



# MINUTES

1293<sup>rd</sup> Meeting of the Board of Directors  
May 19, 2005

Mr. Kauffman called the meeting to order at 11:05 A.M. Present were:

## DIRECTORS

Mr. Dana Kauffman  
Mrs. Gladys Mack  
Mr. Charles Deegan  
Mr. Jim Graham  
Mr. Christopher Zimmerman  
Mr. Robert Smith

## ALTERNATE DIRECTORS

Mrs. Catherine Hudgins  
Mr. Daniel Tangherlini  
Mr. Gordon Linton

## STAFF

Mr. Richard White  
Mr. Harold Bartlett  
Ms. Carol O'Keeffe  
Mr. Takis Salpeas  
Mr. Peter Benjamin  
Ms. Leona Agouridis  
Mr. Edward Thomas

Ms. Polly Hanson  
Mr. James Hughes  
Mr. Steve Feil  
Mr. Jack Requa  
Mr. William Scott  
Mr. Kevin Lyons  
Ms. Judy O'Leary

## APPROVAL OF AGENDA:

The Agenda was approved.

## APPROVAL OF MINUTES:

The Minutes were approved as submitted.

Washington  
Metropolitan Area  
Transit Authority

600 Fifth Street, NW  
Washington, DC 20001  
202-362-1234

By Metrorail:  
Foggy Bottom—Red Line  
Ferry 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

**PUBLIC COMMENT PERIOD:**

The public comment period was conducted at this meeting. A summary of the speakers comments are below:

1. Mr. Allen Greenberg represented the Washington Regional Network for Livable Communities (WRN) and Metroriders.org. Both organizations favor parking policies for WMATA that improve customer service, increase ridership, raise revenues, and promote transit-oriented development. WRN's "Park Anytime" proposal does not include any policy changes, when and where parking supply is adequate for demand. The proposal sets aside a limited number of parking spaces at Metro stations for market-rate pricing in order to ensure parking availability for Metro patrons regardless of station arrival or departure time. Most spaces would be left as they are now: first-come, first-serve with below market-rate pricing. This proposal would also allocate Metro's monthly Reserved Parking Program spaces by auction and facilitate carpooling to stations to allow customers to share parking costs by mimicking the San Francisco Bay Area Rapid Transit's (BART's) automated dynamic ridesharing pilot program. Market pricing of parking provides WMATA patrons and potential patrons with assured access to parking at all times and at all stations where there is parking.
2. Mr. Wendell Wolf, a customer, stated his plan for a change to service on the L2/L4 Metrobus line on Connecticut Avenue. He suggests the L4 service plan be reviewed to include later evening hours, holiday, and weekend service. Staff will review Mr. Wolf's suggested service adjustment on the L2/L4 Metrobus line.

**REPORT BY GENERAL MANAGER/CHIEF EXECUTIVE OFFICER:**

**A. Approval of Resolution for Appointment of General Counsel:**

Mr. White referred the Board to the request for approval of a Resolution for the appointment of Carol B. O'Keeffe as General Counsel.

Mrs. Mack moved, seconded by Mr. Smith, that the Board approve the appointment of Ms. O'Keeffe as General Counsel. This motion was unanimously approved.

Ayes: 6 - Mr. Kauffman, Mrs. Mack, Mr. Deegan, Mr. Zimmerman, Mr. Graham, and Mr. Smith

A copy of the approved Resolution (2005-13) has been made a part of the official file.

Mr. Kauffman administered the Oath of Office to Ms. O’Keeffe appointing her General Counsel of the Washington Metropolitan Area Transit Authority.

**B. Metro Board Digest:**

Mr. White referred the Board to the *Metro Board Digest* for May 2005, highlighting the following items:

