

**Metro Gold Line Foothill Extension Construction Authority Board Meeting
Arcadia City Council Chambers
240 West Huntington Drive
Arcadia, California 91007
December 14, 2011
7:00 P.M.**

1. Call to Order:

Chairman Tessitor called the meeting to order at approximately 7:05 PM.

2. Roll Call:

Member	Appointing Entity	Present	Absent
<i>Voting Members</i>			
Doug Tessitor, <i>Chair</i>	City of Pasadena	X	
Sam Pedroza, <i>1st Vice Chair</i>	SGVCOG		X
Jon Blickenstaff	City of Los Angeles	X	
Keith Hanks	City of South Pasadena	X	
John Fasana	LACMTA	X	
<i>Non-Voting Members</i>			
Lara Larramendi	Governor of California	X	
Bill Bogaard	City of Pasadena		X
Daniel Evans	City of South Pasadena		X
<i>Alternate Members</i>			
Gerry Miller	City of Los Angeles	—	—

3. Pledge of Allegiance

Lara Larramendi led the Pledge of Allegiance.

4. Resolution of Recognition for Assembly Member Norma Torres

Chairman Tessitor recognized Assembly Member Norma Torres in the audience and asked her to come forward to be recognized. Chairman Tessitor thank the Assembly Member for her work on behalf of the Construction Authority in the past and most recently with regard to AB 706. Chairman Tessitor presented a Certificate of Recognition to the Assembly Member for her extraordinary efforts on behalf of the Construction Authority and citizens of the San Gabriel and Pomona Valleys.

Assembly Member Torres thanked the Board for the recognition and indicated her continued support to bring transportation alternative to the residents of the San Gabriel Valley.

5. Public Comments on Items On/Off Agenda

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

hearing none, public comment was closed.

6. Election of Officers

Chair Tessitor opened the call for nominations of Chair. And Vice Chair. Board Member Fasana nominated Doug Tessitor as Chair and Sam Pedroza as Vice Chair; Board Member Hanks seconded the motion. The Board then voting unanimously for Douglas Tessitor as Chair and Sam Pedroza as Vice Chair.

7. 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, fire-life-safety committee meeting with local agency to ensure information sharing about the project, 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 contactor, status of M&O property acquisition, SEIR challenge denial; various permits and grade crossing approvals. Mr. Balian also indicated that the CPUC would hold its hearing on December 15, 2011.

8. Consent Calendar

a. Adoption of Foothill Extension Financial Plan – Revision 7

b. Fiscal Year 2011 Annual Financial Report and Single Audit Report

Chairman Tessitor requested a motion to approve the Consent Calendar. Board Member Fasana made a motion to approve the Consent Calendar which was seconded by Board Member Blickenstaff and then approved unanimously.

9. General Board Items

a. Receive and File Report on Project Update: Quality Management

Mr. Balian introduced Chris Burner, Chief Project Officer to provide the report. Mr. Burner indicated that in order to achieve quality on this project, a partnership between the Construction Authority, the Design-Builder contractor and Caltrans. Mr. Burner indicated that Quality Management is comprised of two distinct functions – quality control and quality assurance. Mr. Burner indicated that quality control is the primary responsibility of the Design-Builder and that quality assurance is a two-tiered process of checks and balances. Mr. Burner provided a more detailed overview of quality control and quality assurance. Mr. Burner used concrete integrity testing on foundations as an illustration of how Quality Management works.

Chairman Tessitor requested a motion to receive and file the report on Project

Update: Quality Management. Board Member Hanks made a motion to receive and file the report, Board Member Fasana seconded the motion which was then approved unanimously.

b. Receive and File Report on Small Business Enterprise (SBE) Program

Mr. Balian provided the report. Mr. Balian indicated that the overall SBE aspirational goal for the project, which includes the IFS, Phase 2A alignment and parking structures is 16%. Mr. Balian indicated that a contract for SBE audit service was awarded to GCAP Services Inc., who would in addition to performing audit would summarize work commitments and identify potential weakness as well as make recommendation for areas of improvement.

Mr. Balian indicated that with regard to the IFS work, the contractor is hopeful of achieving between a 10-15% goal. Mr. Balian indicated that with regard to the Phase 2A alignment work, the contract if committed to achieving a 16% goal.

Board Member Fasana urged staff to work with contractors to exceed the stated goal of 16%. Board Member Fasana requested that staff work with local chambers of commerce so they are aware of opportunities.

Item received and filed.

c. Consideration of Document Retention Policy and Procedures

Mr. Balian provided the report. Mr. Balian indicated that the document retention policy was necessary since the Construction Authority has accumulated a considerable amount of documents since its inception in 1999. Mr. Balian indicated that staff has worked with the General Counsel in developing the retention policy and schedule.

Board Member Hanks inquired what would happen to all of the documents once the project is complete. Mitch Purcell indicated that documents that remained would be provided to Metro per the Master Cooperative Agreement.

Chairman Tessitor requested a motion to approve the Document Retention Policy and Procedures. Board Member Hanks made a motion to approve the item; Board Member Fasana seconded the motion which was then approved unanimously.

d. Discussion of Phase 2B Project Schedule

Mr. Balian provided the report. Mr. Balian reviewed the current Environmental Process and Schedule for Phase 2B. Mr. Balian indicated that the Board would be kept apprised and the process moved forward.

Item received and filed.

e. Receive and File Monthly Update

Mr. Balian introduced Mr. Burner who provided the report. Mr. Burner review various items that are ongoing for Phase 2A as well as provided an overview of the IFS project schedule. Mr. Burner indicated that the contractor currently has a 45 delay in the schedule, but there is no impact to the overall schedule.

Chairman Tessitor requested a motion to Receive and File the Monthly Update. Board Member Fasana made a motion to receive and file the item. Board Member Blickenstaff seconded the motion which was then approved unanimously.

10. General Counsel's Report

None.

11. Board Member Comments

None.

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 7:41 pm.

12. 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: 8531-017-022

Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Peter & Yolanda Gutierrez
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

13. Adjournment

The Board entered Closed Session at 7:41 PM. Chairman Tessitor adjourned the meeting at approximately 8:26 pm.