

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 AUGUST 12, 2004, 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
Larry A. Keller, Port of Los Angeles

Members absent:

None

CHAIRPERSON HAHN PRESIDED AS CHAIR.

APPROVAL OF MINUTES

Mr. Colonna moved, seconded by Mr. Knabe and unanimously carried, the minutes of the regular meeting of July 8, 2004, were declared read and approved as read.

CONSENT CALENDAR - ITEMS NOS. 2-8

2. MONTHLY FINANCIAL REPORTS FOR THE PERIOD ENDED JUNE 30, 2004 - RECEIVE AND FILE.

Communication from John T. Doherty, Chief Executive Officer, dated July 28, 2004, recommending that the monthly financial reports for the period ended June 30, 2004, be received and filed, was presented and read to the Governing Board.

3. TUTOR SALIBA TEAM – INCREASE IN PREVIOUSLY APPROVED SETTLEMENT AMOUNT.

Communication from John T. Doherty, Chief Executive Officer, dated July 19, 2004, recommending authorization to increase the not-to-exceed amount of a previously approved settlement with the Tutor Saliba Team by \$30,000 for additional asphalt pavement replacement and testing along Alameda Street, was presented and read to the Governing Board.

4. HDR ENGINEERING, INC. – CHANGE ORDER TO ACTA AGREEMENT NO. DO597 FOR THE PACIFIC COAST HIGHWAY PROJECT.

Communication from John T. Doherty, Chief Executive Officer, dated July 16, 2004, recommending authorization to execute a Change Order to ACTA Agreement No. DO597 with HDR Engineering, Inc., in the amount of \$150,000, for additional construction support design services, including preparation of as-built drawings for the Pacific Coast Highway Project, was presented and read to the Governing Board.

5. BUTTERFIELD COMMUNICATIONS, INC. – AMENDMENT TO AGREEMENT NO. CO684 FOR PROFESSIONAL SERVICES RELATED TO THE SR 47 PROJECT.

Communication from John T. Doherty, Chief Executive Officer, dated August 4, 2004, recommending authorization to amend Agreement No. CO684 with Butterfield Communications, Inc., to increase the amount by an additional \$20,000 for the current agreement year, and extend the term for an additional one year from October 11, 2004, to October 10, 2005, on the same terms, including the not-to-exceed annual amount of \$50,000, for professional services related to the SR 47 Project, was presented and read to the Governing Board.

6. RON RAKICH & ASSOCIATES – AMENDMENT TO CONTRACT NO. CO047 FOR RISK MANAGEMENT SERVICES.

Communication from John T. Doherty, Chief Executive Officer, dated August 3, 2004, recommending authorization to execute an amendment to Contract No. CO047 with Ron Rakich & Associates increasing the amount by \$15,000 for the remaining term through September 12, 2004; and renewal of the contract effective September 13, 2004, for \$50,000 under the existing terms and conditions, with the exception of changing the contract expiration date to June 30, 2005, to coincide with ACTA's fiscal year end, was presented and read to the Governing Board.

7. ACTA'S INVESTMENT POLICY - RECEIVE AND FILE.

Communication from John T. Doherty, Chief Executive Officer, dated August 3, 2004, recommending that ACTA's Investment Policy, as currently written, be received and filed, was presented and read to the Governing Board.

8. RESOLUTION TO ELECT PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS – REFER TO THE PERSONNEL COMMITTEE OF THE BOARD.

Communication from John T. Doherty, Chief Executive Officer, dated August 5, 2004, recommending to refer to the Personnel Committee of the Board a Resolution electing to implement Government Code Section 20636(c) (4) pursuant to Section 20691, which allows a Contracting Agency the option of reporting the value of Employer

Paid Member Contributions (EPMC) to CalPERS as additional compensation, was presented and read to the Governing Board.

