

**Metro Gold Line Foothill Extension Construction Authority Special Board Meeting  
Arcadia City Council Chambers  
240 West Huntington Drive  
Arcadia, California 91007  
November 16, 2011  
7:00 P.M.**

**1. Call to Order:**

Chairman Tessitor called the meeting to order at approximately 7:05 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
Jon Blickenstaff	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>			
Gerry Miller	City of Los Angeles	—	—

**3. Pledge of Allegiance**

Keith Hanks led the Pledge of Allegiance.

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

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

Mr. Joe Guarrera, a resident of the City of Azusa, addressed the Board. Mr. Guarrera indicated that he was supportive of the project but indicated that he would like to see an alternate location for the Alameda station parking lot. Mr. Guarrera indicated that he would like to see the proposed parking lot located north of the rail tracks instead of the Civic Center Park.

Mr. Bruce Knoles, a resident of the City of Azusa, addressed the Board. Mr. Knoles indicated that he was supportive of the Foothill Extension but would like to preserve the Azusa Civic Center Park.

Ms. Jeri Vogel, a resident of the City of Azusa, addressed the Board. Ms. Vogel indicated that she was supportive of bring light rail to the City of Azusa, however the

parking structure location should remain north of the light rail tracks.

Chairman Tessitor requested if there were any additional public comments, seeing and hearing none, public comment was closed.

**5. CEO's Monthly Report**

Mr. Balian presented a video to the Board which highlighted recent activities of the Construction Authority, including construction activities at the IFS, geotechnical work at the proposed Maintenance and Operation facility, kick-off meetings with the DB2 contractors, SBE consultant kick-off meeting and community outreach.

Mr. Balian reviewed various critical path items for the project including a completed Amended Funding Agreement with Metro, issuance of an interim Notice to Proceed (NTP) to the DB2 contractor, status of M&O property acquisition, SEIR challenge denial; various permits and grade crossing approvals.

**6. Consent Calendar**

- a. Approval of Minutes of Board Meeting held November 2, 2011**
- b. Consideration of Revisions to Personnel Policy and Procedure Manual**
- c. Consideration of CalPERS Resolutions regarding (i) Employer Paid Member Contributions (EPMC) and (ii) Tax Defer Member Paid Contributions – IRC414 (h)(2)**
- d. Consideration of VALIC 457(b) Resolution for Plan Restatement**
- e. Consideration of Cost of Living Adjustment**

Chairman Tessitor requested a motion to approve the Consent Calendar. Board Member Fasana requested that Agenda Item 6.e. be pulled for further discussion and made a motion to approve the remaining items of the Consent Calendar which was seconded by Board Member Hanks and then approved unanimously.

**e. Consideration of Cost of Living Adjustment**

Board Member Fasana indicated he would like to see comparisons of similar transportation agencies with regard to the COLA. Board Member Fasana indicated that he was not able to support the award of the COLA at this time.

Board Member Blickenstaff indicated that he was strongly in favor of the award of the COLA. Board Member Blickenstaff indicated that in order for the Construction Authority to maintain the quality of professionals already employed and the ability to attract new employees, that it was important to provide the modest COLA increase.

Board Member Hanks indicated that he agreed with Board Member Blickenstaff.

Board Member Hanks indicated that the formula used by staff has been in place since the inception of the Construction Authority and was approved by the Board.

Board Member Larramendi indicated that she was supportive of awarding the COLA. Board Member Larramendi indicated that the Construction Authority employees and very lean staff and they are asked to do more and more with less and to deliver more and more.

Chairman Tessitor indicated that as a member on the Glendora City Council, he has always been very conservative with respect to salaries and benefits. Chairman Tessitor indicated that COLA was within budget and that due to the special sunset nature of the agency, was supportive of awarding the COLA.

