

# ATTACHMENT C



MARK PESTRELLA, Director

## COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE  
REFER TO FILE

August 04, 2020

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**TRANSPORTATION CORE SERVICE AREA  
DELEGATE AUTHORITY TO ENTER INTO MEMORANDA OF UNDERSTANDING AND ANY  
SUBSEQUENT EXTENSIONS OR AMENDMENTS BETWEEN  
LOS ANGELES COUNTY AND LOS ANGELES COUNTY  
METROPOLITAN TRANSPORTATION AUTHORITY  
FOR THE HIGH DESERT CORRIDOR PROJECT  
(SUPERVISORIAL DISTRICT 5)  
(3 VOTES)**

### **SUBJECT**

Public Works is seeking Board approval to delegate authority to the Director of Public Works or his designee to enter into a Memoranda of Understanding and any subsequent extensions or amendments with Metro to advance \$1,500,000 from the Fifth Supervisorial District's Proposition A Local Return Transit Program in the Transit Operations Funds in Fiscal Year 2020-21; and to fund a portion of the cost of the professional services contract for a High Desert Intercity Rail Corridor Service Development Planning Study from the future Virgin Train USA Southern California Station in the Victor Valley to the proposed Palmdale Transportation Center along a 54-mile-long west-east rail alignment along the High Desert Corridor.

### **IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the recommended actions are not a project or, alternatively, are exempt from the California Environmental Quality Act for the reasons stated in this letter and in the record.
2. Delegate authority to the Director of Public Works or his designee to enter into a Memoranda of Understanding and any subsequent extensions or administrative amendments with no financial change, with Metro to memorialize terms and conditions for County to advance \$1,500,000 from the

Fifth Supervisorial District's Proposition A Local Return Transit Program in the Transit Operations Fund in Fiscal Year 2020-21 to Metro to fund a portion of the cost of the professional services contract for a High Desert Intercity Rail Corridor Service Development Planning Study and for Metro to repay the County from the High Desert Corridor Measure M allocation once the funding and budget authority becomes available.

3. Approve and instruct the Director of Public Works or his designee to disburse \$1,500,000 from the Fifth Supervisorial District's Proposition A Local Return Transit Program in the Transit Operations Fund in Fiscal Year 2020-21 to Metro to fund a portion of the cost of the professional services contract for the High Desert Intercity Rail Corridor Service Development Planning Study.

4. Authorize the Director of Public Works or his designee to receive Metro funding reimbursement of \$1,500,000 from the High Desert Corridor Measure M allocation to fund the professional services contract.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will find that they are not a project, or alternatively, are exempt from the California Environmental Quality Act (CEQA) and authorize the Director of Public Works to enter into an Memoranda of Understanding (MOU) and any subsequent extensions or administrative amendments with no financial impact, with Metro providing for the County to advance \$1,500,000 of the Fifth Supervisorial District's (SD5) Proposition A Local Return Transit Program in the Transit Operations Fund in Fiscal Year 2020-21 to Metro to fund a portion of the cost of the professional services contract for the High Desert Intercity Rail Corridor Service Development Planning Study (HDIRCSPS). It will further authorize the Director of Public Works to disburse such funds to Metro and receive reimbursement for it. This advancement in funding is needed by Metro to continue its work to advance the rail component of the proposed High Desert Corridor (HDC) transportation project.

The HDC was officially designated in Section 1304 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A legacy for users as a high priority corridor on the National Highway System from Los Angeles to Las Vegas via Palmdale and Victorville.

In March 2017 the HDC Rail Ridership and Revenue Forecast results revealed a significant demand for high speed rail service from Southern California to Las Vegas. The corridor from Southern California to Las Vegas is currently one of the most heavily traveled routes in America with more than 23 million people traveling annually by road between Southern California and Las Vegas. The 90 percent of the travelers from Southern California going to Las Vegas travel by automobiles. A new intercity passenger rail service will provide a new option for interstate travel from Southern California which will help reduce the growing congestion on Interstate 15 and the connecting east-west freeways. It is an important component in our regional effort to improve mobility, freight movement, and interstate travel.

