



**BOARD OF DIRECTORS
REGULAR MEETING AGENDA**

February 5, 2020– 1:30 PM

5401 Old Redwood Highway, 1st Floor
Petaluma, CA 94954

1. Call to Order
2. Approval of the January 8, 2020 Board Minutes
3. Public Comment on Non-Agenda Items
4. Board Member Announcements
5. General Manager’s Report
6. Consent
 - a. Approval of Monthly Financial Reports
 - b. Approval of Barbier Security Group Contact Amendment No. 1
 - c. Authorize the General Manager to Execute Contract Amendment No. 2 to Contract No. CV-BB-19-001 with Ghilotti Bros, Inc in the amount of \$79,649 for the Enhanced Pedestrian Safety Improvements Project
7. Approve a Resolution authorizing SMART to submit a Joint Application with the Santa Rosa Junior College and City of Santa Rosa for Affordable Housing Sustainable Communities (AHSC) Program funds to implement the SMART Operations Apprenticeship Training Program and expand SMART Eco Pass College Student Program
8. Approve a Resolution Formally Requesting SMART’s Participation in Regional Clipper START Program to Provide 50% Discount to Low-Income Transit Users
9. SMART Ridership Update Report

10. Closed Session
 - a. Conference with Legal Counsel regarding whether to initiate litigation pursuant to California Government Code Section 54956.9(d)(4): Number of cases: 1
 - b. Conference with Legal Counsel regarding exposure to potential litigation pursuant to California Government Code Section 54956.9(e)(3): Number of cases: 2
11. Report Out of Closed Session
12. Next Regular Meeting of the Board of Directors, February 19, 2020 – 1:30pm – 5401 Old Redwood Highway, 1st Floor, Petaluma, CA 94954
13. Adjournment

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**BOARD OF DIRECTORS
SPECIAL MEETING MINUTES**

January 8, 2020- 1:30 PM

5401 Old Redwood Highway, 1st Floor
Petaluma, CA 94954

1. Call to Order

Chair Phillips called the meeting to order at 1:30pm. Directors Arnold, Connolly, Fudge, Garbarino, Hillmer, Lucan, Pahre and Rabbitt were present. Directors Rogers and Zane absent; Director Naujokas arrived later.

2. Election of Chairperson

Chair Phillips said he has been pleased to serve as Chair for the SMART Board last year. SMART had a lot of accomplishments including the opening of Larkspur and Downtown Novato Stations. The ridership has steadily increased and he is proud of the service that SMART is providing to the community.

Chair Phillips proceeded to nominate Director Lucan for Chair for 2020.

MOTION: Chair Phillips moved the nomination for Director Lucan to become Chair. Director Fudge second. The motion carried 9-0 (Directors Rogers and Zane absent; Director Naujokas arrived later).

3. Approval of the December 4, 2019 Board Minutes

MOTION: Director Rabbitt moved approval of the December 4, 2019 Board Minutes as presented. Director Lucan second. The motion carried 9-0 (Directors Rogers and Zane absent; Director Naujokas arrived later).

4. Public Comment on Non-Agenda Items

Richard Brand stated that being able to connect to the Larkspur Ferry is fabulous. On Saturday, January 4th, he was able to take the train from the Airport Station to Larkspur and arrive at the San Francisco Farmers Market. The train and ferry were full and the ferry

was 25 minutes late. He suggested that the Airport Station handicap parking be re-evaluated to be closer to station.

Duane Bellinger stated that at the last meeting he mentioned connecting the community along the rail. Also, the Argus Courier said that SMART opposes a transit-oriented community. He said that he has shared voters' numbers and how are they supposed to vote for the sales tax when SMART is actively opposing their interest.

Linda Winter voiced her concerns regarding SMART's fee structure. She is a strong supporter of public transit and tax dollars. The monthly pass is very expensive especially for low income families.

Rich Harkness urged the Board not to place the tax extension on the March 2020 ballot. He stated that SMART has not published the information that voters need to make an intelligent decision. The voters need to have greenhouse gas reduction impact on congestion and ridership data. He has conducted research and concluded that SMART is unlikely saving any greenhouse gas.

Christopher Neary (proxy for Allen Hemphill) congratulated the Board and SMART staff for the opening of Larkspur Station. He voiced his concerns regarding an article in the Marin Independent Journal that the San Rafael Mayor stated that SMART does not support freight. He suggested a clarification be made to that reference. The perspective of the Healdsburg community is that SMART is blocking the Resort project north of Healdsburg. Chair Phillips responded that he is available to discuss the comment made in the Independent Journal.

Steve Bosshard stated that it took SMART two times for Marin and Sonoma County voters to pass the Measure. He will be addressing the ridership data issue later. He said that SMART's General Manager does not have any train experience, however the former Operations Manager did and he left SMART because the General Manager did not acknowledge his experience and input. SMART has not accomplished the voter's goals and since 2012 on the TransparentCalifornia.com website salaries have increased tremendously for the following positions: The General Manager \$310k to \$394k; the Chief Financial Officer \$176k to \$292; Chief Engineer \$166k to \$262k; the Chief of Police with no force is \$236k and the Operations Manager \$241k. He said that the Chief of Police who was appointed to Operations Manager and believes she does not have any experience working on railroads.

Hillary Fox stated that Board members should have received an email with a proposed train schedule that can help Credo High School and Sonoma Academy students get to and from school earlier.

David Gravitch stated he is the founder of San Francisco Bay Railroad. He worked closely with Caltrain coordinating train service in the Peninsula. He offered his 30 years of experience and expertise of railroading.

Mike Pechner stated that the Diesel Multiple Units (DMU's) are tier 4, which is the highest tier with the Federal Railroad Administration and far more efficient than busses. He suggested the SMART consider an advertisement campaign especially with the Wednesday Giant Baseball games in coordination with the ferry and train.

Willard Richards stated that SMART is being criticized heavily for not releasing its greenhouse gas emissions. However, in 2008 SMART published a White Paper #6 which includes statistics prior to SMART receiving the vehicles and start of passenger service. He would be happy to assist staff in updating the statistics.

Chair Phillips responded and stated that SMART staff will provide and update on greenhouse gas emissions at the next Board meeting.

5. Board Members Announcements

Director Rabbitt thanked Chair Phillips for his leadership on the SMART Board last year. He welcomed Director Lucan for assuming Chair role this year.

Director Fudge stated that construction began on the Windsor Extension project. Her email and text messages are overflowing with comments. The majority of the comments are positive with excitement that the train is coming the Windsor. Chair Phillips stated that when testing begins, he will be sending his sympathies. Director Fudge also asked if the General Manager can provide an update on what SMART is experiencing with vehicles getting stuck on tracks and running over barriers, etc.

Director Connolly stated that the issue that is arising in San Rafael is the east/west traffic through Central San Rafael. He understands that there is coordination with the City of San Rafael for its traffic lights timing and an overall assessment of the area. He suggested receiving an in-depth update of the area in the future.

6. General Manager's Report

General Manager Mansourian wished everyone a Happy and Prosperous New Year 2020. He announced that today's meeting replaces the meeting of January 15th, the next regular Board meeting is February 5, 2020.

He reported since opening day in August 2017 through December 2019, SMART has carried 1,686,000 passengers, 164,000 bicycles, and over \$6,300 wheelchairs.

Chair Phillips stated that General Manager Mansourian provides ridership data at every SMART Board meeting and for some to imply or state that SMART Board members don't receive that information is wrong and disconcerting.

Director Garbarino thanked General Manager Mansourian and SMART's staff for orchestrating the opening from San Rafael to Larkspur and Downtown Novato station. She wishes that everyone will be attending the Windsor Extension opening

7. Consent
 - a. Approval of Monthly Financial Reports
 - b. Authorize the General Manager to Execute Contract Amendment No. 1 with Van Scoyoc Associates
 - c. Authorize the General Manager to Execute Contract Amendment No. 8 with Hanson Bridgett
 - d. Approve a Resolution Authorizing for the General Manager to execute a Property Exchange Agreement Between the Sonoma-Marin Area Rail Transit District and the City of San Rafael and a Quitclaim Deed of SMART property to the City of San Rafael and to accept property from the City of San Rafael for the Larkspur Extension Project

Chair Phillips asked for Board and public comments on the proposed Consent Agenda.

MOTION: Director Lucan moved approval of the Consent Agenda as presented. Director Fudge second. The motion carried 9-0 (Directors Rogers and Zane absent; Director Naujokas arrived later).

8. Authorize the General Manager to Execute Contract Amendment No. 6 with GBS Group in the amount of \$483,587 for performance of maintenance and monitoring services for Internet Connectivity for the SMART Trains

Operations Manager, Jennifer McGill, stated that the item before the board today is a recommendation to approve Contract Amendment No. 6 with GBS Group. The GBS Group provides on-board passenger WiFi service on SMART trains, ongoing support, monitoring, operations and maintenance.

Staff recommends the approval of this contract in the amount of \$483,587, with a term of 1 year expiring December 31, 2020.

Comments:

Director Fudge stated the WiFi service connection has improved tremendously since opening day 2017.

MOTION: Director Rabbitt moved to Authorize the General Manager to Execute Contract Amendment No. 6 with GBS Group in the amount of \$483,587 for performance of maintenance and monitoring services for Internet Connectivity for the SMART Trains as presented. Director Lucan second. The motion carried 9-0 (Directors Rogers and Zane absent; Director Naujokas arrived later).

9. Accept SMART's Fiscal Year 2018-19 Comprehensive Annual Financial Report and Memorandum of Internal Controls

Chief Financial Officer, Erin McGrath thanked Fiscal Manager, Katye Roa and Supervising Accountant, Kathy Holt for their work on the reports. Ms. McGrath gave an overview of the Fiscal Year 2018-19 Memorandum of Internal Control and Comprehensive Annual Financial Reports.

The Memorandum of Internal Control is prepared by our auditors outlining their review of SMART's internal control in accordance with generally accepted auditing standards. We are pleased to report that the Auditors noted no transactions entered for which there is a lack of authoritative guidance or consensus and did not identify any deficiencies in the internal control that would be considered material weakness.

The Comprehensive Annual Financial Report is a best practice in government for presenting annual financial information. Our report contains our recently achievement award from the Government Financial Officer Association for our 2018 report. This report contains introductory information and statistical section. The highlights include:

- SMART's net at the close of Fiscal Year was \$467.6 million
- Unrestricted Assets were \$64 million
- Sales Tax revenue of \$41.2 million (11% higher than the prior year which is higher than we anticipated during the budget)
- Total Operating Expenses were \$49 million

Comments:

Vice Chair Pahre stated that people underestimate: 1) what it takes to complete the reports; 2) how to get a clean audit in a large organization; and 3) what it means to receive an award from another organization. She thanked staff for representing SMART transparency.

Chair Phillips thanked staff for an excellent report, and added: "SMART is very fortunate to have an excelled Finance staff"

Director Hillmer stated that it is an excellent report. He asked for clarification on page 47, Table 5: Revenue Base and Revenue Rate, Total Sales Tax Revenue. The report shows an increase from 2010 to 2019, and if it's based-on items costing more. Ms. McGrath responded that in addition to item costing more, we have experience growth since 2008 plus there has been a shift in internet retailers. Also, Table 7: Principal Revenue Payers illustrates Payers growth.

MOTION: Director Pahre moved to Accept SMART's Fiscal Year 2018-19 Comprehensive Annual Financial Report and Memorandum of Internal Controls as presented. Director Arnold second. The motion carried 9-0 (Directors Rogers and Zane absent; Director Naujokas arrived later)

10. Approve a Resolution and Authorize the Board Chair to Execute the Collective Bargaining Agreement Between the Sonoma-Marín Area Rail Transit District and the Operating Engineers Local 3 for the period of December 16, 2019 to December 15, 2022

Human Resources Manager, Lisa Hansley, stated that the item for Board approval today is to authorize the three-year collective bargaining agreement with the Operating Engineer Local Union 3 and SMART. She thanked Felix Huerta and all negotiation parties

The agreement represents a total of twenty-nine (29) Engineer-Conductors and Conductors. The new agreement includes the following modifications: 1) wage increases including cost of living adjustments; 2) shift bidding once every four months, it currently allows once every 6 months; 3) probational period of 9 months with the option for the District to extend the period by an additional 3 months, the current probationary period is 12 months; 4) Training pay of flat rate of \$35 per day, who are tasked with training Engineer-Conductors and Conductor Trainees.

Comments

Felix Huerta Jr. stated that he was the assigned representative to conduct the contract negotiations is happy to report that the membership ratified the contract. Both parties comprised to reach an agreement. He introduced Joe Lewis who will be representing the Engineers

MOTION: Director Arnold moved to Approve a Resolution and Authorize the Board Chair to Execute the Collective Bargaining Agreement Between the Sonoma-Marín Area Rail Transit District and the Operating Engineers Local 3 for the period of December 16, 2019 to December 15, 2022 as presented. Director Hillmer second. The motion carried 9-0 (Directors Rogers and Zane absent; Director Naujokas arrived later)

11. Approve a Resolution designating the General Manager as the signatory for a joint Affordable Housing Sustainable Communities grant to the State of California Strategic Growth Council and Department of Housing and Community Development

Grants and Programming Manager, Joanne Parker, stated that the item for Board approval today is a Resolution to authorize the General Manager to enter into joint application for Affordable Housing Sustainable Communities funds for the State of California.

Ms. Parker said that this particular grant has a very complicated application and fund source process. The nature of the grant is that it will provide funding to both housing projects and transportation investments that support the State's climate and land use goals.

The partnerships are between MidPen Housing, City of Santa Rosa, and SMART for the Roseland Village project in Southwest Santa Rosa. The MidPen Housing Roseland Village project will construct 75 multifamily affordable units. The City of Santa Rosa elements

include bus improvement, pedestrian pathway from Joe Rodota trail toward 3rd Street Santa Rosa, and the crossing at 3rd street, along with pedestrian gap closures. The second part of the application is for funds to construct the Windsor Rail Extension, the purpose of the partnership is to advance funding and continue construction.

There is a second partnership application with the Santa Rosa Junior College and City of Santa Rosa that will be presented at your next Board meeting.

Comments:

Duane Bellinger asked the distance of the project to SMART's Downtown Santa Rosa Station. Ms. Parker responded that its within a mile radius.

Director Rabbitt thanked SMART staff for working with all agencies to bring connectivity to the community.

