



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

NORTH COAST RAILROAD AUTHORITY (NCRA) REGULAR BOARD MEETING

Wednesday, January 13, 2010~ **10:30 a.m.**
Ukiah Valley Conference Center
200 South School Street, Ukiah
Mendocino 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. CONDUCT OF BUSINESS**
 - 1. Discussion and Possible Approval of Second Amendment to Promissory Note Humboldt Bay Harbor Recreation and Conservation District**
 - 2. Discussion and Possible Approval of Elimination of Stipends, Expenses and Mileage for Calendar Year 2010**
 - 3. Discussion and Possible Approval of Board Meeting Schedule for Calendar Year 2010 Assuming Board Approval of Item E.2**
 - 4. Committee Appointments**

F. CONSENT CALENDAR

1. Approval of Minutes - Regular Board Meeting – December 9, 2009
2. Acceptance of Financial Statements – Quarter 1 - FY 09/10
3. Approval of Warrants Issued - Agency 787010 – December 2009
4. Approval of Warrants Issued - TCRP 787101 – December 2009
5. Approval of Cal Card Statement – December 2009
6. Approval of Job Description – Executive Assistant

G. STAFF REPORTS

1. Executive Director – Mitch Stogner

- a. HNTB Contract Update
- b. DEIR Status Update
- c. EPIC Land Solutions Update
- d. ISTE A Meeting January 25, 2010
- e. RRIF Status
- f. SMART/NCRA Operating Agreement Discussions

H. PROJECT MANAGER REPORT

1. Dave Anderson – NCRA Project Manager

- a. Updated Track Report

I. OPERATOR REPORT

1. NWP Co. – John Williams

J. LEGAL COUNSEL REPORT

K. MATTERS FROM THE BOARD

L. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Govt. Code Section 54956.9
One case

2. CONFERENCE WITH LEGAL COUSEL –EXSISTING LITIGATION

Government Code Section 54956.9(a)
McGary v. Dept. of Transportation and NCRA
Mendocino Superior Court Case #08-52454

3. 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

M. ANNOUNCEMENT OUT OF CLOSED SESSION

N. ANNOUNCENMENT OF NEXT MEETING

February 10, 2010

City of Healdsburg Council Chambers

401 Grove Street

Healdsburg, Sonoma 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 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.