

A G E N D A

REGULAR MEETING

Governing Board of the Alameda Corridor Transportation Authority

Meeting Date:	September 15, 2022
Time:	3:00 P.M.
Location:	This meeting is being conducted via teleconference in accordance with Assembly Bill No. 361 approved by Governor Newsom on September 16, 2021, and Government Code Section 54953(e)(1). A physical location will not be available for public observance of the meeting or public comment.
Conference Call for Meeting Attendance and Live Public Comment.	Dial: (562) 342-1138 Participant Pin: 2178101
Written Public Comment about Agenda Items.	Email: PublicComment@acta.org Sender's name and contact information are appreciated.

This meeting is being held in accordance with the Brown Act as currently in effect under Assembly Bill No. 361 approved by Governor Newsom on September 16, 2021, and Government Code Section 54953(e)(1) that allows attendance by members of the Governing Board, ACTA staff, and the public to participate and conduct the meeting by teleconference, videoconference, or both.

A. ROLL CALL

B. OPENING STATEMENT

Members of the public may join the meeting using the conference call number set forth on the agenda and may provide public comment on any agenda item. Live public comments will be heard no later than when each item is considered by the Governing Board. Each public speaker will be limited to three minutes to comment on each agenda item.

Any public comment received by email prior to the agenda item being called will be read into the record; any email received after an item has been considered by the Governing Board, but before the end of the meeting will be included in the minutes of the meeting.

The Governing Board may consider and act upon items as set forth on the agenda. Ordinarily, the Governing Board will not act on any matter which does not appear on the published agenda.



C. AGENDA ITEMS

Reports:

1. July 2022 Performance Report (INFORMATION)

Consent Agenda:

2. APPROVE Minutes of the August 18, 2022, Governing Board Meeting of the Alameda Corridor Transportation Authority
3. APPROVE Resolution No. JPA 22-16 authorizing teleconference meetings for the ACTA Governing Board and its Audit Committee pursuant to AB 361

Regular Agenda:

4. APPROVE Eleventh Amendment to the Alameda Corridor Dispatching Agreement for a Term Extension of up to Two Years to October 14, 2024
5. APPROVE Tenth Amendment to the Alameda Corridor Police & Security Agreement for a Term Extension of up to Two Years to October 14, 2024
6. APPROVE Creation of Ad Hoc Committee for Organizational Planning

D. PUBLIC COMMENT ON NON-AGENDA ITEMS

E. CLOSED SESSION

None

ADJOURNMENT

As a covered entity under Title II of the Americans with Disabilities Act, the Alameda Corridor Transportation Authority (ACTA) does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign language interpreters, assistive listening devices, and translation services may be provided. To ensure availability, 72-hour advance notice is required. Contact the ACTA Office at (562) 247-7777.



Item 1

***Performance Report
July 2022***



Port Container Throughput (TEUs) – July 2022

	POLA		POLB		Combined	
	Jul-22	%Change*	Jul-22	%Change*	Jul-22	%Change*
Imports	485,452	3.4%	376,175	-1.8%	861,627	4.5%
Exports	103,899	13.6%	109,411	-0.5%	213,310	0.1%
Total Loaded	589,351	5.1%	485,586	-1.5%	1,074,937	3.6%
Empty	346,072	4.9%	300,257	2.8%	646,329	14.8%
Total	935,423	5.0%	785,843	0.1%	1,721,266	7.5%

	YTD	%Change*	YTD	%Change*	YTD	%Change*
Imports	3,233,239	-2.1%	2,836,580	5.1%	6,069,819	1.1%
Exports	730,729	-3.2%	820,003	-4.8%	1,550,732	-4.1%
Total Loaded	3,963,968	-2.3%	3,656,583	2.7%	7,620,551	0.0%
Empty	2,385,358	5.6%	2,137,038	8.0%	4,522,396	6.7%
Total	6,349,326	0.5%	5,793,621	4.6%	12,142,947	2.4%

