



Metro Gold Line Foothill Extension Construction Authority Board

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

October 12, 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

Jon Blickestaff
Board Appointed
Alternate
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
Gubernatorial
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 Committee(s) Review
 - a. Approval of Minutes of Special Board Meeting held July 27, 2011
 - b. Approval of Minutes of Board Meeting held September 14, 2011
 - c. Approval of Minutes of Special Board Meeting held September 28, 2011
 - d. Authorize CEO to Award Contract in Response to Request for Proposals (RFP) for Small Business Enterprise (SBE) Audit Services Construction
 - e. Approval of Revision to Caltrans Work Authorization to Phase 2A Alignment Project for FY 2011 Construction
 - f. Consideration of Project Management Plan Revisions Construction
7. General Board Items Committee(s) Review
 - a. Receive and File Report on Project Update: Structures
8. General Counsel's Report
9. Board Member Comments

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: (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

- (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: 8528-015-051

Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Cal-Am Water
Under Negotiation: Price and terms

- (v) Property: 8531-017-021

Agency Negotiator: Habib F. Balian and Regina Danner, Esq.
Negotiating Parties: Javier & Micaela Sanchez
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
- (iii) Excalibur Property Holdings, LLC and George Brokate v.
Pasadena Metro Blue Line Construction Authority et. al.
Case No. BS133977

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: **October 26, 2011 @ 7:00 p.m.**
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240 West Huntington Drive
Arcadia, California 91007