



Minutes

1339th Meeting of the Board of Directors March 26, 2009

Chairman Graham called the meeting to order at 11:38 a.m. Present were:

Directors

Mr. Jim Graham
Mr. Peter Benjamin
Mrs. Catherine Hudgins
Ms. Elizabeth Hewlett
Mr. Christopher Zimmerman

Alternate Directors

Mr. Michael Brown
Mr. Jeff McKay
Mr. Anthony Giancola
Mr. Marcell Solomon
Mr. William Euille

Board Secretary Loyda Sequeira-Castillo was also present.

Approval of Agenda:

The agenda was approved as submitted.

Approval of Minutes:

The minutes of the February 26, 2009 Board meeting and March 12, 2009 Special Board meeting were approved as submitted.

Report by Finance, Administration and Oversight Committee

A. Authorization to Conduct Public Hearings on Mechanisms to Fill FY2010 Budget Gap

Mr. Benjamin moved, seconded by Ms. Hewlett, approval of a resolution to authorize a series of public hearings on the proposed changes in bus service as shown in Attachment A of the resolution and an across-the-board fare increase of up to \$0.05. The motion was defeated on the basis of a jurisdictional veto.

Ayes: 4 - Mr. Zimmerman, Mr. Benjamin, Mrs. Hudgins, and Ms. Hewlett

**Washington
Metropolitan Area
Transit Authority**

600 Fifth Street, NW
Washington, DC 20001
202/962-1234

By Metrorail:
Judiciary Square--Red
Line
Gallery Place-Chinatown--
Red, Green and
Yellow Lines
By Metrobus:
Routes D1, D3, D6, P6,
70, 71, 80, X2

*A District of Columbia,
Maryland and Virginia
Transit Partnership*

Nayes: 2 -Mr. Graham and Mr. Giancola

Mr. Benjamin moved, seconded by Mr. Giancola, approval of a resolution to authorize a series of public hearings on the proposed changes in bus service as shown in Attachment A of the resolution, provided that a revised, more detailed listing of Attachment A be provided to the Board for review before dissemination to the public.

Mr. Zimmerman moved, seconded by Mrs. Hudgins, to amend the resolution to include in the first resolved clause, following the words "series of public hearings on" the addition of the words "the proposed fiscal year 2010 budget, including the".

Mr. Graham requested that the amendment be modified to note that it is the General Manager's proposed budget for which the Board will seek comment. After acceptance of the modification, the amendment was unanimously approved.

Therefore, the first resolved clause states:

RESOLVED, That, in accordance with Section 62 of the WMATA Compact, the Board of Directors will conduct a series of public hearings on the General Manager's proposed FY 2010 budget, including the proposed changes in bus service as shown in Attachment A to this Resolution; and be it further

Ayes: 6 - Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Giancola, Ms. Hewlett, and Mr. Zimmerman

Mr. Zimmerman also moved to amend the resolution to include direction to solicit comments from the Riders' Advisory Council. This motion as approved by unanimous consent.

The motion was unanimously approved as amended.

A copy of the approved Resolution (2009-24) has been made a part of the official file.

Ayes: 6 - Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Giancola, Ms. Hewlett, and Mr. Zimmerman

B. Amend Capital Budget and Approve Plan of Contracts for Stimulus Program

Mr. Benjamin moved, seconded by Mrs. Hudgins, to amend the capital budget to include \$202million to be received through the American Recovery and

Reinvestment Act of 2009 and to approve the projects shown in Attachment A of the resolution. The motion was unanimously approved. A copy of the approved Resolution (2009-25) has been made a part of the official file.

Ayes: 6 - Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Giancola, Ms. Hewlett, and Mr. Zimmerman

Report by Planning, Development and Real Estate Committee

A. Shady Grove Access Road Bike Path

Ms. Hewlett moved, seconded by Mr. Benjamin, approval of a resolution to provide a real estate permit to Montgomery County to construct and operate a Bike Path on Metro property at the Shady Grove Metro station. The motion was unanimously approved. A copy of the approved Resolution (2009-26) has been made a part of the official file.

