

## Board of Directors Meeting: May 5, 2021 – Public Comments

Date	Name	5. Public Comment on Non-Agenda Items
5/3/2021	Bryan Rengel	Hi! I am the co-founder of OLD CAZ BEER, a small craft brewery new to Rohnert Park. The last year has really taught us how critical our health is and how important sunshine and exercise is to maintaining our health. I'm a resident of Petaluma who regularly rides my bike to work and would like to emphasize how much I love the paths along the train. Unfortunately, the construction of the 101 overpass in Petaluma has cut off a critical bike path and there is no longer a safe route from one side of town to the other. As promised to voters in 2008 and in the promotion of public health, I would like to propose fast tracking of the continuous pathway along the SMART train as well as a solution for opening the pathway beneath the overpass. Along the underpass, my initial thought was the use of 4 or 5, 40 shipping containers along this section of the path to protect the public from debris while maintaining the throughway. One-Way shipping containers can be purchased for relatively cheap and they are durable enough to protect from anything that might fall. In addition, they can be secured in the evenings to discourage camping. (although hopefully not too late, I usually don't get to leave the brewery until 7 or 8)
5/4/2021	Sonny Le	Hi everyone, my name is Sonny Le. I'm the owner of several small businesses in Rohnert Park and Petaluma. I'm an avid cyclist and I enjoy commuting from my home in Santa Rosa on my bike. Many of my staff also commute to work this way. The pandemic has really taught us how important sunshine, exercise and fresh air is for the health and well being of our community. It's unsafe to ride my bike on the roads, even those with bike lanes because of distracted drivers. As was promised to voters in 2008, I would like to see an emphasis put on the bike path completion along the smart train. Not only would I use this for my daily commute from Santa Rosa to Rohnert Park and Petaluma, I would use it for weekend rides to San Rafael, Novato and Windsor. I love being able to use the Joe Radota trail to bike to Sebastopol on the weekends and really feel more people would use this path if it were finally completed. I would also like to see something done about the 101 underpass in Petaluma. Petaluma BLVD and McDowell are absolutely unsafe to ride a bike on, even in the sections with a bike lane. Shutting down this section of the path has created a massive safety risk for commuters trying to make sustainable changes to our community. I don't know if a structure could be erected to shield community members from falling construction debris but it is critical this pathway be reopened.
5/4/2021	Richard Brand	Email Attached
4/30/21 – 5/3/21	Various0	Emails Attached
Date	Name	6. Consent a. Approval of Monthly Financial Reports
		None

## Board of Directors Meeting: May 5, 2021 – Public Comments

<b>Date</b>	<b>Name</b>	<b>7. Approve a Resolution Authorizing the Filing of a Grant Application for Federal Funds through Metropolitan Transportation Commission Regional Quick Strike Program to Construct the SMART Pathway- Payran to Lakeville Segment in Petaluma</b>
		None
<b>Date</b>	<b>Name</b>	<b>8. Approve a Resolution Authorizing the Filing of a Grant Application for Federal Funds through Metropolitan Transportation Commission Regional Quick Strike Program to Construct the SMART Pathway- Payran to Lakeville Segment in Petaluma</b>
		None
<b>Date</b>	<b>Name</b>	<b>9. Closed Session – Conference with Labor Negotiators Pursuant to California Government Code Section 54957: Agency Designated Representative: Chair of the Board Unrepresented Position: General Manager</b>
		None

**From:** [Richard Brand](#)  
**To:** [Leticia Rosas-Mendoza](#)  
**Cc:** [rabbitt](#)  
**Subject:** Information request May 5 meeting  
**Date:** Tuesday, May 4, 2021 4:34:47 PM

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Ms rosas-Mendoza, Director Rabbitt and Board members:

I have been advised that our G M Mansourian has previously made a written submission to the Federal Surface Transportation Board regarding right of way issues. I was told this was published in a Sonoma Cty newspaper but I cannot find the source. This is his submission and this needs to be shared in detail with the public tomorrow during his report especially given the focus on freight rail by the new administration.

