

Agenda

SPECIAL MEETING

LACMTA Leasing Authority

Metro Headquarters
One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

Antonio Villaraigosa, Chair
Don Knabe, 1st Vice Chair
Ara J. Najarian, 2nd Vice Chair



Metro

Los Angeles County
Metropolitan Transportation Authority

METROPOLITAN TRANSPORTATION AUTHORITY (Metro) MEETING RULES (ALSO APPLIES TO BOARD COMMITTEES)

PUBLIC INPUT

Metro meetings 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 Metro on non-agenda items within the subject matter jurisdiction of Metro 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 Metro 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 :

Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.

A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.

Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and

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 METRO Board meetings are prepared by the Board Secretary and are available prior to the meeting in the METRO Records Management Department and on the Internet.

Every meeting 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 METRO-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

1. Public Comment
2. Authorize the Chief Executive Officer to **terminate the lease with Bank of New York** under terms favorable to the LACMTA Leasing Authority and Metro.

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



LACMTA LEASING AUTHORITY

**SPECIAL MEETING
MARCH 5, 2009**

SUBJECT: DEFEASED LEASE

ACTION: TERMINATION OF LEASE WITH BANK OF NEW YORK

RECOMMENDATION

Authorize the Chief Executive Officer to terminate the lease with Bank of New York (BNY) under terms favorable to the LACMTA Leasing Authority and Metro.

RATIONALE

BNY, the investor, has offered to terminate the transaction early in exchange for a reserve fund that is already held on their behalf under the deal. The deal is scheduled to terminate in 2017. Metro will incur certain legal fees in developing the termination agreement.

Board authorization is required for the Leasing Authority to terminate its portion of the deal.

BACKGROUND

The LACMTA Leasing Authority is a joint powers authority (JPA) consisting of LACMTA and Los Angeles County. This entity was created for the specific purpose of entering into a defeased lease transaction with the Bank of New York (BNY) in 1997. BNY required the creation of the JPA as a condition of the deal.


Metro received an upfront benefit payment of \$4.6 million for leasing 30 Breda subway cars. American International Group was not a party to this transaction.

The JPA will be dissolved by its own terms when the deal is terminated.

FINANCIAL IMPACT

Legal fees for this work are included in LACMTA's FY09 budget. There is no budgetary impact to the Leasing Authority.

Prepared by: Terry Matsumoto
Treasurer



Terry Matsumoto
Treasurer



Roger Snoble
Chief Executive Officer