



**BOARD OF DIRECTORS
MEETING AGENDA
August 17, 2022 – 1:30 PM**

In accordance with AB 361, Sonoma-Marín 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, August 16, 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 July 20, 2022, Board Meeting Minutes
3. Board Member Announcements
4. General Manager's Report
5. Public Comment on Non-Agenda Items

Consent Calendar

- 6a. Approval of Monthly Financial Reports – June 2022
- 6b. Accept Monthly Ridership Reports – July 2022
- 6c. Authorize the General Manager to Execute Contract Amendment No. 1 with Modern Railway Systems to continue providing Track Driver Extra (TDX) Dispatch System Technical Support Services, Rail Network Technical Support Services and Rail Network Management System Implementation in an amount of \$91,250 for a new total not-to-exceed amount of \$248,250
- 6d. Authorize the General Manager to Execute Contract Amendment No. 1 with DeAngelo Contracting Services, LLC for vegetation control services along SMART's Right-of-Way in an amount by \$68,000 for a total not-to-exceed amount of \$103,000

Regular Calendar

- 7. Approve the 2022 Amended and Restated Clipper Memorandum of Understanding (MOU) assuming adoption of the MOU by the Clipper Executive Board on August 15, 2022 – *Presented by Heather McKillop*
- 8. Approve a Resolution Extending Reduced Fares and the Suspension of Parking Fees at SMART owned and Operated Park-n-Rides– *Presented by Heather McKillop*
- 9. Approve a Resolution Amending the Fiscal Year 2023 Annual Budget, Resolution No. 2022-22, for increased appropriation of \$270,334 and position authority (4 positions) – *Presented by Heather McKillop*
- 10. Approve the Proposed Responses to the Sonoma County Civil Grand Jury report, dated June 19, 2022, entitled “SMART Decision Making, Citizen Feedback is Critical for Success.” - *Presented by Chair Rabbitt /General Manager Cumins*
- 11. Planning for the Future - Pathway (*Discussion Only*) – *Presented by General Manager Cumins*
- 12. Provide the Findings of the Puerto Suello Hill Pathway Feasibility Study (*Discussion Only*) - *Presented by Bill Gamlen*
- 13. Closed Session – Conference with Labor Negotiator General Manager Cumins pursuant to California Government Code Section 54957.6
Agency Designated Representative: General Manager
Represented Employees: IAMAW Local Lodge No. 1414 and Teamsters Local 665
- 14. Report Out Closed Session
- 15. Next Regular Meeting of the Board of Directors, September 7, 2022 – 1:30 PM
- 16. 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
July 20, 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

1. Call to Order

Chair Rabbitt called the meeting to order at 1:35pm. Directors Arnold, Bagby, Colin, Coursey, Fudge, Garbarino, Hillmer, Lucan, Pahre and Rogers were present; Director Connolly absent.

2. Approval of the June 15, 2022, Board Meeting Minutes

MOTION: Vice Chair Pahre moved approval of June 15, 2022 Board Meeting Minutes as presented. Director Arnold second. The motion carried 10-0 (Director Connolly absent; Director Coursey abstain).

3. Board Members Announcements

Director Fudge stated she attended the Windsor Chamber of Commerce Luncheon on July 19, 2022 where General Manager Cumins gave an extremely good presentation, there were a lot of questions, and they learned the timing of getting passenger service to Windsor.

Chair Rabbitt announced that the City of Petaluma and SMART together will receive more than \$13 million in grant funds from the California State Transportation Agency's State Transit and Intercity Rail Capital Program. These grant funds include \$10.1M for the construction of SMART Petaluma North Station. He thanked Programming and Grants Manager, Joanne Parker, and the entire staff for working so diligently for being able to bring in those dollars.

4. General Manager's Report

General Manager Cumins provided a brief update on the following:

- Ridership

- LPG Tanker Cars
- Petaluma North Station
- Highlight of the Month

Ridership Update

- In FY 2022 SMART carried 354,328 riders – that was 188% increase over FY 2021.
- SMART has set an aggressive ridership goal for FY 2023 – our goal is 594,028 riders. We will need to increase ridership by 68%, which is a very challenging goal, but ridership is currently trending in the right direction.
- Regarding average weekday ridership, we've had steady growth in the past six months – February was 21% over January, March was 18% over February, April was 2% over March, May was 4% over April, June was 5% over May, and we're currently trending 5% over June.
- General Manager Cumins believes that this increase in ridership is due to the service that SMART has added in June. Average weekday ridership has increased 10% since SMART added trips to the schedule on June 13.
- General Manager Cumins thinks we'll see this trend continue especially as school starts back up in August and September.

LPG Tanker Cars

General Manager Cumins stated that all the tanker cars have been removed from the Schellville area. The open tracks are a potential revenue source and SMART is looking for opportunities to store non-hazardous materials on this site.

Petaluma North Station

General Manager Cumins stated that Transit and Intercity Rail Capital Program (TIRCP) awarded \$24.8M to the following recipients:

- Sonoma County Transportation Authority
- Petaluma Transit
- Santa Rosa City Bus
- Sonoma County Transit
- Sonoma Marin Area Rail Transit
- Mendocino Transit
- This grant funds the Sonoma County regional bus and connectivity improvements, including
 - Construction of SMART Petaluma North Station
 - Purchase of 30 zero-emission buses
 - Associated charging equipment and passenger amenities
- SMART received \$10.1M for the construction of SMART Petaluma North Station and improvements to the North McDowell Railroad Crossing, which include:
 - Signalized crosswalk for bikes and pedestrians
 - Replacing rubberized panels with concrete panels
- The new Petaluma North Station will provide access to more than 35,000 residents of the east side of Petaluma.

Highlight of the Month

- Engineer, Nichole Cavatino – Ms. Cavatino arrived from the North County Transit District in San Diego, where she operated light rail vehicles.

- Became an Engineer Trainee on May 2, 2022
- Certified as an Engineer on June 23, 2022
- Engineer, Cathy Howell – Ms. Howell began work at SMART as a Bridge Tender at the Haystack Bridge on January 19, 2016 .
 - Became a Conductor on August 16, 2021
 - Trained to become an Engineer internally and was certified on July 5, 2022

Comments

Chair Rabbitt congratulated Ms. Cavatino and Ms. Howell, he is happy that SMART instituted the program and to have internal staff get promoted.

5. Public Comment on Non-Agenda Items

Jack Swearengen stated that his family came to visit and was able to get on the train at Larkspur station. He thanked the Engineer-Conductor who saw them running and held the train until they were able to get inside. He suggested increasing connectivity at the Larkspur station to increase ridership.

Tom Woods addressed the board regarding the status of the current negotiations for the Maintenance of Way staff which includes the signal technicians and the track maintainers. At the start of negotiations SMART's staff and the Union mutually agreed that the current CPI was 8.3%. We were living in the largest 12 month cost of living increase since 1981 and the cost of living has accelerated over 9%. At the same time, the safety critical group has never been fully staffed and in fact another member voluntarily quit and his last day is Friday. There are five unfilled positions, and historically, SMART has been unable to solicit candidates not because of the poor working conditions but due to the SMART not being able to afford to pay the Unions proposed wage increases. He urged the Board to consider giving instructions to staff to increase the offer to level the give SMART the chance to retaining these valuable safety critical employees during the next three years, so that they can continue working to maintain the safety and integrity of the infrastructure at SMART and continue providing high quality transit service.

Duane Bellinger congratulated the Board and SMART staff for the \$10M in grant funds for the new Petaluma station. He looks forward to attending the public hearing meeting regarding the design of the station. He said that BART 20 years ago stated that the best way to increase ridership is to have transit-oriented communities along the tracks.

6. Consent

- a. Consider and Approve a Resolution to continue virtual Tele/Video Conference Meetings during the COVID-19 State of Emergency
- b. Approval of Monthly Financial Reports – May 2022
- c. Accept Monthly Ridership Reports – June 2022
- d. Approve Cal OES Form 130 – designating the Chief Financial Officer, Heather McKillop, and the Budget and Finance Director, Claire Springer, as Authorized Agents to submit applications for disaster assistance with the California Governor's Office of Emergency Services
- e. Authorize the General Manager to Award Amendment No. 2 to Contract OP-SV-19-001 with Richard A. Sanchez dba A.J. Janitorial Service in an amount of \$108,207 for a total not-to-exceed amount of \$415,007 to continue providing Janitorial Services at SMART's Stations and Facilities

- f. Approve a Resolution Authorizing the Creation of two (2) Vehicle Maintenance Technician Trainee Positions to the Approved Positions for Fiscal Year 2022-23
- g. Authorize the Board Chair to Execute a Collective Bargaining Agreement with the International Brotherhood of Teamsters, Local Union Number 665; and Approve a Resolution updating Fiscal Year 2022-23 Appendix C - Position Authorization

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

MOTION: Director Garbarino moved approval of the Consent Agenda Items as presented. Director Arnold second. The motion carried 11-0. (Director Connolly absent).

- 7. Approve a Resolution Authorizing the General Manager to Award Contract No. FR-BB-22-002 with Manson Construction Co. for the Black Point Fender Repair Project in an amount of \$552,000 with a term through December 31, 2022 – *Presented by Bill Gamlen*

Chief Engineer, Bill Gamlen, provided an overview of the area by illustrative photos. He stated that the Black Point Moveable Bridge is a moveable swing span bridge that allows freight train traffic to cross the Petaluma River in Black Point. This bridge over the Petaluma River is on the Brazos Branch – the freight portion of the SMART-owned rail system. The bridge was struck by a barge on March 26, 2018. The strike damaged a portion of the fender system that is in place to protect the bridge when it is in the open position. The fender system consists of wooden piles and timber lagging.

SMART developed repair plans and secured the necessary environmental regulatory permits for the repair work. The Contract was advertised on June 9, 2022. Three bids were received on July 5, 2022:

- The Dutra Group: \$837,000
- Power Engineering Construction Co.: \$701,000
- Manson Construction Co.: \$552,000

The Engineer's Estimate was \$750,000. Manson Construction Co. was determined to be the lowest responsible and responsive bidder. Staff is recommending approval of Resolution No. 2022-25 authorizing the General Manager to award Contract No. FR-BB-22-002 for the Black Point Fender Repair Project with Manson Construction Co. for an amount of \$552,000.

Comments:

Director Coursey asked if SMART received insurance money from the cause of the accident. District Counsel Lyons responded that SMART is in settlement negotiations with the barge owner, however, there is an urgency to do the bridge work ahead of time because of the closing their environmental options in water.

Chief Financial Officer McKillop stated that there is \$206K grant that is being applied and the remainder funds will be used from the Freight budget.

Chair Rabbitt asked if there are camera systems on these types of structures to get proof of the responsible party. Chief Engineer Gamlen responded that SMART has recently installed cameras in the area.

MOTION: Director Garbarino moved to Approve a Resolution Authorizing the General Manager to Award Contract No. FR-BB-22-002 with Manson Construction Co. for the Black Point Fender Repair Project in an amount of \$552,000 with a term through December 31, 2022, as presented. Director Arnold second. The motion carried 11-0. (Director Connolly absent).

8. Planning for the Future – Ridership (Discussion) – *Presented by General Manager Cumins*

General Manager Cumins provided a presentation which included the following highlights:

- Planning for the Future Model
- SMART House
- Listening Session Completed in April 2022
- Ridership – What Do Riders Want?
 - Reasonable Fares
 - More Service
 - First and Last Mile Connections
 - Reliability
 - Alignment with other Transit Providers
 - Safety
 - Stations/Train Comfort
 - On-Board Amenities
 - Overnight Parking
 - Clear Information
- Recent Improvements
 - Extended 40% discount on fares (\$1.50 per zone)
 - Suspended parking fees at SMART owned Park and Rides
 - Added Sunday service May 1st (12 Trips)
 - Improved weekend connections to Larkspur Ferry (25 Min)
 - Added 10 additional weekday trips June 13th - 36 total trips
 - Muir Woods Shuttle connection
 - Improved Trip Planning with Google
- Improvements/Achievements
 - Giant Game Service
 - Expanded Capacity for Marin County Fair
 - Tips for Trips Promotions
- Top 5 Concerns – What Do Riders Want?
 - First and Last Mile Connection (1)
 - More Service (2)
 - Alignment with other Transit Providers (3)
 - On-Board Amenities (4)
 - Overnight Parking (5)
- Potential Goals/Strategies
 - Facilitate bike share at 10 of 12 stations
 - Extend Giants special service pilot through 2022 season
 - Implement Microtransit pilot program at Airport Station
 - Consider additional service
 - Work with transit providers to improve bus/ferry connections
 - Model rail system to determine requirements to maintain 30/60 headways

- Look for innovative methods to restore snack bar and Wi-Fi
- Allow overnight parking at SMART Park and Ride lots
- Closely monitor system/ridership and adjust as necessary
- Implement aggressive marketing plan

Comments

Director Colin asked for clarification on defining reasonable fares and what are the pro's/con's for overnight parking. General Manager Cumins responded \$1.50 is a reasonable fare when you review fares across the nation. It was also suggested that SMART should consider free fares, however that would also create various challenges. In the past there have been some concerns about what the consequences would be. He thinks it should be encouraged that people can park overnight at the stations and take the train to their destination.

Director Fudge stated that she normally parks her vehicle at a different location when she goes to San Francisco overnight. She asked the status of the Bike Share program with Sonoma County Transportation Authority. General Manager Cumins responded that SMART anticipates having the program available at 10 of the 12 stations. Principal Planner, Emily Betts, responded that staff is working with Transportation Authority of Marin and Sonoma County Transportation Authority who have received grant funding from MTC for the Bike Share program throughout the Bay Area. The vendor Bolt Mobility was anticipating implement this summer, but there been some supply chain delays. Evidently, the entire bike industry is having some problems so we're in the final stages of getting that executed and we hope it's going to help happen in the next few months.

Director Lucan asked if the Marketing department exploring various ways to introduce the train to customers with incentives. For example, if you the passenger downloads the App their next trip is free. General Manager Cumins responded as we go through this process, we understand that marketing communication is going to be a big part of achieving our goals.

Director Bagby stated that this discussion illustrates how so many of the topics overlap with one another. She said that the Airport Station is her nearest station from Cloverdale, and she needs to be creative in coordinate her trip. It is important for this agency and our partner agencies to be part of that Airport area specific planning going forward because SMART is an intrinsic and important part of the development of that area. Also, SMART is not complete until it is to Cloverdale. The Airport Station is the northern hub for now by necessity, there is no adequate parking, overnight parking or adequate connectivity to the Airport. This system is dependent on getting people of Highway 101 and onto the service. It is dependent on the system being completed to reach our ridership potential.

Chair Rabbitt said there are opportunities to get people on the train and they will have a good experience traveling in that fashion even for a leisure trip. He is happy staff is exploring various events which are great opportunities for SMART. He stated that parking was never included in the Measure and in fact the Airport Station was added later through a lot of work and finding funds.

Lastly, General Manager Cumins stated that he appreciates all the feedback he has received. Staff will be able to move forward to develop the goals and strategies with Ridership. In the future he will present to the Board the remaining three strategic objectives , which are Pathways, Extensions and Freight Service.

9. Approve Additional Service on to meet the Golden Gate Ferry Service from Oracle Park for Remainder of SF Giants Baseball Season – *Presented by Emily Betts*

Principal Planner, Emily Betts, stated that staff is recommending adding additional service to meet the ferry for the remainder of the season. In June the Board approved additional service for Giants game on June 12th and June 26th. The service was well received by the community and increased ridership. The special service trains carried an average of 70 rider.

Based on this success, SMART service will focus exclusively on Sunday 1:05 PM games. There are five remaining regular season games scheduled in 2022. Staff also recommends providing service during any post season games held on Sundays at 1:05 PM.

Comments

Director Fudge stated that she was on the train and noticed that it was getting full of Giants fans going to the game.

MOTION: Director Rogers moved to Approve Additional Service on to meet the Golden Gate Ferry Service from Oracle Park for Remainder of SF Giants Baseball Season as presented. Director Fudge second. The motion carried 11-0. (Director Connolly absent).

10. Sonoma County Airport Station Shuttle (Information/Discussion) – *Presented by Emily Betts*

Principal Planner, Emily Betts provided a presentation which included the following highlights:

- First- Last Mile Connections
- Sonoma County Airport Station
- What is Microtransit
- Flexible, On-Demand Technology
- Airport Station Area Shuttle
- Next Steps

Comments

Director Arnold asked for clarification on the location of the service. Ms. Betts responded that the shuttle would operate between the Airport Station and Sonoma County Airport. General Manager Cumins stated that this would be a pilot program operating from the Airport Station to/from the Sonoma County Airport. If the program becomes successful, it can be duplicated at other station locations.

Vice Chair Pahre stated that it's a great idea. She is concerned about the people who travel on the train and don't have a Smartphone. She suggested having an additional option for those passengers. Ms. Betts responded that there will be a call center available for passengers without a cell phone.

Director Bagby commended Ms. Betts for bringing this before the Board, this is exactly the kind of solution that is needed, and she is very happy to hear the word pilot project. She suggested conducting a proof of concept, since it's a great opportunity to work on the Airport Specific Plan and get some grant funds.

Director Coursey asked if the Sonoma County Airport staff is participating or is this strictly SMART. Ms. Betts responded that staff has been in conversations with the Airport, for the past year about this potential project and they are interested in partnering with SMART. They have parking and connectivity demand issues that they're looking to manage; they are also part of the County's sustainability efforts and they're looking to reduce their greenhouse gas footprint. He asked if the service is paid by the user, SMART or subsidized. General Manager Cumins responded that the service would be paid by SMART and treated like a bus transfer and the State could potentially want to participate in this program. Director Coursey said that he imagines transportation is provided for their clients to the Veterans Affairs office near Airport Station. He said that the Board of Supervisors on Tuesday approved a hotel plan near the Airport.

Chair Rabbitt stated that there is a great opportunity for the Sonoma County Airport to participate.

Richard Brand said that parking and access at the Sonoma County Airport is difficult. He said that he lived in Palo Alto he would take Caltrain to Millbrae that connected to the San Francisco Airport. He believes that Sonoma County Airport should pay for the shuttle transportation. He agrees with Vice Chair Pahre that older people have a hard time using Smartphones and perhaps there are alternative ways to use and benefit from the program.

Steve Birdleough asked for the status of the shuttle at Hamilton. Ms. Betts responded that SMART has not provided a shuttle at Hamilton. The shuttle service was provided by the homeowners association and stopped during the pandemic. BioMarin provides a shuttle, however they are not provided by SMART.

Chair Rabbitt said he is very optimistic that there will be Federal and State funding sources available to fund this program.

11. Sonoma County Civil Grand Jury Report Received June 14, 2022 (Review/Discuss) - *Presented by General Manager Cumins*

Chair Rabbitt stated that the Sonoma County Civil Grand Jury investigated five separate entities, SMART being one of them. On June 14, 2022, they released a report titled "SMART Decision Making, Citizens Feedback is Critical for Success". There are 18 findings and 11 recommendations. Today, we will firm up the process on how to best as a whole Board respond. He said that the Citizens Oversight Committee (COC) was established for a specific purpose, which we have been discussing. It is undoubtedly time to expand their roles/responsibilities and General Manager Cumins can lead us through that process in terms of how best to respond to the Civil Grand Jury. In 2014, the Civil Grand Jury offered 13 recommendations, of which one was accepted. Mr. Cumins does not think that will be the case this time. He proposed an Ad Hoc committee that was comprised of Directors Arnold, Fudge, Coursey (Alt), Lucan, Pahre and Rabbitt.

General Manager Cumins provided a PowerPoint presentation, which is posted on SMART's website. Highlights include:

- Civil Grand Jury Findings (18)
- Civil Grand Jury Recommendations (11)
- Citizens Oversight Committee (COC) Suggestion

- Quarterly meetings
- Semi-annual report to the Board of Directors
- Financial review on a quarterly basis from the Chief Financial Officer
- Annually review SMART budget and any updates to the Strategic Plan
- Establish term limits, appointment criteria and number of members
- Determine which user groups would be represented on the COC
- COC to receive input from the Executive Team Advisory Committee (ETAC) at each meeting
- Executive Team Advisory Committee (ETAC) Role
 - Advisory group to meet with SMART management
 - Provide benefit to both management and community
 - The goal is to improve SMART service to the community
 - Monthly or quarterly meetings
 - Meetings held prior to the COC meeting
 - Meeting results reported to the COC
- Next Steps
 - Respond to Sonoma County Civil Grand Jury by September 8, 2022
 - Determine if/when the Board wants to implement accepted recommendations/suggestions

General Manager Cumins introduced COC Chair Colombo. Chair Colombo stated that he has been on the committee since its inception in 2008. He said that there is no process of bringing new people in. It is important to define the roles and terms of the COC members, since there is a difference in opinion about what they can do. The legislation stated that the COC would review and update the Strategic Plan every 5 years. The COC meets with SMART management and not the Board. The COC was not required to make any formal reports or written recommendations to the Board, however made some recommendations which passed through SMART management to the Board.

Comments

Director Lucan stated that there is confusion over the name of the committee “Oversight Committee vs Advisory Committee”, even from the Civil Grand Jury recommendations there is confusion and asked if this needs to be clarified. Chair Colombo agreed that it needs to be clarified.

Chair Rabbitt thanked COC Chair Colombo for his years of service on the committee and his banking expertise being able to review and update the Strategic Plan. His support and dedication for SMART is appreciated. Also, the language in the expenditure plan dictates the roles of the current COC members and thinks that is timely that its discussed.

Director Colin thanked COC Chair Colombo for his service with the agency. She agrees that there is a need for clarification for the members. She likes Citizens Committee because it provides another opportunity to receive input for the Board. She asked if currently the COC meetings are open to the public and if there was public participation. Chair Colombo responded yes and at every meeting they were able to provide public comment/questions. Public participation was higher when the train was being build as opposed to when operations started the participation dropped. General Manager Cumins stated that the COC meeting is conducted like the Board of Directors meetings and goes through the agenda where we offer public comment.

Director Coursey said that historically this kind of rub has always been in existence around the COC, about what its role is and how big of a role it should have, and whether it's an advisory role or the role that is stated in the Expenditure Plan. The Expenditure Plan outlines the role of the Committee. He asked if those roles/responsibilities can be changed without going through another ballot measure. District Counsel responded that there is no impediment if the roles can be expanded. However, the committee will have to continue to review and update the Strategic Plan. There are no limitations under the current measure that would limit the COC from having additional duties. Director Coursey stated that Civil Grand Jury findings No. 1, 2, 3, 4, 6, 7, 8, and 12 and maybe more are findings that the COC members have not been asked to do. He feels that SMART should not be criticized for things that have not been requested to perform in the first place.

Chair Rabbitt thanked the COC members for the work they have provided that was identified in the Measure that was promised to the voters.

Director Hillmer stated that the COC members were providing what was outlined in the Measure. The complexity of the discussion that is occurring currently regarding the Grand Jury reports only happens when the agency is successful. He thanked Chair Colombo for his leadership and quality of leadership that allowed us to be here today.

COC Chair Colombo stated that it has been enjoyable to see the progress of getting passenger service started. He is very happy to see the success of the train and he will be retiring from the committee after 14 years.

Director Fudge stated that she was contacted/interviewed by the Civil Grand Jury for this report. She is happy to work with the Ad Hoc committee but has limitations to meet in person.

Steve Birdleough stated that he has served on the committee since its inception. He thinks that the main barrier to public participation is that the meeting is conducted at 7:30am. He said that having an advisory committee, rather than an oversight committee is to get continuity in public discussions. The listening sessions have been valuable.

Dani Sheehan thanked Chair Colombo and the committee for their dedication. There is a transition between building the railroad and running a railroad. She appreciates all the work that has been done and this is timely, and she is very happy to see that you are addressing the concerns.

Director Coursey asked for clarification of the ETAC group and asked whether there is an Executive Committee of the Board of Directors that still meets. General Manager Cumins responded that it stands for Executive Team Advisory Committee and the intent is to have a group of citizens be selected based on SMART's strategic objectives and selecting people that will help SMART move forward and be successful in the future. The Executive Committee group has not met since he arrived in November 2021. Chair Rabbitt responded that the group has not met and most of the time Ad Hoc committees are formed during a meeting for a particular purpose. He looks forward to the discussion about how we should have the different advisory bodies and need to be cognizant of staff time, since we have a lean operation. We need to be transparent for input, but also know that we have limitations on what we can do and how much staff time is available.

Director Fudge stated that for a while she was part of that executive committee and there haven't been a meeting for two and a half years.

Chair Rabbitt adjourned the Board to Closed Session at 3:24pm on the following:

12. Closed Session
 - a. Conference with Labor Negotiator General Manager Cumins pursuant to California Government Code Section 54957.6
Agency Designated Representative: General Manager
Represented Employees: IAMAW Local Lodge No. 1414 and Teamsters Local 665
 - b. Conference with Legal Counsel regarding existing litigation pursuant to California Government Code Section 54956.9(a); Reis v. Sonoma-Marín Area Rail Transit District California Public Utility Commission Case No. 21-11-016; Number of cases: 1
13. Report Out Closed Session
District Counsel reported out of Closed Session at 4:30pm on the following:
 - a. Conference with Labor Negotiator General Manager Cumins pursuant to California Government Code Section 54957.6
Agency Designated Representative: General Manager
Represented Employees: IAMAW Local Lodge No. 1414 and Teamsters Local 665
Report Out: No action taken. Direction given to Staff
 - b. Conference with Legal Counsel regarding existing litigation pursuant to California Government Code Section 54956.9(a); Reis v. Sonoma-Marín Area Rail Transit District California Public Utility Commission Case No. 21-11-016; Number of cases: 1
Report Out: No action taken. Direction given to Staff
14. Next Regular Meeting of the Board of Directors, August 17, 2022 – 1:30 PM
15. Adjournment - Meeting adjourned at 4:35pm.

Respectfully submitted,

Leticia Rosas-Mendoza
Clerk of the Board

Approved on: _____



August 17, 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 Financial Status

Dear Board Members:

RECOMMENDATION: Approve Monthly Financial Reports

SUMMARY:

Revenues are reflected in the first section of the Monthly Financial Status report. We have provided a chart that lists the revenues forecasted in the FY 2021/22 amended budget which was approved by the Board in February 2022 and the amounts collected to date. In addition, we have specifically broken out sales tax and fare revenues to show current and comparative information over the last three years.

Expenditures are reflected in the second part of the Monthly Financial Status report. We have added expenditure gauges so with a glance the reader can see what percentage has been spent in administration, operations, capital, and freight. We have also provided the detail information on approved budget, actual expenditures, and remaining budget. Please keep in mind that expenditures do not always occur on a straight-line basis, many large expenditures such as debt service only occur on specific intervals. In addition, we are including more extensive information on our capital program.

We have also included information regarding SMART's investment policy, where our funds are being held, and how much is currently being held. In addition, we have shown the current obligations, reserves, and fund balance requirements for FY 2021-22.

The June information does not reflect all revenues or expenditures for Fiscal Year 2021-2022. We are still in the process of finalizing all information and will not release a final budget to actual reconciliation until the books have been closed and audited by our independent auditor Eide Bailly.

Very truly yours,

/s/
Heather McKillop
Chief Financial Officer

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



MONTHLY FINANCIAL STATUS

JUNE 2022

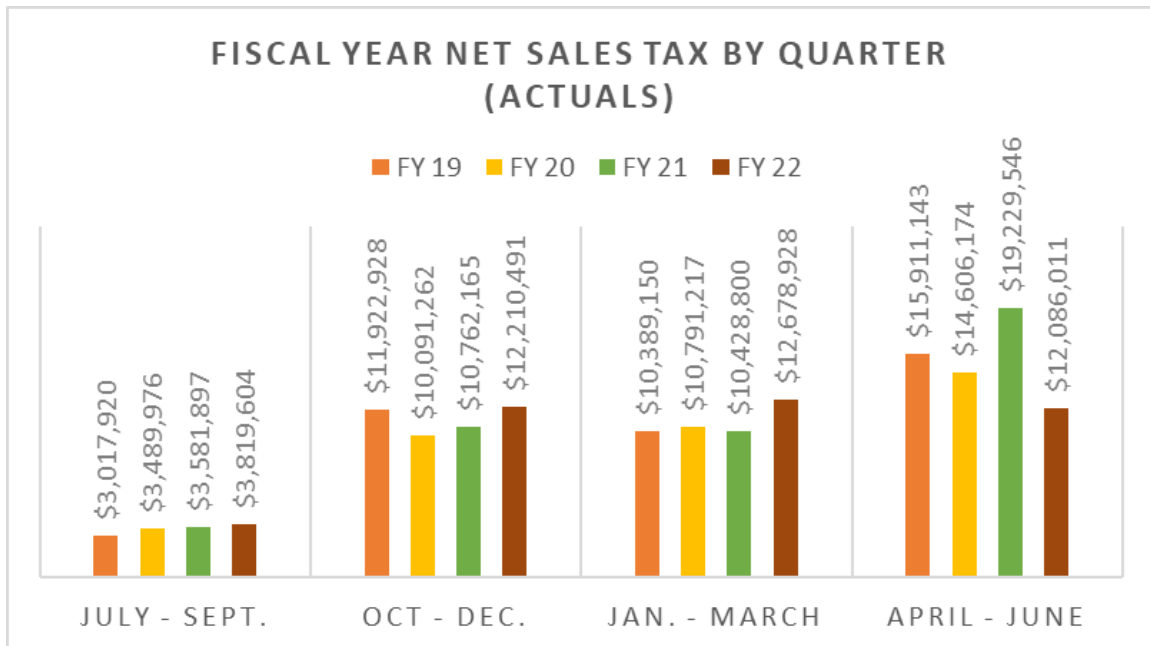
REVENUES

	FY 2021-22 Approved Budget	Actual	Amount Over/ Under Budget	Comments
Revenues				
Transit/Pathway				
Sales/Use Taxes	\$ 46,981,000	\$ 40,795,034	\$ (6,185,966)	Sales Taxes are recorded when received not when earned
Interest and Lease Earnings	\$ 623,865	\$ 907,350	\$ 283,485	Leases renew throughout the year
Miscellaneous Revenues	\$ 30,000	\$ 48,615	\$ 18,615	
Fare Revenue	\$ 1,200,000	\$ 1,283,246	\$ 83,246	
Parking Revenue	\$ 27,000	\$ 11,789	\$ (15,211)	
State Grants	\$ 8,660,684	\$ 8,977,000	\$ 316,316	State grants are received throughout the year
Charges For Services	\$ 57,500	\$ 262,249	\$ 204,749	Includes dispatching and flagging services which are performed throughout the year
Federal Funds (Non-COVID Relief)	\$ 3,037,733	\$ 531,671	\$ (2,506,062)	Federal funds are received on a reimbursable basis. Funds have to be expended before they can be requested.
Federal Funds (COVID Relief)	\$ 7,225,294	\$ 4,724,821	\$ (2,500,473)	American Rescue Plan (ARP) Funds
Other Governments/ Misc.	\$ 161,998	\$ (1,235,671)	\$ (1,397,669)	Reclass County revenue booked FY21 to State Grants
Transit/Pathway Subtotal	\$ 68,005,074	\$ 56,306,104	\$ (11,698,970)	
Freight				
Interest and Lease Earnings	\$ -	\$ 156,352	\$ 156,352	Lease income from freight right-of-way
Freight Movement Revenues	\$ 372,000	\$ 295,433	\$ (76,567)	
Storage Fees	\$ 115,400	\$ 163,050	\$ 47,650	
State Grants	\$ 5,803,473	\$ 4,045,307	\$ (1,758,166)	Includes \$4m for freight rights grant
Freight Subtotal	\$ 6,290,873	\$ 4,660,142	\$ (1,630,731)	
Total Revenues	\$ 74,295,947	\$ 60,966,246	\$ (13,329,701)	

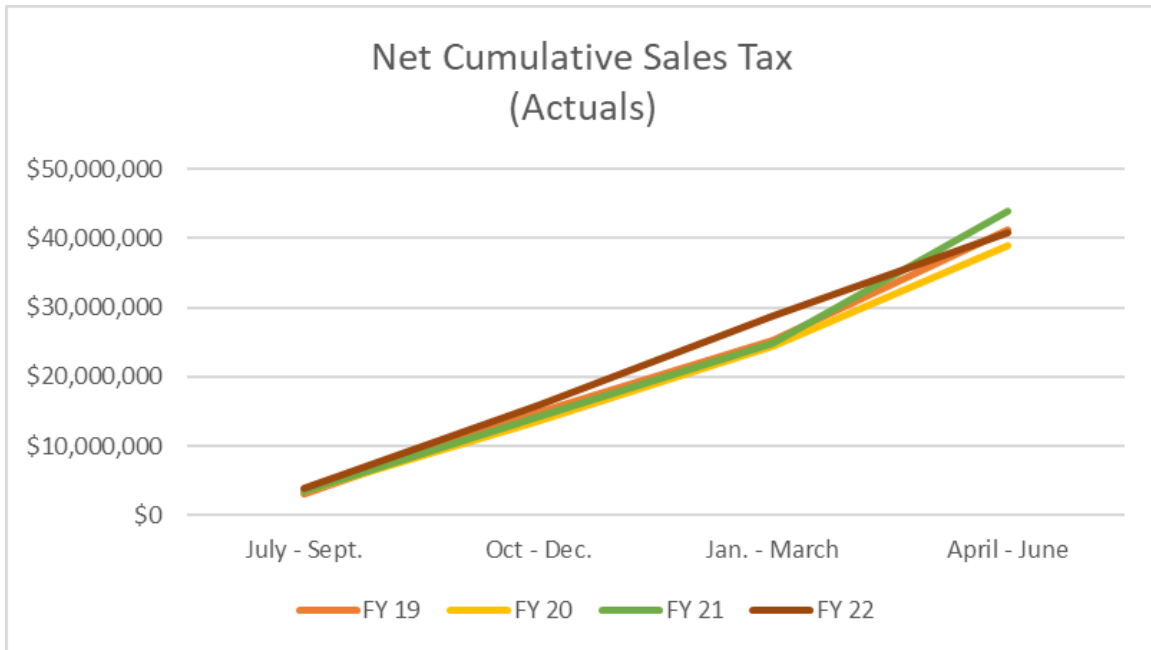
**Measure Q Sales Tax
Fiscal Year (FY) 2021/2022**

Time Period	July - Sept.	Oct - Dec.	Jan. - March	April - June
Forecasted FY 22 Budget	\$ 3,506,166	\$ 10,518,498	\$ 13,518,498	\$ 19,434,838
Actual	\$ 3,819,604	\$ 12,210,491	\$ 12,678,928	\$ 12,086,011
Difference	\$ 313,438	\$ 1,691,993	\$ (839,570)	\$ (7,348,827)

**Fiscal Year 2019-2022 Net Sales Tax Comparison
(by Quarter)**

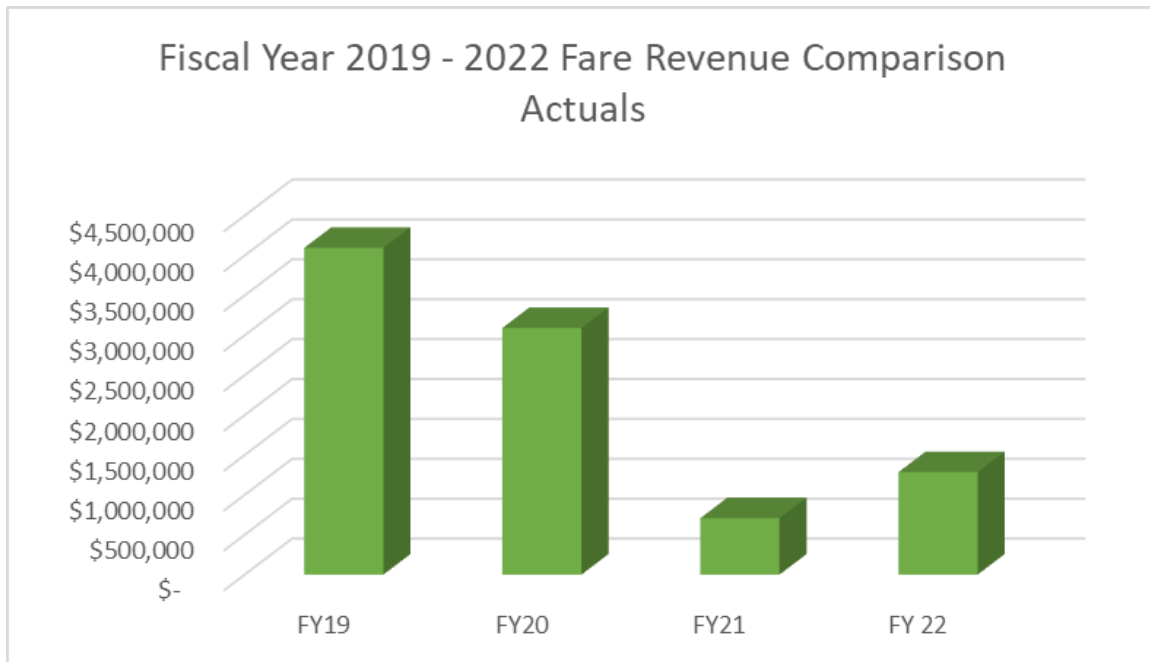


Fiscal Year 2019-2022 Net Cumulative Sales Tax Comparison

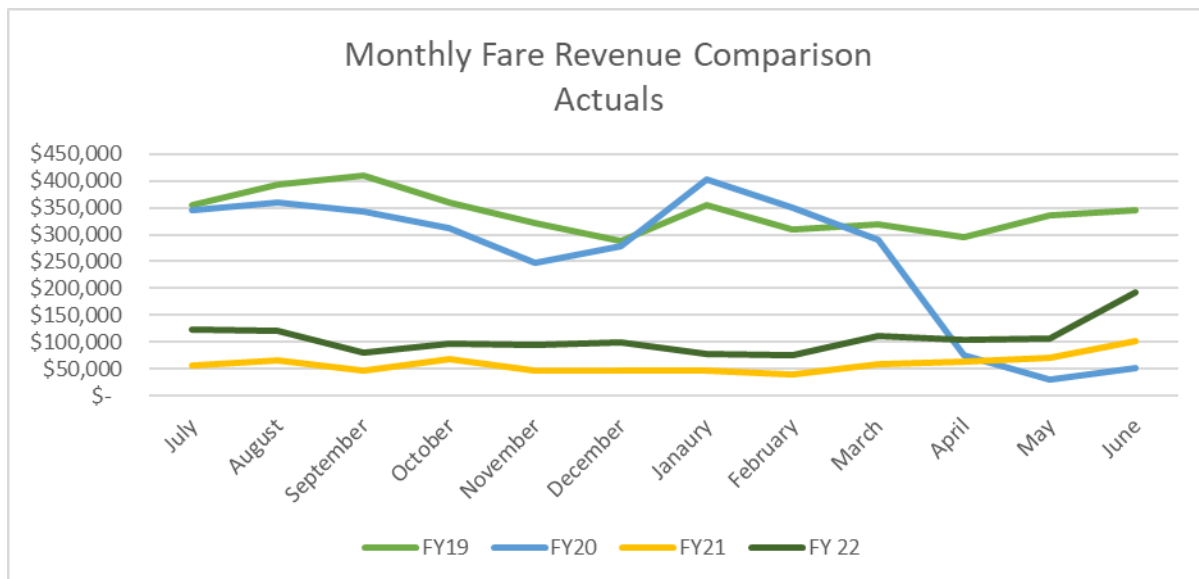


Note: Sales Taxes are recorded when received not when earned.

