



**BOARD OF DIRECTORS
MEETING AGENDA
June 15, 2022 – 1:30 PM**

In accordance with AB 361, Sonoma-Marin Area Rail Transit District Resolution No. 2021-24, Governor Newsom's March 4, 2020, State of Emergency due to the COVID-19 pandemic and Marin and Sonoma Counties Health Officials recommendations to continue measures that promote social distancing the SMART Board of Directors Meeting will continue to be held virtually through Zoom.

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, June 14, 2022 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 period 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 June 1, 2022, Board Meeting Minutes
3. Board Member Announcements
4. General Manager's Report
5. Public Comment on Non-Agenda Items

Consent Calendar

- 6a. Accept Monthly Ridership Reports – May 2022
- 6b. Authorize the General Manager to execute Contract Amendment No. 11 with Hanson Bridgett LLP for legal support services in the amount of \$150,000 for a contract not-to-exceed amount of \$950,000
- 6c. Authorize the General Manager to execute Contract Amendment No. 2 with Allen, Glaessner, Hazelwood for legal services in an amount of \$100,000, and extending the term for one (1) year to June 30, 2023
- 6d. Consider and Approve a Resolution to continue virtual Tele/Video Conference Meetings during the COVID-19 State of Emergency

Regular Calendar

- 7. Authorize the General Manager to execute Contract Amendment No. 1 to the Interim Freight Rail Service Agreement No. FR-PS-21-002 with Summit Signal, Inc. in an amount of \$119,563.50 to continue providing routine maintenance and inspections of SMART's signals, crossing warning devices, and wayside equipment on the Brazos Subdivision line for six months – *Presented by Jon Kerruish*
- 8. Approval of Resolutions Adopting the Fiscal Year 2022-23 Budget, Annual Appropriation Limit and Investment Policy – *Presented by Heather McKillop*
- 9. Approve a hybrid in-person and remote option for public meetings and provide for the continued use of Tele/Video Conferencing for District Public Meetings for virtual and remote public participation – *Presented by Eddy Cumins*
- 10. Next Regular Meeting of the Board of Directors, July 20, 2022 – 1:30 PM
- 11. Adjournment

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@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
June 1, 2022 - 1:30 PM**

In accordance with AB 361, Sonoma-Marina Area Rail Transit District Resolution No. 2021-24, Governor Newsom's March 4, 2020, State of Emergency due to the COVID-19 pandemic, and Marin and Sonoma Counties Health Officials recommendations to continue measures that promote social distancing, the SMART Board of Directors Meeting will continue to be held virtually through Zoom.

MEMBERS OF THE PUBLIC MAY NOT ATTEND THIS MEETING IN PERSON

1. Call to Order

Chair Rabbitt called the meeting to order at 1:31pm. Directors Bagby, Colin, Connolly, Coursey, Fudge, Garbarino, Hillmer, Lucan and Pahre were present; Director Arnold absent; Director Rogers joined later.

2. Approval of the May 18, 2022, Board Meeting Minutes

Director Connolly joined at 1:33pm

MOTION: Director Hillmer moved approval of May 18, 2022 Board Meeting Minutes as presented. Director Lucan second. The motion carried 10-0 (Director Arnold absent; Director Rogers joined later).

3. Board Members Announcements

Director Coursey announced the passing of Willard Richards, whom was a great supporter of SMART and very active in the community on environmental issues.

Director Fudge suggested that today's meeting be adjourned in memory of Willard Richards.

4. General Manager's Report

General Manager Cumins provided a brief update on the following:

- Ridership
- Google Transit
- Service Reminders

- Schellville Yard Cleanup
- Highlight of the Month.

Ridership Update

- Ridership is continuing to climb. SMART carried 38,655 riders in the month of May and May ridership is up 13% from April, and up 70% from January. We are currently carrying 60% of our pre-COVID monthly ridership.
- Weekend ridership played a key role with the addition of Sunday service on May 1. May weekend ridership is up 70% over April. We carried 3,222 additional riders on our Sunday service.
- Not all increases came from weekend service, average weekday ridership continues to climb – average weekday daily boardings on May was 1,482, which is up 4% over April.
- Weekday ridership continues to trend upward:
 - February – ridership increased 21%
 - March – ridership increased 8%
 - April – ridership increased 2%
 - May – ridership increased 4%
- Ridership on May 31, 2022 was our highest day to date since the pandemic at 1,623 riders.

Google Transit

- General Manager Cumins reported that SMART now has real-time data already on Google Maps, Apple Maps, and the Transit App.
- Google Transit took some time to get SMART real-time information on-line due to its detailed review process, but real-time information is now live on Google Maps and Google Transit.
- General Manager Cumins believes this will be a great tool for SMART's customers.

Service Reminders

- The Muir Woods Shuttle is moving to Larkspur beginning on June 4th. General Manager Cumins cannot think of a better way to visit Muir Woods than taking the train to Larkspur and the shuttle to Muir Woods.
- SMART is increasing its service schedule by adding ten additional weekday trips beginning on June 13. New schedule is available on SMART's [website](#).
- SMART is promoting Tips for Trips its social media channels and the website.
 - Railroad Square Music Festival, June 12th 12 PM – 7:30 PM
 - Novato Chamber Art, Wine, & Music Festival, June 18th, 11 AM – 7 PM and June 19th, 11 AM – 6 PM
 - Marin County Fair, June 30th – July 4th, 11 AM – 11 PM

Schellville Yard

- General Manager Cumins reported that about 5 minutes after SMART took over freight service, he began receiving complaints about the condition of the Schellville yard. Requests for SMART to take action to clean up the rail yard were made. There was a large debris pile, and an old RV located at the rail yard. The Schellville yard has since been cleaned up – Freight Manager, Jon Kerruish, has done a great job of getting the Schellville yard back in order.

Highlight of the Month

SMART's Superintendent of Transportation, DeAndre Bess, was featured on a segment of KQED's food show Check Please! Bay Area: <https://youtu.be/dw7l7wIPOwA>

Comments

Director Coursey asked if staff can provide the Trips for Tips schedule to Board members, for them to easily distribute on social media.

Director Bagby stated she looks forward to the train for Muir Woods. She asked who the contact person would be to coordinate with LandPaths Executive Director, Craig Anderson on a marketing material. General Manager Cumins responded Matt Stevens and himself.

5. Public Comment on Non-Agenda Items

Richard Brand congratulated the Board members in their selection of the new General Manager Cumins. Mr. Cumins has been speaking to the public about SMART and he has an open mind. Mr. Brand has spoken to Freight Manager Kerruish about some ideas of getting freight service running and profitable.

Jack Swerengen stated that Willard Richards was an active member of Friends of SMART. Mr. Richards wrote the first DMU white paper, he will be missed, he added.

Director Rogers joined at 1:50pm

Joseph Tassone said that in Japan they have train and bus combination transportation. He has submitted documents in the past and has not received a response. He asked for a contact person. General Manager Cumins stated that correspondence can be sent to customerservice@sonomamarintrain.org

Eris Weaver stated that she noticed today while riding the train that there were more bicycles and there have been times where there is no room for more bicycles. She suggested making more space for bicycles as ridership increases. She asked if there are plans for accommodation of more bicycles on the train. General Manager Cumins stated that more service has been added and could spread the bicycle ridership throughout the day.

Director Bagby stated that for some people is not an extra to take their bicycle as a means for transportation, they have made the adjustments and commitment. She suggested that staff consistently track the bicycle population on the train and that it gets on the agenda if the space for bicycles does become an issue. General Manager Cumins responded that bicycles are monitored daily and by 7:30am we know how many bicycles were on the train.

6. Consent

- a. Approval of Monthly Financial Reports - April 2022
- b. Consider and Approve a Resolution to continue virtual Tele/Video Conference Meetings during the COVID-19 State of Emergency
- c. Authorize the General Manager to execute Contract Amendment No. 2 with Nossaman, LLP Legal Services to provide legal support in several projects and litigation in an amount of \$250,000 and extend the term for two (2) years

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

MOTION: Director Garbarino moved approval of the Consent Agenda as presented. Director Rogers second. The motion carried 10-0 (Director Arnold absent; Director Rogers joined later).

7. Consent to participating in Metropolitan Transportation Commission's (MTC) Institutional Transit Pass Pilot Program – *Presented by Heather McKillop*

Chief Financial Officer, Heather McKillop, stated that today we are presenting a pilot program overview for your consent. In the fall of 2021, the Bay Area Fare Integration Task Force adopted a Policy Vision Statement for fare integration in the 9-county region. The first action in the Statement is “deployment of an all- transit agency institutional/employer pass demonstration pilot in 2022, with a focus on educational institutions, affordable housing properties, and employers of various sizes, pending available resources/technical considerations.”

The objective of the pilot is to evaluate the degree to which an institutional transit pass covering all operators may increase transit ridership and better the needs of users and institutions, as compared to a single-agency pass. The idea is that, by having a pass that's available on all those different agencies, you would use your pass more often and you would ride transit more often, because it would have all that interconnectivity.

The pilot will be structured in two phases:

- Pilot Phase 1 (Target of 8/2022): Educational institutions and affordable housing properties
- Pilot Phase 2 (2023): Employers in transit-rich locations such as downtown San Francisco, Oakland, and San Jose

Phase 1 will include up to 50,000 participants at five Bay Area institutions, of which Santa Rosa Junior College (SRJC) is one. Pre-pandemic, SRJC was part of SMART's institutional pass program. The institutional program was designed to provide a discount for those businesses or higher education institutions that bought in bulk. In May of 2021, we eliminated the institutional pass as the new discounted rates were lower in cost to businesses than what they could obtain through the institutional pass. In addition, with the monthly pass, businesses don't have to buy certain number of passes to qualify for the lower rate. The Santa Rosa Junior College is a participating agency, and it is a benefit to all transit agencies, including SMART.

The Year 1 allocation for the pilot will be an upfront payment of \$9,142 for SMART, which is our share of \$2.2 million based on fare revenue in FY 2018-19. The Year 2 allocation, which will also total \$2.2 million regionally, is intended to be a “Top Up” based on actual usage observed during the first year of the pilot.

We asked that the Board consent that SMART enter the Pilot Program.

Comments

Richard Brand asked if the Larkspur Ferry is included in the program. Ms. McKillop responded that the intent is for all transit providers participate in the pilot program and they are still working through the process of having a list of transit agencies.

Rick Luttmann asked for clarification of the \$9,142 for the entire pilot program. Ms. McKillop responded that the amount is for the year, and it is consistent with what SMART received in fiscal year 2018-19.

Director Rogers stated that SRJC students voted to charge themselves transportation fees to better invest in public transit. They have free ridership on Santa Rosa City Bus and Sonoma County Transit. SRJC has made a good investment in public transit, and they are committed to it. He said this is a great partnership with the SMART Board and thanked staff for bringing it forward.

Director Connolly asked if there are other Marin and Sonoma education institutions that can be considered as part of this program. Ms. McKillop responded that currently is only the Santa Rosa Junior College, it is limited and spread throughout the entire region who can participate in this for first pilot, but if it's successful, it will be rolled out to all higher education entities that want to participate.

Chair Rabbitt stated that through MTC he was told that the educational institutions that are participating are those that already have a mechanism to allow this discount to happen. San Francisco State and San Jose State have their card and they are taking those pilot programs and instituting them in those areas to evaluate if it works then it will be expanded elsewhere, and more institutions will be brought along.

8. Approve a Resolution to Amend Fiscal Year 2021-22 Freight Budget in an amount of \$126,973 – *Presented by Heather McKillop*

Chief Financial Officer, Heather McKillop stated that SMART took over freight operations and uses a 3rd party freight operator contracted on temporary basis while SMART went through recruitment and hiring process. The contract was for three months with month-to-month extension available.

Due to hiring challenges, it will require us to extend the contract one more month through the June 30, 2022. Although we have contract authority for this extension, we need to budget the funds for the additional month. We have estimated that we will need \$121,973. In addition, with the increasing price of fuel, we also anticipate needing an additional \$5,000 for fuel for May and June.

Staff recommends adoption of Resolution No. 2022-20 to amend Fiscal Year 2021-22 Freight Budget. Attachment 1 of the packets shows the money is coming from the fund balance that was going to be carried forward to next year, so it takes the fund balance from \$1.2 million down to \$1.1 million.

Comments

Chair Rabbitt asked what the percentage of the overall operating costs of fuel is. Ms. McKillop responded that fuel is about 10% of our overall operating budget. We have made that adjustment for the budget going forward in the new fiscal year and we will be checking that again before we present that final budget.

MOTION: Director Garbarino moved to Approve a Resolution to Amend Fiscal Year 2021-22 Freight Budget in an amount of \$126,973 as presented. Vice Chair Pahre second. The motion carried 11-0 (Director Arnold absent).

9. Authorize the General Manager to award Contract No. IT-PS-22-001 to SPTJ Consulting, Inc. to provide network monitoring and support services with a not-to-exceed amount of \$303,219 for each Fiscal Year included in the initial three-year term – *Presented by Ken Hendricks*

Procurement Manager, Ken Hendricks, stated that SMART contracts with a consultant to provide ongoing management and maintenance support for SMART's Administration Network. The Administration Network encompasses the configuration of network equipment located at four SMART facilities. This network manages all data, voice, and video transmission within and between SMART's facilities, including connections to fare collection equipment, CCTV security equipment, fare vending equipment, and card payment systems.

This consultant is responsible for maintaining a 99.9% uptime of the Administration Network by providing on-call 24/7 onsite and remote support and monitoring, managing equipment warranties and warranty repair, and regular system and security updates.

The existing contract for these services expires on June 30, 2022. In anticipation of the contract expiration, SMART issued a Request for Proposal (RFP), SMART received 4 responsive proposals. SMART's selection committee reviewed the proposals using the evaluation criteria specified in the RFP. The selection committee determined that SPTJ Consulting, Inc. provides the overall best benefit to SMART and is recommending the firm for the award of this contract.

Staff recommends authorizing the General Manager to award Contract No. IT-PS-22-001 to SPTJ Consulting, Inc. to provide network monitoring and support services with a not-to-exceed amount of \$303,219 for each Fiscal Year included in the initial three-year term.

MOTION: Vice Chair Pahre moved to Authorize the General Manager to award Contract No. IT-PS-22-001 to SPTJ Consulting, Inc. to provide network monitoring and support services with a not-to-exceed amount of \$303,219 for each Fiscal Year included in the initial three-year term as presented. Director Rogers second. The motion carried 11-0 (Director Arnold absent).

10. Approve a Resolution Authorizing the General Manager to award Contract No. EV-PS-22-001 to WRA, Inc. for As-Needed Environmental Consulting Services for a total not-to-exceed contract amount of \$450,000 and a term of 3 years, with two additional one-year options to extend at \$150,000 per year – *Presented by Bill Gamlen*

Chief Engineer, Bill Gamlen, stated that the recommendation is to award a contract for Environmental Consulting Services. This contract will replace two contracts that will expire on June 30, 2022. This contract will provide continued assistance with environmental permitting, field studies, environmental reviews, and on-going monitoring of mitigation projects.

SMART issued a Request for Proposals for As-Needed Environmental Consulting Services. SMART received four (4) proposals. SMART's selection committee reviewed the proposals and based on this rating method SMART concluded that WRA, Inc. was the highest-ranking proposer.

Staff recommends approving Resolution No. 2022-21 authorizing the General Manager to execute Contract No. EV-PS-22-001 with WRA, Inc. for a total not-to-exceed contract amount of \$450,000 and a term of 3 years, with two additional one-year options to extend at \$150,000 per year.

Comments

Director Coursey asked who were the consultants that performed the work prior to this approval. Mr. Gamlen responded that two consultants: 1) WRA, Inc; and 2) Stantec Consulting Services.

MOTION: Director Hillmer moved to Approve a Resolution Authorizing the General Manager to award Contract No. EV-PS-22-001 to WRA, Inc. for As-Needed Environmental Consulting Services for a total not-to-exceed contract amount of \$450,000 and a term of 3 years, with two additional one-year options to extend at \$150,000 per year as presented. Vice Chair Pahre second. The motion carried 11-0 (Director Arnold absent).

11. Approve additional service on June 12 and June 26 to meet the Golden Gate Ferry service from Oracle Park – *Presented by Emily Betts*

Principal Planner, Emily Betts, stated that staff is recommending adding service to meet the ferry for Giants games on Sunday, June 12th and Sunday, June 26th. She provided a presentation which will be posted on the website. Highlights include:

Giants Special Ferry Service

- Golden Gate Ferry runs special service directly from Larkspur to Oracle Park for Giants games
- Ferry crossing is 60 minutes
- Ferry leaves Larkspur 1 ½ hours before game time and departs Oracle ½ hour after the last out or end of event
- Tickets must be purchased in advance online and are \$15.50 per person one way

SMART Service to Giants Ferry

- SMART receives many requests for service to the Giants ferry
- Weekend Giants games are 1:05pm, 4:15pm, or 7:15pm.
- The **variation** in length of baseball games requires the ferry and train to hold for an unknown period of time
- Current budgeted SMART staffing levels and labor contracts do not permit the train to hold for the return trips for the 4:15pm and 7:15pm games.
- **1:05pm game** return can be served by the addition of a special train, departing Larkspur at approximately 6:15pm (or 25 minutes after ferry arrival).
- **Dates:** Sunday, June 12th and Sunday, June 26th, 2022

Giants Service Details

Schedule

- Southbound trip – can be served with existing southbound 9:31am, getting to Larkspur at 10:50am; 45-minute transfer
- Northbound trip – departing Larkspur at approximately 6:15pm; overflow served by 7:30pm Northbound trip

Ticketing

- Utilize existing fare structure for this pilot service

- Ticketing for the train and ferry would need to be purchased separately by the rider
- SMART riders should use the regular Clipper or Mobile App fares, as the “Rail and Sail” discount will not apply to the special Giants ferry service

Door to Door Service

- Offers **coordinated service** to the public, to make traveling to Giants games more convenient and stress-free.
- **Door to Door service:** North Bay residents can travel car-free from their closest SMART station to the Marina Gate at Oracle Park, avoiding traffic and the hassle of parking.

Comments

Director Rogers stated that he hears frequently from constituents that they like to be able to take the train to the Giants game and not have to worry about parking or traffic. He asked what would need to learn from the pilot, to be able to expand or what type of conversations need to take place with our Labor partners to be able to expand in the future. General Manager Cumins responded that this pilot program is going to run this on overtime. Staff must comply with hours of service requirement, if this is done on a regular basis, and we were providing additional service SMART will need to hire two additional members to meet the demand. This is an opportunity to see if the demand is there, since this is what we hear from the Community. Director Rogers said that it takes time for people to know that the service is available and to start to rely on the service. He is not sure two weekend days is going to give adequate information and he is in favor of expanding for a longer period. This program will be successful once people learn that they can rely on. General Manager Cumins said that he is willing to explore and re-evaluate after the first game. He looks forward in receiving feedback and open to bringing that back to the Board in the future.

Director Fudge stated that there are the passing sliding factors to consider as to how long the train can wait. She thinks this pilot program is going to be super successful from the beginning, since people have been talking and asking for this service. She suggested that advertisement starts immediately so the public is aware of the service.

General Manager Cumins stated that first week it will be a two car train and depending on the demand and feedback received, the second game may add the third car to provide a more room.

Vice Chair Pahre said she can only imagine how complicated it would be to get a train to meet the Larkspur Ferry if it isn't already scheduled. The Golden Gate Bridge was excited to get the ferry back to the Games. She suggested providing more information when is brought back to the Board to make a better decision. She trusts the staff and appreciate their tenacity and their ability to look at every little detail to make this program possible.

Director Coursey stated that this can also be a marketing opportunity for people to use the train and ferry on the regular schedule. He knows people who regularly use the train to get to Giants games on Wednesday. He asked about the status of the snack bar on the trains be returned. General Manager Cumins responded that it needs to be re-evaluated, since he had heard good and bad comments. To make sure that snack bar successful and profitable the train needs to be full.

Director Connolly stated he appreciates the pilot program presented. He is excited about it. Tips for Trips and social media outreach has been good. He particularly appreciated that SMART provided options to get to the Carnival Festival in the Mission District on May 29th. He suggested similar outreach for the Giants game would be great.

General Manager Cumins responded that staff is planning to do a press release regarding this service. He is excited to see the outcome of the pilot programs and ridership.

Principal Planner, Ms. Betts mentioned that the Giants marketing department is going to be sending an email to their mailing list in the North Bay marketing the service. This is a good partnership.

Chair Rabbitt stated that this is an excellent opportunity for a pilot of two games given the circumstances. Hopefully it is successful that we could discuss with Golden Gate Bridge about the overall pricing of what we need to do to cover our costs, which is probably higher than the regular fare to consider any overtime.

Dani Sheehan thanked staff and the Board for this pilot program since the public has been asking for some time.

Richard Brand suggested adding the third train car, since this program is going to be successful. He thinks this program will awaken people to the needs to support the future tax.

Steve Birdlebough suggested adding the third train car because people are enthusiastic about this, and we don't want to be overcrowded.

Lastly, General Manager Cumins stated that staff will be monitoring social media and the comments sections of the newspaper to evaluate if there is a need for the additional train car. The cost of attaching and detaching that third car is approximately \$750 and obviously we want everybody to have a great experience and want to be successful.

MOTION: Director Lucan moved to Approve additional service on June 12 and June 26 to meet the Golden Gate Ferry service from Oracle Park as presented. Director Bagby second. The motion carried 11-0 (Director Arnold absent).

12. Next Regular Meeting of the Board of Directors, June 15, 2022 – 1:30 PM

13. Adjournment - Meeting adjourned at 2:44pm.

Respectfully submitted,

Leticia Rosas-Mendoza
Clerk of the Board

Approved on: _____



June 15, 2022

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

Chris Coursey
Sonoma 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

Eric Lucan
Transportation Authority of Marin

Chris Rogers
Sonoma County Mayors' and
Councilmembers Association

Eddy Cumins
General Manager

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 Board of Directors
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

SUBJECT: Monthly Ridership Report – May 2022

Dear Board Members:

RECOMMENDATIONS: Accept Monthly Ridership Report

SUMMARY:

We are presenting the monthly ridership report for activity for the month of May 2022. This report shows trends in ridership for SMART by tracking Totals, Average Weekday riders, and Average Saturday/Holiday riders, as well as bicycles and mobility devices. We have added charts and graphs of the information to further illustrate system trends.

As discussed in prior presentations to the Board, both Onboard Counts and Fare-based collection rider counts are shown to give a full picture of ridership. Onboard Counts capture all riders, including the riders who are riding during the Free Fare Days or Programs offered by the Board, riders with passes who neglect to tag on or off, as well as categories of riders such as children under five years old. Clipper + Mobile App paid fare reports do not capture all riders.

This and future reports will compare the most recent month to the same month during the prior year, as is standard industry practice for tracking trends over time. The report also shows progress so far in the Fiscal Year compared to the same time in the last Fiscal Year, to enable tracking of riders relative to budget expectations. These reports also note relevant details associated with fare program discount usage and trends in riders bringing bicycles onboard. As this data collection and reporting process evolves, we will continue to revise data discussion and presentation in the reports.