- Mr. White congratulated the train operators, station managers, bus and rail mechanics, and bus operators who competed in the annual Metrorail Rodeo and Metrobus Roadeo on April 30. Mr. White thanked Board Members and staff for their participation in the event.
- Mr. White reported on the status of the Re-authorization bill that recently passed in the Senate by a vote of 89-11. The House of Representatives bill was passed in the amount of \$52.352 billion; the Senate bill passed in the amount of \$53.816 billion for transit and it will now go to conference.
- Mr. Zimmerman requested information on WMATA’s communication plan for the Pentagon Station Gallant Fox 3 exercise scheduled for June 8, 2005 from 9:30 a.m. to 2:30 p.m. Staff reported coordination efforts are underway with various County officials, Metropolitan Transit Police, Media Relations, Bus, and Rail offices to notify customers of this drill and direct them where to go during the drill. Signage will be in-place to alert customers to the appropriate locations.
- Mrs. Mack thanked all of the students who participated in the 2005 Metro student poster contest. This year’s contest received more than 300 entries illustrating the theme, "Take Pride in Your Ride." Haelim Oh of Fairfax High School received the Poster of the Year prize, and Myong Sook Kim of the J Art Studio won the Metro Employee Choice Award.
- Mrs. Mack thanked the employees at the Southeastern Metrobus Division that have a long tradition of outreach to the community they serve, including the annual Halloween "Boo Bus" event for children and distributing Thanksgiving baskets to area families, and Mother’s Day for senior citizens.
- Mr. Zimmerman acknowledged Metro’s participation in National Police Week and suggested a plaque similar to Officer’s Harry Davis’ for Officer Marlon Morales who sacrificed their lives while performing their duties. Staff plans to name the District I Police Station in honor of Officer Morales.

**REPORT BY BUDGET COMMITTEE:**

**A. Approval of Resolution to Amend FY05 Operating Budget to Initiate and Award Contract for Managing Metro Emergencies Training and to Ratify Sub-Grant Agreement with D.C.:**

Mrs. Mack referred the Board to the request for approval for training outside agencies and Metro personnel in managing Metro emergencies funded by the Urban Area Security Initiative grant. Approval is requested to amend the FY05 operating budget by adding \$67.5K in revenues and expenses and the FY06 operating budget by adding \$267.8K in revenues and expenses and ratify Urban Area Security Initiative sub-grant agreement with D.C. Award a sole source contract to American Traffic Safety Services Association to provide the training.

Mrs. Mack moved, seconded by Mr. Deegan, to amend FY05 Operating Budget to initiate and award a contract for "Managing Metro Emergencies" Training and to ratify sub-grant agreement with D.C. This motion was unanimously approved.

Ayes:6 - Mr. Kauffman, Mrs. Mack, Mr. Deegan, Mr. Zimmerman, Mr. Smith, and Mr. Graham

A copy of the approved Resolution (2005-14) has been made a part of the official file.

**B. Approval of Resolution to Amend FY05 SAP to Increase Budget for Huntington Garage and Approve Use of Surcharge Funds:**

Mrs. Mack referred the Board to the request for approval to increase funding to accommodate poor soil conditions, traffic patterns, and site topography. This item was referred by Real Estate Committee. The request for approval is to increase the 2005 SAP Budget by \$6M. Funding would come from the Fairfax Parking Surcharge - \$1.5M; TIIF - \$3.0M; and excess funds from the West Falls Church parking project \$1.5M.

Mrs. Mack moved, seconded by Mr. Zimmerman, that the Board approve the request to amend FY05 SAP to increase the budget for Huntington Garage and approve use of Surcharge Funds. This motion was unanimously approved.

Ayes:6 - Mr. Kauffman, Mrs. Mack, Mr. Deegan, Mr. Zimmerman, Mr. Smith, and Mr. Graham

A copy of the approved Resolution (2005-15) has been made a part of the official file.

C. Approval of Resolution to Amend FY05 SAP to Increase Budget for White Flint Parking Garage:

Mrs. Mack referred the Board to the request for approval to increase the 2005 SAP Budget by \$850K to cover extra costs of the construction contract. The Real Estate Committee approved the use of TIF funds to cover the costs; and referred it to the Budget Committee.

Mrs. Mack moved, seconded by Mr. Deegan, that the Board amend FY05 SAP to increase budget for White Flint Parking Garage. This motion was unanimously approved.

Ayes:6 - Mr. Kauffman, Mrs. Mack, Mr. Deegan, Mr. Zimmerman, Mr. Smith, and Mr. Graham

A copy of the approved Resolution (2005-16) has been made a part of the official file.

D. Approval to Modify Contract to Include Value Capture Study:

Mrs. Mack referred the Board to the request for approval to increase the PB Consult contract by \$300K and to extend the contract to study access and impact fees. It is funded from the FY05 PLSP Direct Office Services Operating Budget and referred by Planning and Development Committee.

Mrs. Mack moved, seconded by Mr. Zimmerman, that the Board approve the modification to the contract to include the Value Capture Study. This motion was unanimously approved.

