



Minutes

1322nd Meeting of the Board of Directors September 27, 2007

Ms. Hewlett called the meeting to order at 12:17 p.m. Present were:

Directors

Ms. Elizabeth Hewlett
Mr. Chris Zimmerman
Mr. Jim Graham
Mr. Peter Benjamin
Mr. Dana Kauffman
Mr. Emeka Moneme

Alternate Directors

Mr. Gordon Linton left at 1:11 p.m.
Mrs. Catherine Hudgins
Mr. Tony Giancola

Staff

Mr. John B. Catoe, Jr.
Ms. Ellen Bass
Mr. Gerald Francis
Ms. Polly Hanson

Ms. Carol O'Keeffe
Mr. Shiva Pant
Mr. Chuck Woodruff
Mr. Calvin Skinner

Approval of Agenda:

Mr. Zimmerman moved, seconded by Mr. Moneme, that the agenda be approved. The agenda was approved as submitted.

Approval of Minutes:

The minutes of the July 26, 2007 meeting were approved as submitted.

Mr. Zimmerman requested an update of the recycling issues raised by the Riders' Advisory Council at the July 26, 2007 Board meeting. Mr. Catoe would address this in his General Manager's Report.

**Washington
Metropolitan Area
Transit Authority**

600 Fifth Street, NW
Washington, D.C. 20001
202/962-1234

*By Metrorail:
Judiciary Square-Red Line
Gallery Place-Chinatown
Red, Green and
Yellow Lines*

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

Report by Riders' Advisory Council (RAC):

Mr. Snyder referred to the RAC report submitted to the Board. He noted that while at the Greenbelt station, he was asked when the credit card pilot program used to pay for parking at rail stations would be expanded to other stations. Mr. Snyder stated that at the September RAC meeting, RAC members participated in the Emergency Communication Subcommittee from which the recommendations were: more timely dissemination of information to customers and station managers, greater deployment of Metro employees throughout the system using existing staff, posting of station-specific emergency plans and services system-wide, and immediate implementation of service improvements through training and empowerment of front-line workers.

Regarding the 2009 Budget process and fare policy, Mr. Snyder expressed concern that the RAC Budget Subcommittee was excluded from receiving information to advise the Board on this current round of fare policy discussions. He questioned the validity of Metro's forecasted 1% growth in passenger revenue and asked why Metro could not better market public transit in the second-worst traffic region in the country. Mr. Snyder concluded by stating that the RAC would appreciate timely opportunities to offer feedback on operating and budgetary initiatives.

Mr. Zimmerman noted that the designation of second-worst traffic region in the country was determined by looking at people who were stuck in traffic, not by looking at all people who commute by all means. He also asked when the Board voted to specifically exclude the RAC from receiving a budget briefing, as was indicated in Mr. Snyder's report. Mr. Graham clarified that he had not wanted the RAC to be briefed on the first proposal discussed in the Finance, Administration and Oversight committee meeting because it did not have the necessary support to go forward. Mr. Kauffman requested that the RAC be briefed on the fare policy and proposals discussed at the Special Finance, Administration and Oversight Committee meeting of September 27, 2007, to the extent that they are known at the RAC's October 3, 2007 meeting.

Public Comment Period:

Six persons spoke during the public comment period conducted at this meeting:

1. Ms. Sara Green asked on behalf of ANC-4B01 that Metro not build 85 townhomes at the Takoma Metro station.
2. Mr. Seth Grimes, President of the Old Town Residents Association, expressed concern about the proposal to build townhomes at the Takoma Metrorail station, saying that Takoma residents have been an afterthought in the designs.

3. Mr. Robert Dietrick urged the Board to table the bus procurement until it could be determined that the purchase is in the best interest of riders. He also commented that the rail trip between Braddock Road and the National Airport is slow, and expressed concern about the fare increase.
4. Mr. Richard Holzsager expressed that he believed the Takoma staff report to be highly selective and failed to mention that both oral and written testimony was overwhelmingly in opposition to the staff recommendation, and also did not mention that the plan isn't in compliance with the Takoma Central District Plan.
5. Ms. Faith Wheeler said that Takoma residents want to help increase peak and off-peak ridership and have Metro be the best ride in the nation.
6. Mr. Chioke Perry said that he is visiting from Atlanta and is concerned about the proposed fare increase because the transit-dependent community is asked to bear the brunt of the increase and asked that there be transit justice for all.