On September 18, 2018, the High Desert Corridor Joint Powers Authority (HDCJPA), of which the County is a member, prioritized the advancement of the rail component of the proposed HDC transportation project. The HDCJPA approved sponsoring Virgin Train USA's request for the California Infrastructure Economic Development Bank to issue private activity bonds for the proposed XpressWest project, which includes the design, construction, and operation of a high speed rail line between Las Vegas and Victorville, and entered into a contract with Transportation

Solutions to obtain a final record of decision from the Federal Railroad Administration. The record of decision is a precondition to acquiring right of way parcels for the HDC rail portion of the project.

Subsequently, in October 2019, Metro, in partnership with California State Transportation Agency, Virgin Train USA's, and the San Bernardino County Transportation Authority submitted an application for a Consolidated Rail Infrastructure and Safety Improvements Program discretionary grant for a HDIRCSPS. The grant application was not successful and Metro, consistent with HDCJPA's desire to move forward with the rail component of the HDC project, is proposing to move forward with the HDIRCSPS using other grants and Measure M funds. Currently, due to COVID-19 impact on Metro's funding, they are not able to proceed with funding the contract for this planning effort. It is anticipated that Metro will reimburse the County by December 2023 pending availability of funding.

The County's commitment to advance \$1,500,000 from the Proposition A Local Return Transit Program funds to fund the cost of the professional services contract for the proposed HDIRCSPS is needed to continue to advance the rail component of the HDC project. Metro will repay the County from the HDC Measure M allocation once the funding and budget authority becomes available, which is anticipated in Fiscal Year 2023-24.

The proposed HDIRCSPS is anticipated to be completed in the spring of 2023.

### **Implementation of Strategic Plan Goals**

These recommendations support the County Strategic Plan: Strategy III.3, Pursuing Operational Effectiveness, Fiscal Responsibility, and Accountability. The recommended actions will improve the quality of life for the residents of the Antelope Valley by providing funds for work that will further the development of the rail component of the HDC transportation project and ultimately enhance regional, intercity and interstate mobility, and increase frequency and reliability of intercity passenger rail service.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

County's advancement of funds to fund a portion of the cost of the professional services contract for the proposed HDIRCSPS is estimated at \$1,500,000. Sufficient funding is available in SD5's Proposition A Local Return Transit Program in the Transit Operations Fund Fiscal Year 2020-21 Budget. The study will be funded with \$1,500,000 of SD5's Proposition A Local Return funds and \$1,500,000 will be reimbursed from Metro anticipated in Fiscal Year 2023-24.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

County Counsel will approve the MOU as to form prior to execution of the contract. Once the MOU is fully executed, a copy will be provided to the Chief Executive Office.

### **ENVIRONMENTAL DOCUMENTATION**

The recommended actions are not a project under Section 21065 of the Public Resources Code and Section 15378(b)(5) of the State CEQA Guidelines and are excluded from the definition of a project because they involve organizational or administrative activities of government that will not result in

direct or indirect physical changes in the environment. In the alternative, the actions are exempt from the provisions of CEQA pursuant to Section 15262 of the State CEQA Guidelines since they consist of feasibility or planning studies for possible future actions which the Board has not approved, adopted or funded and for which environmental factors have been considered.

By approving the funding for the study for potential future proposed project, the County does not commit to or otherwise endorse, authorize, or approve any specific project. Any future recommendations on any proposed development remain subject to the Board's sole discretion to approve, deny, or modify a proposed project and to consider factors that would accompany CEQA review. Authorization of any future proposed project activities would occur only following compliance with CEQA and the department will return to the Board for consideration of appropriate environmental documentation.

Upon the Board's approval of the recommended actions, Public Works will file a Notice of Exemption with the County Clerk pursuant to Public Resources Code Section 21152.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The proposed HDIRCSPS is of general County interest. There will be no impact on current services or projects.

**CONCLUSION**

Please return one adopted copy of this letter to Public Works, Transportation Planning and Programs Division.

Respectfully submitted,



MARK PESTRELLA

Director

MP:MER:yr

- c: Chief Executive Office (Chia-Ann Yen)
- County Counsel (Warren Wellen)
- Executive Office