Fiscal Year 2019-2022 Fare Revenue Comparison



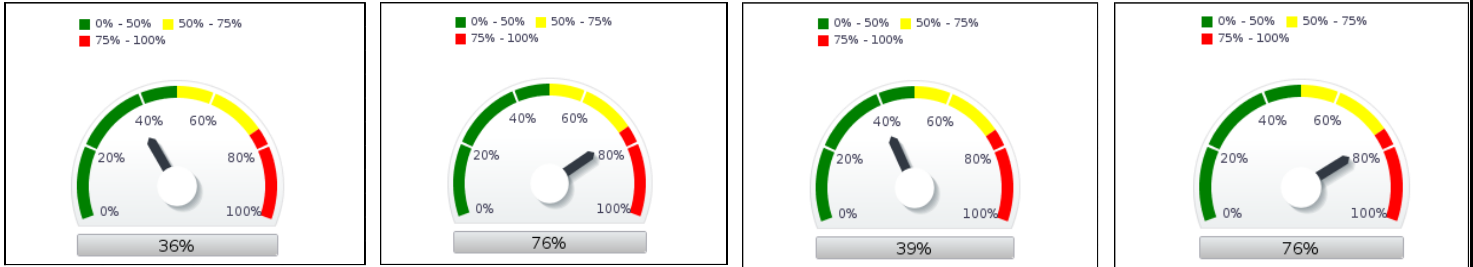
Fiscal Year 2019-2022 Monthly Fare Revenue Comparison



EXPENDITURES

Administration*	Operations	Capital	Freight
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*Gauge doesn't include principal debt service payment should show 78% spent



	FY 2021-22 Approved Budget	Actual	Amount Over/ Under Budget
Expenditures			
Administration			
Salaries & Benefits	\$ 5,924,313	\$ 4,766,806	\$ (1,157,507)
Services & Supplies	\$ 10,263,210	\$ 5,510,913	\$ (4,752,297)
Debt Service	\$ 14,944,169	\$ 14,391,916	\$ (552,253)
Machinery & Equipment	\$ 390,600	\$ 60,375	\$ (330,225)
Administration Subtotal	\$ 31,522,292	\$ 24,730,010	\$ (6,792,282)
Operations			
Salaries & Benefits	\$ 16,287,214	\$ 13,973,426	\$ (2,313,788)
Services & Supplies	\$ 6,929,110	\$ 4,467,460	\$ (2,461,650)
Buildings & Capital Improvements	\$ 2,566,940	\$ 1,434,801	\$ (1,132,139)
Operations Subtotal	\$ 25,783,264	\$ 19,875,687	\$ (5,907,577)
Capital			
Salaries & Benefits	\$ 1,482,430	\$ 1,342,125	\$ (140,305)
Services & Supplies	\$ 815,185	\$ 456,752	\$ (358,433)
Other Charges	\$ 30,000	\$ 27,753	\$ (2,247)
Machinery & Equipment	\$ 1,555,000	\$ 1,245,014	\$ (309,986)
Infrastructure	\$ 6,407,407	\$ 1,018,051	\$ (5,389,356)
Capital Subtotal	\$ 10,290,022	\$ 4,089,695	\$ (6,200,327)
Freight	\$ 4,751,770	\$ 4,684,335	\$ (67,435)
Total All Expenditures	\$ 72,347,348	\$ 53,379,727	\$ (18,967,621)

CAPITAL PROJECTS

Capital Project Report						
		Total Project Budget	Expended in Prior Fiscal Years	Budgeted in FY 22 (Includes Amended Budget)	Remaining to be Budgeted in Future Years	Project Status
Additional Railcar Purchase		\$ 11,000,000	\$ 9,900,000	\$ 1,100,000	\$ -	All milestone payments complete
Windsor Extension		\$ 65,000,000	\$ 24,408,475	\$ -	\$ 40,591,525	Funds on hold, pending MTC lawsuit on RM3 funding. Awaiting Supreme Court decision
Sonoma County Pathway Connector Project - Design & Construction		\$ 15,781,499	\$ 1,560,454	\$ 1,613,827	\$ 12,607,218	In design & permitting
- Southpoint to Main (2.9 miles)						
- Golf Course to Bellevue (2.8 miles)						
Marin & Sonoma Pathway Design & Permitting		\$ 10,752,215	\$ -	\$ 3,641,412	\$ 7,110,803	The design consultant work has been divided into two Request for Proposals (RFPs). The Phase I was awarded in February and Phase II was awarded in March, consultants have begun work.
RFP Phase I Locations:						
- McInnis Parkway at Bridgewater Drive to Smith Ranch Road (0.74 miles)		\$ 490,078	\$ -	\$ 118,533	\$ 371,545	
- Main Street to East Railroad Ave. (1.48 miles)						
- Joe Rodota Trail to 3rd Street (0.06 miles)						
- Santa Rosa Downtown Station to 6th Street (0.04 miles)						
- Guerneville Road to West Steele Lane (0.32 miles)						
- West Steel Lane to San Miguel Road (1.2 miles)						
- San Miguel Blvd. to Airport Blvd. (3.1 miles)						
Payran to Lakeville Pathway - Design & Construction		\$ 1,085,806	\$ -	\$ -	\$ 1,085,806	Pending grant execution & securing environmental permits
Black Point Bridge - Fender & Structural Repair		\$ 725,000	\$ 49,865	\$ 100,484	\$ 574,651	Freight Project - Awaiting environmental construction permits
Basalt Creek Timber Bridge Replacement		\$ 568,257	\$ -	\$ 136,104	\$ 432,153	In design
San Antonio Tributary Timber Trestle Replacement		\$ 1,129,110	\$ 1,583	\$ 179,340	\$ 948,187	In design
McDowell Blvd. Crossing Reconstruction - Design & FY21 Const.		\$ 1,150,000	\$ -	\$ 150,000	\$ 1,000,000	In design

INVESTMENTS

Investments are guided by the SMART investment policy adopted each year with the budget. The policy outlines the guidelines and practices to be used in effectively managing SMART's available cash and investment portfolio. District funds that are not required for immediate cash requirements are to be invested in compliance with the California Code Section 53600, et seq.

SMART uses the Bank of Marin for day-to-day cash requirements and for longer term investments the Sonoma County Treasury Pool is used. This chart reflects a point in time verses a projection of future fund availability.

<u>Cash On Hand</u>	
Bank of Marin	\$ 30,417,500
Sonoma County Investment Pool *	\$ 67,174,267
Total Cash on Hand	\$ 97,591,767
<u>Reserves</u>	
Self-Insured	\$ 2,370,675
OPEB/ CalPERS	\$ 3,574,676
Operating Reserve	\$ 10,000,000
Capital Sinking Fund	\$ 7,625,000
Corridor Completion	\$ 7,000,000
Total Reserves	\$ 30,570,351
Cash Balance	\$ 67,021,416
Less: Current Encumbrances	\$ 3,795,933
Balance	\$ 63,225,483
Less: Estimated FY22 Year-end Fund Balance	\$ 37,393,310
Remaining Balance	\$ 25,832,173
* Does not include funds held by the trustee for debt service	



Contract Summary

Active Contracts as of July 1, 2022

PASSENGER RAIL

Contractor	Scope	Fiscal Year 21/22 Projected	Fiscal Year 21/22 Actuals-To-Date
A.J. Janitorial Service	Janitorial Services for all Stations, Roblar, ROC, and Fulton	\$104,000.00	\$101,280.00
Ai-Media, Inc.	As Needed Live Captioning Services for Public Meetings	\$15,000.00	\$8,955.00
Air & Lube Systems, Inc.	Structural Alterations to the Rail Operation Center and Installation of the Wheel Press Machine	\$4,350.00	\$0.00
Air Technology West	Maintenance and On-Call Repair for Air Compressors	\$4,800.00	\$3,154.00
Alcohol & Drug Testing Services, LLC	DOT Drug and Alcohol Testing	\$36,000.00	\$2,818.00
All Purpose Safety Training Solutions	"Train the Trainer" Training Services	\$6,585.00	\$6,585.00
Allen, Glaessner, Hazelwood LLP	Legal Services for Litigation and Rail Transit Issues	\$91,782.00	\$62,917.00
Alliant Insurance Services	Insurance Brokerage and Risk Management Services	\$70,000.00	\$28,273.00
American Integrated Services, INC.	On-Call Biohazard Remediation Services	\$50,000.00	\$0.00
American Rail Engineers Corporation	Railroad Bridge Engineering, Inspection, & Design	\$119,640.00	\$89,396.00
Asbury Environmental Services (AES)	Recycling & Disposal Service for Used Oil, Fuel Filters, Rags, and Related Equipment	\$18,600.00	\$10,918.00
Atlas Copco Compressors, LLC	Air Compressor Maintenance Services	\$3,000.00	\$0.00
Barbier Security Group	Security Patrol Services along Right-of-Way	\$67,000.00	\$0.00
Barnes & Company, LLC	Consulting Services for SMART Toy Drive Events	\$15,000.00	\$15,000.00
Bay Area Traffic Solutions	Flagging Support for MOW	\$13,000.00	\$8,950.00
BBM Railway Equipment, LLC	Wheel Press Machine - Furnish, Install, Configure, Test, Commission, and Train SMART Staff	\$792,387.00	\$792,108.00
Becoming Independent	Emergency Bus Bridge Services	\$37,000.00	\$14,900.00
Bettin Investigations	Public Safety and Emergency Training Consultation Services	\$5,000.00	\$2,775.00
BKF Engineers Inc.	Design and Engineering Services for MUP Segments in Sonoma and Marin Counties	\$1,312,359.00	\$344,598.00
Bolt Staffing Services	Temporary Staffing Services	\$50,000.00	\$4,923.00
Bright Star Security, Inc.	Security Patrol at SMART's Cal Park Tunnel	\$5,490.00	\$5,490.00
Bright Star Security, Inc.	Security Patrol Services at SMART's Cal Park Tunnel	\$5,220.00	\$5,220.00
Burke, Williams & Sorensen, LLP	Litigation Support Services	\$100,000.00	\$0.00
Business Training Library, LLC	Cloud-Based Learning Courses	\$14,000.00	\$12,799.00
Cinquini & Passarino, Inc.	Right-of-Way Land Surveying and Related Services	\$22,728.00	\$17,161.00
Civic Edge Consulting	Social Media Outreach Strategy Consulting	\$138,788.00	\$105,333.00
Craft & Commerce, LLC	Marketing and Community Outreach Services and Support	\$40,000.00	\$27,500.00
DeAngelo Contracting Services, LLC	Assignment of OP-SV-21-006 Vegetation Control Services	\$35,000.00	\$29,750.00
Dikita Enterprises, Inc	NTD Compliant Passenger Counting Services	\$43,537.00	\$32,364.00
Doug Williams	Fire and Life Safety Consultant	\$5,000.00	\$1,485.00
Dr. Lance O'Connor	Occupational Health Screening Services	\$3,000.00	\$420.00
Dr. Mark Clementi	Pre-Employment Psychological Evaluations	\$25,000.00	\$20,723.00
Eco-Counter, Inc.	Pedestrian and Bicycle Counter Equipment and Software Reporting Tools	\$73,252.00	\$0.00
Eide Bailly LLP	Financial Audit Services	\$16,700.00	\$16,700.00
eLock Technologies, LLC	Station Bike Lockers - Ongoing Maintenance and Support Services	\$2,215.00	\$2,215.00
eLock Technologies, LLC	Station Bike Lockers and Maintenance Services	\$13,130.00	\$9,275.00
Empire Cleaners	Operations Uniform Dry Cleaning, Laundering, and Related Services	\$50,000.00	\$13,445.00
Environmental Logistics, INC.	On-Call Biohazard Remediation Services	\$150,000.00	\$0.00
Gary D. Nelson Assoicates, Inc.	Temporary Staffing and Placement Services	\$50,000.00	\$23,389.00
George Hills Company, Inc.	Third Party Claims Administration Services	\$45,000.00	\$2,698.00
GHD, Inc.	SWPP Compliance, AutoCAD Management, Traffic and Hydraulic Analysis	\$120,000.00	\$2,644.00
GHD, Inc.	3 Segments MUP Petaluma - Penngrove - Rohnert Park	\$460,612.00	\$429,026.00
Golden Five, LLC	Microsoft 365 Consulting Services	\$31,600.00	\$14,850.00
GP Crane & Hoist Services	Cal/OSHA Inspection Services	\$5,000.00	\$3,960.00
Granicus, Inc.	Media Streaming and Internet Broadcasting Services	\$11,665.00	\$11,665.00
Hanford A.R.C.	Maintenance and Monitoring the the Las Gallinas Creek Watershed Riparian Enhancement Planting	\$4,416.00	\$2,944.00
Hanford A.R.C.	Implementation and Monitoring Las Gallinas Creek Riparian Enhancement Plan	\$33,830.00	\$21,999.00
Hanford A.R.C.	Implementation and Monitoring, San Rafael Creek Riparian Enhancement Project	\$175,000.00	\$89,934.00
Hanson Bridgett LLP	Legal Services	\$150,000.00	\$50,358.00
HCI Systems, Inc.	Fire Equipment Inspection and Certification	\$14,500.00	\$3,558.00
Heavy Equipment Transportation, Inc.	Transportation of Heavy Equipment	\$7,330.00	\$0.00
Holland Company	Track Geometry and Measurement Services	\$24,000.00	\$24,000.00
Hunt and Sons, Inc.	Bulk Delivery of Motor Oil (15W40)	\$12,000.00	\$6,758.00
Integrative Security Controls, Inc.	CCTV Maintenance and Support	\$30,000.00	\$7,703.00

Contractor	Scope	Fiscal Year 21/22 Projected	Fiscal Year 21/22 Actuals-To-Date
Intelligent Technology Solutions, LLC	Maximo SaaS Development, Implementation, and Related Services	\$260,143.00	\$193,575.00
JMA Civil, Inc.	On-Call Civil & Rail Engineering Design Services	\$144,663.00	\$126,723.00
Joanne Roessler	On-Call Graphic Design Services	\$10,000.00	\$0.00
Judy D. James	Public Affairs and Dispute Resolution Consultation Services	\$4,500.00	\$3,863.00
Kimberly Dow	On-Call Graphic Design Services	\$8,000.00	\$627.00
KL2 Connects	GM Recruitment Services	\$37,200.00	\$33,750.00
Kristie Doughty-Oxford	Design, Implementation, and Troubleshooting for New Access Contract Database	\$5,000.00	\$0.00
LC Disability Consulting	Disability Access Consulting	\$20,000.00	\$8,000.00
Leete Generators	Generator Maintenance	\$2,609.00	\$2,609.00
Leete Generators	Generator Inspection and Maintenance Services	\$3,000.00	\$2,134.00
Masabi LLC	SMART Mobile Ticketing Pilot Project	\$57,600.00	\$57,000.00
MaxAccel	Compliance Management Software Design/Implementation/Asset Management	\$22,656.00	\$22,656.00
Maze & Associates	Financial Audit Services	\$43,646.00	\$31,333.00
MGrodner, LLC	Project Management Services	\$25,000.00	\$0.00
Mike Brown Electric Co.	On-Call Electrical Maintenance	\$25,000.00	\$0.00
Mike Brown Electric Co.	Remove and Replace In-Pavement Vehicle Detection Loop	\$15,000.00	\$15,000.00
Militus, Inc.	Cybersecurity Assessment Services	\$40,000.00	\$40,000.00
Milton R. Davis dba Davis Sign Co, Inc.	Printing, Installation, and Removal of Holiday Express Window Clings on SMART's DMU for Toy Drive Event	\$1,167.00	\$1,167.00
Mission Linen Supply	Employee Uniform Services	\$36,000.00	\$31,141.00
Modern Railway Systems, Inc.	Monitoring and Maintenance SMART's Communications Network and TDX System	\$155,132.00	\$148,822.00
MuniServices, LLC	Sales Tax Recovery Services	\$53,914.00	\$53,914.00
Murphy, Campbell, Alliston & Quinn	Legal Services for Rail Transit Matters	\$100,000.00	\$14,556.00
Netspeed Solutions, Inc.	SMART Phone System Maintenance	\$19,000.00	\$11,867.00
Netwoven Inc.	SharePoint Maintenance, Support, Implementation, and Related Services	\$29,350.00	\$27,702.00
Nextdoor Inc.	Use of Nextdoor Platform for Community Notifications	\$19,447.00	\$11,344.00
North Bay Petroleum	Provision of Fuel for DMUs	\$1,118,400.00	\$910,025.00
North Bay SAP Services	Substance Abuse Professional Services	\$2,600.00	\$0.00
Northwestern Pacific Railroad Company	Invoicing, Revenue Receiving, and Training for Freight	\$8,800.00	\$8,800.00
Nossaman LLP	Litigation, Rail Transit Issues, and other related legal services	\$246,481.00	\$233,477.00
Occupational Health Centers of CA	Pre-Employment Evaluation Services	\$20,000.00	\$12,887.00
Oil Stop, LLC	Automotive Repair and Service	\$3,000.00	\$426.00
Oracle	Fusion ERP System	\$60,000.00	\$51,383.00
Pamco Machine Works, Inc.	Railroad Wheel Pressing Services	\$115,770.00	\$115,770.00
Panatrol Corp	Haystack Bridge Automation Software Reprogramming	\$3,200.00	\$0.00
Parodi Investigative Solutions	Pre-Employment Background Investigation Services	\$20,000.00	\$18,150.00
Peterson Mechanical, Inc.	HVAC Maintenance Services	\$22,000.00	\$2,650.00
PFM Financial Advisors, LLC	As-Needed Financial Consultant Services	\$10,000.00	\$0.00
PFM Financial Advisors, LLC	Financial Advisory Services	\$30,000.00	\$0.00
Pivotal Vision, LLC	Security Software Licensing	\$2,200.00	\$2,200.00
Portola Systems, Inc.	SMART Station Network Maintenance and Configuration Services	\$250,000.00	\$213,542.00
Precision Wireless	Tech Support and Maintenance for Land Mobile Radio	\$38,000.00	\$16,300.00
Precision Wireless	Tech Support and Maintenance for Land Mobile Radio	\$4,952.00	\$4,952.00
Project Finance Advisory Limited	Freight Service Option Analysis	\$4,718.00	\$4,718.00
Public Financial Mangement, Inc.	Arbitrage Rebate Compliance Services	\$2,000.00	\$2,000.00
RailWorks Track Services, Inc.	Track Maintenance Services	\$143,323.00	\$143,323.00
San Rafael Chamber of Commerce	Marin County Communications Consulting	\$75,000.00	\$68,750.00
Santa Rosa Fire Equipment Service, Inc.	SMART Fire Equipment Maintenance	\$10,000.00	\$0.00
SEFAC USA	Portable Lifting Jack Inspection and Certification Services	\$8,000.00	\$2,441.00
Sherwood Electromotion, Inc.	Overhaul Services for SMART's Permanent Magnet Alternators	\$20,000.00	\$12,800.00
Sierra-Cedar, LLC	Oracle Enterprise Resources Planning Software	\$75,000.00	\$18,645.00
Sonoma County Fleet Operation Division	Non-Revenue Fleet Maintenance Services	\$15,600.00	\$11,535.00
Sperry Rail Service	Rail Flaw Detection Services	\$13,500.00	\$8,745.00
SPTJ Consulting	Network Infrastructure, Security, Migration and Setup Services	\$329,400.00	\$153,293.00
Stantec Consulting Services, Inc.	Environmental Permit Management and Construction Compliance Monitoring	\$20,661.00	\$20,661.00
Stericycle, Inc.	Medical Waste Pick-Up and Disposal Services	\$2,000.00	\$0.00

Contractor	Scope	Fiscal Year 21/22 Projected	Fiscal Year 21/22 Actuals-To-Date
Sue Evans	Title Investigation Support Services	\$20,000.00	\$16,868.00
Sumitomo Corporation	Manufacture & Delivery of Rail Vehicles	\$1,100,000.00	\$1,100,000.00
Summit Signal, Inc.	Emergency Call-Out Services for Track and Signals	\$56,905.00	\$46,905.00
Survival CPR & First Aid, LLC	First Aid and CPR Training, AED Compliance Program	\$7,500.00	\$7,492.00
Swiftly, Inc.	AVL Mobile Application and Website Interface	\$8,400.00	\$8,400.00
Traliant, LLC	Online Training Program	\$2,595.00	\$2,595.00
Transportation Analytics	Transit Financial Modeling, Benchmarking, Performance Metrics, Benefit-Cost Analysis, and Strategic Planning Services	\$11,100.00	\$0.00
Trillium Solutions, Inc.	Transit Feed Mapping Software	\$2,300.00	\$2,300.00
United Mechanical Incorporated	HVAC Service, Maintenance and Related Services	\$2,000.00	\$1,622.00
Urban Transportation Associates, Inc.	Onboard Automatic Passenger Counter System Purchase, Install, and Software Implementation and Training	\$256,281.00	\$0.00
UTCRA, LLC	Wheel Pressing Services	\$50,000.00	\$0.00
Van Scoyoc Associates	Federal Lobbying Services	\$60,000.00	\$60,000.00
VenTek Transit Inc.	Fare Vending Machine Operations and Maintenance Services	\$262,176.00	\$244,577.00
VenTek Transit Inc.	Clipper Card Vending Machine Contract Assigned to SMART	\$77,138.00	\$76,882.00
Vista Broadband Networks, Inc.	Broadband Services	\$9,000.00	\$0.00
W.J.C. Electric, Inc. dba Hahn Automotive	Non-Revenue Vehicle Repair and Service	\$27,400.00	\$27,388.00
West Coast Arborists, Inc.	Tree Trimming and Tree Removal Services	\$30,000.00	\$29,950.00
WRA Environmental Consultants	Environmental Permitting, Management, & Support Services	\$253,571.00	\$159,211.00
Zoon Engineering	Right-of-Way Feasibility Study - San Rafael	\$30,000.00	\$27,753.00
	TOTALS:	\$10,812,514.00	\$7,180,115.00

FREIGHT

American Rail Engineers Corporation	Railroad Bridge Engineering, Inspection, & Design - Black Point Bridge	\$10,000.00	\$5,545.00
American Rail Engineers Corporation	Railroad Bridge Engineering, Inspection, & Design - Brazos Branch Bridges	\$75,000.00	\$16,594.00
Environmental Logistics, INC.	Hazardous and Non-Hazardous Waste Removal at Freight Depot	\$16,000.00	\$15,740.00
Freight Rail Tracking Software Vendor	Freight Rail Tracking Software	\$10,000.00	\$0.00
GATX Rail Locomotive Group, LLC	Freight Locomotive Lease Agreement	\$12,000.00	\$11,968.00
Hogan Lovells LLP	Legal Services - Freight and Passenger Rail Sector	\$25,000.00	\$8,550.00
Holland Company	Track Geometry and Measurement Services	\$4,125.00	\$4,125.00
Hue & Cry, Inc.	Security System at Schellville Depot	\$750.00	\$497.00
Lambertus J. Vestegen dba South West Locomotive Repair	Overhaul and Repair Services of Locomotive RP20DB	\$100,000.00	\$53,134.00
North Bay Petroleum	Provision of Fuel for Freight Locomotives	\$31,819.00	\$28,515.00
Project Finance Advisory Limited	Freight Service Option Analysis	\$4,718.00	\$4,718.00
Safety-Kleen Systems, Inc.	Hazardous and Non-Hazardous Waste Removal Services at Freight Depot	\$9,000.00	\$8,699.00
Summit Signal, Inc.	Interim Freight Rail Operation and Maintenance Services	\$435,199.00	\$413,775.00
Summit Signal, Inc.	Inspection and Repair of Freight Backhoe and Hi-rail Dump Truck	\$9,854.00	\$9,558.00
Wine Country Sanitary, Inc.	Portable Toilet Rental and Maintenance	\$782.00	\$394.00
WRA Environmental Consultants	Environmental Permitting, Management, & Support Services	\$9,472.00	\$8,373.00
	TOTALS:	\$753,719.00	\$590,185.00

Actuals-To-Date includes invoices that have been approved as of June 30, 2022, but may not have been processed in SMART's Financial System.



August 17, 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 – July 2022

Dear Board Members:

RECOMMENDATIONS: Accept Monthly Ridership Report

SUMMARY:

We are presenting the monthly ridership report for activity for the month of July 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 June is posted on the SMART Ridership website (<http://sonomamarintrain.org/RidershipReports>) and SMART's detailed July 2022 data will be posted once validated.

The report covers the gradual return of riders to SMART as Bay Area Counties continue to recover from 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 – July 2022

JULY 2022 SMART RIDERSHIP REPORT

SMART Ridership Report
Board of Directors,
August 17, 2022

July 2022 showed a strong start to ridership for FY23, with total monthly SMART ridership up 78% over July 2021. July average weekday ridership (1,626) was the highest since the pandemic began. Weekend ridership continues to be very strong, exceeding pre-pandemic averages in July.

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 the spring and have remained high, likely contributing to rising transit ridership. SMART recovered to approximately 68% of pre-pandemic total monthly ridership in July. 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 began Sunday service with 12 trips per day, and added 10 additional weekday trips on June 12, 2022, for a total of 36 trips per weekday.

The tables below present data from July 2021 and 2022, year-over-year. Total July boardings are up 78% over July 2021.

MONTHLY TOTALS YEAR-OVER-YEAR	JULY 2021	JULY 2022	% Change
Ridership (Onboard Counts)	24,627	43,752	78%
Paid Ridership (Clipper + App Only)	22,326	38,939	74%
Average Weekday Ridership (Onboard Counts)	966	1,626	68%
Average Saturday/Holiday Ridership (Onboard Counts)	621	1,139	83%
Average Sunday Ridership (Onboard Counts)	0	931	N/A
Bicycles	3,999	7,310	83%
Mobility Devices	152	237	56%

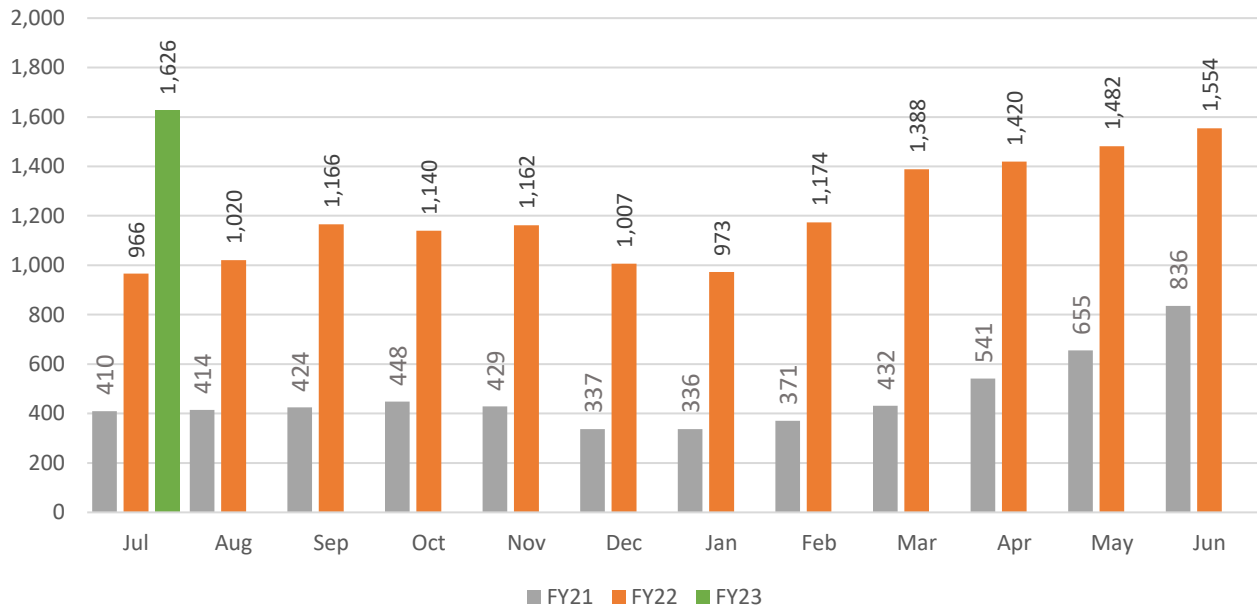
Bicycles on board the train increased 83% over last July. The share of passengers bringing bikes on board was 17% in July, which is similar to last summer, up from 12% during the winter months.

The following charts compare the average weekday ridership and monthly totals and for FY21-FY23.

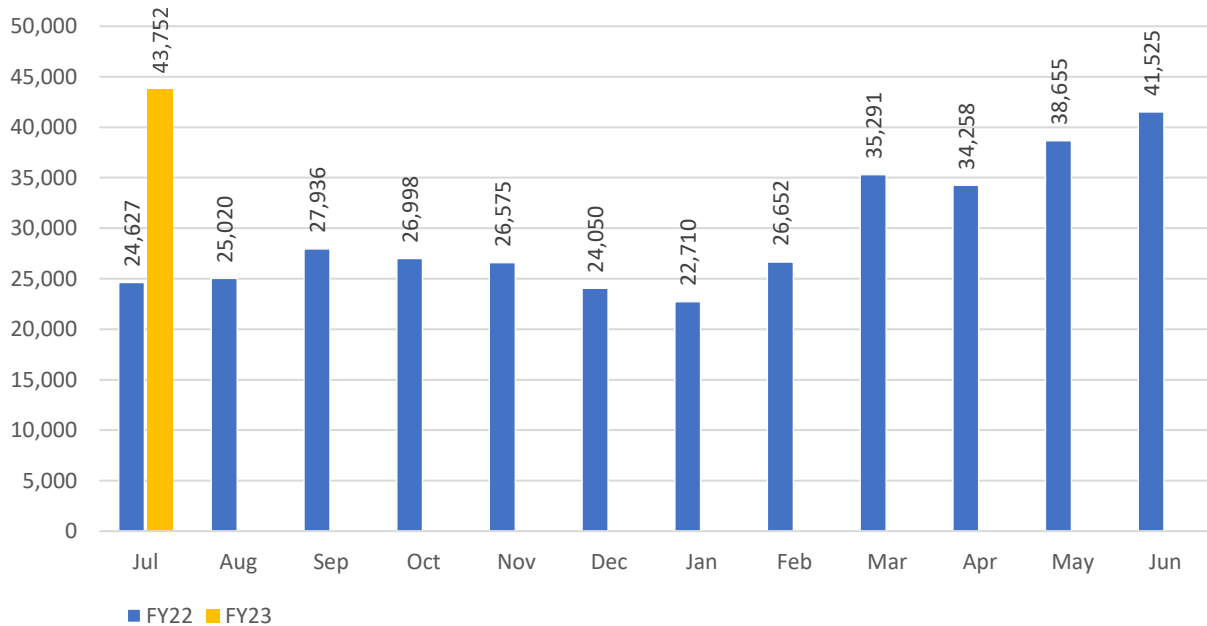
JULY 2022 SMART RIDERSHIP REPORT

SMART Ridership Report
Board of Directors,
August 17, 2022

SMART FY21 - FY23 Average Weekday Ridership



SMART FY22 - FY23 Monthly Ridership





August 17, 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
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Transportation Authority of Marin

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SUBJECT: Authorize the General Manager to Execute Contract Amendment No. 1 with Modern Railway Systems to continue providing Track Driver Extra (TDX) Dispatch System Technical Support Services, Rail Network Technical Support Services and Rail Network Management System Implementation.

Dear Board Members:

RECOMMENDATION:

Authorize the General Manager to Execute Contract Amendment No. 1 with Modern Railway Systems to continue providing Track Driver Extra (TDX) Dispatch System Technical Support Services, Rail Network Technical Support Services and Rail Network Management System Implementation. This amendment increases the not-to-exceed amount by \$91,250 for a new total not-to-exceed amount of \$248,250.

SUMMARY:

Under the subject contract, Modern Railway Systems has been providing key technical and troubleshooting support for SMART's Dispatch system and Rail Network. These services have proven to be invaluable over the last year.

Modern Railway Systems (MRS) was the designer and system integrator of SMART's Rail Network and Computer-Aided Dispatching system in 2017 as well as the Larkspur Extension and the Novato Downtown Station in 2019. MRS is also the designer of SMART's upcoming Windsor Extension. These systems are key components of SMART's Positive Train Control system, which has been certified by the Federal Railroad Administration.

Due to the proprietary nature of the Track Driver Extra (TDX) Dispatch System, SMART has contracted with the supplier, Modern Railway Systems to obtain technical support for the TDX system. In addition, as Modern Railway Systems is the designer and integrator of SMART's fiber optic Rail Network, they are best qualified to perform on-call technical support, and have provided excellent, timely service.

Staff recommends authorizing the General Manager to Execute Contract Amendment No. 1 with Modern Railway Systems to exercise an option in Year 2 of the Agreement to continue providing Track Driver Extra (TDX) Dispatch System Technical Support Services, Rail Network Technical Support Services and Rail Network Management System Implementation. This amendment increases the Not-to-Exceed amount by \$91,250 for a new total not-to-exceed amount of \$248,250.

FISCAL IMPACT: Funding for the additional year is included in your board adopted Fiscal Year 2022-23 budget and assumed in subsequent years.

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

Very truly yours,

/s/
Aaron Parkes
Manager of Train Control Systems

Attachment(s): Modern Railway Systems MRS Contract Amendment No. 1 (OP-PS-21-004)

**FIRST AMENDMENT TO THE AGREEMENT FOR CONSULTANT SERVICES
BETWEEN THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT
AND MODERN RAILWAY SYSTEMS**

This First Amendment dated as of August 17, 2022 (the “First Amendment”), to the Agreement for Consultant Services by and between Modern Railway Systems (hereinafter referred to as “CONSULTANT”) and the Sonoma-Marín Area Rail Transit District (hereinafter referred to as “SMART”), dated as of September 1, 2021 (the “Original Agreement,” as amended and supplemented by this First Amendment, the “Agreement”).

RECITALS

WHEREAS, CONSULTANT and SMART previously entered the Original Agreement on September 1, 2021 to provide monitoring and maintenance services on SMART’s communications network and TDX system; and

WHEREAS, SMART desires to amend the Agreement to extend the term by one additional year utilizing the first option available on the contract to continue providing monthly monitoring and maintenance services and increase the not-to-exceed amount by \$91,250.00 for a total not-to-exceed amount of \$248,250.00.

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

AGREEMENT

1. **“ARTICLE 2. LIST OF EXHIBITS”**. The following exhibit is attached hereto and incorporated herein:

(b) Exhibit B: Schedule of Rates

Exhibit B included in the Original Agreement is hereby removed and replaced with the Exhibit B included in this First Amendment.

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

In addition to the not-to-exceed amount set forth in the Original Agreement and subsequent Amendments, the contract amount shall be increased by an amount not-to-exceed \$91,250.00 for a total not-to-exceed amount of \$248,250.00 for the Agreement.

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

“ARTICLE 6. TERM OF AGREEMENT. The term of this Agreement shall remain in effect through August 31, 2023 with one (1) additional one-year option to extend thereafter, unless terminated earlier in accordance with the provisions of **Article 7.**”

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.

THIS SPACE INTENTIONALLY LEFT BLANK

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

MODERN RAILWAY SYSTEMS

Dated: _____

By _____
Paul Rieger, President

APPROVED AS TO FORM:

Dated: _____

By _____
District Counsel

EXHIBIT B
SCHEDULE OF RATES

Implementation Services

Description	Unit of Measure	Cost
Network Management System (Category 4-A)	Lump Sum	\$68,132.30

The Implementation Services listed above shall be invoiced in arrears following project completion and SMART acceptance.

Standard Services

Description	Unit of Measure	Cost
Monthly TDX Software & Network Maintenance (Category 1)	Per Month	\$7,603.82
TDX Engineer	Per Hour	\$227.55
Network Engineer	Per Hour	\$131.47

The rates for Standard Services are subject to an automatic escalation of 3% to be added to each renewal (12-month period)

Optional Services

Description	Unit of Measure	Cost
Optional Task - Annual Audit Site Visit	Per Audit	\$14,244.57
Optional Task - Annual Training Site Visit	Per Training	\$20,891.06



August 17, 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
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Kate Colin
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5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

SUBJECT: Authorize the General Manager to Execute Contact Amendment No. 1 with DeAngelo Contracting Services, LLC to continue providing Vegetation Control Services along the SMART Right-of-Way.

Dear Board Members:

RECOMMENDATION:

Authorize the General Manager to Execute Contract Amendment No. 1 with DeAngelo Contracting Services, LLC to extend the contract by one year utilizing the first optional term available in the contract and increase the not-to-exceed amount by \$68,000 for a total not-to-exceed amount of \$103,000 to cover the additional year of vegetation control services along SMART's Right-of-Way.

SUMMARY:

SMART contracts with a third-party contractor to perform vegetation control services at select SMART-owned properties and along SMART's right-of-way. These services assist SMART in ensuring the right-of-way remains free and clear from vegetation overgrowth, and safe for train operations.

SMART conducted an Invitation for Bid for the vegetation control services in August of 2021 and subsequently awarded the Agreement to the lowest responsive responsible bidder in September of 2021. The contract was for one year with two additional one-year options to extend thereafter at SMART's discretion. This Amendment No. 1 utilizes the first one-year option available on the contract to extend the term and increases the not-to-exceed amount to cover the additional year services.

FISCAL IMPACT: Funding is included in the Fiscal Year 2022-23 Operations and Freight Budget and assumed in subsequent years.

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

Very truly yours,
/s/
Ken Hendricks
Procurement Manager

Attachment: DeAngelo Contracting Services, LLC Contract Amendment No. 1

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

This First Amendment dated as of August 17, 2022 (the “First Amendment”), to the Agreement for Services by and between DeAngelo Contracting Services, LLC (hereinafter referred to as “CONTRACTOR”) and the Sonoma-Marin Area Rail Transit District (hereinafter referred to as “SMART”), dated as of January 3, 2022, now amended by this First Amendment, the “Agreement”).

RECITALS

WHEREAS, SMART and DeAngelo Brothers, LLC entered into Contract No. OP-SV-21-006 dated September 15, 2021, for DeAngelo Brothers, LLC to perform vegetation control and related services; and

WHEREAS, SMART and CONTRACTOR entered into an Assignment, Novation and Consent Agreement No. OP-SV-21-019 (“Assignment”) on January 3, 2022, in which SMART assigned Contract No. OP-SV-21-006 to CONTRACTOR (“Agreement”); and

WHEREAS, SMART desires to amend the Agreement to extend the term for an additional year utilizing an available option in the Agreement, increase the not-to-exceed amount by \$68,000.00 for a total not-to-exceed amount of \$103,000.00; update the key personnel and change the method and place of giving notice, submitting invoices, and making payments; and modify the payment terms;

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, Section 4.04 (d) of the Agreement (OP-SV-21-006) as modified by Paragraph 9 of the Assignment** is hereby deleted and replaced with the following:

(d) Contractor shall assign the following key personnel for the term of this Agreement:

Lee Parkhurst, T. Kevin Scrivner, Jose “Rick” Estrada, Steve McDonough, David Rhey, Tyler Rhey, Scott Santos.

2. **Article 5, Section 5.02 of the Agreement** is hereby deleted and replaced in its entirety with the following:

Section 5.02 Contractor shall be paid in accordance with the rates established in Exhibit B; provided, however, that total payments to Contractor shall not exceed \$103,000.00 without the prior written approval of SMART. Contractor shall submit

its invoices in arrears on a monthly basis in a form approved by the Chief Financial Officer. The invoices shall show or include: (i) the task(s) performed (ii) the location of services performed identified by mile post or physical address; (iii) the fixed rate per task; (iv) certified payroll reports; (v) the hourly rate or rates of the persons performing the task(s) for any time and materials tasks; and (vi) copies of receipts for reimbursable materials/expenses, if any. All reimbursable expenses must comply with SMART's Travel Guidelines and must receive prior approval. Contractor's reimbursement for materials/expenses shall not include items already included in Contractor's overhead as may be billed as a part of its labor rates set forth in Exhibit B. SMART does not reimburse Contractor for travel time.

3. **Article 6, Section 6.01 of the Agreement** is hereby deleted and replaced in its entirety with the following:

Section 6.01 The term of this Agreement shall remain in effect until September 15, 2023, with one (1) one-year option to extend thereafter at SMART's sole discretion, unless terminated earlier in accordance with the provisions of **Article 7** below.

4. **Article 16. Method and Place of Giving Notice, Submitting Invoices and Making Payments of the Agreement (OP-SV-21-006) as modified by Paragraph 11 of the Assignment (OP-SV-21-019)** is hereby deleted and replaced with the following:

All notices, invoices, and payments shall be made in writing and shall be given by personal delivery, U.S. Mail or email. Notices, invoices, and payments shall be addressed as follows:

If to SMART Manager: Sonoma-Marín Area Rail Transit District
Attn: Michael Spurlock, Superintendent of MOW
3748 Regional Parkway
Santa Rosa, CA 95403
mspurlock@sonomamarintrain.org
707-890-8580

If to SMART
Freight Manager: Sonoma-Marín Area Rail Transit District
Attn: Jon Kerruish, Freight Manager
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954
jkerruish@sonomamarintrain.org
707-794-3330

If to SMART Billing: Sonoma-Marín Area Rail Transit District
Attn: Accounts Payable
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954
billing@sonomamarintrain.org
707-794-3330

If to Contractor: DeAngelo Contracting Services, LLC.
Attn: Kevin Scrivner, General Manager
1459 S. Cucamonga Avenue
Ontario, CA 91761
Kscrivner@deangelocs.com
951-500-1375

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

THIS SPACE INTENTIONALLY LEFT BLANK

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

**DEANGELO CONTRACTING
SERVICES, LLC**

Dated: _____

By _____
Lee Parkhurst, Division Manager

APPROVED AS TO FORM:

Dated: _____

By _____
District Counsel



August 17, 2022

David Rabbitt, Chair
Sonoma County Board of Supervisors

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

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Marin County Board of Supervisors

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

SUBJECT: Clipper Memorandum of Understanding

Dear Board Members:

RECOMMENDATIONS:

Approve the 2022 Amended and Restated Clipper Memorandum of Understanding (MOU) assuming adoption of the MOU by the Clipper Executive Board on August 15, 2022.

SUMMARY:

On February 19, 2016, MTC and the operators executed an Amended and Restated Clipper MOU. This MOU established the Clipper Executive Board to make policy on behalf of all the participating transit operators, while the Metropolitan Transportation Commission (MTC) acts as the Contracting Agency. Effective September 1, 2021, an amendment to the 2016 MOU transferred oversight and administration of the Regional Transit Connection Discount Card Program (RTC Program), which provides people with disabilities access to discounts on transit, to the Clipper Executive Board and MTC. A new MOU needs to be executed to reflect program changes driven by the Next Generation Clipper system, including revised cost-sharing formulas for multiple contracts.

