



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

## **NORTH COAST RAILROAD AUTHORITY (NCRA) Board of Directors Meeting**

Novato Sanitary District  
500 Davidson Street, Novato, Ca.  
Marin County  
Monday, December 9, 2019 - 10:30 a.m.

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### **MINUTES**

#### **A. CALL TO ORDER**

Chair Marks called the meeting to order at 10:30 a.m.

#### **B. ROLL CALL**

**Directors Present:** Hagele, McCowen, Campbell, Connolly, Haschak, Gore, Hart, Chair Marks

**Directors Absent:** Fennell

**Others Present:** Executive Director – Mitch Stogner, Legal Counsel – Aldo Mercado, City of Ukiah - Sage Sangiacomo, Guillon Inc., Steve Honeycutt, Caltrans District 1 – Leishara Ward, and Recording Secretary Hiedy Torres.

#### **C. AGENDA APPROVAL**

Upon Motion by Director Hart, seconded by Director Gore the Agenda was unanimously approved as presented.

#### **D. PUBLIC COMMENT**

**Bernard Meyers** – Mr. Meyers provided the Board with a handout that showed a history of transactions between the NCRA and NWP Co. Mr. Meyers said that NWP Co. should have reimbursed NCRA for legal costs incurred as a result of NWP's actions related to the Environmental Impact Report approved by the board in 2011.

#### **E. CONDUCT OF BUSINESS**

- 1.** Discussion and Possible Action Regarding Election of Board Officers for Calendar Year 2020

Upon Motion by Director Hart, seconded by Director Campbell, the Board unanimously approved Director Hagele to serve as Chair of the Board, and Director Connolly to serve as Vice Chair of the Board for Calendar Year 2020.

2. Discussion and Possible Action Regarding Appointments to NCRA Committees for Calendar Year 2020

Upon Motion by Director Hart, seconded by Director Gore ,the Board unanimously approved Committee Appointments and made minor adjustments as follows:

- Dir. McCowen was added to the Ad-Hoc Operator Report Committee
- The Ad-Hoc Trail and Railbanking Committee was combined with the Ad-Hoc NCRA/SMART Coordination Committee ,and Director Hart will Chair the Committee.

3. Discussion and Possible Action Regarding Ukiah Proposal to Include NCRA Right-of-Way Within the City's Park System

Upon Motion by Director McCowen, seconded by Director Hart, the Board unanimously approved, contingent on approval by the CTC and in consultation with the City of Ukiah Legal Counsel and NCRA Legal Counsel, the City of Ukiah to include NCRA right-of-way within the City's park system.

4. Discussion and Possible Action Regarding Ukiah Depot Improvements – Status of Munselle Engineering tasks

Steve Honeycutt, Guillon Inc. provided the Board with an update regarding the Ukiah Depot Improvements. Mr. Honeycutt said that Munselle Engineering has completed engineering plans necessary for public bid process requirements, and that the public utility requirements have introduced additional obligations that will be resolved shortly. Mr. Honeycutt also said that the JCC has requested an amendment to the original Off-Site Improvement Agreement, as amended September 27,2017, prior to the release of its share (\$1.690 million) of funding for the project.

**Public Comment:**

Leishara Ward, Caltrans District 1 – Ms. Ward said that after NCRA has approved the bid documents, the documents must be submitted to Caltrans and the CTC for review, and for the complete review, a minimum of two-weeks should be expected.

Matthew Hilliard, Construction Industry Force Account Council – Mr. Hilliard said that NCRA does not yet have an engineer's estimate and normally the CIFAC prefers the engineer's estimate to determine the costs that are involved in this type of project.

Upon Motion by Director Hart, seconded by Director McCowen, the Board unanimously approved direction to staff as follows:

- Complete preparation of competitive bid package;
- When bid package is final, schedule a meeting with the JCC and NCRA representatives to discuss an amendment to the Off-Site Improvement Agreement for the Ukiah Depot Project;
- Authorize staff to contact the CTC and request this item be added to their Agenda, and
- Update the Board at the January meeting on progress.

**5. Update Regarding Overall Work Program**

Leishara Ward, Caltrans District 1 – Ms. Ward reported that the Overall Work Program was approved, in concept, by the State Undersecretary on Friday December 6, and the Undersecretary will be meeting with the Department of Finance in the coming weeks, for possible approval of NCRA funding.

**F. CONSENT CALENDAR**

1. Approval of Minutes – Regular Board Meeting – October 14, 2019
2. Approval of NCRA Financial Statements – October and November 2019
3. Approval of Warrants Issued – October and November 2019
4. Approval of Cal Card Statement – October and November 2019

Upon Motion by Director Connolly, seconded by Director Gore the Board unanimously approved Consent Calendar Items F.1 through F.4 as presented.

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

Mr. Stogner said that the Department of Finance has been conducting its assessment of debts and liabilities and has met with NCRA staff several times in the past month. He said that DOF has been primarily focused on inventory and all agreements with NWP Co.

**H. MATTERS FROM THE BOARD**

Director McCowen – Dir. McCowen said that the NCRA property manager is collecting fees and not doing the work described in its agreement. He said this needs to be addressed and the state should be made aware of the existing property management contract between NCRA and Florida East Coast Railway.

Director Marks – Dir. Marks said that major repairs have been made to the Eureka Waterfront Trail and that portions of the trail are currently open to the public.

The Board convened to Closed Session at 12:15 p.m.

**I. CLOSED SESSION**

**1. CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT THREAT OF LITIGATION**

- a. Dehran Duckworth v. John O. Thomas et al.  
Humboldt County Sup. Ct. Case No. DR 190227  
Pursuant to Government Code Section 54956.9(d)(2)

**J. ANNOUNCEMENT OUT OF CLOSED SESSION**

The Board reconvened to Open Session at 12:33 p.m.

The Board met in Closed Session and gave direction to Counsel.

**K. ANNOUNCEMENT OF NEXT MEETING**

Regular Board of Directors Meeting  
Monday, January 13, 2020 - 10:30 a.m.  
Humboldt County Board of Supervisors Chambers  
825 5<sup>th</sup> Street, Eureka, CA  
Humboldt County

**L. ADJOURNMENT**

**Adjourning in memory of long-time, dedicated NCRA Board Director (1999-2009) and former NWP North Coast railroad engineer, Robert Simonson.**

Chair Marks adjourned the meeting at 12:35 p.m.