

**Metro Gold Line Foothill Extension Construction Authority Board Meeting
 Arcadia City Council Chambers
 240 West Huntington Drive
 Arcadia, California 91007
 July 25, 2012
 7:00 P.M.**

1. Call to Order:

Chairman Tessitor called the meeting to order at approximately 7:04 PM.

2. Roll Call:

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

Chair Tessitor inquired if there was anyone who wished to provide public comment; seeing and hearing none, Chair Tessitor closed public comment.

5. CEO's Monthly Report

Mr. Balian presented a video to the Board which highlighted recent activities of the Construction Authority among which were various construction activities at the IFS site including preparation for the deck-pour, inspection of forms and materials for architectural elements of the bridge. Mr. Balian indicated that track removal of existing track continues as well as pre-construction inspection. Mr. Balian indicated that staff and FTC had conducted a Partnering Meeting recently at which issues and various activities were discussed. Mr. Balian indicated that Public Affairs to be present in the community at various events as well as conducting tours of the alignment.

Mr. Balian reviewed various items on the critical path schedule including the start of alignment construction in September 2012; M&O property remediation in October 2012; start of M&O Facility construction in November 2012, transfer of the IFS project to the D2 contractor in December 2012 and start of construction for the San Gabriel River bridge in March 2013.

6. Consent Calendar

- a. Approval of Minutes of Board Meeting held July 11, 2012**
- b. Approval of Resolution of the Metro Gold Line Foothill Extension Construction Authority Designating Personnel of the Authority to Execute Certain Documents Regarding the Grant of Utility Easements**
- c. Receive and File Financial Quarterly Update**

Chair 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 Pedroza and the item was approved unanimously.

7. General Board Items

- a. Receive and File Report on DBE Program Methodology and Enforcement (Oral Report)**

Mr. Balian introduced Ed Saucedo of GCAP who was responsible for preparing the DBE goal per the FTA Methodology. Mr. Balian indicated that the DBE Aspiration Goal has been published for the 45-day comment period. Mr. Saucedo thanked the Board for the opportunity to provide a report regarding the DBE program with respect to the Construction Authority. Mr. Saucedo indicated that a DBE program is required for any project that receives above \$250,000 in federal grant dollars. Mr. Saucedo indicated that the total estimated construction project value for the DB3 contract (Intermodal Parking Facilities) is approximately \$33 million dollars with an estimated federal share of \$8.3 million dollars. Mr. Saucedo indicated that the Authority is required to implement a DBE Program and Overall Triennial DBE Goal as a recipient of FTA funds. Mr. Saucedo indicated that the overall DBE goal must be based on demonstrable evidence of availability of ready, willing and able DBEs relative to all businesses ready, willing and able to perform the work. Mr. Saucedo indicated that triennial goal must be submitted to FTA for approval and requires compliance with specific methodology which has two steps - Step 1 – Establish a Base Figure and Step 2 – Adjustment to Base Figure. Mr. Saucedo also indicated that the process includes public participation which allows for the methodology document to be available for public inspection – 30 days and the Authority allow comments for 45 days. Mr. Saucedo indicated that if comments are received that may cause additional review of the DBE goal, it may be revised and submitted to FTA. Mr. Saucedo reviewed in detail the formula which derives the DBE goal as well as the inputs. Mr. Saucedo indicated that

based upon the formula and methodology the DBE goal was 2.3%. Mr. Saucedo indicated that the percentage is based solely on the federal dollars available on the DB3 contract and not the entire dollar figure. Board Chairman Tessitor indicated that at the prior Board meeting, various Directors had inquired if adjusting the DBE goal would be advisable and what possible impacts that may have. Mr. Saucedo indicated that the potential issues would be possible litigation and increased exposure to the potential DB3 proposers. Mr. Saucedo indicated that an overall race-neutral DBE Goal requires the Authority to implement measures to meet the goal which include no contract goals and no good faith efforts by contractor to meet the overall goal, but the Authority must encourage contractors to meet the Authority's goal. Board Member Hanks inquired if there is no available contractual requirement, how staff can provide incentive to reach or surpass the goal. Mr. Saucedo indicated that additional enhancement measures could be used such as outreach, conferences, networking forums, technical assistance, unbundling contracts and support by Authority Board members and executive management. Board Member Fasana inquired if an SBE goal could be established for the DB3 contract or is it too late to implement in the contract. Mr. Saucedo indicated that the FTA has requested that recipients of federal dollars to encourage participation by SBEs as well as DBEs. Board Member Fasana requested that staff report back to the Board if there is any flexibility in including SBE goals for the DB3 contract.

