

Attachment 3



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August 30, 2013

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455 N. Rexford Drive
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**Re: Metro Purple Line Extension Project - Geophysical
Exploration in Wilshire Blvd. near La Cienega**

Dear Mr. Wiener:

We are concerned that that a permit application submitted by the Los Angeles County Metropolitan Transportation Authority ("Metro") on June 19, 2013 to drill five exploratory bore holes on Wilshire Boulevard has been sent by City of Beverly Hills staff to your City Council for its consideration and action on September 10, 2013. It's our understanding that these types of permits are routinely approved by City staff in the ordinary course of business, without City Council involvement.

The geophysical exploration that Metro seeks to perform is needed to locate existing tiebacks that were installed during construction of an office building at 8536 Wilshire Blvd. These tiebacks extend into the street at various locations adjacent to the office building and could potentially interfere with Metro's tunnel construction for the Purple Line Extension, Segment 1. Metro submitted a traffic control plan to the City which confirms that two traffic lanes will be maintained on Wilshire Blvd. in each direction at all times during this work. Of course, the street will be fully restored when the geophysical exploration is complete.

Given the routine nature of the work Metro seeks to perform in Wilshire Blvd., we did not anticipate this would require City Council approval. We assume that City transportation/engineering staff have approved permits of this type on many occasions without City Council involvement. Hopefully, Metro is not being singled out for special treatment because of the parties' pending

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litigation and professional disagreements regarding seismic risks in the Beverly Hills/Century City area.

Metro's preferred method for coordinating rail construction within a local jurisdiction is to develop a Master Cooperative Agreement ("MCA") that defines the parties' respective roles and responsibilities with regard to the oversight and coordination of construction activities. Through the MCA, Metro reimburses the local jurisdiction for staff time coordinating the construction process. With an MCA, we find that rail construction proceeds in a more efficient and timely manner, which minimizes the impacts of construction on local residents and businesses. Notwithstanding the pending litigation between Metro and the City regarding the tunnel alignment beneath Beverly Hills High School, we remain hopeful that we can finalize an MCA that will facilitate Metro's construction activities and avoid unnecessary delays which could prolong the duration of local impacts.

We trust that Metro will receive fair consideration of its permit application before the City Council on September 10, and look forward to finalizing the terms of an MCA that will simplify the administrative process moving forward.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By 
RONALD W. STAMM
Principal Deputy County Counsel
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