



Minutes

1320th Meeting of the Board of Directors June 28, 2007

Ms. Hewlett called the meeting to order at 10:16 a.m. Present were:

Directors

Ms. Elizabeth Hewlett
Mr. Jim Graham
Mr. Peter Benjamin
Mr. Emeka Moneme

Alternate Directors

Mr. Gordon Linton
Mr. Marion Barry
Mrs. Catherine Hudgins
Mr. Marcell Solomon
Mr. William Euille

Staff

Mr. John B. Catoe, Jr.
Mr. Gerald Francis
Ms. Polly Hanson
Ms. Helen Lew

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

Approval of Agenda:

Mr. Benjamin moved, seconded by Mr. Euille, that the agenda be amended to add a resolution for the ratification of reduced fares on June 19, 2007 as Administrative Item XI.A.10. The agenda was approved as amended.

Approval of Minutes:

The minutes of the May 24, 2007 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):

Mr. Snyder referred to the RAC report submitted to the Board. He thanked Deputy General Manager Gerald Francis and the Rail Maintenance Team for clearing the pine needle debris at Twinbrook and White Flint Stations, and commended Red Line Customer Service Manager Bob Hester. He also thanked everyone who participated in the two Pedestrian Safety Town Hall Meetings, from which the RAC saw the need for Transit-Oriented Development lessons learned; a safety, security, and lighting review at Anacostia Station; practical ways to address the problem of young people using the station as a hangout; and continued cooperation between the District of Columbia Department of Transportation and Metro to continually improve pedestrian access to stations, bus stops, street crossings, and bus stop placement.

Mr. Snyder expressed that the Authority organization chart as presented to the RAC is at odds with customer service being a Metro key focus because it does not make customer service the priority. He stated a RAC resolution asks for a reconsideration of how customer guidelines can be centralized while having strong relationships within the operating departments similar to the Rail and MetroAccess service divisions, and to demonstrate Metro's focus on customer outreach; further, he said it is important to include the RAC, Elderly & Disabled and other Metro-sponsored citizen groups on the organizational chart.

Mr. Snyder also stated that, in learning of Mr. Catoe's plan to recommend a fare increase in January, Mr. Catoe first needs to control overtime costs, foster the record-breaking ridership to recognize added revenue and expand the use of off-peak system capacity to increase revenue. He emphasized that the RAC is willing to continue to work with Metro on its recommendations for a fair fare policy tied to a wage-based economic indicator, but that WMATA must look elsewhere for FY08.

Mr. Snyder concluded by expressing the RAC's concurrence on new MetroAccess spending.

Public Comment Period:

Five persons registered to speak during the public comment period conducted at this meeting:

1. Mr. Bobby Coward addressed the Board regarding accountability, oversight and responsiveness in regard to the MetroAccess Ad Hoc committee meeting, stating the Ad Hoc committee recommendations were not developed by the community and that he does not endorse the recommendations because of eligibility concerns.
2. Mr. Michael Sindram expressed multiple concerns regarding a fare adjustment of \$1,140.50; safety concerns of people moving between railcars and wet,

slippery station tiles; a suggestion that WMATA should recycle other materials in addition to paper at train stations; recent articles in the Examiner; and the treatment of a blind friend who was arrested by MTPD.

3. Mr. David Sharp expressed the need for MetroAccess door-to-door service and stated that WMATA should obtain input from people with disabilities in developing programs.
4. Rev. Gloria Sweringa expressed several concerns about MetroAccess and MV Transportation, and noted the need for parliamentary procedure during the MetroAccess Ad Hoc committee meeting.
5. Mr. Bill Orleans expressed concerns about the MetroAccess Ad Hoc committee meeting and the information presented, stating that the Elderly & Disabled committee and the RAC should receive a line-by-line briefing of presentations going to the Board committees.

Report by Chair:

A. Remarks by Board Chair

Ms. Hewlett took a moment to remember Mr. Emmanuel Toche, the driver of a MetroAccess vehicle who was killed in a hit-and-run accident on June 12, 2007. Earlier in the day of the accident, Mr. Toche returned a wallet to one of his passengers who had inadvertently left it in the car. The passenger sent an e-mail describing the incident and asked that he be commended for his integrity and professionalism. A memorial fund has been set up in honor of Mr. Toche to help his family. Ms. Hewlett asked that information on the memorial fund be made available on the WMATA website.