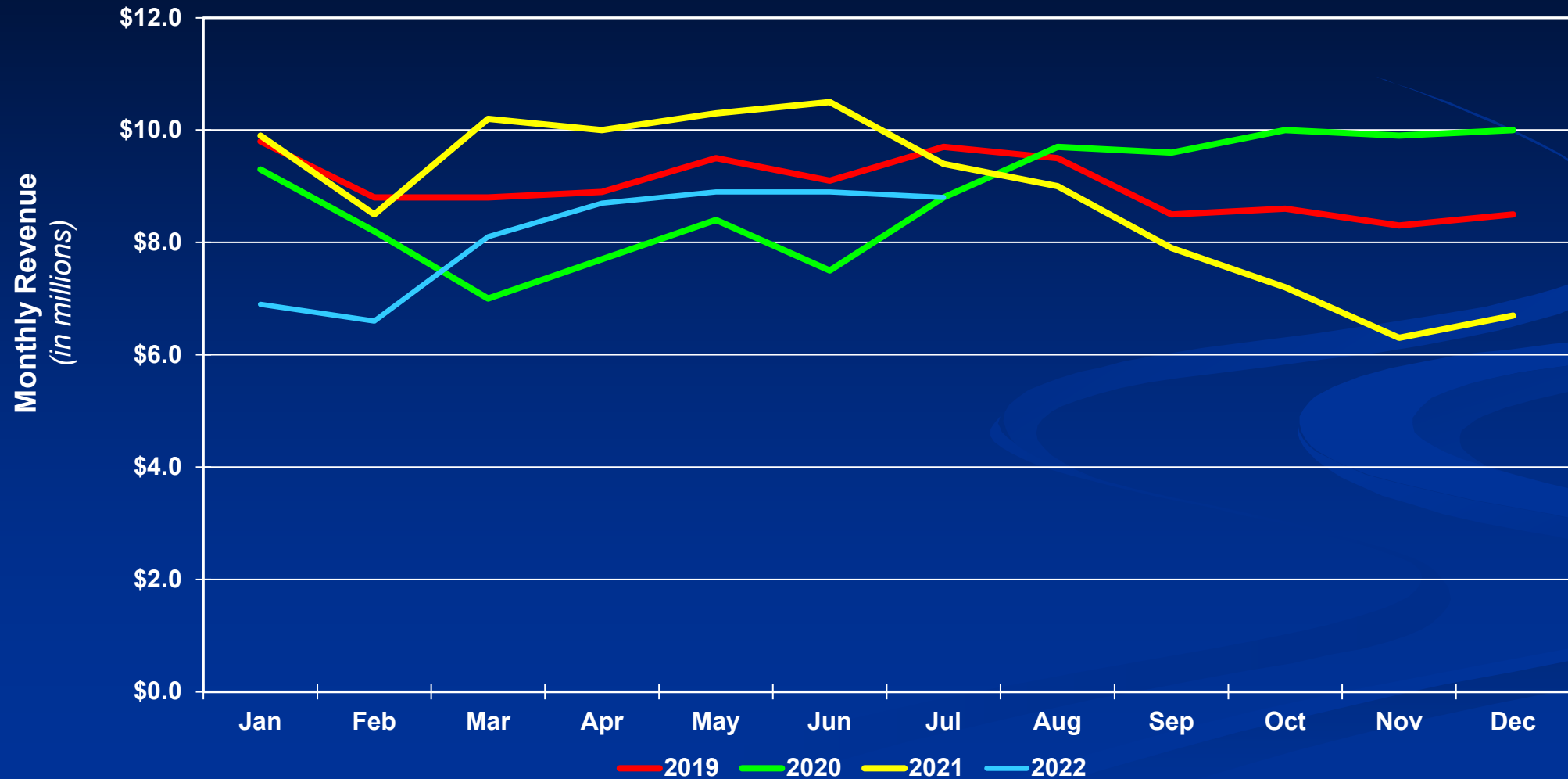
* Relative to same period in CY 2021

Alameda Corridor Performance

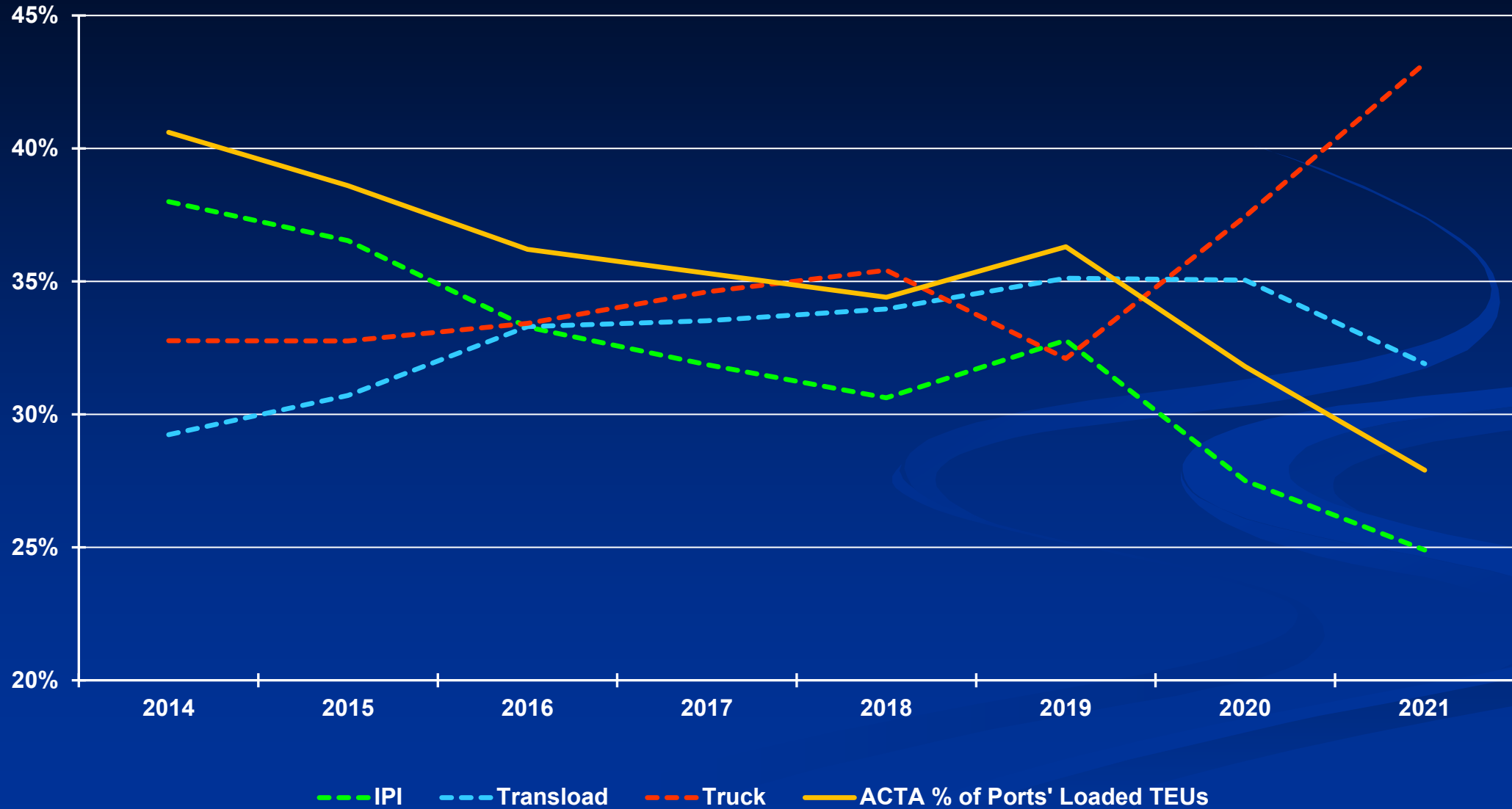
July 2022

	Jul 2022	CY22	FY23
Revenue	\$8.8 M	\$56.9 M	\$8.8 M
Change from 2021	- 5.9	- 17.3 %	- 5.9
TEU's	440,580	2,683,319	440,580
Change from 2021	- 6.0 %	- 18.3 %	- 6.0 %

