



North Coast Railroad Authority
419 Talmage Road, Suite M, Ukiah, Ca 95482
www.northcoastrailroad.org

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

MINUTES

**Monday, September 13, 2021
10:30 a.m.**

A. CALL TO ORDER

Chair Hagele called the meeting to order at 10:38am.

B. ROLL CALL

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

Directors Absent: Marks, Campbell, and Hart

Others Present: Executive Director – Mitch Stogner, Legal Counsel – Elizabeth Coleman, and Accountant Stacey Edgmon – Aycock and Edgmon, and Recording Secretary – Hiedy Torres

C. AGENDA APPROVAL

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

Upon Motion by Director Madrone, seconded by Director Bagby the Agenda was approved with the change of: Closed Session was moved to be discussed prior to the Conduct of Business.

Motion Carried:

AYES: 6- Madrone, Haschak, Bagby, Connolly, Mulheren, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 3 – Marks, Campbell, and Hart

D. PUBLIC COMMENT

Mike Pechner – Mr. Pechner said he realizes that SB 1029 has changed the NCRA from a rail authority to a trail authority and asked when the transition would officially be made.

Chair Hagele asked legal counsel to comment about Mr. Pechner's questions. Elizabeth Coleman said that the timing on transition to the GRTA had budget and legal implications that were limited to the discussion in Closed Session.

The Board adjourned to Closed Session at 10:41am.

The Board reconvened to Open Session at 11:29am.

The Chair called for Public Comment on Closed Session Items due to meeting access complications prior to the Board convening to Closed Session.

E. CONDUCT OF BUSINESS

1. Discussion and Possible Action Regarding Humboldt Bay Municipal Water District Amendment to License Agreement

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

Upon Motion by Director Madrone, seconded by Director Mulheren Amendment to Humboldt Bay Municipal Water District License Agreement was unanimously approved by the Board.

Motion Carried:

AYES: 6- Madrone, Haschak, Bagby, Connolly, Mulheren, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 3 – Marks, Campbell, and Hart

2. Discussion and Possible Action Regarding Resolution No. 2021-05 Approving 2021-2022 Final Agency Budget;

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

Upon Motion by Director Madrone, seconded by Director Haschak Resolution No. 2021-05 was unanimously approved by the Board.

Motion Carried:

AYES: 6- Madrone, Haschak, Bagby, Connolly, Mulheren, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 3 – Marks, Campbell, and Hart

Discussion and Possible Action Regarding Resolution No. 2021-06 Approving 2021-2022 Final Property Budget;

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

Upon Motion by Director Madrone, seconded by Director Haschak Resolution No. 2021-06 was unanimously approved by the Board.

Motion Carried:

AYES: 6- Madrone, Haschak, Bagby, Connolly, Mulheren, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 3 – Marks, Campbell, and Hart

Discussion and Possible Action Regarding Resolution No. 2021-07 Approving 2021-2022 Final RRIF Budget;

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

Upon Motion by Director Madrone, seconded by Director Haschak Resolution No. 2021-07 was unanimously approved by the Board.

Motion Carried:

AYES: 6- Madrone, Haschak, Bagby, Connolly, Mulheren, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 3 – Marks, Campbell, and Hart

Discussion and Possible Action Regarding Resolution No. 2021-08 Approving 2021-2022 Final TCRP Budget

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

Upon Motion by Director Madrone, seconded by Director Haschak Resolution No. 2021-08 was unanimously approved by the Board.

Motion Carried:

AYES: 6- Madrone, Haschak, Bagby, Connolly, Mulheren, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 3 – Marks, Campbell, and Hart

3. Discussion and Possible Action Regarding Approval of Resolution No. 2021-09 Amendment to NCRA 2021-2022 Agency Budget

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

Upon Motion by Director Madrone, seconded by Director Haschak Resolution No. 2021-09 was unanimously approved by the Board.

Motion Carried:

AYES: 6- Madrone, Haschak, Bagby, Connolly, Mulheren, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 3 – Marks, Campbell, and Hart

4. Discussion and Possible Action Regarding Approval of Resolution No. 2021-10 Amendment to NCRA 2021-2022 Property Budget

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

Upon Motion by Director Madrone, seconded by Director Haschak Resolution No. 2021-10 was unanimously approved by the Board.

