

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 JANUARY 8, 2004, AT 9 A.M.

Members present:

Frank Colonna, City of Long Beach
Janice Hahn, City of Los Angeles
Don R. Knabe, Los Angeles County
Metropolitan Transportation Authority
James C. Hankla, Port of Long Beach
Richard D. Steinke, Port of Long Beach
Thomas H. Warren, Port of Los Angeles
Larry A. Keller, Port of Los Angeles

Members absent:

None

CHAIRPERSON COLONNA PRESIDED AS CHAIR.

APPROVAL OF MINUTES

Mr. Steinke moved, seconded by Mr. Knabe and unanimously carried, the minutes of the special meeting of December 4, 2003, were declared read and approved as read.

CONSENT CALENDAR - ITEMS NOS. 1-6.

1. MONTHLY FINANCIAL REPORTS FOR THE PERIOD ENDED NOVEMBER 30, 2003, RECEIVED AND FILED.

Communication from John T. Doherty, Chief Executive Officer, dated December 29, 2003, recommending that the monthly financial reports for the period ended November 30, 2003, be received and filed, was presented to the Governing Board.

2. JOAN MILKE FLORES GROUP/ADLER PUBLIC AFFAIRS TEAM – EXTENSION OF CONTRACT.

Communication from John T. Doherty, Chief Executive Officer, dated December 30, 2003, recommending authorization to extend Agreement No. CO329 with the Joan Milke Flores Group/Adler Public Affairs Team for one year for public affairs consulting services, was presented to the Governing Board.

Ms. Hahn stated that she felt it would be appropriate, at the end of the 2004 calendar year, to go out for RFPs (Requests for Proposals) for public affairs.

It was agreed by the Governing Board that RFPs would be issued at the end of the 2004 calendar year for public affairs.

3. HDR ENGINEERING, INC. – CHANGE ORDER TO ACTA AGREEMENT NO. DO597 – PACIFIC COAST HIGHWAY GRADE SEPARATION PROJECT.

Communication from John T. Doherty, Chief Executive Officer, dated December 23, 2003, recommending authorization to execute Change Order No. 4 to ACTA Agreement No. DO597 with HDR Engineering, Inc., to perform various additional construction support design activities for the Pacific Coast Highway Grade Separation Project, in the amount of \$250,000, was presented to the Governing Board.

4. TETRA TECH, INC. – CHANGE ORDER TO CONTRACT CO036 – LONG BEACH LEADS EXTENSION PROJECT.

Communication from John T. Doherty, Chief Executive Officer, dated December 23, 2003, recommending authorization to execute a Change Order to Contract No. CO036 with Tetra Tech, Inc., to perform additional environmental services for the Long Beach Leads Extension Project, in the amount of \$150,000, was presented to the Governing Board.

5. APPLIED EARTHWORK, INC. – CHANGE ORDER TO CONTRACT NO. DO657; AND PROFESSIONAL NATIVE AMERICAN CULTURAL RESOURCE MONITORS – CHANGE ORDER TO CONTRACT NO. DO658 – ANAHEIM PUMP STATION PROJECT.

Communication from John T. Doherty, Chief Executive Officer, dated December 23, 2003, recommending authorization to execute Change Orders to Contract No. DO657 with Applied Earthwork, Inc., to perform archaeology and paleontological monitoring, in the amount of \$100,000; and Contract No. DO658 with Professional Native American Cultural Resource Monitors for heritage monitoring, in the amount of \$50,000, for the Anaheim Pump Station Project, was presented to the Governing Board.

6. CLOSEOUT REPORTS FOR CONTRACT NO. CO097 – WASHINGTON BOULEVARD/SANTA FE AVENUE GRADE SEPARATION; CONTRACT NO. CO416 – LONG BEACH LEADS EXTENSION; CONTRACT NO. CO584 – ANAHEIM DRAINAGE SYSTEM; CONTRACT NO. DO664 – PACIFIC COAST HIGHWAY DUCT BANK, RECEIVED AND FILED.

Communication from John T. Doherty, Chief Executive Officer, dated January 8, 2004, recommending that Closeout Reports for Contract No. CO097 with Stephen P. Rados, Inc., for the Washington Boulevard/Santa Fe Avenue Grade Separation Project;

Contract No. CO416 with Modern Continental Construction Co., Inc., for the Long Beach Leads Extension; CO584 with Elmore Pipe Jacking for the Anaheim Drainage System; and Contract No. DO664 with Valverde Construction for the Pacific Coast Highway Duct Bank, be received and filed, was presented to the Governing Board.

