

North Coast Railroad Authority
419 Talmage Road, Suite M
Ukiah, Ca 95482



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

Wednesday, August 12, 2009~ **10:30**
Humboldt County Board of Supervisors Chambers
825 Fifth Street, Room 111, Eureka
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. RECOGNITION OF OUTGOING DIRECTORS**
 - 1. Charles Ollivier – Director 2004-2009**
- E. INTRODUCTION OF NEWLY APPOINTED DIRECTORS**
 - 1. Linda Atkins - Humboldt County**
 - 2. Hal Wagenet – Mendocino County**
- F. 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.
- G. PRESENTATIONS**
 - 1. Timber Heritage Association – Recent Speeder Excursions – Gerry Tomczac**
 - 2. Karen Diemer – City of Arcata – Arcata Trail RFP**

H. CONDUCT OF BUSINESS

1. **Discussion and Possible Approval of Contract between NCRA and Pisenti & Brinker LLC. for Annual Financial and Compliance Auditor for Fiscal Years 2008-09 and 2009-10**
2. **Discussion and Possible Approval of Updated Policies & Procedures Manual Section 1700 - Disadvantaged Business Enterprise (DBE) Program Plan**
3. **Discussion and Possible Approval of Amendment to NCRA Trail Policy**
4. **Discussion and Possible Approval of Ukiah Train Station Lease**
5. **Discussion and Possible Appointments to NCRA Committees**

Appointment of Directors to the following NCRA Committees:

- a. Property Committee
- b. Finance Committee

I. CONSENT CALENDAR

1. Approval of Minutes - Regular Board Meeting – June 10, 2009
2. Acceptance of Financial Statements – Annual 2009
3. Acceptance of Financial Statements – July 2009
4. Approval of Warrants Issued - Agency 787010 – June - July 2009
5. Approval of Warrants Issued - TCRP 787101 – June - July 2009
6. Approval of CalCard Statement – June -July 2009

J. STAFF REPORTS

1. **Executive Director – Mitch Stogner**
 - a. SMART/NCRA Operating Agreement Meeting
 - b. Economic Stimulus Funding
 - c. Federal Transportation Reauthorization Bill
 - d. DEIR
2. **Project Manager – Dave Anderson**
3. **Legal Counsel – C.J. Neary**

K. OPERATOR REPORT

1. **NWP Co. – John Williams**

L. MATTERS FROM THE BOARD

M. CLOSED SESSION

1. Conference with Legal Counsel-Existing Litigation. Govt. Code 54956.9(a) Humboldt Baykeeper v NCRA, Northern District C-06-2650;
2. Conference with Legal Counsel-Anticipated Litigation, Significant Exposure to litigation pursuant to Govt. Code 54956.9 (b) one case relates to threatened litigation re crossing contemplated with Noble;
;
3. Conference with Legal Counsel-Initiation of litigation, Govt Code 54956.9 (c) one case. Disclosure of party will jeopardize settlement discussions.

N. ANNOUNCEMENT OUT OF CLOSED SESSION

O. ANNOUNCEMENT OF NEXT MEETING

NCRA Property Committee Meeting
August 12, 2009 –Immediately following the August 12, 2009 NCRA Board Meeting
Humboldt County Board of Supervisors Chambers
825 Fifth Street, Room 111, Eureka
Humboldt County

P. 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.

ADDITIONAL MEETING INFORMATION FOR INTERESTED PARTIES

Written materials related to an item on this agenda submitted to the Board of Directors are available for public inspection in the NCRA office located at 419 Talmage Road, Suite M, Ukiah California. Documents maintained for public inspection are considered to be draft documents until approved by the Board of Directors. Some of these documents may also be posted on the NCRA website, but the official record is maintained for public inspection in the NCRA office

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.