

A G E N D A

***Governing Board of the
Alameda Corridor Transportation Authority***

Meeting Date: January 12, 2012
Time: 9:00 A.M.
Location: Port of Long Beach
925 Harbor Plaza
6th Floor Board Room
Long Beach, California

A. Roll Call

B. Opening Statement

Persons in the audience who wish to address the Governing Board on any agenda item are invited to identify themselves when that agenda item is called. Persons wishing to address the Governing Board on an item not on the agenda but within the subject matter jurisdiction of the Board should ask to be recognized after the last agenda item before any closed session item. Ordinarily, the Governing Board will not act on any matter which does not appear on the published agenda. The Governing Board may consider and act upon any of the items listed on the agenda.

C. Agenda Items

1. Closed Session:

**CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Subdivision [a] of Section 54956.9) (Two cases)**

- (a) NRDC et al vs. California Department of Transportation District 7
with ACTA as Real Party in Interest
Los Angeles Superior Court Case BS 122539**
- (b) NRDC et al vs. USDOT; Ray Lahood, Secretary, USDOT; FHA;
J. Paniati, Deputy Director, FHA; California Department of
Transportation with ACTA as Real Party in Interest
U.S. District Court for California Central District
Case No. 2:09-cv-8055-CAS-MAN**

**CONFERENCE WITH LEGAL COUNSEL –ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subsection [b] of Section 54956.9:
(One potential case)**



CONSENT: (Items 2 through 9)

2. **Approval of the Minutes of the October 13, 2011 Regular Meeting of the Alameda Corridor Transportation Authority. (APPROVAL)**
3. **Monthly Financial Statements (RECEIVE & FILE)**
4. **Third Quarter Investment Report (RECEIVE & FILE)**
5. **ACTA Board vacancy status (INFORMATION)**
6. **Authorize the Chief Executive Officer or Chief Financial Officer to issue an amendment to the Legal Service Agreement No. 799 with O'Melveny & Myers in the amount of \$75,000 for services required through June 30, 2012 (APPROVAL)**
7. **Authorize the Chief Executive Officer or Chief Financial Officer to issue an amendment to the Legal Service Agreement No. 802 with Squire Sanders in the amount of \$35,000 for services required through June 30, 2012. (APPROVAL)**
8. **FY13 Budget Schedule. (INFORMATION)**
9. **Reconfirm the ACTA Investment Policy. (APPROVAL)**

REGULAR:

10. **Audited Financial Statements FY11 (RECEIVE & FILE)**
11. **Authorize the Chief Executive Officer or Chief Financial Officer to issue an amendment to the Maintenance of Way Agreement No. 782 with Balfour Beatty Rail, Inc. (BBRI) to provide comprehensive maintenance of track, signal and communication systems on the Corridor for a term through December 31, 2015. (APPROVAL)**
12. **FRA RRIF Update (INFORMATION)**
13. **Project Update (INFORMATION)**
14. **ACTA November Performance Update (INFORMATION)**
15. **Public Comment**
16. **Adjournment**