



North Coast Railroad Authority
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www.northcoastrailroad.org

**NORTH COAST RAILROAD AUTHORITY (NCRA), by and through its successor entity, the
Great Redwood Trail Agency, pursuant to California Government Code 93010(c)**

**Board of Directors Meeting
Teleconference**

MINUTES

**Monday, March 14, 2022
10:30am**

A. CALL TO ORDER

Director Hagele called the meeting to order at 10:33 am.

B. ROLL CALL

Directors Present: Madrone, Marks, Haschak, Mulheren, Hart, Bagby, Connolly, Campbell, and Chair Hagele.

Others Present: Executive Director – Mitch Stogner, Legal Counsel – Elizabeth Coleman, Recording Secretary – Hiedy Torres, Jason Liles – CA Senator McGuire’s Office, Karyn Gear – California Coastal Conservancy, David Anderson – American Rail Engineers, Stacey Edgmon – Aycock & Edgmon.

Public Attendees: Loretta Ellard – MCOG, KPIX News, Alicia Hamann - Friends of the Eel River, Timber Heritage, Leishara Ward – Caltrans, Jerry Peters, Wilson Walker, Thomas Conti, C.S. Coolidge, Mike Pechner, and Andrew Graham.

C. AGENDA APPROVAL

Upon Motion by Director Marks, seconded by Director Mulheren the Agenda was unanimously approved as presented.

Motion Carried:

AYES: 9 - Madrone, Marks, Haschak, Mulheren, Hart, Bagby, Connolly, Campbell, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 0

D. PUBLIC COMMENT

No Public Comment.

The Chair described items listed on the agenda for Closed Session and called for Public Comment regarding those items. No Public Comment was made regarding Closed Session.

The Board convened to Closed Session 10:38 am.

E. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

Government Code Section 54956.9(a)

- a. M.C.M. Construction, Inc. v. North Coast Railroad Authority
Mendocino County Superior Court, Case No. SCUk-CVG-19-73209
- b. Dehran L. Duckworth v. John O. Thomas, et al.
Humboldt County Superior Court, Case o. DR190227

The Board reconvened to Open Session at 10:58 am.

Director Connolly left the meeting at 10:58 am.

F. ANNOUNCEMENT OUT OF CLOSED SESSION

Direction was given to Counsel on agenda items E.1.(a) and E.1.(b).

G. CONDUCT OF BUSINESS

- 1. Discussion and Possible Action Regarding Resolution No. 2022-05 Making Findings and Continuing Determination to Conduct Meetings by Teleconference

Chair Hagele called for Public Comment. No Public Comment was made.

Upon Motion by Director Marks, seconded by Director Haschak the Board approved Resolution No. 2033-05 Making Findings and Continuing Determination to Conduct Meetings by Teleconference.

Motion Carried:

AYES: 8 - Madrone, Marks, Haschak, Mulheren, Hart, Bagby, Campbell, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 1- Connolly

- 2. Discussion and Possible Action Regarding Approval of Consultant Agreements in Support of Rail banking Application
 - a. Appraiser Agreement

Chair Hagele called for Public Comment. No Public Comment was made.

Upon Motion by Director Mulheren, seconded by Director Campbell the Board approved Agreements in Support of Rail Banking Application with final cost not to exceed \$20,000.

Motion Carried:

AYES: 8 - Madrone, Marks, Haschak, Mulheren, Hart, Bagby, Campbell, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 1 - Connolly

Director Connolly joined the meeting at 11:03 am.

3. Discussion and Possible Action Regarding Approval of Resolution No. 2022-03 Approving Amendment to Final Agency Budget FY 2021-22

Director Madrone - He supports this request to use these funds and looks forward to these funds coming back to address maintenance needs, especially to the longest trestle that was built as part of the Annie and Mary and looks forward to the benefits to the Coho salmon population.

Chair Hagele called for Public Comment. No Public Comment was made.

Upon Motion by Director Madrone, seconded by Director Marks the Board approved Resolution No. 2022-03 Approving Amendments to Final Agency Budget FY 2021-22.

Motion Carried:

AYES: 9 - Madrone, Marks, Haschak, Mulheren, Hart, Bagby, Connolly, Campbell, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 0

H. STAFF REPORT – Executive Director, Mitch Stogner

Mitch thanked all the volunteers that expended lots of time and effort to preserve the 316-mile unbroken rail corridor and thanked all the Directors that have served the NCRA over the past 33 years to keep this corridor intact and preserved forever.

I. CONSENT CALENDAR

1. Approval of Minutes – Regular Board Meeting - September 13, 2021
Special Board Meeting - November 10, 2021
Regular Board Meeting – January 24, 2022
2. Approval of NCRA Financial Statements - September 2021 through February 2022
3. Approval of Warrants Issued – September 2021 through February 2022
4. Approval of Cal Card Statement – September 2021 through February 2022
5. Approval or Resolution No. 2022-04 Final Resolution Commending NCRA

Chair Hagele called for Public Comment. No Public Comment was made.

Upon Motion by Director Marks, seconded by Director Hart the Board approved Consent Calendar items I. 1 through I.5 as presented.

