



**BOARD OF DIRECTORS  
MEETING AGENDA  
March 3, 2021 – 1:30 PM**

**IN ACCORDANCE WITH GOVERNOR’S EXECUTIVE ORDERS N-25-20 AND N-29-20  
THE SMART BOARD OF DIRECTORS MEETING WILL BE HELD VIRTUALLY**

**MEMBERS OF THE PUBLIC MAY NOT ATTEND THIS MEETING IN PERSON**

**ZOOM TELECONFERENCE INSTRUCTIONS**

**PUBLIC COMMENT PRIOR TO MEETING:**

If you wish to make a comment you are strongly encouraged to please submit your comment by 5:00 p.m. on Tuesday, March 2, 2021 at  
<https://www.surveymonkey.com/r/SMARTBoardComments>

**PUBLIC COMMENT DURING THE MEETING:**

The SMART Board Chair will open the floor for public comment during the Public Comment periods on the agenda. Please check and test your computer settings so that your audio speaker and microphones are functioning. Speakers are asked to limit their comments to two (2) minutes. The amount of time allocated for comments during the meeting may vary at the Chairperson’s discretion depending on the number of speakers and length of the agenda.

1. Call to Order
2. Approval of the February 17, 2021 Board Minutes
3. Board Member Announcements
4. General Manager’s Report
5. Public Comment on Non-Agenda Items
6. Consent Calendar
  - a. Approval of Monthly Financial Report
  - b. Authorize the General Manager to execute Contract Amendment No. 1 with EMR, LLC to provide a 3-year extension of the software subscription for MaxAccel in the amount of \$68,000 for a total not-to-exceed amount of \$118,260

### Regular Calendar

7. Review of 2020 Activities and 2021 Goals and Challenges Presentations (*Discussion/Provide Feedback*)
8. Next Regular Meeting of the Board of Directors, March 17, 2021 – 1:30 PM
9. Adjournment

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#### DISABLED ACCOMODATIONS:

Upon request, SMART will provide for written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, to enable individuals with disabilities to participate in and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, service or alternative format requested at least two (2) days before the meeting. Requests should be emailed to Leticia Rosas-Mendoza, Clerk of the Board at [lrosas-mendoza@sonomamarintrain.org](mailto:lrosas-mendoza@sonomamarintrain.org) or submitted by phone at (707) 794-3072. Requests made by mail SMART's, 5401 Old Redwood Highway, Suite 200, Petaluma, CA 94954 must be received at least two days before the meeting. Requests will be granted whenever possible and resolved in favor of accessibility.



**BOARD OF DIRECTORS  
REGULAR MEETING MINUTES  
February 17, 2021 - 1:30 PM**

**IN ACCORDANCE WITH GOVERNOR’S EXECUTIVE ORDERS N-25-20 AND N-29-20  
THE SMART BOARD OF DIRECTORS MEETING WILL BE HELD VIRTUALLY**

**MEMBERS OF THE PUBLIC MAY NOT ATTEND THIS MEETING IN PERSON**

**1. Call to Order**

Chair Rabbitt called the meeting to order at 1:30pm. Directors Arnold, Bagby, Colin, Connolly, Fudge, Garbarino, Gorin, Lucan, Pahre, and Rogers were present; Director Hillmer absent.

Chair Rabbitt officially welcomed Melanie Bagby to the SMART’s Board of Directors; Director Bagby looks forward to learning and participating on the Board.

**2. Approval of the February 3, 2021 Board Minutes**

**MOTION:** Director Garbarino moved approval of February 3, 2021 Board Minutes as corrected. Director Connolly second. The motion carried 11-0 (Director Hillmer absent)

**3. Board Members Announcements**

None

**4. General Manager’s Report**

General Manager Mansourian reported that since the start of passenger service in August 2017, SMART has carried 1,945,000 passengers, 200,631 bicycles, and over 7,200 wheelchairs. He continues to provide weekly ridership data that is also available on SMART’s website.

GM Mansourian stated that Chief Financial Officer, Heather McKillop, will provide financial information recently received. Ms. McKillop stated that in March 2020, Standard and Poor’s Global (S&P) revised all bonds issued by transit agencies and secured by tax revenue pledges to “negative,” based on the pandemic and the decline in transit activity levels. In February 2021,

S&P revised the outlook of Measure Q Sales Tax Bonds from negative to stable and affirmed its “AA” long-term rating. S&P cites very strong economic fundamentals of SMART’s two-county district, strong debt service coverage, low volatility of sales and use tax, and SMART’s overall creditworthiness.

Chair Rabbitt stated that being a lean organization and making prudent decisions including maintaining our fiscal discipline has placed SMART in a strong and stable financial position. Serving on the MTC’s Blue Ribbon committee that is not the case throughout all transit agencies in the Bay Area; we had to make difficult decisions and those decisions have made the organization stronger and that's reflected in the announcement.

General Manager Mansourian stated that SMART along with Golden Gate Transit, Marin Transit and the County of Marin have an upcoming event that the County of Marin will announce in a few days.

## 5. Public Comment on Non-Agenda Items

Eris Weaver voiced her concerns regarding the Press Democrat article related to freight operations; she said that the project was not in the original mandate and half of the pathway’s miles have not been built. She understands that the funds are coming from a different source; however, it takes time and dollars to focus on the project, and the pathway keeps falling to the bottom of the priority list. She urges the Board and staff to create a strategic plan with a vision to build the pathway before the next tax renewal to gain support.

Richard Brand stated that he supports the freight project to get trucks off the highway. He asked for clarification of the transfer of the track to SMART will require the approval of the Federal Surface Transportation Board (STB).

Warren Wells, Marin County Bicycle Coalition Policy and Planning Director, congratulated SMART on its strong financial rating. He urged the Board to prioritize completion of the remaining gaps of the multi-use pathway. He reminded the Board that such a course of action is plainly required by the Governing Measure Q expansion plan, section 5, item 8, which read that the SMART Board will prioritize completion of the bicycle/pedestrian pathway. MCBC has requested that SMART’s staff to develop a capital plan to fund the remaining gap segments.

Duane Bellinger stated that it is great that the bicycle ridership has increased despite COVID. He asked for information on how many people are using the park and ride (parking lots). He asked how much is being spent for the parking at the Corona Station, he also asked if the real estate transaction in Downtown Petaluma is going to close escrow on a 5-year old appraisal, “a current value of the property that is being traded for any purpose”, he added.

Chair Rabbitt acknowledged the public comment that was received in writing and distributed to the Board.

General Manager Mansourian responded to Mr. Brand’s comment in support of freight service. He recommends Mr. Brand to contact the North Coast Railroad Authority (NCRA) since they are

the agency submitting the application before the STB. NCRA is being required by State Legislation to submit the application.

Mr. Mansourian answered Mr. Bellinger's comment regarding Corona Station. He stated that SMART has covered this issue various times and said that SMART is not the owner of the Corona Station. The owner of the property is going through a development/planning process with the City of Petaluma. The owner has a contract with SMART and has the option to purchase SMART's Downtown property in exchange for money and another piece of property. The option will be expiring soon, and we will bring it back to the Board at a future meeting for discussion.

General Manager Mansourian clarified to the Marin and Sonoma County Bicycle Coalition that the entire freight consolidation was part of Senator McGuire efforts with Senate Bill 1029 and Senate Bill 69, to have a bicycle pathway from Marin through Sonoma up to Mendocino County. The consolidation of NCRA private operator easement and ownership to SMART is to have one public rail entity instead of numerous entities.

Lastly, General Manager Mansourian reminded everyone that on April 7th the Board will be reviewing and discussing the Capital Program priorities with financial resource available, so please make sure you're participating; this will be a major presentation where the Board will provide directions to staff.

Chair Rabbitt asked if there is any information on the parking data collection for which we have a third-party App. Mr. Mansourian responded that we don't collect the information since nobody is using the parking lots at this time.

6. Consent
  - a. Accept Monthly Ridership Report – January 2021

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

**MOTION:** Director Arnold moved approval of the Consent Agenda as presented. Director Lucan second. The motion carried 11-0 (Director Hillmer absent).