Ayes:6 - Mr. Kauffman, Mrs. Mack, Mr. Deegan, Mr. Zimmerman, Mr. Smith, and Mr. Tangherlini

E. Approval to Exercise Option Year for Labor Legal Consultant Contract:

Mrs. Mack referred the Board to the request for approval to exercise option year four of the current Labor Legal Consultant Services Contract with Venable Baetjer & Howard to support ongoing collective bargaining. The cost of \$350K is included in FY06 Proposed Budget.

Mrs. Mack moved, seconded by Mr. Deegan, that the Board approve the request to exercise the option year for the Labor Legal Consultant Contract. This motion was unanimously approved.

Ayes:6 - Mr. Kauffman, Mrs. Mack, Mr. Deegan, Mr. Zimmerman, Mr. Smith, and Mr. Tangherlini

Mrs. Mack noted the Committee considered and approved a proposed plan to restructure the 12 bus line from Centerville to Vienna. This is a non-regional route funded entirely by Fairfax County. Since the proposal has not yet been approved by the Fairfax County Board of Supervisors, the proposal will not be brought to the Board until that action occurs.

**REPORT BY ADMINISTRATION COMMITTEE:**

**A. Approval of Resolution to Amend Public Access to Records Policy and Adoption of Privacy Policy:**

Mr. Deegan referred the Board to the request for approval of a Resolution to amend public access to records policy and adoption of privacy policy. The Committee received staff recommendations on changes to the Public Access to Records Policy (known as the "PARP") and on a new Privacy Act Policy. The purpose of these two policies is to make "public information public and keep private information private." Staff recommended amending the PARP to more closely align it with the Federal Freedom of Information Act ("FOIA") and federal practice. The amended PARP reaffirms policy of providing public access to WMATA's records. It adds disputes procedures including an internal administrative hearing and judicial review, including award of costs to substantially-prevailing plaintiff. It aligns exemptions from disclosure with federal FOIA.

Mr. Deegan noted the proposed Privacy Policy prohibits disclosure of personal information without written permission of the subject of the information, unless an exception applies. It requires WMATA to provide a privacy act statement when it collects personal information from an individual. The Privacy Policy allows individuals to review, amend and/or disagree with facts contained in records. It provides that employees will be disciplined for unauthorized access or use of personal information and requires confidentiality statements. It authorizes court action for declaratory or injunctive relief for violations of policy, following administrative appeal.

Mr. Deegan moved, seconded by Mr. Zimmerman, that the Board approve the Resolution to amend the Public Access to Records Policy and adoption of the Privacy Policy. This motion was unanimously approved.

**Ayes:6 - Mr. Kauffman, Mrs. Mack, Mr. Deegan, Mr. Zimmerman, Mr. Smith,  
and Mr. Graham**

A copy of the approved Resolution (2005-17) has been made a part of the official file.

Mr. Zimmerman acknowledged the region's concern with government and information. Reconciliation of the desire to know what the government is doing with information often conflicts with individuals' rights and expectations of privacy. The method used to develop these policies, including allowing public input, affirms WMATA's openness as a governmental organization and commitment to protecting the privacy of individuals.

Mr. Linton noted that this policy reaffirms the desire to keep information confidential, making it available to users at their request, and a comfort to those that have concerns about that as well.

Mr. Deegan noted the Committee requested that the action item on proposed changes to the Procurement Policy Statement be moved to the July, 2005 meeting. The Committee desires the input of the Jurisdictional Coordination Committee (JCC) prior to proceeding to hear staff's proposed changes.

**REPORT BY CUSTOMER SERVICE, OPERATIONS AND SAFETY COMMITTEE:**

Mr. Smith reported the Customer Service, Operations, and Safety Committee met on May 19, 2005 and discussed the Operations Performance Indicators and three information items: Elevator and Escalator Communications Plan, Plans for Dupont Circle Art Project, and Follow-up of Town Hall Meeting held on April 12, 2005.

**ADMINISTRATIVE ACTIONS:**

**OTHER ITEMS:**

Mr. Kauffman referred the Board to the nine Action Items:

1. **Approval to Initiate & Award A Contract for the Purchase Card Services:**

Approval is requested to initiate and award a competitive contract with a two (2) year base period and three (3) one year options to provide purchase card services for approximately 200 cardholders throughout the Washington Metropolitan Area Transit Authority.

