

**Metro Gold Line Foothill Extension Construction Authority Board**

<https://zoom.us/join> - Meeting ID Meeting ID 626 277 5445 & Passcode 865260  
 Telephone: 1-669-900-6833 and enter Meeting ID 626 277 5445 & Passcode 865260

**BOARD MEETING MINUTES**  
**April 14, 2021**  
**12:00 PM**

1. **Call to Order**

Chair Sandoval called the meeting to order at 12:02 PM.

2. **Pledge of Allegiance**

Dan Evans led the Pledge of Allegiance.

3. **Roll Call:**

<b>Member</b>	<b>Appointing Entity</b>	<b>Present</b>	<b>Absent</b>
<b><i>Voting Members</i></b>			
Tim Sandoval, <i>Chair</i>	LACMTA	X	
Robin Carder, <i>Vice Chair</i>	City of Pasadena	X	
Ed Reece	SGVCOG	X	
Mendell Thompson	City of South Pasadena	X	
Mel Ilomin (Alt)	City of Los Angeles	X (1:00 PM)	
<b><i>Non-Voting Members</i></b>			
Vacant	Governor of California	—	—
Gene Masuda	City of Pasadena	X	
Daniel Evans	City of South Pasadena	X	
Alan Wapner	SBCTA	X	
<b><i>Alternate Members</i></b>			
Paul Leon	SGVCOG	—	—
John Dutrey	SBCTA	—	—

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

Chair Sandoval inquired of the Clerk of the Board, if any Public Comment had been received by email, mail or on-line via the “chat” feature as provided on the Agenda for items on or off the Agenda.

The Clerk indicated that a request had been received for General Board Items and would be taken at that time.

Chair Sandoval closed Public Comment.

Board Member Carder indicated she had a Conflict of Interest with the items listed for Closed Session as well as the same items listed on General Board Items and therefore would not be able to participate in the meeting, discussion or voting of those items.

**5. Closed Session**

Chair Sandoval request the General Counsel provide the report. General Counsel Alfred Smith reviewed the items listed for Closed Session. General Counsel Smith noted that Closed Session Item 5.e. and General Board Item 9.e. would no longer be considered as the parties have reached an agreement. General Counsel Smith indicated that Board Member Carder would not participate in the Closed Session or for General Board Items 9a through 9i.

The Board entered Closed Session. Board Member Carder did not participate.

**a. Conference with Real Property Negotiator ..... G.C. 54956.8**

Property: 125 W. Magnolia Street, Pomona, California, and further identified as Los Angeles County Assessor’s Parcel Number 8371-014-031

Agency negotiator(s): Habib F. Balian and Brad Kuhn, Esq.

Negotiating parties: Terry N. Hill and Martha E. Hill, Trustees of The Terry N. Hill and Martha E. Hill Trust Of 2007

Under negotiation: Price and terms

**b. Conference with Real Property Negotiator ..... G.C. 54956.8**

Property: 2695 N. Garey Avenue, Pomona, California, and further identified as Los Angeles County Assessor’s Parcel Numbers 8371-014-029, 8371-014-030, 8371-014-032, and 8371-014-033

Agency negotiator(s): Habib F. Balian and Brad Kuhn, Esq.

Negotiating parties: Michelle A. Lupian, As Trustee of The La Palma Mich Trust Dated June 10, 2009

Under negotiation: Price and terms

**c. Conference with Real Property Negotiator ..... G.C. 54956.8**

Property: 147, 149, 173 Grevillia Street, 154 E. Magnolia Street, and 2554 Pine Street, Pomona, California, and further identified as Los Angeles County Assessor’s Parcel Numbers 8371-014-001, 8371-014-003, 8371-014-004, 8371-014-005, 8371-014-006, 8371-014-038, 8371-014-039, 8371-014-019, 8371-014-022, 8371-014-047, 8371-014-048, 8371-014-049

Agency negotiator(s): Habib F. Balian and Brad Kuhn, Esq.

