

**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**

**January 9, 2013
7:00 P.M.**

1. Call to Order:

Chairman Tessitor called the meeting to order at approximately 7:16 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	
Keith Hanks	City of South Pasadena	X	
John Fasana	LACMTA	X	
<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	—	—
Denis Bertone	SGVCOG	—	—

3. Pledge of Allegiance

Alan Wapner 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 on items on or off the Agenda, hearing and seeing 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 along the Gold Line Phase 2A alignment including abutment work in the City of Azusa at Citrus; utility relocation; start of construction for the Colorado bridge in Arcadia as well as

grading and retaining wall work at the Gold Line Operations Campus. Mr. Balian highlighted the Gold Line Completion event on December 15 which was attended by members of the federal, state and local elected representatives as well as approximately 300 members of the public. Mr. Balian indicated that the event was highly successful and was well covered by the media.

Mr. Balian reviewed various items on the critical path schedule including the transfer of the Gold Line Bridge from Skanska to Foothill Transit Constructors in December; work on the Highland and Dalton LRTs will begin in January 2013 and February 2013 respectively; work on the San Gabriel River bridge will begin in March 2013 and the freight realignment plans will be completed in December 2013.

Mr. Balian also indicated that the Metro Board would be considering providing approximately \$36 million for Phase 2B CEPA/NEPA compliance, preliminary engineering and planning work by way of the Funding Agreement along with conditions for payment of such funds based upon milestones as well as amending the Funding Agreement to allow projected savings on Metro Project Costs to pay for Metro requested operational and safety betterments on other Metro Project Costs.

Board Member Fasana requested if staff could investigate producing short video regarding construction impacts and closures. Mr. Balian indicated that staff would look into the possibility.

Mr. Balian indicated that final bids for the DB3 contracts are expected by the end of January. Mr. Balian also indicated that one of the three proposers has withdrawn from consideration.

6. Consent Calendar

a. Approval of Minutes of Board Meeting held December 12, 2012

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 then passed unanimously.

7. General Board Items

a. Receive and File Report on Project Update: Gold Line Bridge Close-Out

Mr. Balian introduced Chris Burner, Chief Project Officer to present the report. Mr. Burner presented a PowerPoint presentation which highlighted the successful completion of the Gold Line Bridge. Mr. Burner indicated that the Construction Authority provided Skanska a Notice of Substantial Completion on November 29, 2012 for the Gold Line Bridge. Mr. Burner indicated that a very successful event. Mr. Burner indicated that project came in on time and on-budget. Mr. Burner congratulated Skanska for a fantastic job in every single area of the project and noted the impeccable safety record with 95,000 hours of

work performed without a single safety incident. Mr. Burner indicated that staff continues to work on some remaining items to fully close-out the Gold Line Bridge project. Mr. Burner highlighted the history of the project and the major milestones.

Various Board members congratulated the Gold Line and Skanska staff on a job well done.

Item received and filed.

b. Consideration of Committee Assignments

Mr. Balian presented the report. Mr. Balian indicated that per the Administrative Code that the Chairman presents Committee Assignment to the Board in January for consideration. Chairman Tessitor indicated that he believed that the Committees have been working well and competently and was recommending no changes from the prior year. Chairman Tessitor also noted that with the Board Member Hanks scheduled to step down in March and with the new addition of Board Member Wapner that the Committee assignments would be presented to the Board at the end of March to address the changes on the Board.

Board Member Fasana request the Chairman to consider the establishment of a Phase 2C committee.

Chair Tessitor requested a motion to approve the Committee Assignments. Board Member Fasana made a motion to approve the item which was seconded by Board Member Pedroza and then passed unanimously.

c. Approval of Revised Title VI Program Plan

Mr. Balian presented the report. Mr. Balian indicated that staff has worked with the FTA to update the Title VI Program Plan per recent changes and new requirements of the FTA. Mr. Balian indicated that all agencies that do work with the FTA must adopt a revised Title VI program plan.

