

MINUTES OF A REGULAR MEETING OF THE ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY GOVERNING BOARD HELD ON MAY 19, 2022 AT 3:00 P.M. VIA TELECONFERENCE IN ACCORDANCE WITH ASSEMBLY BILL NO. 361 SIGNED BY GOVERNOR NEWSOM ON SEPTEMBER 16, 2021 AND GOVERNMENT CODE SECTION 54953(e)(1)

Members participating via teleconference:

Suzie Price, City of Long Beach
Michael Cano, Los Angeles County Metro
Mario Cordero, Port of Long Beach
Frank Colonna, Port of Long Beach
Edward Renwick, Port of Los Angeles

Alternate Members participating via teleconference:

Tony Gioiello, Port of Los Angeles

Members absent:

Joe Buscaino, City of Los Angeles

Also participating via teleconference:

Michael Leue, ACTA, Chief Executive Officer
Kevin Scott, ACTA, Chief Financial Officer
Heather McCloskey, ACTA, Co-General Counsel
David Albers, ACTA, Co-General Counsel
Maria Melendres, ACTA, Governing Board Secretary

CHAIR PRICE PRECIED AS CHAIR.

The meeting was called to order at 3:05 p.m. Roll call was taken.

REPORTS

1. MARCH 2022 CORRIDOR PERFORMANCE

Mr. Michael Leue presented the Corridor performance statistics through March 2022.

2. BOND REFINANCING PLAN

Mr. Leue and Mr. Kevin Scott presented the ACTA Bond Refinancing Plan as discussed with the Ad Hoc Committee for Finance Planning at their meeting on May 12, 2022. Commissioner Renwick stated that he looked at the plan thoroughly and believes it's an excellent plan, including the use of tender to help reduce the risk of a costly or restricted refinance in the future with a no-tender two-step process. He added that the refinancing plan is the responsible thing to do and thanked the team for their efforts.

CONSENT AGENDA – ITEM NO. 3-4

3. MINUTES - ACTA GOVERNING BOARD REGULAR MEETING OF APRIL 21, 2022 – APPROVED.

Minutes of the Regular Special Meeting of April 21, 2022, of the Governing Board of the Alameda Corridor Transportation Authority, were presented to the Governing Board.

4. MONTHLY FINANCIAL REPORTS AS OF MARCH 31, 2022 – RECEIVED AND FILED.

Communication from Kevin L. Scott, Chief Financial Officer, dated May 19, 2022, recommending that the monthly financial reports as of March 31, 2022, be received and filed, was presented to the Governing Board.

No public comment was received on the Consent Agenda.

Chair Price motioned, seconded by Board Member Colonna that Item No. 3 be approved as recommended and that Item No. 4 be received and filed. Roll call was taken and carried by the following vote:

AYES: Cano, Colonna, Cordero, Gioiello, Price, Renwick

NOES: None

ABSENT: Buscaino

REGULAR AGENDA – ITEM NOS. 5-7

5. RAILWORKS TRACK SERVICES, INC. – ASSIGNMENT & ASSUMPTION – AGREEMENT NO. 885 – APPROVED.

Communication from Michael C. Leue, Chief Executive Officer, dated May 19, 2022, recommending that the Board authorize the Chief Executive Officer or Chief Financial Officer to execute the Assignment and Assumption of Agreement No. 885 with RailWorks Track Services, Inc. to RailWorks Track Services, LLC., was presented to the Governing Board.

No public comment was received on Item No. 5.

Board Member Colonna motioned, seconded by Board Member Renwick that Item No. 5 be approved as recommended. Roll call was taken and carried by the following vote:

AYES: Cano, Colonna, Cordero, Gioiello, Price, Renwick

NOES: None

ABSENT: Buscaino

6. RAILWORKS TRACK SERVICES, LLC. – CONTRACT TASK ORDER NO. 6 TO AGREEMENT NO. 885 – BNSF TRAIN DERAILMENT REPAIR - APPROVED.

Communication from Michael C. Leue, Chief Executive Officer, dated May 19, 2022, recommending that the Board authorize the Chief Executive Officer or his designee to execute Contract Task Order No. 6 under Agreement No. 885 with RailWorks Track Services, LLC., for payment of repair costs in the amount of \$710,476 incurred due to BNSF train derailments at Perry Connector Track MP 21.2, was presented to the Governing Board.

No public comment was received on Item No. 6.

Board Member Colonna motioned, seconded by Board Member Cordero that Item No. 6 be approved as recommended. Roll call was taken and carried by the following vote:

AYES: Cano, Colonna, Cordero, Gioiello, Price, Renwick
NOES: None
ABSENT: Buscaino

7. RESOLUTION NO. JPA 22-8 – TELECONFERENCE MEETINGS – GOVERNING BOARD AND AUDIT COMMITTEE – APPROVED.

Communication from Michael C. Leue, Chief Executive Officer, dated May 19, 2022, recommending that the Board approve Resolution No. JPA 22-8 authorizing the ACTA Governing Board and its Audit Committee to continue to hold teleconference meetings due to the COVID-19 pandemic, was presented to the Governing Board.

Mr. Leue provided a status on the Harbor Commission meetings at both Ports. He stated that ACTA would continue to monitor the Ports and evaluate conducting in-person meetings in the fall or when the state of emergency is lifted. He added that we are also in the process of renewing our application to use the Long Beach City College for in-person meetings.

No public comment was received on Item No. 7.

Board Member Colonna motioned, seconded by Board Member Cordero that Item No. 7 be approved as recommended. Roll call was taken and carried by the following vote:

AYES: Cano, Colonna, Cordero, Gioiello, Price, Renwick
NOES: None
ABSENT: Buscaino

D. PUBLIC COMMENT ON NON-AGENDA ITEMS

There were no requests by the public to address the Governing Board.

E. CLOSED SESSION

None

F. ADJOURNMENT

At 3:32 p.m., the meeting was adjourned sine die.