MOTION: Director Rabbitt moved to Approve a Resolution designating the General Manager as the signatory for a joint Affordable Housing Sustainable Communities grant to the State of California Strategic Growth Council and Department of Housing and Community Development as presented. Director Fudge second. The motion carried 9-0 (Directors Rogers and Zane absent; Director Naujokas arrived later)

12. Ridership Data Collection, Analysis and Presentation (Discussion)

Director Naujokas arrived 2:20pm

Grants and Programming Manager, Joanne Parker provided a PowerPoint presentation on Ridership Data Collection and Reporting. Highlights include:

- SMART Riders as of January 7, 2019 is 1.7 million passengers and over 165,000 bicycles and 6,00 wheelchairs.
- Serving Marin and Sonoma County Residents
- Who are SMART's Core Riders?
 - 85% are weekday riders
 - 15% are weekend/holiday riders
 - 9.8% bring Bicycles on-board
- Annual Ridership – 3 ways of looking at it
 - Fiscal Year (July 1 – June 30); which standard public transit agency practice to use Fiscal Year for reporting
 - Calendar Year (January 1 – December 31)
 - SMART "Start of Service" year (August 25- August 24)
- Average Weekday Ridership is the standard use to determine commute impacts
- SMART's Average Weekday Ridership does not include Holiday service that falls on a weekday and cancelled days due to fires.
- SMART Ridership Growing
 - Daily Riders not always the same people
 - 11,500 separate people paid to ride SMART in a month (September 2019)

- SMART illustrated chart of a 3-year comparison of ACTUAL ridership (September, October and November of 2017, 2018 and 2019)
- In every way of looking at the data, SMART's Average Weekday Ridership is growing every year
- SMART is serving Weekday Commuters and SMART's core mission
- Using standard Fiscal Year numbers with projections, SMART on target to grow 16% over 3-year period
- SMART Train and Larkspur Ferry Connection
 - New expanded SMART service schedule to Larkspur Ferry launched January 1, 2020 (first post-holiday commuter weekday Monday, Jan 6)
 - Initial data suggest daily Larkspur Station ridership in the first days of service already higher than projections.
 - January ridership analysis available by the end of February.
- How SMART collects Rider Data
 - Two main types of transit systems: Closed Transit System and Open Platform Transit System
- Open Platform vs. Closed System
 - Closed System (Electronic or Human Gatekeeper, like BART, Golden Gate Bus and Golden Gate Ferry)
 - Open Platform (No gates and no staff, like Caltrain and SMART); relies on passenger actions for accuracy (Clipper Tag on/Tag off and Mobile App activation)
- Ridership – Data Collection Methods
 - SMART is developing three ridership data collection methods (On-board Manual Counts, Paid Fare Media Ridership Reports, and National Transit Database (NTD) Ridership Surveys). By comparison, Caltrain has three ridership collection methods (Annual System Census, Paid Fare Media Reports and NTD Ridership Survey)
- On Board Manual Counts
 - Engineer-Conductor Counts, daily counts that enable development of trend tracking over time, captures passengers who are not captured by paid fare
 - Free Fare service (29 free days to date) - Tubbs/Kincadee fire free fare period, 1-year anniversary and Thanksgiving Weekend 2019
 - Promotional Free Programs – Veterans, Active Duty Military Families Ride Free, Kids Ride Free Weekend /Holidays Summer 2019, Post Tubbs Fire community and business relief passes (10,000), 1 millionth rider milestone and 100,000 bicycles milestone
 - Kids under 5 free
 - Riders who fail to Tag On/Off or Activate their Mobile App Ticket
- Paid Fare Media Ridership Reports
 - Clipper Card and Mobile Apps equals Paid Fare Riders
 - Not consistent data since start of service
 - Dependent on rider behavior
 - Doesn't count Free Fare Riders and Kids under 5 Free

- National Transit Database (NTD) Ridership Surveys
 - Federal Transit Administration (FTA) requires ridership reporting onto the NTD
 - FTA requires additional method of data collection for Open Platform transit system
- Each of the three methods of SMART's Ridership Data Collection has its limitations
- Ridership Data with the three different lenses provides a more robust picture and offers the ability to analyze trends over time
- Ridership Analysis – Next Steps
 - All three ridership tracking methods need to be calibrated against each other and daily events over time
 - All three ridership tracking methods are not instantly available, unlike in BART's closed system
 - On-Board Manual counts require several days
 - Paid Fare Media Ridership takes up to 2 weeks before staff can begin analysis
 - NTD Ridership reports are finalized every year and can take an additional 12 months
- How is Ridership Information Used
 - Fiscal Years annual totals and monthly totals reported to NTD
 - Annual Totals
 - Fiscal Year totals of ridership is transit industry standard
 - Average Weekday ridership by Fiscal Years is transit industry standard
 - Tracking trends year-over-year smooths extreme results created by individual events
 - Tracking trends month-over-month smooths our differences in weather and season shifts
- Any Trends this early in our existence
 - SMART is only 2.5 years old (2 major wildfires, 2 large floods, mass evacuations, power shutoffs lasting many days, loss of 6000 homes, significant impact to the local economies of Sonoma and Marin Counties)
 - Wednesday are the highest ridership weekday
 - Weekends are lower than weekdays
 - Bicycles are carried onboard by approximately 10% of riders
 - Mobile App users travel most on Fridays and are 1/3 of fares on weekends
 - Sonoma County Tourism negatively impacted by Fires and PG&E Power shut offs every year
 - Free fare days result in significant drop in Paid Fare ridership
 - Illustrated charts of Monthly Weekend/Holiday Average (*Manual Count*) vs. Monthly Weekend/Holiday Average (*Paid Fares*)
- What does the future hold?
 - New Service Schedule
 - Larkspur Station/Larkspur Ferry connection and Downtown Novato impacts won't be calibrated and analyzed until March 2020
 - Windsor Station will have rider impacts in near term

- Starting a transit service takes some time before ridership builds (BART carried 4% of what they carry now when they began service; Larkspur Ferry carried half of what they carry today when they were 2 years old)
- What will future Monthly Reports to the Board include?
 - We have reported ridership at every public web streamed board meeting
 - We will continue to post the raw On-Board Manual Counts and Paid Fare Media Ridership on our Website
 - Illustrated sample Monthly Board Reports: 1) Cumulative from start of service August 2017; and 2) Fiscal Year-to-Date
- Conclusion – SMART Ridership Growing
 - In every way of looking at the data, SMART’s average weekend ridership is growing every year
 - SMART is serving more Weekday Commuters each year and SMART core mission provides a green alternative to sitting in rush hour traffic
- For More Information visit <http://sonomamarintrain.org/RidershipReports>

Comments:

Director Connolly thanked staff for the presentation. The goal really has been to ensure that the data is measured and presented in a meaningful way to the public and to Board members. Are we are seeing trends on weekday ridership, and he also suggested having ridership data on the time of day during the week and capacity? Ms. Parker responded that they will research and report back.

Director Rabbitt thanked staff for the presentation. He acknowledged the difficulties and the challenges for providing the ridership data in a consistent way. He would like to understand which are the busiest stations overall, parking availability, capacity in AM/PM peaks. He suggested including ridership data in the monthly General Manager’s Report. Overall it is about the trends, as an example, he asked if anyone knows how many passengers are on the Caltrain northbound 6am train leaving Palo Alto? Is this important to SMART or the bigger picture, of the impact of the system and the ability to grow over time. SMART is offering the Rail and Sail promotion on the weekends with the connection from Larkspur Station to Ferry, that is appreciated, with the ability to grow overtime.

Director Naujokas stated that nobody is asking for road data information and it seems there is a double standard. He suggested measuring capacity that has been built to maximize the investment. Also, a demographic analysis could be helpful, having incentives for riders, and analysis free days.

Director Fudge thanked Ms. Parker for an excellent report and presentation. She stated there is One Story that has been an upward trend in weekdays year after year in the 2.5 years that SMART has been in service and a 6.5% increase from year 2 to year 3, that is the story. She is tired of arguing about numbers and is very concerned about how much time is being spent by staff organizing statistics. The public and Board members receive ridership data twice a month from the General Manager. People can actually take the counts and produce various types of averages. This report provides actual ridership

counts, in three different ways. The facts are that the Board members have been listening to the public at Board meetings and on-board surveys, we continue to monitor trends and ways to improve ridership. SMART has changed the schedule, added trains, closed morning and afternoon gaps, two additional stations, coordinated with the Ferry, construction began for the Windsor Extension project, and passes have been introduced to connect the public from train to ferry. She is happy that staff has provided these numbers and are on SMART's website. She stated that she would rather have the Ms. Parker spend her time applying for grants for Windsor to Healdsburg to Cloverdale. The report proves that ridership continues to increase and she is very pleased with SMART's progress. The employees of SMART are very trustworthy, public servants and work very hard.

Director Lucan thanked staff for an excellent presentation. He is glad that the ridership counts will be updated every 30 days. He asked if the Board will have the opportunity to review ridership on an annual basis, like today. Mr. Mansourian responded that during the Fiscal Year is the best time, since its standard for public transit agencies. He said that what he takes away from this report is the 80% of weekday riders continues to grow and this is before Larkspur Station, Downtown Novato and Schedule change. There have been a lot of changes that have been introduced into the system and in the next few months staff will be able to see the impacts as well. Lastly, when can the public and the Board expect to receive and update on Greenhouse emissions. Mr. Mansourian responded that he will research with staff and report at the next Board meeting.

General Manager Mansourian asked for feedback on the future monthly reports on slide 33 of the PowerPoint presentation

Director Garbarino thanked staff and Directors Fudge and Naujokas comments. She said that the best carbon sink are train riders.

Director Connolly would like to receive capacity and time of day usage data on a quarterly or monthly basis and not yearly. This information can be used to improve service, upward trend, and accomplish all the micro goals that have been discussed today. Mr. Mansourian responded that staff will provide monthly data information and during the Fiscal Year bigger items can be evaluated.

Director Rabbitt would like to receive capacity data monthly. Mr. Mansourian responded that staff will research how to provide capacity data on an open platform for 38 trips and bring back to the Board at a later time

Director Arnold thanked Ms. Parker and staff for the report. Looking at the different data collection what she finds particularly relevant are the different ways to collect the data. With the "Open system" and how relatively close the system is to SMART. What she finds notable is that SMART has a responsibility to report ridership data to the National Transit database, since July 2017. The third set of data using the federally approved method of onboard counts of random selected trains over 4 quarters, make it statistically valid. Also,

the data shows that weekdays ridership has increased by 4% in 2 years. With the addition of Larkspur and Downtown Novato Station ridership will increase. Lastly, she stated that bad news and scandals sells papers. But it is our responsibility as Board members to be vigilant and speak out publicly about fake news in SMART's reporting. Also, there is an economist in Novato who has an unhealthy obsession on SMART, he advocates a No on SMART in every election and often what he says is counted as facts instead of opinion. The facts are if SMART does extend the Sales Tax, not increase but extend it and without an early renew of the sales tax, SMART will not be able to restructure the debt service and will be forced to make cuts. For example, SMART will reduce the train service, maintenance for pathways, and the ability to compete for available grants to continue to construct segments and pathways.

Chair Phillips stated that SMART staff has done an excellent job providing ridership data., Chair Phillips questioned what can we do to enhance the capacity. We have a number of people that work in San Rafael and Novato that can use the community benefit that is provided. Based on limited data information drastic decision should not be make. The fee rate structure has been flexible and SMART has provided various programs to provide free service.

Comments:

Richard Hartness stated that there are three element that need to be focused: 1) The Environmental Impact Report provided ridership projections per year. He would like to chart that stated projections and actuals; 2) ridership data between station; and 3) greenhouse gas data, SMART needs the following data; how many people would take the bus and car to get credible estimate data. Chair Phillips stated that SMART will prepare a report for the next meeting.

Steve Bosshard said that SMART promised 5800 riders would ride the train per day; and Sonoma and Marin voters believed it. He lives next to the train station and when he walks his dog twice a day near Golf Course Drive, he sees that train is empty, the locals call it "ghost train". Staff needs to count parking spaces at each station to measure capacity. Also, the capacity for one train is 180, two trains is over 300 and three trains is over 400. His analysis based on the projection of riders; SMART gets approximate 10% of the fare revenue vs. cost of the system.

Mike Setty addressed his concerns about rail and stated he has 40 years of experience in transit planning and rail advocacy. An article published today by Mike Arnold, says that there are only 700 riders southbound in the morning, now that statement matches the number of seats that SMART offers and this is success, however capacity is limited. Also, every new rail/transit system usually has a short fall after the second year, because fewer people are exploring. He suggested providing an update on ridership in February, prior to the March Ballot. Lastly, compare the number of persons on the train vs. the number of seats on the train between Novato and Petaluma.

Richard Brand stated that he did a lot of research on ridership data for the 6am train out

of Palo Alto, when Southern Pacific was running it. At the beginning there was a lot of riders going into the San Francisco Financial District and now the train is almost always empty. Also, empty trains are a red herring, because train system need to run north and south trains. After the dot.com bust ridership dropped, however Caltrain purchase more trains and locomotive and invested. After the recession ridership dropped again, however transit agencies need to invest for long term. SMART is a new transit system and more advertising and public awareness is a key factor, to counter negativity.

Doug Bosco appreciated the presentation as it demonstrates how important data is but important it to understand the data variables? Eight years ago, he got into the newspaper business which experiences the same variables SMART experiences. He made it clear that he does not write articles for the newspaper, but he needs to sell the paper. He is often getting ask how many people read the newspaper. His response is that it depends on the day and gathering data to sell newspapers. He said that we have to be careful about criticizing other business/people about data without knowing the information.

Jim Oser voiced his concerned about data that is missing. The number of late trains and eliminated trains need to be factored into the data. If SMART has late trains, people will miss the ferry.

Jack Swearingen said that the presentation reminded him of the global warming debate. Learning from the past for projections into the future is very difficult. On Saturday, he took the train to Larkspur to meet family and the train was standing room only. He suggested including more signage at the Larkspur Station to the Ferry.

Carol Carswell suggested SMART's staff to have manual clickers to count for various types of passengers. Also, perhaps having volunteers to assist with ridership collections.

Duane Bellinger suggested having ridership data as to how many people get on/off each station. Once the increase of gas occurs, SMART will experience an increase in ridership. In Ireland he did not see any parking lots, they build stations where people live, walk and take a bus. If the full cost of parking is charged, we will have a much better society, since there will be walkable communities. Lastly, he does not mind subsidizing the ferry and the train system.

David Gavrich stated that the most important data presented today was the increase of ridership during the "free" days. He suggested having more "free" rides to maximize community benefit and have more frequent riders.