SMART's rider data for April is posted on the SMART Ridership website (<http://sonomamarintrain.org/RidershipReports>) and SMART's detailed May 2022 data will be posted once validated.

The report covers the gradual return of riders to SMART as Bay Area Counties continue to lift COVID-19 restrictions schools, restaurants, retail shops, offices, and other places of work.

FISCAL IMPACT: None

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

Respectfully,

 /s/
Emily Betts
Principal Planner

Attachment(s): Monthly Ridership Report – May 2022

MAY 2022 SMART RIDERSHIP REPORT

SMART Ridership Report
Board of Directors,
June 15, 2022

SMART's May 2022 ridership was **nearly triple** that of May 2021, which was impacted by the COVID-19 shutdown. Average weekday ridership rose steadily from February 2021, with a dip in December and January, and rose again in Spring 2022. **May average weekday ridership (1,482) was the highest since the pandemic began.**

Throughout the region, automobile traffic levels have returned to pre-pandemic levels and transit agencies are seeing gradual ridership recovery. Fuel prices rose around 20% in March and have remained high in April and May, likely contributing to rising transit ridership. SMART recovered to approximately 55% of pre-pandemic average weekday ridership levels in May. However, ongoing pandemic-era remote-work trends continue to have a dampening effect on transit ridership throughout the Bay Area.

As a reminder, SMART modified services in March 2020 due to the COVID-19 pandemic, with weekend service annulled and weekday service reduced to 16 trips. In May 2021, SMART added back 10 weekday trips, resulting in the current 26 weekday trip schedule. Saturday service was also restored the last two weekends in May 2021, with 3 morning and 3 afternoon round trips. On May 1, 2022, SMART restored Sunday service with 12 trips per day, and is planning to add 10 additional weekday trips on June 12, 2022.

The tables below present data from May 2021 and 2022, year-over-year, and compare fiscal years to date (July – May).

MONTHLY TOTALS YEAR-OVER-YEAR	MAY 2021	MAY 2022	% Change
Ridership (Onboard Counts)	13,949	38,655	177%
Paid Ridership (Clipper + App Only)	12,983	35,591	174%
Average Weekday Ridership (Onboard Counts)	658	1,482	125%
Average Saturday/Holiday Ridership (Onboard Counts)	0	864	N/A
Average Sunday Ridership (Onboard Counts)	0	644	N/A
Bicycles	2,571	6,171	140%
Mobility Devices	134	199	49%

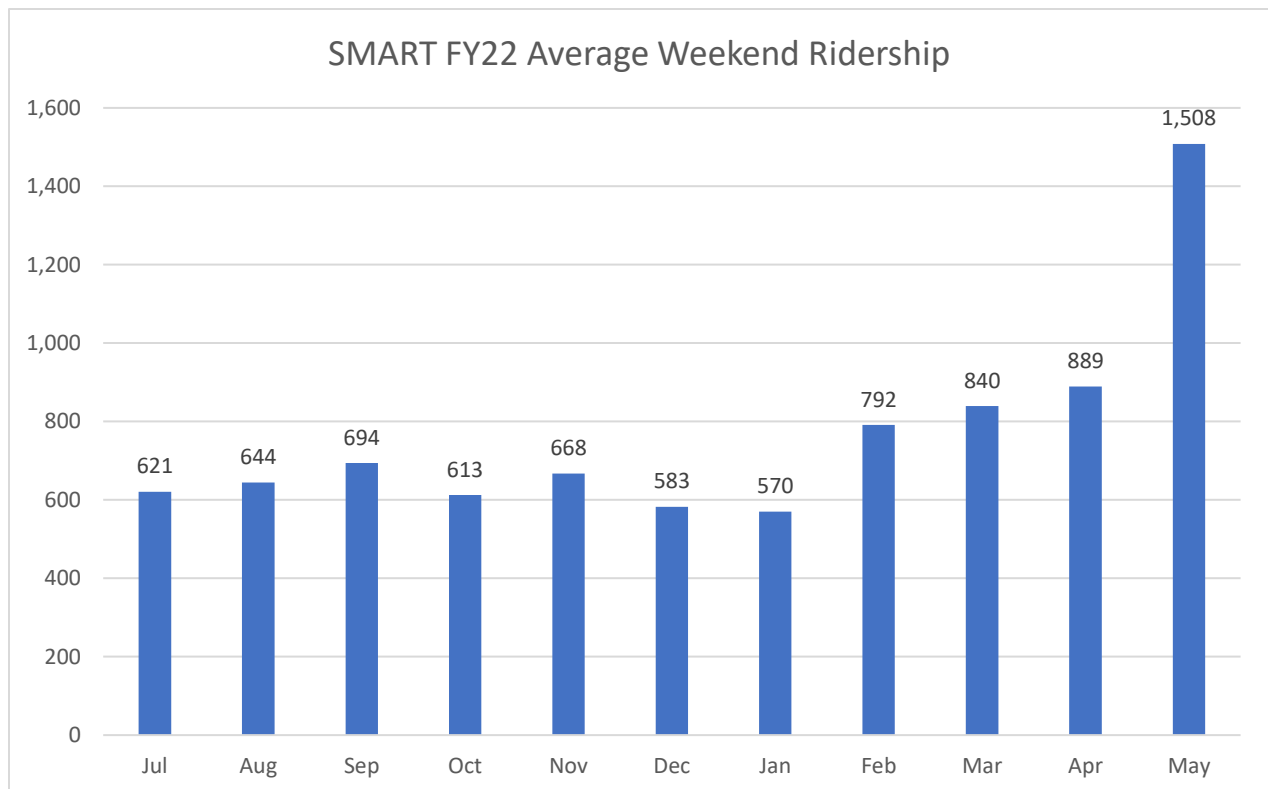
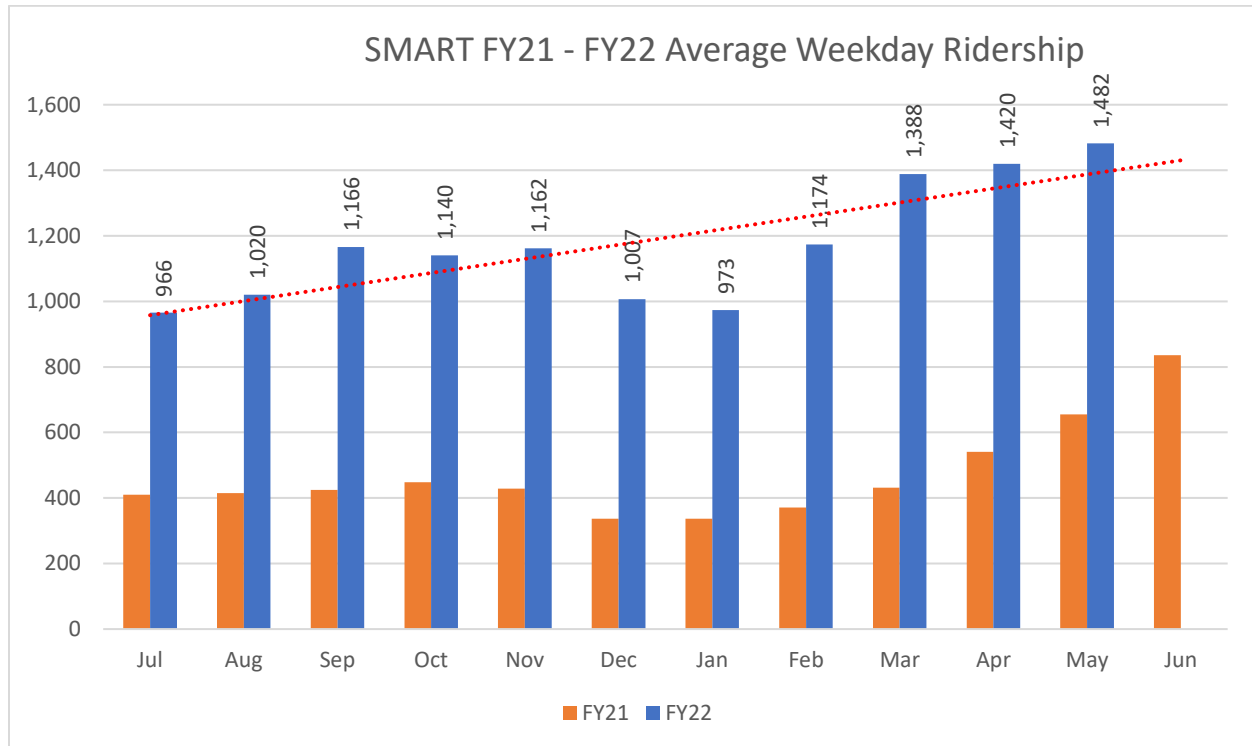
For FY22 to date, total ridership is **more than triple** that of FY21 and the number of bicycles on board has doubled.

FISCAL YEAR-TO-DATE (JUL-MAY)	Fiscal Year 2021	Fiscal Year 2022	% Change
Ridership (Onboard Counts)	102,380	312,803	206%
Paid Ridership (Clipper + App Only)	95,946	287,522	200%
Average Weekday Ridership (Onboard Counts)	436	1,174	169%
Average Saturday Ridership (Onboard Counts)	0	703	N/A
Average Sunday Ridership (Onboard Counts)	0	644	N/A
Bicycles	20,623	47,599	131%
Mobility Devices	394	1,395	254%

MAY 2022 SMART RIDERSHIP REPORT

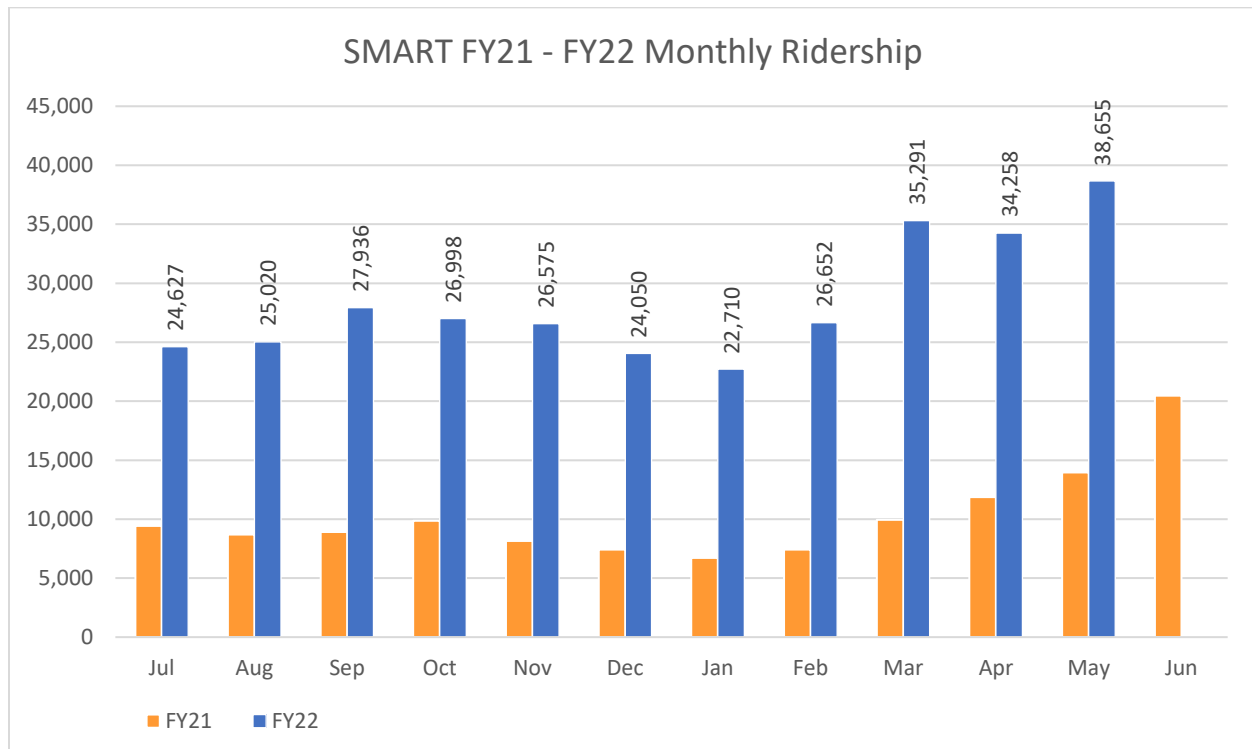
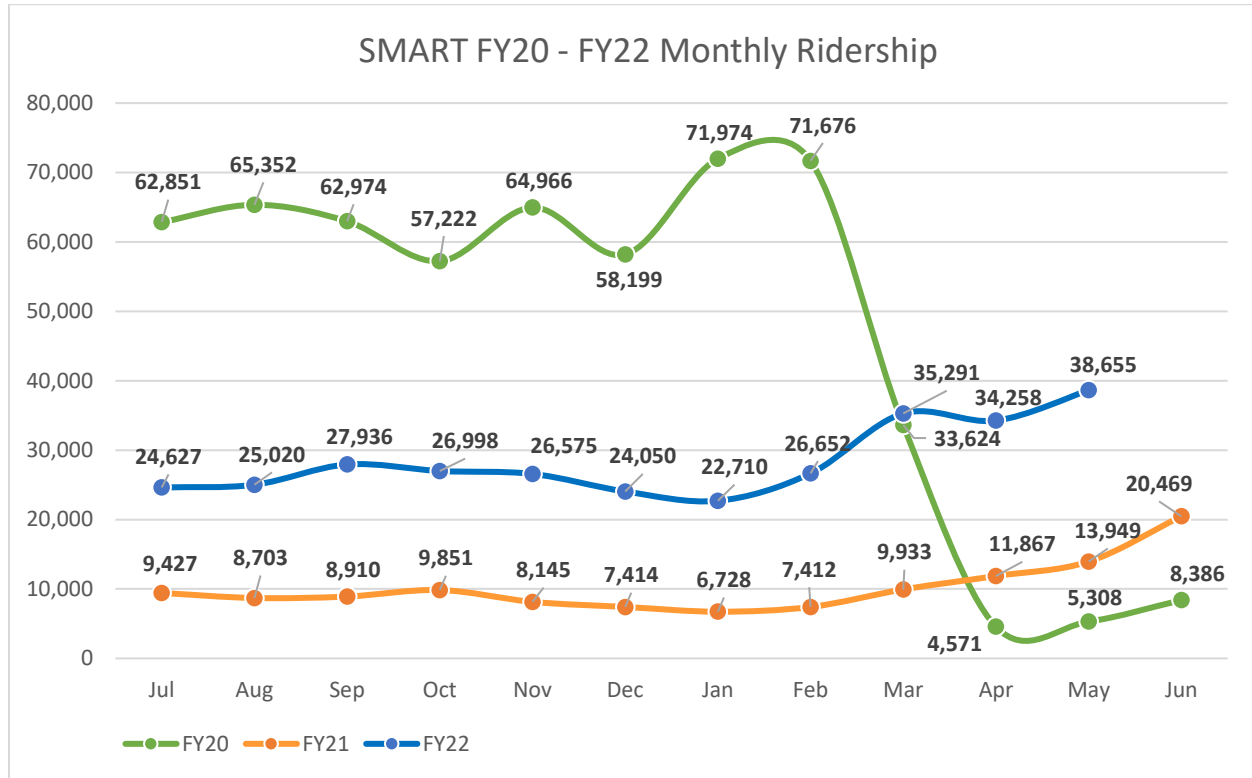
SMART Ridership Report
Board of Directors,
June 15, 2022

The following charts compare the average weekday ridership, average weekend ridership, and monthly totals and for FY20-FY22 to date.



MAY 2022 SMART RIDERSHIP REPORT

SMART Ridership Report
Board of Directors,
June 15, 2022





June 15, 2022

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

Chris Coursey
Sonoma 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

Eric Lucan
Transportation Authority of Marin

Chris Rogers
Sonoma County Mayors' and
Councilmembers Association

Eddy Cumins
General Manager

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 Board of Directors
5401 Old Redwood Hwy, Suite 200
Petaluma, CA 94954

SUBJECT: Approval of Hanson Bridgett, LLP Contract Amendment No. 11

Dear Board Member:

RECOMMENDATION:

Authorize the General Manager to execute Contract Amendment No. 11 with Hanson Bridgett LLP for legal support services in the amount of \$150,000 for a contract not-to-exceed amount of \$950,000.

SUMMARY:

Hanson Bridgett LLP has been under contract with SMART since 2005 and has assisted SMART with a number of projects and legal matters over the past several years. Currently, they are acting as part of the District's labor negotiations team, assisting Human Resources in collective bargaining contract negotiations. Three of the District's labor contracts with unions representing employees in the Maintenance of Way and Vehicle Maintenance divisions expire on June 30, 2022. The labor agreement with the union representing employees in our Transportation division will expire in December 2022.

Staff recommends that the District continue to retain the services of Hanson Bridgett for supplemental legal and labor relations support on an as-needed basis through June 30, 2023.

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

FISCAL IMPACT: Funding for the contract is included in the proposed human resources budget for FY 2022-2023.

Sincerely,

 /s/

Lisa Hansley
Human Resources Manager

Attachment(s): Hanson Bridgett, LLP Contract Amendment No. 11

**ELEVENTH AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES
BETWEEN THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT
AND HANSON BRIDGETT, LLP**

This ELEVENTH AMENDMENT dated as of June 15, 2022 (the “Eleventh Amendment”) to the Agreement by and between the SONOMA-MARIN AREA RAIL TRANSIT DISTRICT (“SMART”) and HANSON BRIDGETT, LLP (“CONSULTANT”), dated as of June 20, 2012 (the “Original Agreement,” and as amended by the First through Tenth Amendments and now this Eleventh Amendment, the “Agreement”).

RECITALS

WHEREAS, SMART and CONSULTANT previously entered into the Original Agreement to provide specialized legal expertise in public employee benefits, public transportation issues, and intellectual property matters; and

WHEREAS, SMART and CONSULTANT previously entered into various Amendments to the Agreement between July 1, 2013 and June 16, 2021, to modify the scope of services, increase the not-to-exceed amount, and extend the term of the Agreement; and

WHEREAS, SMART desires to amend the Agreement to increase the not-to-exceed amount by \$150,000 for a total not-to-exceed of \$950,000, to extend the term through June 30, 2023; and

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. COMPENSATION”** is hereby deleted in its entirety and replaced with the following:

“Compensation to Special Counsel for services shall be at the rates set forth in Exhibit A, provided however that total payments hereunder shall not exceed \$950,000. The rates set forth in Exhibit A shall not be adjusted without a formal amendment to this Agreement. Special Counsel shall assign no other personnel to this Project without the prior written approval of SMART. SMART shall render payment of approved invoices within 30 days of receipt.”

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

“The term of this Agreement shall remain in effect through June 30, 2023, unless terminated earlier in accordance with the provisions of **Article 8.**”

3. 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.

[SIGNATURE PAGE TO FOLLOW]

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

**SONOMA-MARIN AREA RAIL TRANSIT
DISTRICT**

Dated: _____

By _____
Eddy Cumins, General Manager

HANSON BRIDGETT, LLP

Dated: _____

By _____
Madeline Chun, Partner

APPROVED AS TO FORM:

Dated: _____

By _____
District Counsel



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

Chris Coursey
Sonoma 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

Eric Lucan
Transportation Authority of Marin

Chris Rogers
Sonoma County Mayors' and
Councilmembers Association

Eddy Cumins
General Manager

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

June 15, 2022

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

SUBJECT: Approval of Allen, Glaessner, Hazelwood Legal Service Contract Amendment No. 2

Dear Board Members:

RECOMMENDATION:

Authorize the General Manager to execute a Contract Amendment No. 2 with Allen, Glaessner, Hazelwood, for legal services in an amount of \$100,000, and extending the term for one (1) year to June 30, 2023.

SUMMARY:

Since 2021, Allen, Glaessner, Hazelwood has assisted SMART in rail transit matters including counseling and litigation matters. Allen, Glaessner, Hazelwood has expertise in a variety of litigation, contract and local governmental agency matters. Staff anticipate the continued need for Allen, Glaessner, Hazelwood's expertise and litigation support.

Staff recommends approval of this amendment to continue to retain the services of Allen, Glaessner, Hazelwood for supplemental legal support on an as-needed basis. This amendment increases the contract by \$100,000 and extends the contract for an additional 12-month term through June 30, 2023.

FISCAL IMPACT: Funding is included in the Fiscal Year 2022-23 budget.

REVIEWED BY: [X] Finance /s/ [] Counsel

Sincerely,

 /s/
Jessica Sutherland,
Assistant General Counsel

Attachment(s): Allen, Glaessner, Hazelwood Legal Services Contract Amendment No. 2

**SECOND AMENDMENT TO THE AGREEMENT FOR CONSULTANT SERVICES
BETWEEN THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT
AND ALLEN, GLAESSNER, HAZELWOOD**

This Second Amendment dated as of June 15, 2022 (the “Second Amendment”), to the Agreement for Consultant Services by and between Allen, Glaessner, Hazelwood (hereinafter referred to as “CONSULTANT”) and the Sonoma-Marin Area Rail Transit District (hereinafter referred to as “SMART”), dated as of April 20, 2021 (the “Original Agreement,” as amended and supplemented by the First Amendment and now this Second Amendment, the “Agreement”).

RECITALS

WHEREAS, CONSULTANT and SMART previously entered the Original Agreement on April 20, 2021 to provide general legal representation and counseling in litigation, rail transit issues, including railroad right-of-way, contract, and related issues; and

WHEREAS, SMART previously amended the Agreement to increase the not-to-exceed amount of the contract; and

WHEREAS, SMART desires to amend the Agreement to increase the not-to-exceed amount by \$100,000.00 and extend the term of the Agreement through June 30, 2023; and

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 4. COMPENSATION”**. Article 4 of the Agreement is hereby deleted in its entirety and replaced with the following:

Compensation to Attorneys shall be made on the basis of the attached hourly rate and reimbursable expenses schedules set forth in Exhibit A, attached hereto and incorporated herein. Attorneys shall honor these rates throughout the term of the Agreement. Attorneys shall also be reimbursed for expenses which have been approved in advance by the General Counsel. All reimbursable expenses must comply with SMART’s Travel Guidelines and must receive prior approval. Attorneys’ reimbursement for materials/expenses shall not include items already included in Attorneys’ overhead as may be billed as a part of its labor rates set forth in Section 5 below and Exhibit A. SMART does not reimburse Attorneys for travel time, unless pre-approved by SMART’s General Counsel. Total compensation under this agreement shall not exceed \$200,000.

2. **“ARTICLE 7. EFFECTIVE DATE AND TERM”** Article 7 of the Agreement is hereby deleted in its entirety and replaced with the following:

This Agreement shall be effective as of April 20, 2021 and shall expire on June 30, 2023, unless terminated earlier in accordance with the terms herein.

3. 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.

