



Minutes

1325th Meeting of the Board of Directors December 13, 2007

Ms. Hewlett called the meeting to order at 12:47 p.m. Present were:

Directors

Ms. Elizabeth Hewlett
Mr. Chris Zimmerman
Mr. Jim Graham left at 2:15 p.m.
Mr. Peter Benjamin
Mr. Dana Kauffman
Mr. Emeka Moneme

Alternate Directors

Mr. Gordon Linton
Mrs. Catherine Hudgins
Mr. William Euille left at 1:40 p.m.
Mr. Tony Giancola

Staff

Mr. Gerald Francis
Ms. Polly Hanson
Ms. Helen Lew
Ms. Carol O'Keefe

Mr. Shiva Pant
Mr. Chuck Woodruff
Ms. Leen'da Chambliss

Approval of Agenda:

Items VII.B. Employee Spotlight, and VIII.A. Receive Public Hearing Staff Report on Fare and Parking Fee Increase and Take Action on Fare Proposal, were moved up in the agenda by unanimous consent to be considered after the Public Comment Period.

Approval of Minutes:

The minutes of the October 25, 2007 and November 8, 2007 meetings were approved as submitted.

**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 announced the departure of Mr. Dennis Jaffe, Ms. Aline Stone and Mr. Justin Chittams from the RAC and asked that consideration be given to another high school or college student in the appointment of new RAC members. He noted that WMATA has made commitments to improve communication with rail riders, expanded the use of PID displays on platforms and outside fare gates, and introduced kiosk displays. He also noted the pedestrian, customer and employee fatalities of this year, and expressed condolences to the family and friends of Mr. Tao Sun of Rockville, Maryland.

Mr. Snyder thanked Messrs. Linton and Kauffman and Mrs. Hudgins for their comments in committee regarding the proposed fare increase and expressed his belief that customers would stop using the Metro system after hearing of the fare increase. He also expressed concern over Mr. Zimmerman's vote in committee.

Mr. Snyder then read his letter of resignation from the RAC as Chair and as a representative from Montgomery County.

Public Comment Period:

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

1. Mr. Robert Grow of the Greater Washington Board of Trade recognized and thanked the Joint Development Task Force for their work.
2. Mr. Michael Sindram spoke of an incidence regarding the loss of his bag at WMATA headquarters.

Report by General Manager:

Mr. Francis read a report on behalf of Mr. Catoe, who thanked the Board for its support in his first year as WMATA's General Manager, congratulated Mrs. Hudgins on her re-election, thanked Mr. Kauffman for his long and excellent service to Metro, and thanked Ms. Hewlett for her leadership over the past year as Board Chair. He also expressed condolences to the family and friends of Mr. Sun, a pedestrian killed in an accident involving a Metrobus.

He announced that MTPD earned its reaccreditation from the Commission on Accreditation for Law Enforcement Agencies and was designated a "flagship agency", the first transportation-oriented law enforcement agency to receive this recognition. He stated that new railcars were in service and spoke of the decision to return to running 6-car trains on the weekend and during the weekday off-peak period as an example of the customer's importance to WMATA. In addition, he

announced the testing of three newly designed railcars, stating that a thorough analysis of customer comments would be made before the decision to expand these designs to other cars.

Mr. Francis recognized the initiative of Mr. James Stephens, a mechanic at the Shady Grove Car Maintenance Facility, who built a workable machine shop at the facility using surplus equipment at a cost of less than one percent of buying the needed tools new.

Mr. Graham stated his appreciation for the discussions he had with Mr. Catoe regarding the investigation of a hate crime that occurred on a Metro railcar, and the reclassification of the hate crime which had originally been reported as an assault. Ms. Hanson assured Mr. Graham that video of the assault may be released to the media to aid in the apprehension of the perpetrators, in the event that all investigative leads were exhausted.