Lastly, General Manager Mansourian stated he will be providing as part of the General Manager's report the following: 1) monthly report and 2) Fiscal Year to date report as illustrated on page 33 of the PowerPoint presentation. Staff will also research on providing passenger vs. capacity data that will also be incorporated.

Chair Phillips responded that the Board members would like data that can be used. He suggested changing the language to better represent the terms “ridership manual and ridership paid”

Director Naujokas would like to receive station boarding on and off data Mr. Mansourian responded that it’s very difficult to provide that data in the Open Platform system, staff he will research and will return back to Board. Ms. Parker responded that the Clipper system had issues providing data/reports on the first 6 months. However, we can provide some examples from the Clipper program.

Mr. Mansourian stated that at the February Board meeting he will present the items discussed today to receive feedback. Chair Phillips stated that there is a difference between having transparency and not having data collected and available. He asked if we were writing the headlines for tomorrows newspaper would you say SMART Ridership is increasing or decreasing? Based on the report provided, he concluded that ridership is increasing.

Director Garbarino stated that there was a 16% growth over 3-year period.

Director Rabbitt stated that the Press Democrat headline as we conclude this meeting says “Why are fewer people taking SMART”

13. Next Regular Meeting Board of Directors, February 5, 2020 – 1:30 PM – 5401 Old Redwood Highway, 1st Floor, Petaluma, CA 94954
14. Adjournment – Meeting adjourned at 3:56PM.

Respectfully submitted,

Leticia Rosas-Mendoza
Clerk of the Board

Approved on: _____



February 5, 2020

Eric Lucan, Chair
Transportation Authority of Marin

Barbara Pahre, Vice Chair
Golden Gate Bridge,
Highway/Transportation District

Judy Arnold
Marin County Board of Supervisors

Damon Connolly
Marin County Board of Supervisors

Debora Fudge
Sonoma County Mayors' and
Councilmembers Association

Patty Garbarino
Golden Gate Bridge,
Highway/Transportation District

Dan Hillmer
Marin County Council of Mayors and
Councilmembers

Joe Naujokas
Sonoma County Mayors' and
Councilmembers Association

Gary Phillips
Transportation Authority of Marin

David Rabbitt
Sonoma County Board of Supervisors

Chris Rogers
Sonoma County Mayors' and
Councilmembers Association

Shirlee Zane
Sonoma County Board of Supervisors

Farhad Mansourian
General Manager

Sonoma-Marín Area Rail Transit Board of Directors
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

SUBJECT: Monthly Finance Reports

Dear Board Members:

RECOMMENDATION: Information Item

SUMMARY:

We are presenting the monthly financial report for activity through the month of December which was not presented in January due to the cancellation of the second meeting that month. This financial report shows transactions for the first six months of the fiscal year. Fare and parking revenues are \$1,932,710. Fare revenues increased in December indicating the end of the revenue impacts felt during the fires and power shut offs. We will continue to monitor it closely and provide an update over the next few months. Sales tax, which lags two months behind other revenues, also appear to be on budget. Other revenues and expenditures are within budgeted amounts. Bond fund investments through November totaled \$20,606,110 while other cash and investments equaled \$42,921,209.

Very truly yours,

Erin McGrath
Chief Financial Officer

Attachment(s): 1) Monthly Financial Report
2) Contract Summary Report

5401 Old Redwood Highway
Suite 200
Petaluma, CA 94954
Phone: 707-794-3330
Fax: 707-794-3037
www.sonomamarintrain.org

Sonoma-Marin Area Rail Transit District
 Monthly Finance Reports
 Through December 2019

	FY2019-20 Approved Budget	Actual	Remaining Budget
Revenues			
Administration			
Sales/Use Taxes	27,973,136	9,746,807	18,226,329
Interest Earnings	295,000	336,653	-
Rent - Real Estate	265,755	191,080	74,675
Advertising Revenue	221,750	224,364	-
Miscellaneous Revenue	50,000	50,442	-
Administration Subtotal	28,805,641	10,549,346	18,301,005
Operations			
Fund Balance	9,416,201	9,416,201	-
Sales/Use Tax	11,292,866	4,074,372	7,218,495
Fare & Parking Revenue	4,187,000	1,932,710	2,254,290
State Grants	7,404,794	1,463,105	5,941,690
Other Charges	40,000	99,423	-
Operations Subtotal	32,340,861	16,985,809	21,356,164
Capital			
Fund Balance	28,221,487	28,221,487	-
Federal Funds	4,650,000	530,332	4,119,668
State Grants	14,010,000	7,850,601	6,159,399
Other Governments/Misc	4,528,192	2,383,582	2,144,610
Measure M	200,625	-	200,625
Miscellaneous Revenue	-	300,000	-
Capital Subtotal	51,610,304	39,286,002	12,624,302
Revenue Total	112,756,806	66,821,158	52,281,470
Expenditures			
Administration			
Salaries & Benefits	5,146,304	2,112,528	3,033,776
Services & Supplies	6,835,130	2,084,610	4,750,521
Debt Service/Other Charges	16,847,600	3,756,300	13,091,300
Machinery & Equipment	95,000	45,942	49,058
Administration Subtotal	28,924,034	7,999,380	20,924,654
Operations			
Salaries & Benefits	16,058,117	6,478,998	9,579,118
Services & Supplies	11,801,401	3,208,151	8,593,250
Buildings & Capital Improvements	4,481,343	1,371,026	3,110,317
Operations Subtotal	32,340,861	11,058,175	21,282,686
Capital			
Salaries & Benefits	1,732,501	568,731	1,163,771
Services & Supplies	1,319,750	106,979	1,212,771
Other Charges	157,149	154,774	2,375
Land	11,000	11,000	-
Machinery & Equipment	15,110,495	10,683,584	4,426,911
Infrastructure	33,279,408	8,323,474	24,955,934
Capital Subtotal	51,610,304	19,848,542	31,761,763
Expenditure Total	112,875,199	38,906,097	73,969,103

Investment Report	
	<u>Amount</u>
Bond Reserve Fund	
Sonoma County Treasury Pool	17,072,500
Interest Fund	
Sonoma County Treasury Pool	2,453,656
Project Fund	
Sonoma County Treasury Pool	1,079,954
SMART Operating Accounts	
Bank of Marin	17,743,530
Sonoma County Treasury Pool	25,177,679
Total	63,527,319

Capital Project Report			
	<u>Budget</u>	<u>Actual</u>	<u>Remaining</u>
Additional Railcar Purchase			
Revenues	\$ 11,000,000	\$ 8,250,000	\$ 2,750,000
Expenditures	\$ 11,000,000	\$ 8,250,000	\$ 2,750,000
San Rafael to Larkspur Extension			
Revenues	\$ 55,435,059	\$ 51,044,941	\$ 4,390,118
Expenditures	\$ 55,435,059	\$ 52,196,905	\$ 3,238,154
Windsor Extension			
Revenues	\$ 65,000,000	\$ 1,159,036	\$ 63,840,964
Expenditures	\$ 65,000,000	\$ 1,358,935	\$ 63,641,065
Petaluma Payran to Southpoint Pathway			
Revenues	\$ 3,261,098	\$ 1,622,070	\$ 1,639,028
Expenditures	\$ 3,261,098	\$ 2,423,416	\$ 837,682



Contract Summary

Active Contracts as of December 31, 2019

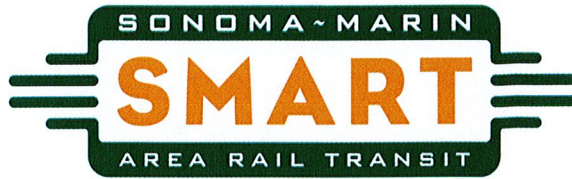
Contractor	Scope	Fiscal Year 19/20 Projected	Fiscal Year 19/20 Actuals-To-Date
A.J. Janitorial Service	Janitorial Services for all Stations, Roblar, ROC, and Fulton	\$104,000	\$36,600
Air Technology West	Maintenance and On-Call Repair for Air Compressors	\$6,000	\$4,165
Alcohol & Drug Testing Services, LLC	DOT Drug and Alcohol Testing	\$39,000	\$3,862
Alliant Insurance Services	Insurance Brokerage & Risk Management Services	\$80,000	\$0
Aramark Uniform Services	Employee Uniform Provider and Cleaning Service	\$24,712	\$14,036
Asbury Environmental Services (AES)	Recycling & Disposal Service for Used Oil, Fuel Filters, Rags, and Related Equipment	\$10,000	\$787
Barnes & Company, LLC	Safety Outreach Services	\$25,000	\$19,838
Becoming Independent	Emergency Bus Bridge Services	\$25,538	\$4,000
Bettin Investigations	Background Investigations	\$8,863	\$2,877
Biddle Consulting Group, Inc.	Federal Equal Employment Opportunity Plan Creation and Completion	\$7,500	\$2,500
Big Cat Advertising	Digital Advertisement Services	\$18,000	\$7,700
Biggs Cardosa Associates, Inc.	Engineering Design and Construction Support for Payran to Southpoint Multi-Use Pathway	\$43,954	\$10,550
Burke, Williams & Sorensen, LLP	Litigation Support Services	\$163,513	\$2,306
CALOPPS - City of Foster City	HR Recruitment Services	\$3,500	\$3,500
Cinquini & Passarino, Inc.	Right-of-Way Land Surveying and Related Services	\$60,000	\$16,239
Corey, Canapary & Galanis	NTD Compliant Passenger Counting Services	\$33,603	\$16,802
Doug Williams	Fire and Life Safety Consultant	\$5,000	\$3,303
Dr. Lance O'Connor	Occupational Health Screening Services	\$3,600	\$340
Dr. Mark Clementi	Pre-Employment Psychological Evaluations	\$25,000	\$10,756
eLock Technologies, LLC	Station Bike Lockers and Maintenance Services	\$22,824	\$5,520
Empire Cleaners	Uniform Dry-Cleaning, Laundering, and Related Services	\$40,000	\$11,739
Emtec Consulting Services, LLC	Oracle Accounting System Support Services	\$50,000	\$7,373
ePath Learning, Inc.	Cloud-Based Training / Learning Management Software	\$6,180	\$6,180
Everbridge, Inc.	Business Training Library	\$10,005	\$0
George Hills Company, Inc.	Nixie Computer Software (Cloud-based)	\$11,800	\$11,800
GHD, Inc.	Third Party Claims Administration Services	\$10,000	\$3,687
Ghillotti Bros, Inc.	SWPP Compliance, AutoCAD Management, Traffic and Hydraulic Analysis	\$110,890	\$20,039
Golden Gate Bridge, Highway and Transportation District	Enhanced Pedestrian Safety Improvements	\$497,955	\$439,871
Golden Gate Bridge, Highway and Transportation District	Customer Service Support Services	\$335,580	\$82,588
GP Crane & Hoist Services	Weekend Bus Service between San Rafael Transit Center and Larkspur Ferry	\$68,664	\$7,773
Granite Construction Company	Cal/OSHA Crane Inspection Services	\$15,000	\$0
Hanford A.R.C.	Non-Motorized Pathway, Payran to Southpoint	\$1,884,757	\$1,866,657
Hanson Bridgett LLP	Implementation and Monitoring Las Gallinas Creek Riparian Enhancement Plan	\$15,230	\$3,783
Holland Company	Legal Services	\$70,000	\$59,375
Industrial Railways Company	Track Geometry and Measurement Services	\$24,000	\$24,000
Innovative Business Solutions	Ballast Car Operations	\$70,884	\$70,884
Inteltrace, Inc.	Payroll Processing Solutions	\$55,400	\$10,662
Intelligent Technology Solutions, Inc.	Internet/Cellular Tower Maintenance Services	\$40,000	\$11,060
Leete Generators	Maximo MMS Implementation and Support Services	\$176,000	\$0
LM Disability Consulting	Generator Maintenance	\$1,432	\$0
LTK Engineering Services	Disability Access Consulting	\$12,000	\$2,513
Managed Health Network	Vehicle and Systems Design and Construction Management Services	\$130,000	\$57,115
Masabi LLC	Employee Assistance Program (EAP) Services	\$1,338	\$1,153
MaxAccel	SMART Mobile Ticketing Pilot Project	\$57,600	\$23,750
Maze & Associates	Compliance Management Software Design/Implementation/Asset Management	\$14,000	\$5,484
MGrodner, LLC	Financial Audit Services	\$46,664	\$23,457
Modern Railway Systems, Inc.	Project Management Services	\$94,000	\$0
	Design and Construction of Systems Improvements for the Windsor Extension Project	\$4,400,000	\$0



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February 5, 2020

Eric Lucan Chair
Transportation Authority of Marin

Barbara Pahre, Vice Chair
Golden Gate Bridge,
Highway/Transportation District

Judy Arnold
Marin County Board of Supervisors

Damon Connolly
Marin County Board of Supervisors

Debora Fudge
Sonoma County Mayors' and
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Sonoma County Mayors' and
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Shirlee Zane
Sonoma County Board of Supervisors

Farhad Mansourian
General Manager

5401 Old Redwood Highway
Suite 200
Petaluma, CA 94954
Phone: 707-794-3330
Fax: 707-794-3037
www.sonomamarintrain.org

Sonoma-Marín Area Rail Transit Board of Directors
5401 Old Redwood Highway, Suite 200
Santa Rosa, CA 94954

SUBJECT: Approval of Barbier Security Group Contract Amendment No. 1

Dear Board Members:

RECOMMENDATION:

Authorize the General Manager to Execute Contract Amendment No. 1 with Barbier Security Group in the amount of \$100,000, for a total not-to-exceed amount of \$200,000.

SUMMARY:

Barbier Security Group has been providing uniformed security guard service for SMART in the past to protect our trains during special events and during layovers to and from facilities outside of secure storage areas. For example, during weekend closures when SMART kept a train in Marin, SMART's DMU's were stored overnight in locations with insufficient fencing and security. Barbier Security provided staffing needed to prevent vandalism or other forms of damage.

The contract and amendment before your Board today was designed to provide additional security at grade crossings when local events indicate increased traffic or safety concerns over normal conditions. Barbier Security has been extremely responsive to SMART's needs and have helped provide "eyes on the ground" to identify trespassers on the track or other safety concerns. They have provided excellent service and responded to every request from staff in a quick and timely manner.

Because we continue to have vacancies in our Code Compliance staff positions, staff recommends approval of Contract Amendment No. 1 with Barbier Security Group to provide security service when needed.

FISCAL IMPACT: Staffing and other cost savings will be utilized to fund the cost of the contract extension in the Fiscal Year 2019-20 budget.