SIGNATURE PAGE TO FOLLOW

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

**SONOMA-MARIN AREA RAIL TRANSIT
DISTRICT**

Dated: _____

By _____
Eddy Cumins, General Manager

ALLEN, GLAESSNER, HAZELWOOD

Dated: _____

By _____
Mark Hazelwood, Partner

APPROVED AS TO FORM:

Dated: _____

By _____
District Counsel

Resolution No. 2022-01.07 (JUL)
Sonoma-Marín Area Rail Transit District
June 15, 2022

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT, STATE OF CALIFORNIA, AND RELATED FINDINGS REGARDING VIRTUAL-CONFERENCE MEETINGS DURING THE COVID-19 STATE OF EMERGENCY

WHEREAS, on March 4, 2020, Governor Newsom proclaimed pursuant to his authority under the California Emergency Services Act, California Government Code Section 8625, that a state of emergency exists with regards to a novel coronavirus (a disease now known as COVID-19); and

WHEREAS, on June 4, 2021, in lifting many restrictions that the State previously imposed due to COVID-19, the Governor indicated that those changes did not end the ongoing emergency; and

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

WHEREAS, Marin and Sonoma Health Officials continue to recommend that we continue to emphasize social distancing in order to minimize the potential spread of COVID-19 during indoor, public meetings;

WHEREAS, in light of this recommendation, the Board of Directors of SMART desires to continue to have the flexibility, for itself to meet virtually via tele/video conference.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of SMART has resolved to continue with Teleconference meetings with the option for a limited in-person and virtual teleconference participation, and has reconsider the circumstances of the emergency and determine that the current circumstances continues to directly impact the ability to meet in-person safely;
2. There is an ongoing proclaimed state of emergency relating to the novel coronavirus causing the disease known as COVID-19.
3. State and Local officials continue to recommend measures to promote social distancing, and as a result of that emergency, large gatherings that meet in person would present imminent risks to the health or safety of attendees of in-person meetings and of this legislative body within the meaning of California Government Code Section 54953(e)(1).

Resolution No. 2022-01.07 (JUL)
Sonoma-Marín Area Rail Transit District
June 15, 2022

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Sonoma-Marín Area Rail Transit District held on the 15th day of June 2022, by the following vote:

DIRECTORS:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Rabbitt, Chair, Board of Directors
Sonoma-Marín Area Rail Transit District

ATTEST:

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



June 15, 2022

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

Chris Coursey
Sonoma 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

Eric Lucan
Transportation Authority of Marin

Chris Rogers
Sonoma County Mayors' and
Councilmembers Association

Eddy Cumins
General Manager

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 Board of Directors
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

SUBJECT: Authorize the General Manager to executed Amendment No. 1 to the Interim Freight Rail Service Agreement FR-PS-21-002 with Summit Signal, Inc.

Dear Board Members:

RECOMMENDATION:

Authorize the General Manager to execute Contract Amendment No. 1 to the Interim Freight Rail Service Agreement No. FR-PS-21-002 with Summit Signal, Inc. in an amount of \$119,563.50 to continue providing routine maintenance and inspections of SMART's signals, crossing warning devices, and wayside equipment on the Brazos Subdivision line for six months.

SUMMARY:

Summit Signal, Inc. has been providing interim freight rail operations and maintenance services for SMART since March 1, 2022, when SMART became a common carrier. During this time, SMART has been actively recruiting personnel and preparing operations to provide this service in-house. SMART has successfully recruited qualified staff to perform the train operations, vehicle maintenance, and maintenance of way functions; however, zero qualified personnel applied for the signal, crossing warning device, and wayside signal equipment maintenance and inspection work. This work is highly specialized and requires Classroom and On-the-Job Training approved by the Federal Railroad Administration.

SMART has negotiated with Summit Signal, Inc. a six-month extension of the existing interim contract, although with a much more narrowed scope of work, to continue providing the required signal, crossing warning device, and wayside signal equipment maintenance and inspection work while SMART evaluates how best to handle this scope of work going forward.

Authorize the General Manager to execute Contact Amendment No. 1 to the Interim Freight Rail Service Agreement No. FR-PS-21-002 with Summit Signal, Inc. in an amount of \$119,563.50 for a total not-to-exceed amount of \$515,198.50 to continue providing routine maintenance and inspections of SMART's signals, crossing warning devices, and wayside equipment on the Brazos Subdivision line for six months.

FISCAL IMPACT: Funding is included in the Fiscal Year 2022-23 Freight budget.

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

Very truly yours,

/s/
Jon Kerruish
Freight Manager

Attachment(s): Summit Signal, Inc. Contract Amendment No. 1

**FIRST AMENDMENT TO THE SERVICE AGREEMENT BETWEEN
THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT
AND SUMMIT SIGNAL, INC.**

This First Amendment (the “First Amendment”) dated as of July 1, 2022 (the “Effective Date”), to the Service Agreement by and between Summit Signal, Inc. (hereinafter referred to as “Service Provider”) and the Sonoma-Marin Area Rail Transit District (hereinafter referred to as “SMART”), dated as of January 19, 2022 (the “Original Agreement,” as amended and supplemented by this First Amendment, the “Agreement”).

RECITALS

WHEREAS, Service Provider and SMART previously entered the Original Agreement on January 19, 2022 to provide interim freight rail operation and maintenance services for SMART; and

WHEREAS, SMART desires to amend the Agreement to extend the term through December 31, 2022, narrow the scope of services during this extended term to continue to provide routine signal and crossing maintenance and inspections, and increase the not-to-exceed amount of the contract by \$119,563.50 for a total not-to-exceed amount of \$515,198.50 to cover the narrowed scope; and

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”**. Section 2.01 of the Agreement is hereby amended as follows:

Exhibit A: Scope of Work & Timeline

The Article IV “Scope of Work” included in the Exhibit A “Scope of Work & Timeline” is hereby deleted and replaced with the Article IV “Scope of Work” included in the Exhibit A “Scope of Work & Timeline” of this First Amendment.

Exhibit B: Schedule of Rates

The Exhibit B “Schedule of Rates” is hereby deleted and replaced with the Exhibit B “Schedule of Rates” included in this First Amendment.

2. **“ARTICLE 5. PAYMENT”**. Section 5.02 of the Agreement is hereby deleted and replaced with the following:

Service Provider shall be paid in accordance with the rates established in **Exhibit B**; provided, however, that total payments to Service Provider shall not exceed \$515,198.50, without the prior written approval of SMART. Service Provider 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 corresponding to the Item # and Item Description included in the Exhibit B; (ii) the time in quarter hours devoted to the task(s); (iii) the hourly rate or rates corresponding to the task(s); (iv) copies of receipts for consumable materials/expenses, if any; (v) pre-approvals for all consumables purchased; and (vi) certified payroll reports for all covered work performed under the contract. Service Provider's reimbursement for materials/expenses shall not include items already included in Service Provider's overhead as may be billed as a part of its labor rates set forth in **Exhibit B**. SMART does not reimburse Service Provider for travel time.

3. **"ARTICLE 6. TERM OF AGREEMENT"**. Section 6.01 of the Agreement is hereby deleted and replaced in its entirety with the following:

The term of this Agreement shall remain in effect through December 31, 2022, unless terminated earlier in accordance with the provisions of Article 7 below.

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.

SIGNATURE PAGE TO FOLLOW

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 _____
Eddy Cumins, General Manager

SUMMIT SIGNAL, INC.

Dated: _____

By _____
Danny Mihelcic, Secretary

APPROVED AS TO FORM:

Dated: _____

By _____
District Counsel

EXHIBIT A
SCOPE OF WORK & TIMELINE

IV. Scope of Work

A. Routine Maintenance & Inspections of Signal, Crossing, and Wayside Equipment

- a. Service Provider shall perform all routine maintenance and inspections of SMART's signals, crossing warning devices, and wayside equipment located on the Brazos Jct Subdivision which runs from the northbound control signal at Ignacio North in Novato, CA (MP B25.6 to just east of the Napa River (MP B49.80).
- b. Routine Maintenance and Inspections shall be performed as required by Federal Railroad Administration (FRA) and California Public Utilities Commission ("CPUC") laws and regulations.
- c. The table below identifies the locations and existing equipment type to be maintained and inspected by the Service Provider.

Milepost	Nearest Station/Town	Crossing Name	Treatment Type	DOT Crossing No.	County
B28.11	Black Point	Renaissance Road	Gates	498745R	Marin
B28.50	Black Point	Grandview Avenue	Gates	863490C	Marin
B29.57	Black Point	PVT-Xing (Port of Sonoma)	Flashers	498703E	Sonoma
B30.85	Black Point	PVT-Xing (Reclamation RD-1)	Flashers	498704L	Sonoma
B33.40	Black Point	Hwy-37 (Sears Point)	Gates	498708N	Sonoma
B40.41	Schellville	State Route 12/121	Gates	498714S	Sonoma
B40.78	Schellville	State Route 12/121	Gates	751343E	Sonoma
B44.74	Schellville	Skaggs Island Road	Gates	751336U	Sonoma
B48.33	Napa	Milton Road	Gates	751331K	Napa
40.50	Schellville	8 th Street East	Gates	498715Y	Sonoma

*The locations and equipment included in the above table are subject to change as SMART expands and/or modifies crossings. Any changes shall be made through an Amendment to this Agreement.

- d. All installation, repairs, inspection, and testing must be performed per the requirements of 49 CFR Part(s) 234 and/or 236 as applicable, CAMUTCD, and applicable CPUC General Orders. Contractor shall furnish all test reports, test forms, and as-wired circuit plans to SMART upon the completion of the installation and testing activities.
- e. Service Provider shall provide SMART staff with on-the-job training of SMART's signals, crossing warning devices, and wayside equipment on an as-needed basis. This training shall take place during the Service Provider's routine maintenance and inspection work. Service Provider shall document the training dates, times, and personnel and provide to SMART upon request.
- f. The Service Provider shall properly dispose of any scrap materials generated by their work.
- g. If during inspection and maintenance, the need for major repairs is discovered, Service Provider shall promptly notify the SMART Manager of the issue and the recommended work. SMART may be required to contract separately for the repair work.
- h. SMART shall have the right to inspect the Brazos Jct. Subdivision for conformity with the requirements of this section, provided that such inspections shall not reasonably interfere with Service Provider's operations.

B. Staffing Requirements

- a. Service Provider shall provide all personnel management for its staff.
- b. Service Provider shall provide enough qualified staff to perform the scope of services identified in this contract.
- c. Service Provider shall ensure all staff and personnel assigned are qualified and properly trained in accordance with all federal, state, and local laws and regulations for the work being performed.
- d. Service Provider shall only use Federal Railroad Administration ("FRA") qualified track inspection personnel when performing track inspections.
- e. Service provider must be in compliance with all applicable Federal, State and Local laws and regulations as it pertains to its personnel, including the Railroad Retirement Act and Federal Employers Liability Act as applicable.
- f. SMART reserves the right to require the Contractor's "key personnel" to be on-site during any safety-sensitive portion of work being performed.

C. Administrative Requirements

- a. Service Provider shall perform and provide all FRA-required reporting and safety plans and programs.
- b. Service Provider shall establish a training program to comply with the requirements of CFR 213, 214, 234, 236, 237, and 243. Records of training must be maintained by the Service Provider and made available for review by

SMART upon request. Per 49 CFR Part 243, safety-related employees are defined by the Federal Railroad Administration (“FRA”) in §243.5.

- c. Service Provider shall maintain full and complete maintenance and inspection records.
- d. Service Provider is responsible for maintaining and providing to SMART all track inspection reports. Reports include all inspection reports conducted by FRA and CPUC inspectors and all notices of deficiencies or violations alleging a deficiency. Service Provider shall be responsible to promptly address and rectify any deficiencies or violations alleging a deficiency.
- e. SMART shall have the right at all reasonable times to inspect all records with copies being provided by the Service Provider promptly upon SMART’s request.

D. Service Termination or Transfer of Service Requirements

- a. At the conclusion of this Agreement, Service Provider shall cooperate and assist with SMART on the transfer of all maintenance services to SMART’s in-house team or other third-party contractor as required.
- b. Service Provider shall provide SMART with all requested reporting records and documentation.
- c. The SMART Manager, at their discretion, will inspect all right-of-way and infrastructure to ensure the current condition meets the required conditions.
- d. The SMART Manager may provide a final punch-list of actions for contract close-out. Service Provider shall cooperate with SMART on ensuring a smooth transition of service.

**EXHIBIT B
SCHEDULE OF RATES**

ITEM	DESCRIPTION	RATE
1	Crossing Maintenance	\$400.00 per Hour
2	Wayside Signal Maintenance	\$300.00 per Hour
3	Signal Labor Rates	Standard Time: \$133.98 per Hour Overtime: \$156.14 per Hour Double Time: \$178.29 per Hour

NOTES

ITEM # 1: Estimated at 10 Hours per month (4-week month) for Railroad Grade Crossing Maintenance. Any additional labor hours needed above the estimated 10 hours per month will require prior written approval by the SMART Manager.

ITEM # 2: Estimated at 8 Hours per month (4-week month) for Wayside Signal Monthly Maintenance. Any additional labor hours needed above the estimated 8 hours per month will require prior written approval by the SMART Manager.

ITEM # 3: These rates apply when there is repair work required above and beyond the regular maintenance and inspection scope of work.

CONSUMABLE MATERIALS COSTS

Owner-furnished materials (i.e. SMART-Owned materials) shall be used whenever available and pre-approved. If SMART-owned materials are unavailable, Service Provider is required to obtain written approval from the SMART Manager prior to purchase. Material purchases shall be invoiced to SMART at Actual Cost with receipt documentation included in the invoice.



David Rabbitt, Chair
Sonoma County Board of Supervisors

June 15, 2022

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

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

Judy Arnold
Marin County Board of Supervisors

SUBJECT: Fiscal Year 2023 Budget

Melanie Bagby
Sonoma County Mayors' and
Councilmembers Association

Dear Board Members:

Kate Colin
Transportation Authority of Marin

RECOMMENDATIONS:

Approve Resolution No. 2022-22, adopting the Fiscal Year 2023 Annual Budget and Resolution No. 2022-23, declaring, and ratifying the annual appropriation limit for Fiscal Year 2023.

Damon Connolly
Marin County Board of Supervisors

Chris Coursey
Sonoma County Board of Supervisors

SUMMARY:

The Fiscal Year 2023 draft budget was presented to the Board of Directors on May 18, 2022 and was available for review and comment between May 13, 2022 and June 3, 2022.

Debora Fudge
Sonoma County Mayors' and
Councilmembers Association

Patty Garbarino
Golden Gate Bridge,
Highway/Transportation District

Passenger Rail and Pathways

For Fiscal Year 2023, total revenues are estimated at \$88.4 million and total expenditures are estimated at \$80.5 million. The remaining \$8.2 million will be added to the fund balance. The estimated fund balance at the end of Fiscal Year 2023 is estimated at \$45.4 million.

Dan Hillmer
Marin County Council of Mayors and
Councilmembers

Eric Lucan
Transportation Authority of Marin

Freight Rail

For Fiscal Year 2023, total revenues are estimated at \$5.5 million and total expenditures are estimated at \$4.5 million. The remaining \$1 million will be added to the fund balance. The estimated fund balance at the end of Fiscal Year 2023 is estimated at \$2.1 million.

Chris Rogers
Sonoma County Mayors' and
Councilmembers Association

Eddy Cumins
General Manager

Changes since May 18, 2022, Draft Document

- Changed the number of pathway miles from 24 to 12. The 24 miles reflected the total miles of pathway including those that had been funded and constructed by others. The 12 miles is reflective of the numbers of miles funded and constructed by SMART.
- Increased the cost of the replacement of the Board meeting wireless mic system from \$5,000 to \$38,000 or a difference of \$33,000.
- Included a 3% cost of living increase for non-represented employees
- Carryforward \$4,314,309, of which \$70,000 is freight, from Fiscal Year 2022 to Fiscal Year 2023.

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

- Increased the insurance budget for freight from \$20,000 to \$68,000 based on the actual costs.
- Calculated the administrative allocation from passenger rail to freight based on miles estimated to be operated in Fiscal Year 2023. The calculation assumes 1.24% of administrative expenses would be allocated to freight.
- Adjusted estimated beginning balance for freight based on budget adjustments made in June of 2022.
- Added \$50,000 to the freight budget for training, tools, and signal and gate parts assuming the signal work will be inhouse within 6 months.
- Increased the Black Point Bridge construction funds by \$407,150 based on current bids received. In addition, had to eliminate some of the scheduled work due to the increased cost.

Comments on the Draft Budget

The public comment period was open between May 13, 2022, and June 3, 2022. We received the following comments:

Date Received	Name	Comment
May 16, 2022	Bethee Vasquez	Would like to know more about the status of Windsor.
May 16, 2022	Harry Martin	Disappointed that more revenues aren't going to the rail line north of Sonoma County Airport.
May 17, 2022	Paul Klonsky	Increased scheduling and free parking are encouraging signs. Proposing giving all residents with zip codes along the corridor north of Santa Rosa Airport free or discounted Clipper cards for rides on bus and train.
May 17, 2022	Carla Hudson	Stop running empty trains.
May 17, 2022	Mike Arnold	Performance metrics need to be added to budget.
May 20, 2022	Robert Casper	SMART is a loser.

We incorporated the additional performance measures that were recommended.

Sincerely,

/s/

Heather McKillop
Chief Financial Officer

Attachment(s): 1) Resolution No. 2022-22 - Fiscal Year 2023 Budget
2) Resolution No. 2022-23 - Annual Appropriation Limit for Fiscal Year 2023
3) Fiscal Year 2023 Budget

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT, STATE OF CALIFORNIA, ADOPTING AN ANNUAL BUDGET FOR FISCAL YEAR 2022-23, PROVIDING FOR THE ESTABLISHMENT OF NEW DISTRICT EMPLOYEES PURSUANT TO PUBLIC UTILITIES CODE SECTIONS 105050 AND 105052(b) AND FIXING THE COMPENSATION AND SALARY OF ALL DISTRICT EMPLOYEES FOR FISCAL YEAR 2022-23, ADOPTING A STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2022-23, AND DELEGATING AUTHORITY TO INVEST CERTAIN FUNDS UNDER THE CONTROL OF THE BOARD OF DIRECTORS TO THE CHIEF FINANCIAL OFFICER

WHEREAS, Section 8.01 of Article VIII of the Administrative Code of the Sonoma-Marín Area Rail Transit District (“SMART”) requires that the Board of Directors (“Board”) adopt an annual budget for the ensuing fiscal year no later than the District’s June meeting; and

WHEREAS, a preliminary Annual Budget for Fiscal Year 2022-23 was prepared by the Chief Financial Officer and presented to the Board at its May 18, 2022 meeting; and

WHEREAS, the preliminary Annual Budget for Fiscal Year 2022-23 has been available for public inspection since May 13, 2022, in excess of the minimum 10-day public inspection period prescribed by the Administrative Code; and

WHEREAS, at its duly noticed meetings on May 18, and June 15, the Board fully reviewed and considered the Annual Budget for Fiscal Year 2022-23, at which time all interested persons were given the opportunity to hear and be heard; and

WHEREAS, at its meetings on May 18, and June 15, the Board duly considered the creation of employee positions and the fixing of the compensation and salary for those newly created positions as well as the adjustment of the compensation and salary of some existing positions; and

WHEREAS, certain non-cash transactions such as the recording of donated assets and depreciation do not require appropriation authority and are not included in the annual budget but must be recorded during the preparation of financial statements for each fiscal year; and

WHEREAS, administrative and accounting adjustments and corrections which are necessary to move funds or expense in accordance with accepted accounting practice may be necessary and do not require appropriation authority for each fiscal year; and

WHEREAS, California Government Code Section 53607 authorizes the Board to delegate to the Chief Financial Officer the authority to invest certain funds of SMART on deposit with the County of Sonoma Treasury for up to one year; and

WHEREAS, included in the delegation of authority for investments is the authority to transfer funds between accounts in order to maximize investment returns for the District; and

WHEREAS, upon such delegation the Chief Financial Officer assumes full responsibility for those transactions until the Board revokes this authority or does not renew the annual delegation by resolution; and

WHEREAS, nothing in this resolution limits the Chief Financial Officer's authority pursuant to Government Code Sections 53635 and 53684; and

WHEREAS, all investments are reported monthly to the Board of Directors as required by Government Code Section 53646; and

WHEREAS, California Government Code Section 53646 requires that the Chief Financial Officer annually submit a statement of investment policy to the Board for its review and approval; and

WHEREAS, the Chief Financial Officer presented and the Board duly considered the Statement of Investment Policy for Fiscal Year 2022-23 at a noticed public meeting of the Board of Directors on May 18, 2022 and June 15, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Fiscal Year 2022-23 Annual Budget for the Sonoma-Marín Area Rail Transit District attached hereto is hereby approved.

BE IT FURTHER RESOLVED that the funding for this Final Budget is being provided to SMART by way of Measure Q sales tax, fare revenue, state operating support, federal funds, and reimbursements from grants from the State of California revenues, among other funds, all as more fully described in the Fiscal Year 2022-23 Annual Budget.

BE IT FURTHER RESOLVED that based upon competent evidence and acting pursuant to the provisions of the Enabling Legislation, the salaries, wages, compensation and expenses for management and non-management employees for Fiscal Year 2022-23 shall be as provided for also in Appendix C, SMART Position Authorizations, and such compensation shall be compensation in full for all official services performed by such managers and employees, unless expressly provided otherwise.

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized to complete any necessary budgetary and accounting transfers and adjustments to implement the adopted FY 2022-23 Budget and to re-establish valid prior year encumbrances. Such adjustments shall include but not be limited to decreasing appropriations in any and all funds associated with projects initiated prior to the 2022-23 fiscal year-end to meet actual available resources. Authority includes budgetary and accounting adjustments necessary to assign year-end actual fund balances, and increasing or decreasing appropriations for previously approved projects, operations and maintenance expenses and budgetary and accounting adjustments necessary to assign actual fund balances.

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized to complete any administrative or accounting adjustments necessary for the proper presentation of the District's financial statements that are in accordance with the Board's Direction and approval of the Budget, including noncash adjustments for depreciation and recording donated assets.

BE IT FURTHER RESOLVED that, in accordance with the provisions of Government Code Section 53646, the Statement of Investment Policy for Fiscal Year 2022-23 is provided for in the Fiscal Year 2023 Budget, Appendix E is hereby approved and adopted.

BE IT FURTHER RESOLVED that, pursuant to Government Code Section 53607, the Board of Directors hereby delegates to the Chief Financial Officer the authority to create and maintain accounts as necessary for management of the District's funds, including the ability to invest and reinvest funds in the Sonoma County Treasury for a period of one year and to create accounts as required by State of California for deposit of grant funds.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Sonoma-Marin Area Rail Transit District held on the 15th day of June, 2022, by the following vote:

DIRECTORS:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Rabbitt Chair, Board of Directors
Sonoma-Marin Area Rail Transit District

ATTEST:

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

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT,
STATE OF CALIFORNIA, DECLARING AND RATIFYING THE APPROPRIATION LIMIT FOR FISCAL YEAR 2022-
23**

WHEREAS, Article XIII B of the California Constitution ("Article XIII B") places various limitations on the appropriations of the State of California and local public agencies; and

WHEREAS, Article XIII B requires the Sonoma-Marín Area Rail Transit District ("SMART") to set an annual appropriations limit based on factors which include the appropriations limit for the prior fiscal year, population growth (if any), and inflation; and

WHEREAS, SMART's annual appropriations limit was first set at \$100,000,000 for Fiscal Year 2008-09 with the passage of Measure Q; and

WHEREAS, SMART approved subsequent annual appropriations limits as required by law; and

WHEREAS, the information supporting these adjustments is in Appendix F of the Fiscal Year 2023 budget; and

WHEREAS, the information used to make these calculations for SMART was made available for public inspection on May 13, 2022 and has been available for at least 15 days prior to the scheduled adoption of this resolution, in accordance with the requirements of California Government Code section 7910.

