



Minutes

1335th Meeting of the Board of Directors November 20, 2008

Mr. Zimmerman called the meeting to order at 11:36 a.m. Present were:

Directors

Mr. Chris Zimmerman
Mr. Jim Graham
Mr. Peter Benjamin
Mrs. Catherine Hudgins
Mr. Neil Albert
Ms. Elizabeth Hewlett

Alternate Directors

Mr. William Eulle
Mr. Gordon Linton
Mr. Anthony Giancola
Mr. Marcell Solomon

Staff

Mr. John Catoe	Ms. Carol O'Keeffe
Mr. Gerald Francis	Mr. Shiva Pant
Ms. Helen Lew	Ms. Loyda Sequeira-Castillo
Ms. Carol Kissal	
Mr. Emeka Moneme	

Public Comment Period:

One person spoke during the public comment period conducted at this meeting:

1. Mr. Cory Siansky requested a re-launch of the pilot retail study with the modification that limited food sales outside of fare gates would be permitted.

A discussion ensued with the result that the Board would receive an information memo regarding the issue within the next two weeks.

Approval of Agenda:

Mr. Benjamin requested that Item XI.3, Modify Contract to Realign Scope of SmarTrip[®] Program and Finalize ERG Claims, be referred to the Technology

**Washington
Metropolitan Area
Transit Authority**

600 Fifth Street, NW
Washington, DC 20001
202/962-1234

By Metrorail:
Judiciary Square--Red
Line
Gallery Place-Chinatown--
Red, Green and
Yellow Lines
By Metrobus:
Routes D1, D3, D6, P6,
70, 71, 80, X2

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

Review Committee. Mr. Catoe stated that the item would then be presented to the Board at the December 18, 2008 Board meeting. The revision to the agenda was approved by unanimous consent.

Approval of Minutes:

The minutes of the October 16, 2008 Board meeting and November 6, 2008 Special Board meeting were approved as submitted.

Report by Riders' Advisory Council (RAC):

Ms. Iacomini referred to the report submitted to the Board, which included comments on the Blue Line Realignment and expressed concern that the information campaign regarding the elimination of paper transfers is not moving rapidly enough.

Mr. Zimmerman urged a ramping up of improved communication on the elimination of paper transfers.

Report by Chairman:

Mr. Zimmerman moved, seconded by Mr. Graham, approval of the revised 2008 Committee assignments adding Mr. Albert as a member of each committee. This motion was unanimously approved.

Ayes: 6 - Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Albert, and Ms. Hewlett

Report by General Manager:

Mr. Catoe gave a presentation on the status of Metro's planning efforts regarding the inauguration events of January 2009, after which he requested approval of a resolution of various matters in preparation for the January 20, 2009 inauguration. These matters included the prohibition of bicycles on Metrobus and Metrorail and the closure to the public of all Metrorail station restrooms on that day, and the sale of a commemorative SmarTrip[®] card without any encoded fare value specially priced at \$10.

A discussion ensued regarding these issues. Mr. Graham moved, seconded by Mrs. Hudgins, approval of the resolution. Mr. Graham then requested amendment of the resolution by removing the language prohibiting bicycles and specifying that portable restrooms would be provided with the installation

of appropriate signage. This amendment was adopted by unanimous consent. Mr. Benjamin requested amendment to the resolution to allow the Authority the flexibility to price the commemorative SmarTrip® cards appropriately should the card be pre-loaded with value prior to sale. This amendment was adopted by unanimous consent. The resolution as amended was approved unanimously.

Ayes: 6 - Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Albert, and Ms. Hewlett

A copy of the approved Resolution (2008-55) has been made a part of the official file.

Mr. Francis recognized Metrobus Operator Jennifer Edwards, whose assistance led to the arrest of the abductor and the rescue of a boy for which an Amber Alert had been issued.

