



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 13, 2019 - 10:30 a.m.

MINUTES

A. CALL TO ORDER

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

B. ROLL CALL

Directors Present: Hart, Kelley, Wagenet, McCowen, Breen, Fennell, Peters, Marks

Directors Absent: Hagele

Others Present: Executive Director – Mitch Stogner, Sonoma County Counsel – Elizabeth Coleman, Recording Secretary – Hiedy Torres.

C. AGENDA APPROVAL

Upon Motion by Director McCowen, seconded by Director Peters the Agenda was unanimously approved as presented.

D. PUBLIC COMMENT

Paul Downing – Mr. Downing said that he thinks Healdsburg needs temporary signals and crosswalks along the railroad right-of-way.

Richard Brand – Mr. Brand said that he spoke with SMART regarding flaws in SB 1029 as it relates to freight service and he believes that freight operations should not be turned over to SMART.

Allan Hemphill – Mr. Hemphill said that recognition needs to be given to the NCRA for its years of dedicated work towards restoring freight service and for maintaining rail where economically feasible. He also said that NCRA must continue to advocate for rail service as directed by its mandate.

E. CONDUCT OF BUSINESS

Agenda Items E.1.(a) and E.1.(b) were discussed as separate items.

1. Discussion and Possible Action Regarding:

(a) Appointment of Sonoma County Counsel to act as General Counsel to North Coast Railroad Authority for all purposes;

Upon Motion by Director McCowen, seconded by Director Breen the Board unanimously approved Appointment of Sonoma County Counsel to act as General Counsel to North Coast Railroad Authority for all purposes.

(b) Designation of Director Caryl Hart as authorized representative of NCRA under Section 5 of the legal services agreement with County of Sonoma

Upon Motion by Director McCowen, seconded by Director Fennell the Board unanimously approved Designation of Director Caryl Hart as authorized representative of NCRA under Section 5 of the legal services agreement with County of Sonoma.

2. Discussion Regarding License Agreement with Humboldt County for Phase 1 of the Annie & Mary Trail, Conditioned on Approval by State of California

Public Comment:

Paul Downing – Mr. Downing said that a trail will preserve the unbroken transportation corridor and he believes this portion should be railbanked.

Discussion Only. This item was continued to the April 10 Board Meeting at the request of the Board.

F. CONSENT CALENDAR

1. Approval of Minutes – Regular Board Meeting – January 9, 2019
2. Approval of Minutes – Property Committee Meeting – January 30, 2019
3. Approval of NCRA Financial Statements – January 2019
4. Approval of Warrants Issued – January 2019
5. Approval of Cal Card Statement – January 2019

Upon Motion by Director Kelley, seconded by Director Hart the Board unanimously approved Agenda items F.1 through F.5 as presented.

G. OPERATOR REPORT – Doug Bosco – President NWP Co.

Mr. Bosco said that he has been appointed as President for NWP Co., Judy Ahoe has been appointed as Director of the Board, Linda Williams has been appointed as Executive Vice President, and Andrew Saby has been appointed as Legal Counsel. He said he wants to assure the public that NWP Co. has a goal to build up freight service, though current lawsuits have impeded opportunities to attract new shippers. Mr. Bosco also said that NWP Co. is making repairs to correct track crossing near Schellville. He said Caltrans has agreed to shutdown Hwy. 37 so that a much-needed repair to track surface across this busy highway can be accomplished.

H. STAFF REPORT – Mitch Stogner – Executive Director

1. Ad Hoc NCRA/Humboldt Bay Rail Trail Corridor Committee

(a) Fairhaven/Security National Proposal

(b) Rail Pedal Bikes

2. Property Committee Meeting January 30, 2019

(a) Fairhaven/Security National Proposal

(b) Annie & Mary Phase 1 Trail Blue Lake, Humboldt County

The Board directed Legal Counsel to review the proposals presented by Humboldt County and report back to the Board.

I. MATTERS FROM THE BOARD

Dir. Kelley- Dir. Kelley said that he appreciates all the work Mr. Neary has done for the NCRA.

Dir. McCowen – Dir. McCowen said he would like to acknowledge Mr. Neary for his work in preserving the right-of-way.

Dir. Hart – Dir. Hart said that she would like to recognize the contribution that Director Wagenet has made to the NCRA and she thanked him for his service.

Dir. Fennell – Dir. Fennell said that she got a letter from constituents regarding a trestle on the Annie and Mary line that needs to be removed. She asked that staff investigate this matter further.

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

J. CLOSED SESSION

1. 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
Under Negotiation: Price, Terms
Proposed Purchaser: Judicial Council of California
Purchaser’s Negotiator: Leland Roberts

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(a) two cases

- a.** CATS V. NORTH COAST RAILROAD AUTHORITY
Marin County Superior Court Case No. CIV-1103591
- b.** FOER v. NORTH COAST RAILROAD AUTHORITY
Marin County Superior Court Case No. CIV- 1103605

The Board reconvened to Open Session at 12:38 p.m.

K. ANNOUNCEMENT OUT OF CLOSED SESSION

The Board gave direction to Legal Counsel on Closed Session Items 2 (a) and 2 (b).

L. ANNOUNCEMENT OF NEXT MEETING

Special Board Meeting teleconference
Wednesday, March 6, 2019 - 10:30 a.m.
419 Talmage Road, Suite M, Ukiah, CA
Mendocino County

M. ADJOURNMENT

Chair Marks adjourned the meeting at 12:39 p.m.