposition to any Westside Subway Extension alignment that tunnels underneath the historic core of Beverly Hills High School.

This language in the proposed resolution specifically states that *'The Beverly Hills City Council's support for the Westside Subway Extension has been, and remains predicated on the selection of the Santa Monica alignment, or an alternative alignment that does not tunnel underneath Beverly Hills' sole high school. The City Council will take such steps to implement its opposition as circumstances warrant.'*

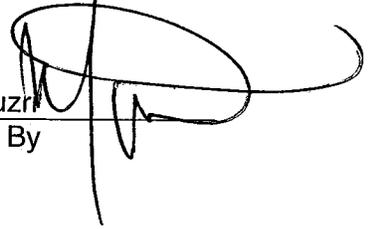
**FISCAL IMPACT**

Undetermined at this time.

**RECOMMENDATION**

Vice Mayor Mirisch requests that the City Council consider the attached revised resolution.

Mahdi Aluzri  
Approved By

A handwritten signature in black ink, appearing to be 'Mahdi Aluzri', written over a horizontal line. The signature is stylized and cursive.

# **Attachment 1**



Barry Brucker, Mayor

February 8, 2012

Honorable Antonio R. Villaraigosa, Chairman of the Board  
Metropolitan Transportation Authority  
One Gateway Plaza  
Los Angeles, CA 90012

Arthur T. Leahy, Chief Executive Officer  
Metropolitan Transportation Authority  
One Gateway Plaza  
Los Angeles, CA 90012

Dear Mayor Villaraigosa and Executive Director Leahy:

Enclosed is a copy of the report dated February 7, 2012, prepared by Exponent Failure Analysis Associates. This report was presented to the Beverly Hills City Council during the Study Session on February 7, 2012, and it is a review of the risk assessment associated with the Westside Subway Extension Project through Beverly Hills to Century City. Your letter of February 7, 2012 was distributed to the entire Council, as you had requested, prior to the meeting. I have enclosed a disc of the presentation made by Dr. Moncarz and Dr. Shaller, which can also be accessed through the website link:

[http://beverlyhills.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=2596](http://beverlyhills.granicus.com/MediaPlayer.php?view_id=2&clip_id=2596).

On behalf of the City Council, I am requesting that Metropolitan Transportation Authority review this presentation and report, and respond to their recommendations.

Beverly Hills Unified School District is trenching on the campus of Beverly Hills High School to determine the exact location of the possible Newport-Inglewood Faults and the West Beverly Hills Lineaments. This study is expected to provide important new information and detail on the status of these fault lines.

The City of Beverly Hills requests that Metropolitan Transportation Authority conduct additional studies, including trenching on Santa Monica Boulevard, to determine the exact location of these same fault lines near the eastern station alternative for Santa Monica Boulevard.

Let me reiterate our adamant and unanimous opposition to any Westside Subway Extension alignment that tunnels under Beverly Hills High School. The Beverly Hills City Council's support of the Westside

Subway Extension has been and remains predicated on the Santa Monica alignment or an alternative alignment that does not tunnel under our only high school.

Thank you,

A handwritten signature in black ink that reads "Barry Brucker". The signature is fluid and cursive, with a long horizontal stroke at the end.

Barry Brucker, Mayor  
City of Beverly Hills

**Enclosures:** Westside Subway Extension Tunneling Safety Report and presentation disc

cc: Beverly Hills City Council  
Jeffrey Kolin, City Manager

# **Attachment 2**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS  
REGARDING THE PROPOSED WESTSIDE SUBWAY EXTENSION  
ALIGNMENT BENEATH Beverly Hills HIGH SCHOOL**

**THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS HEREBY RESOLVES  
AS FOLLOWS:**

**Whereas**, the City Council of the City of Beverly Hills (the "City Council") supports well planned mass transit projects;

**Whereas**, the Beverly Hills City Council has reviewed the Final Environmental Impact Report/Final Environmental Impact Statement (FEIR/FEIS) of the Los Angeles Metropolitan Transportation Authority for the Westside Subway Extension, including Metro staff's recommendation for the alignment through the City of Beverly Hills as well as Metro staff's proposed adoption of the Constellation station site in Century City;

**Whereas**, the City Council has retained geotechnical and other experts to evaluate the FEIR/FEIS for the purpose of assisting the City Council in evaluating the various routes and station sites considered by Metro as they relate to the City of Beverly Hills.

**Whereas**, these experts have indicated on the record that Metro's studies, on which the alignment recommendation is substantially based, are in critical and significant aspects incomplete, flawed, deficient and/or incorrect.

**Whereas**, The route of the proposed subway alignment, as proposed in Metro's FEIR/FEIS, would run underneath the historic Beverly Hills High School.

**Whereas**, the City Council has released the Hazard Assessment Study of its expert consultant Exponent, who concluded that the proposed Constellation station faces potential methane gas hazards not adequately considered by Metro in its environmental analysis and that Metro did not adequately identify, quantify, rank

*and mitigate the potential hazards posed by the proposed Westside Subway Extension Project;*

***Whereas***, *there are numerous unresolved issues and inconsistencies in the scientific data in Metro's analysis of the various station locations in addition to the proposed subway alignment;*

***Whereas***, *Metro's proposals do not provide Beverly Hills and other Westside residents with adequate access to the subway;*

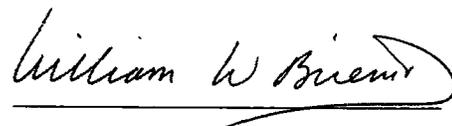
***Whereas***, *Metro continues to refuse to conduct comprehensive seismic fault line testing, including trenching along the West Beverly Hills Lineament at Santa Monica Boulevard, to determine the presence of active faults along Santa Monica Boulevard near Century Park East; and*

***Whereas***, *the perception is such that Metro's dealings with the City of Beverly Hills as it relates to the proposed tunneling under Beverly Hills High School were not made in good faith.*

***Now Therefore***, *based upon the City Council's evaluation of the above factors and the issues related to the proposed route of the Westside Subway Extension through the City of Beverly Hills, the City Council resolves as follows:*

*The City Council hereby does not support and strongly opposes Metro Staff's recommendation in the FEIR/FEIS of the Westside Subway Extension Project with specific reference to the proposed tunnel alignment beneath our historic Beverly Hills High School, and the selection of the Century City Station at Constellation Avenue. The City Council will take such steps to implement its opposition as circumstances warrant.*

**Dated:** April 25, 2012



Mayor, City Council of the City of  
Beverly Hills

# **Attachment 3**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS  
REGARDING THE PROPOSED WESTSIDE SUBWAY EXTENSION  
ALIGNMENT BENEATH Beverly Hills HIGH SCHOOL**

**THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS HEREBY RESOLVES  
AS FOLLOWS:**

**Whereas**, the City Council of the City of Beverly Hills (the "City Council") is adamantly and unanimously opposed to any Westside Subway Extension alignment that tunnels under Beverly Hills high School.

**Now Therefore**, the Beverly Hills City Council's support for the Westside Subway Extension has been, and remains predicated on the selection of the Santa Monica alignment, or an alternative alignment that does not tunnel underneath Beverly Hills' sole high school. The City Council will take such steps to implement its opposition as circumstances warrant.

**Dated:**

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Mayor, City Council of the City of  
Beverly Hills