

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



NORTH COAST RAILROAD AUTHORITY (NCRA) Board of Directors Meeting

Mendocino County Board of Supervisors Chambers
501 Low Gap Road, Ukiah, CA
Mendocino County
Wednesday, March 8, 2017 – 10:30 a.m.

FINAL 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 –

1. American Rail Engineers (ARE) - Dave Anderson – Update regarding the following:

- a.** Automation of Black Point Bridge;
- b.** Clay St. Crossing at Ukiah Depot;
- c.** State Fish & Wildlife Levees protecting Trackway in Schellville;
- d.** Misc. Engineering projects from Healdsburg to Arcata

2. Guillon Inc. - Steve Honeycutt – Ukiah Depot update, including Mason St. Property North of East Perkins St. in Ukiah

F. CONDUCT OF BUSINESS

1. Discussion and Possible Action regarding Resolution Declaring Certain Property North of Citrus Fair Dr. in Cloverdale to be Excess Railroad Property

2. **Discussion and Possible Action regarding Approving an Exemption from Competitive Bidding Procedure for Listing Agreement with Guillon Inc.**
3. **Discussion and Possible Action regarding Approval of Listing Agreement with Guillon Inc. for Sale or Lease of Excess Railroad Property North of Citrus Fair Dr. in Cloverdale**

G. CONSENT CALENDAR

1. **Approval of Minutes – Regular Board Meeting – Feb 8, 2017**
2. **Acceptance of NCRA Financial Statements – February 2017**
3. **Acceptance of Warrants Issued – February 2017**
4. **Acceptance of Cal Card Statement – February 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. SCUК-CVPO-15-0066151
 - c. Friends of the Eel River, Californians For Alternatives to Toxic vs. NCRA et al.
Supreme Court Case No. S222472
2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Government Code Section 54956.9 (b) (two cases)
3. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
 - a. Ukiah Depot Property, including Mason Street Property
Negotiation Regarding Disposition of Ukiah Depot Property, including Mason Street Property
Agency Negotiators: Mitch Stogner, Chris Neary
Under Negotiation: Price, Terms
 - 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. including other Consideration, including Track Abandonment and
Methodology of Consideration Calculations

M. ANNOUNCEMENT OUT OF CLOSED SESSION

N. ANNOUNCEMENT OF NEXT MEETING

Regular Board Meeting
April 12, 2017 at 10:30 a.m.
Novato Sanitary District
500 Davidson Street, Novato, CA
Marin 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.