

**Metro Gold Line Foothill Extension Construction Authority Board Meeting
Arcadia City Council Chambers
240 West Huntington Drive
Arcadia, California 91007
February 8, 2012
7:00 P.M.**

1. Call to Order:

Chairman Tessitor called the meeting to order at approximately 7:03 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

Sam Pedroza led the Pledge of Allegiance.

4. Public Comments on Items On/Off Agenda

Chairman Tessitor indicated that he had one public comment card and called Robert Silverstein to provide public comment.

Mr. Silverstein introduced himself as counsel for George and Diana Brokate. Mr. Silverstein provided a review of recent litigation matters on behalf of his client.

Chairman Tessitor inquired if there was anyone else who wished to provide public comment, seeing and hearing none, Chairman 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, including construction activities at the IFS including work on the abutment forms and a recent Board site visit. Mr. Blain also highlighted recent

underground utility investigations and surveys. Mr. Balian indicated that Reauthorization bill introduced in Washington, DC recently contained language for CEQA streamlining and that Assembly Member Torres had introduced legislation in the California Assembly to extend the terminus from Claremont to Ontario.

6. Consent Calendar

a. Receive and File Report on FY2012 Operating Budget Mid-Year Status

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 Pedroza and then approved unanimously.

7. General Board Items

a. Receive and File Report on Project Update: Train Control System Validation

Mr. Balian introduced Chris Burner, Chief Project Officer, to provide the report. Mr. Burner indicated that safety was of primary importance. Mr. Burner indicated that the Train Control System for the Foothill Extension will use Automatic Train Protection (ATP) with safety-critical elements which include train detection, interlocking controls, traffic, grade crossing warning, and cab signaling. Mr. Burner indicated that the DB2 contractor, Foothill Transit Constructors (FTC), will design, furnish, install, test and commission the Train Control System. Mr. Burner indicated that the operation of the line will ultimately be performed by Metro. Mr. Burner indicated that independent, qualified consultants will review and validate the design, software programming and testing of the Train Control System at key milestones of development.

Board Member Reyes inquired if there was coordination with Metro regarding safety integration to the entire light rail transit system. Mr. Burner indicated that Metro has been involved in every step of the process and that the Construction Authority will work to ensure that Metro is satisfied with the system when the project is turned over.

Board Member Reyes inquired if there have been significant changes in technologies from Phase 1 of the Project to this Phase. Mr. Burner indicated that Metro and the Construction Authority have a Master Cooperative Agreement to ensure uniformity with the Metro system with regards to safety and communication.

Item received and filed.

b. Adoption of Resolution for PARS Defined Contribution Plan (401(a))

Mr. Balian provided the report. Mr. Balian indicated that the PARS 401(a) defined contribution plan would allow employees to supplement their current CalPERS plan with additional employee contributions at no cost to the Authority. Mr. Balian indicated

that the proposed plan has a one-time setup fee and a monthly administrative fee.

Board Member Fasana requested that staff prepare a report regarding CalPERS tiered system.

Chairman Tessitor requested a motion to adopt the resolution for PARS Defined Contribution Plan (401(a)). Board Member Fasana made a motion to approve the item which was seconded by Board Member Reyes and approved unanimously.

c. Authorization of the CEO to request Metro/LACMTA support for TIGER 4 Grants

Mr. Balian provided the report. Mr. Balian indicated that the Department of Transportation has made available \$500 million dollars in TIGER 4 grants. Mr. Balian indicated that staff will be working with Metro to seek approximately \$50 million for Phase 2B design and engineering. Mr. Balian indicated that the Construction Authority may possible submit it own TIGER 4 grant application.

Chairman Tessitor requested a motion to authorize the CEO to request Metro's support for TIGER 4 Grant. Board Member Fasana made a motion to approve the item which was seconded by Board Member Pedroza and approved unanimously.

8. General Counsel's Report

None.

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 would be no reportable action. Chairman Tessitor recessed the meeting into Closed Session at approximately 7:28 pm.

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: City of Monrovia and 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: 8528-011-020

Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Hydraulic Unit Inc. (GE)
Under Negotiation: Price and terms
- (iv) Property: 8513-012-043

Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Hoffman Family Trust/Linsalato
Under Negotiation: Price and terms
- (v) Property: 8513-012-054

Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Mark Charvat/ELS
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
- (iv) Metro Gold Line Foothill Extension Construction Authority v.
Excalibur Property Holdings, LLC and George Brokate
Case No. BC466342
- (v) Metro Gold Line Foothill Extension Construction Authority v.
City of Monrovia, Monrovia Redevelopment Agency, et. al.
Case No. BC47600

11. Adjournment

The Board entered Closed Session at approximately 7:28 PM and was adjourned at approximately 8:26 pm.