Mr. Knabe moved, seconded by Mr. Hankla, that the communications be received and filed and that Items Nos. 1-6 be approved as recommended. Carried by the following vote:

AYES: Members: Warren, Keller, Hankla, Steinke, Knabe, Hahn, Colonna
NOES: None
ABSENT: None

REGULAR AGENDA

7. YEAGER SKANSKA, INC. – CHANGE ORDER TO CONTRACT NO. DO606 – PACIFIC COAST HIGHWAY GRADE SEPARATION PROJECT.

Communication from John T. Doherty, Chief Executive Officer, dated December 16, 2003, recommending authorization to execute Change Order(s) to Contract No. DO606 with Yeager Skanska, Inc., for work on the Pacific Coast Highway Grade Separation Project, in the amount of \$596,081, was presented to the Governing Board.

Ms. Hahn moved, seconded by Mr. Knabe, that the communication be received and filed and that the Chief Executive Officer be authorized to issue said Change Order(s) to Contract No. D0606 with Yeager Skanska, Inc. Carried by the following vote:

AYES: Members: Warren, Keller, Hankla, Steinke, Knabe, Hahn, Colonna
NOES: None
ABSENT: None

8. STATUS REPORT ON THE DEPARTMENT OF TRANSPORTATION (DOT) LOAN REFUNDING, RECEIVED AND FILED.

Communication from John T. Doherty, Chief Executive Officer, dated December 31, 2003, recommending that the Status Report on the Department of Transportation (DOT) Loan Refunding be received and filed, was presented to the Governing Board.

Mr. John Doherty stated that the final refinancing documents were not complete in substantial form. Mr. Doherty recommended that a special meeting could be called in order to endorse the documents.

Mr. Dean Martin gave a status report on the refinancing documents. He stated that the key document was the projected revenue study.

It was the general consensus of the Governing Board to continue with the loan refinancing process, proceed with the current schedule, and advise the Governing Board of any particular changes and modifications if needed.

Mr. Knabe moved, seconded by Mr. Warren, that the Status Report on the DOT Loan Refunding be received and filed. Carried by the following vote:

AYES:	Members: Warren, Keller, Hankla, Steinke, Knabe, Hahn, Colonna
NOES:	None
ABSENT:	None

9. EXPANDED MISSION IMPLEMENTATION PROGRAM FOR ACTA.

Communication from John T. Doherty, Chief Executive Officer, dated January 8, 2004, recommending authorization to proceed with the recommended Expanded Mission Implementation Program for ACTA; declare that the ACTA Governing Board approved Implementation Program constitutes Related Projects under ACTA Board Resolution No. JPA-2-01; issue a Change Order to Amended Agreement No. 27 to the Alameda Corridor Engineering Team in the not-to-exceed amount of \$3,010,000 from the Related Projects Development Fund and SR-47 Project Fund to provide support for the Board-approved Expanded Mission Implementation Program; and authorize the expenditure of \$250,000 from the Related Projects Development Fund to fund legal and financial advisory support for the Board-approved Expanded Mission Implementation Program, was presented to the Governing Board.

Mr. John Doherty gave an overview of the recommendations for approval for the Expanded Mission Implementation Program.

Mr. Frank Colonna stated that ACTA's Ad Hoc Committee (to explore ACTA's role in facilitating the movement of international and domestic cargos through the region) had only two meetings and that the subject recommendations are significant initiatives for presentation to the ACTA Governing Board. He also stated that it was important to get the information regarding the initiatives to the media and the general public.

Mr. Doherty stated that getting the initiatives regarding ACTA's Expanded Mission Implementation Program to the media and general public would be taken care of.

In response to a question by Mr. Richard Steinke, Mr. Joe Burton stated that ACTA Board Resolution No. JPA-2-01 had been adopted in May 2001 that included the initial funding for the PCH Project and other potential related projects. He stated that he did an initial review of ACTA's JPA Agreement and the State's Legislative Code.

Ms. Hahn moved, seconded by Mr. Hankla and unanimously carried by a voice vote, that the recommendations for the Expanded Mission Implementation Program for ACTA be approved.

CLOSED SESSION

At 10:30 a.m., Chairperson Colonna recessed the Governing Board meeting to hold an attorney-client meeting pursuant to Government Code Section 54956.9, Subdivision (b), regarding anticipated litigation (two potential cases); and Government Code Section 54956.9, Subdivision (a), regarding existing litigation.

At 10:50 a.m., the meeting was again called to order by Chairperson Colonna.

There were no reportable actions from the closed session.

ADJOURNMENT

At 10:55 a.m. the meeting was adjourned sine die.