



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

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

Humboldt County Board of Supervisors Chambers  
825 5<sup>th</sup> Street, Eureka, CA  
Humboldt County  
Wednesday, September 12, 2018 - 10:30 a.m.

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### **MINUTES**

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

Chair Wagenet called the meeting to order at 10:38 a.m.

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

**Directors Present:** Peters, Breen, Fennell, McCowen, Marks, Wagenet

**Directors Absent:** Kelley, Hart, Hagele

**Others Present:** Executive Director – Mitch Stogner, Legal Counsel – Chris Neary, NCRA Contract Accountant – Stacey Edgmon, and Recording Secretary – Hiedy Torres

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

Upon Motion by Director McCowen, seconded by Director Marks the Agenda stood as presented.

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

No public comment.

#### **E. PRESENTATION**

**Pete Oringer – Timber Heritage Association** – Update regarding THA, Humboldt Eastern project, and Pacific Northwestern Rail business plan.

**Mr. Oringer, THA** – Mr. Oringer gave a short report on the recent activity of the THA. He said they had done several very successful speeder activities and had a great turnout.

**Bill Bertain, Humboldt Eastern Railroad** – Mr. Bertain presented the Board with a handout and pamphlet which explained an overview of a proposed project between Pacific Northwest Railroad and

Humboldt Eastern railroad to construct a rail line that would run from The Port of Humboldt Bay to the Central Valley near Redding.

**F. CONDUCT OF BUSINESS**

**1. Discussion and Possible Action Regarding Resolution No. 2018-14 Approving Final FY 2018-19 Agency Budget**

Upon Motion by Director Peters, seconded by Director Breen the Board Unanimously Approved Resolution No. 2018-14 Approving Final FY 2018-19 Agency Budget.

**2. Discussion and Possible Action Regarding Resolution No. 2018-15 Approving Final FY 2018-19 Property Budget**

Upon Motion by Director Peters, seconded by Director Fennell the Board Unanimously Approved Resolution No. 2018-15 Approving Final FY 2018-19 Property Budget.

**3. Discussion and Possible Action Regarding Resolution No. 2018-16 Approving Final FY 2018-19 RRIF Federal Railroad Administration Budget**

Upon Motion by Director McCowen, seconded by Director Peters the Board Unanimously Approved Resolution No. 2018-16 Approving Final FY 2018-19 Federal Railroad Administration Budget.

**4. Discussion and Possible Action Regarding Resolution No. 2018-17 Approving Final FY 2018-19 TCRP Budget**

Upon Motion by Director McCowen, seconded by Director Peters the Board Unanimously Approved Resolution No. 2018-19 TCRP Budget.

**5. Discussion and Possible Approval of Contract Extension – Aycock & Edgmon**

Upon Motion by Director Peters, seconded by Director Fennell the Board Unanimously Approved Contract Extension – Aycock & Edgmon.

**6. Discussion and Possible Action Regarding SB1029 (McGuire)**

Discussion only. No action taken.

At the request of Director Breen, discussion of SB1 (Beall) will be added to the October 2018 Agenda.

**G. CONSENT CALENDAR**

**1. Approval of Minutes – Regular Board Meeting – July 11, 2018**

**2. Approval of NCRA Financial Statements – July and August 2018**

**3. Approval of Warrants Issued – July and August 2018**

**4. Approval of Cal Card Statement – July and August 2018**

**5. Approval of Property Management Report – July and August 2018**

Upon Motion by Director Marks, seconded by Director McCowen the Board Approved Consent Calendar

Items G.2 through G.4 as presented and Approved G.1 with the following change: July 11, 2018 Minutes will reflect that Attorney Neary advised the Board that he was recording a Memorandum of its 2013 Remediation Agreement with NWP Co. so as to provide constructive notice of the terms of that agreement.

Agenda Item G.5 will be discussed following Closed Session at the request of Dir. Peters.

**H. OPERATOR REPORT – Doug Bosco – Legal Counsel NWP Co.**

No report provided. Dir. Peters was advised that NCRA would receive a report from NWP Co., but one was not provided.

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

No report.

**J. LEGAL COUNSEL REPORT – CJ Neary**

No report.

**K. MATTERS FROM THE BOARD**

The Board convened to Closed Session at 12:09 p.m.

**L. CLOSED SESSION**

**1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Government Code Section 54956.9(a) two cases

**a. FRIENDS OF THE EEL RIVER V. NORTH COAST RAILROAD AUTHORITY**

Marin County Superior Court Case # CIV1103605

**b. CATS V. NORTH COAST RAILROAD AUTHORITY**

Marin County Superior Court Case # CIV1103591

**2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

**a.** Ukiah Depot Property, Including Mason Street Property  
Government Code Section 54956.9.8  
Negotiation Regarding Disposition of Ukiah Depot Property, including Mason Street Property  
Agency Negotiators: Mitch Stogner, Chris Neary  
Under Negotiation: Price, Terms; Interaction with Judicial Council on Joint Courthouse Off-Site Improvements.

**b.** NWP Co.  
Government Code Section 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.

**3. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL INITIATION OF LITIGATION**  
Government Code Section 54956.9(c) one case

The Board reconvened to Open Session at 1:25 p.m.

Upon Motion by Director Peters, seconded by Director Breen the Board Unanimously Approved Item G.5 as presented.

**M. ANNOUNCEMENT OUT OF CLOSED SESSION**

The Board met in Closed Session on two items of Active Litigation, received information, gave direction and no action was taken. The Board discussed one Real Estate matter, and no action was taken. The Board also met on one item of Anticipated Litigation, no action taken.

**N. ANNOUNCEMENT OF NEXT MEETING**

Regular Board Meeting  
Wednesday, October 10, 2018 - 10:30 a.m.  
Healdsburg City Council Chambers  
401 Grove Street, Healdsburg, CA  
Sonoma County

**O. ADJOURNMENT**

Chair Wagenet adjourned the meeting at 1:29 p.m.