

**A G E N D A**

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

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**Meeting Date:** January 13, 2011  
**Time:** 9:00 A.M.  
**Location:** Port of Long Beach  
925 Harbor Plaza  
6<sup>th</sup> Floor Board Room  
Long Beach, California

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**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. Board Member Change – Commissioner Kramer replaces Commissioner Krause.
2. 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. Paniati, 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

**CONFERENCE WITH LEGAL COUNSEL –ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to subsection [b] of Section 54956.9:  
(Two potential cases)**



**CONSENT:** (Items 3 through 12)

3. Minutes of the September 9, 2010 regular meeting of the Governing Board of the Alameda Corridor Transportation Authority. (APPROVAL)
4. Quarterly Investment Report (R/F)
5. Monthly Financial Statements (R/F)
6. Audited Financial Statements (R/F)
7. Authorize the Chief Executive Officer to increase the contract task order value for miscellaneous flagging protective services along the Corridor by \$100,000 for Agreement No. 782 with Balfour Beatty Rail, Inc. (APPROVAL)
8. Ratify previous \$19,800 increase to Purchase Order P0042 with Wright Express for ACTA vehicle operating costs; authorize an additional \$12,000 increase to P0042 with Wright Express for vehicle operating costs and an \$8,000 increase to P0043 with Enterprise Fleet Services for vehicle maintenance costs through June 30, 2014; and authorize \$17,000 in additional budget appropriation to cover encumbrance of both purchase orders. (APPROVAL)
9. Authorize the Chief Executive Officer or Chief Financial Officer to issue a Change Order in the amount of \$1,000,000 to Agreement No. 807 with URS Corporation for the final engineering and preparation of construction documents for the Heim Bridge Replacement portion of the SR-47 Project (known as Segment 1) increasing the total aggregate not-to-exceed amount to \$7,700,000. (APPROVAL)
10. Authorize the Chief Executive Officer or Chief Financial Officer to `1) issue an amendment to legal services agreement with Alston & Bird in the amount of \$250,000 for FY11 legal expenses regarding litigation-related matters; 2) issue an amendment to legal services agreement with Nossaman in the amount of \$200,000 for FY11 legal expenses regarding property transfer-related matters; 3) issue other amendments, as may be required throughout the remaining fiscal year, to any of ACTA's eleven (11) legal firms by adding \$100,000 to the original \$135,000 FY11 contingency fund, which is now depleted. (APPROVAL)
11. Authorize the Chief Executive Officer or Chief Financial Officer to execute an amendment to Consultant Service Agreement No. 714 with David Duthie for utility coordination services in the additional amount not-to-exceed \$50,000, while maintaining the current contract term through June 30, 2011. (APPROVAL)
12. Additional Geotechnical Engineering for SR-47 Project – Segment 1. (INFORMATION)

**REGULAR:**

13. Authorize the Chief Executive Officer or Chief Financial Officer to provide written endorsement of a zoning variance to the City of Los Angeles by Fast Lane Transportation regarding certain zoning requirements including parcel separation fencing, parking and paving on four acres of property in East Wilmington used for container storage-related activities. (APPROVAL)
14. Authorize the Chief Executive Officer or his designee to: 1) dispose of certain records and files itemized on the attachment, ACTA Records Authorized for Disposal that reside at ACTA's secured storage provider, and 2) dispose of duplicative records that reside at ACTA's offices in Carson and Wilmington and hard copy files that are otherwise contained in electronic databases. (APPROVAL)

- 15. Authorize the Chief Executive Officer or Chief Financial Officer to issue various equipment, programming, licensing and service purchase orders for the Corridor communications system upgrade in an amount not-to-exceed \$600,000; and authorize amending the FY11 Program Budget to incorporate the CY11 Maintenance Budget as approved by the Operating Committee. (APPROVAL)**
- 16. Authorize the Chief Executive Officer or Chief Financial Officer to issue amendments to the FY11 ACET Contract Work Orders (CWOs) as follows: 1) Base CWO: \$124,700 decrease from \$2,188,284 to \$2,063,584; 2) SR-47 CWO: \$850,817 increase from \$1,078,836 to \$1,929,753; 3) PCH CWO: \$26,984 decrease from \$145,712 to \$118,728; 4) total revised CWO value: \$699,233 increase from \$3,412,832 to \$4,112,065. (APPROVAL)**
- 17. Potential auction of ACTA property to be held at a future Board meeting. (INFORMATION)**
- 18. RRIF Loan Update (INFORMATION)**
- 19. Legislative Update (INFORMATION)**
- 20. ACTA November Performance Update (INFORMATION)**
- 21. SR-47 and Rail Bridge Update (INFORMATION)**
- 22. Public Comment**
- 23. Adjournment**