

**Metro Gold Line Foothill Extension Construction Authority Board Meeting
Construction Authority Offices
406 E. Huntington Drive, Suite 202
Maria Dalton Community Room
Monrovia, California 91016**

**June 12, 2013
7:00 P.M.**

1. Call to Order:

Chairman Tessitor called the meeting to order at approximately 7:08 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	
Ed Reyes <i>2nd Vice Chair</i>	City of Los Angeles	X	
Paul Leon	City of South Pasadena	X	
John Fasana	LACMTA	X (7:16)	
<i>Non-Voting Members</i>			
Lara Larramendi	Governor of California	X	
Bill Bogaard	City of Pasadena	X	
Daniel Evans	City of South Pasadena	X	
Alan Wapner	SANBAG		X
<i>Alternate Members</i>			
Gerry Miller	City of Los Angeles	—	—
Mary Ann Lutz	SGVCOG	—	—

3. Pledge of Allegiance

Bill Bogaard led the Pledge of Allegiance.

4. Public Comments on Items On/Off Agenda

Chairman Tessitor inquired if there was anyone who wished to provide public comment on items on or off the Agenda, hearing and seeing none, Chairman Tessitor closed public comment.

5. CEO's Monthly Report

Mr. Balian reviewed the Critical Path Schedule which indicated the completion of the Dalton Ave. and Azusa Ave. grade crossing in July 2013; relocation of the Palm and Citrus Avenue superstructures in August 2013; completion of the Pasadena Ave and Buena Vista Ave. grade crossings in August 2013; ongoing light rail track

construction through September 2013; completion of California Ave., San Gabriel Ave and Santa Anita Ave. grade crossings in October 2013; completion of the Foothill Bridge in November 2013 and completion of the freight realignment in December 2013.

Mr. Balian presented a video which highlight ongoing work on the alignment. Mr. Balian highlighted work in the City of Azusa which included installation of light rail tracks; installation of new sound walls at Pasadena Ave; and construction of bridge abutments at the Foothill Blvd. bridge. Mr. Balian highlighted work in the City of Irwindale which included construction of the San Gabriel river bridge abutments and removal of bridge pier forms. Mr. Balian highlighted work in the City of Duarte which included ongoing Duarte station platform construction. Mr. Balian highlighted work in the City of Monrovia which included ongoing Monrovia station platform construction and installation of new water main at the California Ave. crossing. Mr. Balian highlighted work at the Gold Line Operations Campus (GLOC) in the City of Monrovia which included construction of retaining walls along Evergreen Ave.; construction of service and inspection pit; and a recent tour by Metro executives and staff to the Campus and other project areas. Mr. Balian highlighted work in the City of Arcadia which included construction of abutment mud slabs at Santa Anita bridge and continued construction of the Arcadia station platform.

6. Consent Calendar

- a. Approval of Minutes of Board Meeting held May 22, 2013**
- b. Authorize the CEO to Execute a Change Order to the Phase 2A Alignment Contract with Foothill Transit Constructors (FTC) for modifications to the station pavers**
- c. Receive and file a report on the pending Change Order to Foothill Transit Constructors (FTC) for enhancements to the drainage system at the Gold Line Operations Campus (GLOC)**

Chairman Tessitor presented the Consent Calendar for approval. Board Member Leon made a motion to approve the Consent Calendar; Board Member Pedroza seconded the motion, which was then approved unanimously.

7. General Board Items

- a. Public Hearing: Consideration of Adoption of two Resolutions of Necessity for the acquisition by eminent domain of certain real property interests located at (1) 125 North First Avenue in the City of Arcadia, and further identified as Los Angeles County Tax Assessor's parcel numbers 5773-006-057 & 039, and (2) 125 East Wheeler Avenue in the City of Arcadia, and further identified as Los Angeles County Tax Assessor's parcel numbers 5773-011-038 & 039, for public purposes, namely for public transit purposes**

Chairman Tessitor requested Ms. Regina Danner to provide the report.

[Board Member John Fasana arrives 7:18 pm.]

Ms. Danner indicated that staff was seeking the adoption of two Resolutions of Necessity to acquire a property located at 125 North First Street Avenue in Arcadia. Ms. Danner indicated that the staff is seeking to acquire a 164 foot portion of property for sidewalk reconfiguration in order to comply with ADA requirements. Ms. Danner indicated that the second parcel is located at 125 East Wheeler Avenue in Arcadia. Mr. Danner indicated that staff is seeing to acquire a 241 square foot portion of property for railroad widening purposes. Ms. Danner reviewed the remainder of the report in detail which provided the rationale and reasons for the recommendation from staff. Ms. Danner indicated that offers had been made but a response has not been received to date. Ms. Danner indicated that the proposed properties were needed for public transit purposes for the Metro Gold Line Foothill Extension.

