

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 JULY 13, 2006, AT 9:00 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
Douglas Krause, Port of Los Angeles
Molly Campbell, Port of Los Angeles

Members absent:

Don R. Knabe, Los Angeles County
Metropolitan Transportation Authority

Also present:

John T. Doherty, ACTA, Chief Executive Officer
James P. Preusch, ACTA, Chief Financial Officer
Art Goodwin, ACTA, Director of Planning
Tiffani L. Shin, ACTA, Co-General Counsel
Thomas A. Russell, ACTA, Co-General Counsel

CHAIRPERSON COLONNA PRESIDED AS CHAIR.

APPROVAL OF MINUTES

Ms. Hahn moved, seconded by Mr. Hankla and unanimously carried, the minutes of the regular meeting of June 8, 2006, were declared read and approved as read.

1. PRESENTATIONS TO CHAIRMAN FRANK COLONNA.

Ms. Hahn presented a Resolution on behalf of the City of Los Angeles City Council. Ms. Hahn stated that Mr. Colonna is a problem-solver and a visionary. She stated that she appreciated all of Mr. Colonna's support over the years and that she will miss him as a member of the Governing Board. Ms. Hahn stated that Mr. Colonna has been, in her opinion, the epitome of a public servant.

Mr. Hankla presented a Resolution on behalf of the Port of Long Beach. Mr. Hankla stated that Mr. Colonna has dealt with problems, not only within his Council District, but problems within the region, with great style.

Mr. Steinke presented a plaque on behalf of the Port of Long Beach. Mr. Steinke stated that Mr. Colonna had been a friend and a mentor to him. He stated that one of the most important things he had learned from Mr. Colonna is that you've got to care. Mr. Steinke wished Mr. Colonna the best of luck.

Mr. Krause and Ms. Campbell presented a plaque on behalf of the Port of Los Angeles. Mr. Krause stated that he had learned a lot from Mr. Colonna and admired his direct style. On behalf of Ms. Geraldine Knatz and the Port of Los Angeles, Ms. Molly Campbell thanked Mr. Colonna for all he had done.

Mr. Doherty presented a plaque on behalf of the Alameda Corridor Transportation Authority staff. Mr. Doherty stated that Mr. Colonna's performance on the Governing Board had been rock-solid and that he had not been afraid of the issues, and stated that is highly commendable. Mr. Doherty commended Mr. Colonna's performance on the Long Beach City Council and the Gateway Cities Council of Governments.

Mr. Colonna thanked everyone for their kind words and recognition. He stated that it had been a privilege working with wonderful, intelligent, and well-meaning individuals on the Governing Board. He stated that one of the biggest privileges being on the Governing Board was to move things forward. He encouraged the Governing Board to not be timid about the enormous role that the Corridor can play. Mr. Colonna stated that it had been an honor and privilege being on the Board.

2. ELECTION OF CHAIR AND VICE CHAIR.

Communication from John T. Doherty, Chief Executive Officer, dated July 13, 2006, recommending the Governing Board elect a Chair and Vice-chair of the ACTA Governing Board for FY 2007, was presented to the Governing Board.

Mr. Colonna moved, seconded by Mr. Hankla, that Ms. Janice Hahn be elected as Chair of the Governing Board for FY 2007. Carried by unanimous vote.

Mr. Hankla moved, seconded by Ms. Hahn, that Mr. Frank Colonna be elected as temporary Vice-chair of the Governing Board for FY 2007, until his term expires. Carried by unanimous vote.

Newly elected Chairperson Hahn presided as Chair for the remainder of the meeting.

CONSENT CALENDAR - ITEMS NOS. 3-4.

3. MONTHLY FINANCIAL REPORTS FOR THE PERIOD ENDED MAY 31, 2006 – RECEIVED AND FILED.

Communication from James Preusch, Chief Financial Officer, dated July 13, 2006, recommending that the monthly financial reports for the period ended May 31, 2006, be received and filed, was presented to the Governing Board.

4. JONES DAY – AMENDMENT TO AGREEMENT NO. 740 – APPROVED.

Communication from John T. Doherty, Chief Executive Officer, dated July 13, 2006, recommending authorization for the Chief Executive Officer to execute an Amendment to Agreement No. 740 with Jones Day, in the amount of \$450,000, was presented to the Governing Board.

Mr. Steinke moved, seconded by Mr. Krause, that the communications be received and filed and that Items Nos. 3-4 be approved as recommended. Carried by the following vote:

AYES: Members: Krause, Campbell, Hankla, Steinke, Colonna, Hahn
NOES: None
ABSENT: Knabe

5. ACTA DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM UPDATE – INFORMATION ITEM.

Communication from John T. Doherty, Chief Executive Officer, dated July 7, 2006, providing an update on the Disadvantaged Business Enterprise (DBE) program.

Ms. Barbara Gadbois, attorney with the law firm Gibbs, Giden, Locher & Turner, gave a presentation on the DBE program.

6. LEGISLATIVE UPDATE – INFORMATION ITEM.

Mr. John Doherty gave a legislative update.

7. MAY OPERATING AND PERFORMANCE UPDATE – INFORMATION ITEM.

Mr. Doherty gave an overview of the May '06 vs. '05 Performance Comparison.

At 9:55 a.m., Mr. Colonna left the meeting.

CLOSED SESSION

At 9:56 a.m., Chairperson Hahn recessed the Governing Board meeting to hold an attorney-client meeting pursuant to Government Code Section 54956.9, Subdivision (b), regarding anticipated litigation [three potential cases], and Government Code Section 54956.9, Subdivision (a), regarding existing litigation.

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

Mr. Thomas Russell, Co-General Counsel to ACTA, reported that during closed session, the Governing Board approved settlement of ACTA v. Kinder Morgan, Case No. LASC TC 019486 in accordance with the confidential report of the Co-General Counsel.

ADJOURNMENT

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