- Negotiating parties: Branmark Group, LLC, a California limited liability company  
Under negotiation: Price and terms
- d. Conference with Real Property Negotiator ..... G.C. 54956.8**  
Property: 120 E. Magnolia Street and 2555 N. Garey Avenue, Pomona, California, and further identified as Los Angeles County Assessor's Parcel Numbers 8371-014-024 and 8371-014-044  
Agency negotiator(s): Habib F. Balian and Brad Kuhn, Esq.  
Negotiating parties: Branmark Group, LLC, a California limited liability company  
Under negotiation: Price and terms
- e. Conference with Real Property Negotiator ..... G.C. 54956.8**  
Property: Corner of S. Vermont and W. Ada Avenue, identified as a portion of Lot 1 of Tract Map No. 74353  
Agency negotiator(s): Habib F. Balian and Brad Kuhn, Esq.  
Negotiating parties: Moreton Place Owners Association, a California nonprofit mutual benefit corporation  
Under negotiation: Price and terms
- f. Conference with Real Property Negotiator ..... G.C. 54956.8**  
Property: 155 W. Magnolia Street, Pomona, California, and further identified as Los Angeles County Assessor's Parcel Number 8371-014-036  
Agency negotiator(s): Habib F. Balian and Brad Kuhn, Esq.  
Negotiating parties: Carlos Fuentes And Debra Fuentes, Husband and Wife, And Todd B. Russi, A Single Man, All As Joint Tenants  
Under negotiation: Price and terms
- g. Conference with Real Property Negotiator ..... G.C. 54956.8**  
Property: 140 and 152 W. Magnolia Street, 2501 N. Garey Avenue, and 141 W. Grevillia Street, Pomona, California, and further identified as Los Angeles County Assessor's Parcel Numbers 8371-014-040, 8371-014-041, 8371-014-042, 8371-014-043, 8371-014-050, and 8371-014-051  
Agency negotiator(s): Habib F. Balian and Brad Kuhn, Esq.  
Negotiating parties: Branmark Group, LLC, a California limited liability company  
Under negotiation: Price and terms

**h. Conference with Real Property Negotiator ..... G.C. 54956.8**

Property: 2625 and 2655 N Garey Avenue, Pomona, California, and further identified as Los Angeles County Assessor's Parcel Numbers 8371-014-034 and 8371-014-035

Agency negotiator(s): Habib F. Balian and Brad Kuhn, Esq.

Negotiating parties: I Chen, a Single Woman

Under negotiation: Price and terms

**i. Conference with Real Property Negotiator ..... G.C. 54956.8**

Property: 190 W. Santa Fe Street, Pomona, California, and further identified as Los Angeles County Assessor's Parcel Number 8371-014-037

Agency negotiator(s): Habib F. Balian and Brad Kuhn, Esq.

Negotiating parties: Carlos Fuentes And Debra R. Fuentes, Husband And Wife As Joint Tenants

Under negotiation: Price and terms

**6. Closed Session Report**

Chair Sandoval requested the General Counsel provide the Closed Session Report. General Counsel Smith indicated that there were no reportable actions from Closed Session.

**7. CEO Monthly Report**

Mr. Habib F. Balian, Chief Executive Officer, provided the report.

- [Presentation](#)
- [Video](#)

Item received and filed.

**8. Consent Calendar:**

Committee Review

- a. [Approval of March 10, 2021 minutes of Metro Gold Line Foothill Extension Construction Authority Board of Directors meeting](#)
- b. [Receive and file report on Phase 2B Contract Change Order status](#) Construction and Finance
- c. [Receive and file Real Estate Right of Way Acquisition Program update](#) Construction and Finance

Chair Sandoval requested a motion to approve the Consent Calendar.

Board Member Carder made a motion to approve the Consent Calendar which was seconded by Board Member Thompson. The Clerk of the Board conducted a roll call vote.

<i>Agenda Items 8a, 8b &amp; 8c – Roll Call Vote</i>				
<b>Sandoval</b>	<b>Carder</b>	<b>Reece</b>	<b>Thompson</b>	<b>Iloin</b>
Yes	Motion	Yes	Second	Absent

**9. General Board Items:**

Chair Sandoval inquired of the Board Members if there was any objection to re-ordering the Agenda with respect to taking General Board Items 9j, 9k, and 9l first. Chair Sandoval indicated that the remainder of the General Board Items required a quorum of the Board and Board Member Iloin was expected to join the meeting shortly. Chair Sandoval noted that Board Member Carder had stated a previous conflict of interest with respect to General Board Items 9a – 9i. Chair Sandoval also request to group Agenda Items 9c, 9d, and 9g as the property owner was the same on all three items. Chair Sandoval noted there were no objections.

