



Minutes

1331st Meeting of the Board of Directors June 26, 2008

Mr. Zimmerman called the meeting to order at 11:10 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. Marion Barry
Mr. Jeff McKay
Mr. Anthony Giancola
Mr. Gordon Linton

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:

There were no speakers during the public comment period.

Approval of Agenda:

The agenda was approved as submitted by unanimous consent.

Approval of Minutes:

The minutes of the May 22, 2008 meeting 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):

Ms. Iacomini referred to the report submitted [to](#) ~~by~~ the Board. The report included RAC comments on the Capital Improvement Plan, the Blue Line Realignment, bus priority corridors and planning, the expansion of SmarTrip[®] usage, and service and communications issues.

Report by Chair:

Mr. Zimmerman's report included remarks on the continuing rise in ridership in the Metro system, and the need for both improvements in WMATA's capital facilities and dedicated funding.

Report by General Manager:

Mr. Catoe's report included an acknowledgment of the difficult service disruptions in June 2008 along with the efforts of WMATA personnel in returning the Metro system to service after the disruptions. He also stated that the FTA is proposing to tighten its interpretation of existing regulations on school bus operations, which could impact a number of Metrobus routes, particularly in the District of Columbia, and that if the FTA does not allow a special exemption for the District, WMATA has requested that the final policy statement permit that any changes to existing bus routes not be required until the beginning of the 2009-2010 school year. In addition, WMATA staff is available to work with appropriate jurisdictional offices on a contingency plan for school bus operations for the next school year. Mr. Catoe further reported on the implementation of the restructured 30s Line.

Discussion ensued regarding the new FTA regulations, during which Mr. Catoe was encouraged to bring this issue before the [United States Conference of Mayors](#) ~~Mayors' Council~~ and Mr. Zimmerman stated he would sign letters expressing concern over this issue and ~~issues~~ with ~~other~~ changing FTA [charter bus](#) regulations discussed during the previous Board meeting.

Mr. Francis recognized General Equipment Mechanic Stefan Petrowski for identifying the Orange Line derailment on June 9, 2008 and then assisting with the evacuation; Rail Operator Donnell Morina for spotting the heat kink on the Orange Line on June 11, 2008; and Bus Operator Christopher Depetris for transporting a gunshot-wounded passenger to rendezvous with an emergency medical vehicle for assistance.

Report by Planning, Development and Real Estate Committee

E. Florida Avenue Developer Selection

Mrs. Hudgins referred the Board to the request to select Banneker Ventures as the developer of the Shaw-Howard U/Florida Avenue joint development site, approve the term sheet and authorize negotiation of the development agreement. The final agreement will reflect the inclusion of an affordable housing component and staff will provide documentation to the Board that clarifies the roles and responsibilities of the members of the development team.

Mr. Graham requested that his comments from the committee meeting be included as part of the record for the Board meeting. In his comments, Mr. Graham noted the importance of providing affordable housing; requested clarification on the Board's policy on business ethics and integrity requirements relating to joint development projects; and raised concerns about the financial viability of the project, as proposed.

Mrs. Hudgins moved, seconded by Mr. Moneme, 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. Policy Concerning Use of WMATA Property for Non-WMATA Transit Projects

Mrs. Hudgins referred the Board to the request to approve a resolution for a policy allowing no-cost transfers of WMATA-owned real property to local jurisdictions and state governments for reimbursable and other transit projects.

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

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

A copy of the approved Resolution (2008-29) has been made a part of the official file.

B. Bus Network Evaluation

Mrs. Hudgins referred the Board to the request for approval to authorize the General Manager to inform all interested parties of the acceptance of the finding of the Bus Network Evaluation Report validating the need for all 185 expansion standard transit coaches called for in the Metro Matters Funding Agreement as fulfilling the requirement of the Metro Matters Funding Agreement adoption.

Mrs. Hudgins moved, seconded by Mr. Moneme, approval of this resolution. This motion was unanimously approved.

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

A copy of the approved Resolution (2008-30) has been made a part of the official file.

C. On-Call Engineering Services

Mrs. Hudgins referred the Board to the request for approval for authorization of the FY09 annual work programs for three on-call engineering services contracts.

Mrs. Hudgins moved, seconded by Mr. Giancola, approval of this action. This motion was unanimously approved.

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

D. Rhode Island Avenue Interim Parking

Mrs. Hudgins referred the Board to the request for approval of a resolution to waive the Compact Public Hearing requirement to maintain 150 long-term parking spaces at the Rhode Island Avenue Metrorail station during joint development construction and authorization to execute either an Interim Parking Agreement with the developer or eliminate all long-term parking during the Metro garage construction.