Chairman Tessitor requested a roll call voted to consider Consent Calendar Agenda Item 6.e. After a roll call the agenda item was approved by a voted of three (1) to one (1). [Yes – Blickenstaff, Hanks and Tessitor; No – Fasana]

## **7. General Board Items**

### **a. Receive and File Report on Project Update: Smart Foundations**

Mr. Balian introduced Gary Baker, Director of Construction to provide the report. Mr. Baker Mr. Baker indicated that Smart Foundations are intended to provide feedback to engineers after a seismic event. Mr. Baker indicated that highways and bridges are subject to damage during seismic events and the damages may be above or below ground. Mr. Baker indicated that damage below ground is difficult to detect and inspect. Mr. Baker indicated that the IFS is designed not collapse during a maximum design seismic event, but damage to column, foundation and abutements may occur. Mr. Baker indicated that traditional inspections after a seismic event are done by shoring and excavation. The IFS will have four coaxial cables installed in each pile foundation to allow for TDR testing (Time Domain Reflectometry) which measures the time for an electric pulse to reflect back to the surface. Once the IFS is completed, baseline reading will be done and then following a seismic event reading can be taken to see if there is potential damage. Mr. Baker indicated that by using TDR testing, it will eliminate costly excavation and allow for a rapid assessment of any potential damage.

Chairman Tessitor requested a motion to receive and file the report on Project Update: Smart Foundation. Board Member Fasana made a motion to receive and file the report, Board Member Hanks seconded the motion which was then approved unanimously.

### **b. Consideration of Change Management Procedures**

Mr. Balian introduced Chris Burner, Chief Project Officer to provide the report. Mr. Burner indicated that the majority of changes to the Change Management Procedures were editorial as well as the removal of a flow-chart for Authority-directed change orders and replaced with a Contractor-director change order. Mr. Burner indicated

that the dollar figure of change control was increased from \$150 million to \$250 million which is consistent with Metro policy.

Board Member Hanks inquired if there were any changes to dispute resolution. Mr. Burner indicated that there were no changes to that area.

Chairman Tessitor requested a motion to approve the Change Management Procedures. Board Member Fasana made a motion to approve the item; Board Member Blickenstaff seconded the motion which was then approved unanimously.

**c. Receive and File Report on Proposed New Legislation**

Mr. Balian provided the report. Mr. Balian indicated that the Ad Hoc Legislative committee was working with legislators to modify the project terminus as indicated in current legislation from Claremont to Montclair. General Counsel Estrada indicated that the Ad Hoc Committee consists of Board Members Larramendi, Tessitor and Pedroza and did not require ratification by the Board as an Ad Hoc Committee and is not subject to the Brown Act.

Chairman Tessitor requested a motion to receive and file the report on Proposed New Legislation. Board Member Blickenstaff made a motion to receive and file the item; Board Member Hanks seconded the motion which was then approved unanimously.

**8. General Counsel's Report**

None.

**9. Board Member Comments**

Chairman Tessitor thanked staff for the quick response in regards to changes in the personnel policy manual to address recent inquiries.

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 recessed the meeting into Closed Session at 7:46 pm.

**10. Closed Session**

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

- (i) 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

- (ii) 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
- (iii) Property: 8531-017-021  
  
Agency Negotiator: Habib F. Balian and Regina Danner, Esq.  
Negotiating Parties: Javier & Micaela Sanchez  
Under Negotiation: Price and terms
- (iv) Property: 8528-015-051  
  
Agency Negotiator: Habib F. Balian and Regina Danner, Esq.  
Negotiating Parties: Cal-Am Water  
Under Negotiation: Price and terms

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

- (i) Excalibur Property Holdings, LLC and George Brokate v.  
Pasadena Metro Blue Line Construction Authority  
Case No. BS130732
- (ii) Excalibur Property Holdings, LLC and George Brokate v.  
City of Monrovia et. al.  
Case No. BS129985
- (iii) Excalibur Property Holdings, LLC and George Brokate v.  
Pasadena Metro Blue Line Construction Authority et. al.  
Case No. BS133977

**11. Adjournment**

The Board entered Closed Session at 7:46 PM. Chairman Tessitor adjourned the meeting at approximately 9:06 pm.