7. Review of 2020 Activities and 2021 Goals and Challenges (*Discussion/Provide Feedback*)

General Manager Mansourian stated that the Board will be receiving presentations from Real Estate, Operations, Train Control Systems and Public Safety Departments, on their 2020 activities and 2021 goals and challenges. Highlights of presentation as follows:

#### **Real Estate Department**

Real Estate Manager, Laura Giraud, who provided an overview on the following:

- Real Estate Department consist of two staff
  - Real Estate Manager
  - Senior Real Estate Officer
- Real Estate Description
  - Manages SMART's Right-of-Way

- Processes 3<sup>rd</sup> party access
- Property Acquisition, Sales and Easements
- Supports all Departments
- What Do We Own?
- How Do We Get These Properties?
- Deed Challenges – 1887 Original
  - Transcribing a written deed to a digital map
- 2020 Accomplishments
  - Property Managements - Encroachments, Special Events and Utility Agreements
  - Title and Ownership Rights – Database of property records
  - Property Sales Private Crossing – Sale of Santa Rosa Railroad Square and Draft Private Crossing Policy
- 2020 Challenges
  - Acceptance of SMART’s property rights by other entities
  - Third party request to access property
  - Deeds are often difficult to located
  - Large volume of deeds
  - Extension of time for Agreements due to litigation/threat of litigation
- 2021 Goals
  - Streamline Right-of-Way Permit process
  - Establish Annual Vegetation Maintenance Permit Process
  - Complete database for property ownership
  - Integrate new survey records
  - Research title records of property of NCRA
  - Complete Sale of Petaluma Station Property
  - Private crossing agreement regarding Brazos Branch
- Post Pandemic Growth Opportunities
  - Evaluate all leases for revenue
  - Survey entire Right-of-Way
  - Implement Private Crossing Policy

#### Comments

Director Colin asked if the database will be available to the public to access information, especially the bicycle path segments. Ms. Giraud responded that it’s a massive research collection and very complex information that the public will have a difficult time understanding.

Chair Rabbitt thanked staff for the great work. Railroads have very different types of deeds restrictions, easements right of way, he added.

Director Garbarino echoed that as well; and said that the last board meeting session was phenomenal in terms of the goal setting effort in each department. She thanked all of staff for all the hard work that they put into these goals, setting efforts and the education that they've provided us as board members and the public as well.

## **Operations Department**

General Manager Mansourian introduced Operation Manager, Marc Bader, who provided an overview on the following:

- What Do We Do?
  - We Move People
  - We Connect Communities
  - We Fight Global Warming
  - We Reduce Greenhouse gases
  - We Are Reliable, affordable, and safe
- Stuck on Highway 101 – Illustrated Video
- Organization Chart of Operation Department
- SMART in a Unique Class of Elites
  - 5 commuter Railroads in California
  - 31 Commuter Railroads in the USA
- Federal Railroad Administration
  - Hours of Service Laws – 12-hour workdays
  - Daily, Weekly, Monthly and Annual Inspections/Test required for all 3 division
  - Every Crossing requires testing every month
  - Train Control System requires two-year testing
  - Main track and siding must be inspected twice weekly
  - DMU requires daily inspections before placed into service
  - Strick training and safety requirements for employees
  - Engineers and Conductors need to be re-certified every two years
  - Subject to several unannounced inspections and audits
- California Public Utilities Commission
  - Regulates the location and types of warning devices/signate for public at grade crossings
- OSHA/CAL
  - Regulates workplace safety
- Operations Department consist of three Divisions
  - Transportation
  - Vehicle Maintenance
  - Maintenance of Way
    - 92 Full-Time Employees
    - 24-hour Operation, seven days a week
    - 18 Diesel Multiple Units (DMU) in service
    - 45 Miles of Track, 54 miles of right of way (44 additional miles with addition of freight service)
    - 12 Passenger Stations
    - 80 at grade crossings, including 63 public crossings with automatic warning devices
    - 1 moveable bridge at Haystack, 2 train tunnels, and 1 pedestrian tunnel (addition of freight will include 34 bridges with 2 moveable bridges (Napa and Petaluma Rivers))
- Transportation Division
  - Engineers/Conductors - Responsible for compliance with all FRA regulations

- The Operations Control Center (OCC) is a 24/7/365 Operations Center responsible for managing and controlling the entire railroad. The Control Center is in communication with all federal, state, regional, and local public safety organizations
- Coordinate all Mainline and Brazos Sub movement (Trains, Maintenance, and Freight)
- Monitor systems for issues such as clipper machine malfunctions and crossing gates
- Keep up to date notification for train delays, incidents, clipper machine issues
- Vehicle Maintenance Division
  - Maintenance and repairs
  - Federal Railroad Administration required inspections
  - Brake and Wheel Inspections/Test
  - Staff cleans and sanitizes its fleet two times per day using products on the Environmental Protection Agency approved for the use against COVID
- Preventive Actions Taken
  - Hand Sanitizers stations throughout the railcars
  - Posting local Health Official Guidelines
  - Provide facial coverings to the public if needed
  - Electrostatic Sanitizer
  - Onboard HVAC Operation
  - Air Filter Upgrade
  - UV Light Sterilization
- Maintenance of Way Division
  - Track Maintenance Team
  - Signal Maintenance Team
  - Facilities Maintenance Team
- 2020 Accomplishments
  - Implemented a 38 train/day schedule in January 2020
  - Signal team reduced the number of crossing malfunctions
  - Vehicle Maintenance team completed 10,000 hour/mid-life engine overhauls on 14 DMU's
  - Created an in-depth training program that resulted in a Signal Technician Trainee position
  - Non-revenue vehicles logged over 400,000 miles with no at fault vehicles
- 2020 Challenges
  - Maintaining staff levels for key positions
  - 14 employees resigned, retired, or left for personal and family reasons
  - Keeping employees informed with correct and up to date COVID information
  - Ongoing implementations of best safety and health practices
- 2021 Goals and Opportunities
  - Maintain a healthy staff and staffing levels throughout the pandemic
  - SMART's Training Program
  - Complete the installation of UV Lighting
  - Continue to communicate with Toronto's Commuter Agency
- 2021 Post Pandemic Growth
  - Closely monitor ridership
  - Fill vacant positions



- Assignments will need to be reassigned to provide coverage for weekend service
- Transition of Freight service to SMART
- Work with our partners and review schedules and connection times on weekdays/weekends and holidays
- Pre-COVID Schedule - 38 trips
- Current COVID Schedule - 16 trips
- Post COVID Schedule - 26 trips

#### Comments

Vice Chair Pahre stated that is a huge accomplishment with not a very big staff. Her take away from the presentation is that Staff does not cut corners, believes in training employees and is people oriented. It takes a lot for the organization to run the trains and the Engineers/Conductor provide positive customer service to get the passengers to their destination safely. It sounds and looks easy and is very much appreciated. She thanked Mr. Bader and the entire Operation's staff for all their hard and dedicated work.

Director Roger stated that he is very impressed with the operation, especially proactively reaching out to Toronto and working with other partners on resolving various issues. Not just in a rail agency but really looking at the specifics of what SMART's Agency is working with. "I think that that's one of those things that the public doesn't see happen because nothing's gone wrong yet, and if we had not done that, and had not caught some of the things that others are experiencing there'd be questions on the back end about how we didn't know", so I just wanted to say thank you for that, I think that it's a very, very smart approach to utilize those relationships, I think, puts us in the best position moving forward.

Director Colin thanked and echoed her accolades. It is amazing how much is done in a day and night basis. She was very struck by the slide that showed, the additional miles of track when SMART takes over freight operations will increase the demand on the staff. She asked if SMART will have the capacity when you will be 100% more miles of track than we have today. What the timing on that, it seems like that's a conversation, and something we're going to have to address later. Mr. Mansourian responded that in few more weeks SMART will get into freight business. We are conducting an analysis that addresses what is the best model when SMART gets into the freight business, that will be discussed with the Board. There are various options; increase full time employees and do it in-house; or have a contract with another short line railroad or a combination. These are the options that we will bring to the Board for review and approval in a future meeting.

Director Connolly thanked Mr. Bader for a great presentation and shared great appreciation for the work that is being done. He asked Mr. Bader to elaborate on the issue with SMART's DMU model. The three wide modifications to avoid potential issues and, of course, it's going to be important to be very proactive and the plan for the railcars. Mr. Bader responded, Vehicle Maintenance Superintendent Longstreet is the person who coordinates and communicates very frequently with Toronto, therefore the fleet modifications that is occurring this year is because they were identified to the manufacture before the warranty expires. All the issues being discovered in Toronto are during our warranty period, so we're basically having the manufacturer address these issues for us. Mr. Longstreet has a plan for the issues and he will

enter in a routine schedule and hopefully coordinate those with the engine work that also has to get done so all of those projects can get done while the DMU is in the shop for that one time period.

Director Fudge thanked Mr. Bader and the all the Operations staff. The Operations department has been through a lot in the last few years, with a lot of changes and you've done a great job. She stated that SMART has benefited in two different ways from the Toronto contract, because we designed the DMU and paid for them, then Toronto needed the rail cars, before SMART did. SMART allowed them to buy our plans and be first in line to receive some rail cars. It worked out to our favor because then they were running them before we were and now, we're benefiting from finding out where there were things that need to be corrected. We received money for the contract and now we're benefiting from their experience, very grateful to Toronto for all they've helped us with, and we help them as well.

