

A G E N D A

***Governing Board of the
Alameda Corridor Transportation Authority***

Meeting Date: January 14, 2010
Time: 9:00 A.M.
**Location: Port of Long Beach
 925 Harbor Plaza
 6th Floor Board Room
 Long Beach, California**

- A. Roll Call**
- B. Opening Statement**

Persons in the audience who wish to address the Governing Board on any agenda item are invited to identify themselves when that agenda item is called. Persons wishing to address the Governing Board on an item not on the agenda but within the subject matter jurisdiction of the Board should ask to be recognized after the last agenda item before any closed session item. Ordinarily, the Governing Board will not act on any matter which does not appear on the published agenda. The Governing Board may consider and act upon any of the items listed on the agenda.

- C. Agenda Items**

- 1. Closed Session:**

- CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Subdivision [a] of Section 54956.9) (Two cases)**

- (a) NRDC et al vs. California Department of Transportation District 7 with
 ACTA as Real Party in Interest
 Los Angeles Superior Court Case BS 122539**
 - (b) NRDC et al vs. USDOT; Ray Lahood, Secretary, USDOT; FHA;
 J. Paviati, Deputy Director, FHA; California Department of
 Transportation with ACTA as Real Party in Interest
 U.S. District Court for California Central District
 Case No. 2:09-cv-8055-CAS-MAN**



Consent:

2. **Approval of the Minutes of the October 8, 2009 regular meeting of the Governing Board of the Alameda Corridor Transportation Authority.**
3. **Monthly Financials (RECEIVE & FILE)**
4. **Quarterly Investment Report Third Quarter (RECEIVE & FILE)**
5. **Authorize the Chief Executive Officer or Chief Financial Officer to issue change orders in the increased aggregate amount of \$648,555 to FY10 annual Contract Work Orders (CWOs) with the Alameda Corridor Engineering Team (ACET) through Amended Agreement No. CO027. (APPROVAL)**
6. **Ratify Purchase Order No. 378 issued to First American Title Insurance Company in the amount not to exceed \$20,000 for title reports and related services to acquire property rights for Segment 1 of the SR-47 Project. (APPROVAL)**
7. **Authorize the Chief Executive Officer or Chief Financial Officer to (1) issue a purchase order(s) to the Union Pacific Railroad for upgraded signal and communications equipment in an amount not to exceed \$190,000; and (2) issue a change order to ACTA's maintenance contract with Balfour Beatty in the not-to-exceed amount of \$40,000 to install signal equipment acquired through the purchase order(s). (APPROVAL)**
8. **Authorize the Chief Executive Officer or Chief Financial Officer to execute a Partial Quitclaim Deed in favor of the property owner, Dynamic Builders Inc., in exchange for a replacement Non-Exclusive Grant of Easement for access purposes over an alternate property at 3000 E. Washington Boulevard in Los Angeles, California. (APPROVAL)**
9. **Authorize the Chief Executive Officer or Chief Financial Officer to execute a Partial Quitclaim Deed in favor of the property owners, BLT Alameda Freezer Limited Partnership, in exchange for a replacement Non-Exclusive Grant of Easement for access over the same property at 3100 E. Washington Boulevard in Los Angeles, California. (APPROVAL)**
10. **FY11 Program Budget process and development schedule (INFORMATION)**
11. **RFP for Selection of Investment Managers (INFORMATION)**
12. **Ratify the authority of the Chief Executive Officer or Chief Financial Officer to take all actions necessary to advance ACTA's obligations under Caltrans District Agreement No. 07-4872 regarding necessary right-of-way and utility work including, but not limited to, executing agreements and issuing work orders on ACTA's behalf, in so far as they apply only to Segment 1 of the SR-47 Project. (APPROVAL)**

Regular:

13. **Adopt a resolution as a responsible agency pursuant to the California Environmental Quality Act (CEQA) making the findings required by CEQA Guidelines section 15096(h) by adopting the lead agency's Findings of Fact and Statement of Overriding Considerations regarding the SR-47 Project, only in so far as they apply to the replacement of the existing Heim Bridge with a fixed-span bridge and approaches (Segment 1, as shown in Exhibit A). (APPROVAL)**

14. **Authorize the Chief Executive Officer to: (1) issue a notice-to-proceed to URS Corporation for the 100% final engineering and preparation of construction documents for the Heim Bridge Replacement portion of the SR-47 Project (known as Segment 1) in a total aggregate amount not-to-exceed \$6,631,279; and (2) issue a subsequent contract amendment(s), if necessary, to complete the Segment 1 design work in accordance with the approved environmental documents in an aggregate additional amount not to exceed \$350,000. (APPROVAL)**
15. **Adopt a resolution authorizing the Chief Executive Officer or Chief Financial Officer to: (1) explore restructuring alternatives, including the preparation and negotiation of financing documents, for ACTA's outstanding debt; such alternatives may include the issuance of refunding bonds and/or entering into a low interest federal loan; and (2) apply for a refunding loan from the US DOT Federal Railroad Administration (FRA) Railroad Rehabilitation & Improvement Financing (RRIF) Program to determine if it is viable and to pay the required credit evaluation fee in an aggregate amount not to exceed \$150,000. (APPROVAL)**
16. **Authorize the Chief Executive Officer or Chief Financial Officer to: (1) issue amendments to agreements with six (6) legal firms in the following additional amounts for services through June 30, 2010: Nossaman (C0798) - \$100,000, Quateman (C0800) - \$100,000, Alston & Bird (C0803) - \$150,000, Jones Day (C0795) - \$50,000, O'Melveny & Myers (C0799) - \$50,000, and Squires, Sanders, and Dempsey, LLP (C0802) - \$145,000; (2) issue an amendment to the agreement with Quateman (C0800) to provide for a not-to-exceed fee arrangement for certain activities involving ACTA debt restructuring. (APPROVAL)**
17. **SR-47 Update (INFORMATION)**
18. **ACTA November Performance Update and Year-End Forecast. (INFORMATION)**
19. **Legislative Update (INFORMATION)**
20. **Public Comment**
21. **Adjournment**