

**Metro Gold Line Foothill Extension Construction Authority SPECIAL Board Meeting**  
**Construction Authority Offices – Conference Room**  
**406 E. Huntington Drive, Suite 202**  
**Monrovia, CA 91016**  
**March 10, 2010**  
**7:00 P.M.**

**1. Call to Order:**

Chair Hanks called the meeting to order at approximately 7:10 PM.

**2. Roll Call:**

Member	Appointing Entity	Present	Absent
<b><i>Voting Members</i></b>			
Keith Hanks, <i>Chair</i>	City of South Pasadena	X	
Doug Tessitor, <i>1<sup>st</sup> Vice Chair</i>	City of Pasadena		X
Ed Reyes, <i>2<sup>nd</sup> Vice Chair</i>	City of Los Angeles		X
John Fasana	LACMTA	X	
Sam Pedroza	SGVCOG	X	
<b><i>Non-Voting Members</i></b>			
Lara Larramendi	Governor of California	X	
Bill Bogaard	City of Pasadena		X
Daniel Evans	City of South Pasadena		X
<b><i>Alternate Members</i></b>			
Michael Cacciotti	City of South Pasadena	—	—
Gerry Miller	City of Los Angeles	—	—
Mary Ann Lutz	SGVCOG	—	—

**3. Pledge of Allegiance**

Scott Ochoa led the Pledge of Allegiance.

**4. Public Comments on Items On/Off Agenda:**

Chair Hanks requested any public comments on or off the Agenda.

None.

**5. CEO's Monthly Report**

Mr. Balian presented the report. Mr. Balian review recent activities at the Construction Authority including the upcoming procurement schedule.

**6. Consent Calendar:**

- a. **Approval of Minutes of Special Board Meeting held February 19, 2010**

Chair Hanks requested a motion to approve the Consent Calendar. Board Member Fasana made a motion to approve the Consent Calendar. Board Member Pedroza seconded the motion which was then approved unanimously.

**7. General Board Items:**

**a. Receive and File Report on Project Update: Structures**

Mr. Balian provided the report. Mr. Balian indicated that there are 17 areas along the Phase 2A alignment that require a structure for the light rail to cross and that some have dual light rail structures resulting in a total of 22 structures required for the light rail. Mr. Balian indicated that there nine new structures, nine will be modified, and four replaced. Mr. Balian indicated that new structures will be built where a structure currently does not exist, modified structures are primarily seismic retrofits of existing structures, and replacement structures are complete replacements of existing structures. Mr. Balian presented a matrix which detailed the 22 structures and their locations.

Item received and filed.

**b. Overview of Evaluation Process for Iconic Freeway Structure Project**

Mr. Purcell presented the report. Mr. Purcell provided an overview of the Iconic Freeway Structure (IFS) Design-Build-Finance Project (Package 1) proposal evaluation process.

Board Member Pedroza inquired about the expected contract award date.

Mr. Purcell indicated that the process will begin at the end of March and a recommendation will be made to the Construction Authority Board in May 2010.

Item received and filed.

**c. Update on Mission Meridian Avenue Reconfiguration**

Mr. Balian presented the report. Mr. Balian indicated that the Authority has executed the contract with Select Electric, Inc to make the gate modifications to the Mission Meridian intersection in South Pasadena. Mr. Balian indicated that the Construction Authority staff in conjunction with Select Electric will work with the City of South Pasadena to minimize the impact to the residents and business owners in the vicinity of the intersection. Mr. Balian indicated that construction will begin in mid to late March and be completed by June 2010.

Item received and filed.

**d. Consideration of Term Sheet for Measure R Fund Transfer Agreement**

**and Master Cooperative Agreement between the Construction Authority and Metro**

Mr. Balian summarized recent meetings between the Construction Authority and Metro staff. Mr. Balian indicated that two main points are at issue (1) who maintains absolute authority over the project and (2) an adequate and fair dispute resolution process. Mr. Balian indicated that considerable concessions have been given by the Construction Authority.

Chairman Hanks indicated that in addition to the items mentioned by Mr. Balian, two escape or "poison-pill" clauses are of concern to the Construction Authority which may delay the project – (1) Metro's requirement that the entire M&O parcel be acquired prior to receiving any funding for the project and (2) an agreement between Metro and BNSF regarding the shared-use corridor along the alignment.

Board Member Fasana indicated that since the items of disagreement are clear and distinct that the issues could be brought before the Metro Board for discussion and a possible decision. Board Member Fasana further indicated that support for the project among the Metro Board has gained momentum because of the understanding that same terms and conditions will apply to other project throughout the county.

Board Member Pedroza indicated that the Exposition Board of Directors may be helpful in resolving some of the areas of disagreement in conjunction with the Construction Authority because they understand the impact on their project going forward and possible further delays.

Mr. Balian indicated that the Metro requirement of the Maintenance and Operation facility being operational 1 year prior to the start of revenue operation service has delayed the project by 1 year and approximately \$12 million dollars.

Metro Chairman Najarian indicated that it is his sense that the Metro Board does not want to micromanage the project and that most of the issues of disagreement would be resolved.

Monrovia Mayor Mary Ann Lutz indicated the City of Monrovia wants to partner with Metro and the Construction Authority with regard to the Maintenance and Operations facility, but the Monrovia City Council is not willing to wait without some assurance by the Metro Board that the M&O facility will move forward. Mayor Lutz indicated that the City of Monrovia has put various suitors on the site on hold over the past several months but the Council is not willing to continue to jeopardize the City's interest.

Monrovia City Manager Scott Ochoa indicated that if proper assurances are not agreed to by all parties at the upcoming Metro Board meeting on March 25, 2010, the City of Monrovia will be issuing a Request for Proposals for the site

which all parties would be available to participate.

Board Member Fasana indicated that the City of Monrovia has “stepped-up” to the plate by agreeing to allow the M&O facility at the proposed site.

Metro Chairman Najarian indicated that it is his believe that a fair and equitable agreement is attainable between the two agencies.

Chairman Hanks directed staff to continue discussion with Metro staff on the points of disagreement.

**d. Legislative Update**

Mr. Balian presented the report and reviewed recent activities and discussions with local, state and federal officials.

Item received and filed.

**e. Monthly Project Status Update**

Mr. Balian provided the report and summarized recent activities by Construction Authority Staff.

Item received and filed.

**8. General Counsel Report**

None.

**9. Closed Session**

**CONFERENCE WITH LEGAL COUNSEL**

Anticipated Litigation:

(G.C. 54956.9(b))

A point has been reached where, in the opinion of the Authority on the advice of its legal counsel, based on facts and circumstances that might result in litigation but which the Authority believes are not yet known to a potential plaintiff or plaintiffs, there is a significant exposure to litigation against the Authority.

Facts and circumstances that might result in litigation but which the Authority believes are not yet known to potential plaintiff or plaintiffs

No reportable action.

**10. Board Member Comments**

None.

**11. Adjournment**

The Board meeting was adjourned at approximately 9:15 PM.