

MINUTES OF A REGULAR MEETING OF THE ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY GOVERNING BOARD HELD IN THE BOARD ROOM OF THE HARBOR DEPARTMENT ADMINISTRATION BUILDING AT 925 HARBOR PLAZA, LONG BEACH, CALIFORNIA, ON MARCH 11, 2010, AT 9:00 A.M.

Members present:

Gary DeLong, City of Long Beach  
Janice Hahn, City of Los Angeles  
Don R. Knabe, Los Angeles County  
Metropolitan Transportation Authority  
Susan E. Anderson Wise, Port of Long Beach  
Richard D. Steinke, Port of Long Beach  
Douglas Krause, Port of Los Angeles  
Mike Christensen, Port of Los Angeles

Members absent:

None

Also present:

John T. Doherty, ACTA, Chief Executive Officer  
James P. Preusch, ACTA, Chief Financial Officer  
Charles Gale, ACTA, Co-General Counsel  
Heather McCloskey, ACTA, Co-General Counsel

CHAIRPERSON DeLONG PRESIDED.

1. CLOSED SESSION

At 9:05 a.m., Chairperson DeLong recessed the Governing Board meeting to hold a conference with legal counsel regarding existing litigation pursuant to Government Code Section 54956.9, Subdivision (a), (two cases), and Government Code Section 54956.9 Initiation of Litigation, Subdivision (c), regarding anticipated litigation (one potential case).

At 9:20 a.m., the meeting was again called to order by Chairperson DeLong.

Mr. Charles Gale, Co-General Counsel to ACTA, announced that during closed session the Governing Board authorized initiating a tolling agreement with the parties involved in the anticipated litigation.

CONSENT CALENDAR - ITEMS NOS. 2-5 - APPROVED.

2. MINUTES - ACTA GOVERNING BOARD MEETING OF JANUARY 14, 2010 – APPROVED.

The minutes of the January 14, 2010, regular meeting of the Governing Board of the Alameda Corridor Transportation Authority were presented to the Governing Board for approval.

3. QUARTERLY INVESTMENT REPORT FOR THE PERIOD ENDING DECEMBER 31, 2009 – RECEIVED AND FILED.

Communication from James Preusch, Chief Financial Officer, dated March 11, 2010, recommending that the Quarterly Investment Report for the period ending December 31, 2009, be received and filed, was presented to the Governing Board.

4. MONTHLY FINANCIAL REPORTS FOR THE PERIOD ENDED JANUARY 31, 2010 – RECEIVED AND FILED.

Communication from James Preusch, Chief Financial Officer, dated March 11, 2010, recommending that the monthly financial reports for the period ended January 31, 2010, be received and filed, was presented to the Governing Board.

5. DAVID DUTHIE – AMENDMENT TO CONSULTANT SERVICE AGREEMENT NO. 714 – APPROVED.

Communication from John T. Doherty, Chief Executive Officer, dated March 11, 2010, recommending authorization for the Chief Executive Officer or Chief Financial Officer to execute an Amendment to Consultant Service Agreement No. 714 with David Duthie, in the additional amount not to exceed \$50,000, and to extend the term through June 30, 2011, for utility coordination services, was presented to the Governing Board.

Board Member Steinke motioned, seconded by Board Member Knabe, that the communications be received and filed and that Items Nos. 2-5 be approved as recommended. Carried by the following vote:

AYES: Members: Krause, Christensen, Wise, Steinke, Knabe, Hahn, DeLong  
NOES: None  
ABSENT: None

6. CALTRANS MASTER AGREEMENT AND PROGRAM SUPPLEMENTS FOR FEDERAL AID PROJECTS – APPROVED.

Communication from John T. Doherty, Chief Executive Officer, dated March 11, 2010, recommending authorization for the Chief Executive Officer or Chief Financial Officer to:

- 1) Execute a new Master Agreement with Caltrans, which replaces the existing Master Agreement and incorporates required provision changes in order to access federal funds administered by Caltrans, and

2) Execute SR-47 Project-specific Program Supplements to the new Master Agreement as required, was presented to the Governing Board.

Board Member Krause motioned, seconded by Board Member Christensen, that Item No. 6 be approved as recommended. Carried by the following vote:

AYES: Members: Krause, Christensen, Wise, Steinke, Knabe, Hahn, DeLong  
NOES: None  
ABSENT: None

7. CALTRANS DISTRICT AGREEMENT NO. 07-4872 MODIFICATIONS – SR-47 PROJECT – SEGMENT 1 – DESIGN PHASE – APPROVED.

Communication from John T. Doherty, Chief Executive Officer, dated March 11, 2010, recommending authorization for the Chief Executive Officer or Chief Financial Officer to execute an amendment(s) to Caltrans District Agreement No. 07-4872 for the design phase of the SR-47 Project to modify certain provisions, as necessary to complete the design phase for Segment 1, was presented to the Governing Board.

8. EMERGENCY RESPONSE DRILL UPDATE – INFORMATION ITEM.

Ms. Connie Rivera, ACTA Government and Community Relations Officer, gave an update on an emergency response drill that was conducted on February 28, 2010.

9. DEBT RESTRUCTURING UPDATE – INFORMATION ITEM.

Mr. Jim Preusch, ACTA Chief Financial Officer, gave an update on the debt restructure.

10. SR-47 UPDATE – INFORMATION ITEM.

Mr. John Doherty, ACTA Chief Executive Officer, gave an update on the SR-47 Project.

11. ACTA JANUARY PERFORMANCE UPDATE – INFORMATION ITEM.

Mr. John Doherty, ACTA Chief Executive Officer, gave an update on ACTA's January performance.

12. LEGISLATIVE UPDATE – INFORMATION ITEM.

Mr. Norm Emerson gave a legislative update.

13. PUBLIC COMMENT

There was no one present to address the Governing Board.

Mr. John Doherty advised the Governing Board that a Budget Workshop would be held in April, at the request of the Governing Board. Chairperson DeLong advised that the workshop should be held as a separate meeting with or without a quorum. ACTA Counsel advised that the workshop should be a public-noticed meeting.

14. ADJOURNMENT

At 10:10 a.m., the meeting was adjourned sine die.