



## Minutes

### 1342<sup>nd</sup> Meeting of the Board of Directors June 25, 2009

Chairman Graham called the meeting to order at 11:25 a.m. Present were:

#### **Directors**

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

#### **Alternate Directors**

Mr. Gordon Linton  
Mr. Jeff McKay  
Mr. Anthony Giancola  
Mr. William Euille

Board Secretary Loyda Sequeira-Castillo was also present.

#### **Approval of Agenda:**

Mr. Zimmerman moved, seconded by Mrs. Hudgins, approval of the agenda. Mr. Albert moved to add an Executive Session discussion on contractual and personnel matters. This motion was approved by unanimous consent. The amended agenda was approved by unanimous consent.

#### **Approval of Minutes:**

The minutes of the May 28, 2009 Board meeting, the minutes of the June 18 Special Board meeting and the minutes of the June 23, 2009 Special Board meeting were approved as submitted.

#### **Report by Planning, Development and Real Estate Committee**

##### **A. Approval of Easement Rights at Shaw-Howard University Station**

Mr. Albert moved, seconded by Mr. Zimmerman, approval of a lease to Broadcast Center Partners, LLC with the option to purchase various easement

**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*

rights from Metro at the Shaw-Howard University Metrorail station north entrance. The motion was unanimously approved.

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

**B. Approval to Hold a Public Hearing for Cinder Bed Road Bus Garage**

Mr. Albert moved, seconded by Mrs. Hudgins, approval of a resolution to conduct a public hearing for a new bus facility in Fairfax County. The motion was unanimously approved. A copy of the approved Resolution (2009-44) has been made a part of the official file.

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

**C. Authorization to Negotiate and Execute a Memorandum of Understanding with Montgomery County for Wheaton Redevelopment**

Mr. Albert moved, seconded by Mr. Benjamin, approval to include Metro properties at Wheaton station in a Montgomery County-led solicitation similar to Metro's Request for Qualifications process in which a developer is selected to help plan an ultimate redevelopment, and to execute a Memorandum of Understanding with Montgomery County defining the basic ground rules under which the Metro property would be included. The motion was unanimously approved.

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

**D. Bus Facility Plan**

Mr. Albert moved, seconded by Mrs. Hudgins, approval of a resolution to initiate contracts for the demolition and site cleanup of the DC Village site once site acquisition is finalized; issue a solicitation to the private development community for the replacement, joint development or other proposals with the intent of relocating bus operations from the Northern facility; for the General Manager to develop a long range plan for bus facilities to meet the needs for rehabilitation, replacement and bus service expansion; and for the General Manager to provide a request for resources to accomplish the tasks identified herein and with the bus facility plan. The motion was unanimously approved. A copy of the approved Resolution (2009-45) has been made a part of the official file.

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

## **Report by Finance, Administration and Oversight Committee**

### **A. Approval to Negotiate and Execute Reimbursable Agreements with Arlington County and Fairfax for Columbia Pike**

Mr. Benjamin moved, seconded by Mr. Zimmerman, approval of a resolution to include a reimbursable project for the Columbia Pike Streetcar project in the FY2010 Reimbursable Projects Budget with a total estimated project budget of \$4.1 million, and to negotiate and execute separate reimbursable agreements with Arlington County and Fairfax County. This motion was unanimously approved. A copy of the approved Resolution (2009-46) has been made a part of the official file.

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

### **B. Approval of FY2010 Budget**

Mr. Benjamin moved, seconded by Ms. Hewlett, approval of a resolution to adopt the FY2010 Budget. Mr. Benjamin moved to delete the insurance renewal item from consideration in the budget, as the insurance renewal had been added to the agenda for separate consideration as Administrative Item number 5. This amendment was approved by unanimous consent. The resolution was unanimously approved as amended. A copy of the approved Resolution (2009-47) has been made a part of the official file.

