

NORTH COAST RAILROAD AUTHORITY (NCRA) OPERATOR COMMITTEE MEETING

Wednesday, October 17, 2007 ~ 3:00 p.m.
Sonoma County Transportation Authority (SCTA)
490 Mendocino Avenue, Suite 206
Santa Rosa, Ca
Sonoma County

DRAFT MINUTES

A. CALL TO ORDER

Chairman Hemphill called the Committee to order at 3:07 p.m.

B. ROLL CALL

Committee Members Present: Kelley, Simonson, Hemphill

Committee Members Absent: Colfax

Also Present: Executive Director Mitch Stogner, Legal Counsel Christopher Neary by conference call, and Recording Secretary Heather Lindsteadt

C. AGENDA APPROVAL

The Agenda stood as presented

D. MATTERS FROM THE COMMITTEE

No Matters from Committee Members

E. PUBLIC COMMENT

No Public Comment

F. CONDUCT OF BUSINESS

1. Discussion and Possible Action Regarding NCRA Construction Timeline

Mitch Stogner introduced Dave Anderson, NCRA's Project Manger and said that Mr. Anderson would be discussing NCRA's timeline relative to projects that are underway, and projects that are planned for Phase 1 (Lombard-Windsor).

Dave Anderson updated the Committee on the NCRA construction projects and said that there is a concern about whether bids for the signals, bridges, and trackway will fall within the construction budget established to open the line to Windsor. He said that the CTC has allocated \$9 million for the repair and replacement of the 54 signal crossings in Phase 1. He said that both bids for signal package #2 came in over budget. He added that NCRA may have access to additional funding for the signal project from outside agencies.

Director Kelley asked if the agencies that Mr. Anderson mentioned were aware of the costs associated with the signals within their respective jurisdictions, and asked for an overview of and funds available and the localities involved.

Mr. Anderson said that Golf Course Drive Crossing should be removed from the signal package and added that it is a Caltrans project. He also said that the City of Petaluma has given him verbal assurance that it would cover the remainder of signal costs at Hopper/Caulfield crossing and added that NCRA has budgeted \$150,000 for that crossing. He said that NCRA and the City of Petaluma have drafted an MOU that should be ready for NCRA Legal Counsel's review soon. Mr. Anderson said that he has tried to talk to SMART representatives regarding the Golden Gate Bridge District private crossing and said that the Bridge District is responsible for repairing that crossing. He also said that SMART has received an insurance settlement for damage to two signals due to vehicle accidents and that NCRA may be able to access the insurance funds for these repairs.

Director Kelley asked which, if any, crossings could be eliminated from the Bid.

John Williams said that he has been forced to cut a lot of what he thinks is necessary out of the project. He said his objective continues to be to have a railroad operable and conforming to FRA standards. Mr. Williams said the 2005 Capital Assessment Report reflected 2005 prices and due to inflation, bids are coming in higher than the estimates prepared in 2005.

Chairman Hemphill asked where additional funds could be found if needed to make up the shortfall for the project.

Angel Lucero said that NCRA could go before the CTC and request a reallocation of remaining TCRP funds for the project. She also added that the ISTEA funds will not be readily available for NCRA's use in the near future.

Executive Director Stogner said there has been \$33.1 million allocated by the CTC to date. He said that the remaining TCRP funds include \$2.1 for the Schellville Project, \$2.6 for the ECD subsurface clean-up, \$1.8 local match to \$8.6 in ISTEA funds, and \$1.6 in project 32.9 Lombard to Windsor. He said that \$3.9 for the EIR/EIS for the Eel River Canyon is part of the \$33.1 million that has already been allocated by the CTC.

Upon Motion by Director Kelley, seconded by Director Simonson and carried unanimously (3-0 Colfax absent) the Committee directed Staff to see how NCRA can access any unallocated TCRP funds for the potential project shortfall, adding that Schellville and the ECD Clean-up funds are unavailable and need to remain dedicated to those projects.

2. Discussion and Possible Action Regarding Options Relative to Signal Contract # 2 Proposals

John Williams said that he wants a continuous operable rail line from South to North and if any signals need to be removed, he requested that the northern most signals be removed from the bid.

Upon motion by Director Kelley, seconded by Director Simonson, and carried unanimously (3-0, Colfax absent) the Committee directed Staff to begin discussions with the lowest responsible bidder, negotiate signal repair costs, discuss alternatives to the proposal, and discuss the contractor's schedule for completion of signal project # 2 as well as NCRA's

timeline and constraints. The Committee also directed staff to bring the recommendation back to the full Board by Special Board Meeting if necessary.

G. STAFF REPORTS

1. Executive Director – Mitch Stogner

No report

2. Engineer’s Report – Dave Anderson - NCRA Project Manager

No report

H. OPERATOR REPORT

1. John Williams – NWP Co.

No report

Chairman Hemphill convened the Committee into Closed Session at 4:25 p.m.

I. CLOSED SESSION

1. Conference with Legal Counsel—Existing Litigation

One Case; Government Code Section 54956.9 (a)
City of Novato vs. North Coast Railroad Authority
Superior Court of California, County of Marin # 074645

Chairman Hemphill reconvened into Open Session at 4:43 p.m.

J. ANNOUNCEMENT OUT OF CLOSED SESSION

The Committee met with Legal Counsel on one item of Existing Litigation, Government Code Section 54956.9 (a), received information and gave direction.

K. ANNOUNCEMENT OF NEXT MEETING

November 14, 2007
Willits City Council Chambers
111 East Commercial Street
Mendocino County

L. ADJOURNMENT

Chairman Hemphill adjourned the meeting at 4:45p.m.