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

Chair Tessitor inquired if any of the Board Members had any questions for Ms. Danner or would like to make a comment. There were none.

Chair Tessitor requested a motion to adopt the Resolution of Necessity of Real Property No. 2013-R-07 at 125 North First Street Avenue in the City of Arcadia further identified as parcel number 5773-006-057. Board Member Reyes made a motion which was seconded by Board Member Pedroza.

The Clerk of the Board conducted a roll call vote and the item passed unanimously.

Chair Tessitor requested a motion to adopt the Resolution of Necessity of Real Property No. 2013-R-08 at 125 East Wheeler Avenue in the City of Arcadia further identified as parcel number 5773-011-038. Board Member Pedroza made a motion which was seconded by Board Member Leon.

The Clerk of the Board conducted a roll call vote and the item passed unanimously.

b. Receive and File Report on Project Update: Phase 2A Parking Facilities Overview

Mr. Balian introduced Mr. Chris Burner, Chief Project Officer to produce the report. Mr. Burner indicated that parking facilities will be designed and constructed at each of the six stations along the Foothill Extension. Mr. Burner indicated that there will be four parking structures and two surface lots. Mr. Burner indicated that the City of Azusa is considering an option for the Azusa-

Alameda surface lot. Mr. Burner indicated that the Arcadia parking facility will be a 2 level parking structure with approximately 300 spaces and the property has been acquired for the structure. Mr. Burner indicated that the Monrovia parking facility will be a 3 level parking structure with approximately 350 spaces and the property is under possession for the structure. Mr. Burner indicated that the Arcadia parking facility will be a 2 level parking structure with approximately 300 spaces and the property has been acquired for the structure. Mr. Burner indicated that the Duarte parking facility will be a surface lot with approximately 125 spaces and staff is seeking possession of the property for the lot. Mr. Burner indicated that the Irwindale parking facility will be a 3 level parking structure with approximately 350 spaces and the property is under passion for the structure. Mr. Burner indicated that the Azusa-Alameda parking facility will be a surface lot with approximately 200 spaces. Mr. Burner indicated that the City of Azusa is partnering with Foothill Transit to potential construct a parking structure with 200 parking spaces allocated to the Foothill Extension and that the potential structure is undergoing the environmental process. Mr. Burner indicated that the Azusa-Citrus parking facility will be a 3 level parking structure with approximately 200 spaces and the property has been acquired for the structure. Mr. Burner indicated that in addition to construction of the parking facilities, staff has secured a federal grant for intermodal enhancements. Mr. Burner indicated that intermodal enhancements include bus shelters, benches, trash receptacles and concrete bus pads. Mr. Burner indicated that as part of the intermodal enhancements bicycle lockers and racks will be installed. Mr. Burner indicated that pedestrian enhancement under the intermodal grant include street trees, lights, sidewalks, enhanced crosswalks and landscaping. Mr. Burner indicated that the DB3 contract (parking facilities) was awarded to Webcor/Watry team and the Notice to Proceed was provided on March 20, 2013. Mr. Burner indicated that the design package has been segregated to three sets at each site – site preparation; parking facilities and intermodal enhancements. Mr. Burner indicated that the design schedule is from March to December 2013. Mr. Burner indicated that substantial completion is expected in March 2015.

Item received and filed.

c. Consideration of Metro proposed Amendment to the Measure R Traffic Relief and Rail Expansion Ordinance and Expenditure Plan

Mr. Balian provided the report. Mr. Balian indicated that Mr. Leahy, CEO of Metro, released a notice for a public hearing on June 27th to consider an amended expenditure plan from Measure R. Mr. Balian indicated that the amended expenditure plan accelerates some projects but does not include updated information for all project. Mr. Balian indicated that staff submitted an updated Foothill Extension expenditure plan to Metro several months ago to provide them with the most current information. Mr. Balian indicated that Metro chose not to include any of the updated information provided to them. Mr. Balian indicated that other projects were not updated as well. Chairman Tessitor distributed copies of the Ridley-Thomas, Fasana and Antonovich,

