

Wednesday, May 16, 2012 2:30 PM

# REVISED Agenda

## Finance, Budget and Audit Committee Meeting

One Gateway Plaza  
3<sup>rd</sup> Floor Board Room

### Call to Order

### Directors

Mel Wilson, Chair \*  
Ara Najarian, Vice Chair  
John Fasana  
Gloria Molina  
Mark Ridley-Thomas  
Michael Miles, non-voting member

### Officers

Arthur T. Leahy, Chief Executive Officer  
Michele Jackson, Board Secretary  
Karen Gorman, Ethics Officer  
Karen Gorman, Acting Inspector General  
County Counsel, General Counsel

\*Via Telephone  
Omni Hotel Lobby  
2500 Calvert Street NW  
Washington, District of Columbia 20008



Los Angeles County  
Metropolitan Transportation Authority

**Metro**

## **METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES (ALSO APPLIES TO BOARD COMMITTEES)**

### **PUBLIC INPUT**

The meetings of the Metropolitan Transportation Authority Board are open to the public. A member of the public may address the Board on agenda items, before or during the Board or Committee's consideration of the item for up to 5 minutes per item, or at the discretion of the Chair. A request to address the Board should be submitted in person at the meeting to the Board Secretary prior to the start of the meeting.

The public may also address the MTA on non-agenda items within the subject matter jurisdiction of the MTA during the public comment period, which will be held at the end of each meeting. Each person will be allowed to speak for one minute and may speak no more than once during the Public Comment period. Public Comment will last a maximum of 30 minutes, or as otherwise indicated by the Chair. Speakers will be called according to the order in which the speaker request forms are received until the Public Comment period has expired. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

In accordance with State Law (Brown Act), all matters to be acted on by the MTA Board must be posted at least 72 hours prior to the Board meeting. In case of emergency, or when a subject matter arises subsequent to the posting of the agenda, upon making certain findings, the Board may act on an item that is not on the posted agenda.

**CONDUCT IN THE BOARD ROOM** - The following rules pertain to conduct at Metropolitan Transportation Authority meetings:

**REMOVAL FROM THE BOARD ROOM** The Chair shall order removed from the Board Room any person who commits the following acts with respect to any meeting of the MTA Board:

- a. Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.
- b. A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.
- c. Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and
- d. Any other unlawful interference with the due and orderly course of said meeting.

### **INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD**

Agendas for the Regular MTA Board meetings are prepared by the Board Secretary and are available prior to the meeting in the MTA Records Management Department and on the Internet. Every meeting of the MTA Board of Directors is recorded on CD's and as MP3's and can be made available for a nominal charge.

### **DISCLOSURE OF CONTRIBUTIONS**

The State Political Reform Act (Government Code Section 84308) requires that a party to a proceeding before an agency involving a license, permit, or other entitlement for use, including all contracts (other than competitively bid, labor, or personal employment contracts), shall disclose on the record of the proceeding any contributions in an amount of more than \$250 made within the preceding 12 months by the party, or his or her agent, to any officer of the agency, additionally PUC Code Sec. 130051.20 requires that no member accept a contribution of over ten dollars (\$10) in value or amount from a construction company, engineering firm, consultant, legal firm, or any company, vendor, or business entity that has contracted with the authority in the preceding four years. Persons required to make this disclosure shall do so by filling out a "Disclosure of Contribution" form which is available at the LACMTA Board and Committee Meetings. Failure to comply with this requirement may result in the assessment of civil or criminal penalties.

### **ADA REQUIREMENTS**

Upon request, sign language interpretation, materials in alternative formats and other accommodations are available to the public for MTA-sponsored meetings and events. All requests for reasonable accommodations must be made at least three working days (72 hours) in advance of the scheduled meeting date. Please telephone (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800) 252-9040.

### **LIMITED ENGLISH PROFICIENCY**

A Spanish language interpreter is available at all Board Meetings. Interpreters for Committee meetings and all other languages must be requested 72 hours in advance of the meeting by calling (213) 922-4600.

