

# A G E N D A

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

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**Meeting Date:** January 10, 2013  
**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. Closed Session:

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Closed Session pursuant to Section 54956.9(d)(1) of the Governing Code.  
(Two cases)

- (a) *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
    - (b) *Crimson Pipeline Management, Inc. et al. v. Herzog Contracting Corporation, et al., United States District Court, Central District of California. Case No. CV12- 03653-RSWL (RZx)*



**Open Session:****CONSENT:**

2. **Approval of the minutes of the November 8, 2012 regular meeting of the Alameda Corridor Transportation Authority. (APPROVAL)**
3. **Monthly Financial Statements (R/F)**
4. **Authorize the Chief Executive Officer or Chief Financial Officer to issue an amendment extending the Agreement No. 27 with the Alameda Corridor Engineering Team (ACET) by six months through June 30, 2014 to be consistent with the FY14 budget process and the ACTA office lease expiration date. (APPROVAL)**
5. **Authorize the Chief Executive Officer or Chief Financial Officer to issue a change order in the amount of \$183,800 to Agreement No. 807 with URS Corporation for additional design-related services for the Heim Bridge Replacement portion of the SR-47 Project (known as Segment 1); and approve a contingency amount of \$100,000 to be used, if necessary, to complete the final design of Segment 1 including the separate pump station contract. (APPROVAL)**
6. **Truck Replacement Program for the SR-47 Project (INFORMATION)**
7. **ACTA Legal Services Request for Proposals (INFORMATION)**
8. **Fiscal Year 2014 Preliminary Budget Schedule (INFORMATION)**
9. **Authorize the Chief Executive Officer or Chief Financial Officer to execute reimbursement agreements with Caltrans for ACTA services regarding Caltrans' painting contract for the I-405 Bridge in the City of Carson. (APPROVAL)**
10. **Authorize the Chief Executive Officer or Chief Financial Officer to: 1) execute the necessary document(s) for the assignment by Ron Rakich Associates (RRA) to and assumption by Bickmore and Associates, Inc. of the obligations of RRA under Agreement No. 712; and 2) issue an amendment to Agreement No. 712 to accommodate this acquisition of RRA assets by Bickmore and Associates, Inc. and extending the term through June 30, 2013 with no increase in contract value. (APPROVAL)**
11. **Authorize the Chief Executive Officer or Chief Financial Officer to execute the Second Amendments to the Dispatching Agreement and the Police and Security Agreement with BNSF Railway and the union Pacific Railroad for a third five-year term commencing April 15, 2012 to provide comprehensive Corridor train dispatching and police and security services. (APPROVAL)**

**REGULAR:**

12. **Adopt the Resolution of the Governing Board of the Alameda Corridor Transportation Authority. This Resolution:**
  - 1) Approves, confirms and ratifies the authorizations and approvals granted pursuant to the original Resolution regarding the issuance and sale of Alameda Corridor Transportation Authority Tax Exempt Senior Lien Revenue Refunding Bonds, Series 2013A (the 2013A Bonds) on November 8, 2012; and

2) Authorizes the execution and delivery, by the Chief Executive Officer of ACTA, or the Chief Financial Officer of ACTA, or their respective designee(s) (each, an “Authorized Authority Representative”), of the following documents in substantially final form: (i) Ninth Supplemental Trust Indenture providing the terms of the Series 2013A Bonds, Exhibit A; (ii) the Bond Purchase Agreement, Exhibit B; (iii) the Third Amendment to the Forward Delivery Agreement made as of July 1, 2000, as Amended, Exhibit C; (iv) the Continuing Disclosure Certificate, Exhibit D, all with such changes thereto as the Authorized Authority Representative may require or approve; and

3) Authorizes the Preliminary Official Statement attached hereto substantially in the form as Exhibit E, to be distributed with such changes thereto as the Authorized Authority Representative may require or approve; and

4) Authorizes all prior actions taken (a) by any officer or agent of the Authority in connection with or related to the issuance and sale of the Series 2013A Bonds or the redemption of the Series 1999A Bonds and (b) by the Authority in connection with its authorization of the execution and delivery of, and the performance of its obligations under, the Use and Operating Agreement and the Master Trust Indenture, as amended through the Eighth Supplemental Indenture, and its authorization of the performance of its obligations under the Joint Powers Agreement, to be approved, confirmed and ratified; and

5) Authorizes the Authorized Authority Representative, for and in the name of and on behalf of the Authority, to take any and all actions and to execute any and all documents, as may be necessary or desirable to effectuate the purposes of the Resolution, the documents, or transactions. (APPROVAL)

13. Report on ACTA Public Affairs and Government Affairs Support (INFORMATION)
14. CY2012 performance (INFORMATION)
15. Public Comment
16. Adjournment