

Metro Gold Line Foothill Extension Construction Authority Board

<https://us02web.zoom.us/j/6262775445>

Meeting ID Meeting ID 626 277 5445 & Passcode 865260

Telephone: 1-669-900-6833 and enter Meeting ID 626 277 5445 & Passcode 865260

This meeting took place remotely in accordance with Government Code section 54953(e) *et seq.* (AB 361).
 Members of the public could observe and participate in the meeting as indicated above.

BOARD MEETING MINUTES

September 28, 2022

12:00 PM

1. **Call to Order**

Chair Reece called the meeting to order at 12:00 PM.

2. **Pledge of Allegiance**

Robin Carder led the Pledge of Allegiance.

3. **Roll Call:**

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

Chair Reece requested to consider Agenda Items 10.a. and 10.b. without objection.

10. **General Board Items:**

- a. [Consideration of Adoption of a Resolution of Necessity 2022-R-19 for the acquisition by eminent domain of a fee interest in 111,214 square feet of the property identified as the parking lot near 206 S. San Dimas Avenue, San Dimas, California 91773, bearing Los](#)

[Angeles County Assessor's Parcel Numbers 8390-021-900, -901, portion of -902, portion of -903, -904, -905, -906, -907, -908, -909, -910, -912, -913, -914, and -917, for Public Purposes, namely for Public Transit Purposes](#)

Chair Reece requested Brad Kuhn, Esq., Real Property Counsel to provide the report. Counsel Kuhn provided the report.

➤ [Presentation](#)

Chair Reece 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 for Public Comment had been received via "chat" from the City of San Dimas. The Clerk indicated that Douglas Evertz, Esq., Murphy and Evertz, on behalf of the City of San Dimas wished to address the Board. The Clerk also indicated that correspondence submitted by Mr. Evertz had been provided to the Board in advance of the meeting.

Chair Reece recognized Mr. Evertz to provide Public Comment.

Mr. Evertz provided Public Comment with objections to Resolution of Necessity 2022-R-19.

The Clerk of the Board indicated that no additional requests for Public Comment had been received via U.S. Mail, Chat or Raised Hand via Zoom. Chair Reece closed Public Comment.

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

Chair Reece requested a motion to approved Resolution 2022-R-19. Board Member Ilomin made a motion to approve, which was seconded by Board Member Sandoval. Chair Reece requested the Clerk of the Board to conduct a roll call vote. The item passed unanimously.

Agenda Item 10a – Board Resolution 2022-R-19				
Voting Board Members				
Reece	Sandoval	Leon	Ilomin	Vacant
Yes	Second	Yes	Motion	Absent

- b. [Consideration of Adoption of a Resolution of Necessity 2022-R-20 for the acquisition by eminent domain of a fee interest in 87 square feet of the property identified as 1600 Compromise Line Road, Glendora, CA 91741, bearing Los Angeles County Assessor's Parcel Number 8655-019-014 for Public Purposes, namely for Public Transit Purposes](#)

Chair Reece requested Brad Kuhn, Esq., Real Property Counsel to provide the report. Counsel Kuhn provided the report.

➤ [Presentation](#)

Chair Reece 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 of the Board indicated that no requests for Public Comment had been received via U.S. Mail, Chat or Raised Hand via Zoom. Chair Reece closed Public Comment.

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

Chair Reece requested a motion to approved Resolution 2022-R-20. Board Member Sandoval made a motion to approve, which was seconded by Board Member Ilomin. Chair Reece requested the Clerk of the Board to conduct a roll call vote. The item passed unanimously.

Agenda Item 10b – Board Resolution 2022-R-20				
Voting Board Members				
Reece	Sandoval	Leon	Ilomin	Vacant
Yes	Motion	Yes	Second	Absent

4. [Public Comments on Items On/Off Agenda](#)

Chair Reece 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 Rainbow Yeung sent a “chat” requesting the opportunity to provide Public Comment. Chair Reece requested Ms. Yeung to provide Public Comment. Ms. Yeung updated the Board regarding SCAQMD’s Air Quality Management Plan.

The Clerk indicated that Gene Morrill had sent an email requesting the opportunity to provide Public Comment. Also, the Clerk indicated Mr. Morrill had provided correspondence, which has been shared with the Board. Chair Reece requested Mr. Morrill to provide Public Comment. Mr. Morrill provided comment regarding his property’s business in Glendora.