Ayes: 6 - Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Giancola, Ms. Hewlett, and Mr. Zimmerman

B. Request for Southern Bus Garage Public Hearing

Ms. Hewlett moved, seconded by Mr. Benjamin, approval of a resolution to authorize a public hearing for the reconstruction of Southern Bus Garage. The motion was unanimously approved. A copy of the approved Resolution (2009-27) has been made a part of the official file.

Ayes: 6 - Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Giancola, Ms. Hewlett, and Mr. Zimmerman

Administrative Actions

Mr. Zimmerman moved, seconded by Mr. Benjamin, approval of Administrative Items numbered 1-8 en bloc. This motion was unanimously approved.

Ayes: 6 - Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Giancola, Ms. Hewlett, and Mr. Zimmerman

1. Approval to Modify Contract for ERG Operations

Ratification of a contract modification for increased costs associated with operation of the Regional Customer Service Center (RCSC); approval to modify a contract for additional costs for the duration of Option Year 1; and,

subject to the availability of funds, approval to exercise Option Year 2 in order to continue operations of the RCSC and allow modification of the contract to include the additional operational expenses that continue from Option Year 1 through the duration of Option Year 2.

2. Approval to Exercise 3rd Agreement Year & Initiate & Award a Contract for Regional Software Maintenance Agreement

Authorization to execute the third year of the Regional Software Maintenance Agreement (RSMA) with Cubic Transportation Systems to provide software maintenance for the Nextfare Software used in the fare collection system in an amount not to exceed \$1,200,000 and to negotiate and award a contract or contracts for five one-year periods of RSMA, subject to the availability of funds for the period of 2009 through 2014 in a total amount not to exceed \$6,371,000.

3. Approval to Modify a Contract for Refuse Removal

Approval to modify the contract for refuse removal and the collection of newspaper for recycling.

4. Approval to Initiate & Award a Contract for Refuse Removal

Approval to initiate and award a contract for refuse removal and recycling at Metrorail stations and other facilities.

5. Approval to Initiate & Award a Contract for Refurbished Escalator Steps

Approval to initiate and award, through a competitive process, a five-year contract to refurbish escalator steps, subject to approval of the applicable budget and the availability of funds for this project for each respective fiscal year.

6. Approval to Indemnify Credit Card Processor for SmarTrip[®] Third Party Transactions

Approval to execute a Third-Party Processing Agreement with Bank of America Merchant Services. Approval of indemnifications required by Bank of America Merchant Services. Approval to execute reciprocal agreement with Potomac & Rappahannock Transportation Commission to indemnify Metro. A copy of the approved Resolution (2009-29) has been made a part of the official file.

7. Approval to Ratify International Travel

Authorize Dr. Patricia Hendren in the Department of Planning & Joint Development, to participate in the spring 2009 International Transit Studies Program.

8. Approval of Budget Amendment and Various Contract Actions for Glenmont II Parking Garage

Approval to amend the project budget amount; approval for staff to negotiate and execute the Project Agreements and ancillary documents necessary to effectuate the funding and construction of the Glenmont II garage; indemnification of Montgomery County; and approval of the award of the design/build contract, subject to execution of the Project Agreements. A copy of the approved Resolution (2009-28) has been made a part of the official file.

Mr. Graham moved, seconded by Mr. Benjamin, that the Board meet in Executive Session to discuss legal matters consistent with Board Procedure VI.B; and contractual matters consistent with Board Procedure VI.D. This motion was unanimously approved.

Ayes: 6 - Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Giancola, Ms. Hewlett, and Mr. Zimmerman

At 12:58 p.m. Mr. Graham suspended the public meeting to enter into Executive Session.

Reconvene

At 1:45 p.m. Chairman Graham reconvened the Public Session. Mr. Benjamin moved, seconded by Ms. Hewlett, approval to initiate and award a Design-Build contract to design and conduct repairs to the Cheverly Abutment. This motion was unanimously approved.

Ayes: 6 - Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Giancola, Ms. Hewlett and Mr. Zimmerman

Adjournment

The meeting was adjourned at 1:46 p.m.



Loyda Sequeira-Castillo, Board Secretary