REVIEWED BY: [X] Finance  [X] Counsel 

Very truly yours,

Husani Longstreet
Acting Operations Manager

Attachment(s): Barbier Security Group Contact Amendment No. 1

**FIRST AMENDMENT TO THE AGREEMENT FOR CONTRACTOR SERVICES
BETWEEN SONOMA-MARIN AREA RAIL TRANSIT DISTRICT AND BARBIER
SECURITY GROUP**

This First Amendment dated as of February 5, 2020 (the "First Amendment"), to the Agreement for Contractor Services by and between Barbier Security Group (hereinafter "Contractor") and the Sonoma-Marín Area Rail Transit District (hereinafter "SMART"), dated as of July 17, 2019 (the "Original Agreement," as amended and supplemented by this, the First Amendment, the "Agreement").

RECITALS

WHEREAS, SMART and Contractor entered into the Original Agreement to employ the services of Contractor for the provision of professional security and related services; and

WHEREAS, SMART desires to amend the Agreement to increase the not-to-exceed amount by \$100,000 for a not-to-exceed amount of \$200,000 for the Agreement.

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

AGREEMENT

1. ARTICLE 5. PAYMENT

Section 5.02 shall be amended to increase the not-to-exceed amount of the Agreement by \$100,000 for a total not-to-exceed of \$200,000.

2. Except to the extent the Agreement is specifically amended or supplemented hereby, the Agreement, together with all supplements, amendments and exhibits thereto is, and shall continue to be, in full force and effect as originally executed, and nothing contained herein shall, or shall be construed to, modify, invalidate, or otherwise affect any provision of the Agreement.

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

SONOMA-MARIN AREA RAIL TRANSIT DISTRICT

Dated: _____

By _____
Farhad Mansourian, General Manager

BARBIER SECURITY GROUP

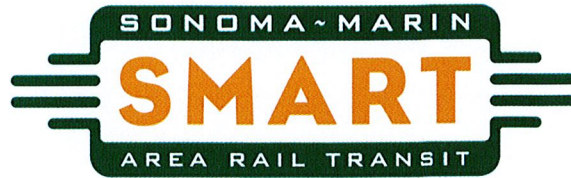
Dated: _____

By _____

APPROVED AS TO FORM:

Dated: _____

By _____
District Counsel



Eric Lucan Chair
Transportation Authority of Marin

Barbara Pahre, Vice Chair
Golden Gate Bridge,
Highway/Transportation District

Judy Arnold
Marin County Board of Supervisors

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General Manager

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February 5, 2020

Sonoma-Marin Area Rail Transit Board of Directors
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

SUBJECT: Authorize the General Manager to Execute Contract Amendment No. 2 to Contract CV-BB-19-001 with Ghilotti Bros, Inc. in the amount of \$79,649.00 and extending the contract completion date to March 31, 2020.

Dear Board Members:

RECOMMENDATION:

Authorize the General Manager to Execute Contract Amendment No. 2 to Contract CV-BB-19-001 with Ghilotti Bros, Inc for the Enhanced Pedestrian Safety Improvements Project.

This contract amendment addresses locations that are challenging to construct and accounts for additional unanticipated work. Amendment No. 2 increases the contract budget by \$79,649 for a total not-to-exceed contract amount of \$577,604 and extends the contract term to March 31, 2020.

SUMMARY:

SMART has been installing pedestrian path-of-travel improvements to increase pedestrian awareness of the train at grade crossings since last summer. These safety enhancements typically consist of installing fencing channelization or barriers so that a pedestrian is forced to break their stride and look up before crossing the track.

Your Board awarded the initial contract to Ghilotti Bros Inc. on May 16, 2019 to install improvements at 13 location throughout the system. On July 17, 2020 your Board authorized Amendment No. 1 to add 17 locations to the contract. These locations were added once additional engineering was completed and, in some cases, approvals secured from local municipalities where some of the work was outside of the SMART right-of-way. Amendment No. 2 provides additional budget to account for several challenging locations where slopes made it challenging to fit the channelization improvements and adhere to accessibility requirements. Additional design was needed and more construction.

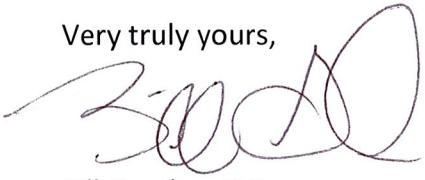
One of the challenging locations is North San Pedro Road in San Rafael, another is at Lakeville Street in Petaluma. In San Rafael, a portion of the work is located outside the SMART right of way. SMART coordinated with the City of San Rafael for the improvements.

Staff recommends authorizing the General Manager to execute Contract Amendment No. 2 to Contract CV-BB-19-001 with Ghilotti Bros, Inc. in the amount of \$79,649.00 for a total contract amount of \$577,604.00 and extending the contract completion date to March 31, 2020.

FISCAL IMPACT: Funding for the amendment is available in the approved FY 2019-20 budget.

REVIEWED BY: [X] Finance  [X] Counsel 

Very truly yours,



Bill Gamlen, P.E.
Chief Engineer

Attachment(s): Ghilotti Bros, Inc Contract Amendment No. 2

**SECOND AMENDMENT TO AGREEMENT FOR CONTRACTOR SERVICES
BETWEEN THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT
AND GHILOTTI BROS, INC.**

This Second Amendment dated as of February 5, 2020 (the “Second Amendment”) to the Agreement for Contractor Services by and between the Sonoma-Marín Area Rail Transit District (“SMART”) and Ghilotti Bros., Inc. (“Contractor”), dated as of May 16, 2019 (the “Original Agreement”), and now as amended by the First Amendment and this Second Amendment, the “Agreement.”

RECITALS

WHEREAS, SMART and Contractor previously entered into the Original Agreement to construct enhanced pedestrian safety improvements at several of SMART’s existing crossings; and

WHEREAS, SMART previously amended the Agreement to award the remaining enhanced pedestrian safety improvements identified in the Invitation for Bid for Enhanced Pedestrian Safety Improvements in Solicitation No. CV-BB-19-001, as well as modify scope of work requirements for six of the original locations awarded, increase the not-to-exceed amount, and extend the term of the Agreement; and

WHEREAS, SMART desires to alter the scope of work by adding two new locations for the Pedestrian Safety Improvements as well as remove work previously spelled out within the Scope of Work (Exhibit A) and the Schedule of Rates (Exhibit B); and

WHEREAS, SMART desires to increase the not-to-exceed amount by \$79,649 for a total not-to-exceed amount of \$577,604 to account for the adjusted Scope of Work changes and to extend the term of the agreement through March 31, 2020.

NOW, THEREFORE, in consideration of the recitals set forth above and the covenants contained herein, it is mutually agreed by and between the parties that:

AGREEMENT

1. ARTICLE 2. “LIST OF EXHIBITS”

EXHIBITS. The following exhibits are attached hereto and incorporated herein:

- (a) EXHIBIT A-1: SCOPE OF WORK & TIMELINE
- (b) EXHIBIT B-1: SCHEDULE OF RATES
- (c) EXHIBIT C-1: REFERENCE DOCUMENTS

GHILOTTI BROS, INC.
SECOND AMENDMENT
CV-BB-19-001

The **Exhibit B** to the Agreement shall be replaced with the **Exhibit B-1** of this Second Amendment.

2. **ARTICLE 6. "PAYMENT"** Article 6, Section 6.02 of the Agreement is replaced with the following language:

Contractor shall be paid, as full compensation for the satisfactory completion of the work described in the Scope of Work (Exhibit A and Exhibit A-1) on a project basis in accordance with the budget established in Exhibit B-1, provided, however, that Contractor agrees to perform all services described in the Scope of Work for the negotiated amount of \$577,604, regardless of whether it takes Contractor more time to complete or costs are more than anticipated. The not-to-exceed (NTE) amount for this Agreement is \$577,604 which includes labor, supervision, applicable surcharges such as taxes, insurance and fringe benefits as well as indirect costs, overhead and profit allowance, equipment, materials and supplies; in no case shall Contractor be reimbursed for an amount in excess of the NTE amount without a formal written amendment to this Agreement or formal Change Order. The hourly rates included herein are for SMART's evaluation, review and auditing purposes only. Contractor shall submit its invoices in arrears on a monthly basis in a form approved by the Chief Financial Officer. The invoices shall show or include: (i) the task(s) performed; (ii) the time in hours devoted to the task(s); and (iii) the hourly rate or rates of the persons performing the task(s). Contractor shall also provide certified payroll reports at the time of the invoice submission.

3. **ARTICLE 7. TERM OF AGREEMENT.** Article 7 shall be amended as follows:

Section 7.01 The term of this Agreement shall remain in effect until March 31, 2020 unless terminated earlier in accordance with the provisions of **Article 8**.

4. Except to the extent the Agreement is specifically amended or supplemented hereby, the Agreement, together with all supplements, amendments and exhibits thereto is, and shall continue to be, in full force and effect as originally executed, and nothing contained herein shall, or shall be construed to, modify, invalidate, or otherwise affect any provision of the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment as set forth below.

SONOMA-MARIN AREA RAIL TRANSIT DISTRICT

Dated: _____

By _____
Farhad Mansourian, General Manager

GHILOTTI BROS, INC.

Dated: _____

By _____
Its _____

APPROVED AS TO FORM:

Dated: _____

By _____
District Counsel

EXHIBIT A-1
SCOPE OF WORK & TIMELINE

Exhibit A Scope of Work & Timeline is amended as follows:

I. Article 4. Scope-of-Work (SOW) is deleted in its entirety and replaced with the following:

Ghilotti Bros., Inc. shall provide the following services upon receiving a written Notice to Proceed by SMART's Project Manager:

1. Site Review
 - a. Contractor and SMART Engineering staff shall visit each site to lay out improvements prior to the start of work.
 - b. Contractor shall provide suitable equipment to mark out improvements at each site (ex. marking paint, tape measure, etc.).
2. Obtain encroachment permits
 - a. Encroachment permits will be required for multiple jurisdictions
 - b. Contractor shall include appropriate pedestrian and vehicle safety measures to accommodate work.
3. Chain Link Fence Barriers
 - a. Shall be 4-foot tall black vinyl-clad chain-link with black vinyl-clad posts and top bar, knuckle selvage up
 - b. Posts may be set in concrete in posthole dug in landscape or dirt areas; or may be set with flanges expansion-bolted to concrete surfaces (bolts shall be cut/ground flush with nut)
 - c. Scope of Work Reference:
 - i. Attachment A - Safety Improvement Exhibits for details of improvements at each location
 - ii. Attachment B - Plan View (Layout of Case A, B, C & D Barriers)
4. Pipe Barriers
 - a. Shall be 1-1/4 inch diameter standard galvanized steel pipe
 - b. Posts shall be set in concrete in landscape or dirt areas; or may be core drilled and mortar set through concrete surfaces
 - c. Radiused corners shall be a 6-inch radius
 - d. Scope of Work Reference: Barrier/Pipe Railing
 - i. Attachment B - Plan View (Page 49)

5. Concrete Sidewalks
 - a. Concrete for sidewalks shall be constructed per jurisdictional standards and shall meet all ADA standards (2% maximum cross slope, 5% maximum running slope)
 - b. Sidewalk additions shall be dowelled into existing sidewalks
 - c. Scope of Work Reference:
 - i. Attachment B – Plan View (City and County Standards Pages 51-58):
 1. County of Sonoma
 2. City of Santa Rosa
 3. City of Rohnert Park
 4. City of Cotati
 5. City of Petaluma
 6. Cities/County of Marin
 - d. Scope of Work Specifications:
 - i. Attachment C – Material Specifications
 1. 03 11 00 Concrete Forming
 2. 03 20 00 Concrete Reinforcing
 3. 03 35 00 Concrete Finishing
6. Asphalt Concrete (AC) Additions (Rohnert Park Expressway, Rohnert Park, North East (NE) quadrant)
 - a. Prepare and compact existing subgrade as needed to receive AC
 - b. Place and compact 6-inch thick AC
7. Truncated Domes
 - a. Shall be cast-in-place (ADA Solutions Cast-In Place Replaceable Tactile Panels or Armor-Tile Replaceable Herculite series) in Federal Yellow. Brand name or equal will be considered with SMART Engineer's approval.
8. Rolling (or Slider) Chain Link Gate (Mission Ave, San Rafael, North West (NW) quadrant)
 - a. Fabricate or Purchase and install a 9-foot wide, 4-foot tall lockable (for single padlock) roller gate at end of existing right of way fencing
 - b. Match black vinyl-clad chain-link fabric
9. Tree Removal (East Cotati Ave, Cotati, North West (NW) quadrant)
 - a. Remove and dispose of a single landscape tree, including root ball
10. Retaining Wall (Southwest Blvd, Rohnert Park, South East (SE) quadrant)
 - a. Construct reinforced concrete retaining wall approximately 2-feet tall
 - b. Prepare and compact the subgrade
 - c. Backfill and compact the retaining wall with Class 2 AB compacted to sidewalk subgrade to receive sidewalk addition

- d. Scope of Work Reference:
 - i. Attachment B – Plan View (Page 50)

11. Electrical for Pedestrian Signal Control Relocate

- a. Three existing pedestrian crosswalk signal controls require relocation:
 - i. One each at 4th & 5th Streets in San Rafael, CA
 - 1. Relocate to nearby traffic signal pole.
 - 2. Remove existing pedestrian control pole
 - ii. One at East Washington and Lakeville in Petaluma, CA
 - 1. Remove from the North Side of existing pedestrian signal pole and reinstall on south side.