amendment which indicated the Foothill Extension project as a priority project for funding excluding federal New Starts by Metro as well as Assembly Bill 2321. Chairman Tessitor indicated that AB 2321 which is the Measure R legislation identified all projects under Measure R – specifically Foothill Extension which is defined as ending in Claremont. Board Member Pedroza indicated his disappointment with Metro on not keeping its promises and ignoring the state statute. Board Member Fasana indicated that he is exploring the possibility of the cap and trade funds to be applied to the funding gap. Board Member Fasana indicated that he believes that Metro should be supportive and recognize that the Foothill Extension goes to Claremont as outlined in Measure R and in the documentation that Metro adopted. Board Member Fasana explored various scenarios regarding cap and trade funding. Board Member Pedroza indicated that it would be wise for Metro to delay the consideration of the amendment to the expenditure plan until all the information is including and possible funding scenarios are clearer. Board Member Pedroza indicated that he would solicit the SGVCOG support to request that Metro delay the vote on the item and request that Metro update the amended expenditure plan to be inclusive and transparent. Chairman Tessitor indicated that while the cap and trade options may be an option in the future, that the Board should make sure that Metro does not continue to ignore the legislation which indicated the project ending in Claremont. Board Member Fasana agreed that Metro should clearly recognize the Foothill Extension to Claremont and not be ambiguous. Mr. Balian indicated that the Authority is not seeking an additional Measure R funds, but to be included in the amended expenditure plan for potential future funding as required by Metro's adopted Amendment in 2009 as well as the Metro drafted language in AB 2321 which defines the project to Claremont. Chairman Tessitor indicated that it is possible if the amended expenditure plan as presented is passed it may allow to keep the Foothill Extension excluded from future funding and against Metro prior promises. Board Member Reyes indicated that the Metro Board is going to change drastically in the next few years, with a new Mayor and his appointees as well as term-out Los Angeles County Supervisors. Chairman Tessitor indicated that the Board should seek every opportunity to see additional funding when it is presented. Chairman Tessitor also noted that the Board should also consider possible litigation if Metro is unable to obey the law as provided in AB 2321. Board Member Fasana indicated that each Board should continue to work together to resolve the issue but recognizes that many obstacles on outside influence continue to get in the way of a regional consensus on transportation planning. Board Member Larramendi indicated that the Foothill Extension has always had to fight the Metro Board for anything. Board Member Pedroza circulated a draft motion for the Board's consideration regarding opposition to the proposed amended expenditure plan proposed by Metro.

Chairman Tessitor requested a motion to adopt a motion in opposition to the current proposed Amended Measure R Expenditure Plan and Ordinance. Board Member Pedroza made a motion to approve the item, which was seconded by Board Member Tessitor. Chairman Tessitor requested that a roll

call vote be conducted. The clerk of the Board conducted a roll call vote and the item was approved four yes votes (Tessitor, Pedroza, Leon and Reyes) and one abstention (Fasana).

8. General Counsel's Report

None.

9. Board Member Comments

Board Member Larramendi indicated that ridership is going up and up.

Board Member Leon indicated that he had recently taken a tour of the initial Phase of Foothill Extension and was quite impressed with the ridership during the off-peak hours when he took the tour.

Board Member Pedroza reflected how interesting how the concern about ridership of the Foothill Extension is never mentioned by the detractors anymore.

10. Closed Session

General Counsel Estrada reviewed the various items that would be considered in Closed Session and indicated that there would be no reportable action after Closed Session. Chairman Tessitor recessed the Board into Closed Session at approximately 8:28 PM.

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

- (i) Property 8507-005-018
Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Theresa Magno Trust, Gaetano Tony Magno, and Natalie Magno-Villa
Under Negotiation: Price and Terms
- (ii) Property 5773-002-031
Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: B-1 & B-2 Rosenberg, Trustees
Under Negotiation: Price and Terms
- (iii) Property 5775-022-036, 039 & 044
Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: TF and TN, LP
Under Negotiation: Price and Terms

- (iv) Property 8608-021-026
Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Aurelia Stenmo Trust
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. MillerCoors LLC, et al.
Case No. BC497583
- (ii) City of Pomona, a California Charter City v. Metro Gold line Foothill Extension Construction Authority
Case No. BS142413
- (iii) Metro Gold Line Foothill Extension Construction Authority v. Hydraulic Units, Inc., et al.
Case No. BC498261
- (iv) Metro Gold Line Foothill Extension Construction Authority v. Pasadena Tournament of Roses Association, et. al.
Case No. BC 507093
- (v) Metro Gold Line Foothill Extension Construction Authority v. Ernest Paul Mnoian, et. al.
Case No. BC502465

11. Adjournment

The Board Meeting was adjourned at approximately 8:48 pm.