The purpose of the MOU is to document the following:

- Operator, MTC and Contracting Agency responsibilities in support of the Clipper Program
- The role and responsibilities of the Clipper Executive Board and Clipper Executive Director
- The terms for adding new operator or affiliated participants
- The approach to allocating Clipper and RTC Program costs between MTC and the operators, as well as among the operators
- Clipper Program goals and performance measures

A copy of the MOU is attached. Most of the language and terms remain unchanged.

It does include references to the additional contracts needed to support the Next Generation Clipper System, documents new cost-sharing agreements for the Next Generation Clipper contracts and the RTC Program (Appendix B), adds language to clarify and expand Program Goals and Performance Measures for the Clipper Program (Appendix C), and notes opportunity for new Clipper regional functionality, including mobile application and open payment capability.

SMART as well as many of the other operators did have some issues with some of the language being proposed, and we worked with MTC to resolve these issues. I have highlighted those in the document.

Article I (F): This was changed from MTC to the Clipper Executive Board

Appendix C:

Transit mobile payments are made ~~only~~ **primarily** through the Clipper system once the account-based features are made available through the Clipper mobile app

Acceptance of open payment is available ~~only~~ **primarily** through the Clipper System

~~Enact recommendation of the Bay Area Transit Fare Coordination/Integration Study and implement actions of the Bay Area Transit Fare Policy Vision Statement through the Clipper system.~~

The goals stated in the Clipper MOU will most likely make it easier for the customer to use transit in the Bay Area, however, this will take away some of the flexibility we have currently in how fares are set, the pricing, and how quickly fare changes can be made.

FISCAL IMPACT: It is difficult to predict the fiscal impact of the new MOU. Most of the cost is based on the usage and revenue generated of the Clipper card by SMART patrons. In addition, there are costs associated with the implementation and on-going maintenance of the new Clipper System. Payments to MTC for Clipper in FY 2021-2022 were approximately \$26,000.

Sincerely,

/s/
Heather McKillop
Chief Financial Officer

Attachment(s): 2022 Amended and restated Clipper Memorandum of Understanding

2022 AMENDED AND RESTATED CLIPPER® MEMORANDUM OF UNDERSTANDING

This 2022 Amended and Restated Clipper® Memorandum of Understanding (the "MOU") is entered into as of the ____ day of ____, 2022 (the "Effective Date"), by and among the Metropolitan Transportation Commission ("MTC") and the following transit operators participating in the Clipper® Program (referred to herein individually as an "Operator" or collectively as the "Operators")¹:

Alameda-Contra Costa Transit District ("AC Transit"); Golden Gate Bridge Highway and Transportation District ("GGBHTD"); the San Francisco Bay Area Rapid Transit District ("BART"); the City and County of San Francisco, acting by and through its Municipal Transportation Agency ("SFMTA"); the San Mateo County Transit District ("SamTrans"); the Santa Clara Valley Transportation Authority ("VTa"); the Peninsula Corridor Joint Powers Board ("Caltrain"); Central Contra Costa Transit Authority; City of Fairfield, as the operator of Fairfield and Suisun Transit; City of Petaluma; Eastern Contra Costa Transit Authority; Livermore/Amador Valley Transit Authority; Marin County Transit District; Napa Valley Transportation Authority; Solano County Transit; Sonoma County Transit; Sonoma-Marín Area Rail Transit; Vacaville City Coach; Western Contra Costa Transit Authority; San Francisco Bay Area Water Emergency Transportation Authority; City of Santa Rosa; and City of Union City; *and any other New Operator Participants in accordance with Article VI.A of the MOU.*

MTC and the Operators are referred to herein collectively as the "Parties" or individually as a "Party".

Recitals

1. On July 2, 2009, MTC entered into a contract (the "Clipper Contract") with Cubic Transportation Systems, Inc., to implement, operate and maintain the Clipper fare payment system on behalf of the Operators ("Clipper Program") through November 2, 2019, which contract was extended on June 30, 2017, for a period of up to five years (November 2, 2024).
2. On February 19, 2016, MTC and the Operators entered into an Amended and Restated Clipper Memorandum of Understanding, replacing a previous MOU that delineated the MTC and Operator responsibilities for the Clipper Program, which was subsequently amended on April 17, 2017; October 1, 2020; and September 1, 2021 ("2016 MOU").
3. On September 26, 2018, MTC, as Contracting Agency under the 2016 MOU, entered into a contract (the "Next Generation Clipper Contract") with Cubic Transportation Systems, Inc. (the "Clipper Contractor") to act as system integrator for the Next Generation Clipper system, including system design, development and testing, installation and transition, operations and maintenance, and end-of-¹term transition. The Next Generation Clipper system will implement an account-based payment system.
4. Effective September 1, 2021, the 2016 MOU transferred responsibility for management and oversight of the Regional Transit Connection Discount Card Program ("RTC Program"), which provides people with disabilities with discounted access to fixed-route transit, to the Clipper

¹ Clipper® is a registered trademark of MTC. Henceforth, all references to Clipper, with or without the registered trademark designation, will be to the MTC registered trademark.

Executive Board and responsibility for the administration of the RTC Program to MTC, pending development and implementation of a new RTC Program database.

5. The Parties now wish to amend and restate the 2016 MOU to reflect changes to the Clipper program brought about by the implementation of the Next Generation Clipper system and the expanded use of Clipper since 2016, including a revised cost-sharing formula applicable to the RTC Program and tailored to the Next Generation Clipper account-based fare payment system.
6. For purposes of this MOU, references to the Clipper Program, Clipper fare payment system, or Clipper refer collectively to the systems implemented under the Clipper Contract, the Next Generation Clipper Contract, and other contracts to be entered into to implement and operate the Next Generation Clipper system. The term Clipper Contract refers to both the Clipper Contract and the Next Generation Clipper Contract, as appropriate.

ARTICLE I

Operator Responsibilities

Each Operator agrees to:

- A. Implement and operate the Clipper fare payment system in accordance with the Clipper Operating Rules, as adopted and amended from time to time, consistent with the consultation and approval process set forth in Appendix A, Process for Amending Clipper Operating Rules, attached hereto and incorporated herein by this reference. The Clipper Operating Rules establish operating parameters and procedures for the consistent and efficient operation of Clipper throughout the region. The current version of the Clipper Operating Rules is available on MTC's website at <http://clipper.mtc.ca.gov>.
- B. Pay its share of Clipper costs, including costs of the salary of additional Clipper staff necessary to support the Executive Board, according to Appendix B, Clipper® Cost and Revenue Allocation, as amended, attached hereto and incorporated herein by this reference. Changes to Appendix B require an amendment to the MOU in accordance with Article XI.A.
- C. Make its facilities and staff available for implementation and operation of Clipper. Any Operator and the Contracting Agency may agree to an Operator-specific implementation plan, setting forth specific requirements regarding implementation and operation of Clipper for such Operator.
- D. Make determinations regarding the placement of Clipper Equipment, as defined in the Next Generation Clipper Contract, on the Operator's facilities and equipment; perform necessary site preparation; attend Clipper Contractor training on the use of the Clipper Equipment; and provide training to employees using the Clipper Equipment.
- E. Participate in as-needed reviews of the cost and revenue allocation formula in Appendix B, to support fairness among Operators and to accommodate changes in shared operation costs.
- F. *Implement, operate and promote Clipper as its primary fare payment system, including the primary mobile payment system, and refrain from establishing other fare payment systems or fare policies that could deter or discourage frequent transit riders' preference to use Clipper. Each Operator agrees to set fares so that fares paid with Clipper are equivalent or lower than fares paid either with cash or other forms of payment. No new*

non-Clipper prepaid fare product, other than for promotional, special event or limited-audience—e.g., tourist—fares, shall be created by any Operator without consulting with and receiving prior written approval from the Clipper Executive Board.

- G. *Provide appropriate training to employees who have Clipper-related operations responsibilities, so that those personnel are able to carry out the requirements placed on Operators in this MOU, including, but not limited to, vehicle operators, station agents, conductors, customer service personnel, proof-of-payment officers, ticket sales staff and any other personnel responsible for interacting with customers concerning fare payment.*
- H. *Perform first-line maintenance on Clipper Equipment located at their facilities or on their vehicles; promptly notify the Clipper Contractor when second-line maintenance of Clipper Equipment is needed; promptly notify the Contracting Agency and the Clipper Contractor of any issues affecting daily financial reconciliation or accuracy of system reports; issue all types (including, but not limited to, cards configured as senior or youth) of Clipper cards; add value to existing Clipper cards from all customer service terminals located at their business facilities; and provide at least the same level of front-line customer service to their patrons using Clipper as to patrons using other forms of fare payment.*
- I. *Take financial responsibility for the cost of replacement of Clipper Equipment damaged in-service due to vandalism or any other cause for which the risk of loss is not with the Clipper Contractor pursuant to the Clipper Contract or Next Generation Clipper Contract or covered by warranty under the applicable Clipper contract.*
- J. *Provide General Transit Feed Specifications (GTFS) for the development, implementation, operation, and maintenance of the Clipper mobile application.*
- K. *Support the Contracting Agency in its administration and operation of the RTC Program, as set forth in Article III.M, and pay its share of RTC Program costs, according to Appendix B, attached hereto and incorporated herein by this reference, as it may be amended, from time to time.*

ARTICLE II

MTC Responsibilities

MTC agrees to:

- A. *Fund a portion of the Clipper operating and maintenance costs, including costs of the salary of additional Clipper staff necessary to support the Executive Board, as set forth in Appendix B. Subject to availability of necessary funds, inclusion of projects in the Regional Transportation Plan and Transportation Improvement Program where necessary, and receipt of all necessary Commission approvals, budget appropriations and allocations, MTC will continue to fund capital and Contracting Agency operating costs in the manner that it has funded capital and Contracting Agency operating costs to date through a dedicated allocation of federal, state and local funds, both discretionary and project-designated. Recommended annual capital allocations will be identified in the work plan approved by the Executive Board. (See Article IV.C.4.)*
- B. *Retain all books, papers, records, documents, and other materials pertaining to its responsibilities under Appendix B (the “Materials”) in accordance with federal grant and*

audit requirements and generally accepted accounting principles and make the Materials available to Parties upon request through reasonable means and at reasonable times. Parties may request that Materials be made available for the most recently closed fiscal year during the term of this MOU and for up to one year thereafter; provided, however, that nothing in this Article II.B is intended to limit a Party's rights to obtain records under the California Public Records Act (Government Code Section 6250 *et seq.*) or *San Francisco's Sunshine Ordinance* (see Appendix E).

- C. Continue to serve as the Contracting Agency (described in Article III), and continue to provide adequate staffing to support the Clipper program under the direction of the Clipper Executive Director (described in Article V), until such time as the Executive Board designates, and MTC's Commission approves, the assignment of MTC's duties as Contracting Agency to another Party pursuant to Article IV.D.
- D. Employ the Clipper Executive Director (described in Article V). MTC reserves the right to make decisions regarding hiring, promotion, termination, compensation, and removal of the initial Clipper Executive Director. Selection of a successor Executive Director shall be in accordance with Article III.I.
- E. Continue to create, maintain, *and protect* all copyrights and other intellectual property necessary or convenient for the operation of the Clipper fare payment system, *including the Clipper brand, trademark and design*, and provide any necessary licenses to use such intellectual property to the Contracting Agency, if other than MTC.
- F. Enter into supplemental agreements with new Operator Participants in accordance with Article VI.A.
- G. Enter into Affiliate Participant agreements in accordance with Article VI.B.

ARTICLE III Contracting Agency Responsibilities

The Contracting Agency agrees to:

- A. On behalf of the Parties, procure, award, manage and carry out the duties and responsibilities of the Clipper Program under all contracts necessary for the expansion, modification, modernization, operation, maintenance, marketing and customer service of the Clipper fare payment system, including the Clipper Contract, *Next Generation Clipper Contract, contracts for the Next Generation customer service center, the payment gateway, fare media contracts ("Other Next Generation Clipper Contracts"; see Appendix B-3)*, and any contracts for associated professional or technical services for the Clipper program as a whole.
- B. Establish, manage, and implement Clipper Operating Rules in accordance with Appendix A.
- C. Provide regular updates (at least quarterly) on the Clipper Program to the Parties.
- D. Support the Parties with respect to Articles I.E and II.A by providing system data affecting the cost allocation formula.

- E. Own specified Clipper Equipment, as may be required by grant or funding agency rules and regulations, and transfer ownership, to the greatest extent permitted under such rules and regulations, to any successor Contracting Agency.
- F. Hold and manage the Clipper bank accounts and act as an agency in trust for the benefit of the cardholders for funds deposited by the cardholders for the ultimate use on the services provided by the Operators, and for the benefit of the Operators for funds due to Operators until dispersed to such Operators.
- G. Conduct *an as-needed* contract compliance audit covering Clipper Program revenue collection and allocation and cost allocation responsibilities under the MOU and provide a copy of the complete audit report to all Parties upon conclusion of each such audit.
- H. Retain all books, papers, records, documents, and other materials pertaining to its responsibilities under Appendix B (the "Materials") in accordance with federal grant and audit requirements and generally accepted accounting principles and make the Materials available to Parties upon request through reasonable means and at reasonable times. Parties may request that Materials be made available for the most recently closed fiscal year during the term of this MOU and for up to one year thereafter; provided, however, that nothing in this Article III.H is intended to limit a Party's rights to obtain records under the California Public Records Act (Government Code §§ 6250 *et seq.*), subject to the restrictions on the handling and confidentiality of personally identifiable information ("PII") set forth in California Streets and Highways Code Section 31490.
- I. Engage the Clipper Executive Director in accordance with Article V. The Contracting Agency reserves the right to make decisions regarding hiring, promotion, termination, compensation, and removal of the Clipper Executive Director provided that *the Contracting Agency* shall not engage the successor to the initial and successor Executive Directors without the concurrence of the Executive Board. The Contracting Agency shall collaborate with the Executive Board in considering potential candidates for Executive Director.
- J. Provide adequate staffing (including program and legal staff) to support the Clipper program. The Contracting Agency reserves the right to make decisions regarding hiring, promotion, termination, compensation and removal of program staff.
- K. Provide necessary logistical and technological support to the Executive Board and any committees thereof, except as provided in Article IV.H.
- L. On behalf of the Parties and under the direction of the Clipper Executive Board, procure, award, and manage contracts and carry out the administrative and management duties and responsibilities necessary for the operation, maintenance, marketing and customer service of the RTC Program; provided, however, that the Contracting Agency shall not assume administrative, operational (including customer service), or maintenance duties prior to its issuance of a notice to Operators that a new RTC database has been tested and deployed.
- M. *On behalf of the Parties and under the direction of the Clipper Executive Board, procure, award, and manage contracts and carry out the administrative and management duties and responsibilities necessary for the operation, maintenance, marketing and customer service of the RTC program; provided that MTC shall not assume administrative,*

operational (including customer service), or maintenance duties prior to MTC's issuance of a notice to Operators that a new RTC database has been tested and deployed by MTC.

ARTICLE IV

Clipper Executive Board

- A. Role; Composition. The Parties agree that responsibility for the policy oversight and management of the Clipper Program and the RTC Program shall reside with a Clipper® Executive Board ("Executive Board"). The Executive Board's responsibilities shall be executed in a manner consistent with the Operator, MTC and Contracting Agency responsibilities set forth in Articles I, II and III, respectively. The Executive Board shall be comprised of nine members: one representative each from the SFMTA, BART, Caltrain/SamTrans, AC Transit, VTA, GGBHTD and MTC, and two representatives who are selected to represent all other Operators (the "Small Operators") in the sole discretion of the Small Operators. Each representative shall be at the General Manager or senior management level.
- B. Principles. The Executive Board shall adhere to the following principles:
1. The Clipper Program shall continue as the primary electronic fare collection system for the Operators.
 2. Each member of the Executive Board commits to actively advance the continued successful operation, maintenance and growth of the Clipper Program on a cost-effective, operationally efficient, and coordinated basis.
 3. Promote efforts to reduce the overall cost of the Clipper system, including operating costs, capital costs and consultant expenses.
 4. Promote regional efforts to simplify fare structures while protecting revenue levels.
- C. Duties. The Executive Board shall undertake the following duties:
1. Meet in accordance with a regular meeting schedule established by the Executive Board, not less than quarterly.
 2. Establish goals for the Clipper Program, including targets to increase market penetration and cost containment initiatives. The Program Goals and Performance Measures are attached as Appendix C, and may be amended by unanimous vote of the Executive Board from time to time.
 3. Propose for review by MTC, Operators and other funding sources (collectively, the "Funding Agencies") a biennial capital and operating budget for the Clipper Program. Revise and adopt the proposed budget in accordance with the Clipper budgets adopted and/or allocations made by each of the Funding Agencies. The biennial budget shall outline staffing requirements and resources needed to accomplish the work plan. The budget shall define required funding, identify funding sources, and specify the amount of individual agency contributions.

4. Adopt a detailed biennial work plan to implement the established goals and budget.
 5. Designate the Contracting Agency, as further described in and subject to Article IV.D, and provide policy oversight, advice, and direction to the Contracting Agency.
 6. Evaluate the performance of the Clipper Executive Director on at least an annual basis. The Board will develop goals and objectives jointly with the Clipper Executive Director, which will form the basis for the annual evaluation.
 7. Review and authorize Significant Business Matters as described in Article IV.E.
 8. Establish such procedures as shall be necessary or desirable to facilitate compliance by the Executive Board with the Ralph M. Brown Act (Government Code Section 54950 *et seq.*) (the "Brown Act") and other applicable laws.
- D. Designation of a Contracting Agency. The Executive Board shall designate one of the Parties to serve as the "Contracting Agency" with the responsibilities defined in Article III. MTC shall serve as the initial Contracting Agency. The Executive Board shall review the designation of the Contracting Agency not more often than once every three (3) years and may designate any of the Parties as a new Contracting Agency no later than one year prior to the proposed assignment date, which designation may be subject to the approval of the governing board of the proposed new Contracting Agency. In the event of a new designation, the then-current Contracting Agency shall seek approval from its governing board to assign all outstanding contracts, funding agreements, licenses, and accounts to the newly designated Contracting Agency and, if it receives approval from its governing board for such assignment, take such other actions as may be necessary or convenient to effect the transition of the Contracting Agency role. In the event of a change from the role of MTC as the Contracting Agency, the Executive Board will work with MTC and the successor Contracting Agency to protect or minimize loss or degradation of jobs for Clipper support staff at MTC.
- E. Significant Business Matters. The Executive Board shall decide all Significant Business Matters by a majority vote. "Significant Business Matter" shall mean any matter that can reasonably be expected to have a substantial financial impact (defined as an impact of \$250,000 or more) or a substantial operating impact (defined as causing operations to fall below then-current annual operational goals) on Clipper or any of the Parties. Significant Business Matters, include, but are not limited to, the following:
1. Approval of Clipper Program Contracts and Change Orders that exceed the maximum authority levels established by the Contracting Agency's procurement rules for its chief executive officer, or \$250,000, whichever is less, or that are not funded in the biennial budget. Contracting Agency governing board approval may also be required.
 2. Amendments to the Clipper Operating Rules, pursuant to Appendix A.
 3. Acceptance of new Parties to the Clipper Program. The Executive Board delegates to MTC the authority to sign supplemental agreements with new Parties accepted into the Program, as provided in Article VI.

4. Acceptance of Clipper Affiliate Participants, as described in Article VI.B, and implementation of new business ventures or opportunities for the Clipper Program.
5. Assignment of the Next Generation Clipper Contracts. Contracting Agency approval shall also be required.
6. Approval of expenses (administrative, operating and legal) incurred by the Contracting Agency if in excess of or not contemplated by the current approved budget.
7. Decision whether any other matter, not expressly included or excluded as a Significant Business Matter in this list, is a Significant Business Matter in accordance with the definition above.

The foregoing definition of Significant Business Matters may be amended by unanimous vote of the Executive Board from time to time.

- F. Quorum. Five members of the Executive Board constitute a quorum. In the absence of a quorum, a smaller number of Executive Board members may secure the attendance of absent members by video conference, teleconference, or other means compliant with the Brown Act to establish a quorum. Only eligible voting members shall be counted to establish a quorum.
- G. Voting. Each member of the Executive Board shall have one vote. A vote of a majority of the Executive Board is required for approval. Executive Board members may not abstain from voting on any matter before the Executive Board, except in cases of conflicts of interest.
- H. Board Chair; Committees. The Executive Board shall bi-annually elect a Chair and Vice Chair from its members. The Chair shall provide administrative staff support to the Executive Board, as needed as determined by the Chair and the Clipper Executive Director. The Chair may appoint advisory committees or working groups for specified projects of limited duration. The Executive Board may establish standing committees from time to time.
- I. Delegates. Executive Board members may appoint, in writing, delegates to vote on their behalf in the event of a member's absence from any Executive Board meeting, for up to four (4) meetings per calendar year. No voting rights are accorded to delegates, nor do delegates count toward a quorum of the Executive Board, when they are representing an Executive Board member for meetings after four (4) missed meetings in a calendar year.

ARTICLE V

Clipper Executive Director

The Clipper Executive Director shall be responsible for regional coordination of the Clipper program among the Parties, oversight of consultants and contractors retained for the design, operation and maintenance of the Clipper program, and effectuation of the goals and work plan adopted by the Executive Board in accordance with the budget. Clipper program support staff engaged by the Contracting Agency shall report to the Clipper Executive Director.

The Clipper Executive Director shall be selected and appointed by the Contracting Agency following consultation with the Executive Board to factor in any Executive Board concerns. The Contracting Agency will directly engage the Clipper Executive Director as its employee or independent contractor in accordance with any civil service or procurement rules applicable to the Contracting Agency. The Clipper Executive Director shall be Carol Kuester, *or her successor as MTC's Section Director of Electronic Payments (or comparable position)*, subject to Article III.I.

ARTICLE VI

New Operator and Affiliate Participants

- A. New Operator Participants. Any Bay Area transit operator not a Party to this Agreement must be approved by the Executive Board and agree to the terms of the MOU then in effect as a condition of implementing Clipper, by entering into a supplemental agreement to this MOU accepting the then-current terms of this MOU. Signature by the other Parties to the MOU is not required. MTC shall not enter into a supplemental agreement with a New Operator Participant prior to the issuance of a Change Request (*as defined in the Next Generation Clipper Contract*) to the Clipper Contractor covering all or a portion of the work required to accept such operator into the system. MTC shall provide the other Parties to the MOU with written notice of each supplemental agreement. "Bay Area transit operator," for purposes of this Article VI means a transit operator with headquarters located within the nine counties within MTC's jurisdiction.
- B. Affiliate Participants. The Executive Board must approve implementation of Clipper or use of the Clipper card, brand, or application on any transit operator with headquarters located outside the Bay Area or by a business that is not a transit operator (collectively, "Affiliate Participants"). Affiliate participants shall be required to enter into an agreement with the Contracting Agency accepting the then-current terms of the MOU and agreeing to additional terms and conditions for implementation of Clipper or use of the Clipper card, brand, or application. Any additional costs incurred by the Clipper Program shall be paid for in accordance with such agreements. In addition, the Contracting Agency shall include indemnification provisions in such agreements at least as stringent as those set forth in Article VII.

ARTICLE VII

Indemnification

- A. Mutual Indemnification. No Party to this MOU (including any of its directors, commissioners, officers, agents or employees) shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by any other Party under or in connection with this Agreement. Pursuant to Government Code Section 895.4, each Party agrees to fully indemnify and hold other Parties harmless from any liability imposed for injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by such indemnifying Party under or in connection with this Agreement and for which such indemnifying Party would otherwise be liable.
- B. Contracting Agency Indemnification of Other Parties. Notwithstanding the provisions of Subsection A above, the Contracting Agency shall indemnify, hold

harmless, and defend the other Parties from any and all claims or liability resulting from any action or inaction on the part of Contracting Agency relating to the Clipper Contract and the RTC Program (except as provided in Subsection F below) or from its failure to carry out its responsibilities under Article III of this MOU. With respect only to MTC as Contracting Agency, this indemnification covers action or inaction on the part of MTC relating to the Clipper Contract prior to the Effective Date of this MOU. Except as stated in the previous sentence, this indemnification only covers action or inaction on the part of a Contracting Agency while it serves as Contracting Agency under this MOU.

- C. Other Parties' Indemnification of Contracting Agency. Notwithstanding the provisions of Subsection A above, each Party hereto that is not the Contracting Agency shall indemnify, hold harmless, and defend the Contracting Agency from any and all claims or liability resulting from any action or inaction on the part of such Party relating to its responsibilities under Article I or II, as applicable, of this MOU.
- D. Operator Indemnification of MTC. Notwithstanding the provisions of Subsection A above and subject to Subsection F below, each Operator shall indemnify, hold harmless, and defend MTC from any and all claims or liability resulting from any action or inaction on the part of such Operator relating to its responsibilities under Article I of this MOU.
- E. MTC Indemnification of Operators. Notwithstanding the provisions of Subsection A above, MTC shall indemnify, hold harmless, and defend each Operator from any and all claims or liability resulting from any action or inaction on the part of MTC relating to its responsibilities under Article II of this MOU.
- F. Indemnification of MTC as RTC Discount Card Program Administrator. Notwithstanding the provisions of Subsections B and D above, *the Operators shall indemnify, defend, and hold harmless MTC as Contracting Agency* against any and all claims or liability related to the RTC Program resulting after MTC's assumption of the responsibilities set forth in Article III.M as administrator and operator of the RTC Program to the extent that such claims or liability relate to actions or inactions taken by the Operators or their third party medical verifier contractor to administer, manage, and operate the RTC Program **prior to** MTC's assumption of such duties.

ARTICLE VIII

Term

The term of the MOU shall begin upon the Effective Date and *continue for a period of ten (10) years*, unless terminated by written agreement of the Parties.

ARTICLE IX

Dispute Resolution

The Parties agree to abide by the dispute resolution procedures in Appendix D, Dispute Resolution, attached hereto and incorporated herein by this reference to resolve disputes between or among Parties to the MOU. To invoke the dispute resolution process, two Executive Board members must request it.

ARTICLE X

Changed Circumstances

Any Party may initiate informal discussions among the Parties concerning the provisions of this MOU, based on its assessment that changes in technology or other factors external to the MOU or the Clipper Contract indicate that it would be in the best interests of one or more Parties to consider revisions to the MOU. If a majority of Parties agree, the Parties will then jointly evaluate the changed circumstances to determine what, if any, revisions to the MOU are necessary or desirable. Any agreed-upon changes shall require an amendment to the MOU approved and executed by all Parties.

ARTICLE XI

General Provisions

- A. The entire Agreement between and among the Parties is contained herein, and no change in or modification, termination or discharge of this MOU shall be valid or enforceable unless it is approved by the Parties and made in writing and signed by the Parties.
- B. Headings in this MOU are for convenience only and not intended to define, interpret or limit the terms and conditions herein.
- C. This MOU may be executed in one or more counterparts, each of which shall be considered an original and all of which shall constitute a single instrument.
- D. This MOU is intended for the sole benefit of the Parties and is not intended to nor shall be construed to confer any benefit or create any right in any third party.
- E. Appendix E, Special Provisions for the City and County of San Francisco, attached hereto and incorporated herein by this reference, sets forth the terms and conditions required by the City and County of San Francisco in *certain* contracts entered into by the City.
- F. If any provision of this MOU or the application thereof to any person, entity or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this MOU, or the application of such provision to persons, entities or circumstances, other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each other provision of this MOU shall be valid and be enforceable to the fullest extent permitted by law.
- G. Notices provided under the MOU shall be provided to the individuals listed in Appendix F, Notices, attached hereto and incorporated herein by this reference. Each Party to the MOU is responsible for notifying other Parties of a change in the individual designated to receive notices in writing. Changes to Appendix F may be made by any Party without an amendment to this MOU. MTC will distribute to every other Party the notice information of new Parties to the MOU added pursuant to Article VI.
- H. This MOU supersedes, amends, and restates the 2016 MOU in its entirety.

ARTICLE XII

Legal Representation and *Common* Interest

The Parties recognize a mutuality of interest, and a need for joint cooperation in legal matters relating to Clipper. In furtherance of this common interest, any communications among Parties and

counsel for any of the Parties shall be confidential and protected from disclosure to any third party by each and every privilege – including, but not limited to, the attorney-client privilege, the attorney work product privilege, and the pooled information privilege – notwithstanding the dissemination of the communications and work product among Parties by the counsel that made the information available in the first instance. If information covered by the privileges is requested by a third party pursuant to a subpoena or other discovery request, then counsel receiving the request shall notify in a timely fashion the counsel who disclosed the information so that the privileges against disclosure may be asserted.

Should any Party withdraw from or otherwise terminate its participation in the Clipper program, such withdrawal or termination shall not impair the privileges that protect any information that has been shared prior to such action. Any Party that withdraws or terminates its participation in the Clipper program shall promptly return all privileged materials that the Party has received.

ARTICLE XIII

Confidential Information

Either MTC or an Operator (the “Receiving Party”) may, in the course of carrying out its responsibilities under this MOU, have access to proprietary or confidential information owned by the other Party (“the Disclosing Party”), the disclosure of which to third parties may damage the Disclosing Party. Such proprietary or confidential information must be held by the Receiving Party in confidence and used only in performing its responsibilities as provided in the MOU. The Receiving Party shall exercise at least the same standard of care it would use to protect its own proprietary or confidential information.

SIGNATURES ON SUBSEQUENT PAGES

IN WITNESS WHEREOF, this Amendment has been duly authorized and executed by the Parties hereto on the dates specified below by their duly authorized representatives.

Metropolitan Transportation Commission

Approved as to form:
Kathleen Kane, General Counsel

Name: Therese W. McMillan
Title: Executive Director

Matthew Lavrinets, Senior Counsel

Date: _____

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Appendix A

Process for Amending Clipper Operating Rules

1. The Contracting Agency shall provide written notice to the other Parties at least ninety (90) days in advance of making any changes to the Operating Rules affecting Operator Roles and Responsibilities (Section 3 of the Clipper Operating Rules). Notice shall be provided by email to the contact named in Appendix F, or as subsequently revised or updated by the Parties, as provided in Article XI.G.
2. The Contracting Agency shall provide additional notice to the other Parties on possible changes to the Operating Rules affecting Operator Roles and Responsibilities in the regular Clipper program reports furnished under Article III.C.
3. The Contracting Agency's notices shall include enough information to enable the other Parties to determine the financial and other impacts of the proposed change.
4. If requested by any Party within 30 days of issuance of such notice, the Contracting Agency will consult with all affected Parties concerning the proposed change prior to its adoption.
5. Any Party that requires additional time in excess of the notice period specified by the Contracting Agency to implement a change may notify the Contracting Agency of the additional period of time required during the initial 30-day notice period. The Contracting Agency will then work with the Party(ies) during the consultation period to modify the effective date and/or content of the Operating Rules change, as necessary.
6. Following such consultation process, if any Party(ies) objects to the proposed change, as modified during the consultation process, such Party(ies) may initiate one or more of the dispute resolution processes described in Appendix D.
7. The Contracting Agency shall delay the implementation of the disputed change until the conclusion of the dispute resolution process.
8. All proposed changes to the Operating Rules shall be presented for approval to the Executive Board. The Contracting Agency agrees that it shall not implement changes to the Operating Rules that have not been approved by the Executive Board.

Appendix B

Clipper Cost and Revenue Allocation [see applicable sub appendices on following pages]

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Appendix B-1 Clipper Cost and Revenue Allocation for Clipper Contract

This Appendix B-1 applies to cost and revenue allocation during the extended Operations & Maintenance (O/M) term of the Clipper Contract, which will extend through November 2, 2024, unless earlier terminated. The cost allocation formulas and principles in this Appendix B-1 were included in the 2016 MOU and apply only to the Clipper Contract.

1. Cost Allocation Among Operators

The allocation of Clipper operating costs to each Operator shall be tied to the cost driver of each category of operating expense outlined in Section 2.B. The percent allocation in each category will be based on actuals by Operator. "Percentage of Cards Used" by Operator will be used to assess operating fees for account-based, fixed or other costs not directly attributable to either transit transactions or revenue and will be based on the number of individual cards used at least once on an Operator's system. "Fee Generating Transit Transactions" shall mean any activity in which a Clipper card is used to receive service on or from an Operator's system that results in a charge pursuant to Attachment 2 to Part I of the contract between MTC and Cubic for the operation of Clipper. "Revenue Processed" shall mean the fee collected on behalf of each Operator by the Clipper clearinghouse (e.g., the price charged to ride on the Operator's transit system, the value of pass sales, the amount of parking fees paid).

The allocation of Clipper operating costs to each Operator while the current Clipper Contract line item pricing structure is applicable shall be based on the following formula:

MOU Section 2.B.i	Fee Category	Allocation Formula
a,b,c	9.0 Cardholder Support Services	Percentage of Cards Used
d,e,f	10.0 Third Party Load Service Fees	Percentage of Cards Used
g	11.0 Autoload Services	Percentage of Cards Used
h	13.22.45 Supplemental Operations	Percentage of Cards Used
i	13.31 Clipper Transaction Fee	Percentage of Fee Generating Transit Transactions
j,k,l,m	13.60-90 Incremental Credit/Debit Card Interchange Fees	Percentage of Revenue Processed
n	Reimbursement of Bank Fees/Direct Charges	Percentage of Revenue Processed
o	Network Communication Reimbursement	Direct Charge to Operator
p	Specialized Card Printing	Direct Charge to Operator
q,r	Operator Share of Staffing	Percentage of Cards Used
s	Add Value/TVM Debit Card Interchange Fees for Non-Clipper Gateways	Percentage of Revenue Processed

In addition to the Clipper operating costs allocated in accordance with Section 2.B(i) herein, each Operator shall be responsible for payment of:

- a. Clipper Data Server (CDS) Store operating costs specified below for any CDS Store

implemented on such Operator's site; and

- b. Incremental Clipper operating costs established by and/or resulting from Clipper Contract change orders requested and funded by an Operator for Operator's use and benefit shall be the responsibility of such Operator. This applies to costs or portions of costs that would otherwise be MTC's responsibility as described below.

2. Clipper Costs

A. MTC Operating and Maintenance Costs. MTC shall pay the following Clipper operating costs under the Clipper Contract's line item pricing structure:

- i. All fixed operating costs of the Clipper clearinghouse and equipment maintenance services costs as specified in the Clipper Contract's Price Schedule (Attachment 2 to the Clipper Contract) (the "Price Schedule"), including:
 - a. Item 3.20 Program Management - Operations and Maintenance
 - b. Item 3.30 Clipper Testbed Operations & Maintenance
 - c. Item 5.31 Operator Help Desk
 - d. Item 5.32 Reporting
 - e. Item 5.33 Asset Management
 - f. Item 6.0 Equipment Maintenance Services
 - g. Item 10.21(a) Location Acquisition
 - h. Item 10.22 Location Servicing and Support
 - i. Item 10.23 (a) Acquisition Payment for Third Party Location
 - j. Item 12.0 Network Management
 - k. Item 13.22 Basic Monthly Operations and Admin
- ii. Variable Clipper operating costs as specified in the Price Schedule (Attachment 2 to the Clipper Contract), specifically:
 - a. Item 7.10-2 Senior and Youth Card Mail-In Applications
 - b. Item 8.10(a-g) Card Distribution Services
 - c. Item 8.11 Card Distribution Services
 - d. Item 8.12 Card Distribution Services
 - e. Item 8.20 Cardholder Education
 - f. Item 8.31 Location Acquisition for Completion of Distribution Network
 - g. Item 8.32 Location Acquisition for Completion of Distribution Network
 - h. Item 8.41 Pass Through of Amounts Paid for Installation of Phone Lines
 - i. Item 9.41 Fixed and Incremental Fees Per Active Card Account (50% of the invoiced amount)
 - j. Item 9.5 Service Level Standard Incentives and Abatements
 - k. Item 13.100 Mobile Website Operations and Maintenance
- iii. All other lump sum and capital expense items specified in the Price Schedule not enumerated above or covered by Section 2.B.

B. Operator Operating Costs under the Clipper Contract's Line Item Pricing Structure.

- i. Operators shall pay the following listed Clipper operating costs in accordance with the cost sharing formula in Section I, reduced by any amounts payable by MTC

pursuant to Section 2.A. References to Item numbers refer to the corresponding prices payable to the Clipper Contractor under the Price Schedule, which are subject to annual price adjustment as specified in Article 13.6 of the Clipper Contract:

- a. Item 9.24 Balance Protection Services Registration
 - b. Item 9.25 Lock/unlock Clipper Application
 - c. Item 9.41 Fixed and Incremental Fees Per Active Card Account (50% of the invoiced amount)
 - d. Item 10.11 Clipper E-purse Load
 - e. Item 10.12 Pass/Stored Ride Load
 - f. Item 10.24 Employer Program Commission
 - g. Item 11.0 Autoload Services
 - h. Item 13.22.45 Supplemental Monthly Operations and Admin
 - i. Item 13.31 Clipper Transaction Fee
 - j. Item 13.60 Incremental Gateway Fees
 - k. Item 13.70 Incremental Debit Card Interchange Fees
 - l. Item 13.80 Incremental Credit Card Interchange Fees
 - m. Item 13.90 Pass Through Website Credit Card Processing Fees
 - n. Reimbursement of Contracting Agency bank fees and direct bank charges in connection with the Clipper bank account(s) in excess of the amounts reimbursed under Section 3.A below
 - o. Direct payment or reimbursement of Contracting Agency costs for network communication.
 - p. Direct payment or reimbursement of Contracting Agency costs for materials necessary for additional printing, e.g. secondary printing or personalization, on Clipper cards
 - q. Reimbursement of Contracting Agency costs for a portion of salary and benefits of any additional staffing as approved by the Executive Board to support the Clipper program.
 - r. Reimbursement of Contracting Agency costs for a portion (at least fifty percent) of the salary and benefits of the Clipper Executive Director as approved by the Executive Board.
 - s. Reimbursement of Operator costs for credit/debit interchange fees generated through an Operator-specific gateway associated with Clipper sales through ticket officed terminal devices and add value and ticket vending machines, as long as the total average fees do not substantially exceed the average Clipper fees.
- ii. Changes or Additions to Operator Operating Costs Items. Except as reserved for Executive Board approval in 2.B(i)(q, r, s), substantive changes or additions to the Operator-paid operating cost items set forth in Section 2.B(i) require an amendment to this Appendix B and approval of all Parties to the MOU as of the date of the change or addition.
 - iii. Contracting Agency shall invoice each Operator on a monthly basis for its share of the operating costs. The Operators shall pay Contracting Agency within fifteen (15) calendar days of receipt of such invoice.

3. Cost Allocation of Time and Materials Payments to Clipper Contractor during Clipper Contract O&M Extension Period

Any payments to the Clipper Contractor on a time and materials basis during the Clipper Contract O&M Extension Period, exclusive of pass-through fees, will be split equally (50%/50%) between MTC and the Operators. The Operators' share shall then be further allocated to each Operator based 50% on its Percentage of Cards Used and 50% on its percentage of Fee-Generating Transit Transactions.

Pass-through fees shall be allocated to Operators as set forth Sections 1 and 2 above.

4. Revenue Allocation

Revenues generated by Clipper during any period of time, including interest earnings on funds held by the clearinghouse and excluding fare revenues or parking fees collected on behalf of and distributed to Operators, shall be utilized as follows:

- A. To offset Contracting Agency's bank fees and direct bank charges related to the managing of the Clipper accounts;
- B. After deduction of Contracting Agency's bank fees and charges under Section 4.A above, To reduce the Operators' Clipper operating costs listed in Section 2.B(i) above or in Section 3 above; and
- C. After payment of Operators' Clipper operating costs listed in Section 2.B(i) or in Section 3 above, to be allocated to Operators by applying the percentage of cards used by Operator specified in Section I herein, unless otherwise authorized by the Executive Board.

Notwithstanding the above, fees charged cardholders for card acquisition, card replacement, balance restoration, failed Autoload funding recovery, card refund processing, and other card-related activities shall be reserved to pay for future card procurements; provided, however, that surcharges on limited use cards or other fare media imposed by an Operator to pay for the acquisition, implementation, administration and replacement of such fare media shall be distributed to and retained by such Operator. (For clarity, any surcharge imposed by an Operator as part of its fare structure shall be considered "fare revenue" and shall be distributed to and retained by such Operator.)

Appendix B-2

RTC Program Cost Allocation

1. RTC Program Cost Allocation Among Operators

"Percentage of RTC Cards Used" by Operator will be used to assess operating fees for account-based, fixed or other costs not directly attributable to either transit transactions or revenue and will be based on the number of individual RTC cards used at least once on an Operator's system during the specified billing period. The allocation of RTC Program operating costs (as defined in Section 2 below) to Operators shall be based on both an equivalent 1% share of RTC Program Operating Costs for each Operator with the remaining costs allocated based on a Percentage of RTC Cards Used by Operator during the specified billing period, initially a calendar month.