Item received and filed.

b. Authorize the CEO to Execute Amendment No. 12 to the Hill International Contract No. C1129 to facilitate the removal of hazardous substances from existing structures and removal of sub-surface obstructions at the Phase 2A Metro Gold Line Foothill Extension Maintenance and Operations Facility site

Mr. Balian provided the report. Mr. Balian indicated that Amendment No. 12 to the Hill contract in the amount of \$697,663 is for environmental remediation at the M&O site. Mr. Balian indicated that approximately 50% of the total is funded by the City of Monrovia per a previous agreement between the City and the Construction Authority. Mr. Balian also indicated that of the 50% Construction Authority share, Metro would be responsible for 25% of that total. Chairman Tessitor inquired if this amount was within the original budget for the M&O facility. Mr. Balian indicated that it was.

Chair Tessitor requested a motion to authorize the CEO to Execute Amendment No. 12 to the Hill International Contract. Board Member Fasana made a motion to approve the item which was seconded by Board Member Pedroza and the item was approved unanimously.

c. Receive and File Report on Maintenance and Operation Facility

Mr. Balian introduced Chris Burner to provide the Report. Mr. Balian indicated

that the M&O design was at approximately 85% design and has been reviewed with Metro and the City of Monrovia. Mr. Balian indicated that the current design would be presented to the community on August 1st at a community meeting. Mr. Burner indicated that the Authority is required to provide M&O Facility as part of Funding Agreement with Metro. Mr. Burner indicated that the M&O Facility will serve existing Gold Line (Phase I and Eastside Extension) in addition to Foothill Extension. Mr. Burner indicated that the facility will house up to 85 light rail vehicles (LRV) at a time. Mr. Burner indicated that the LRVs at the facility will be include service and inspection, heavy repairs, blow-down, body repairs, painting, storage, cleaning, and washing. Mr. Burner indicated that the M&O Facility will be located on a 24 acre lot in Monrovia, bounded by East Evergreen Ave. (north); Duarte Rd. (south); California Ave. (west); and Shamrock Ave. (east). Mr. Burner indicated that the current 85% level of design has been achieved after several meetings between the Construction Authority and Metro staff. Mr. Burner introduced the lead architect for the M&O facility, Carmen Cham to provide and in-depth overview of the M&O facility. Ms. Cham thanked the Board for the opportunity to provide a design update for the M&O facility to the Board. Ms. Cham reviewed the various milestones of the M&O design, which included FTC Start of Project with the notice to proceed (NTP) in 11/2011; 60% Design Review Submittal in 4/2012; 85% Design Review Submittal in 7/2012 and 100% Design Review Submittal expected in 10/2012. Ms. Cham provided a detailed overview of the M&O site plan, which included boundaries, vehicular access points, proposed buildings and locations and landscaping buffer zones. Ms. Cham indicated that the design of the buildings was achieved after several workshops with all the key stakeholders as well as input from the City of Monrovia and the surrounding community. Ms. Cham reviewed the various screening, wall materials as well as the drought-resistant plant materials being proposed. Ms. Cham reviewed in detailed the train circulation within the site. Ms. Cham reviewed the architectural design elements and elevations of the M&O facility. Ms. Cham also reviewed the proposed construction schedule of the M&O facility with expected completion in early 2015. Board Member Fasana inquired what level of LEED certification was being sought. Mr. Balian indicated that Silver LEED certification is the goal for the facility.

Item received and filed.

d. Consideration of AB 1446 (Feuer) (oral report)

Mr. Balian provided the report. Mr. Balian provided and update on the current status of the AB 1446 with respect to the legislature and the Metro Board member. Mr. Balian indicated the Board has currently not taken a position on the item and is included the item on the Agenda should it wish to do so. Chairman Tessitor indicated that no position would be taken at this time.

Item received and filed.

8. General Counsel's Report

General Counsel Estrada indicated that Steve Dorsey would be attending future Board meetings until October. Chairman Tessitor thanked Mr. Estrada and wished him on behalf of the entire Board and staff a speedy and successful recovery.

9. Board Member Comments

None.

10. Closed Session

General Counsel Estrada reviewed the various items that would be considered in Closed Session and indicated that there may be a reportable action. Chair Tessitor recessed the Board into Closed Session at approximately 8:19 PM.

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

- (i) Property: 8605-003-902
Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Totten Properties, LLC.
Under Negotiation: Price and terms
- (ii) Property: (1) 8528-015-918; (2) 8528-015-919;
(3) 8528-015-920
Agency Negotiator: Habib F. Balian and Wes Beverlin, Esq.
Negotiating Parties: Successor of the Monrovia Redevelopment Agency
Under Negotiation: Price and terms

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

- (i) Metro Gold Line Foothill Extension Construction Authority v.
City of Monrovia, Monrovia Redevelopment Agency, et. al.
Case No. BC47600

C. CONFERENCE WITH LEGAL COUNSEL:..... G.C. 54956.9(c)
Initiation of Litigation

- (i) Three Cases

General Counsel Estrada indicated that the Board had authorized the initiation of two law suits and that the action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the agency's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude.

11. Adjournment

The Board Meeting was adjourned at approximately 8:45 pm.