

NORTH COAST RAILROAD AUTHORITY (NCRA) OPERATOR COMMITTEE MEETING

July 1, 2008 – 4:00 p.m.

Teleconference

Various Locations

DRAFT AGENDA

Public Participation Location

NCRA – 419 Talmage Road, Ste M, Ukiah

Alternate Public Participation Locations:

Chairman Hemphill – Milepost 16.5 - California Western R.R

Director Simonson – 260 Haehl Creek Court, Willits

Director Kelley – 404 Aviation, Santa Rosa

Director Colfax - 419 Talmage Road, Ste M, Ukiah

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. MATTERS FROM THE COMMITTEE

E. 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.

F. CONDUCT OF BUSINESS

1. Use of ISTEPA Funds

G. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (2 cases)

Government Code 54656.9(a) and 54956.9 (c)

(1) City of Novato vs. NCRA; Superior Court of California, County of Marin; case # CV074645

(2) NCRA vs. Superior Court (City of Novato) Court of Appeal, State of California, First Appellate District, Division 3, Case # A121290

- (3) Initiation of Litigation, Govt. Code 54956.9(c) (two cases)**
CONFERENCE WITH LEGAL COUNSEL-Anticipated Litigation
Government Code 54956.9(b) (one case related to Novato v. NCRA).

H. ANNOUNCEMENT OUT OF CLOSED SESSION

I. ADJOURNMENT

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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.