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Alameda Corridor Transportation Authority

March 11, 2021

To:	Governing Board
From:	Heather M. McCloskey, ACTA Co-General Counsel Lauren Misajon, ACTA Co-General Counsel
Subject:	<i>Approve Resolution No. JPA 21-1 Appointing ACTA's Chief Executive Officer, Michael C. Leue, P.E., as Authority Engineer (APPROVAL)</i>

Recommendation:

Approve the proposed Resolution appointing ACTA's Chief Executive Officer, Michael C. Leue, P.E., as the Authority Engineer, a position required pursuant to ACTA's Amended and Restated Joint Exercise of Powers Agreement.

Discussion:

The Amended and Restated Joint Exercise of Powers Agreement ("Joint Powers Agreement") between the City of Los Angeles and the City of Long Beach dated December 18, 1996, provides for the appointment of certain officers of the Alameda Corridor Transportation Authority ("ACTA"). One of these officer positions is the Authority Engineer, who is responsible for the engineering and construction of the Alameda Corridor. It is required by the Joint Powers Agreement that the person holding this position be a registered professional engineer in California.

Initially, the role of Authority Engineer was performed by engineering staff from both the Port of Los Angeles and the Port of Long Beach. In 1998, the Director of Construction and Engineering, a position filled by an ACTA contract employee, was appointed as the Authority Engineer. In mid-2003, the Authority Engineer position was absorbed into the Chief Executive Officer position, when the individual hired as the CEO had the requisite California engineering license.

Appointing an Authority Engineer is required pursuant to ACTA's Joint Powers Agreement and, although the corridor is fully constructed at this time, there remain day-to-day operational issues where the expertise and knowledge of a licensed engineer remains beneficial. However, because there is not sufficient engineering work such that the position could be sustained as a separate employee position, it is recommended that the current CEO be appointed as Authority Engineer.



At its meeting on March 12, 2020, the Governing Board approved Resolution No. JPA 20-03, appointing Michael C. Leue as ACTA's Chief Executive Officer. Mr. Leue is a professional engineer registered in the state of California, and is therefore qualified to hold the position of Authority Engineer. Due to an administrative oversight, Resolution No. JPA 20-03 did not include the recommendation to name Mr. Leue as the Authority Engineer, and approval of the proposed Resolution will correct this oversight.

Budget Impact:

There will be no budget impact from the proposed action.

Co-General Counsel Review:

ACTA's Co-General Counsel has reviewed and approved the proposed resolution as to form.

Transmittal:

Transmittal 1 – Resolution No. JPA 21-1