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals are true and correct.

BE IT FURTHER RESOLVED that the Appropriations Limit for SMART Fiscal Year 2022-2023 shall be \$163,175,521.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Sonoma-Marín Area Rail Transit District held on the 15th day of June 2022, by the following vote:

DIRECTORS:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

ATTEST:

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

EXHIBIT A
CALCULATION OF SMART APROPRIATION LIMITS

FISCAL YEAR		2019-20	2020-21	2021-22
BEGINNING LIMIT		\$137,563,577	\$142,288,336	\$146,414,925
PER CAPITA INCREASE IN COST OF LIVING		1.0385	1.0373	1.0573
POPULATION CHANGE		0.9960	0.9920	0.9854
POPULATION FACTORS USED*		TOTAL SONOMA COUNTY	TOTAL SONOMA COUNTY	TOTAL SONOMA COUNTY
TOTAL		\$142,288,336	\$146,414,925	\$152,544,355

* Per Government Code §7901, special districts located in two or more counties, such as SMART, may choose to use the change in population for the portion of the district which has the highest assessed valuation.

RIDERSHIP



EXTENSIONS



FISCAL YEAR 2022-2023 BUDGET

FREIGHT



PATHWAY



Contents

SONOMA-MARIN AREA RAIL TRANSIT DISTRICT’S BOARD OF DIRECTORS	2
ABOUT SMART	3
SMART’s History	3
SMART’s System	5
Performance Measures	8
Budget Cycle.....	9
Basis of Budgeting.....	10
Fund Structure.....	10
REVENUES	13
Sales Tax	14
State Revenues	14
Federal Revenues	15
Fare Box Revenues	15
Other SMART Revenues	16
EXPENDITURES.....	17
Passenger Rail Operations.....	17
Administration.....	20
Engineering/ Capital Programs	26
FREIGHT	30
RESERVES	34
DEBT.....	35
APPENDIX A – PASSENGER RAIL OVERVIEW OF SOURCES & USES.....	36
.....	37
APPENDIX B – FREIGHT OVERVIEW OF SOURCES & USES	38
APPENDIX C – POSITION AUTHORIZATION	39
APPENDIX D -STATISTICAL INFORMATION	41
APPENDIX E - STATEMENT OF INVESTMENT POLICY	46
APPENDIX F: APPROPRIATION CALCULATION.....	53
APPENDIX G – ORGANIZATION CHART	54

Sonoma-Marín Area Rail Transit District’s Board of Directors

SMART is governed by a 12-member Board consisting of elected officials appointed as specified in AB 2224: two county supervisors each from Marin and Sonoma counties, three appointed City Council members from each county and two representatives from the Golden Gate Bridge District.

David Rabbitt - Chair

Sonoma County Board of Supervisors

Judy Arnold

Marin County Board of Supervisors

Kate Colin

Transportation Authority of Marin

Debora Fudge

Sonoma County Mayors and
Councilmembers Association

Chris Coursey

Sonoma County Board of Supervisors

Eric Lucan

Transportation Authority of Marin

Barbara Pahre - Vice Chair

Golden Gate Bridge District

Melanie Bagby

Sonoma County Mayors and
Councilmembers Association

Damon Connolly

Marin County Board of Supervisors

Patty Garbarino

Golden Gate Bridge District

Daniel Hillmer

Marin County Council of Mayors and
Councilmembers

Chris Rogers

Sonoma County Mayors and
Councilmembers Association

Sonoma-Marín Area Rail Transit Executive Management Team

Eddy Cumins

General Manager

Bill Gamlen

Chief Engineer

Tom Lyons

General Counsel

Heather McKillop

Chief Financial Officer

About SMART

The Sonoma-Marín Area Rail Transit (SMART) District was established by the California Legislature through the enactment of AB 2224 in 2002. The SMART District includes both Sonoma and Marin Counties and was created for the purpose of providing unified and comprehensive structure for the ownership and governance of the passenger and freight rail system within Sonoma and Marin Counties and to provide passenger and freight train service along the existing publicly owned railroad right-of-way.

SMART passenger rail service began in August of 2017 with two-way passenger train service on 43 miles to 10 stations between Downtown San Rafael in Marin County and Airport Boulevard in Sonoma County.

Train service is provided in state-of-the-art diesel multiple unit (DMU) rail vehicles utilizing one of the first Positive Train Control systems for passenger rail. Prior to the COVID-19 shutdown, service was provided roughly every 30-minutes during commute hours with additional service midday and weekends. In late 2019, two new stations were built in Downtown Novato and Larkspur near the regional Ferry to San Francisco. These two stations in Marin County brought rail service to its current total of 45 miles with 12 passenger stations. SMART also manages 12 miles of bicycle/pedestrian pathway on its right-of-way connecting to the stations where cyclists can find secure parking at the station or on-board the train for their bikes.

SMART's History

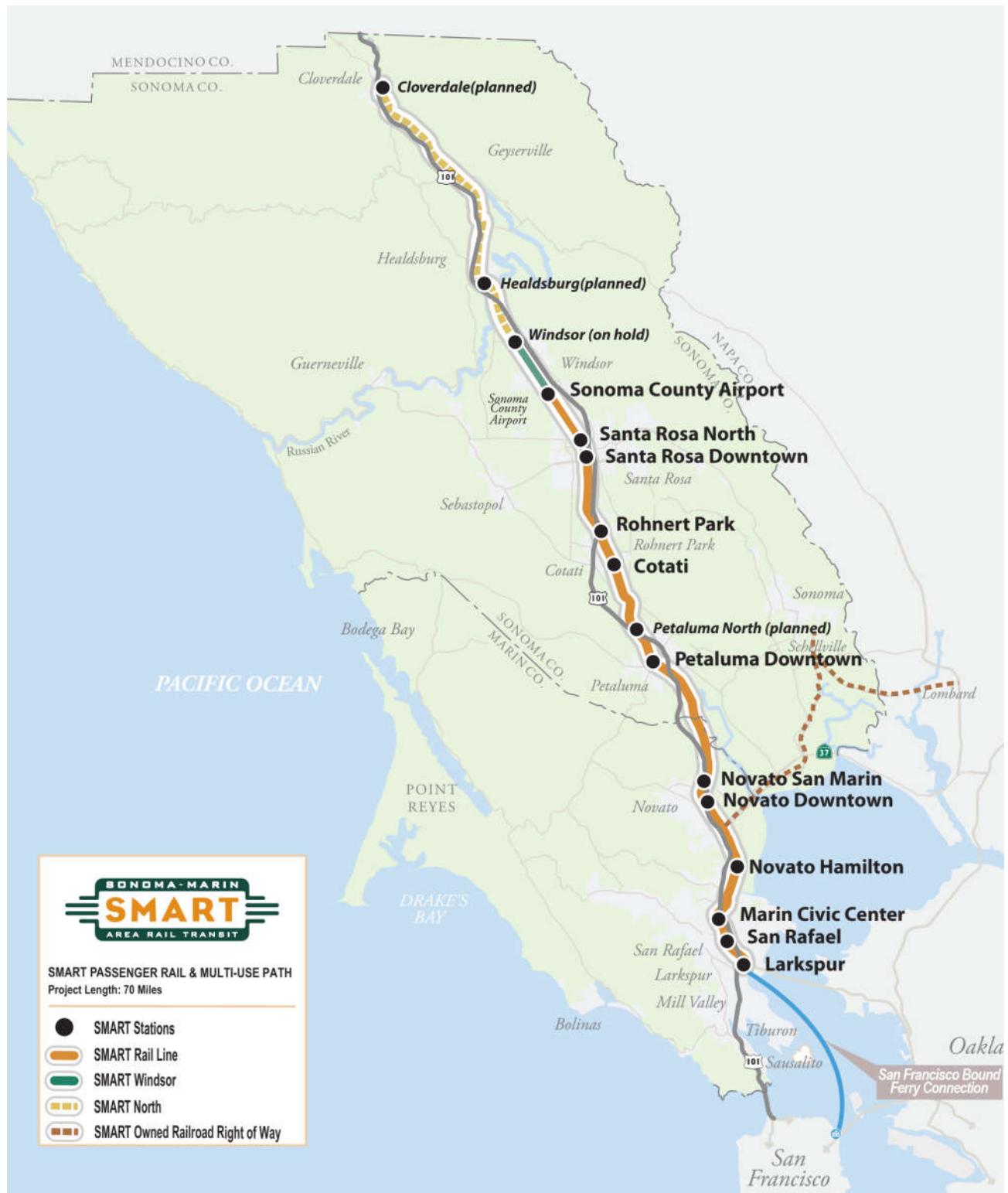
2002	SMART was created by the California Legislature
2008	SMART's ¼ cent sales tax was passed
August 2017	Service Started between San Rafael and Santa Rosa Airport to include 34 trips/ weekday and 10 trips/ weekend
October 2017	Tubbs Fire
August 2018	1 st Anniversary of the start of service
January 2019	One Millionth Rider Mark
February 2019	Flooding
August 2019	2 nd Anniversary of the start of service
October 2019	Kincade Fire
December 2019	Larkspur Extension opens

January 2020	Service increases to 38 trips/ weekday
March 2020	COVID-19 Shelter-in-Place Orders go into effect. Trips reduced to 16 trips/ weekday and no weekend service
August 2020	3 rd Anniversary of the start of service
August 2020	LNU Lighting Complex Fires
May 2021	<ul style="list-style-type: none"> Fares are lowered by 40% Additional 10 weekday trips are added for a total of 26 weekday trips Saturday service returns
June 2021	Reached Two Millionth Rider Mark
August 2021	4 th Anniversary of the start of service
November 2021	New General Manager is hired
May 2022	Sunday service returns
June 2022	Additional 10 weekday trips are added for a total of 36 weekday trips



SMART's System

SMART currently has 45 miles of commuter rail and has completed 12 miles of pathway connecting users to its 12 stations.



System Statistics

- Forty-five (45) miles rail corridor - connecting the Larkspur Ferry to the Sonoma County Airport
- Twelve (12) miles of pathway providing a first/ last mile connection to the rail corridor
- Twelve (12) stations
- Six (6) park-n-ride lots
- Sixty-eight (68) public crossings
- Twenty-seven (27) bridges
- Two (2) tunnels
- Fleet of 18 Diesel Multiple Units (DMUs)

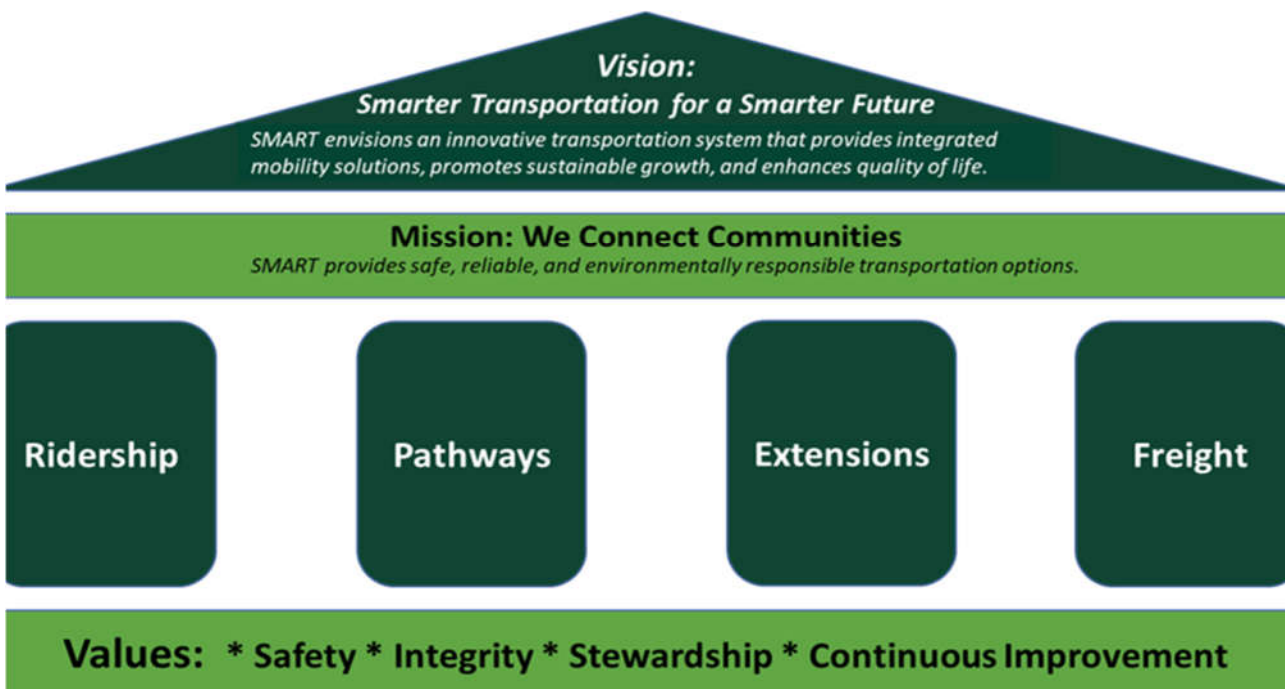


SMART Overview

The last several years have been challenging with many highs and lows. We have seen ridership ebb and flow depending on local and national COVID restrictions. We believe, however, that Fiscal Year (FY) 2023 will define what we want the future of SMART to look like and how we will get to that future.

In November of 2021, SMART hired a new General Manager, Eddy Cumins. One of the first things General Manager Cumins did when he got to SMART was embark on a process to develop our Mission, Vision, and Strategic Objectives with the SMART Board of Directors. Based on the Board's adoption of the Vision, Mission, Strategic Objectives, and Values, SMART held four (4) listening sessions on each strategic objective in the month of April 2022. In addition, feedback and input was accepted through surveys and emails. We had 193 members of the public participate on Zoom, 1,004 participate by taking the survey, and 60 sent emails.

The feedback received from this outreach as well as input received from other events and meetings will be used to develop goals, strategies, and measurements aimed toward SMART's future success.



Performance Measures

In FY 21, SMART looked at developing performance measures to help the agency move from reporting data to measuring performance. After several meetings with the Board of Directors, the following measures were determined to merit agency focus on the near term.

- Operating Expense per Vehicle Revenue Mile
- Operating Expense per Passenger Mile
- Passenger Trips per Vehicle Revenue Mile
- Average Fare per Passenger

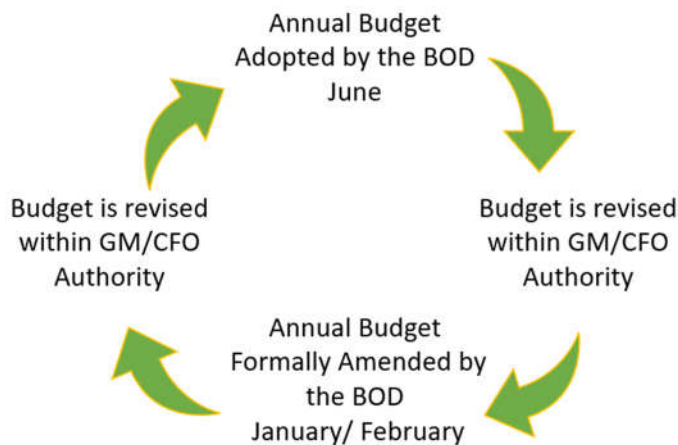
The Board adopted metrics are highlighted below. Additional NTD metrics provided for information.

NTD Metrics	2019	2020	2021
Boardings	716,847	567,103	122,849
Vehicle Revenue Miles	923,002	821,415	398,291
Passenger Miles	18,371,183	13,516,234	3,148,345
Operating Expense	\$ 27,490,190	\$ 28,757,008	\$ 24,833,822
Operating Expense per Vehicle Revenue Mile	\$ 29.78	\$ 35.01	\$ 62.35
Operating Expense per Passenger Mile	\$ 1.50	\$ 2.13	\$ 7.89
Passenger Trips per Vehicle Revenue Mile	0.8	0.7	0.3
Fare Revenues	\$ 4,094,540	\$ 3,090,457	\$ 706,938
Farebox Recovery (Fare Revenues/Operating Expense)	15%	11%	3%
Cost per Boarding (Operating Expense/ Boardings)	\$ 38.35	\$ 50.71	\$ 202.15
Fare per Boarding (Fares/ Boardings)	\$ 5.71	\$ 5.45	\$ 5.75
Subsidy per Boarding [(Cost - Fare)/ Boardings]	\$ 32.64	\$ 45.00	\$ 196.39

Fiscal Year's 2020 and 2021 were both impacted by COVID and reduced or curtailed service.

Budget Cycle

The Administrative Code of SMART, as adopted by the Board of Directors in July 2013, provides that the Board of Directors will adopt an annual budget no later than the District's June meeting for the ensuing fiscal year.



The budget outlines the expected revenues and expenditure amounts needed for salaries, benefits, services, supplies, capital and other necessary spending throughout the fiscal year. The budget limits the amount of total expenditures that can be incurred without further Board approval.

In the event that total expenditures need to be increased, a budget amendment can be presented to the Board of Directors for approval.

Mid-year, an amended budget will be presented to the Board of Directors for approval. The amended budget will include the most recent expectations for revenues and expenditures projected through fiscal year end.

Budget adjustments can be made and approved by the Chief Financial Officer as long as total expenditures in the Board-adopted budget are not exceeded.

At the end of each fiscal year, once the financial audit has been finalized, a comparison of the previous year's budget to actual expenditures will be generated and presented to the Board of Directors for information.

Basis of Budgeting

The District's financial statements are reported using the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred regardless of the timing of related cash flows. Sales taxes are recorded when earned and reported as non-operating revenue. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

The District's budget is prepared on a modified accrual basis with the following exceptions:

- Inclusion of capital outlays and debt principal payments as expenditures
- Inclusion of asset sale proceeds and debt issuance proceeds
- Exclusion of gains and losses on disposition of property and equipment
- Exclusion of the non-cash portion of long-term unfunded pension accruals

Fund Structure

SMART reports its financial activity as one enterprise. We have two funds, the General Fund, with several sub funds for purposes of segregating expenditures, and the Freight Fund.

Fund	Description
01	General Fund
02	Bond Fund
03	Bond Reserve Fund
08	General Reserve Fund
15	Self-Insurance Fund
18	OPEB Pension Fund
20	Equipment Replacement Fund
30	Landing Way Replacement Fund
50	Capital Projects Fund
60	Freight

BUDGET OVERVIEW

The FY 23 revenue estimate for passenger rail and pathways totals \$88.5 million compared to \$68 million in FY 22. There are several primary differences. The first is sales tax. We are estimating that sales tax will be almost 10% higher in FY 23 than it was in FY 22. We are also estimating that we will receive an additional \$8.7 million in federal funds. These additional funds are a result in higher allocations of 5307 funds and discretionary American Rescue Plan funds. We are expecting construction of the Sonoma County Pathway Gap project and the Payran to Lakeville Pathway project, which are funded by grants, therefore bringing in additional grant funds to FY 23.

Regarding expenditures, several changes were made to the way we budget certain expenditures. In the past, salaries were budgeted based on the highest point on the salary scale for every position whether it was filled or vacant. Going forward salaries will be budgeted based on the actual cost of filled positions and based on the middle of the salary range for vacant positions. In addition, we have added 4 ½ positions. They are:

- Administrative Assistant - Will be used to back up the front desk receptionist and assist all employees at the Petaluma office
- Bridge Tender (1/2 FTE) - Will improve coverage and reduce overtime in this area
- Information Systems Analyst - Manage cybersecurity to protect critical systems
- Risk Manager - Needed due to increased complexities in evaluating risk from an insurance perspective especially in railroad liability. Assist legal in claims
- Senior Planner - Will support pathway planning and will be the single point of contact for pathway issues

We will upgrade an Assistant Engineer position to a Senior Engineer position as this reflects the need to manage multiple complex projects going forward. With these changes, the overall salaries and benefit budget is still 2.3% lower than FY 22.

Salaries & Benefits Comparison			
	FY 22	FY 23	% Difference
Operations	\$ 16,287,214	\$ 16,138,923	0.9%
Administration	\$ 5,924,313	\$ 5,522,935	6.8%
Capital	\$ 1,482,430	\$ 1,479,062	0.2%
Total	\$ 23,693,957	\$ 23,140,920	2.3%

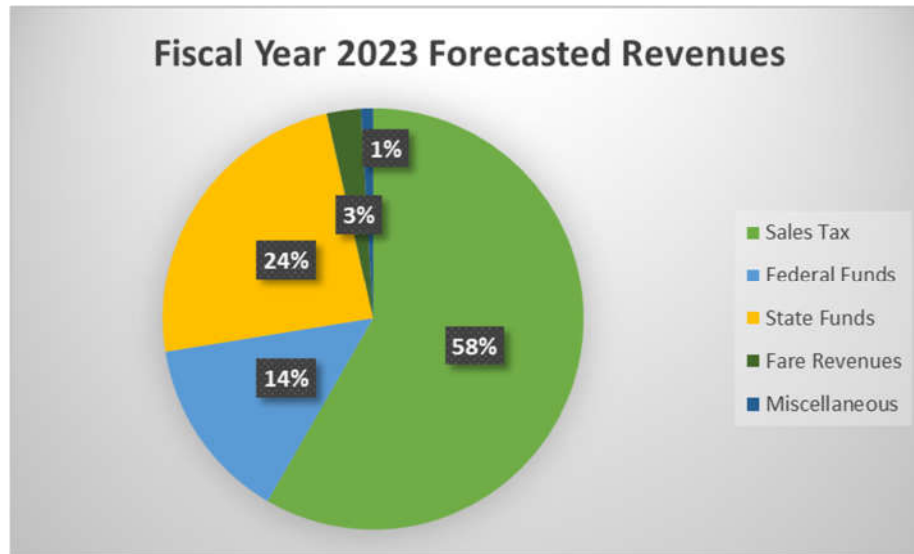
The operating budgets for Administration, Passenger Rail Operations, and Engineering/ Capital Programs total \$16.9 million which is \$353,422 or 2% less than FY 22.

Operating Comparison			
	FY 22	FY 23	% Difference
Operations	\$ 6,526,610	\$ 5,835,304	10.6%
Administration	\$ 10,245,902	\$ 10,660,886	-4.1%
Capital	\$ 471,200	\$ 394,100	16.4%
Total	\$ 17,243,712	\$ 16,890,290	2.0%

This budget also includes \$1.425 million for planning projects, \$ 0.883 million for environmental projects, \$4.5 million for State of Good Repair projects, and \$ 15.4 million for new capital projects. We have also budgeted \$500,000 towards the OPEB/ Pension liability reserve, \$2 million towards the capital replacement reserve, and \$2 million for potential grant matches.

