



AGENDA REPORT

Meeting Date: August 5, 2014
Item Number: F-2
To: Honorable Mayor & City Council
From: Mark Cuneo, City Engineer
Laurence Wiener, City Attorney

Subject: MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND METRO FOR THE UTILITY RELOCATION PHASE OF SEGMENT 1 – WESTSIDE SUBWAY EXTENSION

RECOMMENDATION

Staff recommends that the City Council continue consideration of this item until the City Council meeting of August 19, 2014.

INTRODUCTION

At the July 29th City Council meeting, the Council reviewed the proposed Memorandum of Agreement between the City of Beverly Hills and Metro for the Utility Relocation Phase of Segment 1 of the Westside Subway Extension (the "MOA"). At that meeting, the City Council requested further revisions to the MOA and also directed City staff to meet with representatives of the Saban Theater to more fully address the Saban's concerns about the MOA. The Council also asked that staff solicit comments regarding the MOA from Cordoba Corporation, the engineering consultant recommended to the City Council to assist the City in managing the utility relocation work.

DISCUSSION

On Wednesday July 30th, staff and the City Attorney's Office conducted a conference call with representatives from Cordoba to brief its team on the current status of the MOA and to begin to solicit input from Cordoba. Also on that date, staff and the City Attorney's office met with Metro's negotiating team to continue work on unresolved language and policy issues identified by the City Council on July 29th. Staff will also be

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scheduling a meeting between the City, Metro, and Saban Theater representatives in order to address concerns of the Saban Theater.

A further draft of the MOA has not yet been prepared as the parties continue to work through the issues identified by the City Council. In order to finalize the exhibits to the MOA, staff will also need direction from the City Council concerning whether the Council wishes the utility relocation work to occur primarily during the daytime or primarily during the nighttime. The City Council is scheduled to discuss this issue on August 5th.

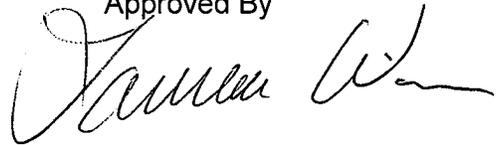
Staff and the City Attorney's office anticipate that a revised MOA will be presented to the City Council for consideration at the City Council's August 19th meeting.

FISCAL IMPACT

The fiscal impact of the MOA will be dependent on the final negotiated terms.

Laurence Wiener

Approved By

A handwritten signature in cursive script, appearing to read "Laurence Wiener", written over a horizontal line.