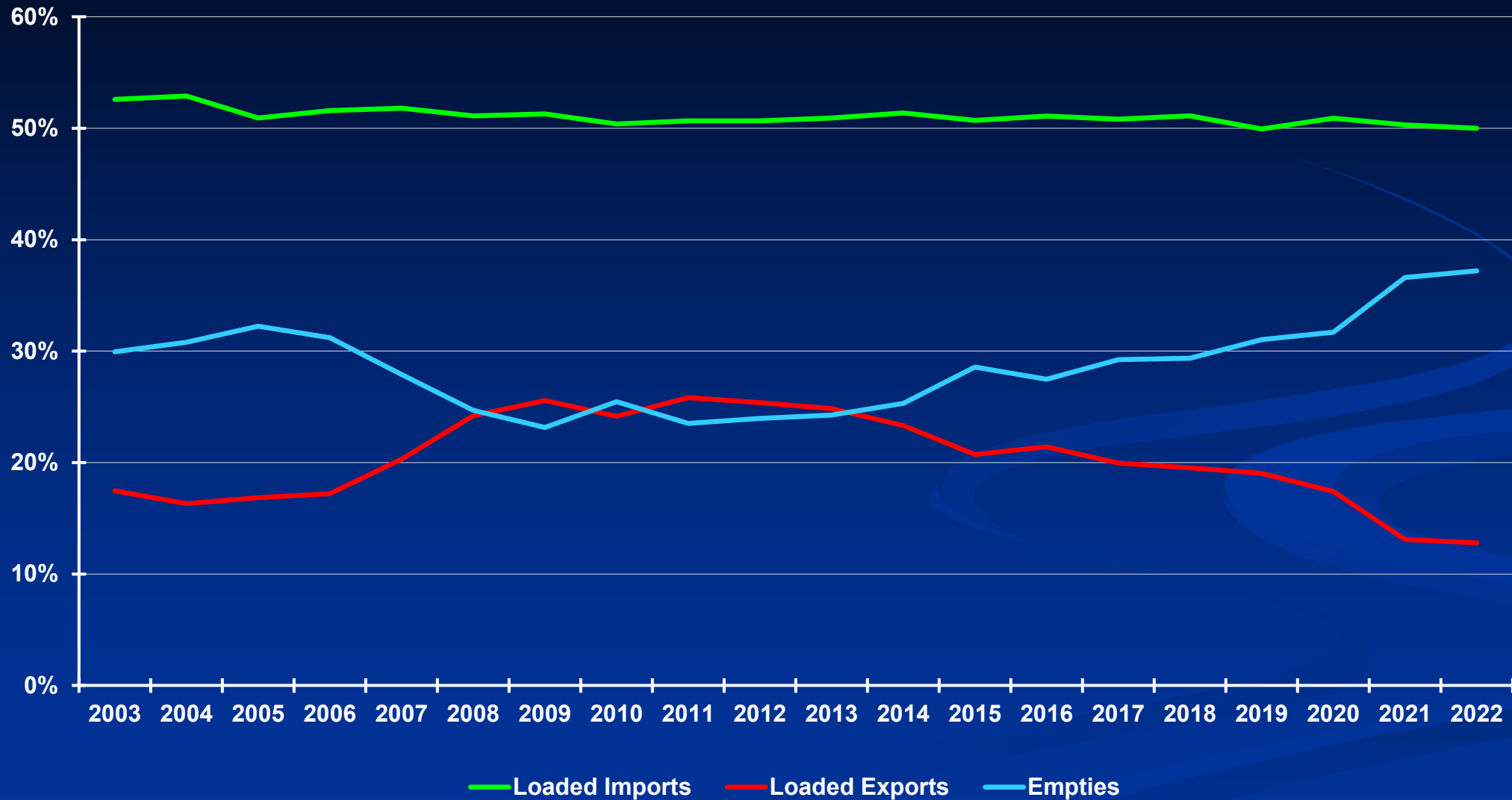
Corridor Revenue Performance CY2019, CY2020, CY2021 & YTD 2022



Port Cargo Mode Split



Port Cargo Components



MINUTES OF A REGULAR MEETING OF THE ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY GOVERNING BOARD HELD ON AUGUST 18, 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:

Joe Buscaino, City of Los Angeles
Michael Cano, Los Angeles County Metro
Frank Colonna, Port of Long Beach
Gene Seroka, Port of Los Angeles

Alternate Members participating via teleconference:

Duane Kenagy, Port of Long Beach

Members absent:

Suzie Price, City of Long Beach
Edward Renwick, Port of Los Angeles

Also participating via teleconference:

Michael Leue, ACTA, Chief Executive Officer
Kevin Scott, ACTA, Chief Financial Officer
Sudhir Lay, ACTA, Co-General Counsel
Maria Melendres, ACTA, Governing Board Secretary

CHAIR BUSCAINO PRESIDED AS CHAIR.

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

REPORTS

1. JUNE 2022 CORRIDOR PERFORMANCE

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

CONSENT AGENDA – ITEM NOS. 2-3

2. MINUTES - ACTA GOVERNING BOARD REGULAR MEETING OF JULY 21, 2022 – APPROVED.

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

3. RESOLUTION NO. JPA 22-15 – TELECONFERENCE MEETINGS – GOVERNING BOARD AND AUDIT COMMITTEE – APPROVED.

Communication from Michael C. Leue, Chief Executive Officer, dated August 18, 2022, recommending that the Board approve Resolution No. JPA 22-15 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.

No public comment was received on the Consent Agenda.

Board Member Colonna motioned, seconded by Board Member Cano that Item Nos. 2 & 3 be approved as recommended. Roll call was taken and carried by the following vote:

AYES: Buscaino, Cano, Colonna, Kenagy, Seroka

NOES: None

ABSENT: Price, Renwick

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 3:11 p.m., the meeting was adjourned sine die.

M · E · M · O

Alameda Corridor Transportation Authority

September 15, 2022

To:	Governing Board
From:	Michael C. Leue, Chief Executive Officer 
Subject:	<i>APPROVE Resolution No. JPA 22-16 authorizing teleconference meetings for the ACTA Governing Board and its Audit Committee pursuant to AB 361</i>

Recommendation:

Approve the proposed Resolution to authorize the ACTA Governing Board and its Audit Committee to continue holding teleconference meetings due to the COVID-19 pandemic.