*Re-ordering: Agenda Items 9j through 9l:*

**j. [Receive and file Real Estate Right of Way Acquisition Activity Reporting Update](#)**

Chair Sandoval requested Habib Balian, Chief Executive Officer, to provide the report.

➤ [Presentation](#)

Item received and filed.

**k. [Receive and File Project Update: Station Artwork](#)**

Chair Sandoval requested Habib Balian, Chief Executive Officer, to introduce the item and Lesley Elwood to provide the report.

➤ [Presentation](#)

Item received and filed.

**l. [Receive and File Monthly Project Status Update as of April 2021](#)**

Chair Sandoval requested Chris Burner, Chief Project and Planning Officer, to provide the report.

➤ [Presentation](#)

Item received and filed.

Chair Sandoval requested a 15-minute break and that the Board and members of the public return or stay in the meeting virtually until the Board re-convenes.

Chair Sandoval reconvened the Board meeting at 1:00 pm and noted that Board Member Iloin had joined the meeting and the Board Member Carder had left the meeting due to a Conflict of Interest.

*Re-ordering: Agenda Items 9a through 9i.*

Chair Sandoval requested Brad Kuhn, Esq., Real Property Counsel, to provide the report on items 9.a. through 9.i.

Counsel Kuhn provided the report.

➤ [Presentation](#)

- a. [Consideration of Adoption of a Resolution of Necessity 2021-R-06 for the acquisition by eminent domain of a fee interest in the real property located at 125 W Magnolia Street, Pomona, CA 91767, California, and further identified as Los Angeles County Assessor's Parcel Number 8371-014-031 for Public Purposes, namely for Public Transit Purposes](#)

Chair Sandoval inquired if any Public Comment had been received for this item by email, mail or on-line via the "chat" feature as provided on the Agenda.

The Clerk indicated that no request for comment had been received per the methods provided on the Agenda.

Chair Sandoval closed Public Comment and inquired if there were any questions or comments from the Board.

➤ [Presentation](#)

Chair Sandoval requested a motion to approved Resolution 2021-R-06. Board Member Thompson made a motion to approve, which was seconded by Board Member Reece. Chair Sandoval requested the Clerk of the Board to conduct a roll call vote.

<i>Agenda Item 9.a. – Roll Call Vote</i>				
<b>Sandoval</b>	<b>Carder</b>	<b>Reece</b>	<b>Thompson</b>	<b>Ilomin</b>
Yes	Abstain	Second	Motion	Yes

- b. [Consideration of Adoption of a Resolution of Necessity 2021-R-07 for the acquisition by eminent domain of a fee interest in the real property located at 2695 North Garey Avenue, Pomona, CA 91767, California, and further identified as Los Angeles County Assessor's Parcel Numbers 8371-014-029, 8371-014-030, 8371-014-032, 8371-014-033 for Public Purposes, namely for Public Transit Purposes](#)

Chair Sandoval inquired if any Public Comment had been received for this item by email, mail or on-line via the "chat" feature as provided on the Agenda.

The Clerk indicated that no request for comment had been received per the methods provided on the Agenda.

Chair Sandoval closed Public Comment and inquired if there were any questions or comments from the Board.

➤ [Presentation](#)

Chair Sandoval requested a motion to approved Resolution 2021-R-07. Board Member Reece made a motion to approve, which was seconded by Board Member Thompson. Chair Sandoval requested the Clerk of the Board to conduct a roll call vote.

<i>Agenda Item 9.b. – Roll Call Vote</i>				
<b>Sandoval</b>	<b>Carder</b>	<b>Reece</b>	<b>Thompson</b>	<b>Ilomin</b>
Yes	Abstain	Motion	Second	Yes

Chair Sandoval, as indicated earlier in the Agenda, that Board General Items 9c, 9d, and 9g would be taken together since the property owner was the same for all three items. Chair Sandoval indicated the votes would be taken on each resolution separately.

