

AGENDA

Governing Board of the Alameda Corridor Transportation Authority

Meeting Date: November 13, 2008
Time: 9:00 A.M.
Location: Port of Long Beach
925 Harbor Plaza
6th Floor Board Room
Long Beach, California

- A. Roll Call
- B. Approval of the Minutes of the August 14, 2008 regular meeting of the Governing Board of the Alameda Corridor Transportation Authority.
- C. 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.

- D. Agenda Items (*Consent Calendar: Items 1 through 9*)
 - 1. Audited financial statements. (RECEIVE & FILE)
 - 2. Quarterly Investment Report through June 30, 2008. (RECEIVE & FILE)
 - 3. Quarterly Investment Report through September 30, 2008. (RECEIVE & FILE)
 - 4. Donation of computer equipment. (APPROVAL)
 - 5. Authorize the Chief Executive Officer to increase the not-to-exceed value of utility relocation work orders for Shell Oil by \$300,000 from \$550,000 to \$850,000 for the preliminary and final design phases of the Phase 2 Thenard Track Connection Project. (APPROVAL)



6. **Authorize the Chief Executive Officer to amend Agreement No. 780 with BST Associates to update the Trade Impact Study using 2007 data, increasing the not-to-exceed amount from \$170,000 to \$250,000. (APPROVAL)**
7. **Ratify the procedures that have been in place for the administration of Maintenance Agreement No. 782 with Balfour Beatty Rail, Inc. regarding use of the budgeted contingency amount for miscellaneous services included in the annual budget, and additional services not included in the annual budget or in the original contract scope; and authorize the CEO or CFO to amend the contract as necessary to clarify certain related procedures. (APPROVAL)**
8. **Adopt the attached resolution ratifying the Board's action of April 20, 2000 which implemented Employer Pick-Up (ÉPU) of member contributions as tax deferred member paid contributions. (APPROVAL)**
9. **Selection of Investment Banking Team (INFORMATION)**
10. **Authorize the Chief Executive Officer to amend an existing drainage facility maintenance agreement with Konoike-Pacific, Inc. increasing the current \$20,000 value by an amount not-to-exceed \$80,000. (APPROVAL)**
11. **Grant the Chief Executive Officer an additional \$100,000 of aggregate change order authority for Contract No. CO734 with So Pac Rail for the Thenard Track Connection Project. (APPROVAL)**
12. **SR-47 Update (INFORMATION)**
13. **Legislative Update (INFORMATION)**
14. **September Performance Update (INFORMATION)**
15. **Public Comment**
16. **Closed Session:**
 - (a) **CONFERENCE WITH LEGAL COUNSEL
ANTICIPATED LITIGATION
(Four [4] potential cases)
(Subdivision [b] of Section 54956.9)**
 - (b) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Subdivision (a) of Section 54956.9) (One [1] case)
ACTA v. County of Los Angeles – Case No. BC 389904**
17. **Adjournment**