In March of 2022 SMART began operating freight services. Revenues for freight operations are estimated at \$5.5 million. We anticipate spending \$786,060 on salaries and benefits, \$1,085,470 on operations, and \$2,590,419 on capital repairs and replacements in FY23.

Revenues



	FY 22 Amended Budget	FY 23
Revenues		
SMART S&U Tax		
Measure Q	\$ 46,981,000	\$ 51,622,000
Federal Funds		
5307 - Urbanized Area Formula Funds (Preventative Mtce)	\$ 2,957,733	\$ 4,148,529
American Rescue Plan	\$ 7,225,294	\$ 7,507,797
FRA Suicide Prevention Grant	\$ 80,000	\$ -
Quick Strike (CMAQ) (Pathway Payran to Lakeville)	\$ -	\$ 806,000
State Funds		
STA - State Transit Assistance (Revenue)	\$ 1,757,364	\$ 2,291,573
STA-State Transit Assistance (Population)	\$ 516,794	\$ 534,918
SB1 - SRA - State Rail Assistance	\$ 3,058,638	\$ 3,700,000
LCTOP - Low Carbon Transit Operating	\$ 225,623	\$ 534,762
State - TIRCP SH 37 Network Integration	\$ 30,000	\$ 750,000
STA-SGR (State of Good Repair)	\$ 309,308	\$ 550,349
SB1 - Local Partnership Program	\$ 679,000	\$ 1,392,000
ATP - SoCo Pathway - CTC/Caltrans/MTC	\$ 983,957	\$ 11,470,569
State - Cap and Trade/ TIRCP DMUs	\$ 1,100,000	\$ -
Other Sources		
Fare Revenues	\$ 1,200,000	\$ 2,310,768
Parking	\$ 27,000	\$ -
Interest Earning	\$ 275,000	\$ 277,750
Advertising	\$ 90,000	\$ 225,000
Rent - Real Estate	\$ 258,865	\$ 266,631
Misc.	\$ 30,000	\$ 30,900
Charges for Services	\$ 57,500	\$ 28,325
Regional Funds		
Other Governments	\$ 15,000	\$ -
County Intergovernmental Funds -SCTA TIF (SoCo Pathway)	\$ 146,998	\$ -
Total Revenues	\$ 68,005,074	\$ 88,447,871

Sales Tax

On November 4, 2008, more than two-thirds of the voters in Sonoma and Marin counties approved Measure Q implementing the 2008 Measure Q Sales Tax. The 2008 Measure Q Sales Tax is a sales and use tax of one quarter of one percent (1/4%) imposed for a period of 20 years beginning April 1, 2009, on the gross receipts from all tangible personal property sold at retail businesses in the counties and a use tax at the same rate on the storage, use, or other consumption in the counties of such property purchased from any retailer, subject to certain exceptions. While we saw a decrease of revenues in Fiscal Year 2020, we have seen significant growth in sales tax revenues in Fiscal Years 2021, 2022 and now in the forecast for 2023. Fiscal Year 2023 is estimated to be a 9.8% increase over Fiscal Year 2022.

SMART HISTORICAL SALES TAX COLLECTIONS

Fiscal Year	SMART Sales Tax Rate	SMART Total Sales Tax Revenue	% Change
2010	0.25%	\$ 24,059,929	
2011	0.25%	\$ 26,826,843	11.50%
2012	0.25%	\$ 28,303,501	5.50%
2013	0.25%	\$ 30,435,753	7.53%
2014	0.25%	\$ 32,473,329	6.69%
2015	0.25%	\$ 33,845,426	4.23%
2016	0.25%	\$ 34,776,012	2.75%
2017	0.25%	\$ 36,061,895	3.70%
2018	0.25%	\$ 37,135,476	2.98%
2019	0.25%	\$ 41,241,140	11.06%
2020	0.25%	\$ 38,978,630	-5.49%
2021	0.25%	\$ 45,981,000	17.96%

State Revenues

SMART receives formula allocation from four (4) state revenue programs itemized below. SMART may receive other state grants but those are allocated on an application basis, are project specific, and are typically one-time allocations.

- **State Transit Assistance:** A portion of the revenues derived from the sales tax on diesel fuel purchases and registration fees is appropriated by the State Legislature to the State Transit Assistance Program (“STA”) for public transportation purposes. These STA revenues are allocated to public transit agencies throughout the State based on population and operating revenues through a formula that has changed in recent years but was clarified and solidified in 2017 following the passage of AB 1113 (Bloom), as signed into law by Governor Brown in July 2017. In addition, the State of Good Repair (SGR)

Program provides annual funding to transit operators in California for eligible transit maintenance, rehabilitation, and capital projects

- **State Rail Assistance:** One of the new funding sources created by SB 1 is the State Rail Assistance (SRA) program. SRA directs a 0.5% portion of new diesel sales tax revenue for allocation: half to the five (including, Altamont Corridor Express Authority (ACE), North County Transit Development Board (Coaster), Peninsula Corridor Joint Powers Board (Caltrain), Sonoma-Marín Area Rail Transit District (SMART), Southern California Regional Rail Authority (Metrolink)) commuter rail providers and half to intercity rail corridors.
- **State Local Partnership Program:** SB 1 created the Local Partnership Program which continuously appropriates funding annually from the Road Maintenance and Rehabilitation Account to local and regional transportation agencies that have sought and received voter approval of taxes or that have imposed fees, which taxes or fees are dedicated solely for transportation improvements.
- **Low Carbon Transit Operations Program (LCTOP):** LCTOP was created to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility, with a priority on serving disadvantaged communities. Approved projects in LCTOP will support new or expanded bus or rail services, expand intermodal transit facilities, and may include equipment acquisition, fueling, maintenance and other costs to operate those services or facilities, with each project reducing greenhouse gas emissions.

Federal Revenues

SMART is a direct recipient of Federal Transit Administration (FTA) Funds.

- **5307 Funds:** FTA Urbanized Area Formula Funds which can be used for capital projects, operating assistance, job access, reverse commute projects, and transportation related planning. SMART became eligible for these funds starting in Fiscal Year 2019-20.
- **American Rescue Plan Funds:** SMART applied for and received discretionary American Rescue Plan (ARP) additional assistance funding in the amount of \$7,471,416. This has resulted in over \$15 million of ARP funds between FY 22 and FY 23.

Fare Box Revenues

Farebox Revenues: SMART passengers pay for their rides using the fare structure approved by the SMART Board in 2015 and 2016. SMART participates in the regional Clipper fare system that allows riders to transfer seamlessly among Bay Area operators

using one fare media card. SMART also has its own mobile ticket app that provides easy purchasing of multiple or discounted tickets without purchasing a Clipper card. The fares are based on the distance travelled by a rider, like other commuter rail services. In May of 2021, fares were lowered by approximately 40%. SMART also provides several discounts to SMART riders with a youth, senior, low income, and passengers with disabilities fare. See chart below.

One-Way						
	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Daily Max
Adult Fare	\$ 1.50	\$ 3.00	\$ 4.50	\$ 6.00	\$ 7.50	\$ 15.00
Seniors, youth, low-income, and passengers with disabilities (50%)	\$ 0.75	\$ 1.50	\$ 2.25	\$ 3.00	\$ 3.75	\$ 7.50

In May 2021, a new “Weekend Day Pass” was implemented. The Weekend Day Pass is \$10.00 for adults and \$5.00 for seniors, youth, passengers with disabilities and START customers. The Weekend Day Pass offers unlimited rides for the entire day. In September 2021, the 31-day pass was lowered to \$135.00 for adults and \$67.50 for youth, seniors, and passengers with disabilities.

The current reduction in fares has been authorized to run through August of 2022. This budget assumes fares are at the reduced levels through June 30, 2023.

Farebox recovery ratio, also known as the fare recovery rate, is the fraction of operating expenses which are met by the fares paid by passengers. The calculation is total fare revenues divided by the total operating expenses. The fare box recovery, assuming the budgeted fare revenues and budget expenses, would be 13.8% for fiscal year 2023.

Other SMART Revenues

- Interest and Lease Earnings: Includes leases and interest earnings which are expected to remain relatively the same in Fiscal Year 2023 and advertising revenue is expected to increase based on emergence from the pandemic and a new advertising vendor
- Miscellaneous Revenues: Vary each year, but are assumed to be like Fiscal Year 2022
- Advertising Revenues: Revenues from advertising space sold onboard trains and station platform shelter panels
- Parking Revenue: The Board suspended parking fees through August 2022. We are assuming parking fees are suspended for all Fiscal Year 2023 in this budget
- Charges for Services: Includes flagging services

Expenditures

Passenger Rail Operations

Passenger Rail Operations has three (3) major divisions that work together to move people in a safe, reliable, and affordable way.

The Transportation Division is responsible for operating the trains, checking fares, assisting passengers, ensuring onboard passenger safety, and guaranteeing compliance with FRA regulations related to train operations and passenger service. In addition, the Operations Control Center monitors the status of the entire system, dispatches passenger and freight trains, and is the emergency point of contact for outside first responder agencies.

The Vehicle Maintenance Division is responsible for preventative maintenance work, inspections, cleaning, and repairs of the Diesel Multiple Units (DMUs), along with interior inspections and cleaning.

The Maintenance of Way Division is responsible for track and right of way inspection and maintenance, train control and grade crossing warning device maintenance and regulatory required inspections, and maintenance of all SMART owned facilities (stations, moveable bridge electronics and mechanics, buildings, and right of way fencing.)

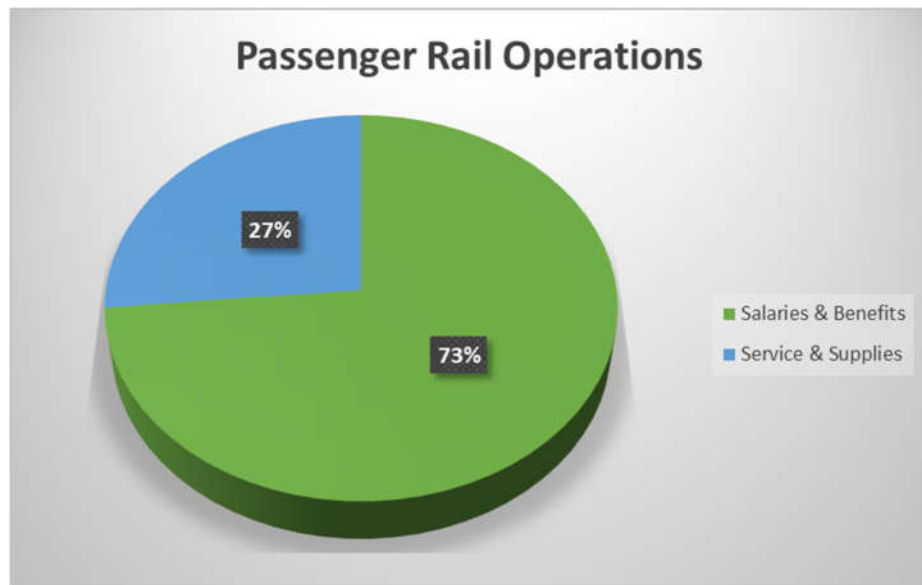
In addition to Transportation, Vehicle Maintenance and Maintenance of Way two additional functions are under the operations budget.

Public Safety

The Public Safety Department coordinates with Federal, State, and local jurisdictions to provide incident response, facility safety, and keep the public and our customers safe.

Train Control Systems

The Train Control Systems is responsible for monitoring and managing SMART's train control systems. The train control systems perform such functions as: safely route trains, safely separate trains, track and report the location of trains, detecting and report broken rail, detect and report misaligned switches, detect and report misaligned bridges, and detect and report faults. In addition, other integral parts of the train control systems include positive train control (PTC), traffic signal interconnection, and grade crossing warning systems.



Account	Account Description	FY 22 Amended Budget	FY 23 Requested Budget
51061	Maintenance of Equipment	\$ 442,576	\$ 467,378
51062	Maintenance of Radios	\$ 163,750	\$ 151,386
51063	Maintenance of Signals	\$ 258,816	\$ 230,000
51071	Maintenance of Facilities	\$ 247,080	\$ 248,680
51074	Maintenance of Railway	\$ 394,250	\$ 170,750
51075	Maintenance of Pathway	\$ 12,000	\$ 22,500
51225	Training & Travel Expense	\$ 94,000	\$ 61,500
51252	Fare Collection Fees	\$ 292,100	\$ 196,000
51401	Rental/ Leases - Equipment	\$ 49,020	\$ 58,000
51604	Maintenance of Revenue Vehicles	\$ 1,153,475	\$ 471,700
51605	Mileage Reimbursement & Auto Tolls	\$ -	\$ 1,000
51802	Contract Services - Administrative	\$ 616,940	\$ 616,740
51804	Contract Services - Transportation	\$ 93,000	\$ 93,000
51902	Communications	\$ 242,500	\$ 78,700
52021	Uniform Expense	\$ 137,000	\$ 103,000
52061	Fuel and Lubricants	\$ 1,323,000	\$ 1,885,000
52091	Memberships	\$ 2,900	\$ 3,050
52101	Miscellaneous Expense	\$ 2,000	\$ 36,500
52111	Office Expense	\$ 70,000	\$ 45,000
52117	Postage	\$ 6,000	\$ 8,000
52141	Small Tools and Equipment	\$ 220,928	\$ 186,500
52143	Software	\$ -	\$ 43,400
52191	Utilities	\$ 705,275	\$ 657,520
	Grand Total	\$ 6,526,610	\$ 5,835,304

The Operations Department has 109 full-time equivalent (FTE) employees with an estimated budget for salaries and benefits of \$16,138,923. One new position has been added in FY23. It is a ½ FTE for Bridge Tending. Salaries and Benefits make up 73% of the total Operations budget, see above.

In May of 2022, SMART brought back Sunday service and on June 13, 2022, added an additional ten (10) trips during the week, bringing the total trips to 36 per day on weekdays. Since we budgeted for this additional service in Fiscal Year 2022, the overall budget will not increase as a result. The largest jump in cost in the operations budget is related to the increased price of fuel. However, even with an increase in service, the operations budget is lower by \$839,597 million or 4%.



Administration

The Administration budget funds the day-to-day business functions of the organization such as finance, human resources, planning, legal, real estate, and information technology.

Communications and Marketing Department

The Communications Department consists of three different areas of focus: Media and Public Relations, Marketing, and Customer Service.

Media and Public Relations is responsible for keeping SMART's external audiences informed and engaged about the agency's services, programs, and projects. Some examples are:

- Digital and Social Media Platforms
- Websites
- Media relations
- Community presentation, construction outreach, and events
- Rail Safety Education

Marketing is responsible for outreach and marketing. Some examples are:

- Digital, Print, On-Board Train, and Platform Advertising
- Marketing Collateral

Customer Service is responsible for responding to customer inquiries through phone calls and emails received.

Finance and Procurement Department

The Finance Department includes the following functions:

- Budget
- Accounting
- Finance
- Treasury
- Payroll
- Procurement
- Grants Budgeting and Reporting

Human Resource Department

Human Resources is responsible for personnel issues, recruitment and selection of employees, employee compensation, labor negotiations, and performance management.

Information Technology (IT) Department

The Information Technology (IT) Department develops, operates, and maintains SMART's information and telecommunications systems.

- Maintains the cybersecurity of all SMART IT systems
- Administrative Information Systems for 4 offices including email, servers, and printers
- Railroad Information Systems such as CCTV, radio, platform equipment, and fare collection devices
- 776 devices consisting of computers, cell phones, vehicle locators, printers, radios, and network devices

Legal Department

The Legal department is responsible for the following:

- Transactional Matters
- Litigation
- Risk Management

Planning Department

Planning is responsible for the following functions:

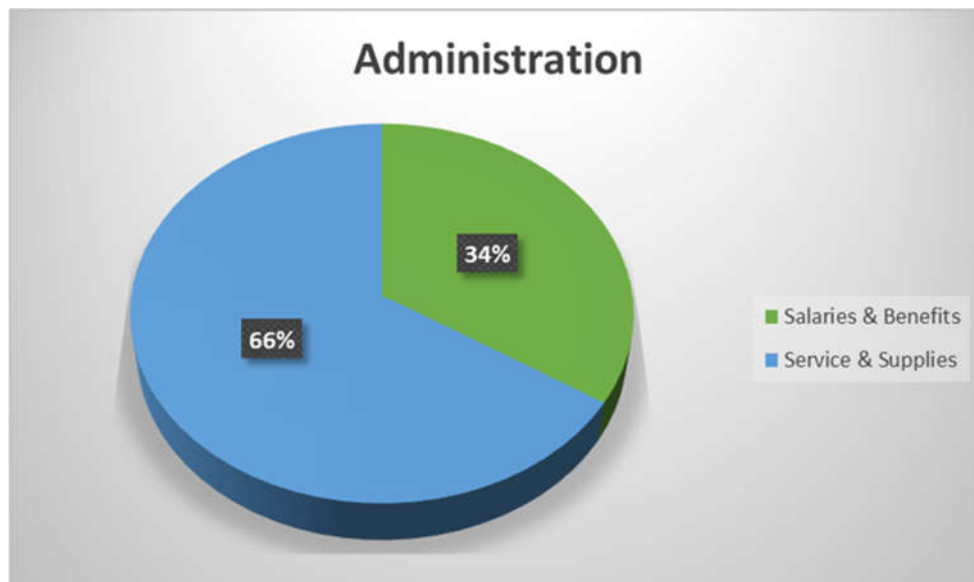
- Rail and multiuse pathway planning and service delivery studies
- Ridership and Service planning analyses and recommendations
- Capital planning studies
- Local and regional agency planning coordination
- First-last mile solutions planning

Real Estate

The Real Estate Department is responsible for managing SMART's Right-of-Way, processes all third-party requests for access to the Right-of-Way, and property sales, acquisitions; supports all departments with title research and boundary information.

SMART's District Administration has 32 full time equivalent (FTE) employees with an estimated budget for salaries and benefits of \$5,522,935. Four new positions have been added: Risk Manager, Senior Planner, Information Systems Analyst, and Administrative Assistant. Salaries and Benefits make up 34% of the total administrative budget, see above, which is opposite the composition of the Operations budget.

In the Administrative budget there is a notable increase in the estimate for insurance, the largest driver being railroad liability insurance. We have not received our final insurance quotes, but we are anticipating a large increase. The other area where there was an increase is miscellaneous expense. In previous budgets, contingencies were budgeted in each of the Departments, i.e., Capital, Operations, Information Systems. In this budget, all the contingency funds are budgeted under one line item, miscellaneous expense. These funds will now be under the purview of the General Manager verses the individual Division or Department heads. Legal expenses and public relations expenses are two areas that we expect costs to go down significantly from Fiscal Year 022. For Fiscal Year 2023, the overall Administration budget is higher by \$13,606 or 0.1%.



Account	Account Description	FY 22 Amended Budget	FY 23 Requested Budget
51042	Insurance	\$ 2,172,121	\$ 2,897,327
51045	Provisions for Claims	\$ 492,587	\$ 500,000
51071	Maintenance of Facilities	\$ 3,000	\$ 3,000
51201	BOE Admin Fees	\$ 1,000,000	\$ 900,000
51206	Auditing/ Accounting Services	\$ 54,885	\$ 51,030
51207	Fiscal Accounting Services	\$ 5,100	\$ 5,100
51211	Legal	\$ 2,120,000	\$ 1,176,000
51214	Agency Extra Help	\$ 102,500	\$ 100,000
51225	Training & Travel Expense	\$ 128,000	\$ 152,000
51241	Printing Services	\$ 54,800	\$ 40,800
51242	Fiscal Agent Fees	\$ 5,000	\$ 5,000
51244	Permits/ Fees	\$ 18,070	\$ 500
51250	Professional Services - Collection Agency Fees	\$ 5,000	\$ -
51301	Public/ Legal Notices	\$ 43,000	\$ 41,500
51401	Rental/ Leases - Equipment	\$ 47,000	\$ 56,000
51421	Rental/ Leases - Buildings	\$ 481,193	\$ 460,866
51605	Mileage Reimbursement & Auto Tolls	\$ 39,620	\$ 38,820
51802	Contract Services - Administrative	\$ 1,877,774	\$ 1,828,974
51803	Contract Services - Personnel	\$ 145,772	\$ 214,500
51902	Communications	\$ 49,250	\$ 243,200
51918	Claims Processing Payroll	\$ 35,400	\$ 37,170
52021	Uniform Expense	\$ 5,000	\$ 5,000
52091	Memberships	\$ 45,930	\$ 52,879
52101	Miscellaneous Expense	\$ 5,000	\$ 1,000,000
52111	Office Expense	\$ 80,860	\$ 60,000
52115	Books/ Periodicals	\$ 7,000	\$ 10,500
52117	Postage	\$ 10,000	\$ 10,000
52141	Small Tools and Equipment	\$ 2,000	\$ 2,000
52142	Computer Hardware	\$ 179,860	\$ 111,000
52143	Computer Software	\$ 411,181	\$ 593,720
52161	Marketing/ Promotional Items	\$ -	\$ 20,000
52162	Public Relations Expense	\$ 619,000	\$ 44,000
	Grand Total	\$ 10,245,902	\$ 10,660,886