Chair Rabbitt said that it is an amazing amount of work and it is very valuable to go through each department to understand what the workload is, and how it's being done. SMART is obviously highly regulated, and we could just fall into just the rhythm of compliance, but instead, staff stays proactive. In terms of having a new DMU model, they're always going to be bugs to work out, and as you as you continue to run the units, you find out more and more than relying on those who came before us in Toronto and Denver.

General Manager Mansourian stated that in the Bay area, there are two other commuter rails, Caltrain and ACE. What makes SMART unique is not only that we are brand new, but we own and maintain our own facilities. This is very critical for your Board to note because those agencies don't own facilities. ACE does not own the right-of-way, and they contract operations. Caltrain contracts operations, all the headaches, inspections and reviews that Mr. Bader and his team were speaking off can be done by a private contractor. The reason SMART chooses to do its own maintenance in house was because the legislation required. The legislation that created SMART requires that we do not contract and have everything in house. SMART hired all these experts from all over the country and got them relocated to our area, then they had to learn our territory and signal system, as well as our DMU's is a very complicated process but we've done it.

#### **Train Control Systems Department**

Manager of Train Control Systems, Aaron Parkes, who provided an overview on the following:

- Monitors and Manages Train Control Systems
- Collaborates with various divisions, departments, and agencies
- Train Control System consists of one staff
- Grade Crossing Warning System
- Four Quadrant Gate Crossing
  - Entry gates are used to block entry to the crossing in the normal direction of traffic
- Double Track Crossing
  - Designed to provide a minimum of 25 seconds of warning time for movement of both direction of travel on both tracks
  - Double track crossing exists where two trains "meet" or pass one another
- Traffic Signal Interconnects

- Haystack Moveable Bridge over the Petaluma River
- Positive Train Control
  - Congressional Mandate via 2008 Rail Safety Improvement Act
  - Prevents train to train collision, derailments by overspeed, unauthorized train movement into work zones and a switch left in the wrong position
  - SMART has invested \$60M
- Train Control Systems 2020
  - SMART Was the first railroad in the Nation to enter Revenue Service with its Enhanced Automatic Train Control System in August 2017
  - Obtained System Certification from FRA in December 2020
  - Certification is the final step for SMART to meet the requirements of the Rail Safety Improvement Act of 2008
  - Received letters of congratulation from FRA Administrator and US Senate Committee on Commerce, Science, and Transportation
- Windsor Extension Project
  - Optimized train control design to maximize efficiency of train operation during normal revenue service and during degraded operations involving speed restrictions
- 2021 Goals
  - Implementation of a Rail Network Management System
  - Central monitoring of Rail Network operation and activity
  - Pinpoint system faults along 45.5 miles of railroad
  - Allow for more rapid response to outages and issues
- 2021 Opportunities
  - Operational Efficiency Improvements
  - Minimize schedule delays experienced during incidents
  - Increase train speed in strategic locations
  - Reduce initial delays by several minutes, dependent on scenario
- 2021 Post-Pandemic Growth Outlook
  - Train Control Systems can handle the workload currently anticipated in 2021
  - An increase in capital project work would require the hiring of an Assistant Engineer to support project activities

### Comments

Director Connolly stated, "A key segment in the overall presentation". He addressed a couple of issues because they really get to the core of what we need to be aware of given that safety is a priority. There were incidents in the past at certain at-grade crossings, one being at Los Ranchitos and North San Pedro Road in San Rafael, and he appreciates the response and coordination of staff with local law enforcement. We need to continue to look at the overall picture around these crossings to ensure that we're doing everything needed around safety; whether that's the gate crossing configuration or what else, it seems incomplete, the long-term goal, which we have all endorsed. Eliminating at-grade crossings will be important to keep in mind. Director Connolly was happy to see in the presentation the interrelationship between the SMART system and surrounding traffic and circulation issues in Cities and the County up and down the entire line. In Downtown San Rafael, over the past few years there have been ongoing communications and efforts to coordinate signalization, circulation, to minimize the

extent delays in traffic and to enhance circulation in those areas which can be heavily impacted, particularly around rush hours and busy times. Also, continuing to foster those lines of communication and relationships and that ongoing work with our Cities and Counties.

Chair Rabbitt thanked Mr. Parkes for all the great work as a department of one, this is a vital mission and role with the Agency to keep everyone safe.

### **Public Safety Department**

Chief of Police, Jennifer McGill, who provided an overview on the following:

- Introduction
  - Chief of Police
  - 3 Full-time Code Compliance Officer
- Role of Public Safety
  - Federal Coordination
  - State Interactions
  - Local Coordination
- Incident Response
  - After each incident, the General Manager combines a task force led by Chief of Police
  - Review of incident, outside stakeholders, report back to General Manager with observations and follow-up
- 2020 Accomplishments
  - Filled 2 vacant Code Compliance positions
  - Code Compliance responded to 966 service calls
    - 816 transient/homeless
    - 34 fare evaders
    - 94 graffiti
    - 22 miscellaneous
- 2020 Challenges
  - maintaining safe interactions with population during COVID pandemic
  - 3 strikes at N. San Pedro Road in San Rafael
- 2021 Goals/Opportunities
  - Federal Railroad Administration grant opportunity for safety outreach
  - Training with Police and Fire Departments
  - Seek grant opportunities to partner with other law enforcement agencies for enforcement, equipment, and outreach materials
- 2021 Challenges
  - Continue safe interactions with transient population during pandemic
  - Continue to work with outside enforcement agencies for assistance when necessary
  - Incorporate required training in a safe manner as we did Pre-COVID
- Growth Post Pandemic
  - If allowed to expand Code Compliance Team to 5 FTE it will allow coverage of the right-of-way, more time riding the trains and conduct parking enforcement
  - we have trespassers, cars on the tracks, incidents that happen any time of day
  - with territory so large, in 3 counties, it's like spanning the distance from Petaluma to Sacramento

- Code Compliance is also responsible for facility safety
- AB 2034 - Human Trafficking Training
  - By January 2021 all employees will be trained on human trafficking
  - SMART held its first training in 2018 by the Marin County Human Trafficking Coalition
  - Since 2018, all staff has been trained and will be with new hires
- Recent Training
  - Napa Fire and Cal Fire training at Brazos Bridge
- Safety is Everyone's Responsibility
  - We will continue to plan trainings for our staff and outside agencies to have the safest response possible to issues
  - We will continue to work with our federal, state, and local law enforcement partners to ensure our practices are an example for others to follow

#### Comments

David Rabbitt thanked Chief McGill for the incredible work, as we saw with the extensive really urbanized areas that SMART's track goes through and the urbanized problems that we've had that have really kind of escalated since passenger service began three years ago. Hats off to you and your and your team for maintaining that safety and ensuring safety.

Director Lucan thanked Chief McGill. He was surprised, to see in one of the slides that over 90% of our Code Compliance's calls are regarding the transient population. Many local cities jurisdictions are dealing with this following the Martin v. Boise decision. The SMART's right-of-way is public property and certainly not open to the public, so that gives SMART some ability there. He asked if SMART had any public property that is open to the public that might be a concern and need to be thinking about. Chief McGill responded that staff has done a tremendous job in the last several years, keeping the right-of-way clear of tents. Our quick response has eliminated camps being placed on SMART's right-of-way. We don't have large camps anymore, we used to many years ago, but right now, these trespass calls and homeless calls are typically those walking along the right-of-way. If we do have large encampments, we work with our Law Enforcement agencies within the City to assist with that and make sure we are following Martin v. Boise and all applicable laws.

Director Colin thanked Chief McGill and asked a follow up question to Director Lucan's comment because the City of San Rafael have had issues with encampments. Does SMART also interact with the local Health and Human Service Agency like Marin County nonprofit or the Community based organizations that provide services? What the City of San Rafael found is by engaging with those agencies, we can get them to be place. Do you connect with the providers on a regular basis to deal with it? Chief McGill responded that we don't on a regular basis anymore; as mentioned several years ago when we were struggling with large camps, we would get connections with Marin County and Sonoma County Homeless Outreach and service organizations along with law enforcement. We would conduct outreach first, offer services, and we would go through all those steps. Currently, it is people walking, trespassing and anything within our right-of-way any homeless or not homeless people walking their dogs, those are trespassers as well. We have kids using cut through, people walking their dogs; all those are trespassers and totally unsafe due to the proximity of the train and the speeds, so we act on

that as quickly as we can to avoid accidents.

