



**Metro**

*One Gateway Plaza, Los Angeles, CA 90012,  
3rd Floor, Metro Board Room*

**Agenda - Final**

**Wednesday, October 18, 2023**

**11:00 AM**

Watch online: <https://boardagendas.metro.net>  
Listen by phone: Dial 888-251-2949 and enter Access Code:  
8231160# (English) or 4544724# (Español)

To give written or live public comment, please see the top of page 4

## **Finance, Budget and Audit Committee**

*Kathryn Barger, Chair*

*Tim Sandoval, Vice Chair*

*James Butts*

*Jacquelyn Dupont-Walker\**

*Lindsey Horvath*

*Gloria Roberts, non-voting member*

*Stephanie Wiggins, Chief Executive Officer*

*\*Attending Virtually*

*Hotel Triton*

*342 Grant Ave.*

*San Francisco, CA 94108*

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

**PUBLIC INPUT**

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 one (1) minute per item, or at the discretion of the Chair. A request to address the Board must be submitted electronically using the tablets available in the Board Room lobby. Individuals requesting to speak will be allowed to speak for a total of three (3) minutes per meeting on agenda items in one minute increments per item. For individuals requiring translation service, time allowed will be doubled. The Board shall reserve the right to limit redundant or repetitive comment.

The public may also address the Board on non-agenda items within the subject matter jurisdiction of the Board during the public comment period, which will be held at the beginning and/or end of each meeting. Each person will be allowed to speak for one (1) minute during this Public Comment period or at the discretion of the Chair. Speakers will be called according to the order in which their requests are submitted. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

Notwithstanding the foregoing, and in accordance with the Brown Act, this agenda does not provide an opportunity for members of the public to address the Board on any Consent Calendar agenda item that has already been considered by a Committee, composed exclusively of members of the Board, at a public meeting wherein all interested members of the public were afforded the opportunity to address the Committee on the item, before or during the Committee's consideration of the item, and which has not been substantially changed since the Committee heard the 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 Clerk 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 and is available at <https://www.metro.net> or on CD's and as MP3's 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 working hours) in advance of the scheduled meeting date. Please telephone (213) 364-2837 or (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800) 252-9040.

Requests can also be sent to [boardclerk@metro.net](mailto:boardclerk@metro.net).

## LIMITED ENGLISH PROFICIENCY

A Spanish language interpreter is available at all Committee and Board Meetings. All other languages must be requested 72 hours in advance of the meeting by calling (213) 364-2837 or (213) 922-4600. Live Public Comment Instructions can also be translated if requested 72 hours in advance.

Requests can also be sent to [boardclerk@metro.net](mailto:boardclerk@metro.net).

323.466.3876 - Customer Service Line



**323.466.3876**

x2 *Español (Spanish)*

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x6 *日本語 (Japanese)*

x7 *русский (Russian)*

x8 *Հայերէն (Armenian)*

## HELPFUL PHONE NUMBERS AND EMAIL

Copies of Agendas/Record of Board Action/Recordings of Meetings - (213) 922-4880 (Records Management Department) - <https://records.metro.net>

General Information/Rules of the Board - (213) 922-4600

Internet Access to Agendas - <https://www.metro.net>

TDD line (800) 252-9040

Board Clerk Email - [boardclerk@metro.net](mailto:boardclerk@metro.net)

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

### **Live Public Comment Instructions:**

Live public comment can be given by telephone or in-person.

The Committee Meeting begins at 11:00 AM Pacific Time on October 18, 2023; you may join the call 5 minutes prior to the start of the meeting.

Dial-in: 888-251-2949 and enter  
English Access Code: 8231160#  
Spanish Access Code: 4544724#

***Public comment will be taken as the Board takes up each item. To give public comment on an item, enter #2 (pound-two) when prompted. Please note that the live video feed lags about 30 seconds behind the actual meeting. There is no lag on the public comment dial-in line.***

### **Instrucciones para comentarios publicos en vivo:**

Los comentarios publicos en vivo se pueden dar por telefono o en persona.

La Reunion de la Junta comienza a las 11:00 AM, hora del Pacifico, el 18 de Octubre de 2023. Puedes unirte a la llamada 5 minutos antes del comienso de la junta.

Marque: 888-251-2949 y ingrese el codigo  
Codigo de acceso en ingles: 8231160#  
Codigo de acceso en espanol: 4544724#

***Los comentarios del público se tomara cuando se toma cada tema. Para dar un comentario público sobre una tema ingrese # 2 (Tecla de numero y dos) cuando se le solicite. Tenga en cuenta que la transmisión de video en vivo se retrasa unos 30 segundos con respecto a la reunión real. No hay retraso en la línea de acceso telefónico para comentarios públicos.***

### **Written Public Comment Instruction:**

Written public comments must be received by 5PM the day before the meeting. Please include the Item # in your comment and your position of "FOR," "AGAINST," "GENERAL COMMENT," or "ITEM NEEDS MORE CONSIDERATION."

