



Minutes

1330th Meeting of the Board of Directors May 22, 2008

Mr. Zimmerman called the meeting to order at 11:07 a.m. Present were:

Directors

Mr. Chris Zimmerman
Mr. Jim Graham
Mr. Peter Benjamin
Mrs. Catherine Hudgins
Mr. Emeka Moneme
Ms. Elizabeth Hewlett

Alternate Directors

Mr. Marcell Solomon

Staff

Mr. John Catoe
Mr. Gerald Francis
Ms. Helen Lew
Ms. Carol O'Keefe

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

Public Comment Period:

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

1. Mr. Antonio Thompson asked for a review of his workers' compensation claim. Mr. Zimmerman requested that Mr. Catoe investigate.
2. Mr. Mack Thompson asked for a review of his accident claim. Mr. Zimmerman requested that Mr. Catoe investigate.

Approval of Agenda:

The agenda was approved as submitted by unanimous consent.

**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*

Approval of Minutes:

The minutes of the April 24, 2008 meeting were approved as submitted.

Report by Riders' Advisory Council (RAC):

Mr. John Pasek, RAC Coordinator, referred the Board to the report submitted by the absent Ms. Iacomini. The report included RAC comments on the FY09 budget, the Mystery Rider Program, the proposed Blue Line Realignment, and the 30s-Line study.

Mr. Zimmerman requested that the RAC's comments regarding the budget process be looked into for the next budget year and stated that the RAC's suggestion of an email address to receive comments on the proposed railcar flooring options was a good one.

Report by Chair:

Mr. Zimmerman reported that he and Mr. Catoe met with the Presidents of the University Consortium and discussed the possibility of creating transportation options that would be favorable to both WMATA and Washington area students.

B. Appointment of Board Secretary

Mr. Benjamin moved, seconded by Ms. Hewlett, appointment of Ms. Loyda Sequeira as Board Secretary effective June 30, 2008. This motion was unanimously approved.

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

Report by General Manager:

Mr. Michael Myrick, Jr. was recognized for saving the life of a customer who had fallen onto the track bed at the Cheverly Metrorail station on December 15, 2007. Mr. Walter Bradley was also recognized for his actions in capturing and restraining an assailant who assaulted a passenger at the Friendship Heights Metrorail station in January 2008. Mr. Catoe also thanked Mr. Chuck Woodruff, who is resigning, for his service as Chief Financial Officer. Mr. Catoe's report referenced the need to begin an energy contingency plan to help WMATA cope with a shift to public transportation that could be coming due to the effect of increasing gasoline prices on ridership.

Mr. Catoe also discussed the termination of WMATA's contract bus services due to the enforcement of the SAFETEA-LU legislation to comply with new FTA regulations on Charter Bus operations and the effect this compliance would have on WMATA's operators, employees, and customers. Board members requested that Mr. Catoe seek a waiver, if possible, for specific events that no one else could accommodate - such as Redskins games - and asked for a safety plan for others' buses on WMATA property in the event that a private charter operator wants to provide service connecting Metrorail and an event. Mr. Catoe stated that this action is part of WMATA's planning.

Report by Customer Service, Operations and Safety Committee

Mr. Graham reported that Operational Performance, a Crime Report and Safety Performance Indicators were discussed as information items by the Committee.

Report by Finance, Administration and Oversight Committee

Mr. Benjamin reported that urgent unfunded capital needs and a review of other operating budget issues were discussed as information items by the Committee; the Committee directed that the General Manager develop the FY09 operating budget using a cap of FY09 subsidy by jurisdiction at the levels presented in March 2008 with the allowance for an amount above that cap from the District to fund the additional costs associated with the closure of the Southeastern bus garage. The budget is to include the conversion of four reimbursable services to regional service.

A. Metrobus 30s Line Enhancements

Mr. Benjamin referred the Board to the request to approve the Staff Report and recommendations on restructuring the Metrobus 30s Line.

Mr. Benjamin moved, seconded by Mr. Graham, approval of this action. This motion was unanimously approved.

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

A copy of the approved Resolution (2008-25) has been made a part of the official file.

B. FY09 Annual Disadvantaged Business Enterprise Goal

Mr. Benjamin referred the Board to the request for approval of a 45-day period for public comment regarding the proposed annual DBE Goal of 25% for the Federal Fiscal Year 2009.

Mr. Benjamin moved, seconded by Ms. Hewlett, approval of this action. This motion was unanimously approved.

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

Report by Planning, Development and Real Estate Committee

Mrs. Hudgins reported that a regional Bus Priority Corridor Plan was discussed as an information item by the Committee.

Administrative Actions

Mr. Benjamin moved, seconded by Ms. Hewlett, that the Board approve, en bloc, Administrative Items numbered XI.6 through 9 and XI.11. This motion was unanimously approved.

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

6. Approval to Initiate & Award a Contract for Boom Lifts

Approval to initiate and award a competitive procurement to purchase for four boom lifts (manlifts).

7. Approval to Modify a Contract for Workers' Compensation Third Party Administrator

Approval to extend the current Workers' Compensation Third Party Administrator contract for six months in order to enhance the data management specifications in the Request for Proposals for the new contract.