Motion Carried:

AYES: 9 - Madrone, Marks, Haschak, Mulheren, Hart, Bagby, Connolly, Campbell, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 0

J. MATTERS FROM THE BOARD

Chair Hagele read Resolution 2022-04-

Whereas, in 1983, the Northwestern Pacific Railroad (NWP), a subsidiary of Southern Pacific (SP), announced that it was terminating regular freight service on the North Coast because the cost of maintaining trackway in the slide-prone Eel River Canyon was prohibitive; and

Whereas, a group of local officials and the CPUC mounted a campaign to oppose SP/NWP abandonment of the line and prevailed upon their newly elected Congressman, Doug Bosco, to join them in the effort to prevent abandonment of the line, which would have resulted in property reversions to private parties and the eventual loss of the unbroken rail corridor; and

Whereas, the locals successfully fought the SP/NWP abandonment, and in 1986 Bosco authored an amendment to HR 2, The Federal Aid to Highways and Transit Act that provided \$24 mil. towards the acquisition of the NWP right-of-way from Larkspur to Willits.

Whereas, in 1989, the state legislature created the NCRA to maintain and restore rail service on the entire 316-mile NWP line from Humboldt Bay to the railroad interchange south of Napa; and

Whereas, in 1992, the NCRA gained CTC approval to purchase the north end out of bankruptcy (Willits to Samoa), and in 1996 the CTC approved the use of state and federal funds (including HR 2 funds) to purchase the line from Willits down to Healdsburg, while the NWPRA (Entity that preceded SMART) purchased the segments from Healdsburg down to Novato, and Novato over to Napa; and

Whereas, because there was not a dedicated source of operating revenue (Agency Funding) NCRA was fraught with problems throughout the 1990's, and in 1998, after devastating El Nino storms destroyed the line through the Eel River Canyon, the FRA shutdown the railroad for safety reasons in 1998(Emergency Order 21); and

Whereas, a revival occurred in 2000 when NCRA was earmarked \$60 mil. for capital improvements to the line and NCRA used this money from 2006-2011 to restore 62 miles of railroad from the rail interchange south of Napa to Windsor; and

Whereas, despite 2 expensive and time-consuming lawsuits, NCRA was able to complete repairs, get EO 21 lifted, and restart regular service.

Whereas, from 2011 until present, NCRA has managed the freight Services in Sonoma County, worked to develop trails in Mendocino

County and Humboldt Counties, and approved the sale of the Ukiah Depot to the Administrative Office of the Courts (AOC) for a new County Court complex in downtown Ukiah, all without any dedicated source of agency funding; and

Whereas, because of the dedicated efforts of countless volunteers and an all-volunteer NCRA Board of Directors, SMART can assume Freight responsibilities south of Cloverdale, and the GRTA can work on the creation of the Great Redwood Trail; and

Whereas, the preservation of this historic unbroken rail corridor would not have been possible without the dedication of an all-volunteer Board of Directors who drove monthly to NCRA Board meetings without so much as a stipend including -

Allan Hemphill
Richard Marks
Jerry Peters
Dietrich Stroeh
Supervisor John Woolley
Supervisor Estelle Fennell
Supervisor John McCowen
Supervisor Paul Kelley

And many others who dedicated their time and knowledge to this Agency; and

Whereas, in 2018, SB 1029 was signed by the Governor, beginning the Process to wind down the NCRA, transition its assets and responsibilities as appropriate, and look toward the future creation of the Great Redwood Trail, which process resulted in the reorganization and renaming of the NCRA to the Great Redwood Trail Agency via the terms of SB 69 beginning March 1, 2022, with ongoing structural changes to the reform entity through the coming months; and

Whereas, pursuant to the terms of SB 69, all references in law to the NCRA now refer to the Great Redwood Trail Agency, the Board of Directors as its last act as the Board of Directors of the North Coast Railroad Authority, by and through its power as the Board of Directors for the Great Redwood Trail Agency, hereby resolves as follows:

1. The Board of Directors of the North Coast Railroad Authority Commends the efforts of the staff, former board members, Volunteers, and engaged stakeholders through the dedicated Actions of which the Northwestern Pacific Railroad line from Napa and Marin Counties to Humboldt Bay has remained unbroken; and the Board of Directors hereby closes business of the North Coast Railroad Authority for its final time in such capacity.

Introduced and adopted this 14th day of March 2022 at a regular meeting of the Board of Directors of North Coast Railroad Authority at Ukiah, California.

Chair Hagele thanked all the volunteers that have worked so hard to preserve this railway for all time and he embraces the new mission 100%. He shows his appreciation for all those involved to protect this unbroken public asset. After 30 years we have come to the end of the line. It is important to acknowledge all the directors, fans, and supporters that came to every board and dedicated countless hours to the mission of the NCRA with no financial support. For some this is a sad day, but for us this is a celebration. This Board will now be the Great Redwood Trail Agency and the Director will stay on board until your end of term.

Chair Hagele and Executive Director, Mitch Stogner both signed a copy of the Final NCRA Resolution.

K. ADJOURNMENT

Chair Hagele adjourned the meeting at 11:11 am.