Report by Finance, Administration and Oversight Committee

A. Receive Public Hearing Staff Report on Fare and Parking Fee Increase and Take Action on Fare Proposal

Mr. Graham referred the Board to the request for approval of a resolution to increase Metrobus, Metrorail and parking fees in January 2008. Mr. Graham noted that the increase was requested to close a FY09 budget gap of \$109 million, after months of action by staff and the Board to reduce the gap, and that raising the fares and parking fees in January 2008 will moderate the magnitude of the fare increases and protect customers from larger increases if the Board waits until July 2008 to raise fares.

A discussion ensued regarding the distribution of SmarTrip[®] cards and other transitional administrative issues surrounding the implementation of the fare increase. Mr. Graham asked for a report regarding the distribution of SmarTrip[®] cards at the next Board meeting. Mr. Graham moved, seconded by Mr. Zimmerman, approval of this action. This motion was approved.

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

Nayes: 1 – Mr. Kauffman

A copy of the approved Resolution (2007-47) has been made a part of the official file.

Report by Chair:

Ms. Hewlett reflected on 2007, saying it had been a year of change for WMATA with the appointment of new Board members, a new General Manager, and a reorganization of WMATA staff and an emphasis placed on safety and fiscal responsibility. She thanked fellow Board members for their cooperation in reaching a compromise on the fare increase issue, and stressed that the Board did listen intently to the opinions of Metro's riders.

Ms. Hewlett thanked Mr. Christian Kent and his team for Metro's Disability Awareness Event, in which a number of WMATA Board members and top managers each traveled with a customer with a disability on buses, trains and MetroAccess vehicles and then subsequently participated in a forum. She also attended the dedication of the Metro Transit Police Marlon Francisco Morales District 1 Substation at Fort Totten, named in honor of the late MTPD officer killed in the line of duty. She congratulated WMATA's Marketing Department on three ads in WMATA's "Go Green on Metro" ad campaign for which WMATA was awarded American Public Transportation Association's AdWheel Award, and she thanked Mr. William T. Raymond, who retired after 38 years of service to WMATA in the Offices of Auditor and Inspector General. She thanked Mr. Calvin Skinner for his service as Acting Board Secretary and recognized Mr. Frank Bell upon his retirement from Prince George's Department of Public Works and Transportation. She congratulated Mrs. Hudgins on her re-election to Fairfax County's Board of Supervisors. Finally, Ms. Hewlett thanked Mr. Kauffman for his twelve years of service on WMATA's Board of Directors. Board members joined Ms. Hewlett in their expression of gratitude for Mr. Kauffman's tenure on WMATA's Board. Mr. Kauffman stated that there were two things of which he was most proud during his service on the Board. The first was that on September 11, 2001, Metro kept running when most of the city shut down, particularly noting the performance of the men and women who continued to operate the buses and trains to get people safely home to their families. Secondly, he thanked fellow Board members for their efforts in the creation of the RAC. He concluded by stating that the Board is a regional group, and should strive to stay that way.

Report by Finance, Administration and Oversight Committee

B. Approval of Project and Budget Amendments for Southeastern Bus Garage

Mr. Graham referred the Board to the request for approval of various reports and assessments, to increase the capital budget by \$60 million, to establish and operating reserve account for \$9.25 million, and to negotiate a property exchange agreement between WMATA and the District of Columbia. Mr. Graham moved, seconded by Mr. Kauffman, approval of 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 (2007-48) has been made a part of the official file.

C. Approval of Largo Closeout Settlement

Mr. Graham referred the Board to the request for approval to settle the claim for \$9.5 million for work on the Largo Extension project. Under the reimbursable agreement with the State of Maryland, the Maryland Department of Transportation will pay \$9.5 million to settle the claim. On behalf of the state of Maryland, Mr. Benjamin stated Maryland's reluctance to pay the settlement. Mr. Graham moved, seconded by Mr. Benjamin, approval of this action. This action was unanimously approved.

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

A copy of the approved Resolution (2007-49) has been made a part of the official file.