12. Crosswalk Striping

- a. Remove existing crosswalk striping per exhibits
- b. New crosswalk striping per Caltrans 2018 Standard Plan A24F Ladder Style

II. Scope of Work Modifications

Scope of Work Modifications are made to the following original bid items:

1. Bid Item # 31 – Lakeville Rd Petaluma

Location: Southeast Quadrant

- a. Install 2 ea 5 ft barriers on concrete
- b. Demo & remove existing first sidewalk flag with truncated domes, approx. 8x10 ft
- c. Install new approx. 8x10 sidewalk flag including 3x10 ft Federal Yellow Truncated dome
- d. Add 10ft of 1 ft wide stop stripe
- e. Add 10ft of concrete warning grooves
- f. Move existing domes 1.5ft away from the track, they were installed too close and should be yellow

Location: Northeast Quadrant

- a. Demo existing truncated domes and concrete only sidewalk
- b. Demo existing sidewalk as needed to replace with 4ft wide truncated domes
- c. Remove and dispose of portion of existing guard rail and posts
- d. Relocate guard rail end and warning sign to new end of guard rail location
- e. Sidewalk addition of 4ft x 10ft with taper to back of existing sidewalk. The north end appears to require a thickened section
- f. Build one 3ft fence barrier, and about 18 ft of fence barrier along the edge of new sidewalk addition

2. Bid Item # 32 – Bellevue Rd Santa Rosa

Location: Northwest Quadrant

- a. 3x13ft sidewalk addition: this is AC on compacted Class 2 AB with 1ft shoulders
- b. Install 2ea 8ft fence barriers

Location: Northeast Quadrant

- a. Build 9ft fence barrier
- b. Extend existing pathway fence 3.5ft

Scope of Work Modifications are made to the following original bid items:

3. Bid Item # 8 – Roblar Novato

- a. Change the Northwest quadrant from a pipe barrier to a 24ft fence barrier
- b. Follow the revised layout to be consistent with ADA constraints

4. Bid Item # 7 Civic Center Dr San Rafael

- a. Remove 25ft curb barrier
- b. Change 3x12ft concrete to 4x12ft concrete
- c. SMART will mark this out when the concrete work is complete

5. Bid Item # 6 North San Pedro San Rafael

Location: Southeast Quadrant

- a. Demo & remove approximately 92 square feet of existing sidewalk, approximately 46 square feet of existing curb & gutter, and approximately 46 square feet of existing asphalt roadway
- b. Re-construct 23 linear feet of new concrete sidewalk with new 5ft x 8ft level landings at ends of reconstructed sidewalk
- c. Construct 23 linear feet of new reinforced curb and gutter
- d. Place and compact 23ft x 2ft x 6in of hot mix asphalt roadway
- e. Construct approximately 62 linear feet of new 4ft black vinyl clad chain link fence barrier
- f. Place approximately 10ft x 5ft of ballast or 3in rock between new curb and inside of new level landings and sidewalk
- g. Install new "WATCH FOR TRAIN" 24in x 24in ground stencil
- h. Install signs on fence barrier
 - a. One each Type 1 object marker sign MUTCD OM1-3
 - b. One each "LOOK" sign provided by SMART
 - c. One each "There is Help" sign provided by SMART
 - d. Reference Exhibit C, Bid Item #6 "*San Pedro Road Southeast Quadrant*"

Location: Southwest Quadrant

- a. Demo & remove approximately 155 square feet of existing sidewalk, approximately 62 square feet of existing curb & gutter, and approximately 62 square feet of existing asphalt roadway
- b. Re-construct 31 linear feet (200 square feet) of new concrete sidewalk including 6in tall curb on south side
 - a. Portions of curb are up to 18in high on the back side due to existing slope and is reinforced
 - b. Install 4in x 12in x 6.5in steel box underdrain (3/16in thick) in location of existing sidewalk underdrain
- c. Construct 31 linear feet of new reinforced curb and gutter
- d. Place and compact 31ft x 2ft x 6in of hot mix asphalt roadway
- e. Construct approximately 42 linear feet of new 4ft black vinyl clad chain link fence barrier
- f. Replace portion of Stop bar roadway thermoplastic white marking approximately 1ft x 2ft
- g. Install signs on fence barrier
 - a. One each Type 1 object marker sign MUTCD OM1-3
 - b. One each "LOOK" sign provided by SMART
 - c. One each "There is Help" sign provided by SMART
- h. Reference Exhibit C, Bid Item #6 "*North San Pedro Road Southwest Quadrant*"

6. Bid Item # 19 Hearn Ave Santa Rosa

- a. End of the barrier needs to be moved 18" back off the curb face on the north side

7. Bid Item # 17 Rohnert Park Expressway, Rohnert Park
 - a. Do not install about 4ft in the middle of fence barrier on southwest quadrant due to interference with SMART's gate arm counterweight
 - b. Relocate existing "Sidewalk Closed" barrier on northeast quadrant
8. Bid Item # 16 Southwest Blvd Rohnert Park
Location: Northwest quadrant
 - a. Relocate 2 existing fence panels (15ft) and remove corner post and straight-line fence between remaining posts
 - b. Construct CASE B REV 1 barrier (this version is a foot deeper) which adds about 10sf of concrete and 2ft of fencingLocation: Southwest quadrant
 - a. Change to 4.5x12ft sidewalk extension on stem wall with fill
 - b. Remove +/-20ft of existing fence
 - c. Relocate existing street sign

**EXHIBIT B-1
SCHEDULE OF RATES**

ITEM	CROSSING	CITY	PROJECT COST
1	4 TH ST.	SAN RAFAEL	\$16,865.00
2	5 TH AVE	SAN RAFAEL	\$44,100.00
3	MISSION AVE	SAN RAFAEL	\$21,140.00
4	PACHECO ST	SAN RAFAEL	\$24,440.00
5	PALOMA AVE	SAN RAFAEL	\$16,540.00
6	N. SAN PEDRO RD	SAN RAFAEL	\$78,140.00
7	CIVIC CENTER DR	SAN RAFAEL	\$8,518.00
8	ROBLAR DR	NOVATO	\$3,885.00
9	GRANT AVE	NOVATO	\$7,490.00
10	CAULFIELD LANE	PETALUMA	\$9,280.00
11	WASHINGTON ST	PETALUMA	\$77,500.00
12	W. PAYRAN ST	PETALUMA	\$13,300.00
13	SOUTH POINT BLVD	PETALUMA	\$1,800.00
14	PETALUMA HILL RD / MAIN ST	COUNTY OF SONOMA	\$1,300.00
15	EAST COTATI AVE	COTATI	\$14,000.00
16	SOUTHWEST BLVD	ROHNERT PARK	\$35,813.00
17	ROHNERT PARK EXPRESSWAY	ROHNERT PARK	\$16,966.00
18	GOLF COURSE DR	ROHNERT PARK	\$27,400.00
19	HEARN AVE	SANTA ROSA	\$12,000.00
20	SEBASTOPOL RD	SANTA ROSA	\$7,000.00
21	3RD ST	SANTA ROSA	\$11,000.00

ITEM	CROSSING	CITY	PROJECT COST
22	6TH ST	SANTA ROSA	\$5,600.00
23	7TH ST	SANTA ROSA	\$6,800.00
24	8TH ST	SANTA ROSA	\$9,600.00
25	9TH ST	SANTA ROSA	\$5,100.00
26	COLLEGE AVE	SANTA ROSA	\$16,500.00
27	GUERNEVILLE RD	SANTA ROSA	\$3,500.00
28	WEST STEELE LANE	SANTA ROSA	\$14,500.00
29	PINER RD	SANTA ROSA	\$16,100.00
30	SAN MIGUEL RD	SANTA ROSA	\$32,500.00
31	LAKEVILLE HWY	PETALUMA	\$12,243.00
32	BELLEVUE AVE	SANTA ROSA	\$6,684.00
TOTAL PROJECT COST			\$577,604.00

**EXHIBIT C-1
REFERENCE DOCUMENTS**

The Changes in these Exhibit C Reference Documents from this **Second Amendment**
Supersede all Previous Changes

Golf Course Drive, Rohnert Park Northeast Quadrant Changes
Bid Item #18



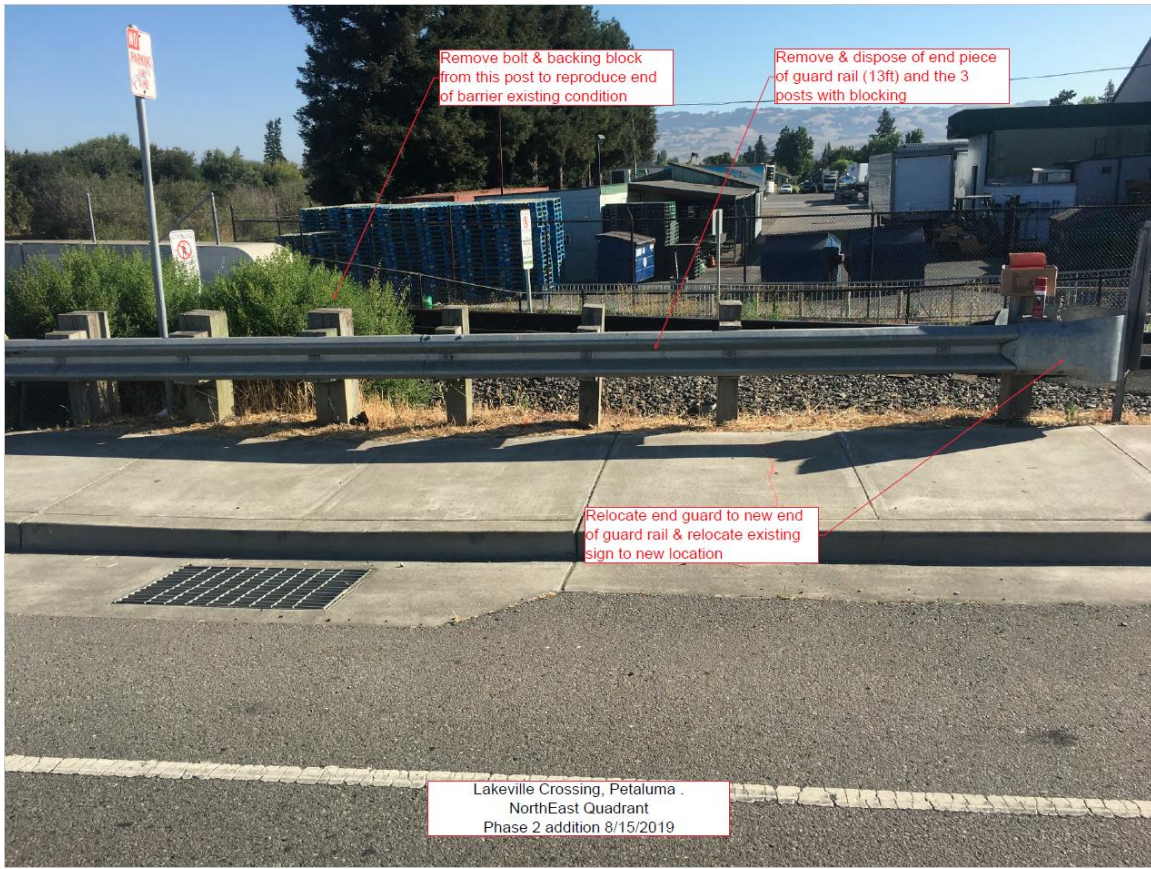
Lakeville Highway, Petaluma Southeast Quadrant Addition
Bid Item # 31



Lakeville Highway, Petaluma Northeast Quadrant Addition
Bid Item # 31



Bid Item # 31 Northeast Quadrant Picture 1 of 3



Bid Item # 31 Northeast Quadrant Picture 2 of 3



Bid Item # 31 Northeast Quadrant Picture 3 of 3

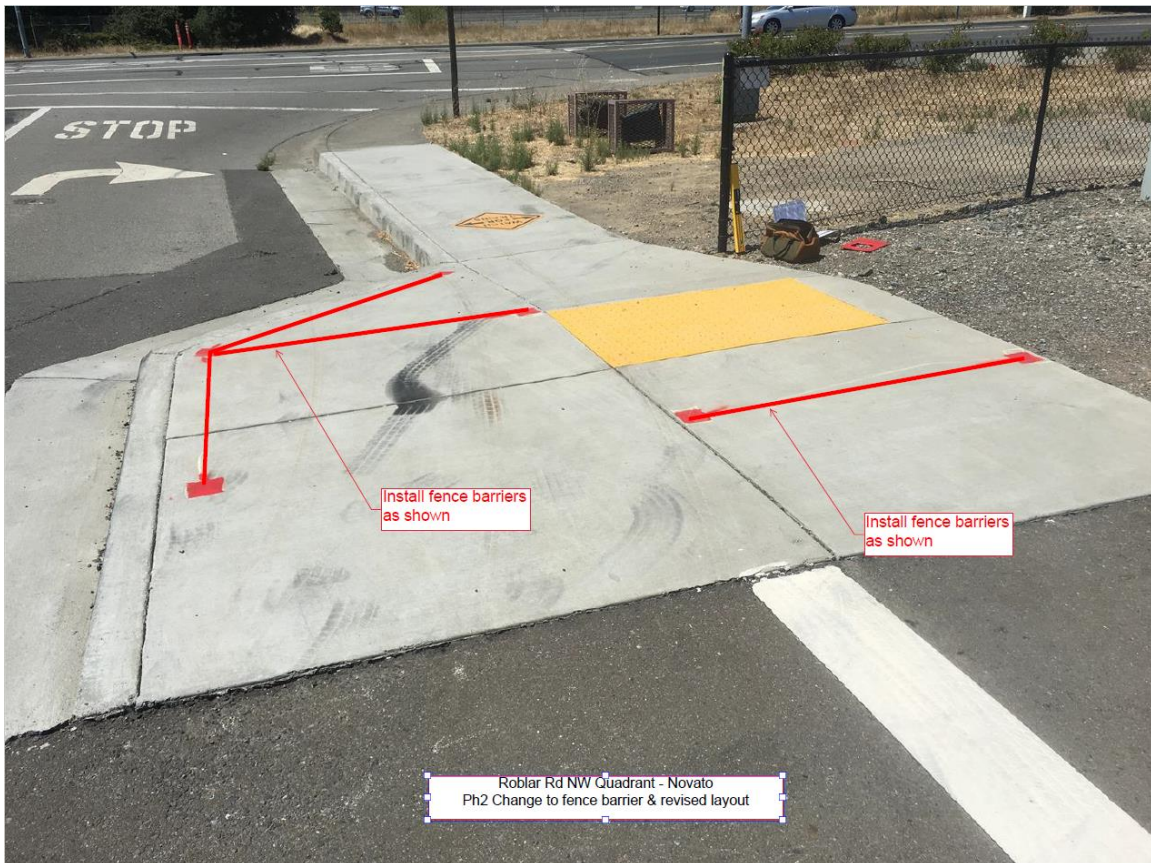
Main Street, Penngrove, Sonoma County Changes
Bid Item # 14