Discussion:

Due to the COVID-19 pandemic, from April 2020 onward the ACTA Governing Board and its Audit Committee have conducted public meetings via telephonic conference calls, while such remote meetings were authorized through various Executive Orders issued by the Governor of California. These Executive Orders expired on September 30, 2021.

On September 16, 2021, the Governor signed into law Assembly Bill 361 (AB 361), which amended certain requirements of the Ralph M. Brown Act (“Brown Act”) by allowing a continuation of similar remote meeting practices during declared states of emergency where certain requirements are met. Pursuant to the Governor’s Executive Order N-15-21, AB 361 went into effect on October 1, 2021.

To utilize the Brown Act remote meeting provisions set forth in AB 361, legislative bodies must make certain findings regarding the COVID-19 state of emergency and the need for remote meetings, and so long as the need for remote meetings continues, make those findings by a majority vote every 30 days. The attached Resolution (Transmittal 1) makes the necessary findings pursuant to the Brown Act to authorize the Governing Board and its Audit Committee to follow the teleconference meeting provisions of Government Code Section 54953(e)(2).



On September 30, 2021, the City of Long Beach Health Officer recommended that physical distancing measures continue to be practiced throughout Long Beach communities and that they be continued by the City's legislative bodies to minimize the spread of COVID-19 for the protection of the community, staff, presenters, and legislative body members.

The Los Angeles Board of Harbor Commission is continuing to meet remotely. For a period of time the Long Beach Board of Harbor Commission conducted hybrid meetings, allowing both the commissioners and the public to attend in-person or remotely. However, the Long Beach Board of Harbor Commission recently returned to fully remote meetings. ACTA will continue to monitor the meetings of both Ports and will evaluate conducting in-person meetings in the late summer or early fall or when the state of emergency is lifted.

The Long Beach City College (LBCC) has granted approval to hold meetings on its campus at the same location where ACTA held meetings prior to the pandemic. We are in the process of completing a new agreement with LBCC.

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.

Transmittals:

Transmittal 1 – Resolution No. JPA 22-16

Resolution No. JPA 22-16

RESOLUTION TO CONTINUE TELECONFERENCE MEETINGS PURSUANT TO AB 361

WHEREAS, on March 12, 2020, the Governor of California issued Executive Order N-25-20 which temporarily suspended certain requirements of the Ralph M. Brown Act ("Brown Act") in light of the COVID-19 pandemic, an ongoing public health state of emergency; and

WHEREAS, the Governor issued additional Executive Orders in 2020 and 2021 further suspending various requirements of the Brown Act for public meetings; and

WHEREAS, following expiration of the Executive Orders, on September 16, 2021, the Governor signed into law Assembly Bill 361 ("AB 361"), allowing for teleconference meetings under the Brown Act during declared states of emergency; and

WHEREAS, there is a continuing state of emergency concerning the COVID-19 pandemic at both the State and City of Long Beach levels, and, on September 30, 2021, the City of Long Beach Health Officer issued a recommendation for the continuation of virtual public meetings; and

NOW THEREFORE BE IT RESOLVED as follows:

Section 1. The ACTA Governing Board finds that the COVID-19 pandemic state of emergency continues to directly impact the ability of legislative bodies to meet safely in person and that the City of Long Beach Health Officer's recommendation to practice physical distancing measures remains in effect.

Section 2. The ACTA Governing Board hereby authorizes the ACTA Governing Board and its Audit Committee to hold teleconference meetings in accordance with Government Code Section 54953(e)(1)-(2).

Section 3. This resolution shall take effect immediately upon its adoption by the ACTA Governing Board, and the Board Secretary shall certify the vote adopting this resolution.

AYES:

NOES:

ABSENT:

I HEREBY CERTIFY THAT the foregoing resolution was adopted by the ACTA Governing Board at its meeting held on September 15, 2022.

Maria M. Melendres
Board Secretary

APPROVED AS TO FORM


_____, 2022
MICHAEL N. FEUER, City Attorney

By _____
Heather M. McCloskey, Deputy City Attorney
ACTA Co-General Counsel

M · E · M · O

Alameda Corridor Transportation Authority

September 15, 2022

To:	Governing Board
From:	Michael C. Leue, Chief Executive Officer 
Subject:	<i>APPROVE the Eleventh Amendment to the Alameda Corridor Dispatching Agreement for a Term Extension of up to Two Years to October 14, 2024</i>

Recommendation:

Approve the Eleventh Amendment to the Alameda Corridor Dispatching Agreement and Authorize the Chief Executive Officer to execute the proposed amendment. The amendment will extend the term of the Alameda Corridor Dispatching Agreement between ACTA, the BNSF Railway Company (BNSF), and Union Pacific Railroad Company (UP), for up to two years through October 14, 2024. Absent this extension, the Agreement will expire on October 14, 2022.

