



**Expo**

**Exposition Metro Line  
Construction Authority**

707 Wilshire Boulevard  
34th Floor  
Los Angeles, CA 90017

213.243.5500  
BuildExpo.org

**3**

July 6, 2006 – 2:30 p.m.

---

## **MINUTES**

**Regular Board Meeting  
Board of Directors**

**Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012  
Board of Supervisors' Hearing Room 381B**

---

Called to Order at 2:35 p.m.

---

Directors Present:

Yvonne B. Burke, Chair  
Jan Perry, Vice Chair  
Alan Corlin  
Pam O'Connor  
Bernard C. Parks  
Herb Wesson, Jr.  
Zev Yaroslavsky  
Roger Snoble, non-voting member

---

Officers:

Richard D. Thorpe, Chief Executive Officer  
Juanita Carey, Clerk of the Board  
Robert Pearman, Deputy General Counsel

1. Called to Order at 2:35 p.m.
2. Roll Called

Madam Chair made a decision that Public Comment speakers may comment on every item for 2 minutes.

3. **APPROVE** Minutes of meeting held July 6, 2006

**The vote was unanimous.**

4. **RECEIVED** Public Comment (On/Off Agenda)

5. **APPROVED** on Consent Calendar

- a. Chief Executive Officer Report on Monthly Contract Actions
- b. 457 Deferred Compensation Plan
- c. Review Public Comment Process

**The vote was unanimous.**

6. General Board Action Item(s)

- a. **APPROVED** Carter & Burgess Contract on substantially the same terms as LACMTA Contract MC067 for Construction Management Support Services.

**The vote was unanimous.**

- b. (1) **APPROVED** Parks Motion for Board Approval of Salary Offers exceeding \$125,000.

**The Roll Call Vote passed; 4 Ayes, 3 Noes**

Robert Pearman, Deputy General Counsel, recommended that Madam Chair bring this action back to the Board with required amendments to the Administrative Code, which currently reads, "The Board oversees and provides general direction in management and should not be involved in the day-to-day affairs of the agency. Board Members should not be involved in the hiring of employees or other personnel actions by Authority contractors or their subcontractors. The Chief Executive Officer shall receive orders and instructions from the Board only when sitting in a duly convened meeting of the Board; no individual Board Member shall give any orders or instructions to the Chief Executive Officer."

Reconsideration of Parks Motion for Board approval of salary offers exceeding \$125,000.

- (2) **APPROVED** Madam Chair's motion for **Reconsideration of the Roll Call Vote on the Parks Motion**.

**The Reconsideration vote was unanimous.**

- (3) **APPROVED** Director Yaroslavsky's **substitute motion** that the Chief Executive Officer advises the Board of all new hires of salaries exceeding \$125,000, as information only.

**The vote passed 6 Ayes, 1 No.**

- c. **APPROVED** recommendation to Defer Legal Services Contract Hourly Rate Increases.

Madam Chair suggested that resumes of the candidates be circulated to Board Members and if a formal interview is needed, one will be set up.

Mr. Hayes, Public Comment speaker, stated that he is making a demand for corrective action under Section 54960.1 and 54960.2, under the Brown Act, and that the Board has 30 days in which to reply.

**The vote was unanimous.**

- d. **APPROVED** the Interim Work Order to the City of Los Angeles for FY07 Support.

**The vote was unanimous.**

- e. **APPROVED** the Purchase of Universal Fare System Equipment.

**The vote was unanimous.**

7. General Board Discussion Item(s)

- a. **RECEIVED** the Monthly Project Status Update

Mr. Thorpe made an oral presentation of the Monthly Project Status Update.

The Design-Builder's initial construction estimate and project schedule have been received and staff is in the process of reviewing. Staff will bring the results of the review back to the Board next month.

The Authority is continuing to work with the City of L.A. and is very close to finalizing negotiations on the Master Cooperative Agreement. The City is on a schedule to finalize approval of the process by the end of July, 2006, and staff plans to bring it back in August, 2006, for Board approval.

Staff is continuing to work with the City of Culver City on the Master Cooperative Agreement.

The Authority will be hosting the third Urban Design Committee meeting on Tuesday, July 11<sup>th</sup> and will continue to receive Committee input.

Staff is continuing to work on real estate acquisitions with Metro assisting the Authority in the process. Parcels of the acquisitions required for the overall project have been submitted to the Board.

Staff is working with the Design-Builder on their Construction Insurance Program as well as the Quality Program before actual construction starts. The initial Professional Liability Insurance has been purchased. Staff is also working on the detailed project schedule, which will bring together the contracting plan and the Design-Builder's approach as to how the project will be built.

Surveyors have started working on the right-of-way and will continue through the month of July, 2006.