Report by Finance, Administration and Oversight Committee

A. Staff Report on Public Hearing to Increase Charter Fees

Mr. Benjamin referred the Board to the request for approval of a resolution to increase the fee for charter services. The current rate of \$83 per hour would remain the rate for charter services for local jurisdictions, but the fee for non-jurisdictional customers would increase to \$159 per hour and \$172 per hour for lecture services. Mr. Benjamin moved, seconded by Mrs. Hudgins, approval of this resolution. The motion was unanimously approved.

Ayes: 6 - Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Albert, and Ms. Hewlett

A copy of the approved Resolution (2008-56) has been made a part of the official file.

B. Amend FY09 Budget for Security Camera Project

Mr. Benjamin referred the Board to the request for approval of a resolution for the installation of surveillance cameras at 12 Metrorail stations. Ten of the cameras are to be installed in the District of Columbia; the District has set aside \$200,000 for funding. Fairfax County is making \$75,000 available for this project.

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

Ayes: 6 - Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Albert, and Ms. Hewlett

A copy of the approved Resolution (2008-57) has been made a part of the official file.

Report by Planning, Development and Real Estate Committee

A. Shared Use by Marriott of Metro's Parking Garage at Prince George's Plaza Metrorail Station

Mrs. Hudgins referred the Board to the request for approval to negotiate an amendment to the joint development retail ground lease with Prince George's Station Retail, LLC to allow Courtyard by Marriott at Belcrest Center guests non-exclusive use of 45 spaces in Metro's parking structure at Prince George's Plaza Metrorail Station.

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

Ayes: 4 - Mr. Graham, Mrs. Hudgins, Mr. Albert, and Ms. Hewlett

Nayes:2 - Mr. Zimmerman and Mr. Benjamin

B. Adoption of 7000 Series Rail Car Design

Mrs. Hudgins referred the Board to the request for adoption of the 7000 Series design for future rail car procurements.

Mrs. Hudgins moved, seconded by Mr. Benjamin, approval of this action. Mr. Zimmerman noted that additional information would be forthcoming to aid in further decisions about interior configuration, and that these rail cars would structurally allow for flexibility of seat and handhold placement. This motion was unanimously approved.

Ayes: 6 - Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Albert, and Ms. Hewlett

C. Amendment to Joint Development Policies and Guidelines/Selection Criteria

Mrs. Hudgins referred the Board to the request for approval of a resolution for the adoption of a selection criterion for joint development offeror integrity and business ethics per Board direction, and amendment to the Joint

Development Policies & Guidelines to incorporate said criterion, as amended in committee.

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

Ayes: 6 - Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Albert, and Ms. Hewlett

A copy of the approved Resolution (2008-58) has been made a part of the official file.

Mrs. Hudgins reported that the Joint Development Small, Local and Minority Business Enterprise Policies and Guidelines was deferred to a future meeting and that the possible relocation of WMATA's Headquarters was deferred to the January 29, 2009 Planning, Development and Real Estate Committee meeting and would return as an action item.

Report by Customer Service, Operations and Safety Committee

A. Adoption of MetroAccess Fleet Plan

Mr. Graham referred the Board to the request for approval of a resolution to adopt Metro's first MetroAccess Revenue Vehicle Fleet Management Plan to provide for the acquisition of accessible vehicles to update the aging fleet and support future growth of Metro's complementary ADA paratransit program.

Mr. Graham moved, seconded by Mrs. Hudgins, that the Board approve this resolution. Mr. Benjamin noted that this action was for planning purposes only, and is not a commitment to purchase the vehicles. This resolution was unanimously approved.

Ayes: 6 - Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Albert, and Ms. Hewlett

A copy of the approved Resolution (2008-59) has been made a part of the official file.

Mr. Graham also reported that operational performance indicators, safety performance indicators, the elimination of paper transfers, and a SmarTrip[®] program update were all discussed as information items by the Committee. He noted that implementation of bus-to-rail transfers would occur in January 2009.

