

Thursday, February 19, 2009 9:00 A.M.

Agenda

Executive Management and Audit Committee Meeting

One Gateway Plaza
3rd Floor Boardroom

Call to Order

Directors

Antonio Villaraigosa, Chair
Don Knabe, Vice Chair
Richard Katz
Ara Najarian
Zev Yaroslavsky
Doug Failing, non-voting member

Officers

Roger Snoble, 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 Metro Board on non-agenda items within the subject matter jurisdiction of the Metro Board 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.

At the discretion of the Chair, the Board may limit public input on any item, based on the number of people requesting to speak and the business of the Board.

In the interest of hearing from as many members of the public as possible, if at the time your name is called, your issue has been addressed or your opinion expressed by a previous speaker, please simply state that fact and your name for the record.

In accordance with State Law (Brown Act), all matters to be acted on by the Metro Board 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 Metro Board 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 Metro Board Records Management Department and on the Internet.

Every meeting of the Metro Board Board of Directors is recorded on cassette tapes, and duplicate tapes are available for a nominal charge. A Spanish language translator is available at all Board Meetings. Translators for other languages must be requested 72 hours in advance. After each Board meeting, a record is prepared which indicates the actions taken by the Board. This record is available on the second business day following the meeting.

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.

HELPFUL PHONE NUMBERS

Copies of Agendas/Record of Board Action/Cassette Tapes of Meetings - (213) 922-4880 (Records Management Department)
General Information/Rules of the Board - (213) 922-4600
Internet Access to Agendas - www.metro.net
TDD line (800) 252-9040

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

25. RECEIVE report of the **Chief Executive Officer**.
26. RECEIVE report of the **Chief Communications Officer**. (HANDOUT)
27. RECEIVE oral **Federal/State Affairs** update.
28. RECEIVE AND FILE the **second quarter report of Management Audit Services for the period ending December 31, 2008**.
29. RECEIVE AND FILE **quarterly Office of the Inspector General Activities Report**.
30. VILLARAIGOSA ANTONOVICH KNABE NAJARIAN KATZ MOTION that the MTA Board of Directors:
 - A. adopt as board policy that Measure R 3% commuter rail funds shall be prioritized for **Metrolink system safety improvements**, with a first priority for implementation of positive train control (PTC) in the Los Angeles County portion of the Metrolink service area
 - B. direct the CEO to report back to the MTA Board with recommendations on how to program the remainder of the Measure R 3% commuter rail funds after PTC is implemented and operational
 - C. direct the CEO to program, based on cash flow needs identified by Metrolink, up to \$105 million in Measure R 3% funds for positive train control in the Long Range Transportation Plan and allocate necessary funds in future budgets; funding commitment shall depend on the level of federal and/or state funding secured and shall be amended, subject to MTA Board approval, when a more precise Los Angeles County share for PTC is known

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- D. direct the CEO to develop and recommend for MTA Board approval one or more agreements to front-fund the non-Los Angeles County portion of PTC costs if requested by other Metrolink and/or its member agencies, subject to the following:
1. Each county seeking MTA front-funding shall be required to execute a legally binding repayment agreement
 2. Repayment terms shall include interest annually equal to the consumer price index to account for decreased spending value of funds due to inflation
 3. MTA shall issue debt against the Measure R 3% revenue stream if necessary to meet MTA's and/or another county's PTC share if funding assistance is requested; other counties shall be required to pay interest and issuance costs to MTA per agreed upon terms if debt is issued to meet some or all of their share of PTC funding

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