Email: BoardClerk@metro.net

Post Office Mail:

Board Administration

One Gateway Plaza

MS: 99-3-1

Los Angeles, CA 90012

## CALL TO ORDER

## ROLL CALL

APPROVE Consent Calendar Items: 5, 6, and 7.

## CONSENT CALENDAR

5. **SUBJECT: LEASE AMENDMENTS WITH PINNACLE TOWERS, LLC  
FOR THREE MICROWAVE RADIO STATION LOCATIONS**

[2023-0427](#)

### RECOMMENDATIONS

AUTHORIZE the Chief Executive Officer (CEO), or designee, to execute ten (10)-year lease amendments commencing retroactive to January 1, 2023 with Pinnacle Towers, LLC, ("Lessor") for microwave radio stations located at:

- 7625 Black Star Canyon Road in Riverside at a rate of approximately \$10,865.88 per month with 3.5% escalations annually for a total of \$1,482,344.53 over the term.
- Building 12, Mt. Lukens Road in Tujunga at a rate of approximately \$11,431.59 per month with 3.5% escalations annually for a total of \$1,559,519.80 over the term.
- 34 Sunset Ridge in Los Angeles at a rate of approximately \$11,431.59 per month with 3.5% escalations annually for a total of \$1,654,955.13 over the term.

Attachments:      [Attachment A - Location Maps](#)  
                                 [Attachment B - Deal Points](#)

6. **SUBJECT: BANKING SERVICES**

[2023-0573](#)

### RECOMMENDATIONS

AUTHORIZE:

- A. the Chief Executive Officer to execute a five-year, firm fixed unit rate Contract No. PS99982000 to Bank of America, N.A. for basic and specialized banking services, in an amount-not-to-exceed \$5,098,207 effective January 1, 2024, subject to resolution of protest(s), if any; and
- B. the payment of up to \$650,000 over the next five years for Federal Deposit Insurance Corporation (FDIC) for assessment fees as mandated by 12 C.F.R. § 327.9 to cover insurance premiums for Metro's

deposits. These pass-through FDIC assessment fees shall be payable under Contract No. PS9982000, for a total contract price not-to-exceed \$5,748,207.

**Attachments:**      [Attachment A - Procurement Summary](#)  
                                 [Attachment B - DEOD Summary](#)

**7. SUBJECT: CALIFORNIA SB1 STATE OF GOOD REPAIR PROGRAM** [2023-0597](#)

**RECOMMENDATION**

APPROVE the Resolution in Attachment A to:

- A. AUTHORIZE the Chief Executive Officer (CEO) or designee to claim \$34,650,803 in fiscal year (FY) 2023-24 State of Good Repair Program (SGR) grant funds as the Regional Entity for Los Angeles County for this program;
- B. APPROVE the regional SGR Project List for FY23-24; and
- C. CERTIFY that Metro will comply with all conditions and requirements set forth in the SGR Certification and Assurances document and applicable statutes, regulations, and guidelines.

**Attachments:**      [Attachment A - Resolution to Accept and Distribute LA County SGR Funds](#)  
                                 [Attachment B - Submitted Project Listing From Metro and Municipal Operators](#)

**NON-CONSENT**

**8. SUBJECT: MEASURE M FIVE YEAR COMPREHENSIVE ASSESSMENT AND EQUITY REPORT** [2023-0430](#)

**RECOMMENDATION**

CONSIDER:

- A. ADOPTING the Measure M Five Year Comprehensive Assessment and Equity Report (Attachment A); and
- B. RECEIVING AND FILING the Measure M Independent Taxpayer Oversight Committee (MMITOC) Findings and Recommendations to improve the Measure M program (Attachment B).

**Attachments:**      [Attachment A - Measure M 5-Year Comprehensive Assessment & Equity Report](#)  
                                 [Attachment B - MMITOC Findings and Recommendations](#)  
                                 [Attachment C - Board Approved Assessment Objectives & Criteria](#)

9. **SUBJECT: PREPARATION FOR INITIATING THE FY25 BUDGET DEVELOPMENT PROCESS**

[2023-0601](#)

**RECOMMENDATION**

RECEIVE oral report on the preparation for initiating the FY25 budget development process.

10. **SUBJECT: THE IMPACT OF THE BUILD AMERICA BUY AMERICA ACT ON LA METRO'S MAJOR CAPITAL PROJECTS MOTION**

[2023-0657](#)

**RECOMMENDATION**

APPROVE Motion by Directors Horvath, Bass, Butts, Yaroslavsky, and Najarian that the Metro Board instruct the Chief Executive Officer to report to the Board in March 2024 with an evaluation of the applicable provisions of the *Build America, Buy America Act*, provisions contained in the *Infrastructure Investment and Jobs Act* and related federal guidance (49 U.S.C. § 5323(j)), and any impact the Act may have on the feasibility of transit projects seeking a Full-Funding Grant Agreement with the FTA.

- SUBJECT: GENERAL PUBLIC COMMENT**

[2023-0643](#)

RECEIVE General Public Comment

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**