Discussion:

The Amended and Restated Use and Operating Agreement (UOA) requires that the Port of Long Beach and Port of Los Angeles as owners of the Alameda Corridor property (referred to collectively in the UOA as “Owner”) and BNSF and UP (collectively the “Railroads”), through the process of Mutual Agreement set forth in the UOA, select a Corridor Dispatcher, and that ACTA endeavor to enter into an agreement with the selected entity on the business terms specified by the Owner and Railroads.

The existing Dispatching Agreement (Agreement) between ACTA and the Railroads has been in place since 2002 and will expire on October 14, 2022. The services provided under the Agreement are paid for directly by the Railroads. The original term of the Agreement was five years, as approved by the former Operating Committee (OC) and extended twice with OC approval for an additional 10 years via two amendments through October 14, 2017. Since that time, additional amendments to extend the term of the Agreement through October 14, 2022, have been approved by the Ports and Railroads through Mutual Agreement, approved by the ACTA Governing Board, and subsequently executed by ACTA and the Railroads.

The Eleventh Amendment to the Agreement will extend the term of the Agreement for up to two years through October 14, 2024. Through Notice of Mutual Agreement No. 2022-2, the Ports and Railroads approve the Eleventh Amendment.



ACTA Governing Board approval of the Eleventh Amendment is hereby requested, in order to extend the term of the current Agreement until such time as either a new agreement is approved and executed, or through October 14, 2024, whichever is earlier. The Eleventh Amendment to the existing Agreement is attached as Transmittal 1.

Budget Impact:

There is no budget impact to either the approved FY22 ACTA Program Budget or the approved 2022 Operations and Maintenance Budget.

Co-General Counsel Review:

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

Transmittal:

Transmittal 1 - Eleventh Amendment to the Alameda Corridor Dispatching Agreement

ELEVENTH AMENDMENT TO ALAMEDA CORRIDOR DISPATCHING AGREEMENT

THIS ELEVENTH AMENDMENT TO THE ALAMEDA CORRIDOR DISPATCHING AGREEMENT ("Amendment") is made as of October 15, 2022, by and between **BNSF RAILWAY COMPANY**, a Delaware corporation (formerly known as The Burlington Northern and Santa Fe Railway Company) ("**BNSF**"), **UNION PACIFIC RAILROAD COMPANY**, a Delaware corporation ("**UP**"), and **THE ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY**, a joint powers authority created under the laws of the State of California ("**ACTA**"), with reference to the following Recitals:

RECITALS

A. Pursuant to that certain Amended and Restated Alameda Corridor Use and Operating Agreement dated as of December 15, 2016 (the "**Operating Agreement**"), by and among the City of Long Beach, the City of Los Angeles, ACTA, BNSF and UP, certain aspects of the operations on the Rail Corridor (as defined in the Operating Agreement) are governed by Owner and Railroads (as those terms are defined in the Operating Agreement), including dispatching services.

B. Pursuant to the Operating Agreement, BNSF and UP were selected by Owner and Railroads to jointly act as the Rail Corridor's dispatching services providers and to perform other duties specified in that certain Alameda Corridor Dispatching Agreement dated as of January 30, 2002 (as amended, the "**Agreement**") and entered into by BNSF, UP and ACTA. Initially capitalized terms not otherwise defined herein shall have the meanings set forth in the Operating Agreement unless the Amendment clearly states otherwise.

C. BNSF, UP and ACTA desire to hereby modify and amend the Agreement, as more particularly set forth herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties hereto, BNSF, UP and ACTA hereby agree as follows:

Section 1. Modification of Agreement

1.1 Section 5.1 of the Agreement is hereby deleted in its entirety and replaced with the following:

5.1 Commencement Date; Term. The term of this Agreement, and Corridor Dispatcher's duties hereunder, commenced on April 15, 2002 ("**Commencement Date**") and unless earlier terminated as

ELEVENTH Amendment to Alameda Corridor Dispatching Agreement

provided herein, this Agreement shall automatically expire on the earlier of (i) October 14, 2024, or (ii) the date on which the Owner and Railroads, pursuant to Mutual Agreement, reappoint the Corridor Dispatcher or select a replacement corridor dispatcher and such corridor dispatcher has been engaged by ACTA and is able to commence performing dispatching services on the Rail Corridor.