FYI I'm advised that Cal Northern has been hindering the efficient passing thru of freight from NWP TO UP at their interchange near Napa. I'll be happy to elaborate tomorrow if you wish.

Thank you.

Richard Brand

#### STATEMENT OF FARHAD MANSOURIAN TO STB

My name is Farhad Mansourian and I am the General Manager of Sonoma-Marin Area Rail Transit District ("SMART"). The purpose of this Statement is to summarize the steps taken by SMART in advance of construction of its commuter rail system on the line of railroad between Healdsburg and Ignacio, CA, to ensure that freight rail customers located on the same line would not lose rail service as a result of the SMART commuter rail construction. I also explain why the 115# rail SMART used for the line construction project is suitable for freight rail operations.

I joined SMART on September 23, 2011. As General Manager, I have responsibility for all aspects of the agency, including operations, public safety, finance, engineering, systems, community outreach, marketing, legal, and construction. Prior to joining SMART, I served as Director of the Department of Public Works for Marin County, where I started my career as a junior engineer, rising through the ranks to become the agency's top executive in 2002. I am a licensed Professional Engineer and has a degree in Civil Engineering and Political Science from California State University, Sacramento.

1. From 1998 until 2011, there was no freight service on the Subject Line. In 2011, Northwestern Pacific Railroad Company ("NWPCo"), the lessee of the freight property and operating rights of North Coast Railroad Authority ("NCRA"), restarted freight service on the Subject Line. While NWPCo was restarting freight service, SMART was conducting the preliminary engineering for reconstruction of the Subject Line to accommodate commuter rail service. In 2011, there were numerous sidings on the Subject Line, all of which had deteriorated after many years of no use. Many of the sidings were not in a condition for freight service.

2. In advance of the construction and renewal of the Subject Line, SMART, NCRA and NWPCo negotiated regarding which freight sidings would be rehabilitated and connected to the main line and how the parties would share the cost of rehabilitation and connection. It was agreed that NCRA and NWPCo would pay the costs associated with rehabilitation of the freight sidings plus a share of the cost of the turn-outs to connect the sidings to the main line equivalent to what would have been spent if SMART were not rebuilding for commuter rail service. It was agreed that SMART would pay the "incremental" cost of the turn-outs – the costs of the turn-outs over and above the cost that NCRA/NWPCo would have incurred in the absence of the commuter rail service. In this fashion, the parties allocated the freight-related capital costs to NCRA/NWPCo and the commuter rail- related capital costs to SMART.

3. Although several potential customers expressed interest in receiving freight rail service, no potential customer offered NCRA or NWPCo a traffic commitment that would have permitted NCRA or NWPCo to meet its funding obligations to rebuild all of the former sidings. In other words, a number of shippers thought freight service would be “nice” to have, but none of them offered to commit to a specific volume of service to support the cost of re-establishing all of the sidings adjacent to their properties. Thus, NCRA and NWPCo had to rely on their own funds to rebuild some number of the sidings, without contractually-guaranteed freight revenue from any shippers.

4. Even without much demand for freight rail service, SMART agreed in 2011 to pay the incremental cost of installation of turn-outs at four locations: Burdell South (MP 30.5); Burdell North (MP 31.7); Park South (MP 39.2); and Park North (MP 39.7). SMART also agreed to pay the incremental cost of up to twelve additional turn-outs for customers requiring service from additional locations, if NCRA could demonstrate the shipper/customer need for the additional sidings and turn-outs. The obligation for up to twelve additional turn-outs required NCRA to show a freight need by January 31, 2014 in order to allow SMART to know the location of any additional turn-outs and incorporate them in its plans for the line construction project.

