

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 APRIL 8, 2004, AT 9 A.M.

Members present:

Frank Colonna, City of Long Beach
Janice Hahn, City of Los Angeles
James C. Hankla, Port of Long Beach
Richard D. Steinke, Port of Long Beach
Thomas H. Warren, Port of Los Angeles
Bruce Seaton, Port of Los Angeles

Members absent:

Don R. Knabe, Los Angeles County
Metropolitan Transportation Authority

CHAIRPERSON COLONNA PRESIDED AS CHAIR.

APPROVAL OF MINUTES

Mr. Hankla moved, seconded by Mr. Warren and unanimously carried, the minutes of the rescheduled meeting of February 5, 2004, were declared read and approved as read.

CONSENT CALENDAR - ITEMS NOS. 1-6

- 1. MONTHLY FINANCIAL REPORTS FOR THE PERIOD ENDED JANUARY 31, 2004, AND FEBRUARY 29, 2004, RECEIVED AND FILED.**

Communication from John T. Doherty, Chief Executive Officer, dated February 26, 2004, recommending that the monthly financial reports for the period ended January 31, 2004, be received and filed, was presented and read to the Governing Board.

Communication from John T. Doherty, Chief Executive Officer, dated March 19, 2004, recommending that the monthly financial reports for the period ended February 29, 2004, be received and filed, was presented and read to the Governing Board.

Item No. 2 was removed from the Consent Calendar for discussion.

Item No. 3 was removed from the Consent Calendar for discussion.

4. CH2M HILL – CHANGE ORDER TO CONTRACT NO. CO694 TO PERFORM ENVIRONMENTAL CONSTRUCTION SUPPORT SERVICES FOR VARIOUS SOUTH END PROJECTS.

Communication from John T. Doherty, Chief Executive Officer, dated March 27, 2004, recommending authorization to execute a Change Order to Contract No. CO694 with CH2M Hill, in the amount of \$50,000, to perform additional miscellaneous environmental construction support services for various South End Projects, was presented and read to the Governing Board.

5. TRANSFER OF ACTA PARCEL MC-719 TO SOUTHERN CALIFORNIA EDISON COMPANY.

Communication from John T. Doherty, Chief Executive Officer, dated March 29, 2004, recommending authorization to transfer and convey to Southern California Edison Company all of the rights, title and interest in and to ACTA Parcel MC-719, was presented and read to the Governing Board.

6. SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY (SCRRA) – INCREASE FOR FINAL RECONCILIATION OF TOTAL WORK ORDER VALUE.

Communication from John T. Doherty, Chief Executive Officer, dated March 31, 2004, recommending authorization to execute an increase in the amount of \$250,000 for final reconciliation of the total Work Order value for services provided by the Southern California Regional Rail Authority (SCRRA) during construction of the Alameda Corridor, was presented and read to the Governing Board.

Mr. Seaton moved, seconded by Mr. Hankla, that the communications be received and filed and that Items Nos. 1 and 4-6 be approved as recommended. Carried by the following vote:

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

2. VASQUEZ & COMPANY LLP – AMENDMENT NO. 9 TO CONTRACT NO. CO488 FOR AUDIT SUPPORT SERVICES.

Communication from John T. Doherty, Chief Executive Officer, dated April 8, 2004, recommending authorization to execute Amendment No. 9 to Contract No. CO488 with Vasquez & Company LLP for audit support services to extend the term of the contract by one year from June 30, 2004, to June 30, 2005, and increase the contract's not-to-exceed amount from \$1,350,000 to \$1,750,000, was presented and read to the Governing Board.

Mr. Warren motioned that the communication be amended to extend the term of

the contract by 18 months from June 30, 2004, to December 30, 2005, and to increase the contract amount by \$650,000, not to exceed \$2 million, with the proviso that if the work was not completed by Vasquez & Company LLP in the extended 18-month time frame, that ACTA would go out for another RFP. The motion was seconded by Mr. Steinke that the communication be received and filed as amended. Carried by the following:

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

3. KPMG LLP – AMENDMENT NO. 6 TO CONTRACT NO. CO489 FOR AUDIT SUPPORT SERVICES.

Communication from John T. Doherty, Chief Executive Officer, dated April 8, 2004, recommending authorization to execute Amendment No. 6 to Contract No. CO489 with KPMG LLP for audit support services to extend the term of the contract by one year from June 30, 2004, to June 30, 2005, and increase the contract's not-to-exceed amount from \$450,000 to \$550,000, was presented and read to the Governing Board.

Mr. Warren motioned that the communication be received and filed with the proviso that, if the work was not completed by KPMG LLP at the end of the contract period, ACTA would go out for another RFP and seek other bidders. The motion was seconded by Mr. Steinke that the communication be received and filed as amended. Carried by the following vote:

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

REGULAR AGENDA

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

Communication from John T. Doherty, Chief Executive Officer, dated March 26, 2004, recommending authorization to execute a Change Order to Contract No. DO606 with Yeager Skanska, in the amount of \$879,643, for work on the Pacific Coast Highway Grade Separation Project, was presented and read to the Governing Board.

Mr. Warren moved, seconded by Mr. Hankla, that the communication be received and filed and that the Chief Executive Officer be authorized to issue said Change Order to Contract No. DO606 with Yeager Skanska. Carried by the following vote:

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

8. STATUS REPORT ON FINANCING. (INFORMATION ONLY)

Mr. Dean Martin gave an overview of the Status Report on Financing.

9. ANNUAL EMERGENCY RESPONSE EXERCISE. (INFORMATION ONLY)

Mr. Art Goodwin gave a presentation on the Annual Emergency Response Exercise scheduled for May 2, 2004.

10. ACTA'S EXPANDED MISSION – PROGRESS SUMMARY. (INFORMATION ONLY)

Mr. John Doherty gave an overview of ACTA's Expanded Mission.

Ms. Janice Hahn raised the issue of empty containers being stored in residential neighborhoods, particularly in Wilmington.

In response to comments from the Governing Board regarding empty containers storage, Mr. Colonna requested a report be prepared for the next Governing Board meeting. Mr. John Doherty stated he would provide a report on empty containers storage by the next Governing Board meeting.

CLOSED SESSION

At 10:05 a.m., Chairperson Colonna recessed the Governing Board meeting to hold an attorney-client meeting pursuant to Government Code Section 54956.9, Subdivision [a], regarding existing litigation, and Government Code Section 54956.9, Subdivision [b], regarding anticipated litigation.

At 10:35 a.m., the meeting was again called to order by Chairperson Colonna.

There were no reportable actions from the closed session.

ADJOURNMENT

At 10:40 a.m., the meeting was adjourned sine die.