Ms. Hewlett stated that between June 12 and June 16, 2007, two Metrobus operators were assaulted while on the job, and that the Board fully supports legislation introduced by Mr. Jim Graham in the DC Council that would better protect Metrobus operators and impose greater penalties on anyone who assaults, threatens or in any way harms Metrobus operators.

Ms. Hewlett reiterated WMATA's need for an infusion of capital dollars to make necessary repairs and upgrades to aging infrastructure and stated she expected to see increased ridership as the summer months continue. Ms. Hewlett applauded steps the General Manager had taken to hire more full-time bus operators and streamline hiring practices to reduce vacancies.

B. Swearing-In of WMATA Officers

Ms. Hewlett administered the Oath of Office to John (Nat) Bottigheimer, Assistant General Manager for Planning and Joint Development; Andrea Burnside, Assistant General Manager for Human Capital; Polly Hanson, Assistant General Manager for Safety, Security and Emergency Management; Christian Kent, Assistant General Manager for Access Services; Dave Kubicek, Assistant General Manager, Chief Mechanical Officer; Shiva Pant, Chief of Staff; Suzanne Peck, Assistant General Manager for Information Technology; Jack Requa, Assistant General Manager for Operations Services; Milo Victoria, Assistant General Manager for Bus; and Sara Wilson, Assistant General Manager for Corporate Strategy and Communications.

Report by General Manager:

Mr. Catoe clarified that the FY08 Budget before the Board for approval is a balanced budget and does not require or seek a fare increase. He discussed the Green Line service disruption in which approximately 5,000 passengers were shuttled to serviceable stations. To make up for the morning delays, customers were allowed to exit Green Line stations without charge during the evening rush hour, accounting for approximately \$51,000 in lost revenue. The resolution added to the agenda will ratify that action. Mr. Catoe apologized to all of the customers who were inconvenienced and thanked all the Metro employees who worked to continue delivering service. Despite this, last month accounted for four of WMATA's Top Ten and eight of WMATA's Top 25 ridership days.

DuPont has begun the assessment phase of WMATA's safety improvement program. The Pedestrian Safety Town Hall meeting held in June in conjunction with the Riders' Advisory Council and the DC Department of Transportation gave Metro the opportunity to talk about safety with customers. Mr. Catoe thanked Mr. Barry for WMATA's opportunity to participate along with Mr. Moneme in the transportation panel discussion at the annual Ward 8 Economic Development Summit. Mr. Catoe announced the retirement of Mr. Jim Haggins, Acting Assistant General Manager for the Chief Engineer/Project Management, and thanked him for his 22 years of service to WMATA. He also announced the retirement of Mr. Jim Stewart, Auditor General, and thanked him for his 34 years of service to WMATA.

Mr. Catoe asked Ms. Polly Hanson, Assistant General Manager for Safety, Security and Emergency Management, to introduce employees for recognition. Metro Transit Police Officers Jason Williams, Gary Bottalico and Alicia Loney responded to a call from the Anacostia Station bus bay for a report of a man with a gun aboard a bus. A witness told them that a man had displayed a sawed-off shotgun on a bus. They arrested the man who had a loaded shotgun and additional shell. Through their professionalism and dedication these officers succeeded in removing a dangerous person from the streets while preventing injury to others.

Mr. Barry expressed his appreciation on behalf of the District of Columbia and the Ward 8 community. Mr. Graham stated he appreciated the clarification that the FY08 budget was not in need of a fare increase, but asked for further clarification of Mr. Catoe's written statement that implementing the new fare policy early in 2008 rather than at the mid-point would improve WMATA's financial position, asking if this was an improvement rather than a necessity. Mr. Catoe answered that it was not a necessity; the earlier a fare increase is initiated, should the Board approve one, the sooner revenues would be brought in to offset any deficits in the future.

Report by Customer Service, Operations and Safety Committee

A. MetroAccess Contract Modification and Revision of JARC Paratransit Earmark

Mr. Benjamin referred the Board to the request for approval to modify the existing MetroAccess paratransit operating contract with MV Transportation and revise the project list for the previously approved Job Access Reverse Commute funds earmarked for paratransit use to meet the recommendations for the Board's Ad Hoc Advisory Committee.