North San Pedro Road, San Rafael Northwest Quadrant Changes
Bid Item # 6



Roblar Road, Novato Northwest Quadrant Changes
Bid Item # 8



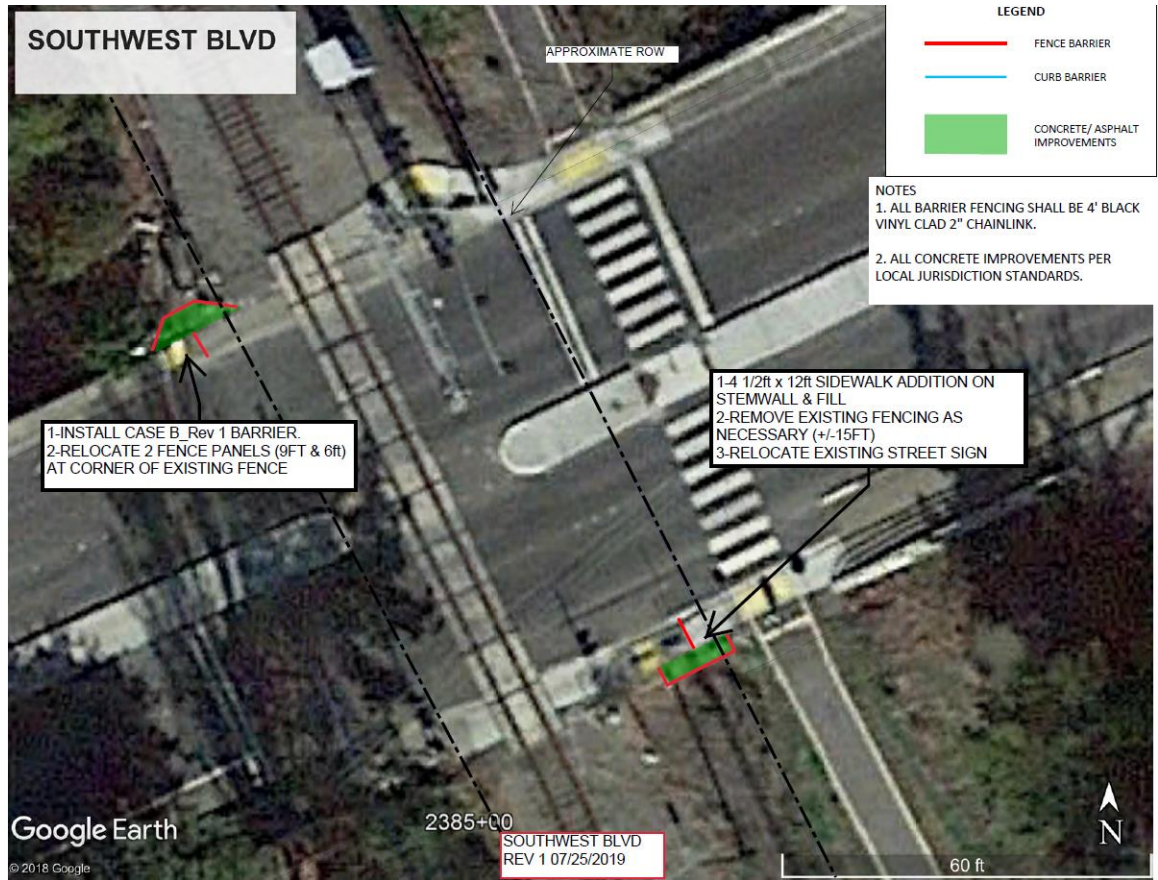
Rohnert Park Expressway, Rohnert Park Northwest Quadrant Changes
Bid Item # 17



Rohnert Park Expressway, Rohnert Park Northeast Quadrant Changes
Bid Item # 17



Southwest Boulevard, Rohnert Park Changes
Bid Item # 16



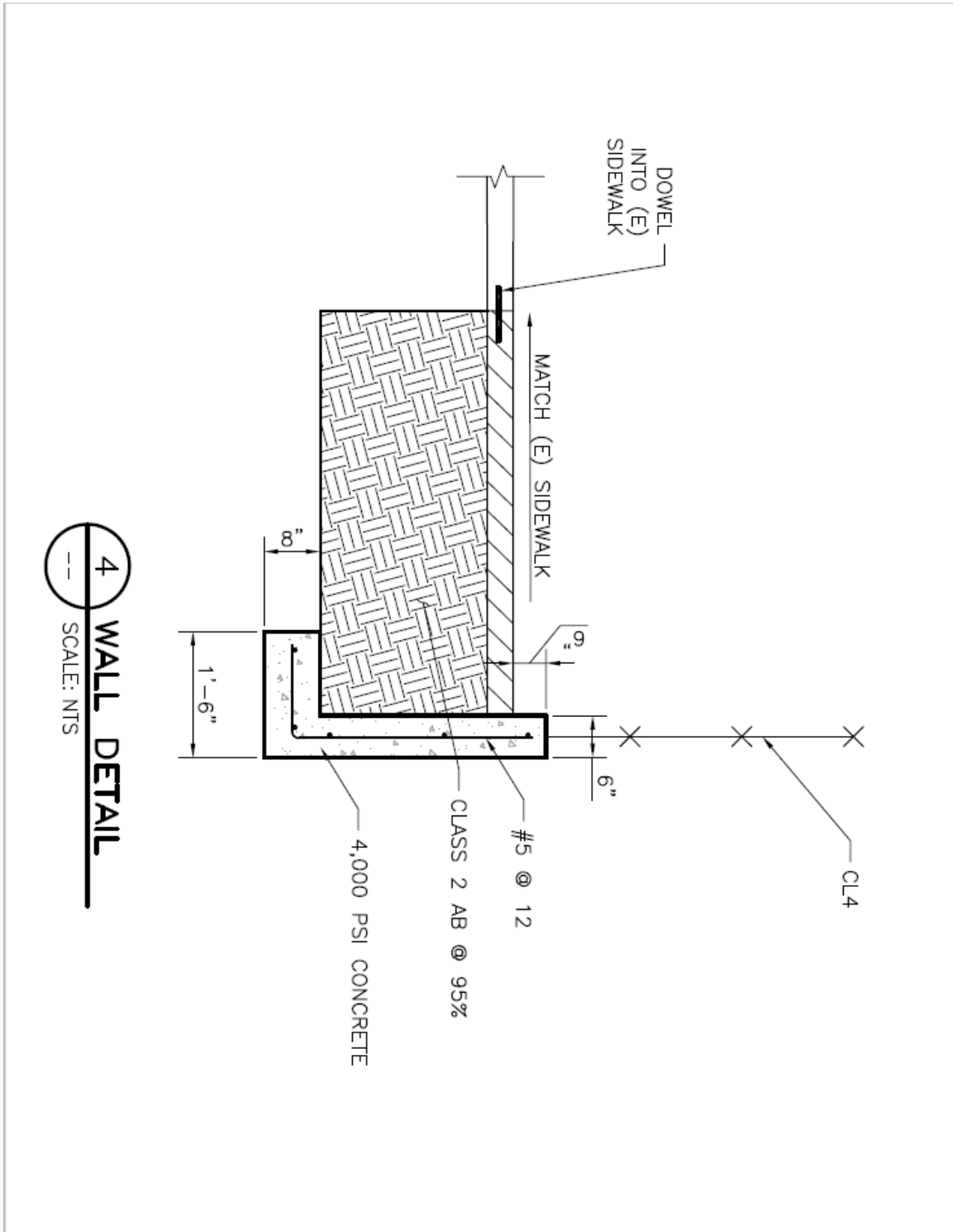
Bid Item # 16 Image 1 of 5



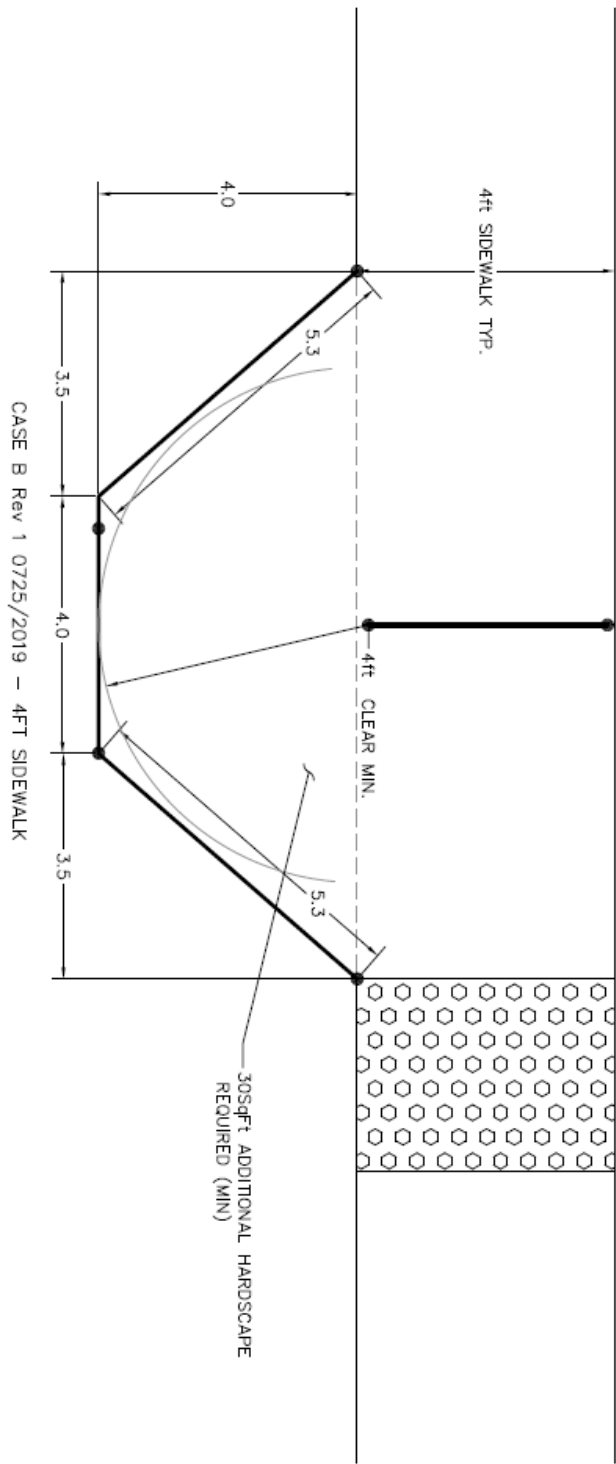
Bid Item # 16 Image 2 of 5



Bid Item # 16 Image 3 of 5



Bid Item # 16 Image 4 of 5



Bid Item # 16 Image 5 of 5

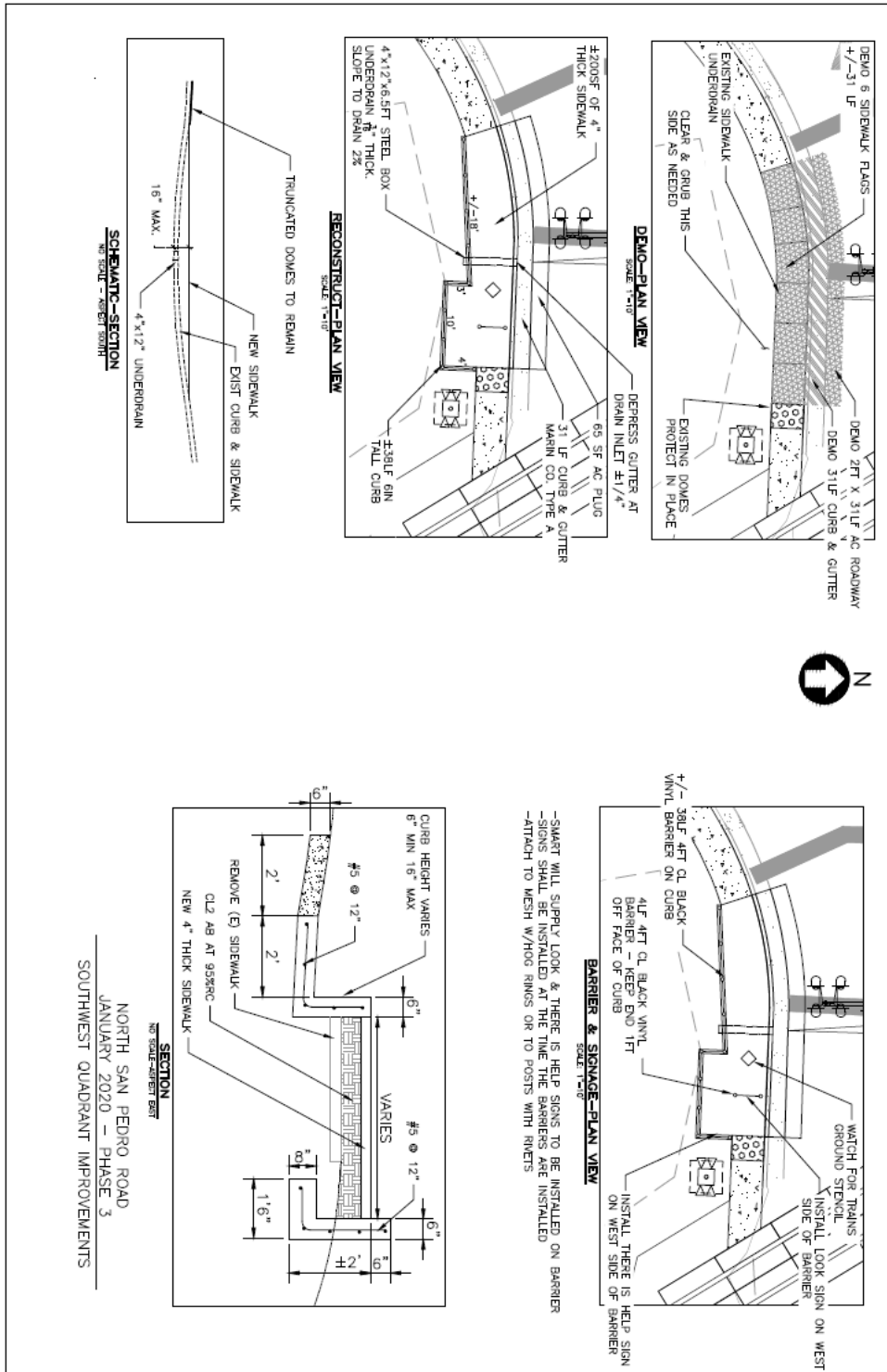
Bellevue Ave, Santa Rosa Northwest Quadrant Addition
Bid Item #32



