

A G E N D A

Governing Board of the Alameda Corridor Transportation Authority

Meeting Date: September 13, 2012
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
Closed Session pursuant to Section 54956.9(a) 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)



CONSENT: (Items 2-6)

2. **Approval of the minutes of the June 14, 2012 regular meeting, and the minutes of the special meeting of July 24, 2012 of the Alameda Corridor Transportation Authority. (APPROVAL)**
3. **Monthly Financial Statements (R/F)**
4. **Second Quarter Investment Report (R/F)**
5. **Reconfirmation of ACTA Investment Policy (R/F)**
6. **Authorize the Chief Executive Officer or Chief Financial Officer to issue Change Orders to Contract Work Orders (CWOs) with the Alameda Corridor Engineering Team (ACET) for FY12 final adjustments in the aggregate additive amount of \$72,543. (APPROVAL)**

REGULAR:

7. **Adopt Resolution 1-12 restating ACTA Expanded Mission to include 1) advancement of Segment 1 of the SR-47 Project pursuant to Caltrans Cooperative agreements, while Segment 2 is deferred due to litigation and funding issues; and 2) deletion of the other three existing initiatives involving the Cerritos Channel Rail Bridge Project, zero emissions container movement, and off-port empty container storage. (APPROVAL)**
8. **Authorize the Chief Executive Officer or Chief Financial Officer to: 1) issue a change order to the FY13 annual Contract Work Order under Agreement No. 27 with the Alameda Corridor Engineering Team (ACET) in the amount of \$175,000 to administer the EIR/EIS-mandated truck replacement program for SR-47 Project; and 2) authorize that the replacement program target trucks that are currently classified as “exempt” under the ports’ clean truck program. (APPROVAL)**
9. **1) Approve in concept the refunding of \$289M of 1999A senior bonds with a surety in lieu of a debt service reserve fund if insurance can be secured, or with a debt service reserve fund if it cannot; and 2) Authorize all actions necessary to bring transaction documents to the Governing Board for approval at a future Governing Board meeting. (APPROVAL)**
10. **Authorize the Chief Executive Officer or Chief Financial Officer to: 1) submit the final manuscript of “*The Alameda Corridor Story*” for printing, publication and distribution commemorating the tenth anniversary of Corridor Operation; and 2) execute such agreements, releases, consent forms or other documents as may be required involving the publication of the book. (APPROVAL)**
11. **July Performance Report (INFORMATION)**
12. **Public Comment**
13. **Adjournment**