



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

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

Wednesday, March 10, 2010~ **10:30 a.m.**  
Humboldt County Board of Supervisors Chambers  
825 5<sup>th</sup> Street, Eureka  
Humboldt County

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### **DRAFT MINUTES**

#### **A. CALL TO ORDER**

**Chairman Hemphill called the meeting to order at 10:03 a.m.**

#### **B. ROLL CALL**

**Directors Present:** Meyers, Wagenet, Colfax, Kelley, Atkins, Clendenen, Chairman Hemphill

**Directors Absent:** Wolter, MacDonald

**Also Present:** Executive Director Mitch Stogner, Legal Counsel C.J. Neary, Recording Secretary Heather Lindsteadt

#### **C. AGENDA APPROVAL**

Agenda stood as presented

#### **D. PUBLIC COMMENT**

No Public Comment

#### **E. PRESENTATIONS**

##### **1. Marcella Clem – Annie & Mary Trail Update**

Marcella Clem, Transportation Planner for Humboldt County Association of Governments (HCAOG) updated the Board on the progress of the Annie & Mary Trail project. Ms. Clem presented a hand out titled *Arcata and Mad River 100 Years of Railroading in the Redwood Empire* by Stanley T. Borden.

**2. Karen Diemer – Arcata to Bracut Trail Update**

Karen Diemer, City of Arcata, updated the Board on the Arcata Rail-with-Trail project. Ms. Diemer presented a document outlining the progress and hurdles involved in selection of the possible trail alignment.

**3. Gerry Tomczak – Timber Heritage Association Update**

Gerry Tomczak, Timber Heritage Associating Board Member, presented a PowerPoint presentation updating the Board on the Timber Heritage Association's efforts to operate a tourist/excursion train around Humboldt Bay.

**F. DISCUSSION ITEMS (no action required)**

Executive Director Stogner updated the Board on the following issues:

1. Status of Lombard-Windsor Repair Project – Lifting of Emergency Order 21
2. Status of RRIF Loan
3. Status of November 5, 2009 Russian River Division EIR
4. SMART/NCRA Revised Operating Agreement
5. Sale of the Ukiah Depot
6. NCRA/SMART Joint Use of \$8.6 mil. in ISTEPA Funds
7. April 7/8 CTC Meeting
8. Novato Consent Decree

**G. CONSENT CALENDAR**

1. Approval of Minutes - Regular Board Meeting – February 13, 2010
2. Acceptance of Minutes – Finance Committee Meeting – January 10, 2010
3. Acceptance of Minutes – Finance Committee Meeting – February 10, 2010
4. Acceptance of Sonoma County Financial Statements – February 2010
5. Acceptance of NCRA Financial Statements – February 2010
6. Approval of Warrants Issued - Agency 787010 – February 2010
7. Approval of Cal Card Statement – February 2010

**Upon Motion** by Director Kelley, seconded by Director Meyers Consent Calendar items G.1 through G. 7 were approved unanimously. **AYES: 7, NOES: 0, ABSTAIN: 0, ABSENT:** Wolter, MacDonald

**H. OPERATOR REPORT**

1. NWP Co. – John Williams  
  
No Report

**I. LEGAL COUNSEL REPORT**

1. C.J.Neary  
  
No Report

**J. MATTERS FROM THE BOARD**

Director Meyers said that the February meeting audio is difficult to understand but thanked staff and Director Wagenet for their efforts. He also asked for an update on the status with EPIC Land Solutions. Director Meyers also asked what steps staff has taken to reduce NCRA agency expenses and the status of the HNTB contract.

Director Atkins said that she and Director Clendenen met with various groups including County of Humboldt, City of Arcata, City of Eureka and HCAOG regarding the California Coastal Trail. She said that the NCRA right of way is a favored route for portions of the trail around Humboldt Bay.

Chairman Hemphill reported that the Humboldt County Democratic Central Committee is reviewing a resolution to attempt to remove NCRA stewardship of the NCRA owned right of way in Humboldt County and place ownership with the County of Humboldt.

*The Board convened into Closed Session at 12:16 p.m.*

**K. CLOSED SESSION**

- 1. CONFERENCE WITH LEGAL COUSEL – ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to Govt. Code Section 54956.9(c) one case
- 2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
Govt. Code Section 54956.8  
**Property** – Ukiah Depot Property  
**Negotiating Parties** – Caltrans, City of Ukiah, County of Mendocino, Weston Solutions, Union Pacific Railroad  
**Under Negotiation** – regulatory matters, existing and potential contractual matters, price, payment, terms  
**Agency Negotiators** – C.J. Neary, Mitch Stogner

*The Board reconvened into Open Session at 1:14 p.m.*

**L. ANNOUNCEMENT OUT OF CLOSED SESSION**

The Board met with Counsel, received information and gave direction on one item of anticipated litigation. The Board also met with property negotiators received information and gave direction. No reportable action was taken.

**M. ANNOUNCENMENT OF NEXT MEETING**

**April 14, 2010**  
Corte Madera Best Western – Terrace Suite  
56 Corte Madera Blvd  
Marin County

**N. ADJOURNMENT**

Prepared for approval  
By NCRA BOD on April 14, 2010

Chairman Hemphill adjourned the meeting at 1:14 p.m.

*Complete audio recording of the NCRA Board meetings can be found at [www.northcoastrailroad.org](http://www.northcoastrailroad.org).*