2. RTC Program Operating Costs

Operators shall pay the following listed RTC Program Operating Costs to the Contracting Agency, in accordance with the cost sharing formula in Section 1 above:

- A. Reimbursement of the RTC Program medical verifier contract costs;
- B. Card Fees for RTC Clipper Card Customization, currently Clipper Contract Price Schedule Item 7.10-1, Per-Card Fee for RTC Clipper Card Customization (subject to annual price adjustment as specified in Article 13.6 of the Clipper Contract);
- C. Reimbursement of the Salesforce Operations & Maintenance costs and license fees;
- D. \$75,000 annually for staff time for administration of the RTC Program; and
- E. Reimbursement of claims against MTC, in accordance with the indemnification provision in Article VII, Indemnification, Subsection F, resulting from actions or inactions taken by the Operators or their third party medical verifier contractor to administer, manage, and operate the RTC program prior to MTC's assumption of such duties.

Appendix B-3

Next Generation Clipper Cost and Revenue Allocation

1. Allocation of Fixed Monthly Accelerated Deployment O/M Payments

Payments to the Clipper Contractor for Accelerated Deployment Operations and Maintenance (O/M) *and Post-Revenue Ready Accelerated Deployment O/M* under the Next Generation Clipper Contract, Articles 3.8.4, Scaling of O/M Payments, and 3.8.5, O/M Payments for Accelerated C2 System Deployment and Attachment C-5, Payment Form for C2 System Operations & Maintenance will be allocated in accordance with this Appendix B-3.1.

- a. Accelerated Deployment fixed monthly O/M payments triggered by issuance of the Accelerated C2 System Deployment Mobile O/M NTP shall be split 50%/50% between MTC and the Operators. Each Operator's share shall then be determined based 50% on its Percentage of Cards Used and 50% on its Percentage of Fee-Generating Transit Transactions. *"Percentage of Cards Used" by Operator will be based on the number of individual cards used at least once on an Operator's system during the specified billing period. "Fee Generating Transit Transactions" shall mean any activity in which a Clipper card is used to receive service on or from an Operator's system that results in a charge pursuant to Attachment 2 to Part I of the Clipper Contract between MTC and Cubic.*
- b. Accelerated Deployment fixed monthly O/M payments triggered by issuance of Accelerated C2 System Deployment Equipment O/M NTP shall be split 50%/50% between MTC and the Operators. Each Operator's share would then be determined based 50% on its Percentage of Cards Used and 50% on its Percentage of Fee-Generating Transit Transactions (excluding BART's Fee-Generating Transit Transactions from the total count).
- c. *Post-Revenue Ready Accelerated Deployment fixed monthly O/M payments triggered by issuance of a notice by MTC that Revenue Ready has been achieved shall be split 50%/50% between MTC and the Operators. Each Operator's share shall then be determined based on its Percentage of Clipper Ridership. "Percentage of Clipper Ridership" by Operator will be based on the number of transit trips taken on an Operator's system and reported through the Clipper fare system during the specified billing period.*
- d. MTC shall pay for 100% of the pass-through fees associated with the conversion of physical Clipper cards to virtual mobile cards *and on-going pass-through fees associated with the use of virtual mobile cards and the Clipper mobile app.*

2. Allocation of Capital Costs

- a. MTC shall pay for the following Clipper capital costs:
 - i. *Capital costs associated with the initial design, development and testing, installation and transition, and end of term transition under the Next Generation Clipper Contract*
 - ii. *Clipper Equipment included in Attachment C-8, Payment Form for Equipment, not purchased by an Operator pursuant to Article 8.7 of the*

Next Generation Clipper Contract, Purchase and Ownership of Equipment by Transit Operators

- iii. *Capital costs associated with the initial implementation and ongoing costs of the Other Next Generation Clipper Contracts, not including capital costs associated with the purchase of limited use fare cards (tickets)*
- iv. *Clipper Capital costs established by and/or resulting from Clipper Contract or Other Next Generation Clipper Contract change orders requested and funded by the region for the region's use and benefit*
- v. *All other lump sum and capital expense items in Attachment C, Payment Forms of the C2 SI Contract not enumerated above or covered under Appendix B-3.2(b) below*

b. The Operators shall pay for the following Clipper capital costs:

- i. *Capital costs associated with the purchase of limited use fare cards (tickets)*
- ii. *Clipper Equipment purchased by an Operator pursuant to Article 8.7 of the Next Generation Clipper Contract, Purchase and Ownership of Equipment by Transit Operators*
- iii. *Clipper Capital costs established by and/or resulting from Clipper Contract or Other Next Generation Clipper Contract change orders requested and funded by an Operator for Operator's use and benefit*

3. Allocation of Monthly Account-Based O/M Payments

Payments to the Clipper Contractor for Account-Based Operations and Maintenance of the Next Generation Clipper system under the Next Generation Clipper Contract, Article 3.8 and Attachment C-5, Payment Form for Operations & Maintenance, will be triggered by issuance of a C2 System Transition Notice to Proceed (NTP) from MTC to the Clipper Contractor setting the agreed-upon O/M Commencement Date as set forth in Article 8.2, Commencement, and indicating that Customer Transition to the Next Generation Clipper system can occur.

- a. *Account-Based fixed monthly O/M payments shall be split 50%/50% between MTC and the Operators. Each Operator's share shall then be determined based on its Percentage of Clipper Ridership.*
- b. *Account-Based variable monthly KPI/SLA and retail incentive payments shall be split 50%/50% between MTC and the Operators. Each Operator's share shall then be determined based on its Percentage of Clipper Ridership.*
- c. *Operators shall pay for 100% of on-going pass-through fees associated with retailer commissions. Each Operator's share would then be determined based on its Percentage of Revenue Processed. "Percentage of Revenue Processed" shall mean the fee collected on behalf of each Operator by the Clipper clearinghouse (e.g., the price charged to ride on the Operator's transit system, the value of pass sales, the amount of parking fees paid) during the specified billing period.*
- d. *MTC shall pay for 100% of ongoing pass-through fees associated with the conversion of physical Clipper cards to virtual mobile cards and on-going pass-through fees associated with the use of virtual mobile cards and the Clipper mobile app.*

4. Allocation of O/M Payments for Other Next Generation Clipper Contracts

- a. Customer Service Center.
 - i. Fixed monthly O/M payments shall be split 50%/50% between MTC and the Operators. Each Operator's share shall then be determined based on its Percentage of Clipper Ridership.
 - ii. Variable monthly KPI/SLA incentive payments shall be split 50%/50% between MTC and the Operators. Each Operator's share shall then be determined based on its Percentage of Clipper Ridership.
- b. Payment Services. Operators shall pay for 100% of on-going pass-through fees associated with payment services. Each Operator's share would then be determined based on its Percentage of Revenue Processed.
- c. Fare Media. MTC shall pay for 100% of monthly O/M payments associated with the fare media fulfillment contract.

5. Additional Operating Costs to be Paid by Operators

- a. Reimbursement of Contracting Agency bank fees and direct bank charges in connection with the Clipper bank account(s) in excess of the amounts reimbursed under Section 6.A below
- b. Direct payment or reimbursement of Contracting Agency costs for network communication.
- c. Direct payment or reimbursement of Contracting Agency costs for materials necessary for additional printing, e.g. secondary printing or personalization, on Clipper cards
- d. Reimbursement of Contracting Agency costs for a portion of salary and benefits of any additional staffing as approved by the Executive Board to support the Clipper program.
- e. Reimbursement of Contracting Agency costs for a portion (at least fifty percent) of the salary and benefits of the Clipper Executive Director as approved by the Executive Board.
- f. Reimbursement of Operator costs for credit/debit interchange fees generated through an Operator-specific gateway associated with Clipper sales through customer service terminal devices and add value and ticket vending machines, as long as the total average fees do not substantially exceed the average Clipper fees.
- g. Reimbursement of incremental Clipper operating costs established by and/or resulting from Clipper Contract or Other Next Generation Clipper Contract change orders requested and funded by an Operator for Operator's use and benefit shall be the responsibility of such Operator. This applies to costs or portions of costs that would otherwise be MTC's responsibility as described in Appendix B-3.3 and Appendix B-3.4 above.

6. Revenue Allocation

Revenues generated by the Clipper Program, exclusive of revenues related to the Clipper Contract addressed in Appendix B-1.4, including interest earnings on funds held by the clearinghouse and excluding fare revenues or parking fees collected on behalf of and distributed to Operators, shall be utilized as follows:

- A. To offset Contracting Agency's bank fees and direct bank charges related to the managing of the

Clipper accounts;

- B. After deduction of Contracting Agency's bank fees and charges under Section 6.A above, to reduce the Operators' Clipper operating costs listed in Section 3 above or in Section 4 above; and*
- C. After payment of Operators' Clipper operating costs listed in Section 3 or in Section 4 above, to be allocated to Operators by applying the Percentage of Cards Used by Operator, unless otherwise authorized by the Executive Board.*

Notwithstanding the above, fees charged cardholders for card acquisition, card replacement, balance restoration, card refund processing, and other card- related activities shall be reserved to pay for fare media procurements and pass-through fees associated with virtual mobile cards and the Clipper mobile app; provided, however, that surcharges on limited use cards imposed by an Operator to pay for the acquisition, implementation, administration and replacement of such fare media shall be distributed to and retained by such Operator. (For clarity, any surcharge imposed by an Operator as part of its fare structure shall be considered "fare revenue" and shall be distributed to and retained by such Operator.)

Appendix C

Program Goals and Performance Measures

The performance standards below are intended to guide the development and ongoing operations of Clipper, however, specific actions and targets may be constrained by legal, fiscal and system limitations.

Goal: Provide an intuitive, efficient, and familiar experience

- Electronic fare payment is the primary payment method for all transportation fares and fees
 - ✓ Mobile fare payment is integrated into and branded as Clipper
 - ✓ Parking at transit stations can be paid with Clipper
 - ✓ Bikeshare at transit stations can be paid with Clipper
 - ✓ Paratransit trips can be paid with Clipper
- Transit systems to move 100% to Clipper or incentivize use of Clipper, depending on mode
 - ✓ Heavy commuter rail and ferry systems accept only Clipper (extended and limited use)
 - ✓ Bus/light rail operators to adopt fare differentials to incentivize use of Clipper and transition remaining products to Clipper
- *Transit mobile payments are made primarily through the Clipper system once the account-based features are made available through the Clipper mobile app*
- *Acceptance of open payment is available primarily through the Clipper system*

Goal: Provide excellent, proactive customer service

- Customers can easily obtain and use Clipper
 - ✓ Media dispensing and reloading options are widely available
 - ✓ Clipper vending machines offering new cards and add-value are located at all heavy rail and ferry locations
 - ✓ Online transactions are immediately available for use
 - ✓ Third-party vendor locations are easily accessible in all service areas
 - ✓ Streamline process for refunds and replacements
 - ✓ Support payment for families, groups, institutional programs, and events

Goal: Create a transparent, consistent, inclusive and timely decision-making process

- Implement process for operator involvement in work plan development, field equipment procurement and change order process

Goal: Govern the program efficiently and cost-effectively

- Adopt standard fare categories and discount levels
 - ✓ Minimum \$0.50 discount for full-fare adult transfer customers to bus and light rail
 - ✓ Establish uniform youth discount for ages five to 18 and senior discount for ages 65 and older
 - ✓ *Establish uniform eligibility requirements for means-based discount program*
- Evaluate staffing plan to enhance internal program resources and reduce reliance on consultants

Goal: Ensure that accurate and complete data is available to support decision making at every level

- System integrates with vehicle on-board equipment to incorporate route, location and revenue information where necessary
- Clipper data is accessible to operators and the public to the full extent contemplated by the Clipper privacy policy

Goal: Ensure program flexibility and responsiveness

- System design and contract includes a streamlined process for common changes such as fare adjustments and route changes and additions

Goal: Ensure operational efficiency and reliability

- Ensure continued competitive equipment availability, automated status reporting and remote diagnostics
- Utilize open architecture

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Appendix D

Dispute Resolution

The Parties agree to resolve disputes concerning this MOU between or among one or more Parties based on the following dispute resolution principles.

1. Informal Dispute Resolution

The Parties agree to attempt to resolve informally all disputes. In the event of a dispute among any Parties to the MOU, those Parties shall notify every other Party in writing about the substance of the dispute. The Parties to the dispute shall meet and confer by exchanging written positions on the dispute, and by meeting in person thereafter to discuss and resolve the dispute. If those representatives are unable to resolve the dispute, the chief executives of those Parties shall be informed of the substance of the dispute and provided all writings that have been exchanged regarding the dispute. The chief executives shall meet and confer in person or by telephone concerning the dispute, and may choose to exchange letters in preparation for the meet and confer.

2. Mediation

If the dispute is not resolved, the Parties may avail themselves by mutual consent to mediation, arbitration (binding or non-binding), or any other dispute resolution resource (collectively Alternate Dispute Resolution (ADR) processes"). All procedures and methodologies in ADR processes shall be by mutual consent of the Parties, including but not limited to the choice of the mediator or arbitrator, dates and times and timelines, and whether documents are exchanged in preparation for the ADR session. Fees and expenses of the mediator will be borne equally, unless otherwise agreed. The Parties to the dispute shall be represented by individuals of their choosing, except that the Parties must agree on the question of whether lawyers are present or not. The entire process shall be confidential and treated as a compromise negotiation for purposes of federal and state rules of evidence. If ADR processes are agreed on, the Parties shall agree on the identity of the mediator or arbitrator within 30 days of agreeing on the ADR process. The Parties shall not unreasonably withhold consent as to the choice of the mediator or arbitrator. Unless the schedule of the mediator or arbitrator does not permit, the Parties shall complete their ADR process within 60 days after agreement on the choice of the mediator or arbitrator. Nothing in this MOU affects the rights or abilities of the Parties to avail themselves of all rights and remedies they have under the law of California or federal law, as applicable, and to the state or federal courts to resolve their dispute.

3. Financial Obligations

A Party who disputes amounts claimed by the Contracting Agency to be due under the MOU agrees to pay the amount claimed pending dispute resolution.

Appendix E
Special Provisions for the City and County of San Francisco
(References to "City" in Paragraphs 1, 2 and 3 refer to the City and County of San Francisco)

1. Certification of Funds; Budget and Fiscal Provisions; Termination in the Event of Non-Appropriation. This Agreement is subject to the budget and fiscal provisions of the City's Charter. Charges will accrue only after prior written authorization certified by the Controller, and the amount of City's obligation hereunder shall not at any time exceed the amount certified for the purpose and period stated in such advance authorization. This Agreement will terminate without penalty, liability or expense of any kind to City at the end of any fiscal year if funds are not appropriated for the next succeeding fiscal year. If funds are appropriated for a portion of the fiscal year, this Agreement will terminate, without penalty, liability or expense of any kind at the end of the term for which funds are appropriated. City has no obligation to make appropriations for this Agreement in lieu of appropriations for new or other agreements. City budget decisions are subject to the discretion of the Mayor and the Board of Supervisors. Contractor's assumption of risk of possible non-appropriation is part of the consideration for this Agreement.

THIS SECTION CONTROLS AGAINST ANY AND ALL OTHER PROVISIONS OF THIS AGREEMENT.

2. Guaranteed Maximum Costs. The City's obligation hereunder shall not at any time exceed the amount certified by the Controller for the purpose and period stated in such certification. Except as may be provided by laws governing emergency procedures, officers and employees of the City are not authorized to request, and the City is not required to reimburse the Contractor for, Commodities or Services beyond the agreed upon contract scope unless the changed scope is authorized by amendment and approved as required by law. Officers and employees of the City are not authorized to offer or promise, nor is the City required to honor, any offered or promised additional funding in excess of the maximum amount of funding for which the contract is certified without certification of the additional amount by the Controller. The Controller is not authorized to make payments on any contract for which funds have not been certified as available in the budget or by supplemental appropriation.

3. Sunshine Ordinance. In accordance with San Francisco Administrative Code §67.24(e), contracts, contractors' bids, responses to solicitations and all other records of communications between City and persons or firms seeking contracts, shall be open to inspection immediately after a contract has been awarded. Nothing in this provision requires the disclosure of a private person or organization's net worth or other proprietary financial data submitted for qualification for a contract or other benefit until and unless that person or organization is awarded the contract or benefit. Information provided which is covered by this paragraph will be made available to the public upon request.

4. *Large Vehicle Driver Safety Training Requirements. The City and County of San Francisco requires that the employees its contractors and their subcontractors driving "large vehicles" within the City and County of San Francisco shall successfully complete either (a) the SFMTA's Large Vehicle Urban Driving Safety training program or (b) a training program that meets the SFMTA's approved standards for large vehicle urban driving safety. The SFMTA's approved standards for large vehicle urban driving safety is available for download at www.SFMTA.com/largevehicletestingstandards. This requirement does not apply to drivers providing delivery services who are not employees or subcontractors of the contractor. For purposes of this section, "large vehicle" means any single vehicle or combination of vehicle and trailer with an unladen weight of 10,000 pounds or more, or a van designed to carry 10 or more people. MTC, as Contracting Agency, has confirmed with its contractors that no equipment purchased from its*

Next Generation Clipper Contract, Cubic Transportation System, Inc. will be delivered on large vehicles, as defined herein.

5. *Protection of Private Information. San Francisco Administrative Code Chapter 12M establishes restrictions for City contractors on the use and disclosure of “private information” as defined in Chapter 12M. MTC, as Contracting Agency, is subject to restrictions on the use, disclosure, and storage of “personally identifiable information” protected under California Streets and Highways Code Section 31490. To that end, MTC has adopted a Clipper Privacy Policy, posted on the Clipper website, and Special Conditions Regarding Personally Identifiable Information, incorporated into the Clipper Operating Rules applicable to MTC and Clipper Operators, which are passed along to all Clipper contractors. Such efforts embody privacy protections at least as strict as Chapter 12M.*

6. *Payment Card Industry (PCI) Requirements. MTC, as Contracting Agency, shall to the extent applicable comply with, and require its contractors and service providers to comply with, current Payment Card Industry (PCI) standards, including the then in effect Payment Application Data Security Standard (PA-DSS), or the Software Security Framework (SSF), which includes the Secure Software Standard and the Secure Software Lifecycle (Secure SLC) Standard. PCI DSS standards apply to all system components, people, and processes that store, process, and transmit cardholder data, including any system components, people, and processes that could impact the security of the Cardholder Data Environment. Current compliant PCI attestations of compliance and PCI audits then in effect shall be provided to SFMTA upon request.*

Bank Accounts. Collections that represent funds belonging to the City and County of San Francisco shall be deposited into a City and County of San Francisco bank account designated by the Office of the Treasurer and Tax Collector.

Appendix F
Notices

DRAFT



August 17, 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: Extension of Reduced Fares and Suspension of Parking Fees

Dear Board Members:

RECOMMENDATIONS:

Approve Resolution No. 2022-27, extending reduced fares and the suspension of parking fees at SMART owned and operated park-n-rides.

SUMMARY:

In March 2022, the Board passed Resolution No. 2022-07 which extended reduced fares and the suspension of parking fees through August 2022.

Even though ridership is on the rise, the cost of fuel and other inflationary pressures as well as the continued unknowns related to the economy make it even more important that we be able to provide a cost-effective alternative to the single occupancy vehicle.

We would like to extend the reduced fares and the suspension of parking fees through June 30, 2023.

FISCAL IMPACT: Lower fares and suspension of parking fees has already been assumed in the Fiscal Year 2022-2023 Budget that was adopted by the Board of Directors in June 2022. There is no further financial impact assumed at this time.

Sincerely,

/s/
Heather McKillop
Chief Financial Officer

Attachment(s): Resolution No. 2022-27

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT, STATE OF CALIFORNIA, EXTENDING REDUCED FARES AND CONTINUING THE SUSPENSION OF PARKING FEES AT ALL SMART OWNED AND OPERATED PARK-N-RIDE THROUGH JUNE 30, 2023

WHEREAS, the Board adopted or modified the fare structure in February 2015, March 2015, August 2015, June 2015, January 2017, and May 2021; and

WHEREAS, Resolution No. 2022-07 extended the reduction of fares as originally approved by the Board and suspended parking fares at SMART owned and operated park-n-rides through August 2022; and

WHEREAS, the Fiscal Year 2022-2023 budget as approved by the Board on in Resolution No. 2022-22 assumed the extension of lower fares and suspended parking fees through June 30, 2023;

NOW, THEREFORE, BE IT RESOLVED the Board approves the extension of lower fares and the continuation of suspended parking fees in SMART owned and operated park-n-rides though the end of the fiscal year, June 30, 2023.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Sonoma-Marín Area Rail Transit District held on the 17th day of August 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



August 17, 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
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Patty Garbarino
Golden Gate Bridge,
Highway/Transportation District

Dan Hillmer
Marin County Council of Mayors and
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Eric Lucan
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Eddy Cumins
General Manager

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

SUBJECT: Amendment to the Fiscal Year 2023 Budget

Dear Board Members:

RECOMMENDATIONS:

Approve Resolution No. 2022-28, amending the Fiscal Year 2023 Annual Budget, Resolution No. 2022-22, for increased appropriation of \$270,334 and Position Authority (4 positions).

SUMMARY:

Controller/ Supervisors

SMART currently has 10 Controller/ Supervisor positions. These positions are responsible for railroad dispatch, train control, radio communications, field supervision, field customer service, and field safety and accident investigation. These positions must meet or exceed all requirements of an Engineer and Conductor. They currently provide the following coverage.

- 24/7 Dispatch desk with two employees on duty during all three shifts
- One Field Supervisor on 1st and 2nd shift Monday through Friday
- One Field Supervisor on duty Saturdays and Sundays

The current staffing levels do not provide adequate coverage without employees working on their rest days and generating significant overtime. In addition, it doesn't provide for coverage regarding vacations, sick leave, FMLA, etc.

We have done an analysis of the hours of overtime and cost of the overtime worked in Fiscal Year 2022. Last fiscal year, these employees worked 3,181 hours of overtime. Fully loaded the cost was around \$365,000. If we hired two new positions, the cost fully loaded would be approximately \$297,000 or a savings of around \$68,000 per year in overtime.

Engineer/ Conductor

SMART currently has 29 Engineer/ Conductor positions. Of the 29, 20 are utilized to provide scheduled weekday service and 6 are utilized for weekend service. This leaves 3 positions to cover vacations, sick, bereavement, COVID illness, etc. Analysis shows that we have averaged 5 employees off per day since January. This is even with limiting vacation which is causing discontent in the workforce. This has become particularly problematic with the addition of more trips during the weekdays and adding back Sunday service. Based on this analysis we are recommending that we hire two additional Engineer/ Conductors for a total of 31.

FISCAL IMPACT: The salary and benefits for the two Controller/ Supervisor positions will be paid for from the funds that were already budgeted for overtime in Fiscal Year 2023. The \$270,334 for the two Engineer/ Conductor positions will be funded by reducing the unrestricted fund balance.

Sincerely,

/s/

Heather McKillop

Chief Financial Officer

Attachment(s): 1) Resolution No. 2022-28
 2) Amended Appendix A – Passenger Rail Overview of Sources and Uses
 3) Amended Appendix C – Position Authorization

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT, STATE OF CALIFORNIA, AMENDING RESOLUTION NO. 2022-22, THE ANNUAL BUDGET FOR FISCAL YEAR 2022-2023 TO PROVIDE FOR REVISED POSITION AND APPROPRIATION AUTHORITY

WHEREAS, as part of its approval of the Annual Budget for Fiscal Year 2022-2023, the Board of Directors considered the annual expenditures necessary for the Sonoma-Marín Area Rail Transit District; and

WHEREAS, on June 15, 2022, the Board adopted Resolution No. 2022-22 approving the annual budget for Fiscal Year 2022-2023; and

WHEREAS, Resolution No. 2022-22 considered the appropriation of funds for operating expenses as part of the Annual Budget; and

WHEREAS, Resolutions Nos: 2022-24 and 2022-26 amended Appendix C, Position Authorization of the Fiscal Year 2022-2023 budget; and

WHEREAS, the Board desires to Amend the Annual Budget to provide increased appropriation authority and revised position authority;

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 2022-22, Fiscal Year 2022-2023 Annual Budget, Appendix A is hereby amended to increase expenditure authority by \$270,334.

NOW THEREFORE, BE IT ALSO RESOLVED that the Fiscal Year 2022-2023 Budget for the Sonoma-Marín Area Rail Transit District, Appendix C, Position Authorization is hereby amended to reflect position revisions as shown below.

# of Positions	Position Title	Hourly		Annual	
		Min	Max	Min	Max
10	Controller/ Supervisor	\$ 48.33	\$ 58.74	\$100,526	\$122,179
12	Controller/ Supervisor	\$ 48.33	\$ 58.74	\$100,526	\$122,179
18	Engineer	\$ 42.17	\$ 49.61	\$ 87,714	\$103,189
20	Engineer	\$ 42.17	\$ 49.61	\$ 87,714	\$103,189

BE IT FURTHER RESOLVED except as specifically amended or supplemented by this Resolution, Resolution No. 2022-22, together with all supplements, amendments, and exhibits thereto is, and shall continue to be, in full force and effect as originally adopted, and nothing contained herein shall, or shall be construed to, modify, invalidate, or otherwise affect and provision of Resolution No. 2022-22.

Resolution No. 2022-28
Sonoma-Marin Area Rail Transit District
August 17, 2022

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Sonoma-Marin Area Rail Transit District held on the 17th day of August 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

APPENDIX A - PASSENGER RAIL OVERVIEW OF SOURCES AND USES

	FY 23	FY 23 Amendments (August 2022)	Total
Beginning Fund Balance *	\$ 37,393,310		\$ 37,393,310
Revenues			
SMART S&U Tax			
Measure Q	\$ 51,622,000		\$ 51,622,000
Federal Funds			
5307 - Urbanized Area Formula Funds (Preventative Mtce)	\$ 4,148,529		\$ 4,148,529
American Rescue Plan	\$ 7,507,797		\$ 7,507,797
FRA Suicide Prevention Grant	\$ -		\$ -
Quick Strike (CMAQ) (Pathway Payran to Lakeville)	\$ 806,000		\$ 806,000
State Funds			
STA - State Transit Assistance (Revenue)	\$ 2,291,573		\$ 2,291,573
STA-State Transit Assistance (Population)	\$ 534,918		\$ 534,918
SB1 - SRA - State Rail Assistance	\$ 3,700,000		\$ 3,700,000
LCTOP - Low Carbon Transit Operating	\$ 534,762		\$ 534,762
State - TIRCP SH 37 Network Integration	\$ 750,000		\$ 750,000
STA-SGR (State of Good Repair)	\$ 550,349		\$ 550,349
SB1 - Local Partnership Program	\$ 1,392,000		\$ 1,392,000
ATP - SoCo Pathway - CTC/Caltrans/MTC	\$ 11,470,569		\$ 11,470,569
State - Cap and Trade/ TIRCP DMUs	\$ -		\$ -
Other Sources			
Fare Revenues	\$ 2,310,768		\$ 2,310,768
Parking	\$ -		\$ -
Interest Earning	\$ 277,750		\$ 277,750
Advertising	\$ 225,000		\$ 225,000
Rent - Real Estate	\$ 266,631		\$ 266,631
Misc.	\$ 30,900		\$ 30,900
Charges for Services	\$ 28,325		\$ 28,325
Regional Funds			
Other Governments	\$ -		\$ -
County Intergovernmental Funds -SCTA TIF (SoCo Pathway)	\$ -		\$ -
Total Revenues	\$ 88,447,871		\$ 88,447,871
Total Revenues + Fund Balance	\$ 125,841,181		\$ 125,841,181
Debt Service	\$ 15,596,193		\$ 15,596,193
Salaries & Benefits	\$ 23,140,920	\$ 270,334	\$ 23,411,254
Reduction for Salaries Charged to Projects	\$ (1,193,147)		\$ (1,193,147)
Reduction for Allocation of Salaries/ Services/ Supplies to Freight	\$ (197,515)		\$ (197,515)
Service & Supplies	\$ 16,496,190		\$ 16,496,190
Total Salaries, Benefits, Service, & Supplies	\$ 38,246,448	\$ 270,334	\$ 38,516,782
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	\$ -		\$ -
Total Reserve Contributions	\$ 2,500,000		\$ 2,500,000
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	\$ 58,650,656	\$ 270,334	\$ 58,920,990
Balance	\$ 67,190,525	\$ (270,334)	\$ 66,920,191

	FY 23		Total
State of Good Repair			
Track, MOW, and Facilities	\$ 436,275		\$ 436,275
Safety and Security	\$ 477,225		\$ 477,225
DMU	\$ 703,500		\$ 703,500
Bridges	\$ 796,988		\$ 796,988
Other Construction	\$ 1,050,000		\$ 1,050,000
Information Technology	\$ 278,250		\$ 278,250
Non-Revenue Vehicles	\$ 467,250		\$ 467,250
Equipment	\$ 263,998		\$ 263,998
Total State of Good Repair	\$ 4,473,486		\$ 4,473,486

	FY 23		Total
Capital Projects			
Pathways	\$ 15,349,795		\$ 15,349,795
Expansion	\$ 2,133		\$ 2,133
Total Capital Expenditures	\$ 15,351,927		\$ 15,351,927

	FY 23		Total
Future Match for Federal/ State Funds	\$ 2,000,000		\$ 2,000,000

	FY 23		Total
Ending Fund Balance	\$ 45,365,112	\$ (270,334)	\$ 45,094,778

APPENDIX C - POSITION AUTHORIZATIONS

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	
			Min	Max	Min	Max
Operations						
	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
	12	Controller / Supervisor	\$ 48.33	\$ 58.74	\$ 100,526	\$ 122,179
	11	Conductor *	\$ 35.08	\$ 41.26	\$ 72,966	\$ 85,821
	18	Engineer *	\$ 42.17	\$ 49.61	\$ 87,714	\$ 103,189
	20	Engineer *	\$ 42.17	\$ 49.61	\$ 87,714	\$ 103,189
	1	Facilities Maintenance Supervisor	\$ 50.25	\$ 61.09	\$ 104,526	\$ 127,066
	3	Facilities Maintenance Technician		\$ 41.02		\$ 85,322
	10	Laborers - Vehicle Maintenance		\$ 31.59		\$ 65,707
	2	Laborers - Track Maintenance	\$ 30.66	-	\$ 63,773	-
	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	\$ 50.14	\$ 60.94	\$ 104,288	\$ 126,764
	4	Vehicle Maintenance Supervisor	\$ 51.01	\$ 62.00	\$ 106,101	\$ 128,960
	12	Vehicle Maintenance Technician ***		\$ 49.64		\$ 103,251
		Vehicle Maintenance Tech Trainee (2) ***				
Total	113					

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 158
 * Total positions cannot exceed 31.
 ** Total positions cannot exceed 9.
 *** Total positions cannot exceed 12.



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
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Eddy Cumins
General Manager

5401 Old Redwood Highway
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Petaluma, CA 94954
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www.sonomamarintrain.org

August 17, 2022

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

SUBJECT: Responses to the Sonoma County Civil Grand Jury report, entitled
"SMART Decision Making, Citizen Feedback is Critical for Success."

Dear Board Members:

RECOMMENDATIONS:

Approve the proposed responses Sonoma County Civil Grand Jury
recommendations.

SUMMARY:

On June 19, 2022, The Sonoma County Civil Grand Jury released a report on
SMART entitled "SMART Decision Making, Citizen Feedback is Critical for
Success." The report consists of 18 findings and 11 recommendations.

At the July 20th Board Meeting, General Manager Cumins provided an
overview of the findings and recommendations. Thereafter, Chairman
Rabbitt, formed an Ad Hoc committee who consisted of Directors Pahre,
Arnold, Fudge, Lucan, Coursey and himself. The Ad Hoc Committee met on
August 4th to review and draft the responses.

We have prepared the following proposed draft responses for you
deliberation and approval.

Very truly yours,

/s/
David Rabbitt, Chair
Board of Directors

Attachment(s): 1) Response Letter
2) Report



August 17, 2022

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Shelly J. Averill
Presiding Judge
Hall of Justice
600 Administration Drive
Santa Rosa, CA 95403

Robert Pittman
County Counsel
575 Administration Drive, Suite 105A
Santa Rosa, CA 95403

Re: SMART's Response to Grand Jury Report: "**SMART Decision Making**":
June 19, 2022

Dear Presiding Judge Averill:

This letter constitutes SMART's response to the above referenced report contained within the Sonoma County Grand Jury's Final Report for 2021-2022.

F1. The Board of Directors lacks adequate input from the Citizens Oversight Committee.

Disagree – In adopting Measure Q, the voters approved the establishment of one Citizens Oversight Committee (COC) for the limited purpose of adopting and updating the Strategic Plan. The Citizens Oversight Committee was established specifically to provide input on the strategic plan and as such has worked diligently to assist in drafting the strategic plan and all subsequent updates, the COC's input is reflected and incorporated into the strategic plan prior to its adoption by the SMART Board.

However, the SMART Board of Directors agrees the Grand Jury's recommendations have merit and agree to implement the recommendations associated with the Citizens Oversight Committee (R1, R2, R3, R4, R5, R6, R7, R8, R9 and R11.)

F2. The Citizens Oversight Committee reports to SMART management rather than directly to the Board of Directors.

Disagree – The COC reports directly to the Board of Directors in a variety of ways, either directly or through their input, advice and recommendations which are incorporated into the strategic plan. Notwithstanding, SMART had been reviewing additional reporting options to provide greater dissemination of the COC's work and to increase public feedback opportunities, as such the SMART Board of Directors agrees the Grand Jury's recommendations have merit and agree to implement the Civil Grand Jury recommendations associated with the Citizens Oversight Committee (R1 through R9 and R11.)

F3. The public has expressed concern about the Board of Directors strategic decisions made without the input of a citizens' oversight committee.

The SMART Board is not able to comment on this finding, as it is unable to determine the basis by which the Grand Jury made this determination. However, the SMART Board of Directors agrees to implement the Civil Grand Jury recommendations associated with the Citizens Oversight Committee (R1, R2, R3, R4, R5, R6, R7, R8, and R11.).

F4. A well-informed and responsive citizens' advisory group has the potential to positively influence the final terms of crucial actions prior to the vote of the Board of Directors. **Agree.**

F5. The SMART Strategic Plan of 2019 did not adequately address the addition of freight operations and was not updated for consideration by an advisory committee and the public.

Partially disagree - The addition of freight operations did not come before the SMART Board for consideration until after the SMART Strategic Plan of 2019 had been adopted. Nevertheless, the Board held numerous open meetings to receive input from various groups, stakeholders and the public on the expansion of SMART's Right-of-Way, scope of freight operations, freight service contracting options, common carrier responsibility, financing, state and federal grant opportunities and funding for the acquisition and maintenance of the additional right-of-way and freight operation.

Nevertheless, the SMART Board of Directors believes that the Grand Jury's recommendations have merit and will implement the recommendations associated with the Citizens Oversight Committee (R1 through R9 and R11), ensuring that if new strategic topics arise the COC will have an opportunity to provide timely feedback to the Board of Directors.

F6. The Citizens Oversight Committee has not fulfilled its oversight role as represented in Measure Q election materials and it has failed to serve as a fully independent advisor on important SMART issues.

Disagree -- In adopting Measure Q, the voters approved the establishment of only one committee (a Citizens Oversight Committee) for the limited purpose of adopting and updating the Strategic Plan. As such, the COC has fulfilled their independent oversight role and provided meaningful insight, input and advice in the drafting of the strategic plan and all subsequent strategic plan updates.

However, the SMART Board of Directors believes that the Grand Jury's recommendations have merit and will implement the recommendations associated with the Citizens Oversight Committee (R1 through R9 and R11), ensuring that COC will have an opportunity to provide timely feedback to the SMART Board of Directors.

F7. The Board of Directors and the Citizens Oversight Committee have maintained the responsibility of the Citizens Oversight Committee at what was defined loosely in the 2008 Expenditure Plan of Measure Q—addressing only the minimal responsibility of reviewing the five-year strategic plan—despite recommendations from former Sonoma and Marin County Grand Juries and members of the League of Women Voters to expand the advisory role.

Partially disagree - Under measure Q the COC was specifically formed to provide input and advice to assist the BOD in the adoption of the five-year strategic plan and the subsequent updates. SMART

evaluated and considered the recommendations for expanding the COC's advisory role beyond what was originally authorized under Measure Q. It was determined, at the time, that the additional staff resources and administrative cost burden required for the expansion, establishment and utilization of additional Committees was premature, particularly because SMART had not yet commenced revenue operations.

However, the SMART Board of Directors believes that the Grand Jury's current recommendations have merit and will implement the recommendations associated with the Citizens Oversight Committee (R1 through R9 & R11).

F8. The requirements of Measure Q and its associated 2008 Expenditure Plan are not sufficiently detailed to provide for a well-trained, well-informed, well-regulated, and suitably responsive Citizens Oversight Committee.

Partially disagree – Measure Q and its associated 2008 Expenditure Plan on their own were never intended to provide the necessary detail, training or information in order for the COC to perform their duties. In order to assist the COC in putting together the strategic plan the COC coordinated directly with SMART's staff and its executive team to receive detailed briefings on the financial, budgetary, capital plan, and strategic planning matters that affect the district. Nevertheless, the SMART Board of Directors believes that the Grand Jury's recommendations have merit and will implement the recommendations associated with the Citizens Oversight Committee (R1 through R9 and R11), ensuring that any existing and new members receive additional training, information, and briefings.

F9. Measure Q does not prohibit or limit the development of committee roles or additional committees to provide the Board of Directors with informed and independent public opinion. **Agree.**

F10. The Board of Directors response to the Grand Jury reports of 2014 indicated that comment periods in Board of Directors meetings are sufficient to obtain public input but failed to recognize the importance of well-informed advisory committees.

Partially disagree – The SMART Board continues to believe that open Board meetings and the public comment periods at the meetings are important forums in which to obtain relevant and timely public input and advice. The Board also recognized the need to receive additional, focused input from the public and implemented several topic specific "listening sessions" which provided for a much wider open forum to receive input and advice from the community, user groups, stakeholders, and the public at large. In addition, the SMART Board of Directors also agrees that the Grand Jury's recommendations have merit and agrees to implement recommendations associated with the Citizens Oversight Committee (R1 through R9 and R11).

F11. The Board of Directors responded to prior Grand Jury reports that the Citizens Oversight Committee fulfilled the Measure Q requirements with regard to the five-year Strategic Plan but failed to recognize their responsibility to provide suitable public feedback and oversight, as promised in election materials.

Partially disagree – Under measure Q the COC was specifically formed to provide input and advice to assist the SMART Board in the drafting the five-year strategic plan. In addition, the Board also recognized the benefits of receiving focused public feedback (through the various surveys and the comments received at the BOD meetings) and further embarked on several focused "listening

sessions” which provided a much wider open forum to receive input, feedback and advice from SMART’s passengers, pedestrian and bicycle users groups, stakeholders, and the public at large. In addition, the SMART Board of Directors also agrees the Grand Jury’s recommendations have merit and agrees to implement recommendations associated with the Citizens Oversight Committee (R1 through R9 and R11).

F12. The lack of required formal reports from the Citizens Oversight Committee to the Board of Directors has created an environment where input from the Citizens Oversight Committee is not required or generally expected prior to decision making.

Disagree - In adopting Measure Q, the voters approved the establishment of only one committee (a Citizens Oversight Committee) for the limited purpose of adopting and updating the Strategic Plan. COC’s input is incorporated and included in the draft Strategic Plan, which is reviewed by the SMART Board prior to its adoption. Notwithstanding, the SMART Board believes that additional reporting options could provide greater dissemination of the COC’s work, their input and advice thereby also increasing public feedback opportunities. In addition, the SMART Board of Directors also agrees that the Grand Jury’s recommendations have merit and agrees to implement recommendations associated with the Citizens Oversight Committee (R1 through R9 and R11).

F13. Bylaws for the Citizens Oversight Committee do not exist and if developed could provide structure and a set of rules to guide the Committee’s operations and activities. **Agree**

F14. The undefined term of service in the Citizens Oversight Committee has the potential to allow Committee members to remain for long periods of time or permanently, which could lead to stagnation of ideas, and to leadership and committee fatigue. **Agree**

F15. The ultimate financial and management impacts of taking on the freight business are very difficult to predict and accepting the freight business creates the potential risk of distraction from SMART’s primary purpose of implementing and operating a passenger rail system.

Partially disagree – Though the freight business and impacts are difficult to predict. SMART has mitigated the potential for distraction from its primary mission by creating a small but experienced freight unit solely formed to autonomously perform the freight functions and grow the freight business.

F16. The lack of district-wide public discussion of the LPG storage facility in Schellville contributed to the hasty closure of the facility rather than a phased or delayed closure that would have given the SMART management an opportunity to mitigate the financial loss.

Disagree — In 2014, when NWPco / NCRA commenced the unauthorized storage of LPG at Schellville, the SMART Board reviewed the matter and determine that it was ill-advised to continue to allow storage of hazard materials (including LPG) at any SMART location and that the risks and potential liability outweighed the benefits. SMART attended multiple public meetings in the communities affected by the LPG tanker storage, and ultimately determined to no longer store LPG in the Schellville area.

F17. Implementing accounting best practices would separate the Measure Q monies from freight or other future ventures into separate bank accounts in addition to their separate bookkeeping accounts.