Chair Rabbitt thanked Chief McGill for all the great work and her team. It's challenging to stay on top of things and ensure the safety of the entire stretch of railroad.

The presentations have been a great learning experience for all of us. It shows again the accomplishments and a difficult year and the challenges going forward, it sets us up for a good discussion on issues that we need to deal with.

8. Next Regular Meeting of the Board of Directors, March 3, 2021 – 1:30pm
9. Adjournment – Meeting adjourned at 3:40pm

Respectfully submitted,

Leticia Rosas-Mendoza  
Clerk of the Board

Approved on: \_\_\_\_\_



March 3, 2021

**David Rabbitt, Chair**  
Sonoma County Board of Supervisors

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

**Judy Arnold**  
Marin County Board of Supervisors

**Melanie Bagby**  
Sonoma County Mayors' and  
Councilmembers Association

**Kate Colin**  
Transportation Authority of Marin

**Damon Connolly**  
Marin County Board of Supervisors

**Debora Fudge**  
Sonoma County Mayors' and  
Councilmembers Association

**Patty Garbarino**  
Golden Gate Bridge,  
Highway/Transportation District

**Susan Gorin**  
Sonoma County Board of Supervisors

**Dan Hillmer**  
Marin County Council of Mayors and  
Councilmembers

**Eric Lucan**  
Transportation Authority of Marin

**Chris Rogers**  
Sonoma County Mayors' and  
Councilmembers Association

**Farhad Mansourian**  
General Manager

5401 Old Redwood Highway  
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Petaluma, CA 94954  
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Fax: 707-794-3037  
[www.sonomamarintrain.org](http://www.sonomamarintrain.org)

Sonoma-Marin 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 reports for activity through the month of January which includes transactions for the seven months of Fiscal Year 2020/21.

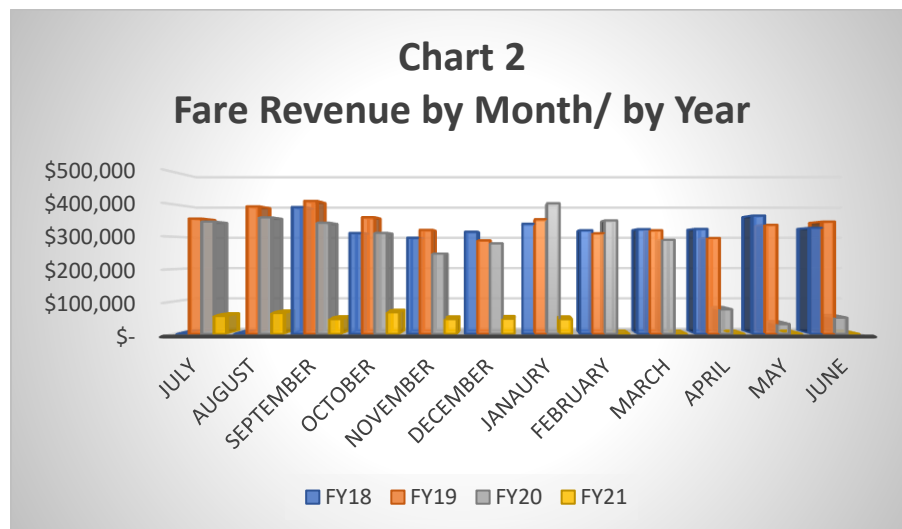
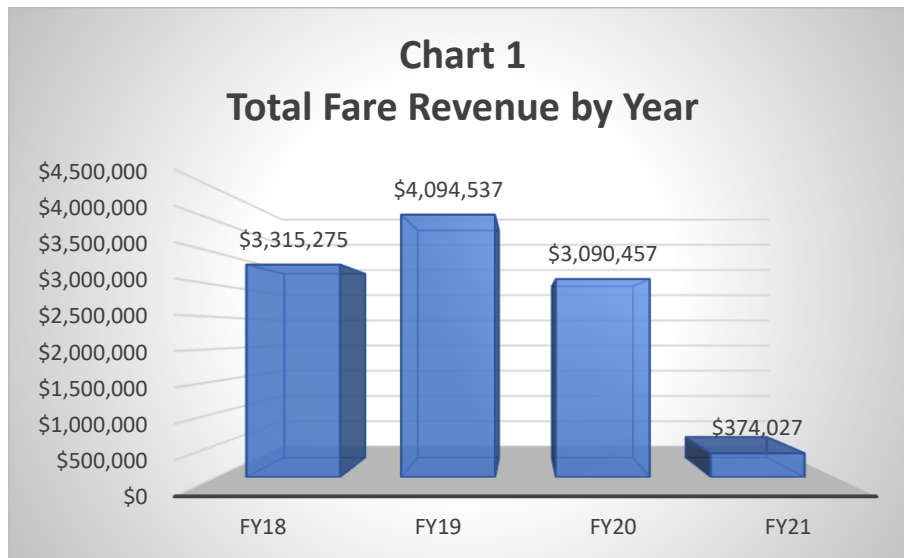
In February, you adopted an amended FY 2020/21 budget. Those revised numbers are reflected in the attached report even though the actuals are only through January 2021.

Based on anticipated higher sales and use tax revenues, we are expecting that \$ 3,821,132 will flow to the fund balance. In addition, due to higher revenues and additional cuts in expenditures, we no longer anticipating the need to use the fund balance in FY 2020/21 to fund operations or capital.

On page 2, we are showing \$49,206 remaining in the Bond Reserve Fund. This fund was eliminated when the bonds were refinanced in October and those funds will be transferred to the interest payable fund shortly.

Fare Revenue

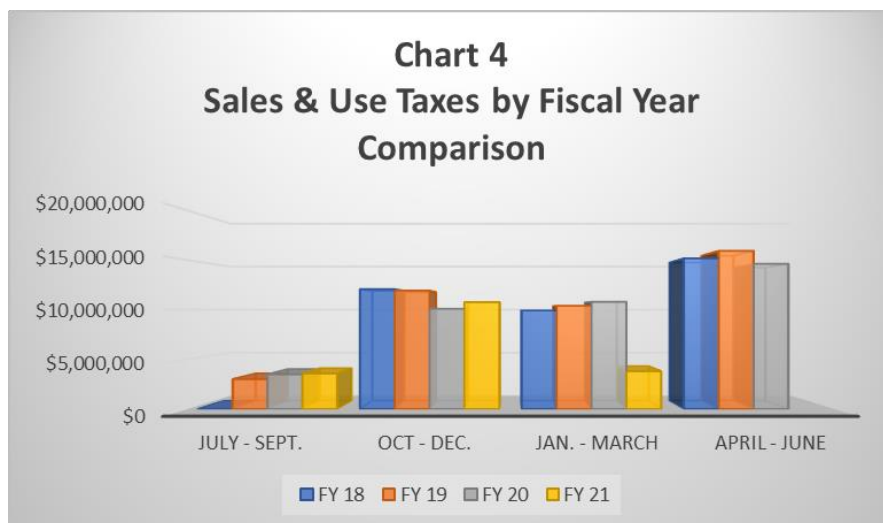
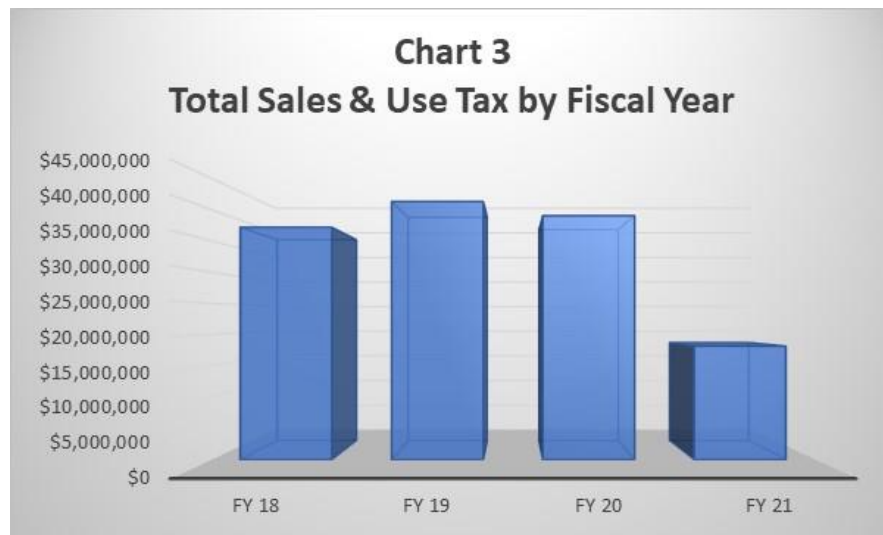
Fare revenue is \$374,027 for the first seven months of FY 2020/21. Chart 1 is fare revenue comparison for FY 2018 – FY 2021 to date. Chart 2 is fare revenue comparison by month and fiscal year.