*Grouping: Agenda Items 9c, 9d and 9g.*

- c. [Consideration of Adoption of a Resolution of Necessity 2021-R-08 for the acquisition by eminent domain of a fee interest in the real property located at 147 West Grevillia Street and 149 West Grevillia Street and 173 West Grevillia Street, 154 E. Magnolia Street, and 2554 Pine Street, Pomona, CA 91767, California, and further identified as Los Angeles County Assessor’s Parcel Numbers 8371-014-001, 8371-014-003, 8371-014-004, 8371-014-005, 8371-014-006, 8371-014-019, 8371-014-022, 8371-014-038, 8371-014-039, 8371-014-047, 8371-014-048, 8371-014-049 for Public Purposes, namely for Public Transit Purposes](#)
- d. [Consideration of Adoption of a Resolution of Necessity 2021-R-09 for the acquisition by eminent domain of a fee interest in the real property located at 120 East Magnolia Street and 2555 North Garey Avenue, Pomona, CA 91767, California, and further identified as Los Angeles County Assessor’s Parcel Numbers 8371-014-024 and 8371-014-044 for Public Purposes, namely for Public Transit Purposes](#)
- g. [Consideration of Adoption of a Resolution of Necessity 2021-R-12 for the acquisition by eminent domain of a fee interest in the real property located at 140 & 152 W Magnolia Street, 2501 N Garey Avenue, and 141 W Grevillia Street, Pomona, CA 91767, California, and further identified as Los Angeles County Assessor’s Parcel Numbers 8371-014-040, 8371-014-041, 8371-014-042, 8371-014-043, 8371-014-050, 8371-014-051 for Public Purposes, namely for Public Transit Purposes](#)

Chair Sandoval inquired if any Public Comment had been received for this item by email, mail or on-line via the “chat” feature as provided on the Agenda for items on or off the Agenda.

The Clerk indicated that Mr. Erik G. Peterson had requested to provide Public Comment to the Board. The Clerk also noted that Mr. Peterson had submitted a [letter with various diagrams](#) and those items had been provided to the Board and the diagrams inserted into the presentation per Mr. Peterson request.

Chair Sandoval invited Mr. Peterson to provide Public Comment and reminded him of the 3-minute time limit for Public Comment.

Mr. Peterson addressed the Board.

Chair Sandoval inquired if there was any additional Public Comment on these matters, hearing and seeing none, Public Comment was closed.

Chair Sandoval inquired if there were any questions or comments from the Board.

➤ [Presentation](#)

Chair Sandoval requested a motion to approved Resolution 2021-R-08. Board Member Reece made a motion to approve, which was seconded by Board Member Thompson. Chair Sandoval requested the Clerk of the Board to conduct a roll call vote.

<i>Agenda Item 9.c. – Roll Call Vote</i>				
<b>Sandoval</b>	<b>Carder</b>	<b>Reece</b>	<b>Thompson</b>	<b>Ilomin</b>
Yes	Abstain	Motion	Second	Yes

➤ [Presentation](#)

Chair Sandoval requested a motion to approved Resolution 2021-E-08. Board Member Thompson made a motion to approve, which was seconded by Board Member Ilomin. Chair Sandoval requested the Clerk of the Board to conduct a roll call vote.

<i>Agenda Item 9.d. – Roll Call Vote</i>				
<b>Sandoval</b>	<b>Carder</b>	<b>Reece</b>	<b>Thompson</b>	<b>Ilomin</b>
Yes	Abstain	Yes	Motion	Second

➤ [Presentation](#)

Chair Sandoval requested a motion to approved Resolution 2021-R-12. Board Member Reece made a motion to approve, which was seconded by Board Member Ilomin. Chair Sandoval requested the Clerk of the Board to conduct a roll call vote.