Report by Chair:

B. Appointment of Members to the Riders' Advisory Council

Ms. Hewlett moved, seconded by Mr. Zimmerman, approval of the appointment of Ms. Rachelle Olden and Ms. Diana Zinkl of the District of Columbia; and the reappointment of Mr. Stephen Cerny, Ms. Nancy Iacomini, Ms. Lillian White and Ms. Robin White of Virginia. This motion was unanimously approved.

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

A copy of the approved Resolution (2007-50) has been made a part of the official file.

On behalf of the Board, Ms. Hewlett thanked Mr. Snyder for his service.

Report by Planning, Development and Real Estate Committee

Mr. Zimmerman reported that the proposed Joint Development Guidelines, developed based on the findings of the Joint Development Task Force, were presented to the committee as an information item.

Administrative Actions

Other Items

Mr. Zimmerman requested separate consideration of Administrative Item XI.A.15, Approval to Extend Negotiation Period for Morgan Boulevard Master Development Agreement. Mr. Benjamin requested separate consideration of Administrative Item XI.A.7, Approval to Initiate & Award a Contract for Single Audit Act and Financial Statement Audits. Mr. Zimmerman moved, seconded by Mr. Moneme, that the Board approve, en bloc, Administrative Items XI.A numbered 1-6, 8-14 and 16-21. This motion was unanimously approved.

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

1. Approval to Initiate & Award a Contract for Overhaul of Chiller Units

Approval to initiate and award a competitive multi-year contract for the overhaul of 25 chiller units.

2. Approval to Initiate & Award a Contract for Replacement of Chilled Water Air Conditioning Units

Approval to initiate and award a competitive multi-year contract for the replacement of 34 chilled-water air conditioning units at nine Metrorail stations.

3. Approval to Initiate & Award a Contract for Automatic Train Control Equipment Replacement

Approval to initiate and award a competitive procurement to furnish the necessary labor and materials to replace vital train control equipment and associated cabling located in the Automatic Train Control Room at Silver Spring Station and to install new equipment in two prefabricated train control rooms; one North and one South of the Silver Spring Station.

4. Approval to Initiate & Award a Contract for Bus Emergency Response Vehicles

Approval to purchase four Emergency Response Vehicles, six ADA-compliant lowered-floor minivans and five raised-roof paratransit vehicles.

5. Approval to Initiate & Award a Contract for Insurance Brokerage and Consultant Services

Approval to initiate and award a competitively negotiated procurement for Insurance Brokerage Services for a base period of three years, with two one-year options.

6. Approval to Initiate & Award a Contract for Workers' Compensation Adjusting Services and Risk Management Information System

Approval to initiate and award a competitively negotiated procurement for Workers' Compensation Adjuster Services and a Risk Management Information System for a base period of three years, with two one-year options.

8. Approval of Navy Yard East Sales Contract

Approval to execute a Sale and Development Agreement with NJA Associates LLC, an affiliate of the Donohoe Companies, for the Navy Yard Metro station east entrance joint development site.

9. Approval of Property Condemnation Settlement

Approval of a settlement in condemnation for property required for construction of the Branch Avenue Metrorail station and Service and Inspection Yard.

10. Approval of Indemnification Provision in License Agreement

Approval of an indemnification provision contained in a proposed License Agreement between the Norfolk Southern Railway Company and WMATA.

11. Approval of Lease Renewal for Communications Tower

Approval for renewal of a lease with the District of Columbia for use of a communications tower at 9th & Peabody Streets NW in Washington, DC for WMATA's communications system.

12. Approval of Sale of Excess Property at Georgia Avenue

Approval for the sale of excess WMATA property at 3642 Georgia Avenue NW, Washington, DC.

13. Approval of Incremental Funding for Rosslyn Station Entrance Project and Amend Agreement with Arlington County

Approval to continue work towards providing final design and construction bid documents for the Rosslyn Station New Entrance Project ("Rosslyn Project") and to

authorize execution of an Amendment to the Agreement between the Authority and Arlington County for the design and approval of certain public transportation projects dated August 2, 2000 (Phase One Agreement), to include the Rosslyn Project and other reimbursable projects.