### Sales and Use Tax

The amended budget estimated sales and use tax would be \$39,133,000. Through January 2021, we have received \$18,150,999. Even though the collections to date are slightly lower than expected in the amended budget, we still believe we are on track to collect around \$39 million. See chart 3 for a comparison of sales tax by fiscal year and chart 4 for sales tax by month by fiscal year.





Very truly yours,

\s\  
Heather McKillop  
Chief Financial Officer

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

# Sonoma-Marin Area Rail Transit District

Monthly Finance Reports  
Through January 2021

	FY 2020-21					
	Revised Budget		Actual	Remaining Budget		
Revenues						
Administration						
Sales/Use Taxes	\$	20,653,096	\$	14,553,380	\$	6,099,716
Interest Earnings		380,000		235,190		144,810
Rent - Real Estate		313,700		219,990		93,710
Advertising Revenue		45,000		10,032		34,968
Miscellaneous Revenue		4,120,693		4,195,296		-
Administration Subtotal		25,512,489		19,213,888		6,373,204
Operations						
Fund Balance		-		-		-
Sales/Use Tax		9,484,719		3,597,619		5,887,100
Fare & Parking Revenue		680,525		376,226		304,299
Federal Funds		9,794,348		6,894,349		2,899,999
State Grants		6,175,380		981,460		5,193,920
Other Charges		65,000		40,943		24,057
Operations Subtotal		26,199,972		11,890,597		14,309,375
Capital						
Sales/Use Tax		5,174,053		-		5,174,053
Federal Funds		4,494,025		-		4,494,025
State Grants		12,626,250		-		12,626,250
Other Governments/Misc		4,956,500		1,798,602		3,157,898
Measure M		157,348		53,091		104,257
Capital Subtotal		27,408,176		1,851,693		25,556,483
Freight						
State Grants		6,000,000		-		6,000,000
Freight Subtotal	\$	6,000,000	\$	-	\$	6,000,000
Revenue Total \$ 85,120,638 * \$ 32,956,178 \$ 52,239,062						
Expenditures						
Administration						
Salaries & Benefits	\$	5,041,970	\$	2,627,890	\$	2,414,080
Services & Supplies		6,183,260		2,080,747		4,102,513
Debt Service/Other Charges		14,284,259		4,015,051		10,269,208
Machinery & Equipment		3,000		2,416		584
Administration Subtotal		25,512,489		8,726,104		16,786,385
Operations						
Salaries & Benefits		15,510,578		6,935,664		8,574,914
Services & Supplies		8,259,616		2,350,714		5,908,902
Buildings & Capital Improvements		2,429,778		94,958		2,334,820
Operations Subtotal		26,199,972		9,381,336		16,818,636
Capital						
Salaries & Benefits		1,417,761		723,997		693,764
Services & Supplies		852,736		140,676		712,060
Other Charges		3,786,500		2,641,630		1,144,870
Machinery & Equipment		3,177,138		-		3,177,138
Infrastructure		18,174,041		10,310,503		7,863,538
Capital Subtotal	\$	27,408,176	\$	13,816,806	\$	13,591,370
Freight						
Expenditures		6,000,000		-		6,000,000
Freight Subtotal	\$	6,000,000	\$	-	\$	6,000,000
Expenditure Total \$ 85,120,637 ** \$ 31,924,246 \$ 53,196,391						

Investment Report			
		Amount	
Sonoma County Treasury Pool			
Bond Reserve Fund		\$	49,206
Interest Fund			546,158
Principal Fund			2,744,461
Sonoma County Treasury Pool Subtotal		\$	3,339,825
SMART Operating Accounts			
Bank of Marin			21,018,813
Sonoma County Treasury Pool			36,800,008
SMART Operating Accounts Subtotal	Total	\$	57,818,821
Investment Report Total		\$	61,158,646

Capital Project Report				
	Budget		Actual	
				Remaining
<b>Additional Railcar Purchase</b>				
Revenues	\$	11,000,000	\$	8,250,000 \$ 2,750,000
Expenditures	\$	11,000,000	\$	8,250,000 \$ 2,750,000
<b>Windsor Extension</b>				
Revenues	\$	65,000,000	\$	12,253,326 \$ 52,746,674
Expenditures	\$	65,000,000	\$	23,603,193 \$ 41,396,807
<b>Sonoma County Pathway Connector Project</b>				
Revenues	\$	13,573,526	\$	111,430 \$ 13,462,096
Expenditures	\$	13,573,526	\$	627,208 \$ 12,946,318

\* Total differs from revenue total in the Amended Budget. Variance is related to line 1 of Table 1 of the Amended budget, and is the amount of Sales Tax we anticipate will transfer to fund balance at Year-end

\*\* Expenditures are \$889,941 higher than amount shown in Amended Budget, and are a roll-forward from Fiscal Year 2019-20



## Contract Summary

Active Contracts as of February 1, 2021

Contractor	Scope	Fiscal Year 20/21 Projected	Fiscal Year 20/21 Actuals-To-Date
A.J. Janitorial Service	Janitorial Services for all Stations, Roblar, ROC, and Fulton	\$109,500.00	\$59,580.00
Ai-Media, Inc.	As Needed Live Captioning Services for Public Meetings	\$7,500.00	\$2,565.00
Air Technology West	Maintenance and On-Call Repair for Air Compressors	\$7,856.00	\$2,995.00
Alcohol & Drug Testing Services, LLC	DOT Drug and Alcohol Testing	\$25,000.00	\$4,209.00
Alliant Insurance Services	Insurance Brokerage & Risk Management Services	\$80,250.00	\$0.00
American Integrated Services, INC.	On-Call Biohazard Remediation Services	\$50,000.00	\$0.00
American Rail Consultants, Inc.	Railroad Bridge Engineering, Inspection, & Design	\$40,000.00	\$6,035.00
Aramark Uniform Services	Employee Uniform Provider and Cleaning Service	\$18,000.00	\$10,721.00
Asbury Environmental Services (AES)	Recycling & Disposal Service for Used Oil, Fuel Filters, Rags, and Related Equipment	\$20,253.00	\$695.00
Barbier Security Group	Security Patrol Services along Right-of-Way	\$74,825.00	\$0.00
Barnes & Company, LLC	Safety Outreach Services	\$15,000.00	\$0.00
Becoming Independent	Emergency Bus Bridge Services	\$50,000.00	\$6,000.00
Bettin Investigations	Background Investigations	\$8,000.00	\$2,180.00
Bright Star Security, Inc.	Security Patrol Services at SMART's Cal Park Tunnel	\$10,440.00	\$5,220.00
Burke, Williams & Sorensen, LLP	Litigation Support Services	\$100,000.00	\$0.00
Business Training Library, LLC	Cloud-Based Learning Courses	\$12,605.00	\$12,605.00
Certified Employment Group	Temporary Staffing Services	\$35,000.00	\$0.00
Cinquini & Passarino, Inc.	Right-of-Way Land Surveying and Related Services	\$36,000.00	\$4,128.00
Civic Edge Consulting	Social Media Outreach Strategy Consulting	\$99,975.00	\$0.00
CMC Traffic Control Specialists	Flagging and Traffic Control Services for SMART's Maintenance of Way Projects	\$10,000.00	\$0.00
Corey, Canapary & Galanis	NTD Compliant Passenger Counting Services	\$26,282.00	\$4,200.00
DeAngelo Brothers, LLC (DBI Services)	Vegetation Control Services	\$38,000.00	\$0.00
Delta Wheel Truing Solutions	Modifications to the Wheel Truing Machine	\$34,911.00	\$34,911.00
Doug Williams	Fire and Life Safety Consultant	\$8,000.00	\$570.00
Dr. Lance O'Connor	Occupational Health Screening Services	\$3,000.00	\$0.00
Dr. Mark Clementi	Pre-Employment Psychological Evaluations	\$25,000.00	\$12,414.00
eLock Technologies, LLC	Station Bike Lockers and Maintenance Services	\$13,130.00	\$2,783.00
Emily Betts	Transit Planning & Related Services	\$50,000.00	\$9,090.00
Empire Cleaners	Uniform Dry-Cleaning, Laundering, and Related Services	\$40,000.00	\$6,703.00
Emtec Consulting Services, LLC	Oracle Accounting System Support Services	\$15,000.00	\$0.00
Environmental Logistics, INC.	On-Call Biohazard Remediation Services	\$150,000.00	\$0.00
Federated Indians of Graton Rancheria	Tribal Monitoring for Ground-Disturbing Activities - Windsor	\$13,500.00	\$619.00
George Hills Company, Inc.	Third Party Claims Administration Services	\$25,000.00	\$2,239.00
GHD, Inc.	SWPP Compliance, AutoCAD Management, Traffic and Hydraulic Analysis	\$52,371.00	\$30,873.00
GHD, Inc.	3 Segments MUP Petaluma - Penningrove - Rohnert Park	\$949,101.00	\$576,799.00
Golden Gate Bridge, Highway and Transportation District	Customer Service Support Services	\$30,971.00	\$30,971.00
GP Crane & Hoist Services	Cal/OSHA Crane Inspection Services	\$15,000.00	\$1,859.00
Granicus, Inc.	Media Streaming & Internet Broadcasting Services	\$2,986.00	\$0.00
Granicus, Inc.	Media Streaming and Internet Broadcasting Services	\$2,514.00	\$2,514.00
Hanford A.R.C.	Implementation and Monitoring Las Gallinas Creek Riparian Enhancement Plan	\$16,600.00	\$8,622.00
Hanson Bridgett LLP	Legal Services	\$100,000.00	\$25,084.00
Heavy Equipment Transportation, Inc.	Transportation of Heavy Equipment	\$7,350.00	\$1,050.00
Hogan Lovells LLP	Legal Services - Freight and Passenger Rail Sector	\$25,000.00	\$4,979.00
Holland Company	Track Geometry and Measurement Services	\$24,000.00	\$24,000.00
Hulcher Services, Inc.	On-Call Derailment Services	\$100,000.00	\$0.00
Innovative Business Solutions	Payroll Processing Services	\$35,400.00	\$12,087.00
Integrative Security Controls, Inc.	CCTV Maintenance and Support	\$25,000.00	\$0.00

