

**Metro Gold Line Foothill Extension Construction Authority Board Meeting  
 Construction Authority Offices, Conference Room  
 Arcadia City Council Chambers  
 240 West Huntington Drive  
 Arcadia, California 91007  
 May 25, 2011  
 7:00 P.M.**

**1. Call to Order:**

Chairman Tessitor called the meeting to order at approximately 7:09 PM.

**2. Roll Call:**

<b>Member</b>	<b>Appointing Entity</b>	<b>Present</b>	<b>Absent</b>
<b><i>Voting Members</i></b>			
Doug Tessitor, <i>Chair</i>	City of Pasadena	X	
Sam Pedroza, <i>1<sup>st</sup> Vice Chair</i>	SGVCOG		X
Ed Reyes, <i>2<sup>nd</sup> Vice Chair</i>	City of Los Angeles	X	
Keith Hanks	City of South Pasadena	X	
John Fasana	LACMTA	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**

Doug Tessitor led the Pledge of Allegiance.

**4. Public Comments on Items on or off the Agenda**

Chairman Tessitor requested any public comments on or off the Agenda.

Mr. Christopher Sutton introduced himself as Special Counsel for George Brokate and Excalibur Properties. Mr. Sutton provided the Board and the Clerk of the Board with a letter regarding the following areas: (1) Possible Continuing Violations of the California Environmental Quality Act; (2) Possible Delays in the Surface Transportation Board Proceedings; (3) Possible Violation of the National Environmental Policy Act; (4) Possible Dissatisfaction by the City of South Pasadena; and (5) Possible Investigation of the Rosedale Site Decisions. Mr. Sutton provided a summary of the areas identified in his letter to the Board.

Scott Ochoa introduced himself as City Manager for the City of Monrovia and thanked the Board for the opportunity to address them. Mr. Ochoa provided the Board and the Clerk of the Board with a letter which addressed "Proposed Settlement Options per Mr. Beverlin's May 25, 2011 Letter". Mr. Ochoa read the contents of his letter to the Board. Mr. Ochoa thanked the Board.

**5. CEO's Monthly Report**

Mr. Balian presented the report. Mr. Balian reviewed various critical path items including various agreements, the acquisition of the M&O properties, award of the DB2 Contract in July, status of grade crossing approvals and other various items. Mr. Balian indicated that several Board members will be attending meetings in Washington DC with Congressional representatives in June. Mr. Balian indicated that the Public Workshops for environmental work from Azusa to Montclair had concluded and that City Council briefing would be conducted in each of the cities during May and June. Mr. Balian also indicated that staff has identified additional scope in regards to Parsons Brinkerhoff's environmental work and would be brought to the Board at the next meeting. Mr. Balian indicated that progress had been made in identifying funding sources for the Alternative Analysis from Montclair to Ontario International Airport.

**6. Consent Calendar:**

- a. **Approval of Minutes of Board Meeting held May 11, 2011**
- b. **Authorize the CEO to Execute Amendment No. 10 to Hill International Contract No. C1129 for Program Management**
- c. **Authorize CEO to Execute an Agreement with the City of Arcadia for the Design and Construction of Betterments to the Arcadia Station and the Colorado Bridge**

Chairman Tessitor requested a motion to approve the Consent Calendar. Board Member Fasana requested that he be listed as not attending the Board meeting of May 11<sup>th</sup> and abstained from voting on the minutes of that meeting. Board Member Reyes made a motion to approve the Consent Calendar. Board Member Hanks seconded the motion which was then approved unanimously.

**7. General Board Items:**

- a. **Project Update: Safety & Security Certification Process**

Mr. Balian introduced Mr. Dain Pankratz who provided the report. Mr. Pankratz provided a detailed overview of the Safety and Security Certification which is a CPUC requirement since 2003. Mr. Pankratz indicated that this Certification is completed during the Preliminary Engineering phase of the project. Mr. Pankratz provided a detailed overview of the Safety and Security Certifiable Criteria Process as well as examples of various items in the process.

Item received and filed.