Board Member Fasana inquired if staff has been working with staff on the revised program plan. Mr. Balian indicated that staff has been in communication with the FTA during the drafting of the Program Plan.

Chair Tessitor requested a motion to approve the Title VI Program Plan. Board Member Fasana made a motion to approve the item which was seconded by Board Member Pedroza and then passed unanimously.

e. Authorize the CEO to Execute a Change Order to the Phase 2A Alignment Contract with Foothill Transit Constructors (FTC) for Remediation of Hazardous Materials

Mr. Balian provided the report. Mr. Balian indicated that after further inspection and excavation of various sites in Phase 2A that additional work has been identified for remediation. Mr. Balian indicated that the necessary work includes contaminated soil at various sites and lead-based paint and asbestos from bridges. Mr. Balian indicated that Change Order is within the budget.

Chair Tessitor requested a motion to authorize the CEO to execute a Change Order to the Phase 2A Alignment Contract with FTC for remediation of hazardous materials. Board Member Fasana made a motion to approve the item which was seconded by Board Member Pedroza and then passed unanimously.

8. General Counsel’s Report

None.

9. Board Member Comments

Board Member Fasana welcomed new Board Member Alan Wapner and congratulated staff on a great event at the Gold Line Bridge.

Board Members Pedroza, Hanks and Reyes also welcomed Board Member Wapner.

10. Closed Session

General Counsel Estrada reviewed the various items that would be considered in Closed Session and indicated that there would be a reportable action after Closed Session. Chair Tessitor recessed the Board into Closed Session at approximately 7:38 PM.

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

(i) Property 8513-012-048

Agency Negotiator: Habib F. Balian and Claire Hervey Collins, Esq.
& Wes Beverlin, Esq.
Negotiating Parties: Home Depot USA Inc
Under Negotiation: Price and terms

(ii) Property 8528-011-021

Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Highland Industrial Center, LLC
Under Negotiation: Price and terms

- (iii) Property 8513-011-043
Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Masood and Tahereh Behshid TR's,
Behshid Family Trust
Under Negotiation: Price and terms
- (iv) Property 8507-003-044
Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Edward P. and April L. Mnoian, Ernest P. Mnoian
Under Negotiation: Price and terms
- (v) Property 8507-005-018
Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Theresa Magno Mendoza, Tony Gaetano Magno, Natalia
Magno-Villa
Under Negotiation: Price and terms
- (vi) Property 8507-004-086
Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: William Lee & Susan K. Lee
Under Negotiation: Price and terms
- (vii) Property 8507-003-051
Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Ray E. And Jean A. Sexton, Sexton Family Trust
Under Negotiation: Price and terms
- (viii) Property 8528-004-027
Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Pasadena Tournament of Roses Association
Under Negotiation: Price and terms
- (ix) Property 5773-005-022
Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: 4 By 2 LLC
Under Negotiation: Price and terms
- (x) Property 8507-011-038
Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Steven R. & Debra J. Flint
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
 - (ii) Metro Gold Line Foothill Extension Construction Authority v. Monrovia
Redevelopment Agency, City of Monrovia, et al.
Case No. BC492940
 - (iii) Metro Gold Line Foothill Extension Construction Authority v. MillerCoors LLC,
et al.
Case No. BC497583
 - (iv) Metro Gold Line Foothill Extension Construction Authority v.
Nu Generations, LLC, et al.
Case No. BC493824
 - (v) Metro Gold Line Foothill Extension Construction Authority v.
Target Corporation, et al.
Case No. BC494011
 - (vi) Metro Gold Line Foothill Extension Construction Authority v. Hydraulic Units, Inc.,
et al.
Case No. BC498261

Chairman Tessitor reconvened the Board Meeting at 7:49 pm and indicated that there would be no reportable actions.

12. Adjournment

The Board Meeting was adjourned at approximately 7:50 pm.