



Metro Gold Line Foothill Extension Construction Authority Board

Arcadia City Council Chambers
240 West Huntington Drive
Arcadia, California 91007

September 14, 2011
7:00 P.M.

AGENDA

Board Members:

Doug Tessitor
Chair
Mayor,
City of Glendora
Appointee of
City of Pasadena

Sam Pedroza
1st Vice Chair
Mayor,
City of Claremont
Appointee of
San Gabriel Valley
Council of
Governments

Vacant
Appointee of
City of Los Angeles

Keith Hanks
Member
Council Member,
City of Azusa
Appointee of
City of South
Pasadena

John Fasana
Member
Council Member,
City of Duarte
Appointee of
Los Angeles County
Metropolitan
Transportation
Authority

Bill Bogaard
Member, Non-Voting
Mayor,
City of Pasadena
Appointee, City of
Pasadena

Lara Larramendi
Member, Non-Voting
Governatorial
Appointee

Daniel M. Evans
Member, Non-Voting
City of
South Pasadena
Appointee, City of
South Pasadena

Executive Officer:

Habib F. Balian
Chief Executive Officer

Items:

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Public Comments on Items On/Off Agenda**
5. **CEO's Monthly Report**
6. **Consent Calendar**
 - a. Approval of Minutes of Board Meeting held August 10, 2011
 - b. Approval of Minutes of Board Meeting held August 24, 2011
 - c. Receive and File Financial Quarterly Update
 - d. Approval of Caltrans Work Order: FY2012
 - e. Approval of SCRRA Work Order for FY 2011 and FY 2012
 - f. Consideration of Cost of Living Adjustment
 - g. Adoption of Pasadena to Montclair Financial Plan - Revision 6
 - h. Adoption of Montclair to Ontario Financial Plan
7. **General Board Items**
 - a. Receive and File Report on Project Update: San Gabriel River Bridge
 - b. Receive and File Report on Project Environmental Benefits / Findings
 - c. Consideration of Appointment of Alternate Voting Board Member
8. **General Counsel's Report**
9. **Board Member Comments**

Committee(s) Review

Finance
Finance
Finance
Finance
Finance
Finance

Committee(s) Review

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Construction Authority to all or a majority of the Construction Authority Board less than 72 hours prior to that meeting are available for public inspection at 406 E. Huntington Drive, Suite 202, Monrovia, CA during normal business hours.

10. Closed Session

A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR..... G.C. 54956.8

(i) Property: (1) 8513-012-804; (2) 8513-012-805; (3) 8513-012-806;
(4) 8513-012-908; (5) 8513-012-909; (6) 8513-012-910
(7) 8513-012-911; (8) 8513-012-912; (9) 8513-012-913

Agency Negotiator: Habib F. Balian and Wes Beverlin, Esq.
Negotiating Parties: Monrovia Redevelopment Agency
Under Negotiation: Price and terms

(ii) Property: 8513-012-043

Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Hoffman Family Trust/Linsalato
Under Negotiation: Price and terms

(iii) Property: 8531-017-022

Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Peter & Yolanda Gutierrez
Under Negotiation: Price and terms

(iv) Property: (1) 8513-012-032; (2) 8513-012-033;
(3) 8513-012-034; (4) 8513-012-035;
(5) 8513-012-036

Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Excalibur Holdings
Under Negotiation: Price and terms

(v) Property: 8513-012-054

Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Mark Charvat/ELS
Under Negotiation: Price and terms

B. CONFERENCE WITH LEGAL COUNSEL:..... G.C. 54956.9(a)
Pending Litigation

(i) Excalibur Property Holdings, LLC and George Brokate v.
Pasadena Metro Blue Line Construction Authority
Case No. BS130732

(ii) Excalibur Property Holdings, LLC and George Brokate v.
City of Monrovia et. al.
Case No. BS129985

C. CONFERENCE WITH LEGAL COUNSEL..... (G.C. 54956.9(b))

(i) Anticipated Litigation:

A point has been reached where, in the opinion of the Authority Board on the advice of its legal counsel, based on the receipt of a Notice of Application to Attorney General and related documents from Christopher Sutton, there is a significant exposure to litigation against the Authority.

(ii) Anticipated Litigation:

A point has been reached where, in the opinion of the Authority Board on the advice of its legal counsel, based on the receipt of a document entitled *Joint Objections to Gold Line's July 17, 2011 Agenda Items No. 5, 6, and 10.c and All Related Approvals* and related documents submitted by The Silverstein Law Firm, together with oral testimony from Robert Silverstein and Christopher Sutton on July 27, 2011 regarding those agenda items, there is a significant exposure to litigation against the Authority.

11. Adjournment

Next Meeting: September 28, 2011 @ 7:00 p.m.
Arcadia City Council Chambers
240 West Huntington Drive
Arcadia, California 91007