2. **Approval to Initiate & Award A Contract to Rehabilitate Addison Road Station & Wheaton Parking Garages:**

Approval is requested to initiate and award a multi-year competitive contract to rehabilitate the Addison Road Station and Wheaton Station Parking Garages to include expansion joint replacement, minor concrete repair, deck surface and pavement markings.

3. Approval of FY06 Operating Insurance Renewal:

Approval is requested to execute an agreement for WMATA's comprehensive insurance program for FY06 with any necessary minor changes to coverage and deductibles.

4. Approval to Initiate & Award A Contract for ITSV Back-up Facilities Services:

Approval is requested to initiate and award a contract with Sungard Availability Services through a GSA contract for backup facilities services used by the Authority in the event of a disaster to the Information Technology & Services (ITSV) mainframe computer system in support of Maintenance, Financial and Business systems.

5. Approval to Initiate & Award A Contract for Running Rail:

Approval is requested to initiate and award a multi-year contract including options to procure 115# RE A.R.E.A. running rail. This contract will provide for a four-year base with options. Each year of the base period will consist of a minimum of 400 tons (20,400 feet) of rail with options up to 550 tons in each of those years. The total quantity of this contract if all options are exercised is 3800 tons. This will be a competitive procurement and it is reasonable to expect more than one sealed bid. The existing multi-year contract (FL0025) expires in June 2005.

6. Approval to Initiate & Award A Service Contract to Weld Running Rail:

Approval is requested to initiate and award a competitive multi-year procurement with options for labor and materials (excluding rail) to prepare rail stingers by welding 78-foot sections of running rail into 390-foot stingers. Number of welds required per year is as follows: FY 2006 through FY 2009 - Base of 214 welds with an option for and additional 160 welds in each of those years. This contract will allow for a total of 1,496 welds, if all options are exercised. The existing multi-year contract (FL0024) expires in June 2005.

7. Approval to Initiate & Award A Contract for Installation of Digital Video Recording Systems:

Approval is requested to award a contract on the GSA schedule with Safety Vision for the purchase and installation of digital video recording systems on sixteen Breda 3000 series railcars. These will be used for collecting data in support of the railcar capacity study.



8. Approval of Interim Vehicle Engineering Consultant Support for Essential Railcar & Bus Fleet:

Approval is requested to award a contract to Terry Consavage and indemnify him for thirty weeks maximum of part-time vehicle engineering consulting services. This is a one-time P&T service; FY05 funding will be retained through the duration of this contract.

9. Approval to Initiate & Award A Contract for Fare Collection Equipment Conversion to Express Vendors:

Approval is requested to initiate and award a sole source contract(s) with Cubic Transportation System, Inc., to: (1) convert 43 SmarTrip vending machines, which are already equipped with targets and an upgraded processor board, to the Express Vendor (EV) configuration to include new bill handling equipment and the ability to accept Debit/Credit and Smart Benefit (cash-less) payment; (2) convert 55 farecard vendors to the EV configuration to include new Bill Handling equipment, SmarTrip targets, an upgraded processor board, and Debit card PIN pads; (3) implement a software update in the rail faregate for the balanced transfer.

Mr. Zimmerman moved, seconded by Mrs. Mack, that the Board approve the nine above listed Action Items. This motion was unanimously approved.

Ayes:6 - Mr. Kauffman, Mrs. Mack, Mr. Deegan, Mr. Zimmerman, Mr. Smith, and Mr. Graham

REPORT BY NVTC: Mr. Zimmerman reported the Arlington County carsharing pilot program has been successful at the five stations offered on the Rosslyn-Ballston Orange line from the two companies providing service. It will be expanded in other Arlington areas where cars will be available in neighborhoods without subway stops. Fifteen cars are being added to the 25 already available and by the end of the year the total will increase to 55. Some of the cars will be parked in Shirlington and along Columbia Pike - two areas with buses but no rail service. Other cars are being added to Metro accessible neighborhoods like Ballston and Crystal City.

REPORT BY D.C.: No report given.

REPORT BY WSTC: No report given.

ADJOURNMENT:

Mr. Kauffman moved, seconded by Mr. Deegan, that the Board meet in Executive Session immediately following this meeting to discuss contractual and personnel matters. This motion was unanimously approved.

Ayes: 6 - Mr. Kauffman, Mrs. Mack, Mr. Deegan, Mr. Zimmerman, Mr. Smith and Mr. Graham

This meeting was adjourned at 12:09 P.M.



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Harold M. Bartlett, Secretary/Chief of Staff