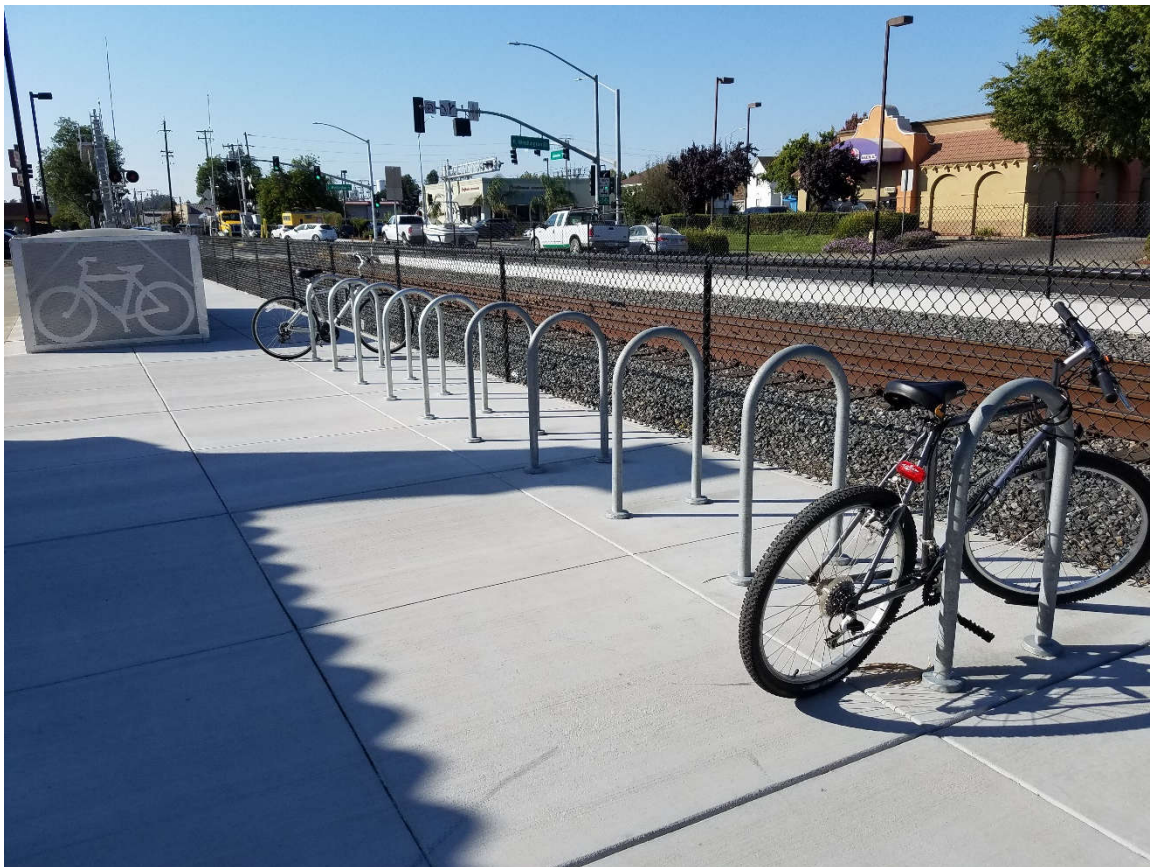
Planning Projects

Survey our Current Riders - Onboard Survey

- Customer satisfaction
- Demographics
- SMART's only onboard survey was conducted in 2017/18 by MTC Consultants

Pathway Wayfinding

- Development of design standards and framework for a multi-level wayfinding system for the SMART multi-use pathway. The wayfinding will help riders navigate along the pathway to connecting routes to major destinations, including SMART Stations



Corridor-Level Service Planning Study

- Partner with Caltrans to conduct corridor-level service planning analyses of the SMART mainline, extension to Cloverdale, and the east-west Hwy 37 Corridor
- Determine infrastructure improvements needed to achieve clockface headways

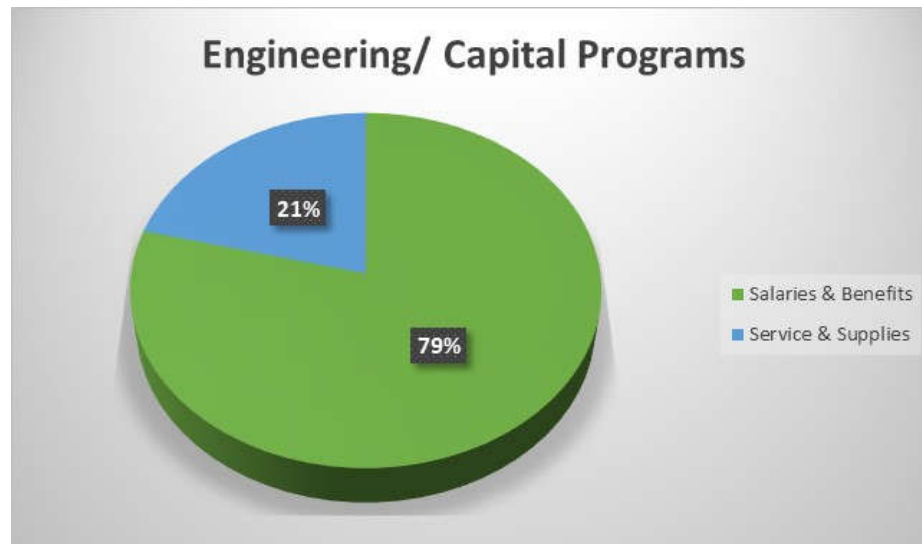
- Evaluate fleet requirements based on service parameters
- Assess impacts of station locations on ridership and service demand
- Conduct additional analyses as needed on the SMART Brazos branch interface with State Route 37 corridor.

First/ Last Mile

- Range of first-last mile solutions depending on the connections needed at each station, including on-demand shuttles, improved local transit service, and bicycle and pedestrian facilities.

Engineering/ Capital Programs

Capital Programs is responsible for planning and managing the expansion of the rail and pathway systems, managing SMART's existing infrastructure, supporting grant applications, and coordinating with local municipalities.



Engineering/ Capital Programs has seven FTE which includes upgrading an Assistant Engineer to a Senior Engineer. Total salary and benefits costs are estimated at \$1,479,062 of which \$1,193,147 or 80% is estimated to be charged to projects. Engineering/ Capital Programs budget decreased by \$80,468 or 4%.

Account Description	FY 22 Amended Budget	FY 23 Requested Budget
Training & Travel Expense	\$ 3,000	\$ 5,000
Contracted Services	\$ 425,000	\$ 352,000
Permit Fees	\$ 30,000	\$ 30,000
Mileage Reimbursement & Auto Tolls	\$ 1,000	\$ 1,000
Communications	\$ 7,700	\$ 5,600
Memberships	\$ 1,500	\$ 500
Small Tools and Equipment	\$ 3,000	\$ -
	\$ 471,200	\$ 394,100

Environmental Projects

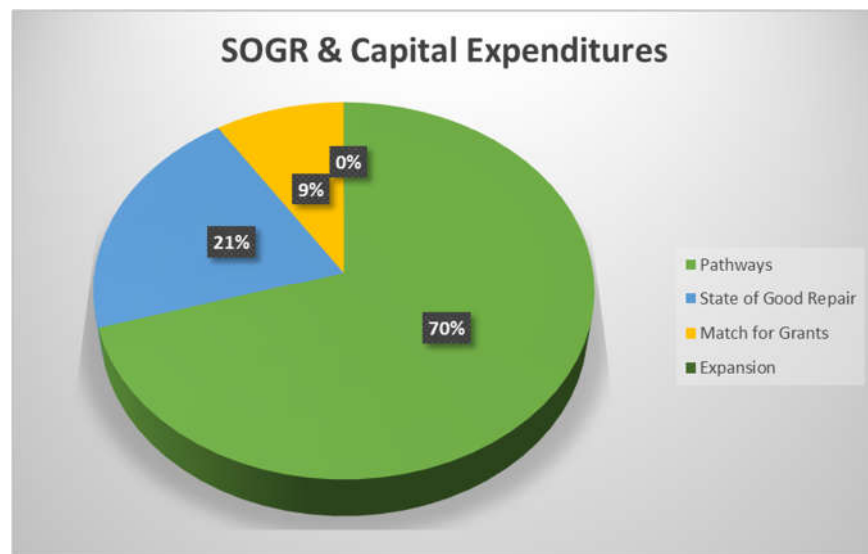
The FY 23 budget includes new and ongoing environmental projects that are a result of securing environmental regulatory permits for construction work.

- Mira Monte Mitigation
- Riparian Mitigation for Initial Operating Segment
- San Rafael Creek Mitigation for Larkspur Segment
- Las Gallinas Riparian Enhancement & Monitoring

State of Good Repair and Capital Projects

49 CFR 625.5 defines State of Good Repair (SGR) as the condition in which a capital asset can operate at a full level of performance. Per FTA, “having well maintained, reliable transit infrastructure - track, signal systems, bridges, tunnels, vehicles and stations - will help ensure safe, dependable and accessible services.”

SMART has broken our costs into State of Good Repair and Capital Projects. State of Good Repair expenditures are those costs that keep our assets in a condition where the asset can operate at a full level of performance. This requires regular repairs and replacement of those assets. The budget by category is outlined below.



	FY 22	FY 23	Difference
State of Good Repair			
Track, MOW, and Facilities	\$ 300,000	\$ 436,275	\$ 136,275
Safety and Security	\$ -	\$ 477,225	\$ 477,225
DMU	\$ 2,680,844	\$ 703,500	\$ (1,977,344)
Bridges	\$ 280,620	\$ 796,988	\$ 516,368
Other Construction	\$ 2,122,761	\$ 1,050,000	\$ (1,072,761)
Information Technology	\$ 390,600	\$ 278,250	\$ (112,350)
Non-Revenue Vehicles	\$ 170,000	\$ 467,250	\$ 297,250
Equipment	\$ -	\$ 263,998	\$ 263,998
Total State of Good Repair	\$ 5,944,825	\$ 4,473,486	\$ (1,471,339)

Projects that fall under Capital Projects are those projects that result in new assets such as expanding passenger rail North of Santa Rosa or new pathways. It would also include equipment or vehicles if they were added and not purchased to replace an existing asset.

	FY 22	FY 23	Difference
Capital Projects			
Pathways	\$ 5,820,691	\$ 15,349,795	\$ 9,529,104
Expansion	\$ 7,234	\$ 2,133	\$ (5,101)
Total Capital Expenditures	\$ 5,827,925	\$ 15,351,927	\$ 9,524,002

Currently, the Windsor extension project is on hold pending successful resolution of a State Supreme Court case involving funding for this project or until we secure additional funding to complete. In FY 23, we have funded the following for pathways.

- Design and permitting of Marin and Sonoma pathways
- Sonoma County Gap Closure Pathway Construction
- Joe Rodota Trail to 3rd Street Construction
- Payran to Lakeville Construction

In addition, \$2 million has been budgeted to provide matching funds for grants that we are pursuing in FY 23.

FREIGHT

In March of 2022, SMART assumed the freight operations from the Northwestern Pacific Railroad Company (NWPCo) which had been operating service from Napa County to Petaluma since 2011. SMART will be operating this service with SMART employees. Currently there are four customers, and they receive primarily feed grain. In addition, there is freight car storage location at the Schellville yard. Service consists of two round trips to Petaluma customers a week as well as two round trips to the California Northern Railroad to receive and deliver rail cars to and from the interchange.



Revenues and expenditures for freight operations are being tracked separately in Fund 60. Administrative expenses will be allocated based on a ratio of total miles freight operates versus total miles passenger rail operates. In addition to the administrative allocation, this ratio will be used for other allocation of expenses such as radio maintenance and mainline track maintenance.

The SMART Board of Directors previously approved six (6) FTE to operate the Freight Division for the organization. The FY 23 budget for salaries and benefits for freight operations is estimated at \$786,060. This could vary slightly as not all positions have

been hired and the actual cost of the Railroad Retirement benefit is not yet known. The details regarding these positions can be found in Appendix C.

Now that SMART has acquired the freight operations, we have been evaluating and prioritizing the work that needs to be done to run the service and comply with all Federal Railroad Administration requirements. Work has already begun to clean up Schellville Depot and design has begun on necessary repairs to high priority bridges. In addition, the Freight Manager has been reaching out to returning and potential new customers to increase revenues to replace the revenues lost with the elimination of storage fees from Liquid Petroleum Gas (LPG) tanker cars.

	FY 23
Revenues	
State Grant (42341)	\$ 4,000,000
State Grant (Blackpoint)	\$ 206,000
Freight Movement Fees	\$ 1,100,000
Leases	\$ 145,743
Storage	\$ 92,000
Total Revenues	\$ 5,543,743

Note: FY 22 Budget was only for March - June of 2022 and represented a partial year.



Account	Expenditures: Account Description	FY 22 Amended Budget	FY 23 Requested Budget
	Cost Allocation	\$ 20,000	\$ 197,515
51042	Insurance	\$ 20,000	\$ 68,000
51061	Maintenance of Equipment	\$ 6,800	\$ 63,750
51062	Maintenance of Radios	\$ -	\$ 2,034
51063	Maintenance of Signals	\$ 11,574	\$ 25,000
51071	Maintenance of Facilities	\$ -	\$ 25,000
51074	Maintenance of Railway	\$ 48,420	\$ 60,000
51604	Maintenance of Revenue Vehicles	\$ 40,400	\$ 140,000
51211	Legal Services	\$ 25,000	\$ 25,000
51225	Training & Travel Expense	\$ -	\$ 25,000
51244	Permits and Fees	\$ 3,800	\$ 10,000
51401	Rental/ Leases - Equipment	\$ 12,000	\$ 65,000
51605	Mileage Reimbursement & Auto Tolls	\$ -	\$ 2,500
51802	Contract Services - Administrative	\$ 327,686	\$ 198,321
51902	Communications	\$ -	\$ 18,500
52021	Uniform Expense	\$ -	\$ 5,000
52061	Fuel and Lubricants	\$ 21,200	\$ 105,000
52091	Memberships	\$ -	\$ 750
52141	Small Tools and Equipment	\$ -	\$ 40,000
52142	Computer Hardware	\$ -	\$ 9,000
52143	Computer Software	\$ 10,000	\$ 33,100
52191	Utilities	\$ -	\$ 15,000
	Grand Total	\$ 546,880	\$ 1,133,470

Capital and Fund Balance

	FY 23
Blackpoint Bridge	\$ 982,150
Highway 37 Grade Crossing Reconstruction	\$ 600,000
Brazos Branch - Bridge Repairs (High Priority)	\$ 865,269
New York Air Brake	\$ 68,000
PTC	\$ 75,000
Total Capital & SOGR	\$ 2,590,419
Balance	\$ 2,141,496

CARRYFORWARD FUNDS/EXPENDITURES

As part of the FY 22 budget, we are anticipating carrying forward \$4,314,309 from FY 22 to FY 23. Of the \$4,314,309, \$ 70,000 is related to the freight budget. This includes projects and programs that are not estimated to be completed or expended in FY 22. Both the revenues and expenditures will be rolled forward. Because we are estimating what will be spent between now and June 30, 2022, this number will most likely change and will be adjusted in FY 23.

Passenger

Description	Amount Budgeted in FY22	Amount to Roll to FY23
Permanent Magnet Alternator (PMA) Overhaul	\$ 40,000.00	\$ 20,000.00
Radiator Fan Modification	\$ 67,000.00	\$ 67,000.00
Board Meeting Wireless Mics	\$ 5,000.00	\$ 5,000.00
Pathways - Joe Rodota to 3rd Street	\$ 45,788.00	\$ 4,163.00
SoCo Gap Pathway Closure	\$ 1,713,827.00	\$ 806,360.00
Path of Travel Improvements - Four Locations	\$ 419,664.00	\$ 252,591.00
Marin-Sonoma Pathway Design & Permitting	\$ 1,315,222.00	\$ 563,272.00
Marin Pathway Design & Permitting	\$ 2,207,657.00	\$ 806,128.00
IOS Riparian Mitigation	\$ 100,000.00	\$ 100,000.00
San Rafael Creek (Larkspur Mitigation)	\$ 230,155.00	\$ 128,725.00
Rail Operations and Maintenance Facility	\$ 250,000.00	\$ 245,500.00
Wheel Truing Machine	\$ 1,250,000.00	\$ 457,500.00
Basalt Creek Timber Bridge Design	\$ 90,258.00	\$ 11,550.00
San Antonio Timber Bridge Design	\$ 179,340.00	\$ 13,200.00
DMU Door Fix	\$ 250,000.00	\$ 250,000.00
Total	\$ 8,163,911.00	\$ 3,730,989.00

Vendor	PO #	Amount
CDWG	1799	\$222,598.41
Downtown Ford	1746	\$72,590.37
Knorr Brake	1754	\$4,470.20
Mahle Industrial Thermal	1679	\$87,989.28
Aspen Equipment	1779	\$117,247.75
Smotherman Holdings, LLC dba Rebel Railway	1786	\$8,424.30
Total		\$513,320.31

Freight

Description	Amount Budgeted in FY22	Amount to Roll to FY23
Locomotive 2009 - 1RPBDB20875000187	\$ 135,676.43	\$ 20,000.00
Brazos Branch Bridge Design	\$ 75,000.00	\$ 50,000.00
Total	\$ 210,676.43	\$ 70,000.00

Reserves

SMART has several reserves that have been established for various purposes.

Pension Liability Reserve

This reserve is to ensure that we have funds set aside for future pension costs. We have set aside \$500,000 for FY 23 but this figure could change as the actual contribution is based on the year-end actuarial calculation. Once we close the books, we will be able to calculate the amount of pension liability. Once that is known we can true-up the amount transferred to this reserve in the FY 23 amended budget.

Equipment Reserve

This reserve is used to accumulate funds for future capital equipment needs such as DMU replacement. The current balance is \$7,625,000. We are recommending the addition of \$2,000,000 in FY 23 as an ongoing contribution to prepare for future capital replacement needs.

Corridor Completion Reserve

This reserve was established in the FY 2020/2021 amended budget to set aside funds for design, environmental, or leveraging grants. The current balance is \$7,000,000.

Operating Reserve

The FY 22 operating reserve is \$10 million. We have calculated 25% of the operating costs for FY 2021/2022 which would result in a reserve of \$9.8 million. Since this is below the \$10 million minimum threshold, the reserve will remain at \$10 million for FY 23.

The current estimated fund balance after deducting the reserves is for passenger rail is \$45,365,112.

Debt

In October of 2020, SMART pursued a successful taxable advance refunding of the 2011A bonds. The refunding matched the existing March 1, 2029, final maturity of the 2011A bonds. These bonds are secured by a gross lien of SMART's ¼ cent sales tax. The bonds were rated "AA" by Standard & Poor's. The new debt service schedule is listed below.

Fiscal Year	Series 2020 Bonds Principal	Series 2020 Bonds Interest	Debt Service
2021	\$3,365,000.00	\$566,576.35	\$3,931,576.35
2022	13,280,000.00	1,656,755.80	14,936,755.80
2023	14,015,000.00	1,581,192.60	15,596,192.60
2024	14,765,000.00	1,479,443.70	16,244,443.70
2025	15,580,000.00	1,324,115.90	16,904,115.90
2026	15,860,000.00	1,136,844.30	16,996,844.30
2027	16,105,000.00	893,869.10	16,998,869.10
2028	16,385,000.00	614,930.50	16,999,930.50
2029	13,615,000.00	284,281.20	13,899,281.20
Total	\$122,970,000.00	\$9,538,009.45	\$132,508,009.45

APPENDIX A - PASSENGER RAIL OVERVIEW OF SOURCES & USES

	FY 22 Amended Budget	FY 23	Difference
Beginning Fund Balance *	\$ 37,466,206	\$ 37,393,310	\$ (72,896)
Revenues			
SMART S&U Tax			
Measure Q	\$ 46,981,000	\$ 51,622,000	\$ 4,641,000
Federal Funds			
5307 - Urbanized Area Formula Funds (Preventative Mtce)	\$ 2,957,733	\$ 4,148,529	\$ 1,190,796
American Rescue Plan	\$ 7,225,294	\$ 7,507,797	\$ 282,503
FRA Suicide Prevention Grant	\$ 80,000	\$ -	\$ (80,000)
Quick Strike (CMAQ) (Pathway Payran to Lakeville	\$ -	\$ 806,000	\$ 806,000
State Funds			
STA - State Transit Assistance (Revenue)	\$ 1,757,364	\$ 2,291,573	\$ 534,209
STA-State Transit Assistance (Population)	\$ 516,794	\$ 534,918	\$ 18,124
SB1 - SRA - State Rail Assistance	\$ 3,058,638	\$ 3,700,000	\$ 641,362
LCTOP - Low Carbon Transit Operating	\$ 225,623	\$ 534,762	\$ 309,139
State - TIRCP SH 37 Network Integration	\$ 30,000	\$ 750,000	\$ 720,000
STA-SGR (State of Good Repair)	\$ 309,308	\$ 550,349	\$ 241,041
SB1 - Local Partnership Program	\$ 679,000	\$ 1,392,000	\$ 713,000
ATP - SoCo Pathway - CTC/Caltrans/MTC	\$ 983,957	\$ 11,470,569	\$ 10,486,612
State - Cap and Trade/ TIRCP DMUs	\$ 1,100,000	\$ -	\$ (1,100,000)
Other Sources			
Fare Revenues	\$ 1,200,000	\$ 2,310,768	\$ 1,110,768
Parking	\$ 27,000	\$ -	\$ (27,000)
Interest Earning	\$ 275,000	\$ 277,750	\$ 2,750
Advertising	\$ 90,000	\$ 225,000	\$ 135,000
Rent - Real Estate	\$ 258,865	\$ 266,631	\$ 7,766
Misc.	\$ 30,000	\$ 30,900	\$ 900
Charges for Services	\$ 57,500	\$ 28,325	\$ (29,175)
Regional Funds			
Other Governments	\$ 15,000	\$ -	\$ (15,000)
County Intergovernmental Funds -SCTA TIF (SoCo Pathway)	\$ 146,998	\$ -	\$ (146,998)
Total Revenues	\$ 68,005,074	\$ 88,447,871	\$ 20,442,797
Total Revenues + Fund Balance	\$ 105,471,280	\$ 125,841,181	\$ 20,369,901
Debt Service	\$ 14,936,756	\$ 15,596,193	\$ 659,437
Salaries & Benefits	\$ 23,693,957	\$ 23,140,920	\$ (553,037)
Reduction for Salaries Charged to Projects	\$ (822,804)	\$ (1,193,147)	\$ (370,343)
Reduction for Allocation of Salaries/ Services/ Supplies to Freight	\$ -	\$ (197,515)	\$ (197,515)
Service & Supplies	\$ 17,997,311	\$ 16,496,190	\$ (1,501,121)
Total Salaries, Benefits, Service, & Supplies	\$ 40,868,464	\$ 38,246,448	\$ (2,622,016)
Contribution to OPEB/ CalPERS Liability Fund	\$ 500,000	\$ 500,000	\$ -
Contribution to Capital Sinking Fund	\$ -	\$ 2,000,000	\$ 2,000,000
Self Insured Fund	\$ -	\$ -	\$ -
Operating Reserve	\$ 217,116	\$ -	\$ (217,116)
Total Reserve Contributions	\$ 717,116	\$ 2,500,000	\$ 1,782,884
Planning		\$ 1,425,000	\$ 1,425,000
Environmental		\$ 883,015	\$ 883,015
Total Planning & Environmental	\$ -	\$ 2,308,015	\$ 2,308,015
Total Debt Service, Operating, Reserves, Environmental/ Planning	\$ 56,522,336	\$ 58,650,656	\$ 2,128,320
Balance	\$ 48,948,944	\$ 67,190,525	\$ 18,241,581

	FY 22	FY 23	Difference
State of Good Repair			
Track, MOW, and Facilities	\$ 300,000	\$ 436,275	\$ 136,275
Safety and Security	\$ -	\$ 477,225	\$ 477,225
DMU	\$ 2,680,844	\$ 703,500	\$ (1,977,344)
Bridges	\$ 280,620	\$ 796,988	\$ 516,368
Other Construction	\$ 2,122,761	\$ 1,050,000	\$ (1,072,761)
Information Technology	\$ 390,600	\$ 278,250	\$ (112,350)
Non-Revenue Vehicles	\$ 170,000	\$ 467,250	\$ 297,250
Equipment	\$ -	\$ 263,998	\$ 263,998
Total State of Good Repair	\$ 5,944,825	\$ 4,473,486	\$ (1,471,339)
	FY 22	FY 23	Difference
Capital Projects			
Pathways	\$ 5,820,691	\$ 15,349,795	\$ 9,529,104
Expansion	\$ 7,234	\$ 2,133	\$ (5,101)
Total Capital Expenditures	\$ 5,827,925	\$ 15,351,927	\$ 9,524,002
	FY 22	FY 23	Difference
Future Match for Federal/ State Funds	\$ -	\$ 2,000,000	\$ 2,000,000
	FY 22	FY 23	
Ending Fund Balance	\$ 37,176,194	\$ 45,365,112	\$ 8,188,918
* Excludes Reserves			