Report by Chair:

Ms. Hewlett recognized Mr. Robert Miles for winning the operator competition and the team of Messrs. Don Rich, David Swearman, and Kimphi Trinh for winning the maintenance competition at the 31st Annual Metrobus Roadeo. Also recognized was the Office of Marketing and Advertising for winning four first place awards in APTA's AdWheel Awards competition, and the Office of Elevator and Escalator Service for winning APTA's first ever Transit Elevator and Escalator Project of the Year Award for WMATA's escalator modernization project.

Ms. Hewlett stated that she wished to assure the public that the Board feels strongly about the issue of a possible fare increase in the upcoming year and will not make any decision about a fare increase until the numbers have been analyzed, every option to help pay for operating expenses has been investigated and more information has been gathered from public hearings.

Report by General Manager:

Mr. Catoe reported that WMATA has entered a new phase of the Safety Improvement Program. The contractor has completed work on the safety assessment and is now briefing the results to employees. Mr. Catoe also reported that the developer's work schedule of the Navy Yard complex portion of the Navy Yard station expansion is behind schedule by approximately seven weeks. While the developer is putting in extra effort to complete the project on time, Mr. Catoe assured the Board that WMATA has contingency plans to provide service at the start of the baseball season.

In response to the comment from Mr. Dietrick regarding the slow train trip between the National Airport and Braddock Road, Mr. Catoe stated that the main transformer responsible for the power problems on August 26, 2007 has been replaced and the substation for National Airport has been reconfigured, to improve efficiency. In response to the RAC's question from the previous Board meeting about recycling, Mr. Catoe said that there are a few stations where WMATA is working on increasing the number of newspaper recycling bins as their capacity is sometimes overloaded.

Mr. Catoe informed the Board that there were pending protests on two items going before the Board for approval, VIII.A. Approval to Award Contract for Multiple-Year Bus Procurement and X.A. Approval of Sale of Southeastern Bus Garage. Should the Board approve the bus procurement, procurement regulations require a delay of the award for five days following the contracting officer's review and decision. For the sale of the Southeastern Bus Garage, should the Board approve it, the award would be made as soon as possible pending review of the protest.

Mr. Catoe recognized Ms. Cynthia Champion, a Red Line Station Manager, who, on July 19, 2007, organized security teams that found a ten-year-old girl separated from her mother on a Red Line train at the Farragut North station.

Report by Customer Service, Operations and Safety Committee

A. Approval to Award Contract for Multiple-Year Bus Procurement

Mr. Benjamin referred the Board to the request for approval to award a one-year base and four one-year options for the purchase of 474 buses over a period of five years; 125 buses would be part of the base buy and 100 buses would be purchased in FY09 as the first option. There are currently no funds available for the remaining 249 buses.

Mr. Benjamin moved, seconded by Mr. Zimmerman, that the Board approve the award of the one-year base and the first option, and the remaining options upon the availability of funds. After a discussion regarding the procurement process for this action, this motion was unanimously approved.

Ayes: 6 – Ms. Hewlett, Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mr. Kauffman, and Mr. Moneme

B. Approval to Conduct Public Hearing to Eliminate Routes C7 and C9 Greenbelt-Glenmont

Mr. Benjamin referred the Board to the request for approval to conduct a public hearing on the discontinuance of the C7 and C9 Greenbelt-Glenmont bus routes and reinvest the resource to other bus lines in Montgomery and Prince George's County.

Mr. Benjamin moved, seconded by Ms. Hewlett, that the Board approve this action. This motion was unanimously approved.

