

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

Wednesday, May 14, 2008 ~ **10:00**  
Humboldt County Board of Supervisors Chambers  
825 5<sup>th</sup> Street  
Humboldt County

## **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. PRESENTATIONS**

**1. John Murray – Arcata and Mad River Railroad Trail**

**F. COMMITTEE REPORTS**

**1. Operator Committee Report – April 18, 2008 Operator Committee Meeting  
Chairman Hemphill**

**2. Finance Committee Report – April 30, 2008 Finance Committee Meeting – Director  
Colfax**

**3. Willits Rail Yard Ad Hoc Committee Report – May 5, 2008 - Chairman Hemphill**

**G. CONDUCT OF BUSINESS**

**1. Discussion and Possible Approval Authorizing Staff and Operator to Proceed  
with Design, Safety, and Operational Functionality Guidelines for Trails on  
or near NCRA Right-of-Way**

**2. Consideration and Possible Approval of Petaluma/NCRA Memorandum of  
Understanding (MOU)**

**3. Consideration and Possible Approval of Bid for Sale and Removal of Railcars**

**4. Consideration and Possible Approval of Resolution 2008-04 Adopting Agency, TCRP, and Wingo/Camp II Draft Budgets for Fiscal Year 2008-2009**

**H. Consent Calendar**

- a. Approval of Minutes Regular Board Meeting – April 9, 2008
- b. Acceptance of Operator Committee Minutes – April 18, 2008
- c. Acceptance of Finance Committee Minutes – April 30, 2008
- d. Acceptance of Financial Statements – April 2008
- e. Approval of Warrants Issued Agency 787010 – April 2008
- f. Approval of Warrants Issued TCRP 787101 – April 2008
- g. Approval of Warrants Issued Fish & Game 787408 – April 2008
- h. Approval of CalCard Statement – April 2008

**I. STAFF REPORTS**

- 1. **Executive Director – Mitch Stogner**
- 2. **Project Manager – Dave Anderson**
- 3. **Legal Counsel - Chris Neary**

**J. OPERATOR REPORT**

- 1. **NWP Co. – John Williams**

**K. MATTERS FROM THE BOARD**

**L. CLOSED SESSION**

**1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (3 cases)**

Government Code 54656.9(a) and 54956.9 (c)

- (1) NWPY vs. NCRA
- (2) City of Novato vs. NCRA; Superior Court of California, County of Marin; case # CV074645
- (3) NCRA vs. Superior Court (City of Novato) Court of Appeal, State of California, First Appellate District, Division 3, Case # A121290

**2. CONFERENCE WITH REAL ESTATE NEGOTIATORS**

Gov Code Section 54956.8

Negotiators: Mitch Stogner, Christopher Neary

Negotiating Parties: NCRA, Quaker Hill Developers

Under Negotiation: Public Crossing Easement at Mile Post 70.85, price, terms, maintenance, liability.

**M. ANNOUNCEMENT OUT OF CLOSED SESSION**

**N. ANNOUNCEMENT OF NEXT MEETING**

June 11, 2008 – 11:00 a.m.  
Mendocino County  
Ukiah Valley Conference Center  
200 South School Street  
Ukiah

**O. 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.*