Contractor	Scope	Fiscal Year 20/21 Projected	Fiscal Year 20/21 Actuals-To-Date
Intelligent Technology Sollutions, Inc.	Maximo MMS Implementation and Support Services	\$228,000.00	\$51,247.00
JMA Civil, Inc.	On-Call Civil & Rail Engineering Design Services	\$96,000.00	\$0.00
Leete Generators	Generator Maintenance	\$4,392.00	\$3,236.00
LM Disability Consulting	Disability Access Consulting	\$12,000.00	\$2,556.00
Masabi LLC	SMART Mobile Ticketing Pilot Project	\$570,000.00	\$28,500.00
MaxAccel	Compliance Management Software Design/Implementation/Asset Management	\$9,966.00	\$7,928.00
Maze & Associates	Financial Audit Services	\$53,116.00	\$29,667.00
MGrodner, LLC	Project Management Services	\$30,000.00	\$2,730.00
Mike Brown Electric Co.	On-Call Electrical Maintenance	\$25,000.00	\$0.00
Militus, Inc.	Cyber Security Services	\$40,000.00	\$40,000.00
Mission Linen Supply	Employee Uniform Services	\$18,000.00	\$0.00
Modern Railway Systems, Inc.	Design and Construction of Systems Improvements for the Windsor Extension Project	\$5,000,000.00	\$3,530,846.00
Netspeed Solutions, Inc.	SMART Phone System Maintenance	\$16,118.00	\$11,867.00
Netwoven Inc.	SharePoint Maintenance, Support, Implementation, and Related Services	\$113,000.00	\$27,143.00
Nextdoor Inc.	Use of Nextdoor Platform for Community Notifications	\$10,529.00	\$10,529.00
Nixon Peabody LLP	Bond Counsel Services	\$100,000.00	\$80,000.00
North Bay SAP Services	Substance Abuse Professional Services	\$3,800.00	\$0.00
Occupational Health Centers of CA	Pre-Employment Evaluation Services	\$19,888.00	\$2,180.00
Oracle	Fusion ERP System	\$47,712.00	\$23,856.00
Pamco Machine Works, Inc.	Railroad Wheel Pressing Services	\$174,920.00	\$72,219.00
Parodi Investigative Solutions	Pre-Employment Background Investigation Services	\$18,000.00	\$3,000.00
PFM Financial Advisors, LLC	Bond Refinancing Financial Advising Services	\$150,000.00	\$150,000.00
Portola Systems, Inc.	SMART Station Network Configuration Services	\$220,545.00	\$178,631.00
Precision Wireless	Tech Support and Maintenance for Land Mobile Radio	\$30,000.00	\$2,575.00
Premier Fall Protection, Inc.	Inspection and Certification Services for SMART's Fall Protection Equipment	\$8,000.00	\$2,784.00
Public Financial Mangement, Inc.	Arbitrage Rebate Compliance Services	\$2,000.00	\$2,000.00
Railquip, INC.	Providing Portable Hydraulic Rerailing Equipment, Training, and Related Services	\$147,721.00	\$0.00
Santa Rosa Fire Equipment Service, Inc.	SMART Fire Equipment Maintenance	\$10,000.00	\$137.00
SEFAC USA	Portable Lifting Jack Inspection and Certification Services	\$8,000.00	\$1,270.00
Sonoma County Fleet Operation Division	Non-Revenue Fleet Maintenance Services	\$50,000.00	\$32,335.00
Sperry Rail Service	Rail Flaw Detection Services	\$13,500.00	\$0.00
SPTJ Consulting	Network Infrastructure, Security, Migration and Setup Services	\$340,470.00	\$59,192.00
Stacy and Witbeck, Inc.	Design/Build Construction of Civil, Track & Structures of Windsor Extension	\$9,946,500.00	\$9,143,070.00
Stacy and Witbeck/Herzog, JV	Design/Build Construction of Civil, Track & Structures Improvements of Larkspur Extension	\$443,166.00	\$443,166.00
Stantec Consulting Services, Inc.	Environmental Permit Management and Construction Compliance Monitoring	\$30,830.00	\$6,439.00
Stericycle, Inc.	Medical Waste Pick-Up and Disposal Services	\$1,836.00	\$0.00
Sue Evans	Real Estate Aquisistion, Relocation Services, Appraisal Support, Title Investigation Services	\$17,500.00	\$3,900.00
Sumitomo Corporation	Manufacture & Delivery of Rail Vehicles	\$2,750,000.00	\$0.00
Summit Signal, Inc.	Emergency Call-Out Services for Track and Signals	\$11,056.00	\$10,598.00
Survival CPR & First Aid, LLC	First Aid and CPR Training, AED Compliance Program	\$5,000.00	\$572.00
Swiftly, Inc.	AVL Mobile Application and Website Interface	\$8,400.00	\$0.00
Testing Engineers, Inc.	Material Failure Analysis on cracked flywheel from DMU	\$4,500.00	\$4,500.00
Trailant, LLC	Online Training Program	\$444.00	\$0.00
Transportation Analytics	Transit Financial Modeling, Benchmarking, Performance Metrics, Benefit-Cost Analysis, and Strategic	\$25,000.00	\$13,320.00
Transportation Certification Services, Inc.	Onsite Inspection and Training Services	\$0.00	\$0.00
Trillium Solutions, Inc.	Transit Feed Mapping Software	\$1,000.00	\$1,000.00
United Mechanical Incorporated	HVAC Maintenance Services at SMART Facilities	\$8,709.00	\$6,487.00

Contractor	Scope	Fiscal Year 20/21 Projected	Fiscal Year 20/21 Actuals-To-Date
United Mechanical Incorporated	Repair Air Dryer located at ROC	\$3,317.00	\$3,317.00
United Mechanical Incorporated	HVAC Service, Maintenance and Related Services	\$10,513.00	\$5,185.00
Van Scoyoc Associates	Federal Lobbying Services	\$60,000.00	\$25,000.00
VenTek Transit Inc.	Fare Vending Machine Operations and Maintenance Services	\$210,414.00	\$77,452.00
VenTek Transit Inc.	Clipper Vending Machine Operations and Maintenance Services	\$45,746.00	\$42,796.00
VenTek Transit Inc.	Clipper Card Vending Machine Contract Assigned to SMART	\$77,138.00	\$0.00
WBE	Existing CCTV System On-Call Maintenance	\$25,000.00	\$5,587.00
West Coast Arborists, Inc.	Tree Trimming and Tree Removal Services	\$30,000.00	\$0.00
WRA Environmental Consultants	Environmental Permitting, Management, & Support Services	\$204,000.00	\$82,143.00
Ziebarth and Associates, Inc.	Freight Service Consulting Services	\$20,000.00	\$6,469.00
	<b>TOTALS:</b>	<b>\$24,149,066.00</b>	<b>\$15,146,729.00</b>

Actuals-To-Date includes invoices that have been approved as of January 31, 2021, but may not have been processed in SMART's Financial System.