Ayes: 6 – Ms. Hewlett, Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mr. Kauffman, and Mr. Moneme

Report by Finance, Administration and Oversight Committee

A. Approval of the Use of Operating Reserve

Mr. Graham referred the Board to the request for approval to use the authorized contingency reserve totaling \$10.4 million to fund a portion of the FY07 operating budget deficit, expected to be \$19.9 million. Committee members from all three jurisdictions requested that jurisdictional balances totaling \$8.3 million be held on account.

Mr. Graham moved, seconded by Mr. Kauffman, that the Board approve the use authorized contingency reserve. This motion was unanimously approved.

Ayes: 6 – Ms. Hewlett, Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mr. Kauffman, and Mr. Moneme

A copy of the approved Resolution (2007-37) has been made a part of the official file.

B. Approval to Award Performance Energy Engineering Services Contract

Mr. Graham referred the Board to the request for approval to award a contract for consulting services to develop a comprehensive plan to reduce energy consumption in WMATA facilities.

Mr. Graham moved, seconded by Mr. Moneme, that the Board approve this action. This motion was unanimously approved.

Ayes: 6 – Ms. Hewlett, Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mr. Kauffman, and Mr. Moneme

C. Approval of Procurement Streamlining Initiatives

Mr. Graham referred the Board to the request for approval of procurement streamlining initiatives to improve business functions and implement best procurement practices. The Inspector General has no issues with the proposed procedures. Mr. Graham stated that while he voted no in committee and would do so now due to the experience of the District of Columbia with purchase cards, he would move approval.

Mr. Graham moved, seconded by Mr. Moneme, that the Board approve this action. This motion was approved.

Ayes: 5 – Ms. Hewlett, Mr. Zimmerman, Mr. Benjamin, Mr. Kauffman, and Mr. Moneme

Nayes: 1 – Mr. Graham

A copy of the approved Resolution (2007-38) has been made a part of the official file.

Mr. Graham reported that the fare policy was discussed. He also reported that staff requested approval to amend the Capital Budget by \$68 million, the issuance of Metro debt was discussed, and that both items would be brought back to the October 11, 2007 Finance, Administration and Oversight meeting.

Report by Planning, Development and Real Estate Committee

A. Approval of Sale of Southeastern Bus Garage

Mr. Zimmerman referred the Board to the request for approval of the sale of the Southeastern Bus Garage and the allocation of funds from the proceeds of the sale to the capital cost of the replacement garage, leaseback rental, additional deadhead costs, and other interim costs contingent upon the acquisition of the replacement bus garage property at D.C. Village, and Board approval of the Southeastern Bus Garage replacement project and amendment of the Mass Transit Plan in accordance with the WMATA Compact.

Mr. Graham initiated a discussion of the bid process for the sale considered by this action, asking if it was Counsel's legal opinion that the attempt to have an escalation clause in the sealed bid process was invalid. Ms. O'Keeffe stated that this was her opinion.

Mr. Moneme commented that WMATA should consider a policy regarding escalation clauses, particularly in light of WMATA's budget constraints, and requested that for future transactions near Metrorail facilities, joint development rather than the outright sale of property be considered in order to give WMATA and the jurisdictions a greater input as to what happens at these valuable locations. Mr. Benjamin requested verification that settlement on the sale would not occur until the Board approved the replacement garage project, including its funding. Mr. Catoe affirmed this was the intent of the resolution.

Mr. Graham moved, seconded by Mr. Moneme, that the Board approve this action. This motion was unanimously approved.

Ayes: 6 – Ms. Hewlett, Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mr. Kauffman, and Mr. Moneme

A copy of the approved Resolution (2007-39) has been made a part of the official file.

Administrative Actions

Other Items

Mr. Zimmerman moved, seconded by Mr. Graham, that the Board approve, en bloc, Administrative Items XI.A numbered 1-8 and 10-17. This motion was unanimously approved.

Ayes: 6 – Ms. Hewlett, Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mr. Kauffman, and Mr. Moneme

1. Approval to Initiate & Award a Contract for Elevator Rehabilitation

Approval to initiate and award a contract(s) for the rehabilitation of approximately 65 elevators in FY08-12.

2. Approval to Initiate & Award a Contract for Steel Rail Frogs

Approval to initiate and award a multiple-year contract to procure rail frogs.

