



Executive Director's
Report to the
Board of Harbor Commissioners

DATE: NOVEMBER 3, 2015

FROM: ENGINEERING

SUBJECT: RESOLUTION NO. _____ — FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR THE I-110 FREEWAY/C STREET INTERCHANGE IMPROVEMENT PROJECT

SUMMARY:

The Engineering Division recommends the Board of Harbor Commissioners (Board) approval of the proposed First Amendment to Memorandum of Understanding (MOU) between the City of Los Angeles Harbor Department (Harbor Department) and the Los Angeles County Metropolitan Authority (LACMTA).

On December 8, 2011, the Board approved the Harbor Department Agreement No. 11-3055 (MOU.P00F1126) between the LACMTA and the Harbor Department for Proposition C funds granted to the Harbor Department for the I-110 Freeway/C Street Interchange Improvement Project (Project) in the amount of \$6,647,000.

This Amendment, if approved by the Board, will extend the grant fund lapse date for Fiscal Year 2012/2013 monies from June 30, 2015 to June 30, 2017 and add a new communication provision to include LACMTA recognition as a funding contributor in communication materials related to the Project. Staff recommends amending the existing MOU for the Project as required for maintaining funding availability.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners (Board):

1. Find that the Director of Environmental Management has determined that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II, Section 2(f) and 2(i), of the Los Angeles City CEQA Guidelines;
2. Approve the proposed First Amendment to Memorandum of Understanding (MOU) between the Harbor Department and the Los Angeles County Metropolitan Authority (LACMTA);

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3. Authorize the Executive Director and the Board Secretary to execute and attest to said First Amendment to MOU for the I-110 Freeway/C Street Interchange Improvement Project on behalf of the Board, and forward Amendment to the LACMTA for full execution and receive and file fully executed Amendments from LACMTA;
4. Authorize the Executive Director to execute and the Board Secretary to attest to future Amendments to this MOU to account for revised project schedules and project costs, for and on behalf of the Board; subject to the approval of the City Attorney as to form and legality; and
5. Adopt Resolution No. _____.

DISCUSSION:

Background & Context: This Project will improve mobility in and around the West Basin area of the Port of Los Angeles (Port), specifically improving Port access to the I-110 Freeway by reconfiguring the C Street/I-110 Freeway ramps and combining two City of Los Angeles (City) street intersections into one at Figueroa Street and Harry Bridges Boulevard.

On September 27, 2007, the LACMTA awarded Proposition C grant funding for the Project under the Regional Surface Transportation Improvement category of their 2007 Call for Projects. On December 8, 2011, the Board approved a MOU with LACMTA regarding the Project (Transmittal 2). After discussion between Harbor Department staff and LACMTA staff regarding the mutual desire for an extension of the lapse date, LACMTA provided a First Amendment (Transmittal 1) to the MOU to address the lapsing dates of funds and to amend the existing MOU by deleting Part II, Paragraph 11 in its entirety and replacing it with revised language relating to the inclusion of LACMTA recognition as a funding contributor in communication materials related to the Project.

This Project is in the construction phase. The Harbor Department has been requesting reimbursement from LACMTA for this Project. To date, the Harbor Department has been reimbursed \$3,817,464 of the \$6,647,000 in LACMTA grant funds awarded. This Project is expected to completely expend this grant funding by the proposed First Amendment date of June 30, 2017.

This Project has Federal Surface Transportation Program – Local Grant Funds of \$5,927,000, State Trade Corridor Improvement Fund Grant Funds of \$8,300,000 and Local Metro Proposition C Grant Funds of \$6,647,000, with a total of \$20,874,000 in grant funding. The Harbor Department's cost share, net of reimbursement grants, is \$30,126,000. The work will be completed over the periods of Fiscal Year 2013/2014, Fiscal Year 2014/2015, Fiscal Year 2015/2016 and Fiscal Year 2016/2017.

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ENVIRONMENTAL ASSESSMENT:

The proposed action is approval of the First Amendment to MOU between the Harbor Department and LACMTA to extend the grant fund lapse date for the Project. The Project was assessed in a joint Mitigated Negative Declaration/Finding of No Significant Impact which was approved by the Board on June 21, 2012. Therefore, as an administrative activity related to an activity which the underlying project has previously been evaluated for environmental significance and processed according to the requirements of the California Environmental Quality Act (CEQA), the Director of Environmental Management has determined that the proposed action is exempt from the requirements of CEQA in accordance with Article II, Section 2(f) and 2(i), of the Los Angeles City CEQA Guidelines.

FINANCIAL IMPACT:

There is no change in the financial impact of this Project as a result of the First Amendment. Acceptance of the proposed First Amendment to MOU memorializes the framework for the transfer of Project grant funds from LACMTA to the Harbor Department. The grant is on a reimbursement basis, requiring the Harbor Department to budget and subsequently expend the funds for the Project. Construction funding for this Project was approved in Fiscal Years 2013/2014, 2014/2015, and 2015/2016 and will be requested for Fiscal Year 2016/2017. The total project cost is estimated at \$51,000,000 of which \$6,647,000 is reimbursable under the LACMTA grant discussed herein, \$14,227,000 is reimbursable through other grant funding, leaving a total net cost to the Harbor Department of approximately \$30,126,000.

Upon completion of this Project, the responsible agency for ongoing operating and maintenance expenses associated with the completed Project will be Caltrans and the City of Los Angeles.

There is no direct revenue impact to the Harbor Department resulting from the proposed Board item. However, the infrastructure and roadway improvements are expected to benefit tenants and the Harbor Department by improving the flow of commerce in support of the Tidelands Trust Act of promoting commerce, navigation, and fishery.

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CITY ATTORNEY:

The Office of the City Attorney has reviewed and approved the First Amendment to MOU as to form and legality.

TRANSMITTALS:

1. First Amendment to MOU between the Harbor Department and the LACMTA for the I-110 Freeway/C Street Interchange Improvement Project
2. MOU between the Harbor Department and the LACMTA for the I-110 Freeway/C Street Interchange Improvement Project

FIS Approval: MA (initials)
CA Approval: MA (initials)



DAVID M. WALSH, P.E.
Chief Harbor Engineer



ANTONIO V. GIOIELLO, P.E.
Deputy Executive Director

APPROVED:



EUGENE D. SEROKA
Executive Director

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