Administrative Actions

1. Approval to Initiate & Award Contract for Police Psychological Testing

Approval to initiate and award a competitively negotiated contract to a firm for a three year base amount of \$284,000 and up to two option years, contingent on Board approval of the respective fiscal year budgets and the availability of funds.

Mr. Zimmerman 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. Albert, and Ms. Hewlett

2. Approval to Initiate & Award a Sole Source Contract for Rail Car Brake Assemblies

Approval to initiate and award a one-year sole source contract with Knorr Brake Corporation to procure 700 rail car brake disc assemblies for the CAF rail cars.

Mr. Zimmerman 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. Albert, and Ms. Hewlett

3. **Modify Contract to Realign Scope of SmarTrip® Program and Finalize ERG Claims**

Deferred

4. Approve Indemnification of CVS Corporation for Sales of SmarTrip® Cards

Approval of a resolution to indemnify the CVS Caremark Corporation against liability arising out of the sale of SmarTrip® cards by CVS/pharmacy retail stores.

A discussion ensued during which Mr. Zimmerman requested a report on the progress of increasing the number of locations where customers can load value onto their SmarTrip® cards. Mrs. Hudgins suggested looking into ethnic grocery store chains as possible locations.

Ayes: 6 - Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Albert, and Ms. Hewlett

A copy of the approved Resolution (2008-60) has been made a part of the official file.

Report by D.C.: Mr. Graham stated that the District of Columbia provided the funds necessary to open the Metrorail system an hour earlier on the Friday after Thanksgiving.

Report by WSTC: None

Report by NVTC: Mrs. Hudgins spoke about the need for a unified voice among the jurisdictions regarding the leaseback issue.

Mr. Zimmerman moved, seconded by Mr. Benjamin, that the Board meet in Executive Session to discuss litigation matters consistent with Board Procedure VI.B.; personnel matters consistent with Board Procedure VI.C.; legislative strategy consistent with Board Procedure VI.H.; and security matters consistent with Board Procedure VI.F. This motion was unanimously approved.

Ayes: 6 - Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mrs. Hudgins, Mr. Albert, and Ms. Hewlett

At 1:03 p.m. Mr. Zimmerman suspended the public meeting to enter into Executive Session.

Reconvene

At 2:15 p.m. Mr. Zimmerman reconvened the Public Session. Present were:

Directors

Mr. Chris Zimmerman
Mr. Jim Graham
Mr. Peter Benjamin
Mr. Neil Albert
Ms. Elizabeth Hewlett

Alternate Directors

Mr. Gordon Linton
Mr. Anthony Giancola

Staff

Mr. John Catoe
Ms. Andrea Burnside
Mr. Gerald Francis

Ms. Carol Dillon Kissal
Ms. Carol O'Keeffe
Ms. Loyda Sequeira-Castillo

Mr. Zimmerman moved, seconded by Mr. Graham, to certify with no individual member dissenting 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.

Mr. Zimmerman moved, seconded by Mr. Graham, approval of a resolution to terminate tax-advantaged leases with KBC Bank, N.V. This motion was unanimously approved.

A copy of the approved Resolution (2008-61) has been made a part of the official file.

Mr. Zimmerman moved, seconded by Mr. Benjamin, approval of a resolution to terminate tax-advantaged leases with Mellon Leasing Corporation. This motion was unanimously approved.

A copy of the approved Resolution (2008-62) has been made a part of the official file.

Mr. Zimmerman moved, seconded by Mr. Albert, approval of a resolution delegating to the General Manager the authority to amend, revise or repeal Section 4.6 of the Personnel Policy and Procedures Manual (Reduction-In-Force). This motion was unanimously approved.

A copy of the approved Resolution (2008-63) has been made a part of the official file.

Adjournment

The meeting was adjourned at 2:18 p.m.



Loyda Sequeira-Castillo, Board Secretary