

NORTH COAST RAILROAD AUTHORITY (NCRA) BOARD OF DIRECTORS REGULAR BOARD MEETING

Wednesday, December 10, 2008 ~ **10:30**
Petaluma Community Center
320 North McDowell Blvd, Petaluma

DRAFT AGENDA

AGENDA NOTE

All items appearing on the agenda are subject to action by the Board of Directors. Staff recommendations are subject to action by the Board of Directors. Staff recommendations are subject to change by the Board.

A. CALL TO ORDER

B. ROLL CALL

C. AGENDA APPROVAL

D. PUBLIC COMMENT

Comments will be limited to three minutes per person and not more than ten minutes per subject, so that everyone can be heard. "Public comment" time is limited to matters under the jurisdiction of the Authority that may not have been considered by the Authority previously and are not on the agenda. No action will be taken. Members of the public may also comment during specific agenda items when recognized by the Chair.

E. CONDUCT OF BUSINESS

- 1. Adoption of Sonoma County Resolution of Appreciation for Assemblymember Jared Huffman**
- 2. Discussion and Possible Approval of First Amendment to Bridge Financing and Security Agreement**
- 3. Election of Officers: Board Chairman and Vice Chairman**

F. CONSENT CALENDAR

1. Approval of Minutes - Regular Board Meeting – November 12, 2008
2. Acceptance of Financial Statements – November 2008
3. Approval of Warrants Issued - Agency 787010 – November 2008
4. Approval of Warrants Issued - TCRP 787101 – November 2008
5. Approval of CalCard Statements – November 2008
6. Approval of Lease Extension – 419 Talmage Road, Ste M, Ukiah
7. Continuation of Tyris Temporary License Agreement pending adoption of revised property policy

G. STAFF REPORTS

- 1. Executive Director – Mitch Stogner**

- A. Draft EIR Schedule
- B. Draft Trail Guidelines Schedule
- C. SMART/NCRA Operating Agreement Meeting
- D. ISTEAFunds Project Description
- E. Economic Stimulus Funding

2. **Project Manager – Dave Anderson**

3. **Legal Counsel - Chris Neary**

H. OPERATOR REPORT

1. **NWP Co. – John Williams**

I. MATTERS FROM THE BOARD

J. CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL-Existing Litigation**

Government Code 54956.9(a): (3 items)

NWPY v. NCRA-Arbitration, Pending before Resolution Remedies;
Humboldt Baykeeper v Union Pacific, pending in the US District Court;
Hight v. NCRA, Mendocino Superior Court Case #CV 80240;

2. **CONFERENCE WITH REAL ESTATE NEGOTIATORS**

Property: NWP line

Property Negotiators: Mitch Stogner, C.J. Neary

Under Negotiation: Amendments to Resurrection Agreement relating to changed conditions, terms of lease; interagency relationships; enforcement of mitigation measures
Negotiators NWP Co.

K. ANNOUNCEMENT OUT OF CLOSED SESSION

L. ANNOUNCEMENT OF NEXT MEETING

January 14, 2009 – 10:30 a.m.
Mendocino County
Ukiah Valley Conference Center
200 S. School Street, Ukiah

M. ADJOURNMENT

AGENDA NOTE

All items appearing on the agenda are subject to action by the Board of Directors. Staff recommendations are subject to action by the Board of Directors. Staff recommendations are subject to change by the Board.

AMERICAN WITH DISABILITIES ACT (ADA) REQUESTS

To request disability-related modifications or accommodations for accessible locations or meeting materials in alternative formats (as allowed under Section 12132 of the ADA) please contact the NCRA office at 707 463-3280, at least 72 hours before the meeting.

ADDITIONS TO AGENDA

The Brown Act, Section 54954.2, states that the Board may take action on off-agenda items when: a) a majority vote determines that an "emergency situation" exists as defined in Section 54956.5, or b) a two-thirds vote of the body, or a unanimous vote of those present, determines

that there is a need to take immediate action and the need for action arose after the agenda was legally posted, or c) the item was continued from a prior, legally posted meeting not more than five calendar days before this meeting.

CLOSED SESSION

If agendaized, NCRA may adjourn to a closed session to consider litigation or personnel matters. Discussion of litigation or pending litigation may be held in closed session by authority of Government Code Section 54956.9; discussion of personnel matters by authority of Government Code Section 54957; to confer with their negotiator regarding real property by authority of Government Code Section 54956.8.