Mr. Benjamin moved, seconded by Mr. Euille, that the Board approve the contract modification. A discussion ensued regarding the notification of advisory groups. Mr. Benjamin asked if Mrs. Hudgins would accept Mr. Moneme's suggestion to instruct staff to go back to the advisory groups to review issues and report back to the Board in September, without constraining staff from moving forward with this action. Mrs. Hudgins agreed with the suggestion, and Mr. Benjamin and Mr. Euille accepted the insertion of the following after the first Resolved clause as a modification to their motion, *"RESOLVED, That the Board further directs staff to fully consult with the appropriate paratransit advisory groups concerning the expenditure of the JARC funds herein authorized and to report back to the Board in September on the status and results of the consultation; and be it finally"*. This motion was unanimously approved.

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

A copy of the approved Resolution (2007-22) has been made a part of the official file.

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

Mr. Benjamin moved, seconded by Mr. Euille, that action be deferred on this item. This motion was unanimously approved.

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

Report by Planning, Development and Real Estate Committee

As Vice Chair of the committee, Mr. Barry reported for Mr. Zimmerman. Ms. Hewlett recused herself from voting on Planning, Development and Real Estate Committee items; Mr. Solomon voted in place of Ms. Hewlett.

A. Approval of Sale of WMATA Property at Morgan Boulevard Station

Mr. Barry referred the Board to the request for approval to sell WMATA property at Morgan Boulevard station to Camden Summit Partnership, L.P., for an access road to its residential development and to grant a temporary construction easement.

Mr. Barry moved, seconded by Mr. Solomon, that the Board approve to sell WMATA property at Morgan Boulevard station. This motion was unanimously approved.

Ayes: 6 – Mr. Solomon, Mr. Euille, Mr. Graham, Mr. Benjamin, Mrs. Hudgins, and Mr. Moneme

B. Approval of Resolution for Acceptance of Proposals to Relocate WMATA Headquarters

Mr. Barry referred the Board to the request for approval of a resolution to authorize the General Manager to solicit joint development proposals from the Compact jurisdictions for the sale or lease of the Jackson Graham Building for the purposes of evaluating the market value of the Jackson Graham Building and determining the financial benefits of proposals to relocate WMATA's headquarters, and such proposals shall be due within three months of the date that the Board adopts evaluative criteria for assessing proposals to sell or lease the Jackson Graham Building and relocate WMATA headquarters.

Mr. Barry moved, seconded by Mr. Moneme, that the Board approve this resolution. A discussion ensued regarding deadlines for evaluative criteria development. Mr. Graham moved, seconded by Mr. Moneme, an amendment to the resolution adopted by unanimous consent. The resolution was amended in the first resolved clause to read "...and such proposals shall be due within three (3) months of the date *in September 2007* that the Board adopts evaluative criteria *and a joint*

development process for assessing proposals..." Additionally, a second resolved clause was added: "*Resolved, That the Chair of the Board of Directors will appoint a subcommittee composed of one Director from each signatory to work with staff to develop the criteria and process to be adopted at the September meeting of the Board of Directors*". This motion was unanimously approved.

Ayes: 6 – Mr. Solomon, Mr. Euille, Mr. Graham, Mr. Benjamin, Mrs. Hudgins, and Mr. Moneme

A copy of the approved Resolution (2007-23) has been made a part of the official file.

Mr. Barry added that Konrad Schlater, Project Coordinator for the Deputy Mayor for Planning & Economic Development, presented a proposal to WMATA from the District of Columbia as an information item.

C. Approval of Developer Selection and Term Sheet for the Navy Yard East Entrance

Mr. Barry referred the Board to the request for approval to select NJA Associates LLC as developer of the Navy Yard Station East Entrance joint development site; approve the term sheet with the developer; and negotiate a Purchase, Sale and Development Agreement with the developer.

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

Ayes: 6 – Mr. Solomon, Mr. Euille, Mr. Graham, Mr. Benjamin, Mrs. Hudgins, and Mr. Moneme

D. Morgan Boulevard Joint Development Time Extension

Mr. Moneme recused himself for this item. Mr. Barry referred the Board to the request for approval of a 180-day extension of the negotiation period for the Morgan Boulevard Master Development Agreement, and approval to authorize staff to continue negotiations with Garrett Morgan Boulevard Joint Venture.