### **HELPFUL PHONE NUMBERS**

Copies of Agendas/Record of Board Action/Recordings of Meetings - (213) 922-4880 (Records Management Department)  
General Information/Rules of the Board - (213) 922-4600  
Internet Access to Agendas - [www.mta.net](http://www.mta.net)  
TDD line (800) 252-9040

**NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA**

17. RECEIVE **report from the Chief Financial Services Officer.**
  
18. AUTHORIZE the Chief Executive Officer to submit the **Transportation Infrastructure Finance and Innovation Act loan application to the U.S. Department of Transportation and pay related fees and expenses subsequent to the Board's approval of the environmental reports for the Westside Subway Extension Project.**
  
19. ADOPT a resolution authorizing:
  - A. The Chief Executive Officer and other Authorized Officers to negotiate and execute the agreements between the **Crenshaw Project Corporation ("CPC") and the U.S. Department of Transportation ("USDOT"), related to the CPC entering into the \$546 million Transportation Infrastructure Finance and Innovation Act ("TIFIA") loan for the Crenshaw/LAX Transit Corridor Project;** and
  
  - B. Execution of a Memorandum of Understanding with the USDOT for a TIGER II Discretionary Grant that will fund the \$20 million credit charge on the loan.
  
20. ADOPT a **funding strategy for retiree medical liabilities** by amending the Financial Stability Policy.
  
21. CONSIDER:
  - A. Adopting a resolution authorizing the:
    1. **Issuance of bonds by competitive bond sale to refund the Prop C 2009-C Bonds and the Prop C 1999-A Bonds and approving the Notice of Intention to Sell Bonds, and Notice Inviting Bids,** and
  
    2. **Replacement of the expiring liquidity facilities for the Prop C 2009-C Bonds.**

(Continued on next page)

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- B. Authorizing CEO to finalize negotiations with the proposing banks short-listed and enter into any combination of agreements as provided for in the resolution for three year terms or less.
- C. Authorizing the CEO to negotiate with each successively ranked proposing bank from the lists if unable to reach agreement with one or more of the recommended proposers.

(Requires separate, simple majority Board vote.)

22. CONSIDER authorizing the Chief Executive Officer to execute a:

A. Memorandum of Agreement with the State of California, Department of Transportation ("Caltrans"), which requires LACMTA to:

1. convey easements to Caltrans for the construction of **High Occupancy Vehicle lanes** on MTA Property located adjacent to Interstate 5 between Burbank Boulevard and Buena Vista for Fair Market Value based on an appraisal;
2. amend existing agreements with utility providers who are required to relocate their existing facilities from the railroad ROW to another portion of the ROW under threat of Caltrans' exercise of eminent domain and assist Caltrans in negotiating such relocations with the utility providers; and
3. for LACMTA to accept from Caltrans \$1,400,000 to compensate LACMTA for the estimated cost to relocate in the future all private and public facilities from a portion of Victory Place should LACMTA use such property for its right-of-way; and

B. Cooperative Agreement with the City of Burbank ("City") which provides for the conditional vacation of a portion of Victory Place and for LACMTA to reimburse the City for the cost to relocate the public and private facilities from a portion of Victory Place.

23. **WITHDRAWN:** RECEIVE AND FILE report on budget themes and performance metrics.

24. RECEIVE AND FILE the **third quarter report of Management Audit Services** for the period ending March 31, 2012.
25. RECEIVE **report of the Chief Executive Officer.**
26. RECEIVE oral **Federal/State Affairs update.**

Consideration of items not on the posted agenda, including: items to be presented and (if requested) referred to staff; items to be placed on the agenda for action at a future meeting of the Committee or Board; and/or items requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Committee subsequent to the posting of the agenda.

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN COMMITTEE'S SUBJECT MATTER JURISDICTION

ADJOURNMENT