**b. Monthly Project Status Report**

Mr. Balian introduced Mr. Gary Baker who provided the report. Mr. Baker reviewed ongoing work by staff including the installation of temporary sound walls for the IFS; submission and approvals of various grade crossing application with the CPUC; release of DB2 addenda; discussion with DB2 proposers regarding the M&O facility; finalized agreement with Arcadia regard the Colorado bridge and Arcadia station betterments; and release of the draft environmental analysis of the San Gabriel River Bridge and Sawpit Wash document. Mr. Baker indicated that staff will continue to work on station parking facility conceptual designs; obtain final approval of CUPC grade crossing applications; coordination with the IFS DB contractor and various other items.

Item received and filed.

**8. General Counsel's Report**

None.

**9. Board Member Comments**

Board Member Hanks relayed that he attended the City of South Pasadena Council Meeting on May 18<sup>th</sup> in response to an email from Mayor Michael Ten. Board Member Hanks indicated the he expressed to the South Pasadena Council his willingness to serve as the City's representative to the Construction Authority Board at their discretion.

Chairman Tessitor relayed that he also attending the City of South Pasadena Council Meeting on May 18<sup>th</sup> and indicated to the Council his appreciation for Mr. Hanks' work and leadership on the Construction Authority Board and that the need for continuity on the Board was very important.

General Counsel Estrada reviewed the various items that would be considered in Closed Session and indicated that there would be no reportable action. Chairman Tessitor adjourned the Board Meeting and moved into Closed Session at approximately 7:43 PM.

**10. Closed Session**

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR ..... G.C. 54956.8

- (a) Property: (1) 8513-012-804; (2) 8513-012-805; (3) 8513-012-806;  
(4) 8513-012-908; (5) 8513-012-909; (6) 8513-012-910  
(7) 8513-012-911; (8) 8513-012-912; (9) 8513-012-913

- Agency Negotiator: Habib F. Balian and Wes Beverlin, Esq.  
Negotiating Parties: Monrovia Redevelopment Agency  
Under Negotiation: Price and terms
- (b) Property: 8531-017-021
- Agency Negotiator: Habib F. Balian and Regina Danner, Esq.  
Negotiating Parties: Javier & Micaela Sanchez  
Under Negotiation: Price and terms
- (c) Property: 8528-015-051
- Agency Negotiator: Habib F. Balian and Regina Danner, Esq.  
Negotiating Parties: Cal-Am Water  
Under Negotiation: Price and terms
- (d) Property: 8513-012-043
- Agency Negotiator: Habib F. Balian and Regina Danner, Esq.  
Negotiating Parties: Hoffman Family Trust/Linsalato  
Under Negotiation: Price and terms
- (e) Property: 8513-012-040
- Agency Negotiator: Habib F. Balian and Regina Danner, Esq.  
Negotiating Parties: Walter Cleveland  
Under Negotiation: Price and terms
- (f) Property: 8513-012-054
- Agency Negotiator: Habib F. Balian and Regina Danner, Esq.  
Negotiating Parties: Mark Charvat/ELS  
Under Negotiation: Price and terms
- (g) Property: (1) 8513-012-032; (2) 8513-012-033;  
(3) 8513-012-034; (4) 8513-012-035;  
(5) 8513-012-036
- Agency Negotiator: Habib F. Balian and Regina Danner, Esq.  
Negotiating Parties: Excalibur Holdings  
Under Negotiation: Price and terms
- (h) Property: 8625-005-041
- Agency Negotiator: Habib F. Balian and Regina Danner, Esq.  
Negotiating Parties: Rosedale Land Partners LLC  
Under Negotiation: Price and terms

2. CONFERENCE WITH LEGAL COUNSEL: ..... G.C. 54956.9(a)  
Pending Litigation

- (1) Excalibur Property Holdings, LLC and George Brokate v.  
Pasadena Metro Blue Line Construction Authority  
Case No. BS130732
- (2) Excalibur Property Holdings, LLC and George Brokate v.  
Pasadena Metro Blue Line Construction Authority. et. al.  
Case No. BS129985

**11. Adjournment**

The Board entered Closed Session at 7:43 PM. After the closed session, the meeting was adjourned.