Disagree - SMART uses fund accounting, which is considered "accounting best practices" for public entities. Public entity fund accounting (unlike accounting for profit organizations) is a basic principle that governmental entities must follow based on Generally Accepted Accounting Principles (GAAP).

F18. Committee members who were interviewed by the Grand Jury could not provide requested documents because there was no central information repository.

Agree - SMART Board of Directors agrees the Grand Jury's recommendations have merit and agrees to implement recommendations associated with the Citizens Oversight Committee (R1 through R9 and R11).

DRAFT

RECOMMENDATIONS

The Sonoma County Civil Grand Jury recommends that:

R1. By January 31, 2023, the Board of Directors expand the role of the Citizens Oversight Committee beyond the minimal requirements of the Measure Q Expenditure Plan to achieve expectations of citizen oversight and accountability. **Recommendation R1 will be implemented.**

R2. By January 31, 2023, the Board of Directors consider additional advisory committees to generate informed, independent advice on important matters under consideration, including but not limited to increasing ridership, building public trust, new lines of business, sale of assets, finance, and other significant decisions. **Recommendation R2 will be implemented.**

R3. By January 31, 2023, the Board of Directors reassess the SMART organizational structure such that the Citizens Oversight Committee and any future advisory committees report directly to the Board. **Some of the Recommendation R3 will be implemented.**

R4. By January 31, 2023, the Board of Directors require written Citizens Oversight Committee analysis and recommendations prior to all strategic decisions whether or not incorporated in the five-year Strategic Plan. **Some of the Recommendations of R4 will be implemented.**

R5. The Board of Directors define and implement advisory committee bylaws for the Citizens Oversight Committee, by January 31, 2023. **Recommendation R5 will be implemented.**

R6. The Board of Directors define the length of terms for Citizens Oversight Committee members, by January 31, 2023. **Recommendation R6 will be implemented.**

R7. By January 31, 2023, the Board of Directors develop suitable training programs for new and existing members of the Citizens Oversight Committee regarding their newly defined role and proper public committee protocols, such as the Brown Act rules. **Recommendation R7 will be implemented.**

R8. By December 31, 2022, the Board of Directors direct the Citizens Oversight Committee to prepare written recommendation reports to be presented at or entered into the record of the Board of Directors meetings. **Recommendation R8 will be implemented.**

R9. The Board of Directors direct the General Manager to provide a timeline to evaluate the financial viability of freight services by March 31, 2023. **Recommendation R9 will be implemented, however the evaluation will be timed to better coincide with SMART's strategic and budget review in 2023.**

R10. The Board of Directors and the General Manager establish separate bank accounts for the monies associated with passenger transit (Measure Q, et al.) and with freight or other future ventures, by December 31, 2022. **Recommendation R10 will not be implemented because it is not warranted.**

R11. The Board of Directors direct advisory committees to develop and implement a policy to keep documents and information related to their advisory role centrally located and remotely accessible, by January 31, 2023. **Recommendation R11 will be implemented.**

SMART Decision Making

Citizen Feedback is Critical for Success

SUMMARY

The Sonoma-Marín Area Rail Transit (SMART) District (District) was established by [state legislation](#) in 2002 to form a passenger rail system. [Measure Q](#) of 2008 provided twenty years of funding by taxpayers and established the structure of the organization, with a Board of Directors (BOD), General Management, and a [Citizens Oversight Committee](#) (COC). Through Measure Q, the District received the proceeds of a quarter-cent sales tax that could be used to solicit a war chest of bond funding. That is, projected tax revenue could be used to back a bond issue and immediately obtain a large amount of funding to design, construct, and operate a passenger rail service along the Highway 101 corridor through a significant portion of Marin and Sonoma Counties.

The Measure, as many came to recognize, was passed at the outset of the “Great Recession.” Consequently, sales tax revenues fell short of Measure Q expectations, and the District was unable to obtain anticipated funding that would permit the construction and operation of the entire vision. Therefore, the District’s BOD opted to build out in phases—delaying the start of passenger service and the completion of the full system. When passenger service finally began in 2017, it was negatively impacted by a series of wildfires and floods in the District that added to the stresses of opening the service—all of which affected ridership to some extent. And then came the unimaginable: COVID-19. Ridership plummeted during the pandemic brought on by COVID-19, dropping fare revenue to a fraction of projections. The District could not have foreseen or planned for this series of unfortunate events, but they powered on in determination to deliver the vision of passenger service.

In 2018, while SMART was still developing infrastructure and working to recapture ridership, the State offered to pay SMART to take on the freight services of the financially strapped [North Coast Railroad Authority](#) (NCRA), which regulated a small private freight operation in the region. The State’s offer included payment for the outstanding obligations of the NCRA, provided for a hiking trail along a scenic part of the route, and gave SMART both freight transport assets and extended control of freight operation along lines to the east and north of SMART’s existing route along the Highway 101 corridor.

The BOD voted to accept the State’s offer on freight service in 2020, despite having no prior freight experience or staff to develop the business, and with no input from the COC. SMART began consolidating that business, using outside operational resources at first and working on expanding it into a profitable—or at least a break-even—financial venture. Then the BOD took an unusual and aggressive step in closing a locally unpopular activity of the prior freight owner: a highly profitable storage operation for liquefied petroleum gas (LPG) tank cars in Schellville. This action responded to requests from Sonoma Valley residents who reported concerns about possible environmental contamination. Still, the action left the freight business in a money-losing situation from the outset and was done with no proposed alternative to cover the lost revenue.

Immediately before the consideration of freight, SMART placed Measure I, a sales tax extension, on the March 2020 ballot. This measure sought to extend the quarter-cent sales tax funding into

2059 in order to renegotiate or re-issue bond funding. SMART suffered a defeat at the ballot box. The failed tax measure left SMART with unsettled finances and having to determine service and build-out reductions or delays. This failed tax measure was generally attributed to the public's lack of confidence in the SMART operation which was itself attributed to a lack of transparency and communication. SMART began to hold periodic "[Listening Sessions](#)" to address these issues.

The 2021-2022 Sonoma County Civil Grand Jury (Grand Jury) reviewed how both the SMART BOD and the COC interacted with and listened to the public and believes that the public criticisms are valid. The Grand Jury proposes a set of changes to how the SMART BOD interacts with the public and how the BOD receives input from the public and advisory committees. The changes proposed are not new concepts, and similar ideas have been addressed in other forums. SMART's own BOD and COC have repeatedly acknowledged a disconnect between the voter expectations of oversight and the activities of the COC. The 2013-2014 Sonoma County Civil Grand Jury and the 2013-2014 Marin County Civil Grand Jury both recommended enhanced oversight and public input. These recommendations were [discounted in responses by the BOD](#). In 2020, prior to the vote for an extended sales tax levy, the League of Women Voters also made recommendations for enhanced oversight and public input. These recommendations, however, were never implemented.

The changes this Grand Jury proposes include a more defined and expanded role for the COC and/or the addition of committees to advise the BOD and make recommendations. These changes are intended to improve the BOD's responsiveness, transparency, and overall efficiency. In this report we recommend that the BOD clarify the definition of "citizen oversight" as noted in Measure Q.

Sonoma County has a large investment in the SMART system, and is developing community plans around the SMART stations. Any proposed citizens' oversight committees and advisory changes need to be implemented soon, as the financial clock is ticking. The County will not be well-served if the District does not achieve its charter or becomes insolvent.

In addition to this current community vision, SMART continues to be an entity of interest to the State. Discussions are underway to connect SMART's transit and freight services to routes in the East Bay and Capitol Corridor. Citizens should have a greater understanding of proposed plans with the ability to provide input before final decisions are made. SMART must also enhance its communication in general to improve its ability to successfully reintroduce tax funding prior to the expiration of Measure Q in 2029. The Grand Jury wishes to see SMART succeed far into the future, but greater interaction with citizens through a restructured COC and/or additional advisory committee(s), is recommended to win back the public's trust and facilitate that success in ridership and at the ballot box.

GLOSSARY

- AB 2224 California Assembly Bill, "Sonoma-Marin Area Rail Transit District", which established a district to "own, operate, manage, and maintain a passenger rail system within the territory of the district"
- BOD SMART Train Board of Directors, with the members as defined in the District creation legislation
- COC Citizens Oversight Committee, formed by the BOD per the directives of the Measure Q Expenditure Plan of 2008

- District The Sonoma-Marín Area Rail Transit District
- Measure I Sonoma and Marin County Measure in 2020 to extend the funding of the SMART Railroad District to 2059 (Defeated)
- Measure Q Sonoma and Marin County Measure in 2008 to fund the SMART Railroad District for passenger rail service from 2009 through 2029 (Passed)
- Measure R Sonoma and Marin County Measure in 2006 to fund the SMART Railroad District with Sales Tax initiative (Defeated)
- NCRA North Coast Railroad Authority, a State-created entity established in 1989 to sustain and control the rail system in the North Coast region of California
- NWPCo Northwest Pacific Railroad Company, a privately owned freight rail company operating under the controls of NCRA
- SB 1029 California Senate Bill, “North Coast Railroad Authority Closure and Transition to Trails Act, which authorized SMART to expand into freight service
- SMART Sonoma-Marín Area Rail Transit

BACKGROUND

A Citizen’s Complaint to the 2021–2022 Grand Jury served to initiate investigation into the SMART freight operation, which was established in 2020. During this investigation, the issue in the complaint was resolved, but the Grand Jury observed other matters related to the operation of SMART that are of public interest. Those matters became the focus in this investigation.

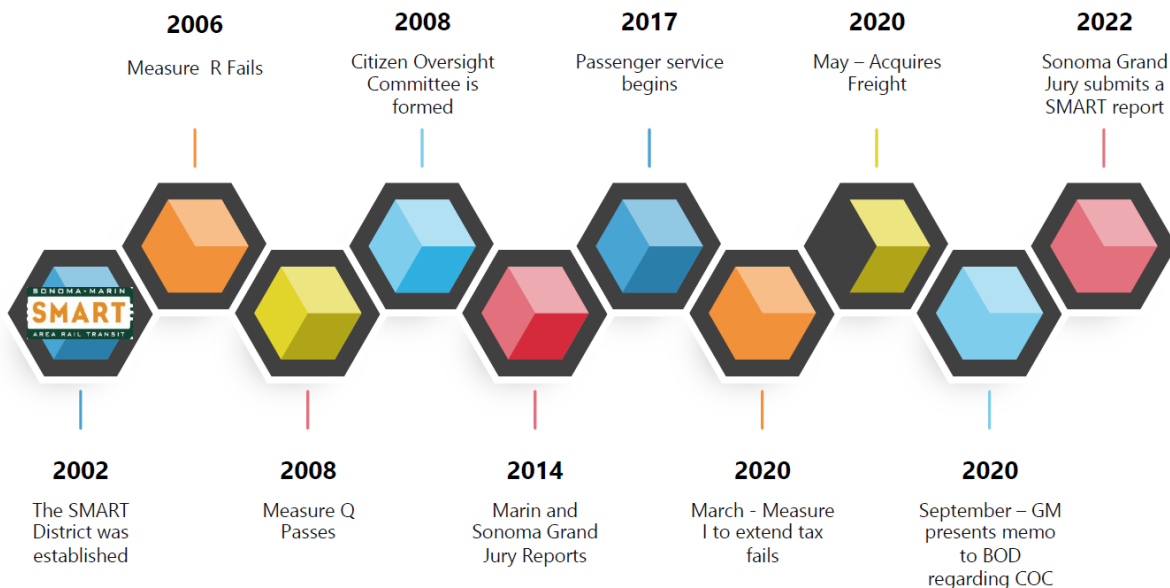


Figure 1: SMART Timeline

2002

The Sonoma-Marín Area Rail Transit District was established by state legislation on September 3, 2002 and became effective on January 1, 2003. Its original charter was the transportation of passengers and their incidental baggage. Its twelve-member BOD was specifically designed to be comprised of officials from Marin and Sonoma Counties, supplemented with two members

from the Golden Gate Bridge, Highway, and Transportation District. In addition to initial funding from Federal, State, and regional sources, the SMART Board sought to obtain additional funding through a sales tax measure.

2006-2008

In November 2006, Measure R, a sales tax increase was proposed to the voters. It was rejected by a close vote (65.3% in favor; 66.67% required for approval). In November, 2008, the SMART Board returned to the voters with Measure Q which was approved, providing a quarter-cent sales tax in both Marin and Sonoma Counties for twenty years.

[Measure Q contained a 2008](#)

[Expenditure Plan](#), which was adopted by the SMART board. The Measure called for an annual financial report to include the status of any project authorized to be funded in the Plan, and the creation of a Strategic Plan to be updated at least every five years. The 2008 Expenditure Plan promised that a COC would be created. The Measure Q “Argument In Favor,” contained in the ballot materials, stated that taxpayers would be protected by independent citizens oversight and annual audits of funds spent.



Figure 2: SMART Station in Cotati

The 2008 Expenditure Plan outlines the role of the COC in exactly one sentence stating, “A Citizens Oversight Committee will be established by the SMART Board to provide input and review on the Strategic Plan and subsequent updates.” The only structure provided for the COC was, “The committee will be composed of citizens from the SMART District, appointed by the Board.” Those two sentences comprised the entire description of the COC within Measure Q.

2014

In 2014, both the Sonoma County and the Marin County Grand Juries produced reports on the SMART District. Both reports contained recommendations regarding citizen input and oversight of operations.

The 2013-2014 Sonoma County Grand Jury recommended appointment of an additional Citizen’s Advisory Committee and [more effective use of standing advisory committees](#) to provide comprehensive oversight on major policy issues. SMART responded that the BOD was competent to handle that, and the cost and burden were too high. SMART acknowledged that they would reconsider their position after implementing rider service, if warranted. The 2013-2014 Marin County Grand Jury recommended that the BOD establish an organizational structure and process for the COC to provide ongoing input concerning the Strategic Plan. SMART responded by stating they had already implemented this by following the process outlined in Measure Q. As stated above, Measure Q contains no such organizational structure or process details. The Marin Grand Jury also recommended appointment of an additional Citizen’s Advisory Committee, and SMART’s response was the same as their response to the Sonoma Grand Jury.

2017

Full passenger service began August 25, 2017, which was a delay from the 2014 date anticipated with the passage of Measure Q.

The Grand Jury found no evidence that the BOD reconsidered its position on the COC.

2020

In March, 2020 ballot Measure I proposed an extension of the current tax, scheduled to expire in 2029. The language of Measure I stated that the COC will continue to provide input and review the Strategic Plan. SMART also stated that the COC "...is composed of citizens from the SMART District, appointed by the Board for a specific term." In point of fact COC members are not appointed for specific terms, and many continue to hold their positions on the COC since its creation in 2008.

In the accompanying ballot material, the "Argument Against Measure I" stated that SMART had disagreed with almost all of the findings and recommendations of two Grand Jury reports (the 2013-2014 Sonoma Grand Jury and the 2013-2014 Marin Grand Jury reports). The "Argument Against Measure I" also stated that these rejected recommendations would have improved financial oversight and communication with the public. There was no rebuttal to this part of the Argument. Measure I failed for lack of a supermajority, with approval rates of only 52.3% in Sonoma County and 55.7% in Marin County.

In August 2020, the BOD held a listening session with the League of Women Voters representatives. Again, the BOD received recommendations to enhance community involvement and expand the role of the COC. Again, the BOD did not act on these independent recommendations.

On September 2, 2020, the SMART General Manager sent a memo to the BOD regarding the COC. The memo stated: "During our public discussion on the outcome of Measure I, your Board received feedback from both the public and members of the Citizens Oversight Committee (COC) about a change in the structure, scope of duties, membership and the frequency of the COC meetings." The memo contained a chart of Bay Area transportation agencies which showed that most had public input committees (see Appendix A).

The memo: 1) suggested defining the scope and issues the COC should be considering; 2) suggested the members' qualifications and diversity should be defined, and members should have limited terms; 3) recommended that the COC should meet, at minimum, at least twice a year; and 4) suggested that the name "Advisory" might be more descriptive of its actual function rather than the name "Oversight".

The BOD decided that any decision regarding the COC should be delayed while they conducted further Listening Sessions from the public. Listening Sessions were conducted until December 16, 2020. To date, no changes have been made to the COC and no additional advisory committees have been created—over a year after the last listening session was held.

METHODOLOGY

The Grand Jury reviewed a broad range of relevant public information related to the SMART District. Additionally, the Grand Jury interviewed members of the BOD, members of the SMART system management, and members of the COC. The Grand Jury requested documentation that was relevant in informing these decision makers and guiding their actions.

The reviews included:

- Legislation that created and amended the SMART District
- Assessments of proposed legislation on the transfer of Freight to SMART, and of business viability of that action
- Funding Measures and associated Plans
- SMART District meetings
- Local journalism reporting of SMART activities
- Documents solicited by the Grand Jury

DISCUSSION

SMART Ballot Measures

The consent of the governed is never more powerfully demonstrated than at the ballot box. This is particularly true when the voters are asked to tax themselves. The SMART District must, by law, rely on “retail transactions and use tax” revenue. Although State or Federal agencies may provide grants, the overwhelming majority of SMART’s resources derive from this sales tax (or the promise of continuing income from it when bonds are sold).

In 2006, Measure R, the proposal for funding SMART through an increase in sales taxes was narrowly defeated by voters. The Measure required 66.67% of voters’ approval, but received 65.3%. The proposed tax was necessary to create a continuous revenue stream, which could also be leveraged for the sale of bonds and to pursue government grants. The bonds were necessary to fund capital improvements necessary for SMART to fulfill its mission of providing a passenger rail system.

Two years later the SMART District again went to the voters to enact a quarter-cent sales tax with Measure Q, which was approved (69.6% affirming). Both measures had included the promise to create a COC to “provide input and review on the Strategic Plan and subsequent updates.” It is clear that the majority of voters wanted a passenger rail service, and the second time a super-majority demonstrated they were willing to pay for it.

SMART Structure and Funding

Subsequent to the election, SMART BOD established its structure within the basic outline of its original legislation and its campaign commitments. The structure included the General Manager, the General Manager’s staff, and the COC.

Due to the 2007-2008 “Great Recession,” sales tax revenues did not meet expectations during SMART’s initial development. Also, while SMART sold bonds to quickly obtain large resources, the bond issue was limited by the funding stream from the tax levy. SMART recognized these impacts, and reported that the build-out of the system would take place in phases, with the scheduling of those phases driven by availability of funds.

In addition to defining the structure, the Board established advisory committees, including the COC promised in the election. The advisory committees were to provide information and guidance to the board, where deeper research and independent input were desired. The committees established at the outset of SMART development phase were the Vehicle Advisory Committee, Station Advisory Committee, and Transit Coordinating Committee, and the COC.

Citizens Oversight Committee

The COC, created by SMART, included members with expertise in finance as well as members with an association in relevant groups, such as Sonoma County Alliance or Friends of SMART. However, there were no stated provisions for qualifications of members, training requirements, term limits, bylaws, policies and procedures, reporting requirements, or frequency of meetings. The scope of duties for the COC was left at the minimal definition provided in Measure Q and the 2008 Expenditure Plan: to provide input and review on the Strategic Plan and subsequent updates. It was unclear to whom the COC should provide this input and review.

Although the Board established the committee, the committee became aligned with the SMART management team (i.e., the General Manager, the CFO, the Chief Engineer, etc.) who interfaced with the Committee. The Chair of the COC was appointed by the General Manager. The COC also met at the request of the SMART staff, who discussed details of the development and operation of the system with COC members. Finally, the views of the COC were presented at Board meetings by the SMART staff, at times with no COC participation.

The COC, itself, has had some discussion about its role in evaluating SMART beyond the five-year Strategic Plans and updates. They have not, however, adopted further definition of their structure or suggested an expanded role. There is nothing in the language of Measure Q that limits the role of the COC, but the COC interpreted the two sentences relating to them in Measure Q to justify limiting their role.

SMART Infrastructure

Over the next nine years, SMART created the infrastructure required to run passenger rail service in Sonoma and Marin counties. This was a monumental task considering the complex regulatory system governing rail service. Federal, State, and even Bay Area regulatory agencies were involved. Despite all that, construction was complete enough to begin the first phase of passenger rail service in August of 2017. Over the years since, service has been expanded and additional stations and service is planned in the future, as funding becomes available.

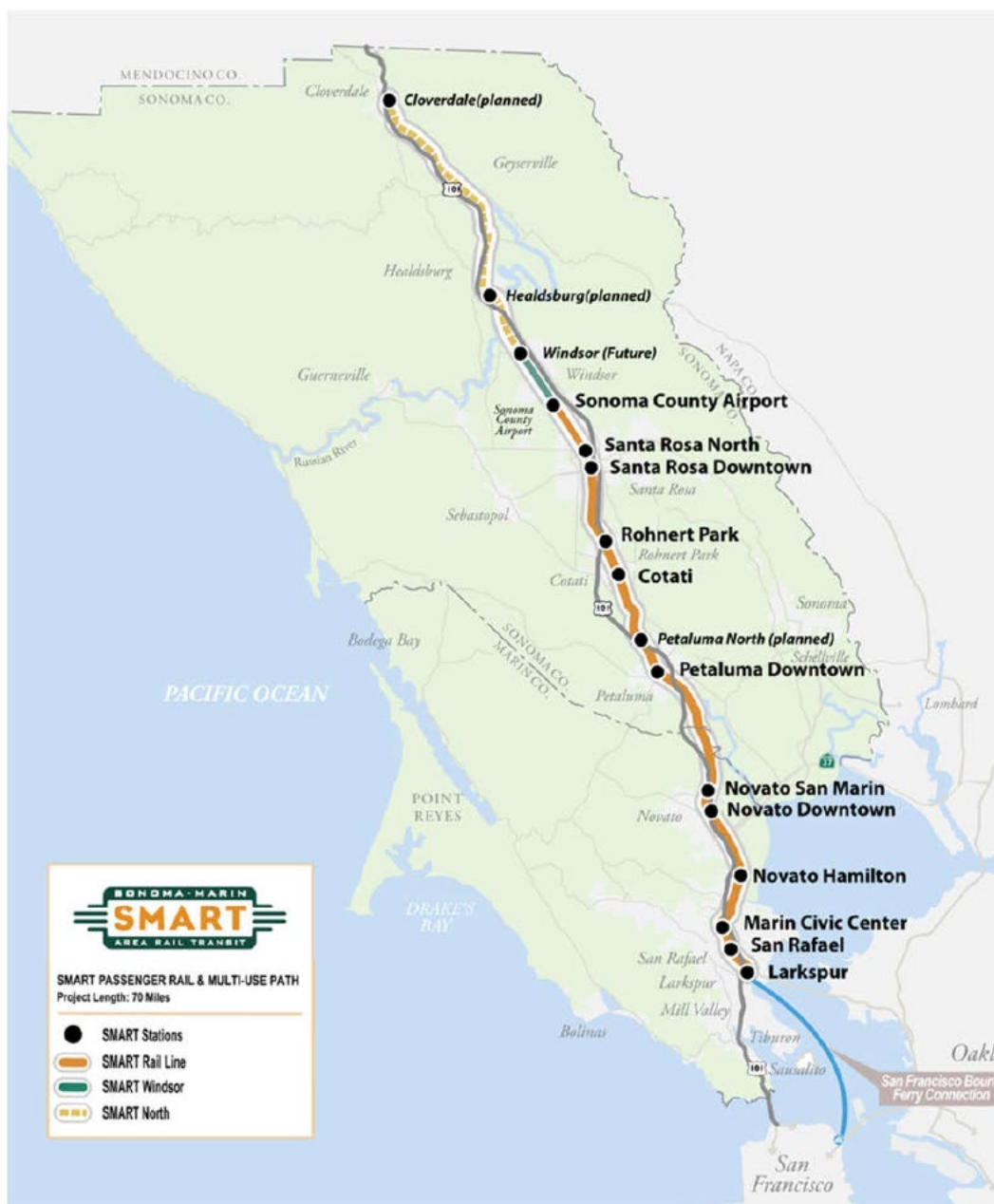


Figure 3: SMART Passenger Route

Disasters Impact the Transit System

Three devastating wildfires and major flooding that occurred between 2017 and 2019 disrupted use of the transit system. First were the Tubbs and Nuns fires in October, 2017 which devastated large parts of Santa Rosa and Sonoma County, followed by the Kincadee Fire in 2019. And there was a Russian River and Laguna de Santa Rosa flood. Each of these events disrupted the use of the transit system for some period of time. Next came what was unquestionably the worst phase for passenger service. The pandemic caused by Covid-19 changed the way we worked, socialized, and traveled. With the prolonged lock-downs, commuter traffic drastically diminished and is just now beginning to recover.

Back to the Voters with Measure I

Just as the pandemic was hitting in March, 2020, SMART tried to extend the sales tax measure beyond the initial 20 years in order to plan for the future and extend service to the Sonoma-Mendocino County line. Measure I received 52.34% approval in Sonoma County and 55.66% approval in Marin County to affirm the extension—dropping significantly from the Measure Q level of 69.6%, and well below the 2/3 supermajority required. So what happened to voter sentiment between 2008 and 2020?

The opponents to Measure I argued against the Measure with criticisms that focused on the reduced funding and delays:

- “SMART built less than 2/3 of the promised rail line and 1/3 of the bike paths. They do not have the funds to finish.”
- “At \$2.4 billion dollars in new taxes, Measure I is too much for something that does so little, with no accountability.”
- “SMART is Costly, Inefficient, and built on Broken Promises.”
- “SMART began rail service over three years behind schedule and massively over budget.”
- “Poor Management and Bad Decisions.”

However, there was more presented to voters in advance of the vote: the news reports that the SMART management team declined to provide ridership reports to journalists in 2019 suggested to some that the SMART team was not meeting public transparency standards. This issue was taken up by the League of Women Voters in not supporting the Measure.

Public Feedback Through Listening Sessions

Finally, after the defeat of Measure I, the SMART management team recognized a need for more citizen input, and scheduled “Listening Sessions” to provide for public feedback. This expanded citizen input to SMART management and the Board, but it did not provide the evaluation and recommendation-developing strength of a well-established, informed citizen oversight committee. The Grand Jury was unable to find evidence of any changes made by the BOD from the input received in the Listening Sessions, and the Listening Sessions were not offered with assurance that they would be consistently held or directed to all matters of public interest or strategic value to SMART and Sonoma County.

The Grand Jury believes that if the criticisms from their opponents and Listening Session speakers are judged by SMART to be valid, the BOD and SMART management, should reconsider how the COC could help to promote public confidence. Regaining voter approval is essential given that SMART has now taken on providing freight service above and beyond its core mission of providing passenger service.



Figure 4: SMART Freight Routes

SMART Takes on Freight Operations Without Oversight

In 2018, Senate Bill 1029 proposed turning over to SMART the freight operation under the jurisdiction of the North Coast Railroad Agency. As noted before, the SMART BOD considered this matter, and opted to do so. This action underscored the concerns of transparency and oversight, as it provoked a number of questions by local media and by citizens.

The BOD lost a valuable opportunity to build public support when it decided to accept the freight operations with little public disclosure or discussion on the pros and cons. The BOD also circumvented the only oversight established within SMART by deciding to transport freight without asking for the opinion or advice of the COC. In fact, the [2019 Strategic Plan](#) included no financial provisions for the freight operations even though the wheels were well in motion for the transfer to SMART.

While the 2019 Strategic Plan mentioned freight, the Grand Jury did not find evidence that the BOD or the COC discussed the impact on the District in any meaningful way. Given the voter rejection of Measure I, will SMART now have to cut service or development? If so, how will they do that? These are questions voters may have and the BOD should consider. These are questions that the BOD should be asking the COC to provide guidance on or solicit public feedback about.

Storing Tank Cars in Schellville

Another issue arose almost immediately after SMART took on freight service, and it also took place without broad public discussion and COC input. The Northwest Pacific Railroad Company (NWPCo) had stored liquefied petroleum gas (LPG) tank cars in Schellville since 2016. It was a



Figure 5: Tank Cars in Schellville

profitable element of their business, but was controversial in the Sonoma Valley. There were reported fears for safety, environmental protection, and for their unsightly appearance. SMART reported their desire to eliminate the tank car storage in Schellville during their November 17, 2021 Board meeting. During that meeting, they reported holding two small, non-Board meetings with local community members on the matter. These meetings, on November 14 and November 15, had two and three SMART representatives, respectively, meeting with small groups of community members. Following those limited meetings, the BOD met on November 17 to discuss their position on the LPG storage issue. They made their decision to

close down the LPG storage without taking formal citizens' advisory input. The decision was made to take the action at the earliest opportunity, prior to developing a replacement revenue source that could keep their freight service profitable.

What is the SMART Thing to Do Moving Forward?

SMART is now entering a period of some financial hazard. If the sales tax is not extended, its taxpayer revenue base will disappear in 2029. The operating reserves may be utilized and depleted over the next five years. The freight service offers some valuable opportunities to SMART with regard to providing a new revenue stream, but it could put a strain on the management staff and the finances of SMART if not carefully managed.

The BOD must be prepared to determine if and when freight service becomes untenable and threatens their core mission of providing passenger service. SMART also faces future pressure to expand freight and passenger service eastward out of Sonoma and Marin counties. This pressure could come from the same State forces that led SMART to accept freight service on its existing rail line. The public deserves a robust discussion on the merits of this potential future expansion, and the Grand Jury hopes the BOD would not make any critical decisions without meaningful public discussion or COC input. SMART's consideration of public opinion on these matters will likely be critical to successfully soliciting extended tax revenue in the near future.

Engaged citizen representation and involvement are important to SMART and to Sonoma County. Formal, independent citizen representation in the Board meetings can provide insight and depth to crucial decisions.

Furthermore, the infrastructure of the COC should be established, including technology systems tied to and supported by the District. The Grand Jury found that some requested documents pertaining to the COC could not be readily obtained because they were stored on computers that were not part of SMART infrastructure (i.e., they were on external computers) and the documents were no longer accessible. This suggests that committee members do not necessarily

have uniform, easy access to important information, that collaboration could be inhibited, and that information could be lost.

Lastly, the Grand Jury found that freight and passenger service funds and expenditures are tracked in separate accounts on the books and records of the District, but were not segregated in separate bank accounts. The Grand Jury is concerned that this could potentially lead to short term “float” of passenger service funds being used to pay for freight expenses, which would be a breach of Measure Q allowed uses. Measure Q requires that sales tax proceeds be used for “passenger” related services. Although the Grand Jury did not find evidence that this was occurring, best practices would dictate that the monies should be segregated to eliminate the potential for misuse.

CONCLUSION

The SMART District has suffered a number of disruptions in its short life that have put it at risk of losing public confidence and trust, some within and some outside its control. Without decisive and visible steps to bolster public confidence, it could conceivably lose funding such that it never fulfills the vision originally provided to the public. One powerful step toward rebuilding public confidence and trust—with the possible added benefit of gaining a greater brain trust in decision-making—is to give the public a greater insight into the SMART management and a greater voice to decision makers.

The SMART tax funding was originally proposed with the Sample Ballot statement that “Independent Citizens’ Oversight and annual audits are MANDATORY to ensure funds are spent properly” (emphasis in the original). There are two definitions of oversight: 1) the action of overseeing something; 2) an unintentional failure to notice or do something. In order to fully achieve the independent citizens’ oversight—in the first sense—the SMART BOD must redefine and re-energize the existing COC, and/or must establish additional advisory committees. The BOD, COC, and prominent citizens groups have addressed this, but it has not been implemented; it is past time to do so.

FINDINGS

The Sonoma County Civil Grand Jury determined that:

- F1. The Board of Directors lacks adequate input from the Citizens Oversight Committee.
- F2. The Citizens Oversight Committee reports to SMART management rather than directly to the Board of Directors.
- F3. The public has expressed concern about the Board of Directors strategic decisions made without the input of a citizens’ oversight committee.
- F4. A well-informed and responsive citizens’ advisory group has the potential to positively influence the final terms of crucial actions prior to the vote of the Board of Directors.
- F5. The SMART Strategic Plan of 2019 did not adequately address the addition of freight operations, and was not updated for consideration by an advisory committee and the public.
- F6. The Citizens Oversight Committee has not fulfilled its oversight role as represented in Measure Q election materials and it has failed to serve as a fully independent advisor on important SMART issues.

- F7. The Board of Directors and the Citizens Oversight Committee have maintained the responsibility of the Citizens Oversight Committee at what was defined loosely in the 2008 Expenditure Plan of Measure Q—addressing only the minimal responsibility of reviewing the five-year strategic plan—despite recommendations from former Sonoma and Marin County Grand Juries and members of the League of Women Voters to expand the advisory role.
- F8. The requirements of Measure Q and its associated 2008 Expenditure Plan are not sufficiently detailed to provide for a well-trained, well-informed, well-regulated, and suitably responsive Citizens Oversight Committee.
- F9. Measure Q does not prohibit or limit the development of committee roles or additional committees to provide the Board of Directors with informed and independent public opinion.
- F10. The Board of Directors response to the Grand Jury reports of 2014 indicated that comment periods in Board of Directors meetings are sufficient to obtain public input, but failed to recognize the importance of well-informed advisory committees.
- F11. The Board of Directors responded to prior Grand Jury reports that the Citizens Oversight Committee fulfilled the Measure Q requirements with regard to the five-year Strategic Plan, but failed to recognize their responsibility to provide suitable public feedback and oversight, as promised in election materials.
- F12. The lack of required formal reports from the Citizens Oversight Committee to the Board of Directors has created an environment where input from the Citizens Oversight Committee is not required or generally expected prior to decision making.
- F13. Bylaws for the Citizens Oversight Committee do not exist and if developed could provide structure and a set of rules to guide the Committee's operations and activities.
- F14. The undefined term of service in the Citizens Oversight Committee has the potential to allow Committee members to remain for long periods of time or permanently, which could lead to stagnation of ideas, and to leadership and committee fatigue.
- F15. The ultimate financial and management impacts of taking on the freight business are very difficult to predict, and accepting the freight business creates the potential risk of distraction from SMART's primary purpose of implementing and operating a passenger rail system.
- F16. The lack of district-wide public discussion of the LPG storage facility in Schellville contributed to the hasty closure of the facility rather than a phased or delayed closure that would have given the SMART management an opportunity to mitigate the financial loss.
- F17. Implementing accounting best practices would separate the Measure Q monies from freight or other future ventures into separate bank accounts in addition to their separate bookkeeping accounts.
- F18. Committee members who were interviewed by the Grand Jury could not provide requested documents because there was no central information repository.

RECOMMENDATIONS

The Sonoma County Civil Grand Jury recommends that:

- R1. By January 31, 2023, the Board of Directors expand the role of the Citizens Oversight Committee beyond the minimal requirements of the Measure Q Expenditure Plan to achieve expectations of citizen oversight and accountability. (F1, F2, F3, F5, F6, F7, F8, F9, F10, F11, F12, F13)
- R2. By January 31, 2023, the Board of Directors consider additional advisory committees to generate informed, independent advice on important matters under consideration, including but not limited to increasing ridership, building public trust, new lines of business, sale of assets, finance, and other significant decisions. (F1, F2, F3, F4, F7, F8, F9, F10)
- R3. By January 31, 2023, the Board of Directors reassess the SMART organizational structure such that the Citizens Oversight Committee and any future advisory committees report directly to the Board. (F1, F2, F3, F4, F9, F11)
- R4. By January 31, 2023, the Board of Directors require written Citizens Oversight Committee analysis and recommendations prior to all strategic decisions whether or not incorporated in the five-year Strategic Plan. (F1, F2, F3, F5, F6, F7, F11, F12)
- R5. The Board of Directors define and implement advisory committee bylaws for the Citizens Oversight Committee, by January 31, 2023. (F7, F12, F13, F14)
- R6. The Board of Directors define the length of terms for Citizens Oversight Committee members, by January 31, 2023. (F14)
- R7. By January 31, 2023, the Board of Directors develop suitable training programs for new and existing members of the Citizens Oversight Committee regarding their newly defined role and proper public committee protocols, such as the Brown Act rules. (F1, F4, F6, F7, F8)
- R8. By December 31, 2022, the Board of Directors direct the Citizens Oversight Committee to prepare written recommendation reports to be presented at or entered into the record of the Board of Directors meetings. (F1, F2, F3, F4, F6, F10, F11, F12)
- R9. The Board of Directors direct the General Manager to provide a timeline to evaluate the financial viability of freight services by March 31, 2023. (F4, F15, F16)
- R10. The Board of Directors and the General Manager establish separate bank accounts for the monies associated with passenger transit (Measure Q, et al.) and with freight or other future ventures, by December 31, 2022. (F17)
- R11. The Board of Directors direct advisory committees to develop and implement a policy to keep documents and information related to their advisory role centrally located and remotely accessible, by January 31, 2023. (F18)

REQUIRED RESPONSES

Pursuant to Penal Code §§ 933 and 933.05, the Grand Jury requires responses as follows:

- SMART Board of Directors (R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11)

The governing body indicated above should be aware that their comments and responses must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

INVITED RESPONSES

The Grand Jury invites the following to respond:

- SMART General Manager (R9, R10)
- SMART Citizens Oversight Committee (R1, R3, R4, R5, R6, R7, R8)

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[approves in-house freight rail operation, ditches gas tanker storage, at a loss \(pressdemocrat.com\)](#)

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APPENDIX A

SMART Board of Directors packet of September 2020

This chart was part of the SMART Board of Directors' packets on September 2, 2020, prepared by the previous General Manager. The Grand Jury reviewed most of the listed Transit Agency websites and found the majority of the Public Advisory Committees report directly to their respective Board of Directors.

Many advisory committees meet monthly or quarterly and have clear expectations and guidelines for their advisory committee membership, for example:

- Promote an open and inclusive public involvement process
- A majority of the membership elects the chairperson
- Membership Terms and methods of appointment
- Committee by-laws
- Review of critical issues
- Application process available on-line

PUBLIC ADVISORY COMMITTEES IN TRANSPORTATION:

Most, but not all, operating transit agencies have public input committees for various reasons. Large agencies have many committees for many reasons (and significant staff resources devoted to that effort), but most have only one or two. Most transit operations include some role for public input on accessibility, passenger concerns and general input. Below is a high level sample of Bay Area transportation agencies and the number of advisory committees listed with the scope covered by the committees. This is based on the best information available on agencies websites:

Agency	Number of Committees	Scope of Committees
TRANSIT AGENCIES		
ACE	1	Passenger issues
BART	9	Accessibility, bicycles, business opportunities, earthquake and capital bonds oversight, language and civil rights issues, transit security
Caltrain	4	Rail Customer needs and policies, project designs, bicycles, local policy input
Golden Gate Transit	3	General Advisory on Bus and Ferry; Accessibility
Marin Transit	2	Paratransit and Marin Access
Napa Valley Transportation Authority (NVTA)*	4	General advisory, bicycle and pedestrian issues, paratransit, and tax oversight (*NVTA is also a Planning Agency)
Petaluma Transit	1	General Advisory
Santa Rosa City Bus	1	Paratransit Issues
Soltrans	1	Fares, Short Range transit plan, general work plans
Sonoma County Transit	0	n/a
Valley Transportation Authority (VTA)	6	Tax measure oversight, bike and pedestrian issues, seniors/disabled, local jurisdiction input.
TRANSPORTATION PLANNING AGENCIES		
Sonoma County Transportation Authority (SCTA)	3	Policy and project decisions, input and funding compliance, paratransit, bike/ped
Transportation Authority of Marin (TAM)	1	Review and report on mandated expenditures



August 17, 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
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Eddy Cumins
General Manager

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

SUBJECT: Planning for the Future (Pathways)

Dear Board Members:

RECOMMENDATION:
Discuss ridership listening session and survey information.

SUMMARY:
In April 2022 SMART Staff conducted a survey and a series of listening sessions on SMART's strategic objectives: ridership, pathways, extensions, and freight. In total, 193 people attended the listening sessions, 1,004 surveys were collected, and SMART received 60 email responses.

This presentation will provide information from the pathway surveys, emails, and listening sessions. Regarding pathways, 60 people participated in the listening sessions, 188 surveys were collected, and SMART received 9 email responses. This presentation will provide a synopsis of information collected, identify recent improvements, and suggest goals for the future.