5. NCRA did not show the freight need for any additional sidings by the January 31, 2014 deadline. Even five months after the deadline, NCRA had not shown the need for any additional freight sidings. Even so, by May of 2014, in addition to two of the four sidings it committed to in 2011, SMART also had installed three additional turn-outs:

Dairymen's Coop (MP 38.1); Adobe Lumber Spur (MP 41.9); and Willowbrook Farms (MP 42.2) and had committed to install turnouts at addition Petaluma Transload Track and Shamrock (MP 38.1). In the end, ten freight turn-outs were installed, with SMART paying either the incremental cost for the turn-out or costs associated with integration of the turn-outs into the SMART systems or Positive Train Control.

6. The May 20, 2014 Press Democrat article attached to the TRAC submission as Exhibit 7 identifies four disappointed potential freight customers: Lagunitas Brewing Company; California Shingle and Shake; North Bay Property Advisors; and Mr. Glenn Kantock. I will now discuss each of these potential freight customers.

7. Lagunitas Brewing Company. In April of 2013, Mr. Leon Sharyon of Lagunitas Brewing Company requested freight service to Lagunitas from the siding serving the former Adobe Lumber Company site, which Lagunitas apparently intended to lease for the purpose of accepting rail shipments of barley. As noted above, SMART installed a 5 turn-out at the Adobe Lumber Spur (MP 41.9). Lagunitas Brewing Company receives service from this location today. I cannot explain why Mr. Sharyon neglected to mention to the Press Democrat reporter that he had requested service at the Adobe Lumber Spur in writing. The Press Democrat article quotes Mr. Sharyon as saying it is “silly” that shipments are not made to the Lagunitas brewery, but that is what he requested on behalf of the company at the time decisions were made about how Lagunitas would receive service.

8. California Shingle and Shake. California Shingle and Shake desired freight service using the dilapidated siding shown in an image accompanying the May 20, 2014 Press Democrat article. (The siding shown in the image depicts at least one crosstie resting on top of the rail.) In the article, Mr. John Schunzel is reported to have said that California Shingle and Shake had previously shipped laminated shingles and plywood from Oregon and Washington by rail but was then (at the time of the article) using truck transportation and paying higher rates. However, from the time freight rail service was re-established in 2011 until the siding was disconnected from the main line in the summer of 2012, NWPCo did not handle a single railcar to or from California Shingle and Shake. Mr. Schunzel may have been referring to California Shingle and Shake rail shipments before

the shut-down of the line in 1998, but in 2011-12 when rail service was available to California Shingle and Shake, the company chose truck service even with its (apparently) higher costs. California Shingle and Shake's non-use of rail service in 2011-12 prompted SMART to ask NCRA and NWPCo several times in 2013-14 for information regarding California Shingle and Shake's future freight rail service needs, but SMART never received the requested information.

9. North Bay Property Advisors. Mr. Nick Abbott, whose company (North Bay Property Advisors) owned or operated a large warehouse in Santa Rosa, is quoted in the article as saying a rail spur "would add value for the right kind of use." The presence of a rail siding certainly can create value when it is the right kind of use. However, no customer in this Santa Rosa warehouse used rail service after service was restored in 2011.

10. Mr. Glenn Kantock. The article reports that Glenn Kantock wanted a siding at a property near Airport Blvd. Mr. Kantock did not use rail service on even a single occasion after service was restored in 2011.

11. When SMART's Design-Build team was designing the track in advance of construction of its commuter rail system on the line of railroad between Healdsburg and Ignacio, SMART determined the weight of rail for the project based on several factors, including the suitability for the anticipated future freight rail operations and the lighter weight commuter rail trains. Based on the advice of our design team, the lighter rail was deemed appropriate and specified. Although some freight railroads use a heavier rail, SMART concluded that 115# rail was sufficient for the current and anticipated freight operations on the Healdsburg and Ignacio segment, because the composition of current and foreseeable future freight traffic is not of the type which would require heavier rail.

