

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 14, 2005, AT 9 A.M.

Members present:

Janice Hahn, City of Los Angeles
Frank Colonna, City of Long Beach
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
Bruce Seaton, Port of Los Angeles

Members absent:

None

CHAIRPERSON HAHN PRESIDED AS CHAIR.

APPROVAL OF MINUTES

Mr. Colonna moved, seconded by Mr. Warren and unanimously carried, the minutes of the regular meeting of February 10, 2005, were declared read and approved as read.

1. PRESENTATIONS TO ACTA

Mr. John Doherty announced that April 15, 2005, is ACTA Day – the third-year anniversary of the Alameda Corridor being in operation.

Chairperson Hahn stated that studies show that, in the three years of operation, the Corridor has helped reduce air pollution, has provided more effective goods movement, and has reduced traffic congestion on the freeways. She stated that the Governing Board hopes to take four to six million trucks off the freeways annually in the future.

Chairperson Hahn presented an ACTA Day and Funding Resolution on behalf of the City of Los Angeles City Council to Vice Chairperson Colonna.

Vice Chairperson Colonna presented an ACTA Day Resolution on behalf of the City of Long Beach to Chairperson Hahn.

Supervisor Knabe presented an ACTA Day Resolution on behalf of the County of Los Angeles Board of Supervisors to Chairperson Hahn.

Mr. Hankla presented an ACTA Day Resolution on behalf of the Port of Long Beach to Chairperson Hahn.

Deputy Secretary Jorge Jackson made a statement on behalf of Business, Transportation & Housing Agency Secretary Sunne Wright McPeak.

Field Representative Luis Marques presented a certificate to Chairperson Hahn on behalf of Senator Alan Lowenthal.

Field Representative Veronica Zendejas presented a certificate to Chairperson Hahn on behalf of Assemblymember Jenny Oropeza and Assemblymember Betty Karnette.

Mr. Hanka stated that, in a crisis in ACTA's construction period, Senator Lowenthal was extraordinarily helpful in dealing with a very difficult problem in terms of environmental regulations. He stated that it was a good outcome for all and that Senator Lowenthal should be recognized for his efforts.

CONSENT CALENDAR - ITEMS NOS. 2-6

2. MONTHLY FINANCIAL REPORTS FOR THE PERIOD ENDED FEBRUARY 28, 2005 - RECEIVED AND FILED.

Communication from John T. Doherty, Chief Executive Officer, dated March 30, 2005, recommending that the monthly financial reports for the period ended February 28, 2005, be received and filed, was presented and read to the Governing Board.

3. ALAMEDA CORRIDOR ENGINEERING TEAM – CHANGE ORDERS TO AMENDED AGREEMENT NO. CO027 FOR FY2004-2005 CONTRACT WORK ORDERS – APPROVED.

Communication from John T. Doherty, Chief Executive Officer, dated April 4, 2005, recommending authorization for the Chief Executive Officer to issue FY2004/2005 Change Orders to the annual Contract Work Orders under Amended Agreement No. CO027, in the not-to-exceed amount of \$251,394, for services provided by the Alameda Corridor Engineering Team, was presented and read to the Governing Board.

4. ACTA REVISED INVESTMENT POLICY – ADOPTED.

Communication from John T. Doherty, Chief Executive Officer, dated April 4, 2005, recommending the ACTA revised Investment Policy be adopted, was presented and read to the Governing Board.

5. RFP FOR ACTA LEGAL SERVICES – INFORMATION ITEM.

Communication from John T. Doherty, Chief Executive Officer, dated April 14, 2005, advising the Governing Board that a new RFP for ACTA legal services for ACTA's fiscal year beginning July 1, 2005, will be issued, was presented and read to the Governing Board.

6. ANNUAL EMERGENCY RESPONSE EXERCISE – INFORMATION ITEM.

Communication from John T. Doherty, Chief Executive Officer, dated April 8, 2005, advising the Governing Board that the annual emergency response exercise is scheduled for Sunday, April 24, 2005, at 9:00 a.m., was presented and read to the Governing Board.

Mr. Warren moved, seconded by Mr. Steinke, that the communications be received and filed and that Items Nos. 2-6 be approved as recommended. Carried by the following vote:

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

7. AUDIT COMMITTEE REPORT – FY04 FINANCIAL AUDIT REVIEW – RECEIVED AND FILED.

Mr. Jim Preusch, ACTA Chief Financial Officer, gave an overview of the Audit Committee Report - FY04 financial audit review.

Mr. Preusch introduced Mr. Hal Soper of KPMG, ACTA's auditor.

Mr. Hankla moved, seconded by Mr. Colonna, that ACTA's FY04 Financial Audit Report be received and filed. Carried by the following vote:

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

8. ENVIRONMENTAL BENEFITS OF THE ALAMEDA CORRIDOR – INFORMATION ITEM.

Mr. John Doherty introduced Ms. Sharon Rubalcava from the law firm of Weston, Benshoof, Rochefort, Rubalcava & MacCuish, ACTA's Environmental Counsel. Ms. Rubalcava gave a presentation on the scientific facts of the environmental benefits of the Alameda Corridor.

Mr. Seaton stated that the Alameda Corridor is a significant contributor to the benefits of the environment.

Ms. Hahn concurred with Mr. Seaton on the environmental significance of the Alameda Corridor. She stated that she is proud of the environmental benefits.

Mr. Colonna stated that the word on the environmental benefits of the Corridor needs to get out more to the public.

Mr. Hankla suggested that Ms. Rubalcava's presentation be given to the City Council and Harbor Commission of both the Cities of Los Angeles and Long Beach.

9. THREE-YEAR OPERATING AND FINANCIAL PERFORMANCE – INFORMATION ITEM.

Mr. Doherty gave an overview of the Three-Year Operating and Financial Performance.

10. ACTA EXPANDED MISSION UPDATE – INFORMATION ITEM.

Mr. Doherty gave an update of ACTA's Expanded Mission.

At 10:00 a.m. Mr. Knabe and Ms. Hahn left the meeting.

PUBLIC COMMENT

There were no speakers.

Special Counsel Joseph Burton announced a correction on agenda Item No. 12 (c). The title should read, Alameda Truck and Van Parts v. County of Los Angeles, L.A.S.C. Case No. BC 312 566.

CLOSED SESSION

At 10:10 a.m., Vice 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 (2 potential cases).

At 10:20 a.m., the meeting was again called to order by Vice Chairperson Colonna.

There were no reportable actions from the closed session.

ADJOURNMENT

At 10:22 a.m., the meeting was adjourned sine die.