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

### **C. Amendment to Procurement Policy and Procedures Manual**

Mr. Benjamin moved, seconded by Ms. Hewlett, approval of a resolution amending Chapter 1 of the Procurement Procedures Manual to implement procurement streamlining procedures including enhanced use of purchase cards, giving the General Manager the authority to initiate and award procurements for basic operational goods and services, providing the General Manager the authority to adjust contract audit thresholds and increased thresholds for Board approval of contract awards and modifications of existing contracts. Mr. Benjamin's motion did not include the proposed increase in thresholds for sole source procurement awards, but rather directed staff to bring the sole source issue back to the July Finance, Administration and Oversight Committee for consideration, since that

provision of the broader item was specifically not referred to the Board by the Committee at its June 11, 2009 meeting. The motion was unanimously approved. A copy of the approved Resolution (2009-48) has been made a part of the official file.

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

**D. Approval of Extension of MetroAccess Contracting Authority**

Mr. Benjamin moved, seconded by Mrs. Hudgins, approval to provide \$190 million in contracting authority, \$90 million in FY 2010 as budgeted and \$100 million in FY 2011, subject to availability of funds, to continue the paratransit service contract through FY2011. This motion was unanimously approved.

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

**Report by Customer Service, Operations and Safety Committee**

**A. Approval to Initiate a Request for Proposals for Retail Services Demonstration Program**

Mr. Zimmerman moved, seconded by Mr. Benjamin, approval to issue a Request for Proposals for a three-year Retail Demonstration Program with five one-year options. The RFP would make all stations in the rail system available, emphasize the use of small business, include protections limiting the number of stations per respondent and would take into consideration the retail opportunities currently available near each Metrorail location. This motion was unanimously approved.

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

**Administrative Actions**

Mr. Benjamin moved, seconded by Mr. Zimmerman, approval of Administrative Items numbered 1-4 en bloc. This motion was unanimously approved.

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

1. Approval to Initiate & Award a Contract for Environmental Mitigation – Rohr Car HVAC Project

Approval to initiate and award a competitive contract for environmental mitigation in the Rohr rail cars as part of the Rohr car HVAC project.

2. Approval to Revise Morgan Boulevard Station Connection Agreement

Approval of revised terms to the Connection Agreement with Camden Summit Partnership, L.P. for a pedestrian connection at the Morgan Boulevard Metrorail station.

3. Approval of FY2010 Project Development Program

Approval of a resolution to include a list of projects in the FY2010 Project Development Program. A copy of the approved Resolution (2009-50) has been made a part of the official file.

4. Extend Negotiation Period for Navy Yard Chiller Site

Approval of a 180-day extension for negotiating an agreement for the Navy Yard Chiller joint development site.

5. Approval of Insurance Renewal Contracting Authority

Given the uncertainty associated with the cost of liability insurance renewal following a serious rail accident, and given the pending expiration of the Authority's insurance on June 30, Mr. Benjamin moved, seconded by Mr. Zimmerman, approval of a resolution delegating to the General Manager contract award authority sufficient to acquire insurance coverage. Mr. Benjamin included in his motion an amendment that the authority granted in the resolution is limited to the FY2010 insurance renewal only. The amendment was approved by unanimous consent. The amended resolution was unanimously approved. A copy of the approved Resolution (2009-49) has been made a part of the official file.

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

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

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

At 12:18 p.m. Mr. Graham suspended the public meeting to enter into Executive Session.

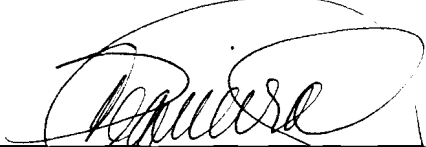
### **Reconvene**

At 1:03 p.m. Chairman Graham reconvened the Public Session. Mr. Graham moved, seconded by Mr. Albert, approval of a resolution granting an extension to the General Manager to execute the Purchase Agreement for the DC Village Property. This motion was unanimously approved. A copy of the approved Resolution (2009-51) has been made a part of the official file.

Ayes: 5 - Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Albert and Mr. Zimmerman

### **Adjournment**

The meeting was adjourned at 1:05 p.m.

  
Loyda Sequeira-Castillo, Board Secretary