Mrs. Hudgins moved, seconded by Ms. Hewlett, approval of this resolution. This motion was unanimously approved.

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

A copy of the approved Resolution (2008-31) has been made a part of the official file.

Mrs. Hudgins reported that a Jackson Graham Building Relocation Analysis was discussed as an information item by the Committee.

Report by Finance, Administration and Oversight Committee

A. FY09 Budget Approval

Mr. Benjamin referred the Board to the request to approve the proposed FY09 budget.

Mr. Zimmerman moved, seconded by Mr. Benjamin, approval of an alternate resolution specifying \$1 million in as-yet unprogrammed funds for bus service improvements in Northern Virginia without changing the levels of jurisdictional subsidies. By unanimous consent, this change was incorporated into the motion. This motion was unanimously approved.

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

A copy of the approved Resolution (2008-32) has been made a part of the official file.

During the discussion of this item, Mrs. Hudgins requested that staff develop criteria for the determination of pilot service programs, and the evaluation of those pilot service programs for designation as regional service. Mr. Zimmerman stated he would not limit the development of a policy to pilot service, but rather for all service.

B. Approval of District of Columbia One Card Program

Mr. Benjamin referred the Board to the request for approval to authorize the General Manager to negotiate and execute the One Card Agreement with the District of Columbia, a program fully reimbursable by the District.

Mr. Moneme moved, seconded by Mr. Benjamin, approval of this resolution. This motion was unanimously approved.

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

A copy of the approved Resolution (2008-33) has been made a part of the official file.

C. Diesel Swap Authorization

Mr. Benjamin referred the Board to the request for authorization to execute fuel swaps in FY09 and FY10. The transaction will only be carried out if the price is below budget.

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

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

A copy of the approved Resolution (2008-34) has been made a part of the official file.

Mr. Benjamin moved, seconded by Ms. Hewlett, approval of Items D-I en bloc. This motion was unanimously approved.

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

D. 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.

E. 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.

F. 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.

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

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

H. 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.

I. Approval to Initiate & Award Contracts for Basic Ordering Agreements to Provide Information Technology Services in Support of Major IT Initiatives

Approval to initiate and award one or more basic ordering agreements for providing Information Technology services in support of major IT capital initiatives.

J. Approval to Initiate & Award Contracts for On-Call Technical Consultant Services for Collective Bargaining

Approval to initiate and award multiple contracts for on-call technical consultant services in labor negotiations and expert witness services for ongoing collective bargaining and any possible interest arbitration contingencies in FY09 and FY10.

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

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

Report by Customer Service, Operations and Safety Committee

Mr. Linton reported that Operational Performance, a status report on WMATA communication initiatives, a Crime Report and Safety Performance Indicators were discussed as information items by the Committee.

Administrative Actions

Mr. Benjamin moved, seconded by Mr. Giancola, that the Board approve, en bloc, Administrative Items numbered XI.1 through 9 and XI.11 through 13. This motion was unanimously approved.

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

1. Approval to Initiate & Award a Contract for the Procurement of Dell Personal Computers (PCs), Servers, Laptops and Related Components for Use in WMATA Facilities

Approval to initiate and award a requirements-type contract to Dell Computer Corporation.

2. Approval to Initiate & Award a Contract for FY09 Insurance Program Renewal

Approval to negotiate, execute and implement the FY09 Authority-wide operating insurance program under the existing Insurance Brokerage Services contract.

3. Approval to Initiate & Award a Contract for Door Control Unit Maintenance Program

Approval to initiate and award a sole source contract to IFE North America, LLC for a Door Control Unit Maintenance Program for the 2000, 3000 and 6000 series rail cars.

4. Approval to Initiate & Award a Contract for Ultrasonic Rail Flaw Testing
Approval to initiate and award a competitive procurement for ultrasonic rail flaw testing services.

5. Approval to Initiate & Award a Contract to Lease a Rail Grinder

Approval to initiate and award a contract to lease a rail grinder with operators.

6. Approval to Initiate & Award a Contract for Rail Car Communications Control Panels

Approval to initiate and award a contract to design, furnish, install, integrate, test and commission new communications control panels and associated radio equipment in the 1000 through 5000 series rail cars.

7. Approval of FY09 Project Development Program

Approval for the projects included in the FY09 Project Development Program.

A copy of the approved Resolution (2008-35) has been made a part of the official file.