March 3, 2021

**David Rabbitt, Chair**  
Sonoma County Board of Supervisors

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

**Judy Arnold**  
Marin County Board of Supervisors

**Melanie Bagby**  
Sonoma County Mayors' and  
Councilmembers Association

**Kate Colin**  
Transportation Authority of Marin

**Damon Connolly**  
Marin County Board of Supervisors

**Debora Fudge**  
Sonoma County Mayors' and  
Councilmembers Association

**Patty Garbarino**  
Golden Gate Bridge,  
Highway/Transportation District

**Susan Gorin**  
Sonoma County Board of Supervisors

**Dan Hillmer**  
Marin County Council of Mayors and  
Councilmembers

**Eric Lucan**  
Transportation Authority of Marin

**Chris Rogers**  
Sonoma County Mayors' and  
Councilmembers Association

**Farhad Mansourian**  
General Manager

5401 Old Redwood Highway  
Suite 200  
Petaluma, CA 94954  
Phone: 707-794-3330  
Fax: 707-794-3037  
[www.sonomamarintrain.org](http://www.sonomamarintrain.org)

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. 1 with EMR, LLC to provide a 3-year extension of the software subscription for MaxAccel in the amount of \$68,000 for a total not-to-exceed amount of \$118,260

Dear Board Members:

**RECOMMENDATION:**

Authorize the General Manager to execute Contract Amendment No. 1 with EMR, LLC to provide a 3-year extension of the software subscription for MaxAccel in the amount of \$68,000 for a total not-to-exceed amount of \$118,260.

**SUMMARY:**

The Federal Railroad Administration ("FRA") requires each railroad to ensure compliance with testing and training of employees. In order to maintain compliance with these requirements, SMART implemented the cloud-based software program MaxAccel back in December of 2017 which provides safety training plan management, efficiency testing, certification and qualification management, as well as, hours of service timekeeping and compliance management. EMR, LLC is well established in the railroad industry with their software program, MaxAccel, being deployed by over 200 freight and passenger rail, industrial switching, port, barge, and railcar repair operations.

Amendment No. 1 provides SMART with a 3-year extension to the current software utilized by our Operations department and adds two additional modules to provide greater efficiency and compliance management: SafeTrack Analytics and SafeTrack Orders, Notices and Bulletins. SafeTrack Analytics will allow SMART's Operations Managers to comply with FRA regulations that require all testing programs to have periodic reviews and analyses of operational testing and inspection data. This program will analyze rules tested, times, locations, employees, and testing officer testing requirements. Operation Managers will analyze test data results to determine compliance for testing officers and employees tested.

The program will generate bi-annual and annual reports for Operation Managers to review and submit to the FRA as required. SafeTrack Orders, Notices and Bulletins will allow SMART's Operations management and dispatchers to deliver general orders, notices, and training requirements to each employee daily. This program will deliver information to employees as they start their shift to ensure timely receipt of all required documents and training by the employees. All records of information transmitted to employees are stored on the MaxAccel system.

Staff recommends authorizing the General Manager to execute Contract Amendment No. 1 with EMR, LLC to provide a 3-year extension of the software subscription for MaxAccel in the amount of \$68,000 for a total not-to-exceed amount of \$118,260.00.

**FISCAL IMPACT:** Funds for this Agreement are included in the Fiscal Year 2020-21 operations budget and assumed in the subsequent years.

**REVIEWED BY:** [ x ] Finance     /s/          [ x ] Counsel     /s/    

Very truly yours,

/s/  
Marc Bader  
Operations Manager

Attachment(s): EMR, LLC Contract Amendment No. 1



**FIRST AMENDMENT TO THE AGREEMENT FOR CONSULTANT SERVICES  
BETWEEN THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT  
AND EMR, LLC**

This First Amendment dated as of March 30, 2021 (the “First Amendment”), to the Agreement for Consultant Services by and between EMR, LLC (hereinafter referred to as “CONSULTANT”) and the Sonoma-Marin Area Rail Transit District (hereinafter referred to as “SMART”), dated as of December 7, 2017 (the “Original Agreement,” as amended and supplemented by this First Amendment, the “Agreement”).

**RECITALS**

WHEREAS, CONSULTANT and SMART previously entered the Original Agreement on December 7, 2017 to implement, train on, and support the following SafeTrack software products: (1) SafeTrack: Safety Training Program Plan Management, Efficiency Testing, Certifications/Qualifications Management, and (2) SafeTrack PHOS: Passenger Hours of Service Timekeeping and Compliance Management; and

WHEREAS, SMART desires to amend the Agreement to adjust the scope of work to add the SafeTrack Analytics and SafeTrack Orders, Notices and Bulletins modules, extend the term of the Agreement to March 31, 2024 and increase the not-to-exceed amount by \$68,000 for a total not-to-exceed of \$118,260.00.

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 2. LIST OF EXHIBITS”** The following exhibits are attached hereto and incorporated herein:

**(a) EXHIBIT A: SCOPE OF WORK**

The Exhibit A – Scope of Work from the Original Agreement dated December 17, 2017 is hereby amended to include the work described in the Exhibit A - Scope of Work attached to this First Amendment.

**(b) EXHIBIT B: BUDGET & SCHEDULE OF RATES**

The Exhibit B - Schedule of Rates from the Original Agreement dated December 17, 2017 is hereby amended to include the rates listed in the Exhibit B - Schedule of Rates attached to this First Amendment.

2. **“ARTICLE 5. PAYMENT”** Article 5 of the Agreement is amended as follows:

In addition to the not-to-exceed amount set forth in the Original Agreement, the contract amount shall be increased by an amount not-to-exceed \$68,000 for a total not-to-exceed amount of \$118,260.00 for the Agreement.

3. **“ARTICLE 6. TERM OF AGREEMENT”** is hereby deleted and replaced in its entirety with the following:

“The term of this Agreement shall remain in effect through March 31, 2024, unless terminated earlier in accordance with the provisions of **Article 7.**”

4. **ARTICLE 16. MISCELLANEOUS PROVISIONS.** Article 16 of the Agreement is amended to add Section 16.12 as follows:

Section 16.12 Acceptance of Electronic Signatures and Counterparts. The parties agree that this Contract, Agreements ancillary to this Contract, and related documents to be entered into this Contract will be considered executed when all parties have signed this Agreement. Signatures delivered by scanned image as an attachment to electronic mail or delivered electronically through the use of programs such as DocuSign must be treated in all respects as having the same effect as an original signature. Each party further agrees that this Contract may be executed in two or more counterparts, all of which constitute one and the same instrument.

5. 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

**EMR, LLC, D/B/A MAXACCEL**

Dated: \_\_\_\_\_

By \_\_\_\_\_  
Peter Sutcliffe, Managing Partner

**APPROVED AS TO FORM:**

Dated: \_\_\_\_\_

By \_\_\_\_\_  
District Counsel

## **EXHIBIT A SCOPE OF WORK**

This Exhibit A Scope of Work is written to supplement the Exhibit A Scope of Work included in the Original Agreement.

### **I. Objective:**

SMART is electing to add the following software modules to this Agreement: (1) SafeTrack Analytics and (2) Orders, Notices and Bulletins Modules.

### **II. SafeTrack Analytics Module**

- a. Consultant shall provide SMART with user access, basic set-up and onboarding, and basic support services of the SafeTrack Analytics Module.
- b. SafeTrack Analytics is a series of preconfigured Microsoft Power BI data representation dashboard embedded in SafeTrack which illustrate a variety of Key Performance Indicators (“KPIs”), statistics, heat maps, and other pertinent information related to efficiency testing. SMART will be able to quickly view the infographics and make determinations about trends in their testing programs. The data can be dynamically manipulated within the interface to sort and filter for desired results.
- c. If SMART has unique reporting or management requirements to meet a specific need, Consultant can scope, design, and deploy custom dashboards within the standard dashboard interface at the Professional Support Services hourly rate.
- d. SMART must create and maintain a Microsoft Power BI Pro account in order for this module to function. The Microsoft Power BI Pro account is required for authentication and publishing purposes and is not provided by Consultant.
- e. Consultant provides free-of-charge basic set-up and onboarding of this module.
- f. SMART shall designate at least two “Power Users” for this application to provide internal front-line support and will employ a “Train the Trainer” approach.
- g. This module is based on a software as a service (SaaS) model.
- h. The go-live date for this module will be April 1, 2021.

### **III. SafeTrack Orders, Notices and Bulletins Module**

- a. Consultant shall provide SMART with user access, basic set-up and onboarding, and basic support services of the SafeTrack Orders, Notices and Bulletins Module.
- b. The use of this module enables SafeTrack PHOS to electronically deliver Orders, Notices, and Bulletins to employees within the module. The employee is required to acknowledge reading the document and that information is stored for future reference. An embedded editor is used to create the documents or SMART-produced documents can be uploaded into the application. Reporting is available and can be configured to determine which employees have read the documents and for other management purposes.