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

Ayes: 6 – Mr. Solomon, Mr. Euille, Mr. Graham, Mr. Benjamin, Mrs. Hudgins, and Mr. Barry

E. Approval to Negotiate Agreement with Huntington Parking Garage Land Owner

Mr. Barry referred the Board to the request for approval to negotiate with Home Properties for a payment from WMATA to Home Properties for extending the temporary use of Home Properties' land adjacent to the Huntington station as a WMATA surface parking lot.

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

Ayes: 6 – Mr. Solomon, Mr. Euille, Mr. Graham, Mr. Benjamin, Mrs. Hudgins, and Mr. Moneme

Report by Finance, Administration and Oversight Committee

A. FY08 Operating and Capital Budget Summary

Mr. Graham referred the Board to the request for approval of a resolution to approve the FY08 budget totaling \$1.95 billion and consisting of an operating budget of \$1.2 billion, a capital budget of \$0.7 billion and a reimbursable budget of \$41 million.

Mr. Graham moved, seconded by Mr. Moneme, that the Board approve the resolution to approve the FY08 budget. This motion was unanimously approved.

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

A copy of the approved Resolution (2007-24) has been made a part of the official file.

B. Approval to Revise WMATA Property Use Regulations

Mr. Graham referred the Board to the request for approval of a resolution to adopt revisions to the use regulations to allow additional advertising in Metrorail stations, railcars, wallspaces, and on the WMATA web site.

Mr. Graham moved, seconded by Mr. Benjamin, that the Board approve a resolution to adopt revisions to the WMATA use regulations. This motion was unanimously approved.

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

A copy of the approved Resolution (2007-25) has been made a part of the official file.

C. Dulles-Incorporate Cost Associated with Inter-governmental Agreement into Metro's Capital Budget

Mr. Graham referred the Board to the request for approval of a resolution to approve the WMATA-Metropolitan Washington Airports Authority (MWAA) Intergovernmental Agreement defining WMATA's role on the Dulles Corridor Metrorail project and provide \$273 million to Metro for railcars, equipment and technical support.

Mr. Graham moved, seconded by Mrs. Hudgins, that the Board approve a resolution to approve the WMATA-MWAA Intergovernmental Agreement. Mr. Graham moved an amendment, seconded by Mr. Benjamin, to add as the second to last Resolved clause, "*Resolved, That the WMATA Board encourages MWAA and its contractor to work with the workforce development agencies in all WMATA jurisdictions to ensure that residents throughout the region are aware of the job opportunities associated with all appropriate elements of the Dulles Extension Project*". The amendment was unanimously approved. Mr. Benjamin moved an amendment to what had previously been the second to last Resolved clause to read, "...of the project as defined in the IGA, *that WMATA shall bear no costs under this agreement, including cost overruns, and that any future...*" Mr. Graham and Mrs. Hudgins accepted Mr. Benjamin's motion as an amendment to the previous motion. The amendment was unanimously approved. This motion was unanimously approved as amended.

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

A copy of the approved Resolution (2007-26) has been made a part of the official file.

D. Dulles-Adopt Financial Plan for Full Funding Grant Agreement Including metro's Financial Capacity

Mr. Graham referred the Board to the request for approval of a resolution to approve a final financial plan for the eleven-mile, five-station extension from the existing Orange Line to Wiehle Avenue.

Mr. Graham moved, seconded by Mrs. Hudgins, that the Board approve a resolution to approve this action. This motion was unanimously approved.

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

A copy of the approved Resolution (2007-27) has been made a part of the official file.

E. Staff Report and Recommendations to Restructure Metrobus Lines 25A-R and 7A-W

Mr. Graham referred the Board to the request for approval of the report and recommendations to restructure Metrobus Lines 25A-R Ballston-Bradlee-Pentagon and 7A-W Lincolnia-North Fairlington; and implementation of Saturday service on 22B Pentagon-Army-Navy Drive-Shirley Park Line. Arlington County requested the service plan to be implemented in December rather than September.