The Authority anticipates receipt of the contractor's initial construction package later this month. Once the construction package is received, it will include an estimate for the construction work. Staff will review the estimate, negotiate a final cost for the work, and if it is a fair and reasonable price, staff will bring it back to the Board, a recommendation for approval.

Based on the Board's action today, staff will proceed with placing the order for the Universal Fare System equipment this month.

Mr. Thorpe stated that the Community Outreach Program is going to be very aggressive over the next few months and want to make sure community input is solicited as the Authority finishes final design and moves into construction.

## 8. CEO Comments

Mr. Thorpe introduced the eight fulltime employees and four interim/seconded employees of the Authority.

Samantha Bricker, Chief Operating Officer  
Joel Sandberg, Director Engineering and Construction  
Juanita Carey, Clerk of the Board  
Genetha Eddins, Government/Community Relations Manager  
Kevin Tvedt, Finance Manager  
Bud Gandy, Project Control Manager  
Gregory Moore, Procurement Manager  
Gaby Gonzales, Government/Community Relations Representative

Stephen Polechronis – Interim Chief Project Officer  
Mark Perez – Interim Director Project Management  
Wandra Hawthorne – Interim Receptionist/Secretary  
Richard Thorpe – Chief Executive Officer

He stated that there are two vacant positions that will be filled later in the fiscal year; a Government/Community Relations Representative and Executive Assistant.

#### 9. Board Member Comments

Madam Chair commented that Mr. Hayes has asked to speak as a Board Member but does not believe he qualifies and deferred to Counsel for clarification.

Mr. Pearman stated that the comments have to be at the beginning on the items that he presents.

Madam Chair read into record, the following determination of what the Board approved in terms of Public Comment Policy:

“Anyone who wishes to make public comment will be called upon at the beginning of the meeting. At that time, the person can make general public comment or comment on any item that is listed on the agenda. Any request to speak must be received prior to the time that we commence the meeting. However, during the meeting, if there is someone who has not spoken in public comment and they wish to speak on a particular item, they can turn in their request to speak on that particular item. However, anyone who wants to speak on public comment and any other items, and/or anyone who is speaking on more than one item, we be taken at the beginning of the meeting.

If there is anyone who wishes to file suit on this determination, we are basing this on what our Counsel has provided us and we would certainly respect their right to do that.”

Director Perry asked Mr. Thorpe at what point could we begin to draft language that will ensure that we hire people who are in the impacted area; people who

would be considered disadvantaged or at-risk, or people who are unemployed. She further inquired as to what the precedence is for that, and what the strategy is to continue that within the context of this project, and also which staff person would be handling that issue.

Mr. Thorpe stated that staff is in the process of working to put together a Jobs Program and have hired Terry Solis. Ms. Solis is involved with this type of program on other projects, including the Alameda Corridor. She is reviewing other Jobs Programs and is soliciting input from all of the Board Members. Once the information is compiled, a program will be developed and staff will bring it back to the Board for approval. Once the Authority receives Board approval, the Program will be implemented.

Staff is now in the process of filling intern positions. We have spoken with counselors at Dorsey High School about getting some interns during the summer to help on various aspects of the project. The Contractor is also working to bring in people as well. Once the Jobs Program is developed, training and apprenticeship programs can be initiated.

Director Perry requested examples of what the contractor is doing at this time.

Mr. Thorpe stated that the contractor is working with the unions in trying to take people out of order on the seniority list based on the person living within the community of the project. They are also working with the unions on apprenticeship programs and the ability to hire.

Director Perry addressed Madam Chair, asking if an item could be put on the next agenda to have further discussion on this issue.

Madam Chair stated that she felt it would be a good idea for the contractor to present the mechanism that will be used for the subcontractors in order for them to buy into the process. She further stated that after Ms. Solis provides the basics of the program, that the contractor be involved in the determination of the program, and that a meeting be scheduled with the Board so that everyone is familiar with it.

Director Perry requested that the contractor join us at the next board meeting.

Mr. Hayes requested to comment on Board Member Comments.

Madam Chair stated that she ruled that it was Board Member Comment, not Public Comment and that Board Member Comment is Members of the Board.

Madam Chair deferred to Counsel for advice.

Mr. Pearman stated that there has already been a public comment period, and under the current rules, comment has to be made at the beginning of the session.

10. Recessed to Closed Session at 3:45 p.m.

Personnel Matters – G.C. 54957

Public Employee Employment

Chief Executive Officer  
Chief Project Officer

11. Reconvened to Regular Board meeting at 5:49 p.m.

**No Reportable Action was taken.**

The meeting was adjourned at 5:05 p.m.

Prepared by: Juanita Carey  
Clerk of the Board