APPENDIX B - FREIGHT OVERVIEW OF SOURCES & USES

	FY 23
Beginning Fund Balance	\$ 1,107,702
Revenues	
State Grant (42341)	\$ 4,000,000
State Grant (Blackpoint)	\$ 206,000
Freight Movement Fees	\$ 1,100,000
Leases	\$ 145,743
Storage	\$ 92,000
Total Revenues	\$ 5,543,743
Total Revenues + Fund Balance	\$ 6,651,445
	FY 23
Salaries	\$ 786,060
Service & Supplies	\$ 1,133,470
Total Salaries, Benefits, Service, & Supplies	\$ 1,919,530
Balance	\$ 4,731,915
	FY 23
Blackpoint Bridge	\$ 982,150
Highway 37 Grade Crossing Reconstruction	\$ 600,000
Brazos Branch - Bridge Repairs (High Priority)	\$ 865,269
New York Air Brake	\$ 68,000
PTC	\$ 75,000
Total Capital & SOGR	\$ 2,590,419
Balance	\$ 2,141,496

APPENDIX C - POSITION AUTHORIZATION

Department	# of Positions	Position Title	Hourly		Annual	
			Min	Max	Min	Max
Administrative	1	Accountant I	\$ 33.36	\$ 40.55	\$ 69,389	\$ 84,344
	1	Accounts Payable Technician	\$ 28.29	\$ 34.40	\$ 58,843	\$ 71,552
	2	Administrative Assistant	\$ 26.97	\$ 32.78	\$ 56,098	\$ 68,182
	1	Assistant General Counsel	\$ 86.50	\$ 105.14	\$ 179,920	\$ 218,691
	1	Assistant Planner	\$ 37.19	\$ 45.20	\$ 77,355	\$ 94,016
	1	Chief Financial Officer	\$ 115.24	\$ 140.07	\$ 239,699	\$ 291,346
	1	Budget and Grants Analyst	\$ 50.77	\$ 61.72	\$ 105,602	\$ 128,378
	1	Clerk of the Board	\$ 41.02	\$ 49.86	\$ 85,322	\$ 103,709
	1	Communications and Marketing Manager	\$ 70.33	\$ 85.48	\$ 146,286	\$ 177,798
	1	Community Outreach Coordinator	\$ 38.13	\$ 46.35	\$ 79,310	\$ 96,408
	1	Community Outreach Specialist	\$ 57.71	\$ 70.15	\$ 120,037	\$ 145,912
	1	Budget and Finance Manager	\$ 58.87	\$ 71.57	\$ 122,450	\$ 148,866
	1	General Counsel	\$ 115.24	\$ 140.07	\$ 239,699	\$ 291,346
	1	General Manager	\$ 143.60		\$ 298,688	-
	1	Human Resources Manager	\$ 70.08	\$ 85.19	\$ 145,766	\$ 177,195
	1	Human Resources Principal Analyst	\$ 57.71	\$ 70.15	\$ 120,037	\$ 145,912
	1	Human Resources Technician	\$ 35.39	\$ 43.02	\$ 73,611	\$ 89,482
	1	Information Systems Analyst	\$ 44.65	\$ 54.28	\$ 92,879	\$ 112,895
	1	Information Systems Manager	\$ 73.26	\$ 89.06	\$ 152,381	\$ 185,245
	1	Information Systems Technician	\$ 39.06	\$ 47.47	\$ 81,245	\$ 98,738
	1	Legal Administrative Assistant	\$ 35.39	\$ 43.02	\$ 73,611	\$ 89,482
	1	Payroll Technician	\$ 28.35	\$ 34.45	\$ 58,968	\$ 71,656
	1	Principal Planner	\$ 62.27	\$ 75.69	\$ 129,522	\$ 157,435
	1	Purchasing Assistant	\$ 29.49	\$ 35.85	\$ 61,339	\$ 74,568
	1	Procurement Manager	\$ 64.32	\$ 78.19	\$ 133,786	\$ 162,635
	1	Programming and Grants Manager	\$ 73.89	\$ 89.82	\$ 153,691	\$ 186,826
	1	Real Estate Manager	\$ 79.56	\$ 96.72	\$ 165,485	\$ 201,178
	1	Risk Manager	\$ 62.27	\$ 75.69	\$ 129,522	\$ 157,435
	1	Senior Planner	\$ 50.77	\$ 61.72	\$ 105,602	\$ 128,378
	1	Senior Real Estate Officer	\$ 53.60	\$ 65.14	\$ 111,488	\$ 135,491
	1	Accounting Manager	\$ 54.67	\$ 66.45	\$ 113,714	\$ 138,216
		Interns (Multiple)		\$ 17.00		
Total	32					

Department	# of Positions	Position Title	Hourly		Annual	
			Min	Max	Min	Max
Capital	1	Assistant Engineer	\$ 45.09	\$ 54.82	\$ 93,787	\$ 114,026
	2	Associate Engineer	\$ 53.60	\$ 65.14	\$ 111,488	\$ 135,491
	1	Chief Engineer	\$ 94.56	\$ 114.93	\$ 196,685	\$ 239,054
	1	Manager Train Control Systems	\$ 94.56	\$ 114.93	\$ 196,685	\$ 239,054
	1	Principal Engineer	\$ 70.33	\$ 85.48	\$ 146,286	\$ 177,798
	1	Senior Engineer	\$ 58.87	\$ 71.57	\$ 122,450	\$ 148,866
Total	7					

Department	# of Positions	Position Title	Hourly		Annual	
Operations			Min	Max	Min	Max
	1	Administrative Analyst / Purchasing	\$ 43.13	\$ 52.42	\$ 89,710	\$ 109,034
	1	Administrative Assistant	\$ 26.97	\$ 32.78	\$ 56,098	\$ 68,182
	1	Administrative Services Manager	\$ 45.09	\$ 54.82	\$ 93,787	\$ 114,026
	1	Assistant Superintendent of Transportation	\$ 63.18	\$ 76.80	\$ 131,414	\$ 159,744
	3	Bridge Tender		\$ 32.79		\$ 68,203
	1	Chief of Police	\$ 85.68	\$ 104.14	\$ 178,214	\$ 216,611
	3	Code Compliance Officer	\$ 34.55	\$ 41.98	\$ 71,864	\$ 87,318
	10	Controller /Supervisor	\$ 48.33	\$ 58.74	\$ 100,526	\$ 122,179
	11	Conductor *	\$ 35.08	\$ 41.26	\$ 72,966	\$ 85,821
	18	Engineer/ Conductor *	\$ 42.17	\$ 49.61	\$ 87,714	\$ 103,189
	1	Facilities Maintenance Supervisor	\$ 49.77	\$ 60.49	\$ 103,522	\$ 125,819
	3	Facilities Maintenance Technician		\$ 41.02		\$ 85,322
	10	Laborers - Vehicle Maintenance		\$ 31.59		\$ 65,707
	2	Laborers - Track Maintenance	\$ 31.58	-	\$ 65,686	-
	1	Operations Manager	\$ 99.29	\$ 120.69	\$ 206,523	\$ 251,035
	2	Parts Clerk	\$ 32.06	\$ 38.98	\$ 66,685	\$ 81,078
	1	Railroad Information Systems Specialist	\$ 56.31	\$ 68.45	\$ 117,125	\$ 142,376
	1	Safety & Compliance Officer	\$ 65.31	\$ 79.39	\$ 135,845	\$ 165,131
	2	Signal Supervisor	\$ 53.60	\$ 65.14	\$ 111,488	\$ 135,491
	9	Signal Technician **		\$ 54.31		\$ 112,965
		Signal Technician Trainee (2) **		\$ 40.73		\$ 84,718
	1	Superintendent of Vehicle Maintenance	\$ 75.11	\$ 91.29	\$ 156,229	\$ 189,883
	1	Superintendent of Transportation	\$ 75.11	\$ 91.29	\$ 156,229	\$ 189,883
	1	Superintendent Signals and Way	\$ 75.11	\$ 91.29	\$ 156,229	\$ 189,883
	5	Track Maintainer I		\$ 40.62		\$ 84,490
	1	Track Maintainer II		\$ 44.68		\$ 92,934
	2	Track Maintenance Supervisor	\$ 48.21	\$ 58.62	\$ 100,277	\$ 121,930
	4	Vehicle Maintenance Supervisor	\$ 51.01	\$ 62.00	\$ 106,101	\$ 128,960
	12	Vehicle Maintenance Technician		\$ 49.64		\$ 103,251
Total	109					
Department	# of Positions	Position Title	Hourly		Annual	
Freight			Min	Max	Min	Max
	0.5	Freight Administrative Assistant	\$ 26.97	\$ 32.78	\$ 56,098	\$ 68,182
	1	Freight Manager	\$ 75.11	\$ 91.29	\$ 156,229	\$ 189,883
	4.5	Freight Utility Worker	\$ 34.20	\$ 41.58	\$ 71,136	\$ 86,486
Total	6					
Total FTE	154					
*	Total positions cannot exceed 29.					
**	Total positions cannot exceed 9.					

APPENDIX D -STATISTICAL INFORMATION

SMART is a special district established by the California Legislature through the enactment of AB 2224 in 2002. The SMART District includes both Sonoma and Marin Counties and was created for the purpose of providing unified and comprehensive structure for the ownership and governance of the passenger and freight rail system within Sonoma and Marin Counties and to provide passenger and freight train service along the existing publicly owned railroad right-of-way.

Marin County

Marin County is in the northwestern part of the San Francisco Bay Area. Its county seat is San Rafael. Marin County is across the Golden Gate Bridge from San Francisco, and is included in the San Francisco-Oakland-Berkeley, CA Metropolitan Statistical Area.

As of 2019, Marin County had the sixth highest income per capita of all U.S. counties. The county is governed by the Marin County Board of Supervisors.

San Quentin State Prison is located in the county, as is George Lucas' Skywalker Ranch. Autodesk, the publisher of AutoCAD, is also headquartered there, as well as numerous other high-tech companies. The Marin County Civic Center was designed by Frank Lloyd Wright and draws thousands of visitors a year to guided tours of its arch and atrium design. Marin County's natural sites include the Muir Woods redwood forest, the Marin Headlands, Stinson Beach, the Point Reyes National Seashore, and Mount Tamalpais.

Sonoma County

Sonoma County is in the northwestern part of the San Francisco Bay Area. Its county seat and largest city is Santa Rosa. It is to the north of Marin County and the south of Mendocino County.

Sonoma County includes the Santa Rosa and Petaluma Metropolitan Statistical Areas. It is the northernmost county in the nine-county San Francisco Bay Area region.

In California's Wine Country region, which also includes Napa, Mendocino, and Lake counties, Sonoma County is the largest producer. It has thirteen approved American Viticultural Areas and more than 350 wineries. The voters have twice approved open space initiatives that have provided funding for public acquisition of natural areas, preserving forested areas, coastal habitat, and other open spaces.

**POPULATION OF MARIN COUNTY
AND INCORPORATED CITIES**

Area	2016	2017	2018	2019	2020	2021
Marin County	263,010	262,313	262,234	260,969	258,956	259,512
Belvedere	2,129	2,131	2,148	2,139	2,124	2,103
Corte Madera	9,631	9,625	10,043	10,138	10,114	10,147
Fairfax	7,528	7,533	7,714	7,443	7,399	7,496
Larkspur	12,312	12,325	12,588	12,331	12,253	12,963
Mill Valley	15,024	14,956	14,669	14,743	14,674	14,002
Novato	54,593	54,516	54,151	54,062	53,702	53,008
Ross	2,538	2,536	2,528	2,548	2,550	2,330
San Anselmo	13,017	12,982	12,908	12,845	12,757	12,772
San Rafael	60,551	60,661	60,020	60,207	59,807	61,179
Sausalito	7,227	7,234	7,421	7,301	7,252	7,159
Tiburon	9,644	9,647	9,366	9,581	9,540	9,065
Remainder of County	68,816	68,167	68,678	67,631	66,784	67,288

Note: City statistics as of January 1, 2021, County statistics as of July 1, 2021

Source: State of California, Department of Finance, Demographic Research Unit

**POPULATION OF SONOMA COUNTY
AND INCORPORATED CITIES**

Area	2016	2017	2018	2019	2020	2021
Sonoma County	503,322	502,758	498,849	495,058	491,134	484,674
Cloverdale	8,927	8,988	9,141	9,279	9,213	9,029
Cotati	7,376	7,453	7,739	7,628	7,533	7,512
Healdsburg	11,734	11,757	12,232	12,166	12,089	11,174
Petaluma	61,488	61,657	62,251	62,195	61,873	59,756
Rohnert Park	42,586	42,490	43,178	43,134	43,069	44,287
Santa Rosa	176,937	178,064	177,017	175,183	173,628	177,396
Sonoma	10,929	11,072	11,423	11,164	11,050	10,755
Windsor	27,445	27,492	28,356	28,596	28,248	26,134
Remainder of County	155,900	153,785	147,512	145,713	144,431	138,631

Note: City stats as of January 1, 2021, County stat as of July 1, 2021

Source: State of California, Department of Finance, Demographic Research Unit.

UNEMPLOYMENT RATES

The following compares unemployment rates for the State of California, Marin County, and Sonoma County for March 2022. These rates are not seasonally adjusted.

Area	Period	Labor Force	Unemployment	Unemployment Rate
California	Mar-22	19,131,300	933,700	4.9%
Marin County	Mar-22	132,000	3,100	2.3%
Sonoma County	Mar-22	249,100	7,400	3.0%

Source: State of California, California Employment Development Department

MEASURES OF INCOME

The following compares per capita personal income and total personal income for California, Marin County, and Sonoma County.

Area	Period	Income Type	Income
California	2020	Per Capita Personal Income - BEA	\$ 69,958
		Total Personal Income - BEA	\$ 2,763,312,000,000
Marin County	2020	Per Capita Personal Income - BEA	\$ 145,575
		Total Personal Income - BEA	\$ 37,461,199,000
Sonoma County	2020	Per Capita Personal Income - BEA	\$ 71,386
		Total Personal Income - BEA	\$ 34,966,152,000

Source: State of California, California Employment Development Department

MEDIAN PRICE OF HOMES SOLD

Area	Year	Property Value
California	2020	\$ 646,245
Marin County	2020	\$ 1,463,750
Sonoma County	2020	\$ 711,875

Source: State of California, California Employment Development Department

BUILDING PERMITS

Building Permits - Multi-Family Homes

Area	Period	# of Permits	Total Costs
California	2020	43,420	\$ 8,330,538,576
Marin County	2020	3	\$ 350,000
Sonoma County	2020	224	\$ 37,992,566

Source: State of California, California Employment Development Department

Building Permits - Single Family Homes

Area	Period	# of Permits	Total Costs
California	2020	51,537	\$ 14,252,828,191
Marin County	2020	87	\$ 38,449,781
Sonoma County	2020	1,086	\$ 348,394,360

Source: State of California, California Employment Development Department

Building Permits - All Construction

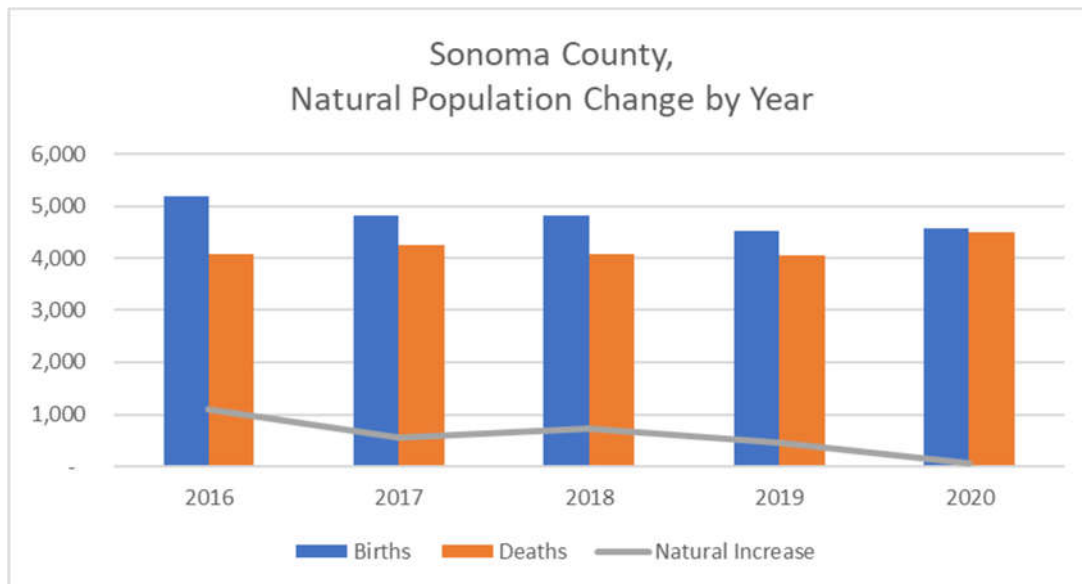
Area	Period	# of Permits	Total Costs
California	2020	94,957	\$ 22,583,366,767
Marin County	2020	90	\$ 38,799,781
Sonoma County	2020	1,310	\$ 386,386,926

Source: State of California, California Employment Development Department

DEMOGRAPHICS OF MARIN AND SONOMA COUNTIES

Sonoma County

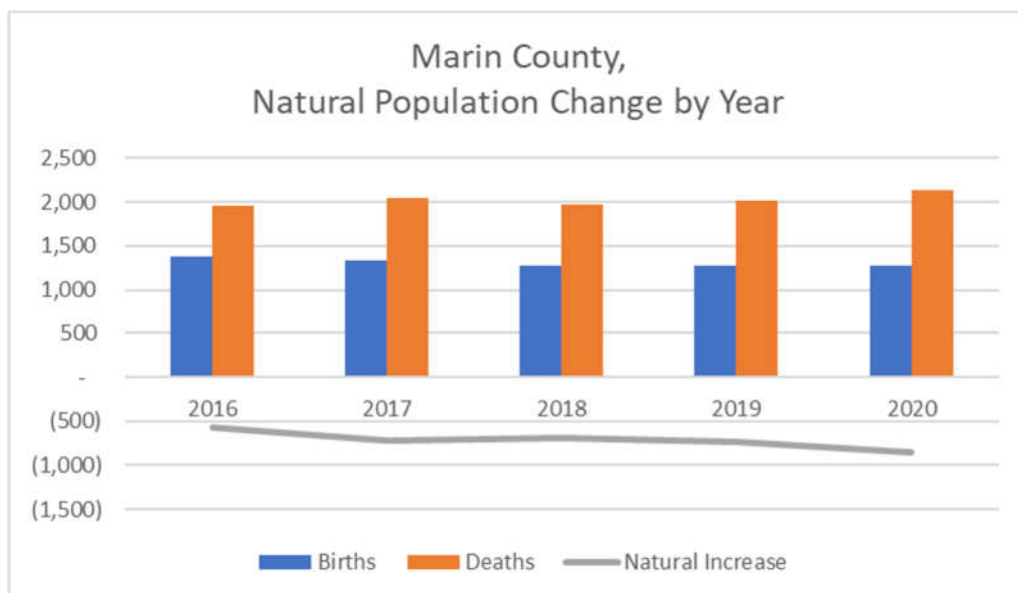
- Average age in 2020 was 42.4
- 36.4% of residents 25 or older have a bachelor's degree
- Life expectancy is 80.6 years



Source: California Department of Public Health and California Department of Finance, Demographic Research Unit

Marin County

- Average age in 2020 was 47.1
- 60.2% of residents 25 or older have a bachelor's degree
- Life expectancy is 85.2 years



Source: California Department of Public Health and California Department of Finance, Demographic Research Unit

APPENDIX E - STATEMENT OF INVESTMENT POLICY

1.0 Policy:

This investment policy is intended to outline the guidelines and practices to be used in effectively managing the SMART District (District's) available cash and investment portfolio. District monies not required for immediate cash requirements will be invested in compliance with the California Government Code Section 53600, et seq.

2.0 Scope:

This policy applies to all the financial assets accounted for in the District's Comprehensive Annual Financial Report and any new fund created by the District, unless specifically exempted. The investment of bond proceeds will be governed by the provisions of relevant bond documents.

3.0 Prudence:

The Board of Directors and Chief Financial Officer adhere to the guidance provided by the "prudent investor rule," California Government Code Section 53600.3, which obligates a fiduciary to ensure that "when investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. Within the limitations of this section and considering individual investments as part of an overall strategy, investments may be acquired as authorized by law."

4.0 Objectives:

In accordance with California Government Code Section 53600.5, and in order of importance, the Chief Financial Officer shall adhere to the following three criteria:

- (a) Safety of Principal – Safety of principal is the foremost objective of the investment program. Investments of the District shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.
- (b) Liquidity – Investments shall be made whose maturity date is compatible with cash flow requirements and which will permit easy and rapid conversion into cash without substantial loss of value.
- (c) Return on Investment – The District's investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the District's investment risk constraints and the cash flow characteristics of the portfolio.

5.0 Delegation of Authority:

The authority of the Board to purchase or sell securities for the District's portfolio, may be delegated by the Board to the Chief Financial Officer, who shall thereafter assume full responsibility for those transactions until the delegation of authority is revoked. The Chief

Financial Officer shall act in accordance with established written procedures and internal controls for the operation of the investment program consistent with this investment policy.

The oversight responsibility for the investment program is hereby delegated to the Chief Financial Officer who shall monitor and review all investments for consistency with this Investment Policy.

The Chief Financial Officer may delegate investment decision making and execution authority to an independent SEC-registered investment advisor. The advisor shall comply with this Policy and such other written instructions as are provided by the Chief Financial Officer.

6.0 Investment Procedures:

The Chief Financial Officer shall establish written operational procedures pertaining to the investment of District funds as needed. These procedures shall be compliant with the parameters and limits set forth by this investment policy. The procedures should regulate actions regarding safekeeping, repurchase agreements, wire transfer agreements, banking service contracts, and collateral/depository agreements. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Chief Financial Officer.

7.0 Ethics and Conflicts of Interest:

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business to the Chief Financial Officer. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the District.

8.0 Authorized Financial Dealers and Institutions:

For brokers/dealers of government securities and other investments, the Chief Financial Officer shall select only brokers/dealers who are licensed and in good standing with the California Department of Securities, the Securities and Exchange Commission, the National Association of Securities Dealers or other applicable self-regulatory organizations. Before engaging in investment transactions with a broker/dealer, the Chief Financial Officer shall obtain a signed verification form that attests the individual has reviewed the District's Investment Policy and intends to present only those investment recommendations and transactions to the District that is appropriate under the terms and conditions of the Investment Policy.

