

DATE: April 15, 2008

TO: Governing Board, Intermodal Container Transfer Facility Joint Powers Authority


FROM: Sam A. Joumbat, Executive Director

SUBJECT: Explanation of 2007-2008 Budget line item for Legal and Consulting Services

At its special meeting on February 15, 2008, the Intermodal Container Transfer Facility Joint Power Authority (ICTF JPA) Governing Board approved the JPA 2007-2008 budget in the amount of \$2,538,138 with the condition that staff at a future date supply detailed break down of the Legal and Consulting Services budget line item of \$500,000. Staff envisions four main areas of expending these funds as outlined below:

1. Initial funding of approximately \$150,000 for project management, which may include activities such as:
 - Serving as the primary point of contact for non-JPA persons
 - Development and maintenance of an ICTF-JPA.org web site.
 - Quality Management
 - Schedule Management
 - Budget Management
 - Issues Management
 - Communicating to stakeholders
 - Development and implementation of a Community Outreach Plan
 - Controlling project execution
 - Tracking and reporting progress
 - Planning the work according to the objectives
 - Assessing and controlling risk
 - Estimating and allocating resources
 - Analyzing the results based on the facts achieved
 - Forecasting future trends in the project
 - Project closure

2. Initial Funding of approximately \$150,000 for outside legal counsel, which may include such activities as contract drafting and specialized legal advice and assistance on compliance with:
 - California Environmental Quality Act (CEQA)
 - Clean Air Act



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- Transportation and rail legal matters
 - Real estate law

 - Other environmental and legal matters related to proposed project including minimizing litigation risk
3. Initial funding of approximately \$150,000 for outside environmental consulting, which may include activities such as:
 - If directed by the JPA Governing Board to commence the EIR process, assist with the drafting/review of the Project Description in collaboration with Union Pacific Railroad Company (UP).
 - Initial stages of the preparation of the EIR/EIS, if approved by the JPA Governing Board.

 4. Initial funding of approximately \$50,000 for miscellaneous contracts and expenditures.

In discussions, UP agree in principal to fully reimburse the JPA for all costs associated with the application to modernize the ICTF. The \$500,000 budgeted for Legal and Consulting Services will be included in cost reimbursement.

It's recommended that the ICTF JPA Governing Board receive and file this report.



Sam A. Joublat
Executive Director