- c. Consultant provides free-of-charge basic set-up and onboarding of this module.
- d. SMART shall designate at least two “Power Users” for this application to provide internal front-line support and will employ a “Train the Trainer” approach.
- e. This module is based on a software as a service (SaaS) model.
- f. The go-live date for this module will be April 1, 2021.

#### **IV. Support Services**

This section supplements the “Support Services” section included in the Exhibit A Scope of Work of the Original Agreement.

- a. Consultant shall provide SMART with all automatic application upgrades as they become available.
- b. Consultant shall provide SMART with secure hosting and responsive customer support.
- c. Any third-party application support is provided by the provider, supplemented to the extent possible by Consultant.
- d. SMART is responsible for the management and resolution of any problematic template data.
- e. If SMART requires additional training, custom reporting dashboards, changes to application interfaces, functionality or current system workflows, Consultant will scope the requested service and provide SMART with a quote. The estimate will be based on the Professional Support Services rate of \$185.00 per hour. Consultant reserves the right to decline enhancement or integration requests.

**EXHIBIT B  
SCHEDULE OF RATES**

The below schedule of rates will apply to the Agreement from April 1, 2021 – March 31, 2024.

<b>Software Module</b>	<b>04/01/2021 – 12/31/2021</b>	<b>01/01/2022 – 12/31/2022</b>	<b>01/01/2023 – 12/31/2023</b>	<b>01/01/2024 – 03/31/2024</b>
<b>SafeTrack</b>	The greater of \$620 or \$7.95 per Active Employee per Month	The greater of \$640 or \$8.20 per Active Employee per Month	The greater of \$675 or \$8.60 per Active Employee per Month	The greater of \$695 or \$9.00 per Active Employee per Month
<b>SafeTrack Analytics</b>	The greater of \$150 or \$0.50 per Active Employee per Month	The greater of \$165 or \$0.65 per Active Employee per Month	The greater of \$180 or \$0.80 per Active Employee per Month	The greater of \$190 or \$0.85 per Active Employee per Month
<b>SafeTrack PHOS</b>	The greater of \$515 or \$5.65 per Active Employee per Month	The greater of \$530 or \$5.80 per Active Employee per Month	The greater of \$550 or \$6.10 per Active Employee per Month	The greater of \$575 or \$6.40 per Active Employee per Month
<b>SafeTrack PHOS Orders, Notices and Bulletins</b>	The greater of \$250 or \$2.50 per Active Employee per Month	The greater of \$260 or \$2.60 per Active Employee per Month	The greater of \$275 or \$2.75 per Active Employee per Month	The greater of \$290 or \$2.90 per Active Employee per Month

**Professional Support Services** = \$185.00 per hour.



**David Rabbitt, Chair**  
Sonoma County Board of Supervisors

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

**Judy Arnold**  
Marin County Board of Supervisors

**Melanie Bagby**  
Sonoma County Mayors' and  
Councilmembers Association

**Kate Colin**  
Transportation Authority of Marin

**Damon Connolly**  
Marin County Board of Supervisors

**Debora Fudge**  
Sonoma County Mayors' and  
Councilmembers Association

**Patty Garbarino**  
Golden Gate Bridge,  
Highway/Transportation District

**Susan Gorin**  
Sonoma County Board of Supervisors

**Dan Hillmer**  
Marin County Council of Mayors and  
Councilmembers

**Eric Lucan**  
Transportation Authority of Marin

**Chris Rogers**  
Sonoma County Mayors' and  
Councilmembers Association

**Farhad Mansourian**  
General Manager

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March 3, 2021

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

**SUBJECT:** Review of 2020 Activities and 2021 Goals and Challenges

Dear Board Members:

**RECOMMENDATIONS:** Discussion and Provide Feedback

**SUMMARY:**

At your January 20<sup>th</sup> Board meeting; you reviewed the suggested discussions for the next several months. At your February 3<sup>rd</sup> and February 17<sup>th</sup> meetings you received departmental reports from Legal, Finance, Human Resources, Procurement, Information Technology, Real Estate, Operations, Train Control Systems and Public Safety.

Today you will receive departmental presentations from Capital Projects, Grants and Planning and Community Outreach.

Also, in today's session we will solicit your ideas and that of the public regarding developing strategies for our "Welcome Back Campaign". In this discussion we are requesting your general thoughts on the following topics:

- Marketing
- Incentives
- Partnerships
- Service Schedule
- Safety

Our goal is to develop a robust passenger growth plan targeting our previous riders and new riders from unexplored or new markets.

In April, we will provide information on capital projects and financing options. This will be a critical discussion in preparation for upcoming Federal infrastructure investment discussions that undoubtedly will take place.

In anticipation of the Annual Budget and Short-Range Transit Plan coming to the Board in May and June, we will continue our presentations in the Spring of 2021 covering our system service schedules and fare policies, requesting public and Board input on both topics, including implementation of possible modifications.

In April, we will discuss for you options for developing a set of performance measures that we will use in going forward to gauge how we are doing and how we are doing in comparison to other transit agencies. These measures then become a tool to be available and updated periodically, will be used for all of us to easily determine areas where we may need to make operational or policy adjustments. These measures can be incorporated into the Short-Range Transit Plan and monitored annually as part of the Annual Budget process.

Finally, in May, we will discuss rail freight operations and services. Assuming the Federal process is successful, we will discuss personnel, levels of service, types of service and discuss policies and guidelines that need to be developed to address these services.

We would appreciate receiving any directions and feedback that you or members of public might have for us. The PowerPoint we provided at our January 20, 2021 board meeting showing the next several months activities are attached here as a reference.

**FISCAL IMPACT:** None

Very truly yours,

/s/

Farhad Mansourian  
General Manager

Attachment(s): Board of Directors' Presentation - January 20, 2021



# SMART BOARD OF DIRECTORS

## Review of 2020 Activities and 2021 Goals and Challenges



January 20, 2021

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# January 20, 2021 Board of Directors Public Meeting

- Review February – June 2021 Board Work Plan & Public Discussion Schedule
  - Budget
  - 2020 Performance Report
  - 2021 Goals and Challenges
  - Capital Plan
  - Listening Sessions
  - Welcome Back Campaign
  - Freight
- Receive Feedback and Directions



# February 3, 2021 Board of Directors Public Meeting

## 2020 Department Activities Report and 2021 Goals and Challenges

### Department Presentations:

- Legal
- Finance
- Human Resource
- Procurement
- Information Technology





# February 17, 2021 Board of Directors Public Meeting

## 2020 Department Activities Report and 2021 Goals and Challenges

### Department Presentations:

- Real Estate
- Operations
- Train Control and Systems
- Safety and Security







# March 3, 2021 Board of Directors Public Meeting

## 2020 Department Activities Report and 2021 Goals and Challenges

### Department Presentations:

- Capital Projects
- Grants and Legislation
- Planning
- Customer Outreach







# March 17, 2021 Board of Directors Public Meeting

## Listening Sessions

- Review comments received during these sessions thus far
- Review process for discussion and implementation
- Listening Sessions Implementation Report
  - Short term
  - Long term
  - Required Resources, if any.



# April 7, 2021 Board of Directors Public Meeting

## **Transit Operating Services & Capital Plan**







# Transit Operating Services

- Discuss Post COVID-19 Recovery and Growth Plans
- Review Existing Fare Policies and Discuss Options
- Review Weekday and Weekend Schedules
- Review Service Performance Measures

# Capital Plan

- Review Adopted Principles
- Review Pending Projects
- Review New Projects
- Financing Options

Begin **2021-22 Budget Process** Incorporating decisions made in the previous sessions

# April 21, 2021 Board Of Directors Public Meeting

- Review Welcome Back Campaign
  - Strategies
  - Marketing
  - Incentives
  - Partnerships





# May 5, 2021 Board of Directors Public Meeting

## ■ Freight Update

- Legislation Status
- Federal Approval Status
- Review Potential New Policies
- Review Potential New Marketing Strategy
- Review Options for Providing Freight Services
  - In House
  - Contract out





# May 19, 2021 Board of Directors Public Meeting

- Present Draft Fiscal Year 2021-2022 Annual Budget
- Release Draft Short-Range Transit Plan & Capital Improvement Program
- Public and Board Comments & Discussions

# June 2, 2021 Board of Directors Public Meeting

- Adoption of Fiscal Year 2021-2022 Budget

# June 16, 2021 Board of Directors Public Meeting

- Adoption of 2022-2032 Short-Range Transit Plan & Capital Improvement Program



# Connect with us:

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## Customer Service:

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