A copy of the approved Resolution (2007-51) has been made a part of the official file.

14. Approval of International Travel

Approval for international travel for Safety, Security and Emergency Management (SSEM) employees Chuck Novick and Victor Size to travel with the Arlington County Fire Department (ACFD) & Emergency Medical Services (EMS) as subject matter experts to meet with the British Transit Police and tour the Trolley Yard to inspect and evaluate an Evacuation Cart as part of the Urban Areas Security Initiatives (UASI) Cart project. The British Transit Police, London Fire Brigade, and London Ambulance Service officials will host this meeting in London, England.

16. Approval to Transfer Funds for the Circulator Bus Program

Approval of the program to expand the Circulator service and procure additional Circulator buses, including:

- 1) Authorization for the General Manager to enter into a revised Memorandum of Understanding with the District for WMATA to expand the Circulator service and manage the streetcar project when operations begin in 2009.
- 2) Authorize WMATA to transfer funds to AC Transit to allow them to procure 14 buses, including delivery and inspection of the additional ancillary bus equipment.
- 3) Authorization for the coordinated efforts to plan and implement new routes.
- 4) Modification of a contract to extend the base contract until a replacement contract is awarded.

A copy of the approved Resolution (2007-52) has been made a part of the official file.

17. Approval of Greenbelt Indemnification

Approval to indemnify the contractor repairing railcar lifts at Greenbelt Yard.

18. Approval to Use Parking Surcharge Fees for Lease of Huntington Parking Lot

Approval for the use of parking surcharge fees to pay for a lease on a surface parking lot at the Huntington Metrorail station.

19. Approval to Modify Fare Policy for Expansion of "Free Rides" Program for Montgomery County

Approval of expanding the existing "Free Rides" program for Montgomery County seniors and persons with disabilities to Metrobuses operating in Montgomery County to all days and times.

A copy of the approved Resolution (2007-53) has been made a part of the official file.

20. Approval to Modify a Contract for Rehabilitation of 2000/3000 Series Railcars

Approval to modify Contract FK0154, Mid-Life Rehabilitation of the 2000/3000 series railcars, to revise the contract value and schedule, resulting from negotiation of a consolidated settlement of numerous contract change orders, credits and delays.

21. Approval of Tentative Agreement with Local 639 International Brotherhood of Teamsters

Approval of the negotiated Tentative Agreement with Local 639 International Brotherhood of Teamsters, covering the Special Police Officers, setting the wages, hours and working conditions for the 2007-2010 Collective Bargaining Agreement.

A copy of the approved Resolution (2007-54) has been made a part of the official file.

7. Approval to Initiate & Award a Contract for Single Audit Act and Financial Statement Audits

Approval to initiate action for the procurement of external audit and management-type audit services for the period beginning May 1, 2008. The base contract is for three years with provision for two one-year options.

After a discussion, Mr. Benjamin moved, seconded by Mr. Zimmerman, approval of this item. This motion was unanimously approved.

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

15. Approval to Extend Negotiation Period for Morgan Boulevard Master Development Agreement

Approval for a 180-day extension of the Master Development Agreement negotiation period for the Morgan Boulevard Joint Development project and authorization for staff to continue negotiations with Garrett Morgan Boulevard Joint Venture, the selected developer.

Ms. Hewlett recused herself from the discussion of this item. Mr. Kauffman moved, seconded by Mr. Moneme, approval of this item. This motion was unanimously approved.

Ayes: 4 – Mr. Zimmerman, Mr. Benjamin, Mr. Kauffman, and Mr. Moneme

Report by D.C.: None

Report by WSTC: None

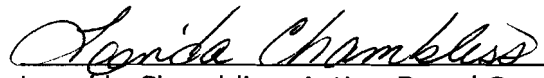
Report by NVTC: None

Adjournment:

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

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

The meeting was adjourned at 2:22 p.m.


Leen'da Chambliss, Acting Board Secretary