

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

Wednesday, November 12, 2008 ~ **11:30**
County of Humboldt Board of Supervisors Chambers
825 5th Street, Eureka

Amended 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. Discussion and Possible Award of Contract for NCRA Track Rehabilitation Program Contract T1 & T2 – Russian River Division – Lombard to Windsor.**
- 2. Discussion and Possible Award of Contract for NCRA Movable Bridge Contract S4.**

F. CONSENT CALENDAR

1. Approval of Minutes - Regular Board Meeting – October 8, 2008
2. Approval of Minutes – Special Board Meeting – October 27, 2008
3. Acceptance of Minutes – Property Committee Meeting – October 15, 2008
4. Acceptance of Financial Statements – October 2008
5. Approval of Warrants Issued - Agency 787010 – October 2008
6. Approval of Warrants Issued - TCRP 787101 – October 2008
7. Approval of CalCard Statements – October 2008

G. STAFF REPORTS

- 1. Executive Director – Mitch Stogner**
 - A. Draft EIR Schedule
 - B. Draft Trail Guidelines Schedule
 - C. Coastal Commission Request for Extension – Response to Trail Guidelines

D. Application for ISTE A Funds

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) (c)
Hight v. NCRA, Mendocino Superior Court Case Number 80240;

2. NWPY v NCRA
Government Code Section 54956.9(a)
Arbitration before Resolution Remedies

3. CONFERENCE WITH REAL ESTATE NEGOTIATORS
Agency Negotiators: Mitch Stogner; C.J. Neary; Gov Code 54956.8
Parties to Negotiation: NCRA; NWP Co.
Under Negotiation: All Terms of Lease and Operating Agreement.

K. ANNOUNCEMENT OUT OF CLOSED SESSION

L. ANNOUNCEMENT OF NEXT MEETING

December 10, 2008 – 10:30 a.m.
Sonoma County
Petaluma Community Center
320 N. McDowell Blvd, Petaluma

M. 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.