<i>Agenda Item 9.g. – Roll Call Vote</i>				
<b>Sandoval</b>	<b>Carder</b>	<b>Reece</b>	<b>Thompson</b>	<b>Ilomin</b>
Yes	Abstain	Motion	Yes	Second

- e. [Consideration of Adoption of a Resolution of Necessity 2021-R-10 for the acquisition by eminent domain of a fee interest in 37 square feet of the real property located at Corner of S Vermont and W Ada Avenue, Glendora, CA 91741 and further identified as a portion of Lot 1 of Tract Map No. 74353 for Public Purposes, namely for Public Transit Purposes](#)

Chair Sandoval noted that Item 9.e. was no longer under consideration as the parties had reached Agreement.



- f. [Consideration of Adoption of a Resolution of Necessity 2021-R-11 for the acquisition by eminent domain of a fee interest in the real property located at 155 West Magnolia Street, Pomona, CA 91767, California, and further identified as Los Angeles County Assessor's Parcel Number 8371-014-036 for Public Purposes, namely for Public Transit Purposes](#)

Chair Sandoval inquired if any Public Comment had been received for this item by email, mail or on-line via the "chat" feature as provided on the Agenda.

The Clerk indicated that no request for comment had been received per the methods provided on the Agenda.

Chair Sandoval closed Public Comment and inquired if there were any questions or comments from the Board.

➤ [Presentation](#)

Chair Sandoval requested a motion to approved Resolution 2021-R-11. Board Member Ilomin made a motion to approve, which was seconded by Board Member Thompson. Chair Sandoval requested the Clerk of the Board to conduct a roll call vote.

<i>Agenda Item 9.f. – Roll Call Vote</i>				
<b>Sandoval</b>	<b>Carder</b>	<b>Reece</b>	<b>Thompson</b>	<b>Ilomin</b>
Yes	Abstain	Yes	Second	Motion

- h. [Consideration of Adoption of a Resolution of Necessity 2021-R-13 for the acquisition by eminent domain of a fee interest in the real property located at 2655 and 2625 N Garey Avenue, Pomona, CA 91767, California, and further identified as Los Angeles County Assessor's Parcel Numbers 8371-014-034 and 8371-014-035 for Public Purposes, namely for Public Transit Purposes](#)

Chair Sandoval inquired if any Public Comment had been received for this item by email, mail or on-line via the "chat" feature as provided on the Agenda.

The Clerk indicated that no request for comment had been received per the methods provided on the Agenda.

Chair Sandoval closed Public Comment and inquired if there were any questions or comments from the Board.

➤ [Presentation](#)

Chair Sandoval requested a motion to approved Resolution 2021-R-13. Board Member Reece made a motion to approve, which was seconded by Board Member Ilomin. Chair Sandoval requested the Clerk of the Board to conduct a roll call vote.

<i>Agenda Item 9.h. – Roll Call Vote</i>				
<b>Sandoval</b>	<b>Carder</b>	<b>Reece</b>	<b>Thompson</b>	<b>Ilomin</b>
Yes	Abstain	Motion	Yes	Second

- i. [Consideration of Adoption of a Resolution of Necessity 2021-R-14 for the acquisition by eminent domain of a fee interest in the real property located at 190 W Santa Fe Street, Pomona, CA 91767, California, and further identified as Los Angeles County Assessor’s Parcel Number 8371-014-037 for Public Purposes, namely for Public Transit Purposes](#)

Chair Sandoval inquired if any Public Comment had been received for this item by email, mail or on-line via the “chat” feature as provided on the Agenda.

The Clerk indicated that no request for comment had been received per the methods provided on the Agenda.

Chair Sandoval closed Public Comment and inquired if there were any questions or comments from the Board.

➤ [Presentation](#)

Chair Sandoval requested a motion to approved Resolution 2021-R-14. Board Member Thompson made a motion to approve, which was seconded by Board Member Ilomin. Chair Sandoval requested the Clerk of the Board to conduct a roll call vote.

<i>Agenda Item 9.i. – Roll Call Vote</i>				
<b>Sandoval</b>	<b>Carder</b>	<b>Reece</b>	<b>Thompson</b>	<b>Ilomin</b>
Yes	Abstain	Yes	Motion	Second

**10. [General Counsel’s Report](#)**

No General Counsel’s report.

**11. [Board Member Comments](#)**

Received Board Member comments.

**12. [Adjournment](#)**

Chair Sandoval adjourned the meeting at approximately 1:43 PM.