



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

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

**Wednesday, April 10, 2013 – 10:30 a.m.**  
Humboldt County Board of Supervisors Chambers  
825 Fifth Street, Room 111  
Eureka, CA ó Humboldt County

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### **DRAFT AMENDED AGENDA**

**A. CALL TO ORDER**

**B. ROLL CALL**

- 1. Recognition of Outgoing Director – Clif Clendenen**

**C. AGENDA APPROVAL**

**Please note that the NCRA Board will go directly into a Closed Session after Presentations. The Board will begin discussion of Item G.1 (Resolution No. 2013-04) at approximately 11:30 a.m.**

**D. PUBLIC COMMENT**

*Commenters are requested to complete a Public Comment Card and provide completed card to the Recording Secretary prior to commenting. 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**

- 1. Annie & Mary Rail Trail Status Update**
- 2. Presentation by CalTrout Regarding Woodman Creek Fish Barrier Project and Consideration for Future Action**

**F. CLOSED SESSION**

**1. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION**  
Government Code Sections 54956.9(a)

- a. Californians For Alternatives to Toxics v. NCRA et al.; Northern District of California case number C-11-04104
- b. Friends of the Eel River v. NCRA et al.; Northern District of California case number C-11-04103

**G. CONDUCT OF BUSINESS**

- 1. Discussion and Possible Approval of Resolution No. 2013-04 Repealing Portions of Resolution No. 2011-02 which Pertains to Project Approval for the Resumption of Railroad Operations on the Russian River Division (Lombard to Willits)**
- 2. Discussion and Possible Approval of Agreement Regarding Ukiah Depot Property Remediation**
- 3. Presentation by Land Bridge Alliance and Consideration of Resolution Supporting a Feasibility Study for the East West Rail Line**

**H. CONSENT CALENDAR**

- 1. Approval of Minutes of Regular Board Meeting of March 13, 2013
- 2. Approval of Minutes of Property Committee Meeting of April 8, 2013
- 3. Acceptance of NCRA Financial Statements of March 2013
- 4. Acceptance of Warrants Issued - March 2013
- 5. Acceptance of Cal Card Statement of March 2013
- 6. Approval of Final Financial Audit for Fiscal Year 2010-2011

**I. STAFF REPORT – Mitch Stogner – Executive Director**

- 1. CA State Rail Plan Update**
- 2. NCRA Committees' Composition and Purpose**

**J. OPERATOR REPORT – John Williams – NWP Co.**

**K. LEGAL COUNSEL REPORT – CJ Neary**

**L. MATTERS FROM THE BOARD**

**M. CLOSED SESSION**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Property: Ukiah Depot Site, Ukiah California

Agency Negotiators: Mitch Stogner, C.J. Neary

Under Negotiation: Price, payment of price;

Negotiations with Guillon Inc. Regarding Remediation and Sale of Ukiah Depot Property to the Administrative Office of the Courts.

**2. CONFERENCE WITH LEGAL COUNSEL**

Significant Exposure to litigation pursuant to Government Code 54956.9(b), (One Case)

**N. ANNOUNCEMENT OUT OF CLOSED SESSION**

**O. ANNOUNCEMENT OF NEXT MEETING**

May 8, 2013 - 10:30 a.m.

Marin County - TBD

**P. ADJOURNMENT**

***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.*

***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.*