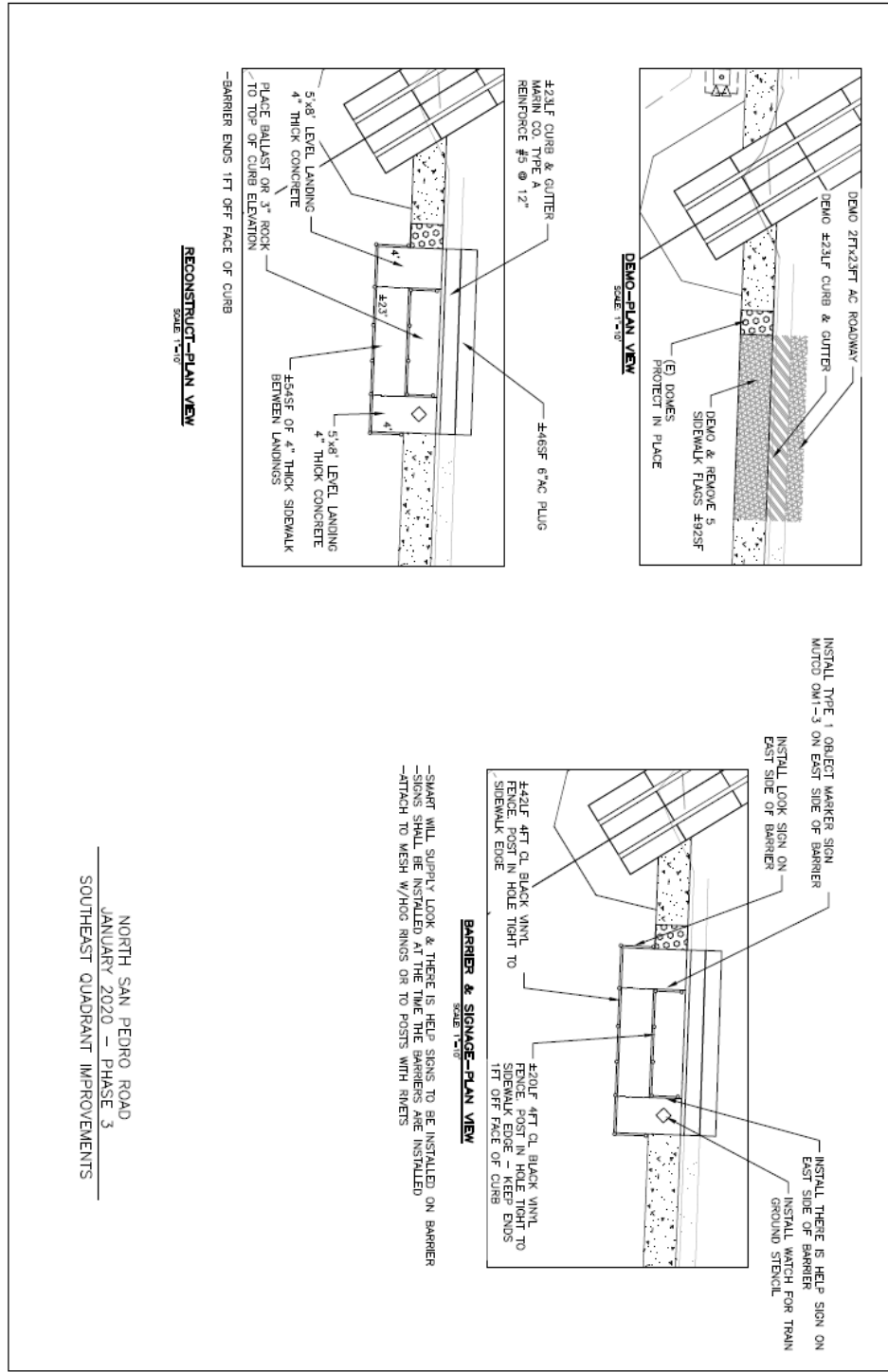
Bellevue Ave, Santa Rosa Northeast Quadrant Addition
Bid Item #32



**North San Pedro Road, Southwest Quadrant
Bid Item #6**



**North San Pedro Road, Southeast Quadrant
Bid Item #6**





Eric Lucan, Chair
Transportation Authority of Marin

Barbara Pahre, Vice Chair
Golden Gate Bridge,
Highway/Transportation District

Judy Arnold
Marin County Board of Supervisors

Damon Connolly
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Gary Phillips
Transportation Authority of Marin

David Rabbitt
Sonoma County Board of Supervisors

Chris Rogers
Sonoma County Mayors' and
Councilmembers Association

Shirlee Zane
Sonoma County Board of Supervisors

Farhad Mansourian
General Manager

5401 Old Redwood Highway
Suite 200
Petaluma, CA 94954
Phone: 707-794-3330
Fax: 707-794-3037
www.sonomamarintrain.org

February 5, 2020

Sonoma-Marín Area Rail Transit Board of Directors
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

SUBJECT: Resolution designating the General Manager as the signatory for a second joint Affordable Housing Sustainable Communities grant to the State of California Strategic Growth Council and Department of Housing and Community Development.

Dear Board Members:

RECOMMENDATIONS:

Approve Resolution Number 2020-04 required by the State of California designating the General Manager as authorized to submit all documents on behalf of SMART for the Affordable Housing Sustainable Communities (AHSC) Program funds to implement the SMART Operations Apprenticeship Training Program and expand SMART Eco Pass College Student program in partnership with Santa Rosa Junior College.

SUMMARY:

At your January 8th meeting, you approved the first of two steps in our partnership with Santa Rosa and the Santa Rosa Junior College to apply for funding for housing, transportation and workforce training improvements. Today you are being asked to approve the second submission in that process.

The Affordable Housing and Sustainable Communities (AHSC) grant funds program is administered by the California Strategic Growth Council (SGC) and the State Department of Housing and Community Development (Department). The program has been developed to provide funding to both housing projects and transportation investments that support the State's climate and land use goals. This round of the AHSC will invest \$550 Million of California Climate Initiatives funds, otherwise known as Greenhouse Gas Reduction Funds, into communities statewide, with applications due February 11, 2020, and awards announced Summer 2020.

The first partnership, approved last month, was between MidPen Housing, the developers behind the Roseland Village project in Southwest Santa Rosa, the City of Santa Rosa, and SMART. The SMART funding request in that partnership was for \$5 million for the construction of the Windsor Extension project and \$225,000 for construction of the SMART Pathway between Joe Rodota Trail and 3rd Street in Santa Rosa.

This second partnership is for a joint application submittal for AHSC Round 5 funds with the Santa Rosa Junior College (SRJC) and the City of Santa Rosa for a total request of approximately \$19.5 million, of which \$9.5 million is for transportation purposes, including \$309,000 for a SMART workforce development program.

Today's proposed joint application submittal includes a housing component, with SMART Eco Passes for residents, through the SRJC, public transit and active transportation components through the City of Santa Rosa, and workforce development through the SRJC and SMART. The SRJC plans to build 364 on-campus student housing units and will offer SMART Eco Pass products to the residents of those units. The SRJC is seeking \$10.54 million from the AHSC program to construct these 364-units and \$904,176 to offer the SMART Eco Passes to the 364 residents for three years. The SMART Eco Pass offering will be through the existing SRJC-SMART partnership where SMART discounts each 31-day pass from \$200 per month to \$138 per month and the SRJC subsidizes the pass further through student transportation fees/this AHSC grant request, with the passes made available to resident students for \$69 per month.

The transportation improvement portion of the AHSC grant application includes \$5 million to the City of Santa Rosa towards the construction of the Bicycle-Pedestrian Overcrossing of Highway 101 between the SRJC neighborhood and the SMART Santa Rosa North Station Area neighborhood. The transportation portion of this AHSC proposal also includes \$400,000 for Santa Rosa on-street bicycle route improvements and \$1 million for Santa Rosa CityBus improvements and wayfinding in the two neighborhoods better identifying transit access routes to improve connectivity to the SMART Santa Rosa North Station. Finally, the transportation portion of this AHSC grant application includes \$1.45 million in bicycle and pedestrian improvements on the SRJC campus.

The workforce element of the project dedicated to SMART would be an annual workforce development grant subsidy of up to \$103,000 each year for a three-year Pilot Program to initiate a new *SMART Operations Apprenticeship Training Program*, for a total request of \$309,000. In recognition of the cost of living challenge of attracting employees to work at SMART and retaining them once they are here, SMART has begun a partnership with the SRJC in their Industrial and Trades Technology Program to cultivate future SMART Vehicle Mechanics and Signal Technicians. The Diesel Equipment Technology Program at the SRJC has developed a diesel certificate program and the that would provide the educational baseline for potential future SMART employees. The SRJC has also recently developed a signal tech certificate for Signal Technician work.

The proposed SMART Apprenticeship program would employ one SRJC certificated student per year as an apprentice, either in the Vehicle Maintenance Division or the Maintenance of Way Signal Tech Division. The apprenticeships would be one year long and would be paid at a rate of 75% of the current hourly rate. For example, if the apprentice is in Vehicle Maintenance in Year 1, the full pay and benefits package for the apprentice position would be \$112,773. If the apprenticeship is as a Signal Tech in Year 3 of the program, the annual pay plus benefits would be \$130,892. The three-year total of AHSC funds requested in the grant is \$309,000. Further implementation guidelines on this program will be developed if this AHSC grant is awarded to SMART.

The estimated salary range for the SMART Operations Apprenticeship Training Program would be as follows with Year 1 starting in Fiscal Year 2021.

Vehicle Maintenance	Full Wage	Apprentice	Annual	Annual Loaded
Year 1 – Fiscal Year 2021	\$48.19	\$36.15	\$75,182	\$112,773
Year 2 – Fiscal Year 2022	\$49.64	\$37.23	\$77,438	\$116,156
Year 3 – Fiscal Year 2023	\$51.13	\$38.35	\$79,761	\$119,641

Signal Technician	Full Wage	Apprentice	Annual	Annual Loaded
Year 1 – Fiscal Year 2021	\$52.73	\$39.54	\$82,252	\$123,378
Year 2 – Fiscal Year 2022	\$54.31	\$40.73	\$84,720	\$127,079
Year 3 – Fiscal Year 2023	\$55.94	\$41.95	\$87,261	\$130,892

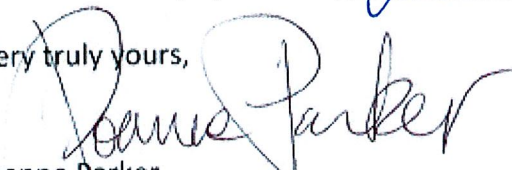
Participation in this AHSC grant application as a Joint Applicant with the Santa Rosa Junior College and the City of Santa Rosa allows SMART, if the funding is awarded, to execute grant agreements, file grant reports and submit invoice requests, among other requirements, directly to the State without having to utilize either the City of Santa Rosa or the SRJC as a pass-through grant administrator. To file an AHSC grant application as a Joint Applicant, the State requires each applicant to submit a resolution from their governing body designating an authorized person to file the AHSC application and any necessary documents.

The Santa Rosa Junior College proposal aims to provide housing on campus as a solution to the North Bay’s affordable housing shortage. By partnering with the City of Santa Rosa and SMART in a joint application, the Santa Rosa Junior College AHSC project makes a strong connection between this on-campus housing and active transportation and transit travel, generating benefits for the greater community. The addition of the training and workforce development elements highlight the role transit plays as a beneficial economic driver. Transit employees tend to live in the community in which they work, often unlike specialized construction contract employees, and have strong induced economic benefit from spending their earned income locally. In conclusion, this partnership will improve local and regional transit systems, close non-motorized network infrastructure gaps, construct affordable housing, improve wayfinding information systems, and support transit industry workforce development. We recommend your Board approve this, the second step, in the partnership application process.

FISCAL IMPACT: None at this time.

REVIEWED BY: [x] Finance  [x] Counsel 

Very truly yours,


 Joanne Parker
 Programming and Grants Manager

Attachment(s): Resolution Number 2020-04

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT
AUTHORIZING APPLICATION FOR THE AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES
PROGRAM**

WHEREAS, the State of California, the Strategic Growth Council (SGC) and the Department of Housing and Community Development (Department) has issued a Notice of Funding Availability dated November 1, 2019, (NOFA) under the Affordable Housing and Sustainable Communities (AHSC) Program; and

WHEREAS, the Sonoma-Marín Area Rail Transit District (SMART) is an eligible public agency project sponsor and may receive funding from State of California, the Department and the SGC for transportation projects; and

WHEREAS, the SGC is authorized to approve funding allocations for the AHSC Program, subject to the conditions of the NOFA, Program Guidelines, Application Package, and Standard Agreement, and the Department is authorized to administer the approved funding allocations of the AHSC Program; and

WHEREAS, SMART desires to apply for AHSC Program funds, as a Joint Applicant with the Santa Rosa Junior College (SRJC) and the City of Santa Rosa, for the purposes of constructing the Santa Rosa Junior College AHSC Housing Project, which includes on-campus housing and subsidized SMART Eco Passes for housing residents, the Santa Rosa Bicycle-Pedestrian Overcrossing of Highway 101, Santa Rosa CityBus transit service improvements and wayfinding to be implemented by the City of Santa Rosa, and the "SRJC - SMART Operations Apprenticeship Training Pilot Program", the "SMART Project", to be implemented by SMART; and

WHEREAS, SMART wishes to implement the SMART Project portion of the Santa Rosa Junior College AHSC Housing Project; and

WHEREAS, SMART wishes to delegate authorization to submit and execute all required AHSC Program documents and any amendments thereto for the SMART Project portion of this Santa Rosa Junior College AHSC Housing Project to the SMART General Manager, or designee;

NOW, THEREFORE, BE IT RESOLVED THAT THE Board of Directors of the SMART District hereby

1. Authorizes the submittal to the Department the AHSC Program application as detailed in the NOFA dated November 1, 2019, for Round 5 in a total amount not to exceed \$20,000,000 for all Santa Rosa Junior College AHSC Housing Project components to be implemented independently by SRJC, the City of Santa Rosa, and SMART, including a not-to-exceed amount of \$309,000 for the SMART Project (Workforce Development), as defined by the AHSC Program Guidelines adopted on October 31, 2019 errata December 9, 2019; and

Resolution No. 2020-04
Sonoma-Marín Area Rail Transit District
February 5, 2020

2. Agrees, if the application is approved, SMART is hereby authorized and directed to enter into, execute, and deliver a State of California Standard Agreement (Standard Agreement) in a total amount not to exceed \$309,000 for this AHSC Grant funded SMART Project, and any and all other documents required or deemed necessary or appropriate to secure the AHSC Program funds from the Department and all amendments thereto (collectively, the AHSC Documents); and
3. Agrees to comply with all terms, conditions and requirements as specified in the Standard Agreement, including identified allowable capital asset project expenditures and incorporation of the full application in the Agreement, and agrees to use the funds for eligible capital assets in the manner presented in the application as approved by the Department and in accordance with the NOFA and Program Guidelines and Application Package; and
4. Designates SMART's General Manager, or designee, to be authorized to execute all required documents of the AHSC Program as required by the Department and any Amendments thereto with the State and Department which may be necessary for the completion of the aforementioned project.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Sonoma-Marín Area Rail Transit District held on the 5th day of February 2020, by the following vote:

DIRECTORS:

AYES:

NOES:

ABSENT:

ABSTAIN:

Eric Lucan, Chair, Board of Directors
Sonoma-Marín Area Rail Transit District

ATTEST:

Leticia Rosas-Mendoza, Clerk of Board of Directors
Sonoma-Marín Area Rail Transit District



February 5, 2020

Eric Lucan, Chair
Transportation Authority of Marin

Barbara Pahre, Vice Chair
Golden Gate Bridge,
Highway/Transportation District

Judy Arnold
Marin County Board of Supervisors

Damon Connolly
Marin County Board of Supervisors

Debora Fudge
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Councilmembers Association

Patty Garbarino
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Sonoma County Mayors' and
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Shirlee Zane
Sonoma County Board of Supervisors

Farhad Mansourian
General Manager

5401 Old Redwood Highway
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Petaluma, CA 94954
Phone: 707-794-3330
Fax: 707-794-3037
www.sonomamarintrain.org

Sonoma-Marin Area Rail Transit Board of Directors
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

SUBJECT: SMART Participation in Regional Program to Provide 50% Discount to Low-Income Transit Users

Dear Board Members:

RECOMMENDATIONS:

Approve Resolution Number 2020-05 which would:

- 1) Authorize SMART's formal request to participate in the regional Clipper START Low Income Fare Program, and
- 2) Adopt a Clipper START Low Income Fare Policy for SMART riders with regionally approved eligibility of 200% of Federal Poverty Level and offering a discount of 50% off the adult cash fare rate, and
- 3) Designate the General Manager as authorized signatory for the submittal of a Regional Low Carbon Transit Operating Program grant request for funds to pay for the implementation costs for SMART to participate in Clipper START.