Section 2. Counterparts.

This Amendment may be executed in any number of counterparts, each of which shall be an original but all of which together shall constitute one agreement.

[Signatures follow]

ELEVENTH Amendment to Alameda Corridor Dispatching Agreement

IN WITNESS WHEREOF, the parties hereto have executed this Eleventh Amendment as of the date first above written.

“BNSF”

BNSF Railway Company
a Delaware corporation

Approved as to form this _____ Day of
_____, 2022

By: _____

By: _____

Print Name: _____

Print Name: _____

Its: _____

Its: _____

“UP”

Union Pacific Railroad Company
a Delaware corporation

Approved as to form this _____ Day of
_____, 2022

By: _____

By: _____

Print Name: _____

Print Name: _____

Its: _____

Its: _____

"ACTA"

Alameda Corridor Transportation Authority,
a Joint Powers Authority

Approved as to form this _____ Day of
_____, 2022

By: _____

By: _____

Print Name: _____

Print Name: _____


Its: _____

Its: _____

M · E · M · O

Alameda Corridor Transportation Authority

September 15, 2022

To:	Governing Board
From:	Michael C. Leue, Chief Executive Officer 
Subject:	<i>APPROVE the Tenth Amendment to the Alameda Corridor Police and Security Services Agreement for a Term Extension of up to Two Years to October 14, 2024</i>

Recommendation:

Approve the Tenth Amendment to Corridor Police and Security Services Agreement and Authorize the Chief Executive Officer to execute the amendment, extending the term of the Alameda Corridor Police and Security Services Agreement between ACTA, the BNSF Railway Company (BNSF), and Union Pacific Railroad Company (UP), for up to two years through October 14, 2024. Absent this extension, the agreement will expire on October 14, 2022.

Discussion:

The Amended and Restated Use and Operating Agreement (UOA) requires that the Port of Long Beach and Port of Los Angeles, as owners of the Alameda Corridor property (referred to collectively in the UOA as “Owner”) and BNSF and UP (collectively the “Railroads”), through the process of Mutual Agreement set forth in the UOA, select a Corridor Police and Security provider, and that ACTA endeavor to enter into an agreement with the selected entity on the business terms specified by the Owner and Railroads.

The existing Police and Security Services Agreement (Agreement) between ACTA and the Railroads has been in place since 2002 and will expire on October 14, 2022. The services provided under the Agreement are mostly paid for directly by the Railroads. The original term of the Agreement was five years, as approved by the former Operating Committee (OC), and was extended twice with OC approval for an additional 10 years via two amendments through April 14, 2017. Since that time, additional amendments to extend the term of the Agreement through October 14, 2022 have been approved by the Ports and Railroads through Mutual Agreement, approved by the ACTA Board and subsequently executed by ACTA and the Railroads.

The Tenth Amendment to the Agreement will extend the term of the Agreement for up to two Years through October 14, 2024. Through Notice of Mutual Agreement No. 2022-3, the Ports and Railroads approve the Tenth Amendment.



ACTA Governing Board approval of the Tenth Amendment is hereby requested, in order to extend the current Agreement until such time as either a new agreement is approved and executed, or through October 14, 2024, whichever is earlier.

The Tenth Amendment to the existing Police and Security Services Agreement is attached as Transmittal 1.

Budget Impact:

There is no budget impact to either the approved FY22 ACTA Program Budget or the approved 2021 Operations and Maintenance Budget.

Co-General Counsel Review:

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

Transmittal:

Transmittal 1 - Tenth Amendment to the Corridor Police and Security Services Agreement

**TENTH AMENDMENT TO
ALAMEDA CORRIDOR POLICE AND SECURITY SERVICES AGREEMENT**

THIS TENTH AMENDMENT TO ALAMEDA CORRIDOR POLICE AND SECURITY SERVICES AGREEMENT (this "**Amendment**") is made as of October 14, 2022, by and between **BNSF RAILWAY COMPANY**, a Delaware corporation (formerly known as The Burlington Northern and Santa Fe Railway Company) ("**BNSF**"), **UNION PACIFIC RAILROAD COMPANY**, a Delaware corporation ("**UP**"), and **THE ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY**, a joint powers authority created under the laws of the State of California ("**ACTA**"), with reference to the following Recitals:

RECITALS

A. Pursuant to that certain Amended and Restated Alameda Corridor Use and Operating Agreement dated as of December 15, 2016 (the "**Operating Agreement**"), by and among the City of Long Beach, the City of Los Angeles, ACTA, BNSF and UP, certain aspects of the operations on the Rail Corridor (as defined in the Operating Agreement) are governed by Owner and Railroads (as those terms are defined in the Operating Agreement), including police and security services.

