



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

## NORTH COAST RAILROAD AUTHORITY (NCRA) REGULAR BOARD MEETING

Wednesday, December 9, 2009~ 10:30 a.m.  
Hamilton Field  
West Wing Auditorium  
503 South Palm Drive  
Novato, Marin County

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### 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**

**Steve Mahrt - Marin County Farm Bureau – Importance of Freight Rail Service to Agricultural Industry**

**Sonoma County Farm Bureau – Importance of Freight Rail Service to Agricultural Industry**

**F. CONDUCT OF BUSINESS**

- 1. Discussion and Possible Acceptance of Request for Proposal from Epic Land Solutions, Inc. For Property Management Services and Authorization to Staff to**

**Negotiate Contract with Epic Land Solutions, Inc. for Property Management Services**

- 2. Approval of Final Grant of Right of Way for Permanent Public Crossing at Railroad Milepost 70.85 (Quaker Hill)**
- 3. Election of Officers - Effective January 2010**

**G. CONSENT CALENDAR**

1. Approval of Minutes - Regular Board Meeting – November 18, 2009
2. Acceptance of Financial Statements – October 2009
3. Acceptance of Financial Statements – November 2009
4. Approval of Warrants Issued - Agency 787010 – November 2009
5. Approval of Warrants Issued - TCRP 787101 – November 2009
6. Approval of Cal Card Statement – November 2009
7. Extension of Temporary Crossing Agreement – Tyriss
8. One Year Extension of Lease Agreement – 419 Talmage Road, Ste M (Ukiah Office)

**I. STAFF REPORTS**

- 1. Executive Director – Mitch Stogner**
  - a. SMART/NCRA Operating Agreement Discussions
  - b. DEIR Status Update

**J. PROJECT MANAGER REPORT**

1. Dave Anderson – AndersonPenna Partners

**K. OPERATOR REPORT**

1. NWP Co. – John Williams

**L. MATTERS FROM THE BOARD**

**M. CLOSED SESSION**

1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (1 cases)  
Government Code 54656.9(a)  
City of Novato vs. NCRA; Superior Court of California, County of Marin;  
case # CV074645
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Subdivision (b)(3)(A) of Section 54956.9  
(two potential cases)

**N. ANNOUNCMENT OF NEXT MEETING**

**January 13, 2009**

Ukiah Valley Conference Center  
200 South School Street  
Ukiah, Mendocino County

**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.*

**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 agendized, 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.*