Mr. Graham moved, seconded by Mr. Euille, that the Board approve a resolution to accept these actions. This motion was unanimously approved.

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

F. Approval to Increase the Frequency of Non-Regional Metrobus Service on Route 98-Adams Morgan-U St Link

Mr. Graham referred the Board to the request for approval to increase the frequency of service on Metrobus Route 98 for a three-month demonstration period beginning July 1, 2007.

Mr. Graham moved, seconded by Mr. Moneme, that the Board approve to increase the frequency of service on Metrobus Route 98. This motion was unanimously approved.

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

Mr. Graham added that the FY07 Monthly Operating Financial Report (March and April 2007) was discussed as an information item at the committee meeting.

Administrative Actions

Other Items

Mr. Graham requested separate consideration of Item 5, Approval to Initiate & Award or Modify Contracts to Implement Office of Information Technology Business Plan. Mr. Graham moved, seconded by Mr. Benjamin, that the Board approve, en bloc, Administrative Items IX.A numbered 1-4 and 6-10. Ms. Hewlett called for a

vote to approve Administrative Items IX.A numbered 1-4 and 6-10. This motion was unanimously approved.

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

1. Approval to Initiate & Award Contracts for Maintenance, Repair and Operations Parts

Approval to initiate and award multiple contracts for common Maintenance, Repair and Operations parts.

2. Approval to Initiate & Award a Contract for Engine/Transmission Parts

Approval to initiate and award a competitive requirements contract for engine and transmission parts.

3. Approval to Initiate & Award a Contract for Organizational Development Initiatives

Approval to initiate and award a contract for organizational development initiatives not previously approved.

4. Approval to Initiate & Award a Contract for Removal of Scrap Metal

Approval to initiate and award a contract to remove scrap metal from WMATA property.

6. Approval to Initiate & Award or Modify Contracts for Enhanced Advertising

Approval to modify WMATA's existing advertising contract, and to initiate and award competitively negotiated contracts for advertising on WMATA buildings and on the WMATA web site.

7. Approval to Modify Contract for Metro Matters Greenbelt and Shady Grove Yards

Approval to provide additional authorization to cover the costs of the negotiated settlements for modifications to Metro Matters Greenbelt and Shady Grove Yards.

8. Approval to Award Option year for Parking Customer Assistance Contract

Approval to exercise the third option year of the Parking Customer Assistance Contract with LAZ Parking Mid-Atlantic, Inc.

9. Approval of FY08 Project Development Program

Approval of the projects included in the 2008 Project Development Program.

A copy of the approved Resolution (2007-28) has been made a part of the official file.

10. Approval for Ratification Action for Reduced Fares

Approval to ratify the fare reductions implemented by the General Manager due to the service disruption on June 19, 2007.

A copy of the approved Resolution (2007-29) has been made a part of the official file.

5. Approval to Initiate & Award or Modify Contracts to Implement Office of Information Technology Business Plan

Approval to modify existing Office of Information Technology contracts or to initiate and award new contracts as required to continue the implementation of the Office of Information Technology Strategic and Business Plan.

A discussion ensued regarding the projects and contracts to be completed by the approval of this item.

Mr. Graham moved, seconded by Mr. Benjamin, to approve this action with the requirement that a list of monies to be spent on individual projects be provided to the Board. After a discussion, the motion was unanimously approved.

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

REPORT BY D.C.: None

REPORT BY WSTC: None

REPORT BY NVTC: None

10. Approval for Ratification Action for Reduced Fares

Approval to ratify the fare reductions implemented by the General Manager due to the service disruption on June 19, 2007.

A discussion ensued regarding Administrative Items IX.A.5, Approval to Initiate & Award or Modify Contracts to Implement Office of Information Technology Business Plan.

Mr. Graham moved, seconded by Mr. Benjamin, to amend to approve this action with the requirement that monies to be spent on individual projects be listed and attached hereto.

Mr. Moneme moved, seconded by Mr. Zimmerman, approval of Administrative Item IX.A.5. After a discussion, the motion was unanimously approved.

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

REPORT BY D.C.: None

REPORT BY WSTC: None

REPORT BY NVTC: None

ADJOURNMENT:

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

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

The meeting was adjourned at 12:09 p.m.



Calvin R. Skinner, Acting Board Secretary