Very truly yours,

/s/
Eddy Cumins
General Manager

Attachment(s):

- 1) Planning for the Future – Pathways (Top Five Themes)
- 2) Planning for the Future – Pathways (Listening Session Summary Comments, April 6, 2022)
- 3) Planning for the Future – Pathway (Email Submissions on Ridership -raw data)
- 4) Planning for the Future – Pathway (Survey)

Planning for the Future

Pathways – Top Five Themes (*No Particular Order*)

- 1) Close the gaps - SMART needs to complete the pathway network.
 - a. *Pathway priorities:*
 - b. 2nd St. to Mission Ave. along Tamalpais Ave. (San Rafael)
 - c. Puerto Suello Hill to North San Pedro Rd. (San Rafael)
 - d. Lakeville to Oak St. (extending to Brewster's) (Petaluma)
 - e. East Railroad Ave. (Cotati) to Penngrove
 - f. Hannah Ranch to Vintage Way (Novato)
 - g. McInnis Parkway (San Rafael) to Novato Hamilton Station (Novato)
 - h. Larkspur Landing to Corte Madera (Larkspur)
- 2) Wayfinding - Install clear wayfinding signage throughout the entire SMART pathway network.
 - a. Include destination information on signage (including name of destination (city, institutions, train stations, and other attractions) and distance to destination)
 - b. Use QR codes on wayfinding signage
 - c. Place street names on pathways
 - d. SMART's brand (logo) on signage and/or pathways
 - e. Assign numbers to each pathway
 - f. Install mile markers along the pathway
- 3) Improve pathway maps.
 - a. Update the pathway map
 - b. Place pathway map in the train
 - c. Put the pathway map on its own webpage (easy to find)
 - d. Put distance information on the pathway map
 - e. Put mile markers on the pathway map
 - f. The pathway should be on Google Maps
- 4) Pathway maintenance
 - a. Keep clean - sweep the pathway regularly
 - b. Repave legacy pathways (owned by other jurisdictions) that are a part of the larger SMART pathway network
- 5) Train capacity (ability to hold more bikes)
 - a. Add a third car dedicated to bikes
 - b. Repurpose the snack bar for bike storage

ATTACHMENT 2

Planning for the Future
Listening Session on Pathways
April 13, 2022
Listening Session Summary of Comments

What Improvements do you think should be made to existing pathways?

Comments
(5) Close the gaps - SMART needs to complete the pathway network.
<p>(4) Install directional wayfinding signage throughout SMART's pathway network.</p> <ul style="list-style-type: none"> • Clear signage indicating the city the pathway is going towards • Distance to destination information on signage • SMART's brand (logo) on pathways • Assign numbers to each pathway • Directional signage at the end of a pathway segment stating how to get to the next segment
<p>(3) The SMART ROW south of Corte Madre Creek needs the following improvements:</p> <ul style="list-style-type: none"> • The fence is blighted so SMART should remove the fencing • Part of Corte Madre marshland being restored by the Audubon Society • People hike there, so removing the fence would improve access
<p>(2) SMART needs to widen certain segments of pathway to accommodate higher levels of traffic and reduce bicycle/pedestrian congestion and allow for safe two-way traffic. Two recommended segments:</p> <ul style="list-style-type: none"> • San Rafael • Civic Center • West Ninth Santa Rosa
<p>(2) SMART should add the following pathway segments in the EIR, and build them:</p> <ul style="list-style-type: none"> • Downtown San Rafael – 2nd St. to Mission Ave. along Tamalpais Ave. • Move North San Pedro Rd. to the North Portal of the Puerto Swallow Tunnel plan to 30% design.
<p>(2) The Payran to Lakeville segment of the pathway should be extending 1/10th of a mile to Brewster's as it's a very popular restaurant, with 180 apartments nearby.</p>
<p>There are several segments of pathway that predate SMART that are not SMART owned; Would love to see SMART work with local jurisdictions to improve the quality of the pavement.</p>
<p>Lighting for more out of the way segments; women not feeling secure when riding.</p>
<p>Install distance indicators on signs when approaching major intersections; for example, College Ave. in Santa Rosa.</p>
<p>Install a yellow line to divide the pathway into bicycle and pedestrian lanes.</p>
<p>Place pathway map signs inside the train.</p>

ATTACHMENT 2

Place pathway maps in a separate menu on website.
All pathways should be on Google Maps.
Put distance information on the pathway map.
Need wayfinding signage from the Larkspur Station to the ferry terminal.
Regularly sweep/clean the pathway.
Advertise the maintenance SMART performs on its pathway system.
Create a consistent numbering system for pathway network.
SMART should put the following pathway segments into the EIR.
<p>I rarely ride the path in Santa Rosa for the following reasons:</p> <ul style="list-style-type: none"> • Not connected • Lots of glass on the pathway • Pathway needs to be cleaned more regularly • People hanging out on the path keep me from utilizing it • Needs more connectivity in Sana Rosa
SMART needs to make a continuous pathway system that integrates with older pathways.
SMART needs to create a user-friendly map of the pathway system.
Where pathways interface with streets is an issue. Some of the busiest stations (e.g., Petaluma and San Rafael) have dangerous crossings coming off the platforms.

What ideas do you have to improve wayfinding on the pathway?

Comments
<p>(5) Install wayfinding signage throughout the entire SMART pathway network.</p> <ul style="list-style-type: none"> • There should be a standard brand with SMART logo on all pathways • Signage indicating destinations the pathway is going towards <ul style="list-style-type: none"> ▪ SSU ▪ Hospitals ▪ Sonoma County Children's Museum/Snoopy's ice rink ▪ Other attractions • (2) Distance indicators and destination information on wayfinding signage • Put street names on the pathway • Business distance indicators on signage
(2) Install mile markers along the pathway.
Include the Great Redwood Trail brand on SMART pathway signage, coordinate with Senator McGuire.
Use QR codes on wayfinding signage.
<p>Wayfinding that includes street names as you approach on the pathway.</p> <ul style="list-style-type: none"> • Stencil with white paint on pavement <p>I want to see fast and simple over slow and artful regarding wayfinding signage.</p>

ATTACHMENT 2

Place pathway maps onboard the trains.
SMART pathways are not shown on Google, with the Google to get the pathways to be seen on the website.
SMART and GGT need to improve the wayfinding at the Larkspur station and the ferry terminal.
Make the pathway network a single system with uniform branding as a part of wayfinding signage.

What sections of pathway should SMART prioritize for construction?

Comments
(3) Downtown San Rafael – 2 nd St. to Mission Ave. along Tamalpais Ave.
(3) North San Pedro Rd. to the North Portal of the Puerto Swallow Tunnel.
(2) Build a pathway south of Larkspur Landing to Corte Madera (40% of ferry riders come from Ross Valley).
(2) Payran to Lakeville segment of the pathway should be extending 500 feet to Brewster's on Petaluma Blvd. North.
(2) Complete the pathway from Railroad Ave. to Penngrove and on to Petaluma.
Complete the pathway from Cotati to Rohnert Park to Santa Rosa.
Hanna Ranch Rd. to Highway 37.
Build the Jennings Ave. crossing in Santa Rosa. The detour is now 7/10s of mile and 13 minutes long. The ball is in SMART's court.
Look for segments of pathway that have gaps that require high stress detours and fill those gaps; for example - Hanna Ranch Rd. to Roland Blvd.

What are your ideas to address bike capacity on the trains?

Comments
(2) Repurpose the snack bar for bike storage.
Do a mix of hooks and leaning spaces with straps to hold bikes in place.
SMART is replacing straps with shorter and not as strong materials.
Identify seats that are not being used on train and convert to bike storage.
Look at Caltrain bike storage approach, it is the most efficient way to do it; allow bike to be stacked.
Put bike rack icons on trains with hooks.
Add a third car tailored to bike storage.
Look for an opportunity to do bike share at stations; do public private partnership.
Have destination specific bikes dedicated to a particular journey.

What other thoughts and ideas do you have about the Pathway?

Comments
(3) Update the pathway progress map on the website. <ul style="list-style-type: none"> Maps showing what is complete and where the gaps would be helpful.
SMART owns trestle in downtown Petaluma. The Petaluma Bike/Ped Advisory Committee believes that this should be SMART's pathway through town. Make this a part of SMART's pathway project; SMART does not have to be lead but be willing to work with the city.
Advertise/publicize the Petaluma Blvd. South to San Antonio Creek pathway.
Caltrans closer remains an issue for the South Point to Payran section of pathway.
It is hard to find the Lynch Creek trail.
Place benches along the pathway for people to stop and have a cup of coffee.
Do not place benches along the pathway; this impairs traffic flow and would create conflicts between bikers and pedestrians.
Should think of Great Redwood Train as a combined rail and trail system and work to create a true north/south bike highway to Arcata.
Put the pathway on Haystack Bridge.

ATTACHMENT 3

Planning for the Future

Email submissions on Ridership (raw data)

Email 1

Hi -

What is the status of the path along the Aroma Roasters building?

Thank you

Email 2

I was on the Pathways call last Wednesday. Thanks for holding the call – there was a lot of good commentary on the call. I gave the comments some thought and wanted to add some feedback to that which was expressed on the call.

I'm a long-time supporter of SMART both for the train itself and for the promise of bike paths accompanying the train. Like many voters, I expected a complete and more robust bike-path program based on SMART's marketing of the train with renderings of dedicated bike paths alongside. I am disappointed that SMART failed to live up to the promise and now expect SMART to recover from its past failure to deliver on the promise of bike paths. I expect many others in the community feel similarly.

I had some feedback based on the call – but I also rode a segment from San Rafael Civic Center to downtown San Rafael this past weekend. That was an eye-opener and, based on my ride, I have stronger and additional feedback. Some of this was mentioned on the call but I thought I'd reinforce it based on my experience.

- **Treat it as a system.** Presently there are a bunch of bike path or bike lane segments with little consistency in design and quality. Further there are a significant number of missing segments. The bike lanes should be a system with continuity. Gaps dramatically reduce the quality of the system. For example, I rode from the Civic Center station toward San Rafael. There is a nice bike path paralleling the tracks but at North San Pedro road, the path abruptly ends with no signage or indication as to what to do. I rode in a bike lane on Lincoln Avenue – a busy street with poor sight lines. When I did the return ride, I saw that the path continues along the freeway, but it abruptly ends – dumping riders into a residential neighborhood with a sigh that says, “walk your bikes”. Again, there was no wayfinding indicating where to go. It is very clear that the present bike paths and lanes are an incomplete and inconsistent patchwork of “segments” with little attempt to integrate them into a coherent whole. There are significant gaps (such as from the Civic Center station to Novato). Riders see the bikeways as an integrated system that gets us safely from one location to another. SMART should see the pathways in a similar fashion and work to create one system rather than a loosely coupled set of “segments”.
- **Focus on quality.** There is dramatic variation in quality. From the Civic Center stations toward the roundabout is a really nice Class IV bikeway which is well designed and maintained. From the same station, I headed up McInnis Parkway. What passed as a bike path was a rutted asphalt path with weeds growing – looking like it had not been maintained in years. There was no signage and no striping. The path unceremoniously ended at the end of McInnis parkway. All along the route I saw dramatic variations in quality. Sometimes there was poor maintenance, sometimes homeless sleeping by the path, and sometimes trash along the pathways. Use the

ATTACHMENT 3

Civic Center pathway as a model. Establish high quality standards, bring the entire system up to that standard, and maintain the system to those standards.

- **Dramatically improve wayfinding.** There was very little signage or markings on the pathways themselves. In my ride, I knew the area and was able to figure out a route, but someone not familiar would have a very difficult time. Someone on the call said not to spend time and money on a signage program but just get some quick and dirty signs up. That might be an expedient short-term solution, but I believe, the pathway system needs a strong visual identity and wayfinding system that both identifies it as a SMART pathway (perhaps in conjunction with the North South pathway that the Marin Bicycle Coalition spoke about) and helps people find the bike paths and find their way along the paths. Like the pavement itself, there should be no gaps in the wayfinding system. The system needs to be well designed (see next point).
- **Design the system.** As I mentioned, the pathways are a patchwork of segments with little consistency in quality, design, or maintenance. I urge you to engage a high-quality landscape design firms (note that I said design, rather than engineering). While there is engineering work to be done, the first priority should be to design a system that is usable, legible, and functional. Someone competent in design needs to look at this from a human use perspective and make sure that it functions as a system. Engineering should follow.
- **Commit to the high-quality bike path that SMART promised, don't just check the box.** The current pathways are clearly cobbled together from a variety of sources, with wide variation in quality and type. When I voted for the sales tax increase that funded SMART, I expected SMART to deliver high quality Class 1 pathways along the rail right of way. What SMART delivered is far from what was promised. While there is some effort at creating bikeways, that effort has not resulted in the system riders need or want. It feels like SMART just tried to “check the box”. That is not sufficient. To regain this voter's confidence will require that SMART take bike paths as seriously as it does trains.

Finally, I'd urge SMART management to do what I did. Go out and try to ride the pathways from one SMART station to another. You will find what I found – that SMART does not yet have a real bike path system – and there is a lot of work to do. Riding the paths takes a theoretical discussion which we had on the call and makes the issues real, tangible, and urgent.

Thanks

Email 3

The attached slide was discussed at the 4/13/22 Pathway Listening Session. Bill Gamlen said these pathway segments have construction funding and mentioned construction start times for each segment. Similarly, Bill mentioned the ongoing Class Action Lawsuit that is challenging pathway construction within the SMART ROW. Are these segments subject to the Lawsuit?

SMART PATHWAY SEGMENTS UPCOMING CONSTRUCTION



LOCATION	LENGTH (miles)	CONSTRUCTION
SAN RAFAEL: McGinnis to Smith Ranch	0.8	2023/24
PETALUMA: Lakeville to Payran	0.3	2022
PETALUMA/PENNGROVE: South Point to Main Street	2.9	2023
ROHNERT PARK/SANTA ROSA: Golf Course to Bellevue	2.8	2023
SANTA ROSA: Joe Rodota to 3 rd Street	0.1	2023
WINDSOR: Airport Boulevard to Windsor Road	3.0	TBD

Email 4

Hello,

I walk the marsh on a regular basis and have done so for the last 25+ years. The change has been remarkable as the area has steadily been cleaned, cleared, and restored. I am writing to encourage you to please remove the fencing that is left at the end of Industrial Way at the site of the North South Greenway path. It looks terrible and obstructs the public right of way. We've come so far with the clean-up... let's finish the job and remove the dilapidated fencing that serves no purpose and makes the area look blighted. I urge you to highlight this pathway, make it more accessible to bikes and pedestrians and steadily improve the aesthetics of the area through restoration. Upgrading this area will be a source of pride for our community much as the Highline is in New York.

Thank you for your consideration.

Email 5

Other than building out the Pathways, I think the next important thing is wayfinding.

For example, Most people do not know that there is an existing way to get from Downtown San Rafael To where the SMART Pathway starts at North San Pedro, I have heard at several meetings people want a new pathway connection near the Puerto Suello tunnel, but if you make a turn east from North San Pedro at the tracks then south of Merrydale Road It will connect you to the existing pathway all the way to downtown San Rafael.

Wayfinding is especially important at the locations where the next pathway section does not start; on the other side of the railroad crossing, you might get to the end of the pathway and feel lost or think its not built yet.

Some easy ways would be to include painted directions on the ground to the next pathway section and have a sign map at each Railroad Station showing where you are and the pathway map. Some fundraising ideas to make these sign maps might be to sell a restaurant or coffee shop to have their business placed on the map.

I have attached several images and a document about signs and wayfinding I found on the internet from other similar projects.

I would also include some signs of the rules of the pathway use, speed limit and if Gas Powered Bicycles or Scooters are allowed. Maybe a phone number on the sign for pathway maintenance issues.





Email 6

I think if you do a series of short videos during peak times most people will agree that smart train would be the way to go. I think most people think it's way too congested dirty or filled with graffiti. Once they see what it's like and how smooth it seems they go for it.

It's an inexpensive way to have people see what it's like before they actually try it, and you can put it on your website and trains with a QR code.

Email 7

I am an avid bike rider and I do not like riding the hills of Petaluma or in leaving San Rafael. If you had properly built the bike path all along the tracks from point A to Point B and put in a path in the Puerto tunnel like you have up in the Cal Park tunnel in Larkspur, I wouldn't have to be climbing up hills. You should have put a bike path all along from Novato to Petaluma Blvd South. There is no hill along your tracks, except up at Cotati naturally. You should have put a path in that train tunnel by Lincoln instead of climbing over Merrydale hill. This is not a good service to the bikers when you can't put in the path from Larkspur all the way to Santa Rosa and up to Healdsburg and Cloverdale. Your train service is way too busy trying to rain a rail car up to the Eel river. I don't care about ranches and property, if you have a train running on the tracks and you supposedly have access to them, you should have access to build a trail all the way from point A to point B, and you should've had the service going all the way to Sausalito at least instead of Larkspur. Who rides a ferry? I sure don't and I couldn't get my bike on there if I did. I hope as the new supposed CEO of Smart you take what is said seriously or I guarantee you that I will go all out to defeat any prop on your service as I won't be taxed for an inefficient service. I rather take the Bart and get robbed then to rely on your train.

Email 8

Hello,

The pathways survey assumes that a survey participant knows all about the trail plans and pathways. How is someone supposed to give feedback on gaps and extensions if there are no names or options listed in the survey? I strongly suggest revisiting the survey with images, maps details or more information, at least names! Otherwise, the survey should not be considered statistically valid, it's much too general to make any informed policy decisions or strategic planning decisions.

Regards,

Email 9

Dear SMART thanks for your work of starting the bike pathways. I currently use your train every day to commute from Petaluma to Santa Rosa and then I often bike home. As you know there are critical bike path connections still missing from Santa Rosa to and through Petaluma creating VERY dangerous environments for bikers during commute hours. We desperately need connections through Petaluma. Petaluma should be the SMART path priority.

Petaluma, I find is the most dangerous area for bikes and SMART can really help. On the north side we are currently missing the Petaluma SMART path connection from Southpointe North to E Railroad Ave in Cotati. In the middle of Petaluma, we are missing safe passage from Payran to South Petaluma Blvd.

For Santa Rosa commuters like me we need the SMART bike path connection from Bellevue Street to Golf Course in Rohnert Park. Otherwise, you're stuck with extremely dangerous side streets at 5pm. I

ATTACHMENT 3

must avoid the streets by taking the train from Santa Rosa at least back to Rohnert Park and then start biking from there where your path starts heading south. Not a great option.

Think of where E bikes have come and where they'll be five years from now. These bike paths are going to become much more usable as Commute paths especially with e-bikes. Let me know if you'd like more thoughts or suggestions as a daily SMART train and path user.

Email 10

Hi –

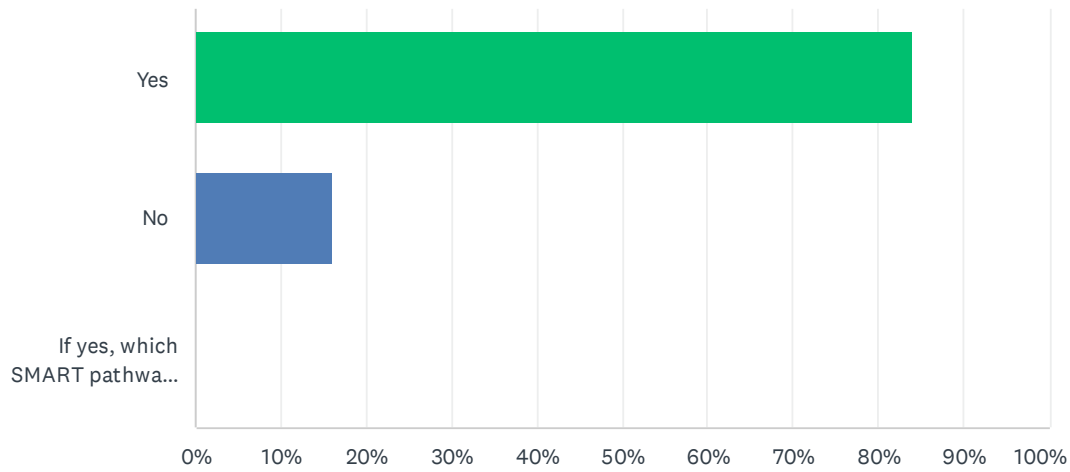
What is the status of the path along the Aroma Roasters building?

Thank you

Planning for the Future - Pathways Survey

Q1 Have you walked or biked on a SMART pathway?

Answered: 188 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	84.04%	158
No	15.96%	30
If yes, which SMART pathways do you currently use?	0.00%	0
TOTAL		188

Q2 If yes, which SMART pathway segments do you use?

Answered: 161 Skipped: 27

#	RESPONSES	DATE
1	Next to Novato San Marin station.	8/1/2022 8:37 AM
2	Smart train rohnert park and Santa Rosa smart train highways pathways	7/25/2022 5:15 PM
3	Payran	6/29/2022 7:40 AM
4	Downtown Novato	5/10/2022 3:11 PM
5	San Rafael to larkspur	5/1/2022 7:06 PM
6	San Rafael	4/30/2022 9:08 AM
7	Civic center to Novato	4/29/2022 3:51 PM
8	Novato Hamilton, Downtown and San Marin	4/25/2022 12:55 PM
9	Downtown SNta Rosa	4/25/2022 6:16 AM
10	Guerneville Rd south to end, and back.	4/22/2022 4:46 PM
11	Santa Rosa	4/21/2022 5:30 PM
12	South of cotati station, cotati - rohnert park	4/21/2022 10:58 AM
13	Joe Rodata Trail	4/21/2022 8:47 AM
14	RP, Cotati, Larkspur, San Rafael, Santa Rosa Downtown	4/20/2022 4:44 PM
15	All existing segments south of Novato	4/20/2022 4:13 PM
16	n/a	4/20/2022 12:43 PM
17	Larkspur to Marin Civic Center	4/20/2022 8:59 AM
18	Cotati/Rohnert Park area, Novato downtown. I used to use the Petaluma section...argh!	4/19/2022 6:29 PM
19	Near San Rafael	4/19/2022 4:12 PM
20	San Rafael from 2nd to Cal Park Tunnel	4/19/2022 9:18 AM
21	Marin	4/18/2022 10:51 PM
22	San Rafael south	4/18/2022 8:17 PM
23	Larkspur north to downtown San Rafael	4/18/2022 8:05 PM
24	Larkspur, Santa Rosa, rohnert Park etc	4/18/2022 7:46 PM
25	Several in San Rafael and in route to larkspur.	4/18/2022 7:24 PM
26	Entire pathway	4/18/2022 4:46 PM
27	The one thru san rafael to larkspur	4/18/2022 4:07 PM
28	San Rafael and Larkspur	4/18/2022 3:36 PM
29	Thru downtown Santa Rosa	4/18/2022 2:53 PM
30	Healdsburg	4/18/2022 2:25 PM
31	Rohnert Park, Santa Rosa	4/14/2022 9:49 AM
32	Various	4/14/2022 7:22 AM
33	Mainly Cotati/Rohnert Park and to Santa Rosa	4/13/2022 8:13 PM

Planning for the Future - Pathways Survey

34	The one near the north Santa rosa terminal, and the one near the Cotati terminal	4/13/2022 6:37 PM
35	Railroad Ave to Rohnert Park	4/13/2022 6:26 PM
36	all of the ones that are available	4/13/2022 5:55 PM
37	Any	4/13/2022 1:45 PM
38	Rohnert park	4/13/2022 12:49 PM
39	San Rafael to Larkspur	4/13/2022 12:24 PM
40	Most frequent use is the Cal Park Tunnel to Second St in San Rafael and the segment from N San Pedro Rd along Los Ranchitos to the Civic Center SMART stop	4/13/2022 9:11 AM
41	Civic Center Dr-N San Pedro Rd, Second St to Larkspur Landing	4/13/2022 4:45 AM
42	Santa Rosa from about Guerneville Road to where Corby turns the corner and changes names.	4/12/2022 6:18 PM
43	One near Hamilton	4/12/2022 6:12 PM
44	Petaluma to Marin County.	4/12/2022 3:28 PM
45	Santa Rosa. Mainly up to Coddington Guerneville Road area and down to Sebastopol Road area. When I went to Sonoma State I used to walk the trail from SSU to Commerce Blvd all the time to catch county bus home. I am certain I would have be using to SMART pathway to ride the train home if it had existed at the time.	4/12/2022 1:09 PM
46	E. Railroad Ave to Golf Course Drive	4/12/2022 9:55 AM
47	Bellevue to Downtown SR	4/11/2022 10:31 PM
48	Larkspur to Petaluma	4/11/2022 9:57 PM
49	Between Santa Rosa and Petaluma, and between Petaluma and Larkspur.	4/11/2022 9:21 PM
50	Santa Rosa from downtown to S. Santa Rosa Ave	4/11/2022 7:20 PM
51	Larkspur to San RAfael	4/11/2022 1:41 PM
52	Larkspur to San Rafael, Puerto Suello Hill Path, Civic Center Path, McInnis Path, Main Gate Road Path, Novato Creek to Novato Downtown Station Path, Rush Creek Place to San Marin Station Path	4/11/2022 10:42 AM
53	Between San Rafael and Civic Center Stations	4/11/2022 8:44 AM
54	I bike from Larkspur to Novato	4/9/2022 4:56 PM
55	From Guerneville Rd to 9th St, from joe Rodota intersection to Bellevue, from Golf Course to the end south of Cotati, various sections throughout Marin, not sure which are SMART paths, but have riddin from Petaluma to Larkspur on as much trail as there is	4/8/2022 9:54 AM
56	San Rafael north to Novato	4/7/2022 1:39 PM
57	Larkspur to 2nd Street San Rafael, missing key segment 2nd to Mission on West Tamalpais; San Rafael; Puerto Suello hill path; missing steep fast segment top Puerto Suello to start path down at Los Ranchitos; then path ending at CC Station. Also need McInnis to Smith Ranch, also Hanna Ranch to downtown Novato.	4/6/2022 5:55 PM
58	Civic center, Cotati to Rohnert Park	4/6/2022 4:16 PM
59	San Rafael to Larkspur	4/6/2022 12:11 PM
60	New Larkspur and Cotati	4/6/2022 10:46 AM
61	Novato between Lamont & Grant & south of North Novato Station.	4/6/2022 9:43 AM
62	Small path between Ignocio and Bell Marin Keys	4/6/2022 7:40 AM
63	Rohnert Park	4/5/2022 1:13 PM
64	A few	4/5/2022 11:28 AM

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65	Santa Rosa and Petaluma	4/5/2022 8:37 AM
66	San Rafael	4/4/2022 10:01 PM
67	Cotati, Novato, does Petaluma have any?	4/4/2022 9:21 PM
68	?	4/4/2022 7:42 PM
69	College ave to Guerneville rd	4/4/2022 7:33 PM
70	Short santa rosa segment.	4/4/2022 7:18 PM
71	santa rosa, cotati	4/4/2022 6:26 PM
72	All of them in Santa Rosa and Rohnert Park	4/4/2022 6:19 PM
73	Cotati-RP; rarely College - Guerneville Rd.	4/4/2022 6:01 PM
74	3rd St to Bicentennial and Rohnert Park	4/4/2022 5:49 PM
75	None; they don't really connect anywhere useful	4/4/2022 5:39 PM
76	Santa Rosa, Cotati, Petaluma, Larkspur to San Rafael; Novato	4/4/2022 5:04 PM
77	Petaluma, Larkspur, Santa Rosa	4/4/2022 4:16 PM
78	Downtown to Piner	4/4/2022 3:45 PM
79	Civic center to San Rafael downtown, San Rafael to Larkspur	4/4/2022 3:42 PM
80	In Petaluma between Lucky's and DMV, also in Rohnert Park	4/4/2022 3:05 PM
81	From San Rafael to Rohnert Park	4/4/2022 2:26 PM
82	San Rafael	4/4/2022 2:00 PM
83	Larkspur to the Civic Center	4/4/2022 1:54 PM
84	Santa Rosa north	4/4/2022 1:52 PM
85	cotati-rohnert park	4/4/2022 1:50 PM
86	Cal Park Hill, 2nd to Rice, Lincoln Hill	4/4/2022 11:30 AM
87	Cotati to Rohnert Park, and the Santa Rosa segments.	4/4/2022 8:25 AM
88	marin civic center	4/4/2022 7:42 AM
89	Downtown SR to 3rd Street	4/3/2022 6:20 PM
90	All that are and or have been open.	4/3/2022 12:03 PM
91	Healdsburg	4/3/2022 11:46 AM
92	Everything between Larkspur and Petaluma	4/3/2022 11:27 AM
93	Downtown Santa Rosa and in Rohnert Park	4/3/2022 8:45 AM
94	all	4/3/2022 6:11 AM
95	NA	4/3/2022 4:57 AM
96	0	4/2/2022 10:22 PM
97	Santa Rosa, Rohnert Park, Petaluma, Marin	4/2/2022 9:09 PM
98	Rohnert park-cotati; santa rosa north-SR downtown; The petaluma segment during those 5 minutes when it was open.	4/2/2022 5:20 PM
99	Have used all segments	4/2/2022 5:14 PM
100	San Rafael	4/2/2022 4:29 PM
101	Larkspur – San Rafael	4/2/2022 4:02 PM
102	Cotati-Rohnert park	4/2/2022 3:11 PM

Planning for the Future - Pathways Survey

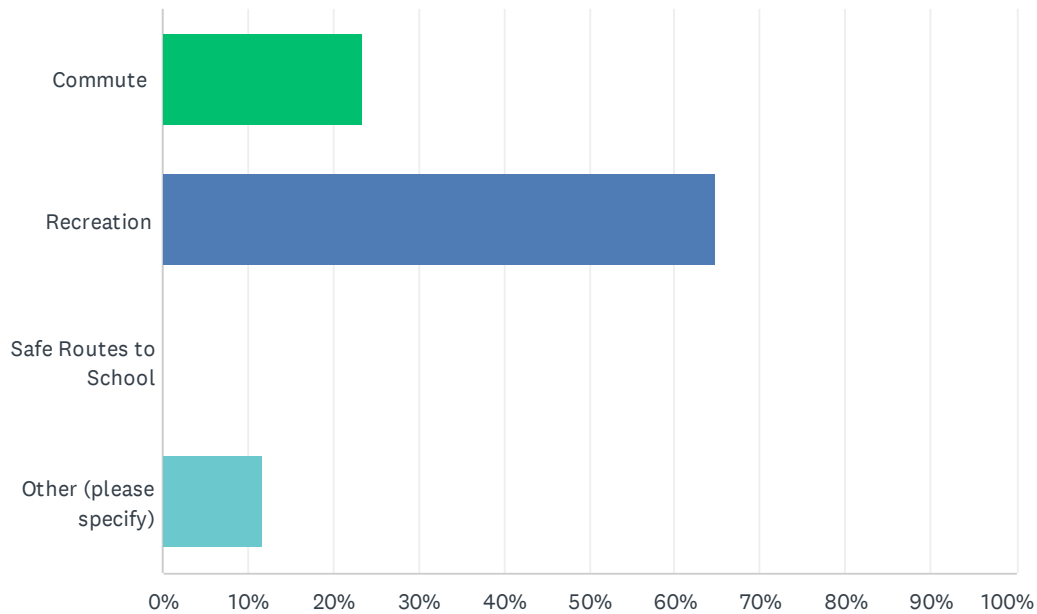
103	Civic center area	4/2/2022 10:54 AM
104	trail thru Santa Rosa	4/2/2022 10:40 AM
105	Rohnert Park through Cotati	4/2/2022 10:28 AM
106	Santa rosa	4/2/2022 10:17 AM
107	Novato to Petaluma	4/2/2022 9:46 AM
108	The new payran to south point bridge in Petaluma	4/2/2022 8:40 AM
109	Novato/Petaluma: SMART Novato San Marin Station to County Line,	4/2/2022 8:02 AM
110	Have been on all segments, but most heavily use Larkspur to Terra Linda, and Santa Rosa to Cotati (portions that are finished anyways...).	4/2/2022 7:33 AM
111	Marin and Sonoma	4/2/2022 1:49 AM
112	most of them	4/2/2022 1:40 AM
113	Petaluma-Novato, Payran-Southpointe	4/1/2022 10:35 PM
114	Larkspur thru San Rafael	4/1/2022 7:17 PM
115	San Rafael to Larkspur	4/1/2022 6:27 PM
116	All	4/1/2022 6:17 PM
117	San Rafael to larkspur	4/1/2022 6:11 PM
118	Larkspur to Marin Civic Center. Cotati to Rohnert Park.	4/1/2022 5:37 PM
119	Rohnert Park/Penngrrove; Novato, San Rafael, Larkspur	4/1/2022 5:14 PM
120	N/A	4/1/2022 4:55 PM
121	Petaluma	4/1/2022 4:17 PM
122	Downtown Novato, larkspur to San Rafael	4/1/2022 3:57 PM
123	Novato to Petaluma	4/1/2022 3:56 PM
124	Cotati, Santa Rosa	4/1/2022 3:51 PM
125	Santa Rosa to Bellview and Santa Rosa to Guerneville Rd	4/1/2022 3:48 PM
126	All	4/1/2022 3:42 PM
127	San Rafael to Larkspur	4/1/2022 3:42 PM
128	between cotati and north rohnert park	4/1/2022 3:38 PM
129	N/A	4/1/2022 3:32 PM
130	All of the existing Santa Rosa segments	4/1/2022 2:15 PM
131	Santa Rosa North to Santa Rosa downtown	4/1/2022 2:04 PM
132	all of them	4/1/2022 2:01 PM
133	Civic center, San Rafael	4/1/2022 1:54 PM
134	Rohnert Park: Railroad Ave to Golf Course Drive	4/1/2022 1:41 PM
135	Rohnert Park	4/1/2022 1:30 PM
136	Been a while but when I had a temp job assignment in one of Hamilton hangers I walked the path behind the hanger a few times.	4/1/2022 1:23 PM
137	Guerneville road to 9th street	4/1/2022 1:12 PM
138	Novato-TerraLinda-San Rafael - Larkspur San Rafael tunnel	4/1/2022 1:08 PM
139	San Rafael, Larkspur, Santa Rosa, Rohnert Park, & Petaluma	4/1/2022 12:45 PM

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140	Payran to Petaluma River	4/1/2022 10:56 AM
141	I use the 1/2 mile section under Hwy 101 at the Marin/Sonoma border regularly. I use other sections on occasion	4/1/2022 10:20 AM
142	San Rafael, Rohnert Park, Santa Rosa	4/1/2022 10:04 AM
143	Novato south to To Larkspur	4/1/2022 10:02 AM
144	From Santa Rosa to Novato	4/1/2022 9:51 AM
145	Every path between Petaluma and Santa Rosa	4/1/2022 9:44 AM
146	Rohnert Park	4/1/2022 9:41 AM
147	Rohnert Park, but we need it extended north and south.	4/1/2022 9:33 AM
148	Rohnert park	4/1/2022 9:02 AM
149	Cotati	4/1/2022 9:01 AM
150	All north and south of Petaluma to the ends of each on my bike with our club	4/1/2022 8:46 AM
151	Petaluma	4/1/2022 8:43 AM
152	Santa Rosa	4/1/2022 8:43 AM
153	Both North and South pathways in Santa Rosa	4/1/2022 8:41 AM
154	Larkspur to san rafael, Novato to Petaluma	4/1/2022 8:39 AM
155	All the completed segments	4/1/2022 8:37 AM
156	Rohnert Park / Cotati	4/1/2022 7:45 AM
157	I bike ALL of them. Really ALL of them. . Work in Santa Rosa live in Petaluma. We desperately need you to extend the b path from Bellevue to Golf Course and from erailroad all the way to south point. Otherwise this ride is extremely dangerous at commute hours.	4/1/2022 7:37 AM
158	Santa Rosa	4/1/2022 7:00 AM
159	From Hamilton to airport	4/1/2022 5:40 AM
160	Santa Rosa, Larkspur to San Rafael	3/31/2022 2:15 PM
161	Cotati to Rohnert Park	3/29/2022 3:02 PM

Q3 How do or would you use the pathway?

Answered: 188 Skipped: 0



ANSWER CHOICES	RESPONSES	
Commute	23.40%	44
Recreation	64.89%	122
Safe Routes to School	0.00%	0
Other (please specify)	11.70%	22
TOTAL		188

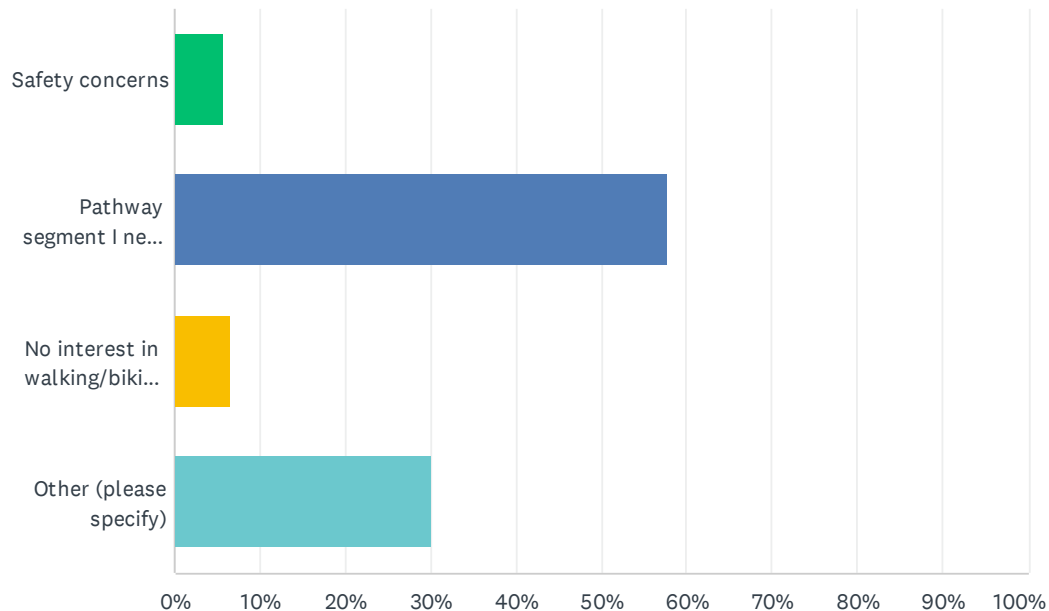
#	OTHER (PLEASE SPECIFY)	DATE
1	To the Santa Rosa mall	5/10/2022 3:11 PM
2	walk to the train	4/22/2022 1:03 PM
3	Commute, recreation, chores	4/20/2022 4:44 PM
4	Errands to reach San Rafael and the Farmers' Market at the Civic Center	4/13/2022 9:11 AM
5	General transportation. I mostly travel by foot and by bicycle.	4/12/2022 6:18 PM
6	Walking from the station	4/12/2022 6:12 PM
7	Use for shopping, getting groceries, commuting and for recreation	4/12/2022 1:09 PM
8	Errands and seeing friends	4/11/2022 10:31 PM
9	Walk from station to destination	4/11/2022 9:20 PM
10	Transport to meetings, errands, save the climate.	4/6/2022 5:55 PM
11	Took the train/path for a in-person meeting	4/6/2022 7:40 AM

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12	Commute & Recreation both	4/4/2022 7:11 PM
13	I don't take it to work because there is still a significant gap between my office and my home ten miles away. I mostly use it for short errands - to the library, etc.	4/4/2022 6:01 PM
14	Until a recent job change, if pathway connected Santa Rosa to Rohnert Park, I would have used that. Possibly also segments between 6th and guerneville rd in SR.	4/4/2022 5:39 PM
15	Ride over to the breweries on that side of town.	4/4/2022 3:45 PM
16	Other	4/3/2022 8:04 PM
17	Quickest way to get around without being on the street	4/3/2022 6:20 PM
18	Commute and recreation	4/1/2022 2:15 PM
19	I wouldn't.	4/1/2022 2:07 PM
20	purposefully	4/1/2022 2:01 PM
21	No longer use one.	4/1/2022 1:23 PM
22	I would use it to commute if it went to Petaluma from Santa Rosa	4/1/2022 8:41 AM

Q4 If you don't use the pathway, why not? – Choose one

Answered: 123 Skipped: 65



ANSWER CHOICES	RESPONSES	
Safety concerns	5.69%	7
Pathway segment I need has not been constructed	57.72%	71
No interest in walking/biking on pathway	6.50%	8
Other (please specify)	30.08%	37
TOTAL		123

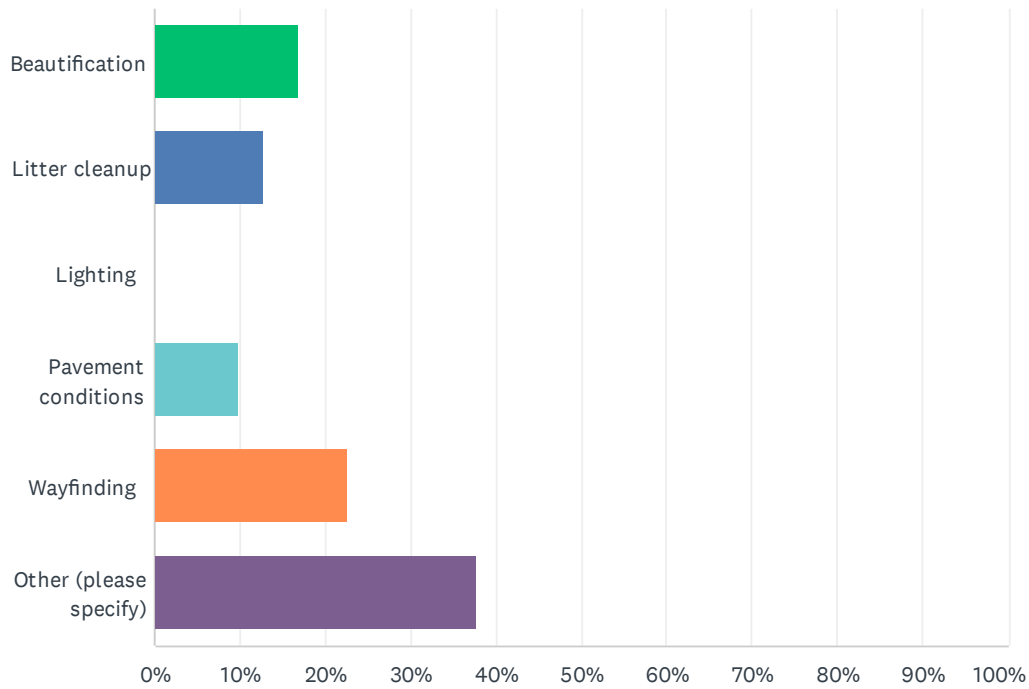
#	OTHER (PLEASE SPECIFY)	DATE
1	I have no idea what this is	7/26/2022 8:26 AM
2	Homeless camps intimidate me.	4/22/2022 4:46 PM
3	I do use the pathway, where it exists.	4/19/2022 9:18 AM
4	N/a	4/18/2022 8:17 PM
5	I do use it.	4/18/2022 7:24 PM
6	n/a	4/14/2022 9:49 AM
7	Unaware of pathway	4/13/2022 5:07 PM
8	It's NOT COMPLETE. I need a safe way to get from Santa Rosa to Penngrove!	4/13/2022 12:49 PM
9	been isolating and need to get out	4/11/2022 2:14 PM
10	not convenient	4/11/2022 1:21 PM
11	I bike the most fastest/most efficient route.	4/9/2022 4:56 PM

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12	Major gaps, they don't connect to other safe City streets. There must be better coordination with other Bike Plans.	4/6/2022 10:46 AM
13	Need more continuous sections in Novato to San Rafael & Petaluma	4/6/2022 9:43 AM
14	Do not need it for work.	4/6/2022 7:40 AM
15	Not sure if pathway is open (Petaluma) and don't know how to find a map of the pathways. Must connect towns to be useful to me as a recreational cyclist	4/6/2022 6:24 AM
16	They aren't near my house	4/5/2022 1:13 PM
17	I do use the pathway	4/4/2022 6:19 PM
18	The pathway segments don't really connect up well. The stuff near downtown Santa Rosa (6th to 9th) is a pain to cross roads on and just much easier to ride on the road.	4/4/2022 5:39 PM
19	No idea if it exists to suit my need to get to Round Barn at Kaiser	4/4/2022 3:39 PM
20	Pathway now blocked under Highway 101 in Petaluma	4/4/2022 3:05 PM
21	Don't know anything about them, where they are, etc.?	4/4/2022 2:41 PM
22	Not available where I want to travel	4/4/2022 2:00 PM
23	Pathway segments I need are not constructed.	4/4/2022 8:25 AM
24	Do use it	4/3/2022 6:20 PM
25	Litter ..pet feces	4/3/2022 11:46 AM
26	safety concerns, and didn't know it existed, but, would have safety concerns	4/2/2022 5:38 PM
27	Connectivity! imagine if the freeway did not connect any cities, couldn't get from Rohnert park to petaluma; couldn't get from cotati to Santa Rosa etc!	4/2/2022 5:20 PM
28	N/A	4/2/2022 5:14 PM
29	No comment	4/2/2022 10:54 AM
30	WAY TOO MANY HOMELESS PEOPLE	4/1/2022 6:27 PM
31	I do use it.	4/1/2022 6:17 PM
32	Some segments need extensive repair.	4/1/2022 3:57 PM
33	Path needs to be extended. Not long enough for CA beautiful weather	4/1/2022 3:48 PM
34	other	4/1/2022 2:01 PM
35	N/A	4/1/2022 12:45 PM
36	I use every available pathway.	4/1/2022 9:44 AM
37	use it	4/1/2022 9:41 AM

Q5 What is the most important improvement that can be made to existing pathways?