The Clerk indicated that no additional requests for Public Comment had been received, Chair Reece closed Public Comment.

5. [Recognition of Former Vice Chair Robin Carder](#)

Chair Reece recognized Former Vice Chair Robin Carder’s contribution to the Metro Gold Line Foothill Extension Construction Authority Board of Directors and invited Board members to speak

to commemorate Former Vice Chair Carder's service on the Board. Chair Reece, Board Member Sandoval, Board Member Masuda, Board Member Leon, and Habib Balian provided comments.

6. Closed Session

Chair Reece requested the General Counsel provide the report. General Counsel Alfred Smith reviewed the items listed for Closed Session.

- a. Conference with Legal Counsel G.C. 54956.9(a)
Existing Litigation
Metro Gold Line Extension Construction Authority v. Branmark Group, LLC, et al.,
Los Angeles Superior Court Case No. 21STCV14516
- b. Conference with Legal Counsel G.C. 54956.9(a)
Existing Litigation
City of San Dimas v. Metro Gold Line Extension Construction Authority, et. al.,
Los Angeles Superior Court Case No. 22STCP03161
- c. Conference with Real Property Negotiator G.C. 54956.8
Property: 206 S. San Dimas Avenue, San Dimas, California and further identified as Los Angeles County Assessor's Parcel Number(s): 8390-021-900, -901, Portion of -902, Portion of -903, -904, -905, -906, -907, -908, -909, -910, -912, -913, 914 and -917
Agency negotiator(s): Habib F. Balian and Brad Kuhn, Esq.
Negotiating parties: City of San Dimas
Under negotiation: Price and terms
- d. Conference with Real Property Negotiator G.C. 54956.8
Property: 1600 Compromise Line Road, Glendora, California and further identified as Los Angeles County Assessor's Parcel Number 8655-019-014
Agency negotiator(s): Habib F. Balian and Brad Kuhn, Esq.
Negotiating parties: Yasana Andrea Celek. et. al.,
Under negotiation: Price and terms

7. Closed Session Report

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

8. CEO Monthly Report

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

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

Item received and filed.

Board Member Ilomin excused from meeting at 12:33pm.

9. [Consent Calendar](#) (Committee Review):

- a. [Approval of July 27, 2022, minutes of Metro Gold Line Foothill Extension Construction Authority Special Board of Directors meeting](#)
- b. [Approval of July 27, 2022, minutes of Metro Gold Line Foothill Extension Construction Authority Board of Directors meeting](#)
- c. [Approve Resolution 2022-R-18 of the Metro Gold Line Foothill Extension Construction Authority Board of Directors making Findings and Determinations under Assembly Bill 361 \(AB 361\) for the continuation of virtual meetings](#)
- d. [Consideration of changes to Metro Gold Line Foothill Extension Construction Authority Personnel Policy & Procedure Manual](#)

Chair Reece requested a motion to approve the Consent Calendar.

Board Member Sandoval made a motion to approve the Consent Calendar which was seconded by Chair Reece. Chair Reece requested a roll call vote.

Agenda Item 9– Consent Calendar (9a ,9b, 9c & 9d)				
Voting Board Members				
Reece	Sandoval	Leon	Ilomin	Vacant
Second	Motion	Yes	Absent	Absent

10. General Board Items:

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

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

- [Presentation](#)

Item received and filed.

- d. [Adoption of Resolution 2022-R-21 reaffirming the Metro Gold Line Foothill Extension Construction Authority Conflict of Interest Code](#)

Chair Reece provided the report.

➤ [Presentation](#)

Chair Reece requested a motion to adopt Resolution 2022-R-21.

Board Member Sandoval made a motion to approve Resolution 2022-R-21 which was seconded by Chair Reece. Chair Reece requested a roll call vote.

Agenda Item 10d – Board Resolution 2022-R-21				
<i>Voting Board Members</i>				
Reece	Sandoval	Leon	Ilomin	Vacant
Second	Motion	Yes	Absent	Absent

e. [Receive and file Monthly Project Status Update as of August 2022](#)

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

➤ [Presentation](#)

Item received and filed.

11. [General Counsel's Report](#)

No General Counsel's report.

12. [Board Member Comments](#)

Received Board Member comments.

13. [Adjournment](#)

Chair Reece adjourned the meeting at approximately 1:41 PM.