8. Approval to Increase Largo Extension Budget

Approval of a resolution to increase the Largo Extension Project budget to fund the legal fees related to the Appeal of LGS, ASBCA No. 55361 in the amount of \$132,169.

A copy of the approved Resolution (2008-36) has been made a part of the official file.

9. Approval to Modify Contract for Close-out of Metro Matters Contract at Greenbelt and Shady Grove Yards

Approval for contract modifications for the close-out of Metro Matters Yards Contract FN5008.

11. Approval of Fraternal Order of Police (FOP) Labor Contract

Approval of a resolution for the negotiated Tentative Agreement for the period January 1, 2008 through September 30, 2010.

A copy of the approved Resolution (2008-37) has been made a part of the official file.

12. Ratify Tax Advantaged Lease Emergency Procurement

Ratification of the General Manager's approval to issue a sole source emergency procurement for legal services in connection with the required replacement of the financial instrument provider on several tax advantaged leases as required under the terms of those leases.

13. Ratify Actions for Reduced Fares

Approval of a resolution for the ratification of temporary fare reductions insituted by the General Manager during June 2008 in accordance with the provisions of the Authority Tariff.

A copy of the approved Resolution (2008-38) has been made a part of the official file.

10. Approval to Enter into an Agreement with the United States Mint for Acceptance of the Dollar Coin

Approval to authorize the General Manager to negotiate and execute a cooperative agreement with the United States Mint to advance the circulation of the dollar coin, approve a sole source action to Cubic Transportation Systems for software changes, and authorize an interim funding source as a financial backstop until receipt of funds from the Mint.

A discussion ensued regarding Item XI.10, Approval to Enter into an Agreement with the United States Mint for Acceptance of the Dollar Coin. Mr. Benjamin moved, seconded by Mrs. Hudgins, amendment of the resolution to read:

Resolved, That the Board of Directors authorized the General Manager to negotiate and execute a cooperative agreement with the United States Mint to advance the circulation of the dollar coin in the Metrorail system, *an amount of at least \$750,000*, and be it further

Resolved, That the Board of Directors approves a sole source action to Cubic Transportation Systems for software changes; and be it further

Resolved, That the Board of Directors authorizes an interim funding source utilizing \$750,000 from the Services SmarCard account in the FY09 operating budget as a financial backstop until receipt of funds from the United States Mint...

This resolution was unanimously approved.

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

A copy of the approved Resolution (2008-39) has been made a part of the official file.

Report by D.C.: None

Report by WSTC: None

Report by NVTC: None

Executive Session

Mr. Zimmerman moved, seconded by Mr. Benjamin, that the Board meet in Executive session immediately following the meeting to discuss legal issues with respect to Monument vs. WMATA consistent with Board procedure VI.B, contractual issues with respect to SmarTrip[®] contract operations consistent with Board Procedure VI.D, and safety and security matters consistent with Board Procedure VI.F. This motion was unanimously approved.

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

The meeting was suspended to enter Executive session at 12:33 p.m.

Reconvene

At 1:50 p.m. Mr. Zimmerman reconvened the public session. Present were:

Directors

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

Alternate Directors

Mr. Anthony Giancola

Staff

Mr. John Catoe
Mr. Ray Griswold
Ms. Helen Lew

Ms. Carol O'Keefe
Mr. Chuck Woodruff
Mrs. Leen'da Chambliss

Mr. Zimmerman moved, seconded by Mr. Benjamin, 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. Giancola, Mr. Benjamin, Mrs. Hudgins, Mr. Moneme and Ms. Hewlett

Mr. Zimmerman moved, seconded by Mr. Moneme, approval of a resolution authorizing settlement of Monument v. WMATA. This motion was unanimously approved.

Ayes: 6 - Mr. Zimmerman, Mr. Giancola, Mr. Benjamin, Mrs. Hudgins, Mr. Moneme and Ms. Hewlett


A copy of the approved Resolution (2008-40) has been made a part of the official file.

Mr. Zimmerman moved, seconded by Mr. Benjamin, approval to authorize the exercise of the first option year to Contract C05034 ERG Transit Systems (USA) Inc. for continued operation of the Regional Customer Service Center, to initiate a competitive contract for SmarTrip® program support, and to extend the contract with nMomentum for an amount not to exceed \$100,000. This motion was unanimously approved.

Ayes: 6 - Mr. Zimmerman, Mr. Giancola, Mr. Benjamin, Mrs. Hudgins, Mr. Moneme and Ms. Hewlett

Adjournment:

The meeting was adjourned at 1:53 p.m.


Loyda Sequenzia-Castillo, Board Secretary