

Wednesday, November 14, 2012 1:00 PM

# REVISED Agenda

## Finance, Budget and Audit Committee Meeting

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

### Call to Order

### Directors

Gloria Molina, Chair  
Mel Wilson, Vice Chair  
Diane DuBois  
Richard Katz  
Pam O'Connor  
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



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**

10. RECEIVE **report from the Chief Financial Services Officer.**
11. RECEIVE **report of the Chief Executive Officer.**
12. RECEIVE oral **Federal/State Affairs update.**
13. AUTHORIZE the Chief Executive Officer to execute the **Crenshaw Light Rail Transit Project Measure R 3% Local Match Financial Contribution Agreement to facilitate the advancement of \$17.8 million for the City of Inglewood's 3% local match funding contribution to the Crenshaw/LAX Transit Corridor project.**

(CARRIED OVER FROM OCTOBER'S FINANCE, BUDGET AND AUDIT COMMITTEE)

14. CONSIDER:
  - A. **increasing Life-of-Project (LOP) Budget for Crenshaw/LAX Transit Corridor Project, No. 865512, by \$13.9 million** increasing the LOP budget from \$1,749.0 billion to \$1.762.9 billion; and
  - B. programming \$13.9 million in Transportation Investment Generating Economic Recovery grant available funds to cover the increase in the LOP Budget.

(ALSO ON CONSTRUCTION COMMITTEE)

15. **WITHDRAWN:** APPROVE the following deadlines for the **Subregional Councils of Government (COGs) to make decisions on highway programs required for a Transportation Infrastructure Finance and Innovation Act (TIFIA) Master Credit Agreement (MCA) Letter of Interest:**

(Continued on next page)

(Item 15 – continued from previous page)

- A. February 1, 2013 as the final date for the COG's to submit a formal request for the LACMTA to transfer revenues between the Highway Capital Sub-fund and the Transit Capital Sub-fund within the same sub-region; and
- B. March 1, 2013 as the final date for COG's to identify highway projects to be considered for inclusion in the first tranche of the Highway program TIFIA Master Credit Agreement.

If the deadline is missed, the Councils of Government will be permitted to participate in subsequent TIFIA MCA requests.

16. CONSIDER:

- A. authorizing the Chief Executive Officer to **finalize negotiations with the recommended banks and enter into reimbursement agreements and related documents for direct-pay letters of credit:**
  - 1. with Sumitomo Mitsui Banking Corporation ("Sumitomo") for a commitment amount of \$75 million for a three-year term at an estimated cost of \$1,135,000, including legal fees and other related expenses;
  - 2. with Union Bank for a commitment amount of \$75 million for a three-year term at an estimated cost of \$1,130,000, including legal fees and other related expenses;
- B. if unable to reach agreement with one or both of the recommended banks, authorizing the CEO to finalize negotiations with each successively ranked bank for agreements having three year terms and estimated costs; and
- C. adopting a resolution that approves the selection of Sumitomo and Union Bank or successor(s), a form of the reimbursement agreement on file with the Board Secretary and makes certain benefit findings in compliance with the Government Code.

(REQUIRES SEPARATE, SIMPLE MAJORITY BOARD VOTE)

17. AUTHORIZE the CEO to **award fixed rate, five-year contracts in the amount of \$6.18 million to investment management firms.**

18. **WITHDRAWN:** RECEIVE AND FILE **report on Debt Policy.**

19. RECEIVE AND FILE **report on budget themes and performance metrics.** [HANDOUT]

(ALSO ON SYSTEM SAFETY AND OPERATIONS COMMITTEE)

70. APPROVE **federal legislative strategy to advance the second policy proposal embedded in America Fast Forward, the creation of a new class of qualified tax credit bonds for transportation projects.** These qualified tax credit bonds would be referred to as America Fast Forward Transportation Bonds.

(ALSO ON EXECUTIVE MANAGEMENT COMMITTEE)

71. RECEIVE oral report on **Project Budget and Schedule Status.**

(ALSO ON CONSTRUCTION COMMITTEE)

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