B. Pursuant to the Operating Agreement, BNSF and UP were selected by Owner and Railroads to jointly act as the Rail Corridor's police and security services providers and to perform other duties specified in that certain Alameda Corridor Police and Security Services Agreement dated as of October 15, 2002 (as amended, the "**Agreement**") and entered into by BNSF, UP and ACTA. Initially capitalized terms not otherwise defined herein shall have the meanings set forth in the Operating Agreement unless the Amendment clearly states otherwise.

C. BNSF, UP and ACTA desire to hereby modify and amend the Agreement, as more particularly set forth herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties hereto, BNSF, UP and ACTA hereby agree as follows:

Section 1. Modification of Agreement.

1.1 Section 5.1 of the Agreement is hereby deleted in its entirety and replaced with the following:

5.1 Commencement Date; Term. The term of this Agreement, and Corridor Security Provider's duties hereunder, commenced on April 15, 2002 ("**Commencement Date**") and unless earlier terminated as

TENTH Amendment to Alameda Corridor Police and Security Agreement

provided herein, this Agreement shall automatically expire on the earlier of (i) October 14, 2024, or (ii) the date on which the Owner and Railroads, pursuant to Mutual Agreement, revise the roles and responsibilities of the corridor security provider or select a replacement corridor security provider and such corridor security provider has been engaged by ACTA and is able to commence performing security services on the Secured Facilities.

Section 2. Counterparts.

This Amendment may be executed in any number of counterparts, each of which shall be an original but all of which together shall constitute one agreement.

[Signatures follow]

TENTH Amendment to Alameda Corridor Police and Security Agreement

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the date first above written.

“BNSF”

BNSF Railway Company
a Delaware corporation

Approved as to form this _____ Day of
_____, 2022

By: _____

By: _____

Print Name: _____

Print Name: _____

Its: _____

Its: _____

“UP”

Union Pacific Railroad Company
a Delaware corporation

Approved as to form this _____ Day of
_____, 2022

By: _____

By: _____

Print Name: _____

Print Name: _____

Its: _____

Its: _____

"ACTA"

Alameda Corridor Transportation Authority,
a Joint Powers Authority

Approved as to form this _____ Day of
_____, 2022

By: _____

By: _____

Print Name: _____

Print Name: _____

Its: _____

Its: _____

M · E · M · O

Alameda Corridor Transportation Authority

September 15, 2022

To:	Governing Board
From:	Michael C. Leue, Chief Executive Officer Kevin L. Scott, Chief Financial Officer
Subject:	<i>APPROVE Creation of Ad Hoc Committee for Organizational Planning</i>

Recommendation:

The Governing Board Chair will present and lead a discussion on the creation of an Ad Hoc Committee for Organizational Planning and the nomination and Board approval of three Governing Board members to serve on the Ad Hoc Committee.

Discussion:

ACTA's officers are in the process of evaluating ACTA's changing operational needs and organizational plans. In the coming years, management expects that ACTA will perform significantly less engineering and technical responsibilities. During recent meetings, Governing Board members have suggested that there is a need to evaluate how ACTA should meet future operational needs and requirements. In particular, ACTA's contract with ACET to provide engineering and technical services has been in place for over twenty years and the necessary services either have been fulfilled, are nearly complete or will be of diminishing need in the future. ACTA management will be evaluating options to continue ACTA's various operational needs going forward, which could include new contracts for specific technical services (likely on an as-needed basis); creating new ACTA staff positions to fulfill non-engineering requirements; or arranging with the Long Beach Harbor Department and/or the Los Angeles Harbor Department to provide supplemental staffing for as-needed technical services (similar to ACTA's current arrangement for Co-Counsel legal services).

It is expected that the proposed Ad Hoc Committee would meet a limited number of times for briefings by the CEO and CFO. The first meeting will be a briefing on the shifting requirements of ACTA and some financial analysis of the current and alternative approaches. The Ad Hoc Committee will provide advice and offer opinions on the various proposed options. The Ad Hoc Committee will be in place for a limited time until management can sufficiently advance ACTA's organizational planning needs in order to complete the 2023-24 Fiscal Year budget, after which time the Ad Hoc Committee will be discontinued.



Budget Impact:

While the outcome of the work will have impacts on the FY23-24 budget, the actual efforts of the Ad Hoc Committee will have no direct impact to the current ACTA budget.

Co-General Counsel:

ACTA's Co-General Counsel has reviewed this Board Report and there are no legal issues at this time.