8. Approval to Modify a Contract for the Risk Management Information System

Approval to extend the current Risk Management information System contract to permit an expansion of the Scope of Services in accordance with the new data management requirements identified by the joint WMATA/DuPont Safety Resources Safety Improvement Program.

9. Approval to Modify a Contract for the Bus Enhancement Program

Approval to modify CHK America's bus map contract in an amount not to exceed \$750,000, subject to the availability of Metro Matters funds.

11. Approval to Indemnify Wachovia Bank, NA for Execution of Line of Credit

Approval of a resolution for the indemnification of Wachovia Bank, NA to facilitate the execution of loan documents associated with a \$100 million Line of Credit.

A copy of the approved Resolution (2008-26) has been made a part of the official file.

A discussion ensued regarding Item IX.1, Approval to Initiate & Award a Contract for IT Data Security Assessment, Plan and Phase I Implementation. Board directives arising from the discussion include: providing the dollar amount of the current contract for Item IX.1, using consistent budget numbers for Items IX numbered 1-5, and vetting the five items with the JCC before bringing them back for consideration. The five items are to be brought before the June Finance, Administration and Oversight Committee and include:

1. Approval to Initiate & Award a Contract for IT Data Security Assessment, Plan and Phase I Implementation

Approval to initiate and award new competitive contracts and/or modifications to existing contracts for implementing a comprehensive IT Security program for WMATA.

2. Approval to Initiate & Award a Contract for Enterprise Geographic Information System (GIS) and Upgrade the WMATA Internet & Intranet Websites

Approval to initiate and award contracts to implement and develop an Enterprise Geographic Information System (GIS) and to upgrade WMATA's internet and intranet websites.

3. Approval to Initiate & Award a Contract for Desktop Support Technicians

Approval to initiate and award a competitive procurement to provide computer specialist technicians to provide desktop support throughout WMATA.

4. Approval to Initiate & Award a Contract for Consulting Services for Major Applications

Approval to initiate and award a new competitive procurements for consultant services and/or modifications to existing contracts for critical consultant resources in support of major applications including PeopleSoft, Maximo and Trapeze.

5. Approval to Initiate & Award a Contract for Enterprise Architecture Business Analyst

Approval to initiate and award a competitive procurement to provide consulting services in support of the Enterprise Architecture program, including staffing the oversight of the Metro Channel.

10. Approval to Change a MOU to Create a Reimbursable Project for the Installation of Fiber Optic Cable

Approval of a resolution modification to the licensing agreement, to include a reimbursable project, allowing WMATA to install the cable, and accept the transfer of funds from Virginia Department of Transportation to complete the installation of the fiber optic cable per the agreement and include funding for the Job Order Contract in an amount not to exceed \$2.5 million for the installation of the fiber optic cable.

A discussion ensued regarding this item. The result of the discussion was that Mr. Zimmerman moved, seconded by Ms. Hewlett, approval of the resolution with an addition in the second-to-last Resolved clause, to read: RESOLVED, That the Board of Directors approves funding for a Job Order Contract in an amount not to exceed \$2.5 million *except to the extent additional funds are provided by VDOT* for the installation of the fiber optic cable. This motion was unanimously approved.

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

A copy of the approved Resolution (2008-27) has been made a part of the official file.

Report by D.C.: Mr. Graham stated that WMATA could do a better job of taking credit for Joint Development projects and land dispositions that were making a difference in the revitalization of areas such as U Street and Georgia Avenue.

Report by WSTC: None

Report by NVTC: None

Executive Session

Mr. Zimmerman moved, seconded by Ms. Hewlett, that the Board meet in Executive session immediately following the meeting to discuss contractual issues with respect to Kemper/Lumberman's Insurance Company, consistent with Board Procedure VI.B. This motion was unanimously approved.

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

The meeting was suspended to enter Executive session at 12:35 p.m.

Reconvene

At 1:14 p.m. Mr. Zimmerman reconvened the public session. Present were:

Directors

Mr. Chris Zimmerman
Mr. Peter Benjamin
Mr. Jim Graham
Mrs. Catherine Hudgins
Mr. Emeka Moneme
Ms. Elizabeth Hewlett

Staff

Mr. John Catoe
Ms. Carol O'Keeffe
Mr. Ronald Keele
Mrs. Leen'da Chambliss

Mr. Zimmerman moved, seconded by Mr. Graham, to certify that at the just-concluded executive session, only such matters identified in the motion by which the Executive session was convened, were heard, discussed or considered by the Board. This motion was unanimously approved.

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

Mr. Zimmerman moved, seconded by Mr. Benjamin, approval of a resolution to enter into an agreement with Kemper/Lumbermen's Insurance Company to assume responsibility for the outstanding Workers' Compensation liability claims resulting from the Construction Wrap-Up Insurance Program, in exchange for a payment of \$3.35 million. This motion was unanimously approved.

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

A copy of the approved Resolution (2008-28) has been made a part of the official file.

Adjournment:

The meeting was adjourned at 1:16 p.m.

Leen'da Chambliss, Acting Board Secretary