3. Approval to Initiate & Award a Contract for Flat Car Modification

Approval to initiate and award a contract to modify the height of three flat cars, with an option to modify an additional one.

4. Approval to Initiate & Award a Contract for Software License Upgrades

Approval to initiate and award a sole source procurement for the RAILSIM Version 8 software license upgrade and expansion for the RAILSIM Database to include onsite training.

5. Approval to Initiate & Award a Contract for Supplemental Custodial Maintenance

Approval to initiate and award a two-year base requirements contract with three one-year options for temporary laborers to assist permanent landscape staff,

support emergency snow removal, and supplement custodial maintenance work at the Carmen E. Turner facility.

6. Approval to Initiate & Award a Contract for Ventilation Equipment

Approval to initiate and award a competitive contract for rehabilitation of station and tunnel ventilation equipment.

7. Approval to Initiate & Award a Contract for an Employment Search Firm

Approval to initiate and award a competitively negotiated procurement for multiple contracts for employment search firm services for the purpose of identifying qualified candidates for senior level and scarce-skill level, for one base year and two option years.

8. Approval to Initiate & Award a Contract for Paper

Approval to initiate and award a five-year requirements contract (two-year base contract and three one-year options) for the purchase of printing and copying paper for use in the Authority's central print facility and all WMATA facilities with copying machines.

10. Approval to Modify a Contract for On-Call Engineering Services

Approval of revisions of the FY08 annual work program for the on-call engineering services Contract SF5070 (P2D Joint Venture).

11. Approval to Modify a Contract for Software Modification

Approval to issue a sole source modification to Contract C05136 to accept dollar coins. Modification will be issued to Cubic Transportation Systems for the development of necessary software changes.

12. Approval to Modify a Contract for the PROTECT System

Approval to modify Contract FN3030 with Argonne National Laboratory to provide technical oversight and support of the PROTECT chemical agent detection and response system.

13. Approval of Antennae Lease Renewal

Approval of a lease with JBG/RIC LLC, including indemnification provisions, for WMATA's communications system at Reston International Center in Reston, Virginia.

14. Approval of Revenue Generating Lease

Approval for a three-year extension of a revenue-generating lease with Kentucky Fried Chicken for WMATA property located at 12415 Georgia Avenue, Silver Spring, Maryland.

15. Approval of Parking Agreement

Approval of a Parking Agreement, including indemnification provisions, with Crystal City Hospitality Corp. for the use of 125 parking spaces in the Crystal City Hospitality Corp. (Holiday Inn) Parking Garage.

16. Approval to Conduct a Public Hearing for the L7 Bus Route

Approval to conduct a public hearing to discontinue Route L7 of the Connecticut Avenue-Maryland Line and reinvest the subsidy in more frequent L8 service and in improved service on other routes in Montgomery County.

17. Approval to Amend the Tariff

Approval to amend the Authority Tariff to reflect changes included in the approved FY08 budget affecting fares and service levels on Metrorail for the national holidays.

A copy of the approved Resolution (2007-40) has been made a part of the official file.

9. Approval to Initiate & Award a Contract for Parking Meters

Approval to initiate and award a competitive procurement for the purchase of up to 3,500 parking meters.

A discussion ensued whereby it was determined that the action would be amended to incorporate the consideration of multispace parking meters and meters able to accept credit cards and SmarTrip® cards.

Mr. Moneme moved, seconded by Mr. Zimmerman, that the Board approve Administrative Item XI.A.9. This motion was unanimously approved.

Ayes: 6 – Ms. Hewlett, Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mr. Kauffman, and Mr. Moneme

Report by D.C.: None

Report by WSTC: None

Report by NVTC: None

Adjournment:

Ms. Hewlett moved, seconded by Mr. Zimmerman, that the Board meet in Executive Session immediately following the meeting to discuss personnel issues and Board matters. This motion was unanimously approved.

Ayes: 6 – Ms. Hewlett, Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mr. Kauffman, and Mr. Moneme

The meeting was adjourned at 1:45 p.m.



Calvin R. Skinner, Acting Board Secretary