Answered: 172 Skipped: 16



ANSWER CHOICES	RESPONSES
Beautification	16.86% 29
Litter cleanup	12.79% 22
Lighting	0.00% 0
Pavement conditions	9.88% 17
Wayfinding	22.67% 39
Other (please specify)	37.79% 65
TOTAL	172

#	OTHER (PLEASE SPECIFY)	DATE
1	lisghting	4/30/2022 9:08 AM
2	Connect more segments	4/29/2022 3:51 PM
3	In Santa Rosa, some paths are very narrow, people are sometimes camped out on them, or sleeping on them.	4/22/2022 4:46 PM
4	Keep them safe. No camping.	4/21/2022 5:30 PM
5	Path between cotati and petaluma stations	4/21/2022 10:58 AM
6	Safety from car traffic.	4/21/2022 8:47 AM

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7	Open the one in Petaluma again and extend them all!	4/19/2022 6:29 PM
8	Complete the path! Close all the gaps.	4/19/2022 9:18 AM
9	Safety	4/18/2022 8:05 PM
10	More of them	4/18/2022 7:24 PM
11	Full in the gaps	4/13/2022 8:13 PM
12	Finish the damn thing. You promised to do it.	4/13/2022 12:49 PM
13	Clearing of camps.	4/13/2022 10:02 AM
14	Close the gaps and extend the pathways! The current fragmented situation limits their usefulness. Litter and graffiti are WELL-taken care of and are not a problem IMO. Pavement discontinuities were repaired along the 2nd St Path. Thank you!!	4/13/2022 9:11 AM
15	Expanded to go greater distances. I do occasionally need to get up to Airport Blvd. near the station.	4/12/2022 6:18 PM
16	Widen substandard existing pathway segments. All pathway segments should be at least 12 feet wide in line with best practices.	4/11/2022 10:42 AM
17	Just put in fast, efficient routes. Treat bicycles with as much respect as cars. Don't put in excessive stop signs, detours, turns and other things that slow bicycles down.	4/9/2022 4:56 PM
18	Build the damn things!	4/9/2022 12:54 PM
19	Not sure	4/7/2022 11:53 AM
20	Complete the above named gaps from San Rafael to downtown Novato	4/6/2022 5:55 PM
21	More continuity	4/6/2022 9:43 AM
22	NA	4/6/2022 7:40 AM
23	Safety	4/4/2022 10:01 PM
24	connectedness to other local bike pathways, connectedness between cities (petaluma to penngrove to cotati, for example)	4/4/2022 9:21 PM
25	connectivity to other smart path segments and existing bike infrastructure	4/4/2022 6:26 PM
26	Linking path segments up so that it's a coherent path instead of a random collection of pieces.	4/4/2022 5:39 PM
27	Bad sight lines at some choke points.	4/4/2022 3:45 PM
28	Connect them to other paths (don't build a pathway to NOWHERE)	4/4/2022 3:05 PM
29	SMART needs to remove the rusting chain link fences on the ROW north of Industrial in Larkspur. This blighted area needs to be restored for recreation and environmental enhancement as it is the upland refugia portion of the Corte Madera marsh. Cleaning this area up so the North South Greenway can be completed is important and would be good PR for any tax measures being proposed.	4/4/2022 1:54 PM
30	Build the rest of it	4/4/2022 1:52 PM
31	A combination of Beautification, cleanup, and pavement improvements.	4/4/2022 8:25 AM
32	lighting early morning; security due to homeless sleeping along it.	4/4/2022 7:42 AM
33	Enforce litter-pet feces issues	4/3/2022 11:46 AM
34	NA	4/3/2022 4:57 AM
35	all of the above would make it feel safer	4/2/2022 5:38 PM
36	Connectivity! without the many gaps filled, it is of very limited use	4/2/2022 5:20 PM
37	Rohnert Park/Cotati sections need shade	4/2/2022 5:14 PM
38	Complete the segments that were planned but never finished.	4/2/2022 4:29 PM

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39	Completion	4/2/2022 3:11 PM
40	Safety	4/2/2022 10:54 AM
41	complete segments	4/2/2022 9:46 AM
42	Lighting	4/2/2022 8:40 AM
43	Link from SR airport all the way the ferry	4/2/2022 1:40 AM
44	MOVE THE HOMELESS OUT OF MARIN (DONT GIVE THEM HOUSES HERE, MOVE THEM SOMEWHERE LESS EXPENSIVE)	4/1/2022 6:27 PM
45	Is fine at least the prt that i use	4/1/2022 6:11 PM
46	Connect the numerous GAPS that prevent a long, safe bicycle ride.	4/1/2022 5:37 PM
47	More shade	4/1/2022 4:55 PM
48	Need existing pathways to connect	4/1/2022 4:17 PM
49	None	4/1/2022 3:42 PM
50	Lighting	4/1/2022 3:42 PM
51	Beautification, litter/graffiti clean-up, wayfinding, and lighting. The pathways are very sterile and feel like dog runs. Opportunities to create wider soft surface shoulders would benefit walkers and runners.	4/1/2022 2:15 PM
52	Lighting	4/1/2022 2:04 PM
53	to demand an answer as a condition of submitting the survey is prime example of how stupid staff is when the finances of the train agency are so bad	4/1/2022 2:01 PM
54	Connect south to Penngrove	4/1/2022 1:41 PM
55	Make sure there is a barrier between the path and tracks. No need to make the track easily accessible to those who want to commit suicide. Already had enough of those since Smart started running.	4/1/2022 1:23 PM
56	add crossing at Guerneville road; without jennings crossing it's very hard to get across guerneville to head west to my home	4/1/2022 1:12 PM
57	Finish it as promised	4/1/2022 1:08 PM
58	Complete connections in Petaluma and Santa Rosa	4/1/2022 12:45 PM
59	Almost all pathways are just small sections forcing riders/walker onto busy roads before & after path	4/1/2022 10:20 AM
60	Wayfinding and making the pathways continuous from beginning to end	4/1/2022 9:51 AM
61	Connections between paths like from Petaluma to Cotati and Golf Course to Bellevue	4/1/2022 9:44 AM
62	Not continuous	4/1/2022 8:43 AM
63	Need to make all connections so bikers do not have to ride on dangerous streets	4/1/2022 7:37 AM
64	Connect all of them	4/1/2022 7:00 AM
65	More paths	4/1/2022 5:40 AM

Q6 What sections of pathway should SMART prioritize for construction?

Answered: 163 Skipped: 25

#	RESPONSES	DATE
1	Rowland Blvd to Hanna Ranch Rd in Novato	8/1/2022 8:37 AM
2	Rohnert park too downtown Santa Rosa work be the most amazing path ever	7/25/2022 5:15 PM
3	Petaluma to Cotati	6/29/2022 7:40 AM
4	San Rafael to Novato	4/30/2022 9:08 AM
5	From Bel Marin Keys to Costco (Novato)	4/29/2022 3:51 PM
6	Novato to San Rafael	4/25/2022 12:55 PM
7	Windsor to Petaluma	4/25/2022 6:16 AM
8	Civic Center area	4/24/2022 1:22 PM
9	Crossing Third St. in Santa Rosa to connect with Prince Greenway.	4/22/2022 4:46 PM
10	downtown petaluma to train, especially from parking garage to the train	4/22/2022 1:03 PM
11	Getting through SR. SR has the most people - more people will use it	4/21/2022 5:30 PM
12	Path between petaluma and cotati stations	4/21/2022 10:58 AM
13	Gaps with existing pathways.	4/21/2022 8:47 AM
14	Healdsburg to cloverdale, If you aren't building the rail here soon please at least build the bike path	4/20/2022 6:13 PM
15	Healdsburg - Windsor	4/20/2022 5:49 PM
16	Connection through Downtown San Rafael	4/20/2022 4:13 PM
17	Unsure	4/20/2022 12:43 PM
18	Connection through San Rafael	4/20/2022 8:59 AM
19	Petaluma, on the northern end of town , to Cotati.	4/19/2022 6:29 PM
20	Rohnert Park to Santa Rosa	4/19/2022 4:12 PM
21	Work from south to north.	4/19/2022 9:18 AM
22	Marin	4/18/2022 10:51 PM
23	North San Rafael to novato	4/18/2022 8:05 PM
24	Connect Through all the smart train route	4/18/2022 7:46 PM
25	Not sure	4/18/2022 4:46 PM
26	Thru Novato & Petaluma	4/18/2022 4:07 PM
27	Marin to Sonoma	4/18/2022 3:36 PM
28	Santa Rosa to Windsor	4/18/2022 2:53 PM
29	WINDSOR - from Town Green to the Airport Business Park/station. You have hundreds of daily commuters who go from Windsor to the Airport Business Park area for work/school/recreation. This pathway would connect two very large areas of use.	4/18/2022 2:25 PM
30	ensure path way has full conection from Cotati to Santa Rosa	4/14/2022 9:49 AM
31	Those that improve connectivity to the trail network	4/14/2022 7:22 AM

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32	Rohnert Park to Santa Rosa. Cotati to Petaluma	4/13/2022 8:13 PM
33	North Santa Rosa smart trail	4/13/2022 6:37 PM
34	Payran to Penngrove	4/13/2022 6:26 PM
35	Sonoma County to Marin County	4/13/2022 5:55 PM
36	Downtown Santa Rosa	4/13/2022 1:45 PM
37	Santa Rosa to Petaluma	4/13/2022 12:49 PM
38	North-South Greenway	4/13/2022 12:24 PM
39	Access to Vintage Oaks Shopping Center so I could do all my shopping by bike.	4/13/2022 9:11 AM
40	Marin Civic Center to Hamilton	4/13/2022 4:45 AM
41	Across Third Street near downtown Santa Rosa and north of Guerneville Road.	4/12/2022 6:18 PM
42	Anything that's close to nearby streets from the stations.	4/12/2022 6:12 PM
43	Petaluma to Santa Rosa	4/12/2022 3:28 PM
44	I think all of Santa Rosa. Like downtown Santa Rosa where the SMART train station is there is still no pathway and crosswalk on West 3rd Street and a connection to the Santa Rosa Creek Trail and Joe Rodota Trail. Completing the pathway all the way up to Shiloh Road / Airport Area. And the pathway all the way down to Rohnert Park to connect to Crane Creek Regional Park. Santa Rosa is the biggest city and also pathway should be completed in case there is ever a third Santa Rosa Station built in the future.	4/12/2022 1:09 PM
45	South from E. Railroad Ave to Petaluma and beyond; North from Golf Course Drive to Santa Rosa and beyond	4/12/2022 9:55 AM
46	Bellevue to Rohnert Park	4/11/2022 10:31 PM
47	Connecting Francisco to Lincoln hill bike path in a less stupid way	4/11/2022 9:57 PM
48	North from downtown Santa Rosa.	4/11/2022 9:21 PM
49	Prioritize rail construction, SMART is a railroad	4/11/2022 9:20 PM
50	From Santa Rosa to Windsor, and the section of Santa Rosa that is missing.	4/11/2022 7:20 PM
51	links between communities	4/11/2022 5:23 PM
52	Second Street to Mission Avenue, Top of Puerto Suello Hill to North San Pedro Road, Smith Ranch Road to Main Gate Road, State Access Road to Bay Trail, Hana Ranch Road to Novato Creek, Downtown Novato Station to Rush Creek Place	4/11/2022 10:42 AM
53	Through downtown San Rafael	4/11/2022 8:44 AM
54	Novato to Sausalito	4/9/2022 4:56 PM
55	Prioritize the North county segments so that there is some level of hope that SMART may actually reach Healdsburg and Cloverdale sometime this century.	4/9/2022 12:54 PM
56	1. Connecting Bellevue to Rohnert Park 2. connecting Guerneville Rd to Airport Blvd	4/8/2022 9:54 AM
57	From Larkspur Ferry to Cloverdale as Promised to Voters	4/7/2022 1:39 PM
58	From Healdsburg to Santa Rosa	4/7/2022 11:53 AM
59	Connect downtown San Rafael to north San Rafael; then to Smith Ranch road to open up safe travel to Ignacio.	4/6/2022 5:55 PM
60	Marin Civic center to Novato	4/6/2022 4:16 PM
61	Petaluma Downtown to Novato Downtown	4/6/2022 12:11 PM
62	You really should list these.	4/6/2022 10:46 AM
63	1. Between Novato Costco to Hanna Ranch Road; 2. Novato Hamilton to San Rafael; 3. Safe route from Novato Dumps to Petaluma	4/6/2022 9:43 AM

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64	Not sure	4/6/2022 9:17 AM
65	Windsor to airport (there are no sidewalks on ORH, for example)	4/6/2022 7:40 AM
66	Places where the most underserved populations need them for commuting by bicycle/foot!	4/6/2022 6:24 AM
67	Cloverdale	4/5/2022 1:13 PM
68	Petaluma	4/5/2022 11:28 AM
69	Novato Hamilton to Bay trails, Civic center to McInnis Park, Petaluma segments	4/5/2022 8:37 AM
70	San Rafael to Novato	4/4/2022 10:01 PM
71	Petaluma	4/4/2022 9:21 PM
72	?	4/4/2022 7:42 PM
73	Complete entire pathway in Santa Rosa	4/4/2022 7:33 PM
74	Santa Rosa —> Rohnert Park. Santa Rosa—>Windsor	4/4/2022 7:18 PM
75	Petaluma to existing sections in Cotati/RP	4/4/2022 7:11 PM
76	santa rosa to rohnert park, santa rosa to windsor	4/4/2022 6:26 PM
77	The section between Santa Rosa and Rohnert Park	4/4/2022 6:19 PM
78	close RP-Santa Rosa gap	4/4/2022 6:01 PM
79	Rohnert Park to Bicentennial	4/4/2022 5:49 PM
80	Connecting Santa Rosa and Rohnert Park.	4/4/2022 5:39 PM
81	Novato to Petaluma; Cleaning of Santa Rosa	4/4/2022 5:04 PM
82	It would be great to ride the pathways all the way to Windsor	4/4/2022 3:45 PM
83	North San Rafael through Novato to Petaluma	4/4/2022 3:42 PM
84	Petaluma from the South end of town to Penngrove	4/4/2022 3:05 PM
85	Long sections along the bay and away from roads	4/4/2022 2:26 PM
86	Novato north ...	4/4/2022 2:00 PM
87	Novato	4/4/2022 1:54 PM
88	Petaluma to Novato	4/4/2022 1:52 PM
89	all	4/4/2022 1:50 PM
90	The segments in Novato that require people to have to divert over the US-101 freeway	4/4/2022 11:30 AM
91	San Rafael to San Marin, Rohnert Park to Santa Rosa, Petaluma to Cotati.	4/4/2022 8:25 AM
92	Santa Rosa	4/3/2022 6:20 PM
93	Cotati to Petaluma, Airport station through Santa Rosa to Rohnert Park.	4/3/2022 12:03 PM
94	Santa Rosa to Cloverdale	4/3/2022 11:46 AM
95	All gap closures between existing path segments, especially Vintage Oaks to Bel Marin Keys	4/3/2022 11:27 AM
96	Between Windsor and Santa Rosa North and RP to downtown Santa Rosa	4/3/2022 8:45 AM
97	Unsure	4/3/2022 4:57 AM
98	Cloverdale	4/2/2022 10:22 PM
99	Marin	4/2/2022 9:09 PM
100	Santa Rosa is the largest city. the path should go from airport to rohnert park. Petaluma is second biggest city, path should connect all the way through from Novato to rohnert park	4/2/2022 5:20 PM

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101	Rohnert Park to Santa Rosa	4/2/2022 5:14 PM
102	Between San Rafael and Novato.	4/2/2022 4:29 PM
103	Petaluma station north to penngrove	4/2/2022 3:11 PM
104	Area with most customers needs.	4/2/2022 10:54 AM
105	connections between existing paths	4/2/2022 10:40 AM
106	Railroad Ave south through Penngrove to Petaluma	4/2/2022 10:28 AM
107	Santa Rosa-petaluma	4/2/2022 10:17 AM
108	Finish San Rafael to Novato	4/2/2022 9:46 AM
109	Hamilton to bel marin keys area	4/2/2022 8:45 AM
110	Petaluma to Santa Rosa	4/2/2022 8:40 AM
111	Petaluma: Southpoint Boulevard to Payran Street	4/2/2022 8:02 AM
112	From Santa Rosa north to Windsor	4/2/2022 7:33 AM
113	Golf course north gap and Hanna ranch north	4/2/2022 1:49 AM
114	see 5	4/2/2022 1:40 AM
115	Central Petaluma – Payran to S. Pet. Blvd.	4/1/2022 10:35 PM
116	Civic center to Novato	4/1/2022 7:17 PM
117	Santa Rosa to Petaluma	4/1/2022 6:17 PM
118	Marin Civic Center to Novato Hamilton. Petaluma to Cotati.	4/1/2022 5:37 PM
119	Petaluma to Santa Rosa	4/1/2022 5:14 PM
120	No opinion	4/1/2022 4:55 PM
121	We need a continuous pathway route through Petaluma	4/1/2022 4:17 PM
122	Bel Marin Keys to Vintage Oaks	4/1/2022 3:57 PM
123	Novato to San Rafael	4/1/2022 3:56 PM
124	Petaluma	4/1/2022 3:51 PM
125	Santa Rosa to Rohnert Park and Guerneville are to Windsor	4/1/2022 3:48 PM
126	Penngrove to Petaluma	4/1/2022 3:42 PM
127	Start filling the gap between larger cities and work your way to the smaller cities	4/1/2022 3:42 PM
128	from downtown penngrove to downtown petaluma	4/1/2022 3:38 PM
129	North of Guerneville Rd, as well as the unbuilt sections in Novato.	4/1/2022 2:15 PM
130	The gap between downtown Santa Rosa and Rohnert Park	4/1/2022 2:04 PM
131	to demand an answer as a condition of submitting the survey is prime example of how stupid staff is when the finances of the train agency are so bad	4/1/2022 2:01 PM
132	North from Marin civic center	4/1/2022 1:54 PM
133	Full connectivity from Santa Rosa to Latkspur	4/1/2022 1:51 PM
134	Penngrove to Railroad Ave, as there is no safe bike route south of Railroad Ave	4/1/2022 1:41 PM
135	Rohnert Park to Santa Rosa	4/1/2022 1:30 PM
136	Only where it is necessary to get to an area for someone who is walking. I really think they should not have these pathways close to tracks. There are enough other areas to have walking paths that are not near train tracks.	4/1/2022 1:23 PM
137	Guerneville north	4/1/2022 1:12 PM

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138	Terra Linda to Novato AND Novato to Petaluma	4/1/2022 1:08 PM
139	Santa Rosa and Petaluma	4/1/2022 12:45 PM
140	Continuous from downtown Petaluma north and south.	4/1/2022 10:56 AM
141	all the unfinished pieces between Petaluma & Santa Rosa	4/1/2022 10:20 AM
142	Petaluma	4/1/2022 10:04 AM
143	Petaluma north	4/1/2022 10:02 AM
144	Sa Ro Airport to Petaluma	4/1/2022 9:51 AM
145	The connection between Payran in Petaluma and Cotati	4/1/2022 9:44 AM
146	Petaluma	4/1/2022 9:41 AM
147	Cotati to Petaluma, Rohnert Park to Santa Rosa	4/1/2022 9:33 AM
148	Petaluma to Rohnert Park. Central Petaluma	4/1/2022 9:02 AM
149	Petaluma	4/1/2022 9:01 AM
150	Anything bike safety related	4/1/2022 8:46 AM
151	Near Corona Rd - dangerous area on mc dowell	4/1/2022 8:43 AM
152	From North Santa Rosa to Corte Madera as promised when the SMART train was voted on	4/1/2022 8:43 AM
153	Santa Rosa to Petaluma	4/1/2022 8:41 AM
154	All of them	4/1/2022 8:39 AM
155	Santa Rosa Area	4/1/2022 8:37 AM
156	On the north side of Petaluma, we are currently missing the Petaluma SMART path connection from Southpointe to E Railroad Ave in Cotati. In the middle we are missing safe passage from Payran to South Petaluma Blvd.	4/1/2022 8:34 AM
157	In or around Santa Rosa North and north of Sonoma Airport	4/1/2022 8:08 AM
158	e R railroad to south pointe dr in Petaluma then Bellevue to Golf course	4/1/2022 7:37 AM
159	All	4/1/2022 7:00 AM
160	Petaluma to penngrove	4/1/2022 5:40 AM
161	One that takes you all the way from Santa Rosa to Rohnert Park	3/31/2022 2:15 PM
162	Roseland & Guerneville Rd to Piner	3/29/2022 3:02 PM
163	x	3/27/2022 8:27 AM

Q7 Are there any other concerns about pathways not covered by these questions?

Answered: 128 Skipped: 60

#	RESPONSES	DATE
1	Ensure pathways are wide enough to comfortably accomodate both pedestrians and bicyclists.	8/1/2022 8:37 AM
2	No	7/25/2022 5:15 PM
3	No	6/29/2022 7:40 AM
4	signs would be nice	4/30/2022 9:08 AM
5	No	4/29/2022 3:51 PM
6	Best pathway is not necessarily along tracks especially when in area between Novato and San Rafael as well as Novato to Petaluma.	4/25/2022 12:55 PM
7	Vehicle traffic on sections that are not dedicated pathways	4/25/2022 6:16 AM
8	conflict between bikes and pedestrians	4/24/2022 1:22 PM
9	Which side should pedestrians walk on — right side (like sidewalk) or left side (like road)? I prefer left, so oncoming bikes can be visible to pedestrians, but current practice is right side.	4/22/2022 4:46 PM
10	Get them done as promised!	4/21/2022 5:30 PM
11	South of cotati there is a mile long strech fenced from both sides. Perhaps resident around would benefit from gates in fencees.	4/21/2022 10:58 AM
12	How many people are actually riding the paths and from where to where?	4/21/2022 8:47 AM
13	Our concern is you won't build the path until you build the rail and its been 14 years. 6 more years from now will we have anything to show for 20 years of taxes and promises	4/20/2022 6:13 PM
14	There are too many missing links still to make it a commuter trail.	4/20/2022 5:49 PM
15	no	4/20/2022 12:43 PM
16	Glass bits on the path. The big pieces get picked up, but the little shards cause flats for months afterwards. They need to be swept up...	4/19/2022 6:29 PM
17	I don't like the hawk beacon crossings. Low driver compliance.	4/19/2022 9:18 AM
18	Better maps on the smart website. It's difficult to tell progress, completed, and future segments despite that they are trying.	4/18/2022 8:05 PM
19	Homelessness crime is a concern	4/18/2022 7:46 PM
20	Generally in pretty good shape but glass is occasionally an issue	4/18/2022 7:24 PM
21	Sometimes there are homeless folks hanging out on the path which for a single female triggers my safety alarm even while cycling by	4/18/2022 4:46 PM
22	Nope	4/18/2022 4:07 PM
23	No	4/18/2022 3:36 PM
24	Connections to other bike pathways, neighborhood bike routes & transit connections	4/18/2022 2:53 PM
25	Some wayfinding signage on city streets directing people to the pathways.	4/18/2022 2:25 PM
26	Make sure pathways are well maintained cracks and bumps are fixed quickly. This is important because for those who have a mobility disability or limited mobility small cracks and bumps can pose a high trip/fall hazard especially if they use a mobility device as the wheel can get stuck easily. Also make sure all pedestrian crossing have ADA features such time and	4/14/2022 9:49 AM

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signalized crosswalks that give audio, touch(vibrate), visual cues when it is safe to cross and allow for enough time to cross i.e someone with a disability may need 15 seconds instead of 10 seconds to safely cross

27	Make the path attractive for pedestrians as well as cyclists; develop places of interest or for relaxation every half-mile or so.	4/14/2022 7:22 AM
28	In Rohnert Park that's a large utility box in the pathway which you can't see around to see who is coming.	4/13/2022 8:13 PM
29	Safety/security concerns	4/13/2022 6:37 PM
30	Continue expanding the distance of the pathways	4/13/2022 6:26 PM
31	No	4/13/2022 1:45 PM
32	WTF ... the promise was to make a pathway along the rail line. I want to commute on it. Get it done.	4/13/2022 12:49 PM
33	Remove obsolete fencing at the end of Industrial Way in Larkspur so that the old railroad dike trail overlooking the Corte Madera Ecological Reserve sn't blocked in this area as it is now.	4/13/2022 12:24 PM
34	In the past, I have been disappointed by SMART's foot dragging regarding pathways. I hope the agency is turning over a new leaf.	4/13/2022 9:11 AM
35	I think just also doing everything you all can to best connect to the other walkways and trails that are in Sonoma and Marin County. I know this is unrelated but if y'all can also advocate to have the 101 over cross be built in the Santa Rosa Junior College area.	4/12/2022 1:09 PM
36	Finish the whole continuous pathway as promised please!	4/11/2022 10:31 PM
37	I cannot pick multiple options.pathways lack connectivity (way finding) AND are covered in glass	4/11/2022 9:57 PM
38	More continuity, and better solutions for the unhoused people.	4/11/2022 9:21 PM
39	Focus on rail expansion	4/11/2022 9:20 PM
40	Safety is a big one! Also the connection between the path and other bike/ped infrastructure. Ex: the roads in Santa Rosa south of the 12 are terrifying to bike, so to get folks to use those sections of the path you need to make getting on and off the path easier and safer.	4/11/2022 7:20 PM
41	use a public campaign to advertise them	4/11/2022 5:23 PM
42	Gap completion should be priority number 1. There should be a complete and continuous all-ages-and-abilities Class I multi-use pathway along the entire 71 -mile length of SMART corridor between Larkspur and Cloverdale. Class II bike lanes are not acceptable substitutes for the SMART Pathway. Only Class I pathway can fulfill SMART's pathway mission and responsibility to the communities along its corridor.	4/11/2022 10:42 AM
43	There needs to be more connectivity and wayfinding signs where there are gaps between paths.	4/11/2022 8:44 AM
44	The slow, inefficient implementation of a proper bikeway from Sausalito to Novato has been less than optimal. I certainly won't support any more tax dollars for SMART.	4/9/2022 4:56 PM
45	Wayfinding; access; availability; safety. I would ove to try one of them on my bike; do not want to drive an hour to MARin County.	4/9/2022 12:54 PM
46	Is there a way to open the pathway to the Downtown Station at the bridge over Santa Rosa Creek near the Hiatt Regency. Currently have to go all the way around to the east or west to get to station and then around Aroma Roasters to continue on path.	4/8/2022 9:54 AM
47	Yes, I am very concerned by SMART's Bait and Switch, whereby myself and many others I know were persuaded to vote for SMART based on the promise to deliver a bike path along the entire route! Now, years later, I feel swindled.	4/7/2022 1:39 PM
48	Lighting	4/7/2022 11:53 AM
49	Why wasn't the Top of Puerto Suello hill connection off street to the Ranchitos path included in the 30% Plans re ent round? It's critical— too steep on the roads to be safe for me and cuts out most of my simple trips.	4/6/2022 5:55 PM

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50	Lighting and safety, especially at night.	4/6/2022 4:16 PM
51	No	4/6/2022 12:11 PM
52	There are no specific maps or mention of any of the trails. How are you do know which to improve if you are not previously informed of the gaps in the trail.	4/6/2022 10:46 AM
53	Try to make continuous routes rather than short segments that don't connect to other safe routes.	4/6/2022 9:43 AM
54	No	4/6/2022 9:17 AM
55	NA	4/6/2022 7:40 AM
56	No	4/5/2022 1:13 PM
57	Better connections to adjacent pathways to create safer biking facilities for the communities.	4/5/2022 8:37 AM
58	No	4/4/2022 7:42 PM
59	Homeless living. Needs to be cleaned up.	4/4/2022 7:18 PM
60	Homeless impact on pathways	4/4/2022 7:11 PM
61	Better connections between the pathway and existing bike infrastructure. Santa Rosa North for example has no crossing for bikes and pedestrians to get to the station. The existing curb cut between the bike path and Guerneville Road is also very high	4/4/2022 6:26 PM
62	Path maintenance: paving, litter, and lighting.	4/4/2022 6:19 PM
63	Homeless encampments	4/4/2022 5:49 PM
64	no	4/4/2022 5:04 PM
65	Bike paths that connect to Smart stations are also extremely important	4/4/2022 3:42 PM
66	The paths that are constructed are nice: good surfaces, safe road crossings. I just wish they were more connected.	4/4/2022 3:05 PM
67	How do I find out about these pathways?	4/4/2022 2:41 PM
68	It is disjointed. Need long segments that people want to ride	4/4/2022 2:26 PM
69	No	4/4/2022 2:00 PM
70	it is important to remove broken glass and any litter that accumulates.	4/4/2022 1:54 PM
71	no	4/4/2022 1:50 PM
72	Lighting	4/4/2022 11:30 AM
73	They're built but not maintained very well. What is the use of having this infrastructure if it is not going to be maintained.	4/4/2022 8:25 AM
74	Hard to tell at this time	4/3/2022 6:20 PM
75	Design of pathways where they cross major streets are often convoluted and difficult to negotiate on bikes.	4/3/2022 12:03 PM
76	Coming from Chico CA where they built a pathway from the south end of town out to the airport through the middle of town. These types of infrastructure tend to attract (unfortunately) the unhoused population leading to litter, drug use, and a general unsafe environment for travel. Security, as I'm sure you are aware needs to be a huge part of maintaining safe passage so that people can actually use the facilities that they have paid for. Welcome to Sonoma county. Best wishes on gettin SMART up to speed!	4/3/2022 11:46 AM
77	No	4/3/2022 11:27 AM
78	Broken glass- bad for bicycles	4/3/2022 8:45 AM
79	NA	4/3/2022 4:57 AM
80	No	4/2/2022 10:22 PM

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81	I saw some nazi graffitti on the pathway. It is hard for you to keep on top of that issue, I'm not sure the solution, maybe a clear way for users to report such concerns.	4/2/2022 5:20 PM
82	None	4/2/2022 5:14 PM
83	I'm more comfortable biking the pathways than walking them, mostly because of perceived safety issues. Since many segments of the pathways are fenced on both sides, a pedestrian could easily be trapped by people wishing to cause harm.	4/2/2022 3:11 PM
84	No knowledge	4/2/2022 10:54 AM
85	urgency	4/2/2022 10:40 AM
86	No	4/2/2022 10:17 AM
87	SMART damaged its credibility with voters by promising bike paths and failing to deliver. Those that have been done are incomplete and there is some slight of hand claiming that roadways with painted lines are true "bike paths"	4/2/2022 9:46 AM
88	Homelessness along the pathways and safety concerns	4/2/2022 8:45 AM
89	Safety regarding transient behavior around pathways	4/2/2022 8:40 AM
90	Homeless on paths can sometimes be an issue.	4/2/2022 7:33 AM
91	Safety, trash, homeless	4/1/2022 6:27 PM
92	The maintenance drivers always block the entire path with their big trucks every day. Why not a utility tricycle?	4/1/2022 6:17 PM
93	It is important to design paths in such a way that pedestrians do not feel threatened by bicycle riders, either by separate sections for pedestrians and bicycles, or by sufficiently wide paths to accomodate both comfortably.	4/1/2022 4:55 PM
94	No	4/1/2022 4:17 PM
95	No	4/1/2022 3:57 PM
96	No	4/1/2022 3:56 PM
97	It would be so nice if they ran all the way along the tracks from Larkspur to Santa Rosa!!	4/1/2022 3:51 PM
98	Homeless living on the bike paths feel unsafe for families	4/1/2022 3:48 PM
99	No	4/1/2022 3:42 PM
100	Who is responsible for ensuring public safety along the pathways?	4/1/2022 3:42 PM
101	Ensure future development projects don't turn their backs on the pathway/have active frontage. Better design of curb ramps and roadway crossings to accommodate bicycle and pedestrian traffic. Most existing curb ramps and crossings are designed for pedestrians only.	4/1/2022 2:15 PM
102	Lack of affordable housing and social services leading to people camping along the side of the path making it feel less safe to walk and causing a buildup of trash on and along the path.	4/1/2022 2:04 PM
103	Dominance of special interest groups such as the bike coalition; in ability of train agency to be honest about the poor finances of the train agency	4/1/2022 2:01 PM
104	Wayfaring is critical on such a patchwork of trails	4/1/2022 1:51 PM
105	Z gates are very difficult to navigate on a bicycle. Please make them larger so I don't have to cut into the road. There should be a pedestrian track crossing to Lacrosse Park or Lancaster Drive in Rohnert Park L-section.	4/1/2022 1:41 PM
106	Please keep us better updated about status of connectors.	4/1/2022 1:30 PM
107	Use money for other things. The paths are not necessary and can be a problem as to being near tracks.	4/1/2022 1:23 PM
108	Please implement the Jennings crossing - this is a critical east-west connector in Santa Rosa, especially once the 101 overcrossing bridge is finished.	4/1/2022 1:12 PM
109	Very concerned that you fooled the public into voting for the railway by promising bike paths,	4/1/2022 1:08 PM

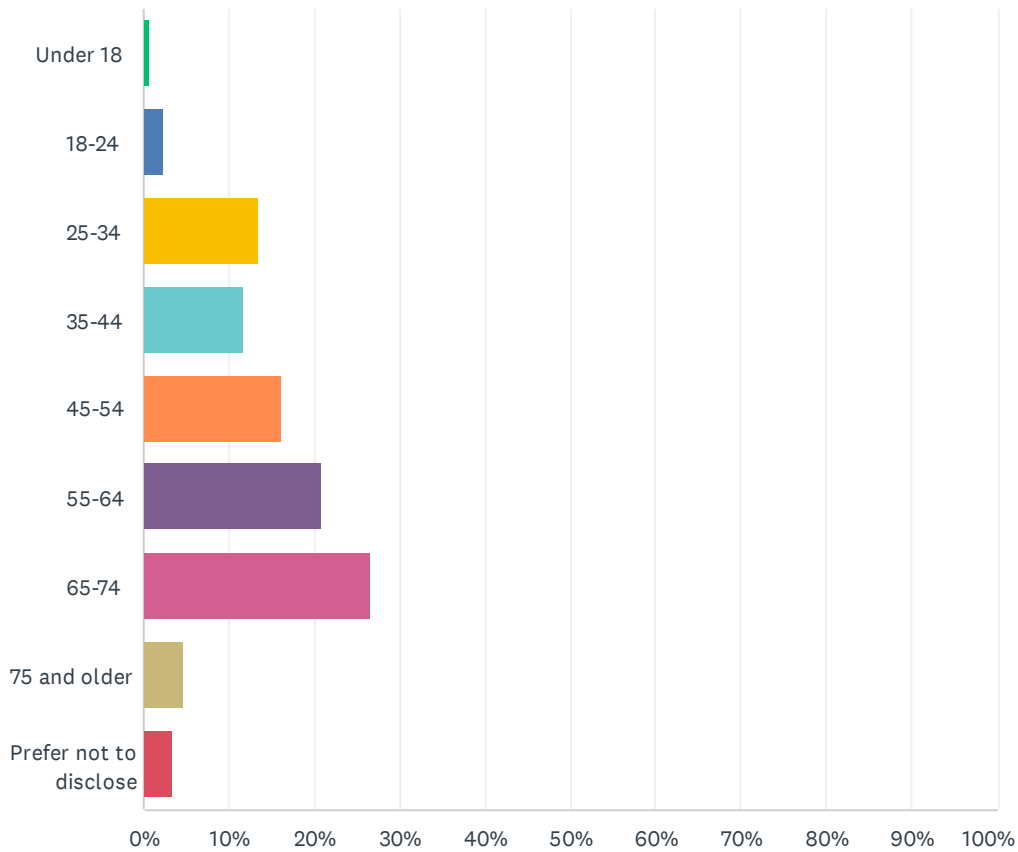
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then failing to do it when you constructed the railway which would have been far cheaper. Fear that you will simply never do it. Huge missed opportunity.