SUMMARY:

Transit affordability has always been a challenge for regional transit services because those trips are much longer and more expensive than local ones to provide. Your Board has recognized this issue and directed staff to enable greater access for lower income riders within the context of SMART's fare policy and principles adopted between 2014 and 2017.

Through the fare policy setting process Your Board has continued to direct staff to investigate ways to grow ridership with particular attention to providing significant discounts to low income persons. Today we are pleased to bring you a potential opportunity to implement a low-income rider fare discount program through Clipper that would enable more people the ability to afford to use SMART's climate-friendly and reliable transit services to connect to jobs, services and educational opportunities.

SMART's fare principles included the importance of "financial sustainability for SMART in developing and evaluation of fare programs; providing a service that is reasonably affordable for the public; and incentivizing the business community and other institutions to select SMART and public transit as their transportation choice." In developing the appropriate fare pricing, the cost of riding SMART was compared to driving along the SMART/Highway 101 corridor, and similar distance trips for peer Northern California rail agencies and local regional bus providers.

That work resulted in the fare structure we have today whereby daily fares are designed to be fiscally responsible but affordable. The result is that 50% of all riders on SMART utilize a discount to ride and due to the number of discounts available combined with the fare structure, the price to ride is reasonable compared to the expense of driving or taking a similar trip on another transit system. In Fiscal Year 2019, our average fare per ride was \$5.71.

CLIPPER START PROGRAM DEVELOPMENT

The Metropolitan Transportation Commission (MTC) is launching a new Means-Based Fare Discount Program Pilot in Spring 2020 named *Clipper START*. The background studies that helped to inform the development of the Clipper START program were largely conducted prior to the start of SMART services.

The Clipper START program is designed to address the concern that transportation is a significant portion of Bay Area household budgets. The Clipper START program pilot offers a discount for adults (18-64 years old) whose annual earnings are up to 200 percent of the federal poverty level, currently approximately \$50,000 per year for a family of four. Applicants provide proof of identity and proof of income to Clipper, and those approved will receive a personalized Clipper card that can be used for single-ride discounts on participating transit agencies' systems according to a discount rate adopted by that agency. The program does not offer discounts on top of already discounted rides, such as 31-day passes or on Youth or Senior rides.

Currently, the program is planned for launch on 4 of the region's 22 transit operators (BART, SFMTA, Caltrain and Golden Gate Bus and Ferry) with discount rates varying by operator. BART and Caltrain have adopted a 20% discount rate, while SFMTA and Golden Gate have adopted a 50% discount rate, though Golden Gate's discount excludes already discounted trips within Marin and Marin Transit's service area.

There are three main costs associated with the implementation of the pilot program:

- Software and hardware programming costs within Clipper
- Ongoing cost of administration
- Loss in fares revenue resulting from low income riders

Software implementation for the first four agencies is completed for a cost of \$1.1 million, with \$1.7 million programmed to operate the pilot for its duration of 12-18 months. The estimated loss of fares across the four operators is \$20.7 million dollars, with \$7.4 million to be backfilled with grants from MTC by an agreed upon formula and \$13.3 million to be considered an "operator contribution" to the program.

Cubic, who has managed the Clipper-transit fare card program since the program launched in 2010 will serve as income eligibility verifier and application intake, review and approval, and customer service. The Clipper START program pilot is slated to take between 12 and 18 months depending on how quickly the \$7.4 million in grants backfilling the lost revenues are depleted.

CLIPPER START FOR SMART

SMART staff have been working over the past two years to participate in the Clipper START program and now an opportunity has become available that may allow SMART to do so. In order for SMART to be able to participate, funding must be identified to cover the capital costs to complete necessary software and hardware programming within the Clipper program and the second is the potential need for funds to cover possible fare revenue loss.

A regional grant became available in late January 2020 that provides SMART an opportunity to pay for the needed software and hardware changes within Clipper for SMART. Clipper staff have only a rough estimate of \$400,000-\$700,000 for the cost to complete the necessary programming work for SMART. A final cost estimate is only available with a formal proposal to the Clipper operating manager, Cubic. A regionally competitive Low Carbon Transit Operating Program (LCTOP) Call for Projects was issued on January 10 to fund capital projects through MTC's Transit Performance Initiative Program, with the ultimate goal to increase transit ridership. At the January 29, 2020, deadline, SMART submitted the LCTOP grant request for sufficient funds, the \$700,000 maximum estimate, to complete the necessary software and hardware programming to allow SMART's participation in Clipper START.

Regarding funding to cover lost revenue from SMART's acceptance into the low-income discount program, there is no available outside funding source. Because the rules of the Clipper START pilot revenue sharing have already been set into a formula, MTC staff have said that SMART could not participate in the revenue sharing even if MTC approves SMART's entry into the Clipper START program during the pilot phase. In order to estimate the potential annual cost to SMART utilized census data for the SMART district incomes and compared it with rider survey data from MTC's onboard passenger survey in mid-2018 that provided household income information for riders. Of those respondents, 26% said they earned less than \$50,000 and 38% under \$70,000. Without knowing their household size, however, and whether they currently use SMART discounted pass products or single use adult fare pricing on SMART, it would be difficult to say whether there is any potential loss of fares from the existing SMART riders choosing a lower priced discount fare product. Using a conservative assumption that all would shift towards a Clipper START discounted fare, this would mean a maximum annual loss of approximately \$221,497. Again, SMART will not receive any operating revenue reimbursement for loss of fares from participation in the Clipper START Pilot Program, but could retain the right to renegotiate as part of any permanent program implementation. Losses would be borne solely by SMART would they occur. It is also possible that this would bring more riders to the system who previously were not riding SMART and that revenue would mitigate any fare losses from current riders receiving a new discount.

CONCLUSION:

Although we have not been given a green light yet to participate in the Clipper Start low-income program, MTC and Clipper staff are examining the technical feasibility and timing of such a modification to Clipper START. Formalizing a request for participation from Your Board and establishing the associated necessary low-income fare policy to be able to participate would be an important next step, in addition to endorsing and authorizing the LCTOP grant request submitted last week asking for the capital funds sufficient to pay for any Clipper START implementation costs for SMART.

Therefore, staff recommends your board approve Resolution Number 2020-05 to do the following:

- 1) Declare the SMART Board's authorization of a submittal of a formal request to participate in the regional Clipper START Low Income Fare Program, and
- 2) Adopt a Clipper START Low Income Fare Policy for SMART riders with regionally approved eligibility of 200% of Federal Poverty Level (approximately \$50,000 for a family of four in the Bay Area) and offer a discount of 50% off the adult single ride cash fare rate (to be consistent with all SMART discount offerings), and
- 3) Designate the General Manager as the authorized signatory for the submittal of a Regional Low Carbon Transit Operating Program grant request for funds to pay for the Clipper implementation costs for SMART to participate.

FISCAL IMPACT: None at this time. Acceptance into the program could result in revenue losses of up to \$221,497 if implemented.

REVIEWED BY: [x] Finance  [x] Counsel 

Very truly yours,


Joanne Parker
Programming and Grants Manager

Attachment(s): Resolution Number 2020-05

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT AUTHORIZING SMART'S FORMAL REQUEST TO PARTICIPATE IN THE REGIONAL CLIPPER START LOW INCOME FARE PROGRAM, ADOPTION OF CLIPPER START LOW INCOME FARE POLICY, AND DESIGNATION OF THE GENERAL MANAGER AS AUTHORIZED SIGNATORY FOR THE SUBMITTAL OF A REGIONAL LOW CARBON TRANSIT OPERATING PROGRAM GRANT REQUEST

WHEREAS, the Metropolitan Transportation Commission (MTC) manages the regional Clipper fare collection program and has created a regional low-income transit fare pilot program to be launched in Spring 2020, managed by Clipper and called Clipper START; and

WHEREAS, the participation rules and administrative processes for the Clipper START pilot program have been established regionally by MTC as Adults (18-64 years old) whose annual earnings are up to 200 percent of the federal poverty level who provide proof of identity and income to Clipper, with those approved receiving a personalized Clipper card for use for single-ride discounts on participating agencies' systems according to discount rates adopted by each agency of either 20% or 50% of adult single ride cash fare rates; and

WHEREAS, the SMART Board desires to enable greater access for lower income riders within the context of SMART's fare policy and principles adopted between 2014 and 2017, including the importance of "financial sustainability for SMART in developing and evaluation of fare programs; providing a service that is reasonably affordable for the public; and incentivizing the business community and other institutions to select SMART and public transit as their transportation choice."; and

WHEREAS, MTC issued a Call for Projects for grants seeking regional Low Carbon Transit Operating Program funds to support increasing transit ridership; and

WHEREAS, Funding from the regional Low Carbon Transit Operating Program would provide necessary resources for Clipper START to consider incorporating SMART into their low-income fare program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the SMART District hereby

1. Authorizes SMART's formal request to the Metropolitan Transportation Commission to participate in the regional Clipper START Low-Income Fare Program; and
2. Adopts a Clipper START Low Income Fare Policy for SMART riders with regionally approved eligibility of 200% of Federal Poverty Level and offering a discount of 50% off the adult cash fare rate in anticipation of Clipper's acceptance of SMART into the program; and
3. Directs and designates SMART's General Manager, or designee, to be authorized to submit and execute all required documents of the Low Carbon Transit Operating Program grant request for funds to pay for the implementation costs for SMART to participate in Clipper START.

**Resolution No. 2020-05
Sonoma-Marín Area Rail Transit District
February 5, 2020**

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Sonoma-Marín Area Rail Transit District held on the 5th day of February 2020, by the following vote:

DIRECTORS:

AYES:

NOES:

ABSENT:

ABSTAIN:

Eric Lucan, Chair, Board of Directors
Sonoma-Marín Area Rail Transit District

ATTEST:

Leticia Rosas-Mendoza, Clerk of Board of Directors
Sonoma-Marín Area Rail Transit District



Eric Lucan, Chair
Transportation Authority of Marin

Barbara Pahre, Vice Chair
Golden Gate Bridge,
Highway/Transportation District

Judy Arnold
Marin County Board of Supervisors

Damon Connolly
Marin County Board of Supervisors

Debora Fudge
Sonoma County Mayors' and
Councilmembers Association

Patty Garbarino
Golden Gate Bridge,
Highway/Transportation District

Dan Hillmer
Marin County Council of Mayors and
Councilmembers

Joe Naujokas
Sonoma County Mayors' and
Councilmembers Association

Gary Phillips
Transportation Authority of Marin

David Rabbitt
Sonoma County Board of Supervisors

Chris Rogers
Sonoma County Mayors' and
Councilmembers Association

Shirlee Zane
Sonoma County Board of Supervisors

Farhad Mansourian
General Manager

5401 Old Redwood Highway
Suite 200
Petaluma, CA 94954
Phone: 707-794-3330
Fax: 707-794-3037
www.sonomamarintrain.org

February 5, 2020

Sonoma-Marín Area Rail Transit Board of Directors
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

SUBJECT: SMART Ridership Update

Dear Board Members:

RECOMMENDATIONS:

Receive an early ridership briefing for January 2020

SUMMARY

As promised at your January 8, 2020, meeting we have posted SMART's daily ridership numbers for both On Board counts and Paid Fare (Clipper/Mobile App) counts on our website through December 31, 2019. The data can be found on SMART's website here:

<http://sonomamarintrain.org/RidershipReports>

In order to understand how the system is performing with the launch of the new service schedule and the opening of stations in Larkspur and Downtown Novato, we have been working hard to provide the January 2020 data as quickly as possible.

Your Board also requested an analysis of ridership that delves deeper into which trains are operating at full capacity and which are less full. This has required a deeper data collection effort than we had been undertaking to this point and we are beginning to work on that effort.

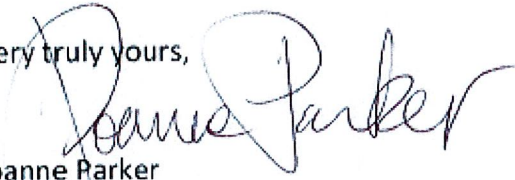
In order to provide you examples of what such an analysis could look like, we will take the preliminary rider data collected between January 1-31, 2020, and will be providing sample analysis for your feedback at your Board meeting.

Because January 31 falls on the Friday of Board agenda publication and rider reports won't be available until the following week, we require two work days for staff to calibrate and analyze the data to be able to provide a sample for feedback at your Board meeting on Wednesday, February 5, 2020.

FISCAL IMPACT: None at this time.

REVIEWED BY: Finance  Counsel 

Very truly yours,


Joanne Parker
Programming and Grants Manager