

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



NORTH COAST RAILROAD AUTHORITY (NCRA) Board of Directors Meeting- SPECIAL MEETING

Friday, January 13, 2017
10:30 a.m.
Conference Call
See Call-In Locations Below

FINAL MINUTES

Public Participation Location:

NCRA Office: 419 Talmage Road, Suite M, Ukiah, CA 95482

Alternate Public Participation Locations:

The following Directors will be calling into the meeting via conference call from the following locations:

Chair Allan Hemphill: 137 Porterfield Creek Dr., Geyserville, CA

Director Stroeh: 45 Leveroni Ct., Novato, CA

Director Peters: 2350 Dominic Dr., Novato, CA

Director McCowen: 419 Talmage Rd., Suite M, Ukiah, CA

Directors Wagenet and Madrigal: 110 S. Main St., Willits, CA

Director Marks: Woodley Island Marina, 601 Startare Dr., Eureka, CA

Director Kelley: 791 Pordon Ln., Healdsburg, CA

A. CALL TO ORDER

Chair Hemphill called the meeting to order at 10:32 a.m.

B. ROLL CALL

Directors Present: Hemphill, Stroeh, Peters, McCowen, Wagenet, Marks, Kelley

Directors Absent: Madrigal, Fennell

Others Present: Executive Director Mitch Stogner, Legal Counsel Chris Neary, NWP Co. Legal Counsel Doug Bosco, Pete Oringer Timber Heritage Association (THA)

C. AGENDA APPROVAL

Upon Motion by Director Stroeh, seconded by Director Kelley the Board Approved the Agenda with the change that, Closed Session Items will be discussed before Conduct of Business Item.

Motion Carried: AYES: 7- Hemphill, Stroeh, Peters, McCowen, Wagenet, Marks, Kelley NOES: 0
ABSTAIN: 0 ABSENT: 2- Madrigal, Fennell

D. PUBLIC COMMENT

Pete Oringer- Mr. Oringer requested an update on the clean-up taking place in Eureka located by Target.

Executive Director Stogner- Mr. Stogner explained that NCRA had no knowledge of this clean-up and will follow up with Humboldt County and provide Mr. Oringer with an update.

Pete Oringer- Mr. Oringer said the THA ran a speeder car for the opening of the new trail behind the Bayshore Mall in Eureka and many community members were in attendance.

The Board convened to Closed Session at 10:46 a.m.

E. CONDUCT OF BUSINESS-

1. Consideration and Possible Approval of Settlement with Pacific Bell/AT&T

F. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9(a) (two cases)

a. NCRA vs. SMART

Surface Transportation Board # FD 36077

b. NCRA vs. AT&T, Mendocino Superior Court

Case No. SCU-K-CVPO-15-0066151

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

a. Ukiah Depot Property

Negotiation Regarding Sale of Excess Ukiah Depot Property

Agency Negotiators: Mitch Stogner, Chris Neary

b. NWP Co.

Gov. Code 54956.8

Parties to Negotiation: NCRA; NWP Co.

Agency Negotiators: Mitch Stogner, Chris Neary

Under Negotiation: Payment Provisions of 2006 Lease Agreement with NWP Co.

The Board reconvened from Closed Session at 11:48 a.m.

G. CONDUCT OF BUSINESS-

1. Consideration and Possible Approval of Settlement with Pacific Bell/AT&T

Upon Motion by Director Kelley, seconded by Director Stroeh the Board Approved a Settlement offer to be forwarded to Pacific Bell/AT&T for its consideration.

Motion Carried: AYES 6- Hemphill, Stroeh, McCowen, Wagenet, Marks, Kelley NOES: 0 ABSTAIN: 1- Peters ABSENT 2- Madrigal, Fennell

The Board convened to Closed Session at 11:50 a.m.

The Board reconvened to Open Session at 12:09 p.m.

H. ANNOUNCEMENT OUT OF CLOSED SESSION

The Board met on 1 Item. Advised and gave direction to Counsel which resulted in the settlement offer approved and transmitted to AT&T. The Board also met on the remainder of Closed Session Items and gave direction to Counsel.

I. ANNOUNCEMENT OF NEXT MEETING

**Regular Board Meeting
February 8, 2017 at 10:30 a.m.
Healdsburg City Council Chambers
401 Grove Street, Healdsburg, CA
Sonoma County**

J. ADJOURNMENT

Chair Hemphill adjourned the meeting at 12:10 p.m.

DRAFT