Mr. Hankla moved, seconded by Mr. Knabe, that the communications be received and filed and that Items Nos. 2-8 be approved as recommended. Carried by the following vote:

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

PRESENTATIONS TO CHIEF FINANCIAL OFFICER DEAN MARTIN.

Ms. Hahn presented a Resolution on behalf of the City of Los Angeles City Council. Ms. Hahn stated that Mr. Martin's involvement in the restructure of the Department of Transportation loan was a significant accomplishment.

Mr. Colonna presented a Certificate of Appreciation on behalf of the City of Long Beach. Mr. Colonna complimented Mr. Martin on his efforts in saving the local taxpayers money.

Mr. Knabe presented a Scroll on behalf of the County of Los Angeles Board of Supervisors. Mr. Knabe stated that Mr. Martin performed a job well done.

Mr. Hankla presented a Plaque on behalf of the Port of Long Beach. He stated it was a lucky day when Dean Martin came on board with the ACTA team. He stated that Mr. Martin is a true professional.

Mr. Warren presented a Plaque on behalf of the Port of Los Angeles. Mr. Warren acknowledged Mr. Martin's hard work on the RAV System.

Mr. Doherty presented a Plaque on behalf of the Alameda Corridor Transportation Authority. He stated it hurts to lose Dean, and that he managed the "image" of ACTA with integrity. Mr. Doherty stated he appreciated the opportunity to become well acquainted with Mr. Martin during their business travels.

Mr. Martin thanked everyone for their kind words and recognition. He stated that he was proud to be a part of ACTA and that he would miss being part of the ACTA team. He stated that he was fortunate to have worked with such outstanding executives.

At 9:20 a.m. Chairperson Hahn left the meeting. Vice-chair Colonna presided for the remainder of the meeting.

REGULAR AGENDA

9. RESOLUTION AUTHORIZING FORWARD PURCHASE AGREEMENT.

Communication from John T. Doherty, Chief Executive Officer, dated August 4, 2004, recommending approval of a resolution authorizing the execution and delivery of one or more Reserve Fund Forward Purchase Agreements relating to the Tax-Exempt Subordinate Lien Revenue Bonds, Series 2004A; and the Taxable Subordinate Lien Revenue Refunding Bonds, Series 2004B, was presented and read to the Governing Board.

Mr. Dean Martin gave an overview of a Forward Purchase Agreement.

Mr. Hankla moved, seconded by Mr. Knabe that the communication be received and filed and that said resolution be approved. Carried by the following voice vote:

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

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

INITIATIVE NO. 1 – EXTENDED TERMINAL GATE OPERATING HOURS

Mr. John DeCesare, of WCL Consulting, gave a presentation on Container Trucking and Industrial Real Estate Developers Surveys.

INITIATIVE NO. 2 – INCREASE USE OF ON-DOCK RAIL FACILITIES

Mr. Gill Hicks, of Gill V. Hicks and Associates, gave a presentation on Port of Long Beach/Port of Los Angeles On-Dock Usage and Volume for 2003.

INITIATIVES NOS. 3-8

Mr. John Doherty gave a progress summary of ACTA's Expanded Mission Initiatives Nos. 3-8.

At the request of Mr. Warren, Mr. Doherty stated that he would provide updated copies of the eight initiatives to the Governing Board.

At 9:50 a.m. Mr. Knabe left the meeting.

At the request of Mr. Colonna, Mr. Doherty stated that he would provide monthly reports on the use of the Corridor.

Mr. Colonna stated that information regarding the accomplishments of ACTA needed to reach the public.

CLOSED SESSION

At 10:10 a.m., Vice-chair Colonna recessed the Governing Board meeting to hold an attorney-client meeting pursuant to Government Code Section 54956.9, Subdivision (b), regarding anticipated litigation.

At 10:45 a.m., the meeting was again called to order by Vice-chair Colonna.

There were no reportable actions from the closed session.

ADJOURNMENT

At 10:50 a.m. the meeting was adjourned sine die.