If an Investment Advisor is authorized to conduct investment transactions on the District's behalf, the Investment Advisor may use their own list of approved broker/dealers and financial institutions for investment purposes.

9.0 Authorized and Suitable Investments:

The District is governed by the California Government Code, Sections 53600, *et seq.* Within the context of these limitations, the investments listed below are authorized. Those investments not identified are considered to be ineligible.

1. **U.S. Treasury Obligations.** United States Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the full faith and credit of the United States are pledged for the payment of principal and interest.
2. **U.S. Agency Obligations.** Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.
3. **California State and Local Agency Obligations.** Obligations of the State of California or any local agency within the state, including bonds payable solely out of revenues from a revenue producing property owned, controlled or operated by the state or any local agency or by a department, board, agency or authority of the state or any local agency.
4. **Other State Obligations.** Registered treasury notes or bonds of any of the other 49 United States in addition to California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 United States, in addition to California.
5. **Bankers' Acceptances.** Time drafts or bills of exchange that are drawn on and accepted by a commercial bank and brokered to investors in the secondary market. The maximum maturity of an issue will be 180 days. Securities eligible for investment under this subdivision shall be rated in the highest letter and number category by nationally recognized statistical-rating organization. The maximum exposure shall be no more than 40% of the portfolio value. However, no more than 30 percent of the agency's money may be invested in the bankers' acceptances of any one commercial bank pursuant to this section.
6. **Commercial Paper.** Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical-rating organization. The entity that issues the commercial paper shall meet all of the following conditions in either paragraph a or paragraph b:
 - a. The entity meets the following criteria: (i) Is organized and operating in the United States as a general corporation. (ii) Has total assets in excess of five hundred million dollars (\$500,000,000). (iii) Has debt other than commercial paper, if any, that is rated "AA" or higher by a nationally recognized statistical-rating organization.

- b. The entity meets the following criteria: (i) Is organized within the United States as a special purpose corporation, trust, or limited liability company. (ii) Has program wide credit enhancements including, but not limited to, over collateralization, letters of credit, or surety bond. (iii) Has commercial paper that is rated “AA” or higher, or the equivalent, by a nationally recognized statistical-rating organization.

Eligible commercial paper shall have a maximum maturity of 270 days or less. The District may invest no more than 25 percent of its money in eligible commercial paper. The District may purchase no more than 10 percent of the outstanding commercial paper of any single issuer.

- 7. **Medium-Term Notes.** Medium-term notes are defined in Government Code Section 53601 as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States. Notes eligible for investment under this subdivision shall be rated “AA” or better by a nationally recognized statistical-rating organization. Purchases of medium-term notes shall not include other instruments authorized by section 53601 and may not exceed 30% of the portfolio value.
- 8. **Negotiable Certificates of Deposit.** Negotiable certificates of deposit issued by a nationally or state-chartered bank, a savings association or a federal association (as defined by Section 5102 of the Financial Code), a state or federal credit union, or by a state-licensed branch of a foreign bank. Securities eligible for investment under this subdivision shall be rated in the highest letter and number category by a nationally recognized rating service for short-term ratings (A-1/P1/F-1) and AA or better for longer-term ratings. Purchases of negotiable certificates of deposit may not exceed 30 percent of the District’s aggregate portfolio.
- 9. **Time Deposits.** The District may invest in non-negotiable time deposits (CDs) that are FDIC insured or fully collateralized in a state or national bank, savings association or federal association, federal or state credit union located in California, including U.S. branches of foreign banks licensed to do business in California. To be eligible to receive local agency deposits, a financial institution must receive a minimum overall “satisfactory rating” for meeting the credit needs of California Communities in its most recent evaluation. CDs are required to be collateralized as specified under Government Code Section 53630 et seq. The District, at its discretion, may waive the collateralization requirements for any portion that is covered by federal deposit insurance. The District shall have a signed agreement with any depository accepting District funds per Government Code Section 53649. No deposits shall be made at any time in CDs issued by a state or federal credit union if a member of the Governing Council or the Finance Director serves on the board of directors or any committee appointed by the board of directors of the credit union. In accordance with Government Code Section 53638, any

deposit shall not exceed that total shareholder's equity of any depository bank, nor shall the deposit exceed the total net worth of any institution.

10. **Local Agency Investment Fund (LAIF)** is a pooled investment fund through the State Chief Financial Officer. Deposits for the purpose of investment in the Local Agency Investment Fund of the State Treasury may be made up to the maximum amount permitted by State Treasury policy.
11. **Money Market Funds.** The Chief Financial Officer may invest in shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (Government Code Section 53601(k).)

The following criteria will be used in evaluating companies:

- a. Attain the highest-ranking letter and numerical rating provided by not less than two nationally recognized rating services; or
 - b. Have an investment advisor registered or exempt from registration with the Securities and Exchange Commission with not less than five (5) years' experience managing money market mutual funds and with assets under management in excess of \$500,000,000.
 - c. The maximum purchase price of shares shall not exceed 20% of the portfolio. However, no more than 10 percent of the agency's funds may be invested in shares of beneficial interest of any one mutual fund.
12. **Local Government Investment Pools.** Shares of beneficial interest issued by a joint powers authority organized pursuant to Government Code Section 6509.7 that invests in the securities and obligations authorized in subdivisions (a) to (o) of Government Code Section 53601, inclusive. Each share shall represent an equal proportional interest in the underlying pool of securities owned by the joint power's authority. To be eligible under this section, the joint powers authority issuing the shares shall have retained an investment adviser that meets all the following criteria:
 - a. The adviser is registered or exempt from registration with the Securities and Exchange Commission.
 - b. The adviser has not less than five years of experience investing in the securities and obligations authorized in subdivisions (a) to (o) Government Code Section 53601, inclusive.
 - c. The adviser has assets under management more than five hundred million dollars (\$500,000,000).

Credit criteria and sectors and issuers percentages for investments listed in this section will be determined at the time the security is purchased. A decline in the overall investment balances that causes the percent to any investment above its maximum policy limit will not be considered out of compliance. The District may from time to time be invested in a security whose rating is downgraded. In the event a rating drops below the minimum allowed rating category for that given investment type, the Chief Financial Officer shall notify the District General Manager and District Council and recommend a plan of action.

10.0 Prohibited Investments:

Under the provisions of California Government Code Sections 53601.6 and 53631.5, the District shall not invest any funds covered by this Investment Policy in inverse floaters, range notes, mortgage-derived, interest-only strips or any investment that may result in a zero-interest accrual if held to maturity.

11.0 Collateralization:

Collateralization is required on Certificates of Deposit as per California Government Code section 53601. The collateralization level for certificates of deposit is 100% of market value of principal and accrued interest.

The entity chooses to limit collateral to the following: U.S. Treasuries and Federal Agency Obligations. Collateral will always be held by an independent third party with whom the entity has a current custodial agreement. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the entity and retained. The right of collateral substitution is granted.

12.0 Safekeeping and Custody:

All securities purchased may be delivered versus payment ("DVP") basis and held in safekeeping pursuant to a safekeeping agreement.

13.0 Maximum Maturities:

To the extent possible, the District will attempt to match its investments with anticipated cash flow requirements. For certain instruments, the term of the investment is limited by market convention or as otherwise prescribed herein. No investments may be acquired that exceed five (5) years, unless approved by the Board at least 90 days in advance of the purchase.

14.0 Internal Control:

The Chief Financial Officer shall establish an annual process of independent review by an external auditor. This review will provide internal control by assuring compliance with policies and procedures. The Chief Financial Officer may, at any time, further restrict the securities approved for investment as deemed appropriate.

15.0 Performance Standards:

The investment portfolio will be designed to obtain a market average rate of return during budgetary and economic cycles, taking into account the District's investment risk constraints and cash flow needs.

16.0 Reporting:

In accordance with Government Code Section 53607, the Chief Financial Officer shall submit an annual report to the Board indicating the types of investment by fund, institution, date of maturity, and amount of deposit, and shall provide the current market value of all securities with a maturity of more than twelve (12) months, rates of interest, and expected yield to maturity.

17.0 Investment Policy Adoption:

The Chief Financial Officer may, at any time, further restrict the securities approved for investment as deemed appropriate.

Additionally, the Chief Financial Officer shall annually send a copy of the current Investment Policy to all approved dealers. Each dealer is required to return a signed statement indicating receipt and understanding of the District's investment policies.

APPENDIX F: APPROPRIATION CALCULATION

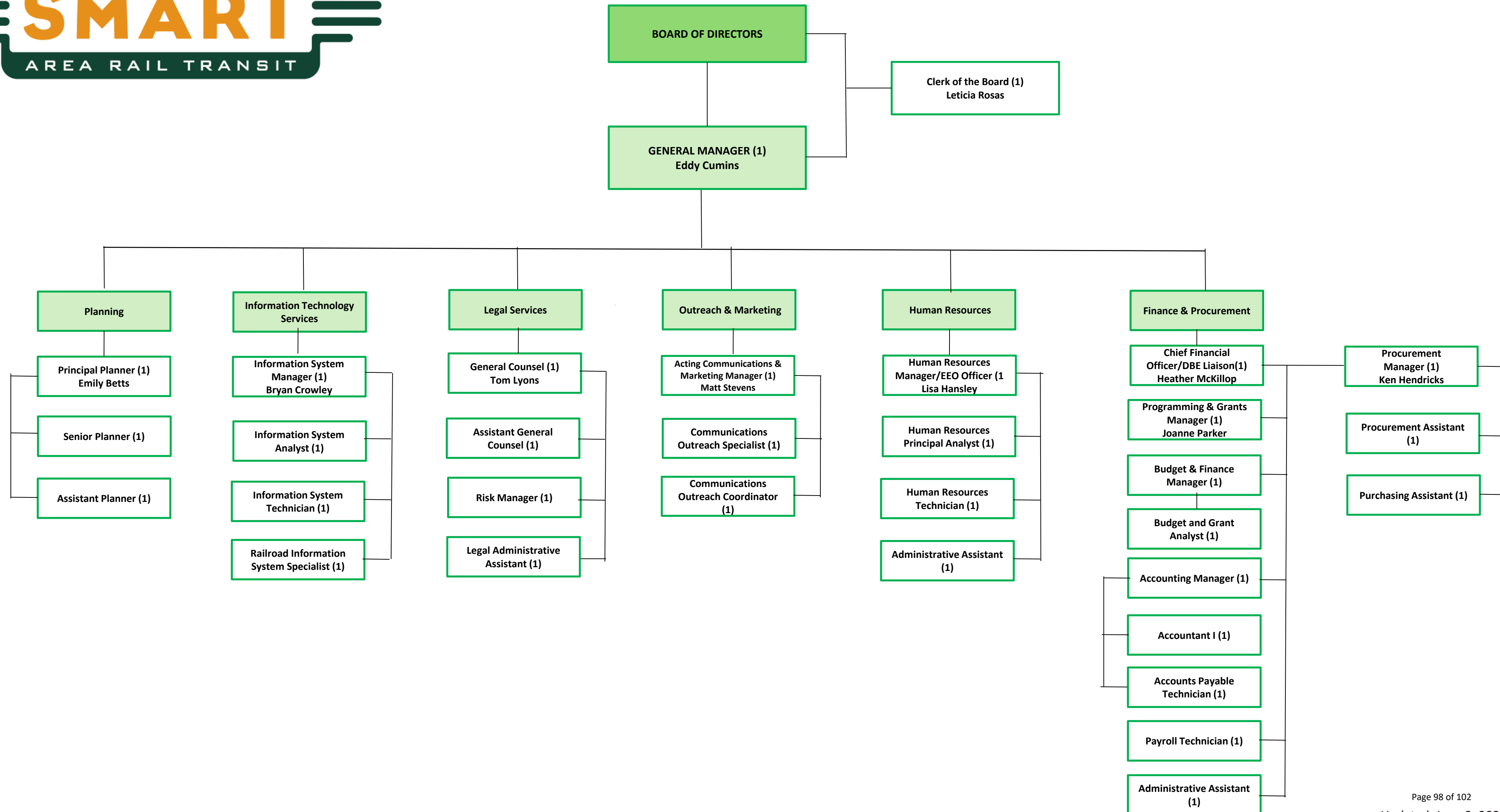
	FY 21	FY 22	FY 23
Beginning Limit	\$142,288,336	\$146,414,925	\$152,544,355
Per Capita Increase in Cost of Living	1.0373	1.0573	1.0755
Population Change	0.9920	0.9854	.9946
County Used for Population Change	Sonoma	Sonoma	Sonoma
Total	\$146,414,925	\$152,544,355	\$163,175,521

* Per Government Code §7901, special districts located in two or more counties, such as SMART, may choose to use the change in population for the portion of the district which has the highest assessed valuation.

APPENDIX G - ORGANIZATION CHART

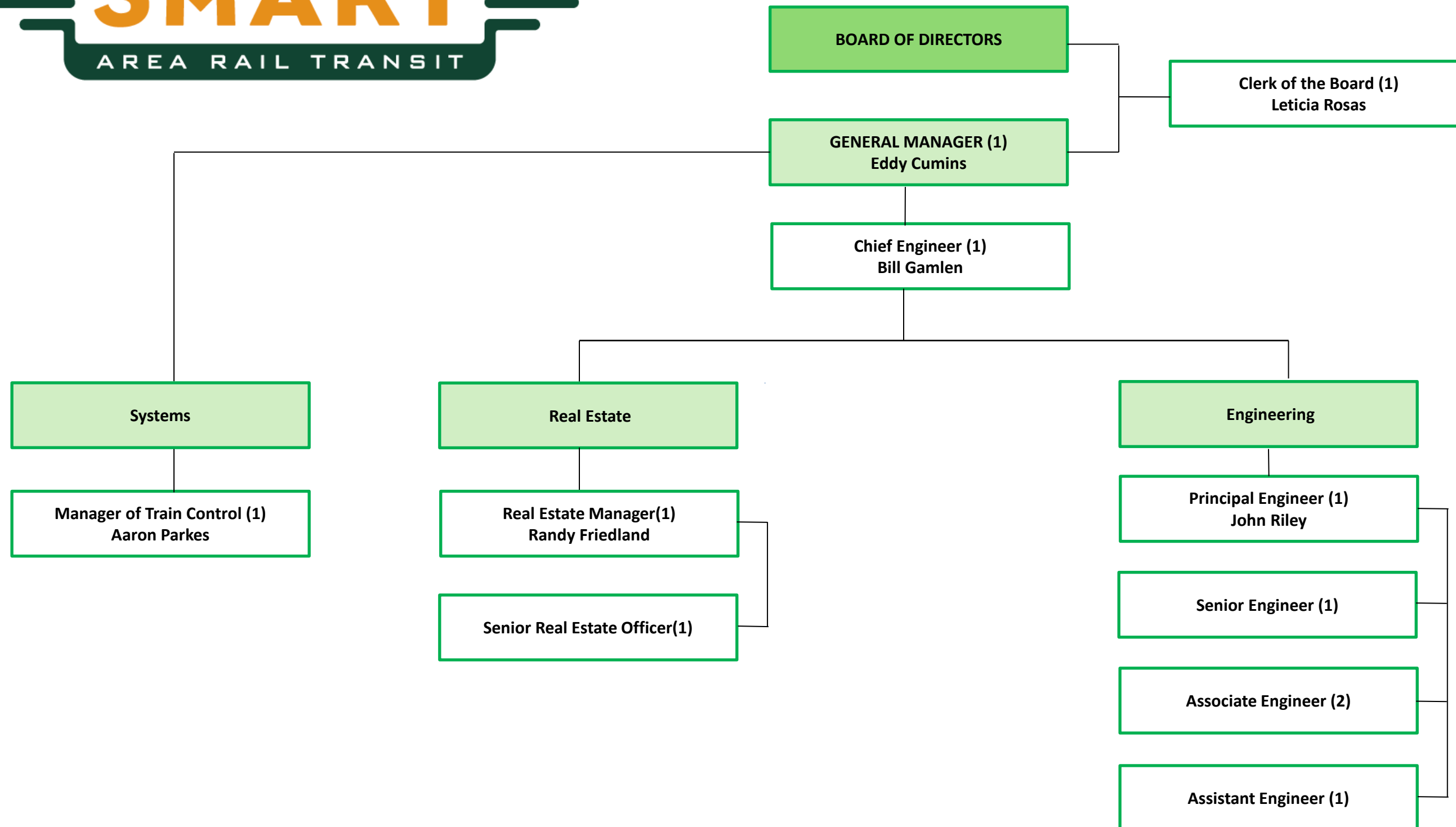


ADMINISTRATION/FINANCE ORGANIZATION CHART



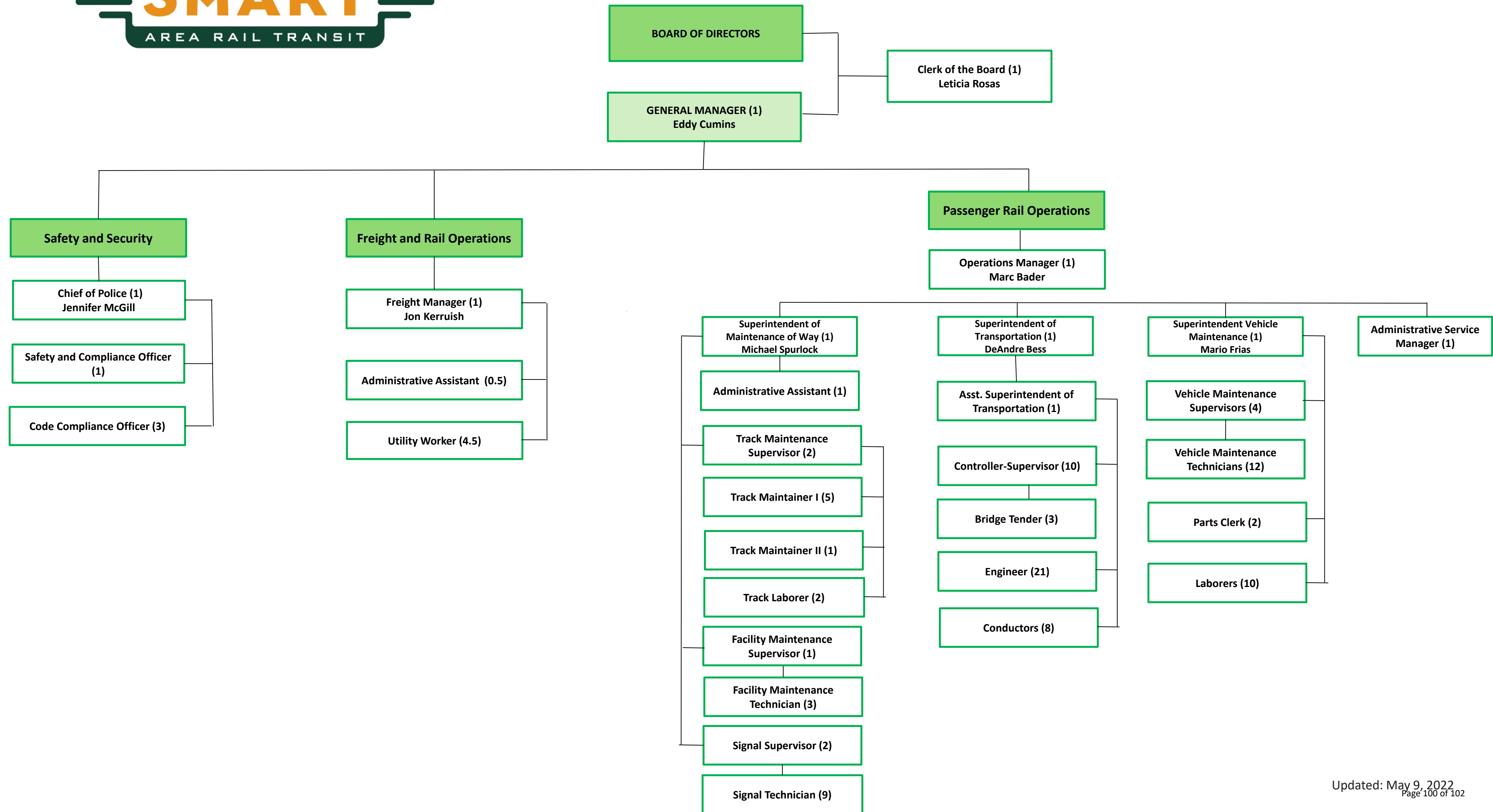


CAPITAL ORGANIZATION CHART





OPERATIONS ORGANIZATION CHART





June 15, 2022

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

Chris Coursey
Sonoma 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

Eric Lucan
Transportation Authority of Marin

Chris Rogers
Sonoma County Mayors' and
Councilmembers Association

Eddy Cumins
General Manager

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 Board of Directors
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

SUBJECT: Resolution Regarding Tele/Video-Conference Meetings During the COVID-19 State of Emergency

Dear Board Members:

RECOMMENDATION:

Approve a hybrid in-person and remote option for public meetings and provide for the continued use of Tele/Video Conferencing for District Public Meetings for virtual and remote public participation.

SUMMARY:

On September 16, 2021, Governor Newsom signed AB-361. The legislation that allows but does not require local government bodies subject to the Brown Act to continue to use video and/or teleconferencing to conduct Board meetings.

A public entity can use AB-361's provisions to conduct remote public meetings under certain conditions, including when state or local officials have recommended social distancing during a proclaimed state of emergency.

Considering the on-going pandemic, SMART Board of directors has elected to continue to avail itself of virtual meetings pursuant AB 361. However, every 30 days, SMART's Board of Directors must reconsider the continuing need for virtual meetings. In line with the most recent developments and guidance by the Center for Disease Control and prevention (CDC), Department of Industrial Relationship (DIR/CalOSHA), California Department of Public Health (CDPH), staff is recommending the Board consider transitioning to a hybrid (onsite and remote) board meeting as a first step to a post covid normalization and a return to full in person meetings at the expiration of AB 361.

Up until now SMART has conducted its virtual meetings with only SMART staff present on-site at the Board of Director's meeting room and all Board members and members of the public attending the meeting virtually.

As required by AB 361, should the Board determine the circumstances continue to merit the need for virtual meetings and as part of this Board's current reconsideration, the Board may consider whether a hybrid meeting option is appropriate; (1) Whereby meetings will be conducted as we have done prior to COVID-19, namely all Board members and staff are present at the Board of Directors Board room; (2) however, the public would continue to attend remotely since SMART would continue to provide remote participation and access via video and/or teleconferencing for all members of the public who wish to participate or attend a Board meeting.

Transitioning to an in-person/remote hybrid meeting that accommodates the in-person presence of all Board Members and only essential staff in the Board room but continues to provide teleconference and remote public participation for members of the public is permitted under AB 361. This in-person/remote hybrid option ensures that SMART can continue to implement its facility COVID-19 Protocols and best practices which may include – Symptom and health checks, face masks which is strongly recommended, continued social distancing / limited capacity and enhanced cleaning of the Board room, thereby safeguarding the health and safety of the Board, SMART staff, and the public in general.

Very truly yours,

/s/
Eddy Cumins
General Manager