

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



NORTH COAST RAILROAD AUTHORITY (NCRA) Board of Directors Meeting

Healdsburg City Council Chambers
401 Grove Street, Healdsburg, CA
Sonoma County
Wednesday, February 8, 2017 – 10:30 a.m.

AMENDED AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. AGENDA APPROVAL

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 – Steve Honeycutt – Guillon Inc. Update regarding Ukiah Depot Property Improvements

F. CONDUCT OF BUSINESS

- 1. Appointments to NCRA Committees for Calendar Year 2017**
- 2. Consideration and Possible Approval of Lease of Railroad Property to Mendocino Redwood Company at MP 116 in Ukiah**
- 3. Consideration and Possible Approval of Authorization of Executive Director to Execute and Record a Covenant Running with the Land as Required by the North Coast Regional Water Quality Control Board pertaining to Allowable uses of "The Mason St. Property"**
- 4. Consideration and Possible Approval of Authorization to Sell Interest in Petaluma Railroad Easements**
- 5. Consideration and Possible Approval of Selection Process for Vacant City Representative Seat on the NCRA Board of Directors**

6. **Consideration and Possible Approval of Settlement Agreement with Pacific Bell/AT&T**
7. **Consideration and Possible Approval of Settlement Agreement with SMART Concerning Amendment to Operating Agreement**

G. CONSENT CALENDAR

1. **Approval of Minutes – Regular Board Meeting – December 14, 2016**
2. **Approval of Minutes – Special Meeting – January 13, 2017**
3. **Acceptance of NCRA Financial Statements – December 2016**
4. **Acceptance of NCRA Financial Statements – January 2017**
5. **Acceptance of Warrants Issued – December 2016**
6. **Acceptance of Warrants Issued – January 2017**
7. **Acceptance of Cal Card Statement – December 2016**
8. **Acceptance of Cal Card Statement – January 2017**
9. **Acceptance of Property Management Report – December 2016**
10. **Acceptance of Property Management Report – January 2017**

H. STAFF REPORT – Mitch Stogner – Executive Director

I. OPERATOR REPORT – Doug Bosco – NWP Co. Legal Counsel

J. LEGAL COUNSEL REPORT – CJ Neary

K. MATTERS FROM THE BOARD

L. 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. SCUK-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.

M. ANNOUNCEMENT OUT OF CLOSED SESSION

N. ANNOUNCEMENT OF NEXT MEETING

**Regular Board Meeting
March 8, 2017 at 10:30 a.m.
Mendocino County Board of Supervisors Chambers
501 Low Gap Road, Ukiah, CA
Mendocino County**

O. 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.