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**From:** [Michael Lipelt](#)  
**To:** [Leticia Rosas-Mendoza](#)  
**Subject:** Thank you for prioritizing the path in the Capital Improvement Plan!  
**Date:** Friday, April 30, 2021 9:50:01 PM

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To all,

Job well done! There's more to do to get to the stated goal of a connected bike path from Larkspur to Cloverdale. With Covid and ridership down making the bike path a higher priority will be a way to entice folks and families to take their bikes and hop on the train and visit Marin and Sonoma counties without the need for a car. What a marketing tool for folks outside of the area to utilize the Smart train. As the bike path is completed connecting safe bike paths from cities along the train line it will be good for business, the climate and our health.

Let's move forward and encourage folks to get out of the cars and visit beautiful Marin and Sonoma counties.

With gratitude,

Dr. Michael Lipelt

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**From:** [evan david](#)  
**To:** [Leticia Rosas-Mendoza](#)  
**Subject:** Thank you for prioritizing the path in the Capital Improvement Plan!  
**Date:** Sunday, May 2, 2021 2:05:49 PM

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Thank you for helping my bike commute!  
I appreciate what you have done.

Evan David

Sent from my iPhone

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**From:** [Gordon Burns](#)  
**To:** [Leticia Rosas-Mendoza](#)  
**Subject:** SMART Capital Improvement Plan  
**Date:** Saturday, May 1, 2021 8:56:28 AM

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Chair Rabbit and Members of the SMART Board,

I am writing to express my support for the proposal developed by the Sonoma and Marin County Bicycle Coalitions, and I urge SMART to allocate \$4M/year over the next five years to the multi-use pathway. This money would advance the unbuilt segments to shovel-ready status and is the best use of the currently available funding. Additionally, SMART should ensure at that a least one segment is completed per year in each county (spending its own money if necessary), to restore trust in the voters and riders that the pathway is being advanced.

Thank you very much for your time and consideration.

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**From:** [james aubuchon](#)  
**To:** [Leticia Rosas-Mendoza](#)  
**Subject:** Thank you for prioritizing the path in the Capital Improvement Plan!  
**Date:** Friday, April 30, 2021 6:18:43 PM

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[Sent from Yahoo Mail on Android](#)

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**From:** [Jim Galsterer](#)  
**To:** [Leticia Rosas-Mendoza](#)  
**Subject:** Thank you for prioritizing the path in the Capital Improvement Plan!  
**Date:** Friday, April 30, 2021 8:06:32 PM

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Dear SMART,

I'm very grateful for funding some of the funds toward finishing the bike paths as promised back in 2008. I'm 75 now, love cycling, and so hope I can ride the whole path from Sebastopol to Larkspur in my lifetime.

Thanks again,

Jim Galsterer

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**From:** [Lynn Valentine](#)  
**To:** [Leticia Rosas-Mendoza](#)  
**Subject:** Thank you for prioritizing the path in the Capital Improvement Plan!  
**Date:** Sunday, May 2, 2021 7:04:08 AM

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Wonderful news!

Thank you,

Lynn Valentine

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**From:** [Michelle Glancy](#)  
**To:** [Leticia Rosas-Mendoza](#)  
**Subject:** Thank you for prioritizing the path in the Capital Improvement Plan!  
**Date:** Friday, April 30, 2021 8:16:44 PM

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Michelle

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**From:** [Randle Blythe](#)  
**To:** [Leticia Rosas-Mendoza](#)  
**Subject:** Thank you for prioritizing the path in the Capital Improvement Plan!  
**Date:** Saturday, May 1, 2021 1:03:50 PM

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We appreciate what you do for the bike path. It's going to be the "crowning glory" for Sonoma County. Thank you

Sent from my iPhone

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**From:** [Sean Kerr](#)  
**To:** [Leticia Rosas-Mendoza](#)  
**Subject:** Thank you for prioritizing the path in the Capital Improvement Plan!  
**Date:** Friday, April 30, 2021 10:29:51 PM

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Sent from my iPad

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