Motion Carried:

AYES: 6- Madrone, Haschak, Bagby, Connolly, Mulheren, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 3 – Marks, Campbell, and Hart

5. Discussion and Possible Action Regarding Approval of NCRA Overall Work Program 2021-2022

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

Upon Motion by Director Madrone, seconded by Director Haschak amendments to the NCRA Overall Work Program 2021-2022 were unanimously approved by the Board.

Motion Carried:

AYES: 6- Madrone, Haschak, Bagby, Connolly, Mulheren, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 3 – Marks, Campbell, and Hart

6. Discussion and Possible Action Regarding Approval of 2018-19 Single Year Audit Piseni & Brinker

Director Mulheren left the meeting at 11:53am.

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

Upon Motion by Director Madrone, seconded by Director Haschak Resolution No. 2021-05 was unanimously approved by the Board.

Motion Carried:

AYES: 5- Madrone, Haschak, Bagby, Connolly, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 4 – Marks, Campbell, Mulheren and Hart

7. Discussion and Possible Action Regarding Approval of Engagement Letter Piseni & Brinker to perform 2019-20 and 2020-21 Two- Year Audit

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

Upon Motion by Director Connolly, seconded by Director Hagele the Piseni & Brinker Engagement Letter to perform 2019-20 and 2020-21 Two-Year Audit was unanimously approved by the Board.

Motion Carried:

AYES: 5- Madrone, Haschak, Bagby, Connolly, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 4 – Marks, Campbell, Mulheren and Hart

8. Discussion and Possible Approval of Contract Extension - Executive Director

Chair Hagele called for Public Comment.

Mike Pechner- Mr. Pechner said that Mitch has done an excellent job holding the NCRA together with no funding.

Upon Motion by Director Haschak, seconded by Director Madrone the Board unanimously approved Executive Director Employment Contract Extension.

Motion Carried:

AYES: 5- Madrone, Haschak, Bagby, Connolly, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 4 – Marks, Campbell, Mulheren and Hart

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

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

Upon Motion by Director Haschak, seconded by Director Madrone the Board unanimously approved Aycock & Edgmon Contract Extension.

Motion Carried:

AYES: 5- Madrone, Haschak, Bagby, Connolly, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 4 – Marks, Campbell, Mulheren and Hart

10. Discussion and Possible Approval of Contract Extension - Lear Asset Management

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

Upon Motion by Director Madrone, seconded by Director Haschak the Board unanimously approved Lear Asset Management Contract Extension.

Motion Carried:

AYES: 5- Madrone, Haschak, Bagby, Connolly, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 4 – Marks, Campbell, Mulheren and Hart

F. CONSENT CALENDAR

- 1. Approval of Minutes – Regular Board Meeting - June 14, 2021**
- 2. Approval of NCRA Financial Statements – June 2021 through August 2021**
- 3. Approval of Warrants Issued – June 2021 through August 2021**
- 4. Approval of Cal Card Statement – June 2021 through August 2021**

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

Upon Motion by Director Haschak, seconded by Director Madrone the Board unanimously approved Agenda Items F.1 through F.4 as presented.

Motion Carried:

AYES: 5- Madrone, Haschak, Bagby, Connolly, and Chair Hagele

NOES: 0

ABSTAIN: 0

ABSENT: 4 – Marks, Campbell, Mulheren and Hart

G. STAFF REPORT – Mitch Stogner – Executive Director

- 1. Update on SB 69 (McGuire)**

H. MATTERS FROM THE BOARD

Dir. Madrone – Dir. Madrone said that he and Dir. Haschak have reached out to the landowners along the Eel River Canyon, and they had a very successful Zoom meeting with landowners.

Dir. Haschak – Dir. Haschak said the meeting was good, but it was difficult finding all the landowners. He said out of the 60 landowners that were contacted, about 30 attended the Zoom meeting and it was very informative.

I. CONFERENCE WITH LEGAL COUNSEL

1. CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING 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(a).(c)**
- b. North Coast Rail Authority ("NCRA") – Exempt Abandonment - in
Mendocino, Trinity and Humboldt Counties, CA, AB 1305X pursuant to
Government Code section 54956.9(a).(c)**

J. ANNOUNCEMENT OUT OF CLOSED SESSION

The Board reconvened to Open Session at 11:29am.

Direction was given to Counsel regarding both items listed on the agenda.

K. ANNOUNCEMENT OF NEXT MEETING

Regular Board of Directors Meeting
Monday, December 13, 2021, at 10:30am
Zoom Videoconference

L. ADJOURNMENT

Chair Hagele adjourned to meeting at 12:18pm.