110	No	4/1/2022 12:45 PM
111	Cross town connection under FWY and across River critical to future connectivity. Will become major throughfare for walking and biking. May need to separate walkers from bikes. I see many new electric bikes, trikes, and quads in future and electric handicap vehicles. Need to plan for this newer mode of transport using bike paths.	4/1/2022 10:56 AM
112	signage would be very helpful	4/1/2022 10:20 AM
113	To have a continuous path when possible from south to north	4/1/2022 10:04 AM
114	Pathways should not dump bikes onto roads to reach the next section. It's dangerous.	4/1/2022 9:51 AM
115	The pathways have been a gamechanger when it comes to bike commuting. The combination of safe paths to ride and the SMART train stations make taking the train to work with my bike possible. But pathways that currently end and dump cyclists onto dangerous intersections (like on Golf Course) make for a harrowing commute. Please connect Golf Course to Bellevue as soon as possible. Thanks!	4/1/2022 9:44 AM
116	no	4/1/2022 9:41 AM
117	Yes, I live in Cotati and to only have a 3 mile segment is lame. It needs to connect much farther and be continuous.	4/1/2022 9:33 AM
118	Building too slow	4/1/2022 9:02 AM
119	Please give bikes excellent access for recreational and commuter needs. More bike riders bc of covid, but we need safe access.	4/1/2022 8:46 AM
120	I broke my shoulder crashing on track crossing at mc dowell. Very dangerous and don't know why that hazard exists	4/1/2022 8:43 AM
121	I'm happy to see what seems like more support for the pathways. Looking forward to riding all the way to San Rafael some day!	4/1/2022 8:41 AM
122	No	4/1/2022 8:39 AM
123	Keeping homeless off the pathways	4/1/2022 8:37 AM
124	It would be incredible if there was a reliable path the entire length of the line as well. While it's possible to go the same distance, using public streets can be dangerous, especially for bikers and pedestrians.	4/1/2022 8:08 AM
125	These pathways are crucial future commuting. Think E bikes 10 years from now. Need them all to connect	4/1/2022 7:37 AM
126	Lack of discussion about missing chunks.	4/1/2022 7:00 AM
127	No	4/1/2022 5:40 AM
128	x	3/27/2022 8:27 AM

Q8 Age - Optional

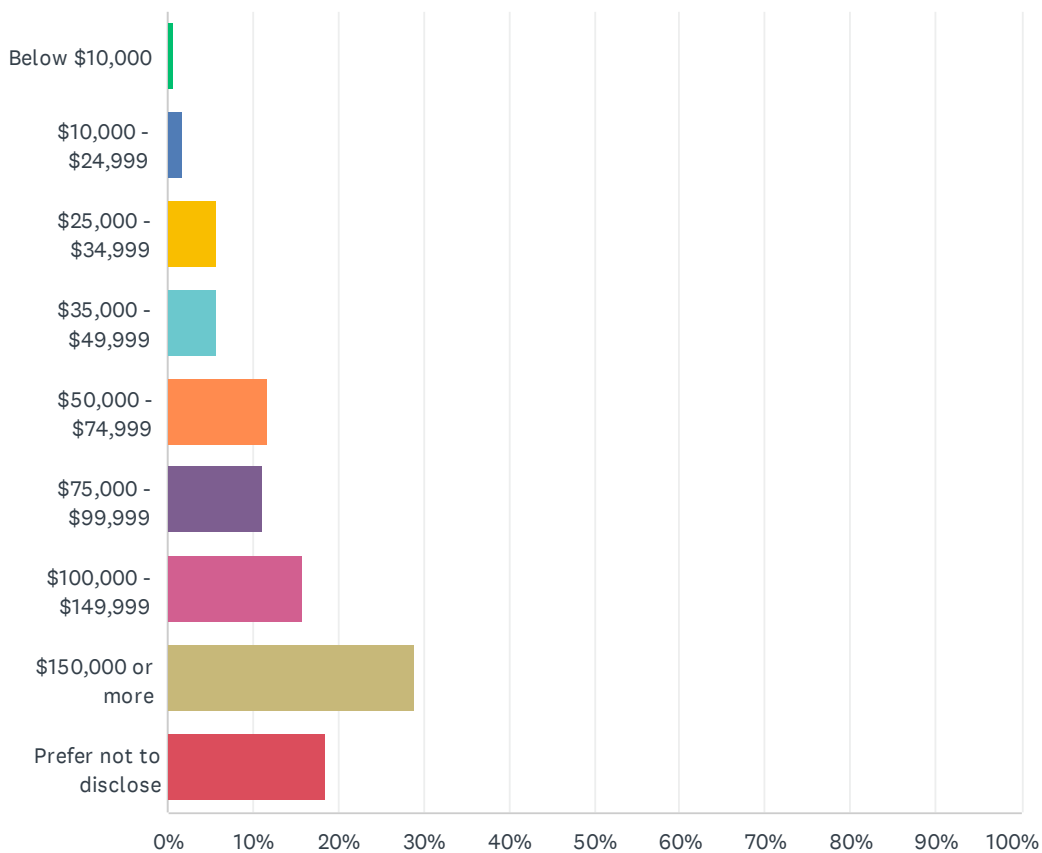
Answered: 172 Skipped: 16



ANSWER CHOICES	RESPONSES	
Under 18	0.58%	1
18-24	2.33%	4
25-34	13.37%	23
35-44	11.63%	20
45-54	16.28%	28
55-64	20.93%	36
65-74	26.74%	46
75 and older	4.65%	8
Prefer not to disclose	3.49%	6
TOTAL		172

Q9 Annual Household Income? - Optional

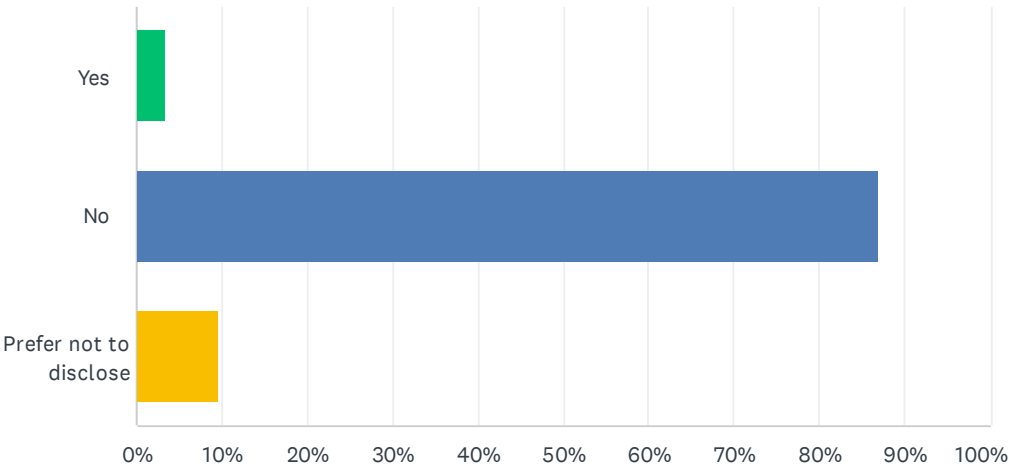
Answered: 172 Skipped: 16



ANSWER CHOICES	RESPONSES	
Below \$10,000	0.58%	1
\$10,000 - \$24,999	1.74%	3
\$25,000 - \$34,999	5.81%	10
\$35,000 - \$49,999	5.81%	10
\$50,000 - \$74,999	11.63%	20
\$75,000 - \$99,999	11.05%	19
\$100,000 - \$149,999	15.70%	27
\$150,000 or more	29.07%	50
Prefer not to disclose	18.60%	32
TOTAL		172

Q10 Are you of Hispanic, Latino or Spanish origin? - Optional

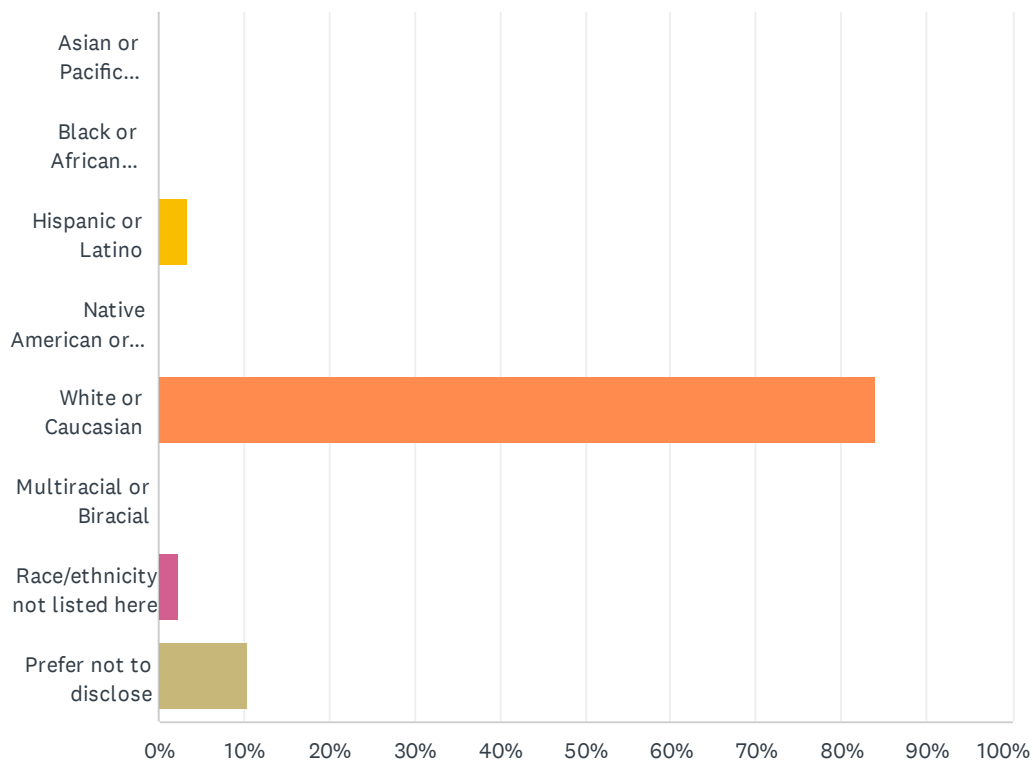
Answered: 176 Skipped: 12



ANSWER CHOICES		RESPONSES	
Yes		3.41%	6
No		86.93%	153
Prefer not to disclose		9.66%	17
TOTAL			176

Q11 How would you describe yourself? - Optional

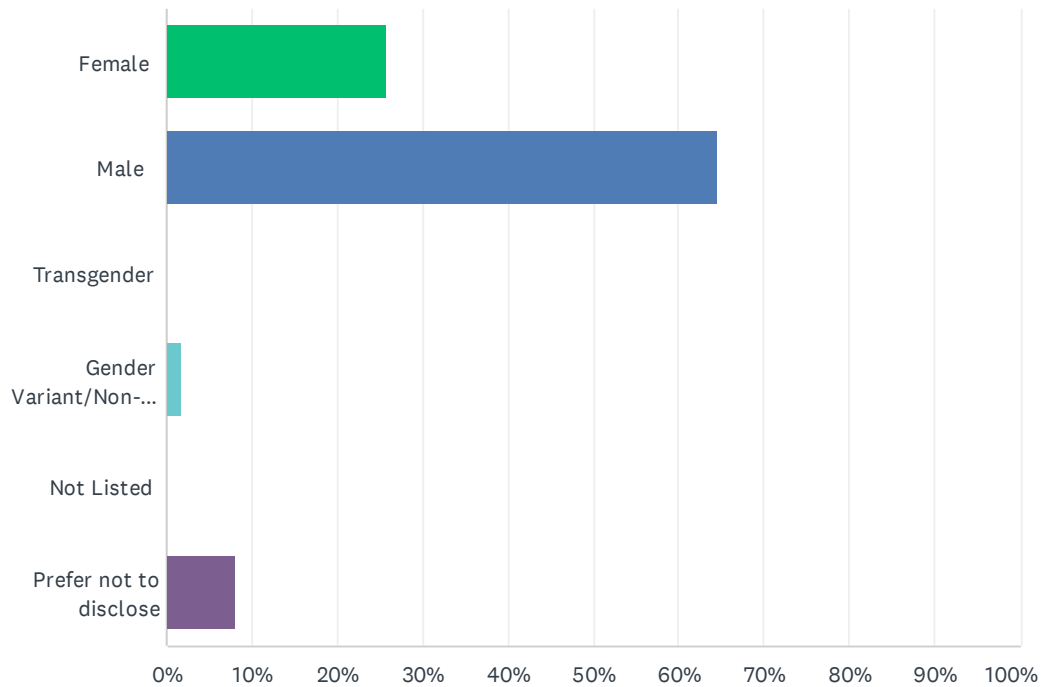
Answered: 174 Skipped: 14



ANSWER CHOICES	RESPONSES	
Asian or Pacific Islander	0.00%	0
Black or African American	0.00%	0
Hispanic or Latino	3.45%	6
Native American or Alaskan Native	0.00%	0
White or Caucasian	83.91%	146
Multiracial or Biracial	0.00%	0
Race/ethnicity not listed here	2.30%	4
Prefer not to disclose	10.34%	18
TOTAL		174

Q12 To which gender identity do you most identify? - Optional

Answered: 175 Skipped: 13



ANSWER CHOICES	RESPONSES	
Female	25.71%	45
Male	64.57%	113
Transgender	0.00%	0
Gender Variant/Non-Conforming	1.71%	3
Not Listed	0.00%	0
Prefer not to disclose	8.00%	14
TOTAL		175



August 17, 2022

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Sonoma County Board of Supervisors

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

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

SUBJECT: San Rafael Puerto Suello Hill Pathway Feasibility Study Discussion

Dear Board Members:

RECOMMENDATION:

Provide the findings of the Puerto Suello Hill Pathway Feasibility Study (Discussion Only).

SUMMARY:

The Sonoma-Marin Area Rail Transit District (SMART) and the City of San Rafael (City) prepared the attached study report that evaluates the feasibility of providing a safe, fully accessible path-of-travel from the top of Puerto Suello Hill in San Rafael, where Lincoln Avenue turns into Los Ranchitos Drive to North San Pedro Road to connect to the existing pathway in the SMART right-of-way. SMART and the City enlisted the expertise of two local advocacy groups; 1) the Marin County Bicycle Coalition (MCBC); and 2) Wilderness Trail Bikes – Transportation Alternatives for Marin (WTB-TAM) to create an Evaluation Committee. Thus, this was a true collaborative effort that included field reviews, working sessions and a presentation to the San Rafael Bicycle Pedestrian Advisory Committee (BPAC) to seek user input. The Evaluation Committee developed and evaluated three routes to achieve the path-of-travel connection and determined that two of the three routes are feasible:

1. Caltrans to SMART ROW Route (CT-SMART): connecting the top of Puerto Suello Hill to the SMART right-of-way (ROW) by descending into the canyon near the north side of the SMART tunnel and following the SMART ROW to North San Pedro Road.

The Evaluation Committee found this alignment would likely provide the best user experience. One challenge is the presence of a gas transmission line that would need further evaluation during the design of the final path alignment should this route be pursued.

2. Merrydale-North San Pedro Route (Merrydale-NSP): utilizing Merrydale Drive to North San Pedro Road and then west along North San Pedro Road to make a connection to the existing SMART pathway.

The Evaluation Committee found this alignment had several negative features: 1) the path would cross driveways that could pose a safety concern; 2) users would have to navigate the intersection at Merrydale and North San Pedro Road that has high volumes of traffic; and 3) the route along North San Pedro Road would either put users adjacent to roadway traffic or eliminate a significant amount of parking in order to create a separated path-of-travel.

The Evaluation Committee determined the CT-SMART Route to be the most feasible route. Should an entity want to pursue the advancement of the CT-SMART Route, the next logical steps would be to perform an environmental review of the potential project and prepare an engineering design to refine the pathway alignment. Challenges like the gas line should be thoroughly vetted with stakeholder agencies to determine how they impact constructability in the pursuit of suitable work arounds.

The attached Feasibility Study provides details about each potential route, identifies challenges and opportunities, and includes high-level cost estimates to provide a sense of what would be involved in implementing a pathway connecting the top of Puerto Suello Hill and North San Pedro Road.

FISCAL IMPACT: There is no fiscal impact from the study.

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

Very truly yours,

 /s/
Bill Gamlen
Chief Engineer

Attachment(s): Puerto Suello Hill Pathway Feasibility Study



SONOMA-MARIN AREA RAIL TRANSIT

CITY OF SAN RAFAEL

PUERTO SUELLO HILL PATHWAY FEASIBILITY STUDY

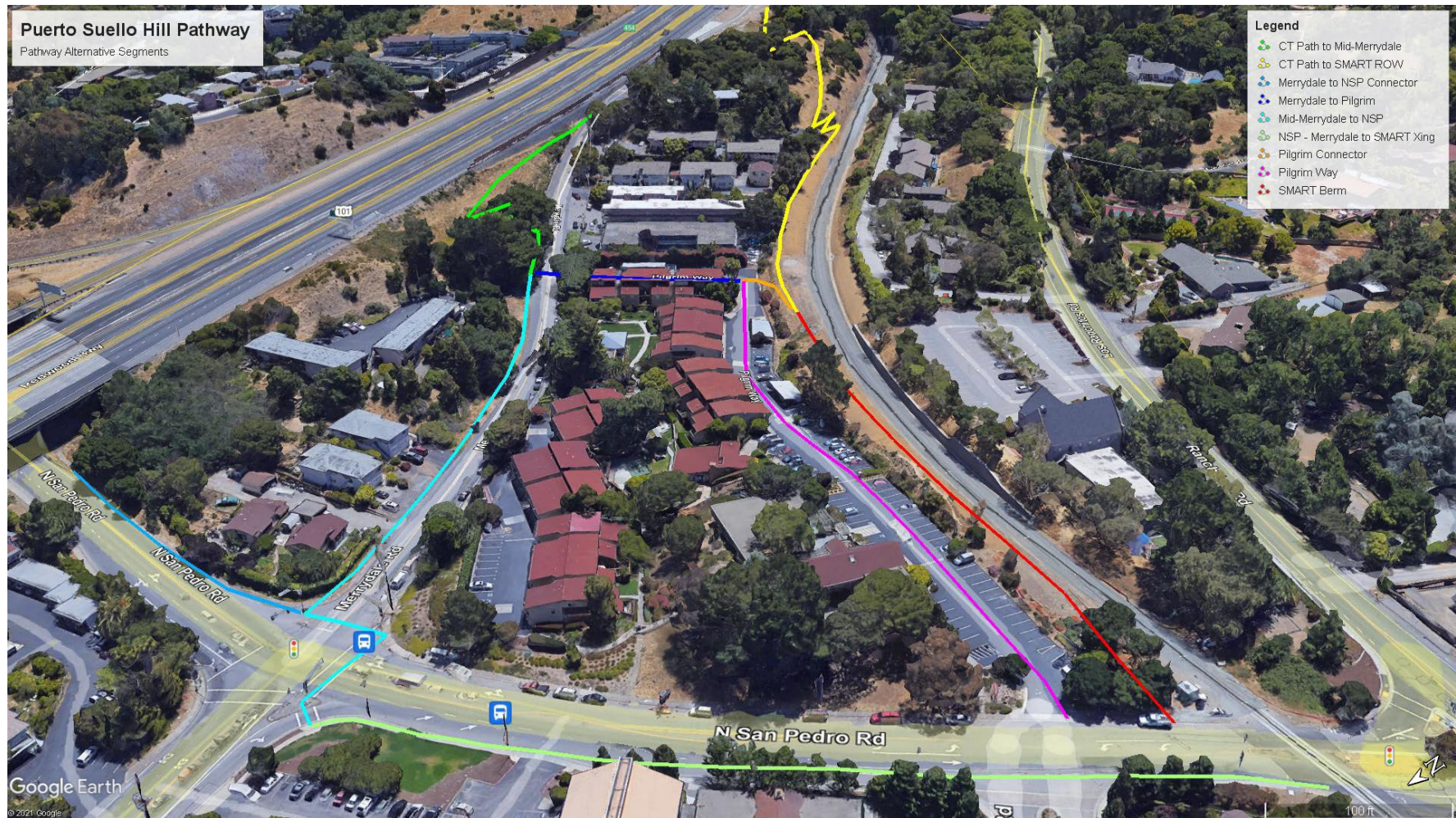


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1.0 - INTRODUCTION AND EXECUTIVE SUMMARY

INTRODUCTION

This feasibility study presents alternative path concepts to connect Lincoln Avenue in the City of San Rafael to North San Pedro Road and SMART's existing Class I pathway along Los Ranchitos Road. This area is commonly referred to as Puerto Suello Hill. Current cycling routes in this area follow existing roadway grades (which are steeper than 5%) and include Class II (4-foot shoulder) bicycle facilities on Los Ranchitos (northbound and southbound), Class II/Class III (share the road) facilities on North San Pedro Road (NSP), and a combination Class I/Class III facility on Merrydale Road. The City of San Rafael's 2018 Updated Bicycle and Pedestrian Master Plan was considered in this analysis and contains several projects that share scope with this study (Civic Center Connections – Group A projects A10, A15, A17, A19, A-26). This study analyzes feasible pathway routes with the following goals:

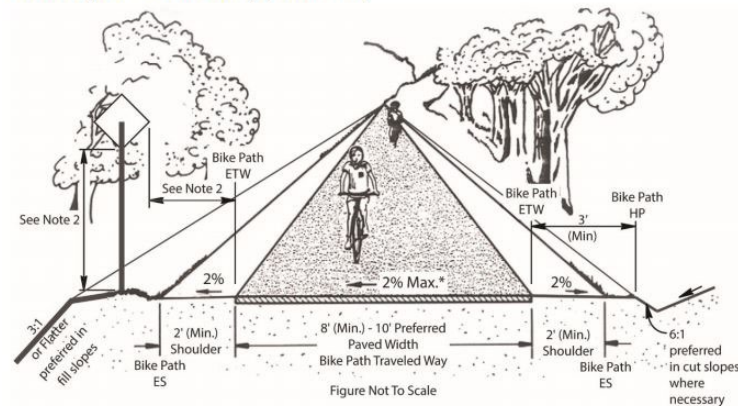
- Routes are compliant with the Americans with Disabilities Act (ADA) – Target 5% Running Slope
- Provide Pedestrian and Bicycle Dual-Use Facilities to the Greatest Extent Feasible
- Meet the Reference Standard - Caltrans Highway Design Manual - Two-Way Class I Bikeway
- Stay within Property Line/Right-of-Way Constraints - MarinMap GIS System Used for Data
- Preserve Parking and Existing Roadway Lane Configurations to the Greatest Extent Feasible
- Avoid Utility Relocations to the Greatest Extent Feasible

Highway Design Manual

1000-7
July 1, 2020

Figure 1003.1A

Two-Way Class I Bikeway (Bike Path)



NOTES:

- (1) See Index 1003.1(15) for pavement structure guidance of bike path.
- (2) For sign clearances, see California MUTCD, Figure 9B-1. Also, for clearance over the shoulder see Index 1003.1(3).
- (3) The AASHTO Guide for the Development of Bicycle Facilities provides detailed guidance for creating a forgiving Class I bikeway environment.

*1% cross-slope minimum.



Group A encompasses most of northeast San Rafael near the Civic Center SMART Station and Northgate Mall. A total of 28 projects are proposed in Group A, including completion of the northern San Rafael segments of the SMART Pathway, an improved bicycle and pedestrian pathway along North San Pedro Road between the SMART Pathway and Civic Center Drive, and the extension of bicycle lanes on Lucas Valley Road/Smith Ranch Road.

This feasibility study includes 10 segments, differentiated by color, to facilitate discussion of the constraints and opportunities unique to each. For example, if a certain color segment becomes infeasible (say due to an unforeseen Caltrans Property future use), it can be easily extracted from the analysis for troubleshooting while other color segments may be pursued independently. Different color segments combine to create continuous routes from Los Ranchitos to the existing Class I Pathway along SMART ROW at NSP. See Exhibit 1 for an overview map of the study area and Exhibit 2 for a map of all the color segments and feasible routes analyzed in this report.

Recent bid pricing was used to provide engineer's estimates of probable costs for each segment which also include 20% for engineering design, 10% for CEQA, 15% for construction management, and 20% for a construction contingency. These are considered conservative estimates for budgeting purposes with the added intent of providing more budget/flexibility than may be needed. A summary of the segment descriptions, probable costs, and constraints/areas needing further study and stakeholder coordination is provided in Table 1 under the Executive Summary. Detailed engineer's estimates for each segment are provided in the appendices.

1.0 - INTRODUCTION AND EXECUTIVE SUMMARY

All striping and pathway concepts shown in this feasibility study are conceptual and final configurations would be determined during detailed design.



Exhibit 1 – Project Study Area

1.0 - INTRODUCTION AND EXECUTIVE SUMMARY

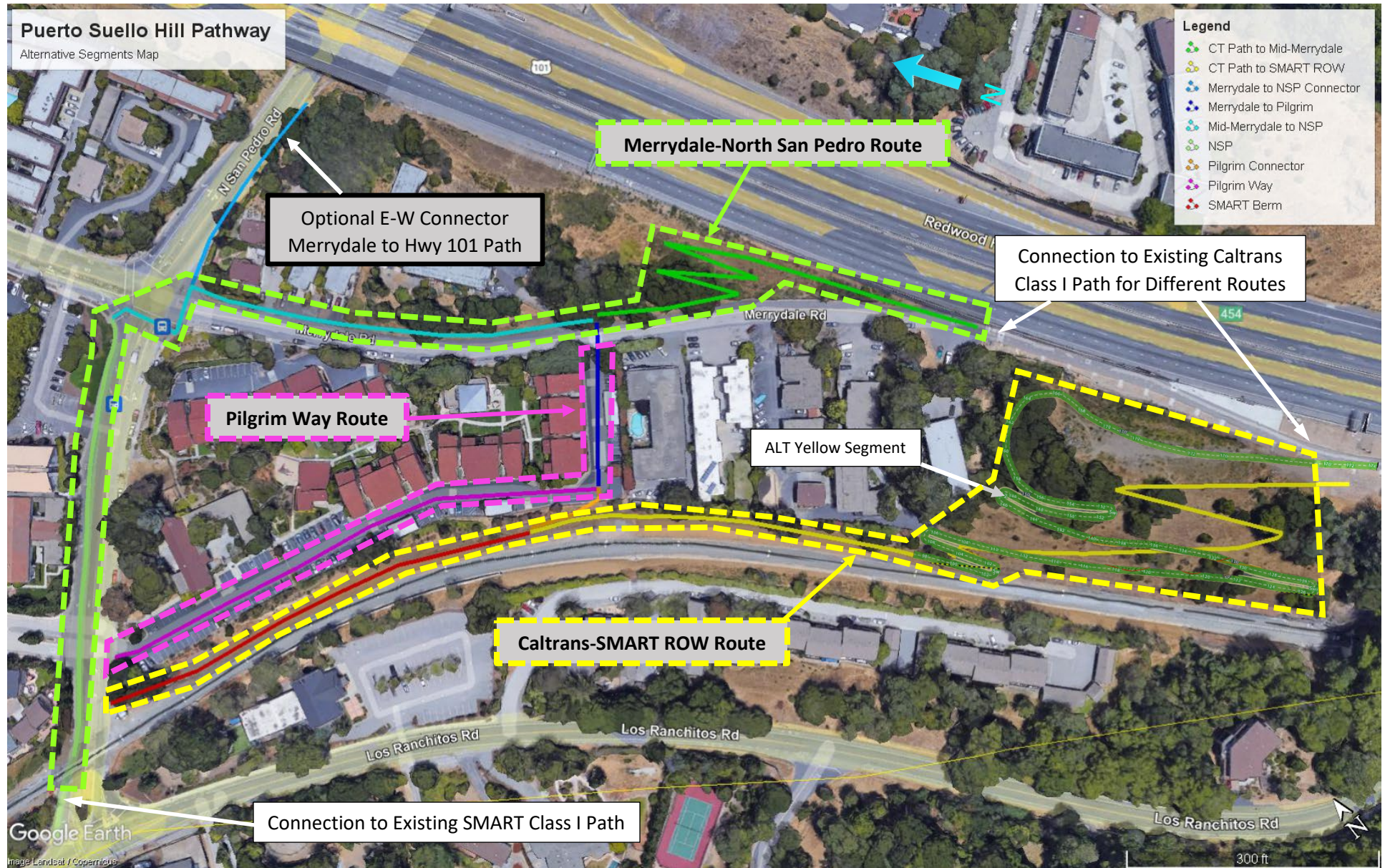


Exhibit 2 – Map – All Pathway Segments and Three Routes

Feasibility Study – Puerto Suello Hill Path – May 17, 2022

EXECUTIVE SUMMARY

The Sonoma-Marín Area Rail Transit District (SMART) and the City of San Rafael (City) have prepared this study to evaluate the feasibility of providing a safe, fully accessible path-of-travel from the top of Puerto Suello Hill where Lincoln Avenue turns into Los Ranchitos Drive to North San Pedro Road to connect to the existing pathway in the SMART right-of-way. SMART and the City enlisted the expertise of two local advocacy groups; 1) the Marin County Bicycle Coalition (MCBC); and 2) Wilderness Trail Bikes – Transportation Alternatives for Marin (WTB-TAM) to create an Evaluation Committee. Thus, this was a true collaborative effort that included field reviews, working sessions and a presentation to the San Rafael Bicycle Pedestrian Advisory Committee (BPAC) to seek user input. The Evaluation Committee developed and evaluated three routes to achieve the path-of-travel connection and determined that two of the three routes are feasible:

1. **Caltrans to SMART ROW Route (CT-SMART):** connecting the top of Puerto Suello Hill to the SMART right-of-way (ROW) by descending into the canyon near the north side of the SMART tunnel and following the SMART ROW to North San Pedro Road.
 - The Evaluation Committee found this alignment would likely provide the best user experience.
 - One challenge is the presence of a gas transmission line that needs to be accommodated in detailed design of the final path alignment.
2. **Merrydale-North San Pedro Route (Merrydale-NSP):** utilizing Merrydale Drive to North San Pedro Road and then west along North San Pedro Road to make a connection to the existing SMART pathway.
 - The Evaluation Committee found this alignment had several negative features: 1) the path would cross driveways that could pose a safety concern; 2) users would have to navigate the intersection at Merrydale and North San Pedro Road that has high volumes of traffic; and 3) the route along North San Pedro Road would either put users adjacent to roadway traffic or eliminate a significant amount of parking in order to create a separated path-of-travel.

The Evaluation Committee determined the CT-SMART Route to be the most feasible route. Should an entity want to pursue the advancement of the CT-SMART Route, the next logical steps would be to perform an environmental review of the potential project and prepare an engineering design to refine the pathway alignment. Challenges like the gas line should be thoroughly vetted with stakeholder agencies to determine how they impact constructability in the pursuit of suitable work arounds. Further evaluation of the specific gas line constraints and the owners (PG&E) responses to date are included in Sections 2.9, 2.10, and 3.0 – Yellow Route analysis.

EVALUATION SUMMARY

Given the goals and constraints, this study analyzed ten pathway segments that are described in detail under Section 2.0 of this study and summarized in Table 1 below which includes approximate length, cost, and identification of areas needing further study. Different color segments combine to create three feasible continuous routes to connect Lincoln Ave to the existing SMART Class I path on the north side of the Los Ranchitos/NSP intersection. The three routes are outlined with dashed lines in the Exhibit 2 Map above and are summarized below as well as in Section 3.0 of this study.



Merrydale-North San Pedro Route (Merrydale-NSP) – Connects the existing Caltrans Class I pathway at Lincoln Ave via a new Class I pathway along Merrydale Road (and a vacant Caltrans parcel) to the intersection at North San Pedro, continuing west as a Class II bikeway (pedestrians use existing sidewalks) to connect to the existing SMART Class I pathway at Los Ranchitos. Includes Green, Cyan, and Light Green Segments.



Caltrans-SMART ROW Route (CT-SMART) – Connects the existing Caltrans Class I pathway at Lincoln Ave via a new Class I pathway along a larger vacant Caltrans Parcel to the SMART ROW above the existing trackbed, continuing to North San Pedro Road at the existing SMART crossing and connecting to the existing SMART Class I pathway at Los Ranchitos. Includes Yellow, Alternate Yellow (WTB/TAM Alignment), and Red Segments.



Pilgrim Way Route – Connects the existing Caltrans Class I pathway at Lincoln Ave via a new Class I pathway along Merrydale Road (and a vacant Caltrans parcel) to a mid-block crossing of Merrydale Road to the driveway of the Pilgrim Park Apartments, continuing west and north via existing utility easements (access rights unclear) through the driveway(s) to North San Pedro Road. If pursued further, additional bike/ped elements would be needed for several hundred feet to connect to the existing SMART Class I pathway at Los Ranchitos. Includes Green, Blue, and Magenta Segments.

Optional East-West Civic Center Connector (Section 2.4 of this study) - During the research of alternatives for this study, it was found that east-west connectivity from the Merrydale intersection easterly towards the existing Highway 101 Class I pathway could be improved via the Light Blue Segment. This segment is part of the Civic Center Connector identified in the City of San Rafael Bike/Ped Master Plan as Project A17 (<https://www.cityofsanrafael.org/bpmp/>). This segment does not directly relate to connectivity for Lincoln Ave to Los Ranchitos and so it is not included in the estimates for the identified routes; however, it could be added as an enhancement to the Merrydale-North San Pedro route.

1.0 - INTRODUCTION AND EXECUTIVE SUMMARY

Evaluation Criteria

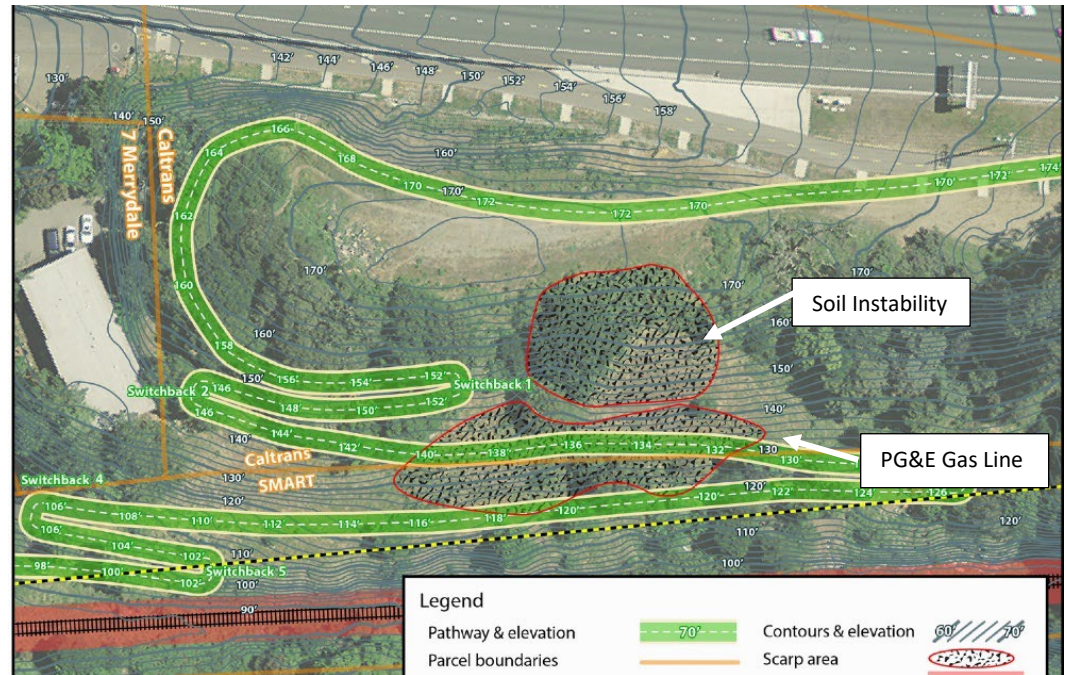
Below are examples of the evaluation criteria used to identify constraints and inform the analyses along the different route segments. Please see the individual write up on each segment for additional details.

Geotechnical Risks – *Does the route traverse through unstable soil areas?*

- Merrydale-NSP/Pilgrim Way route has some grading on a small Caltrans parcel adjacent to Highway 101.
- CT-SMART route traverses known areas of geotechnical instability in several locations.

Utility Conflicts – *To what extent does the route include utility relocations and/or unavoidable conflicts?*

- Merrydale-NSP route includes several utility pole guy wire supports that need to be relocated.
- CT-SMART route contains a gas line within the pathway alignment that must be designed around.



1.0 - INTRODUCTION AND EXECUTIVE SUMMARY

Environmental Impacts – *To what extent does a route affect the natural environment, including impacts to existing private property uses such as decreased parking and/or increased lighting?*

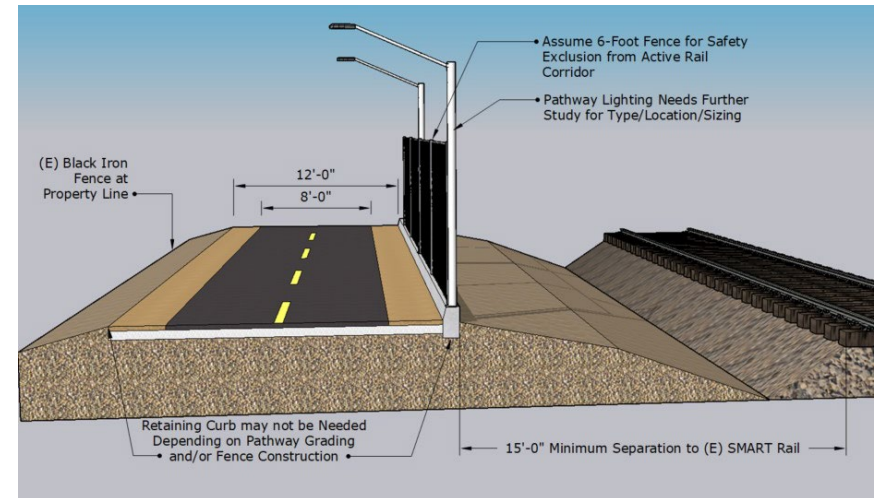
- Merrydale-NSP route uses existing Rights-of-Way (ROW) along the built environment or Caltrans property with few trees.
- Pilgrim Way route significantly affects existing private property use
- CT-SMART route includes extensive tree removal and grading and introduces pathway lighting that may affect Pilgrim Park Apartment residents.

Land Rights – *Are there land rights issues associated with the route?*

- Merrydale-NSP traverses public undeveloped parcel (Caltrans) and is otherwise in the City of San Rafael ROW.
- CT-SMART route traverses a larger public undeveloped parcel (Caltrans) and the SMART ROW.
- Pilgrim Way relies on existing utility easements for bike/ped access.

Safety – *Does the proposed route have the potential to put pathway users at risk?*

- CT-SMART route – pathway users would be precluded from access to the SMART track bed via security fencing, but due to a significant length of the pathway not adjacent to the track, emergency response and/or reporting of incidents may be delayed.
- The Pilgrim Way route is protected now from rail access, but increased pathway user traffic along this route is expected to produce more risk.
- .
- Merrydale-NSP Route increases user-vehicle interactions over the CT-SMART route.



1.0 - INTRODUCTION AND EXECUTIVE SUMMARY

User Experience – *How is the user experience along the route?*

- CT-SMART route is almost entirely isolated from the public ROW and would be expected to maximize user experience.
- The Pilgrim Way route introduces many pathway user/vehicle interactions as Pilgrim Park Apartment residents come and go throughout the day conflicting with the proposed route alignment.
- The Merrydale-NSP route crosses several driveways along Merrydale, but the frequency of these interactions is expected to be low and can be mitigated with the additional safety features, however, user-vehicle interactions are increased when compared to the Merrydale-NSP Route.
- Merrydale-NSP route along North San Pedro
 - *Not* expected to increase the number of user/vehicle interactions unless pathway user volumes increase
 - *Is* expected to produce increased safety/visibility for cyclists
 - High visibility striping
 - Decreased lane widths slow motorists.
 - Pedestrians would use existing sidewalks and improved curb ramps at the Merrydale intersection.



Recommendation

Recommended Route – The CT-SMART route provides the best user experience and meets all the goals of this study. Wilderness Trail Bikes in conjunction with Transportation Alternatives for Marin (WTB/TAM) provided significant data and analyses for an alternative alignment (see Section 2.10 and appendices) along the Yellow Route and costs for both alternative routes through this Caltrans parcel are similar – so either alignment could be pursued. Neither segment (2.9 nor 2.10) avoids conflict with the gas facility and PG&E has stated that deep foundations would not be allowed within their 10-foot easement along the pipeline. PG&E should be engaged early in design to ensure the project elements accommodate PG&E's needs with regard to maintenance of their facility. While initial conversations have taken place, PG&E has not approved the pathway concepts as detailed in this study.

Further evaluation of the specific gas line constraints and PG&E's responses to date are included in Section 2.10 under the WTB-TAM Route analysis. Table 1 below provides a full summary of the segments and routes in this study.



1.0 - INTRODUCTION AND EXECUTIVE SUMMARY

Second Alternative Route - The Merrydale-NSP route is the next most feasible route to connect Lincoln Ave to the SMART Class I pathway at Los Ranchitos. The main risk to feasibility for this route is the installation of the elevated pathway against the existing Highway 101 wall (Exhibit 4 – Section 2.1) and the use of the undeveloped Caltrans parcel along the Green Segment (Exhibit 7 – inset photo triangle parcel). See Sections 2.1, 2.2, and 2.3 for further analysis of the options explored and constraints for this route.

Final Alternative – Pilgrim Way as identified in the 2018 San Rafael Bicycle Pedestrian Plan - Pilgrim Way is feasible but not recommended to be pursued at this time. Sections 2.5 and 2.6 of this study provide further detail on the constraints and next steps for Pilgrim Way should this route be studied further.

1.0 - INTRODUCTION AND EXECUTIVE SUMMARY

		Segment Color	Segment Description	Length (FT)	Estimated Cost	Constraints/Areas Needing Further Study
Merrydale to North San Pedro Route (Merrydale-NSP)		Green	Connects (E) CT Path to Mid-Merrydale Road	1100	\$ 2,500,000	Coordination with CT for EP/Land Rights PG&E Coordination - Elec Poles City Coordination - DPW/Fire Utility Coordination to relocate PG&E Guy Wire
		Cyan	Connects Mid-Merrydale to NSP Road	700	\$ 800,000	Driveway Crossings/Conforms Residential Impacts -- Lighting, Dwy Crossing Coordination with CT for EP Connection to NSP
		Light Green	Connects Merrydale to SMART Crossing	600	\$ 1,000,000	Stakeholder Coordination - City, County City/County Coordination - Signal Crossing
Optional		Light Blue	Connects Merrydale to (E) Class I Path on NSP	300	\$ 700,000	Coordination with CT for EP Guardrail Termination and Drainage
Pilgrim Way Route		Blue	Connects (P) Green Segment to Pilgrim Way	200	\$ 100,000	Pilgrim Park Apartments Coordination Easement Investigation
		Magenta	Connects Pilgrim Way to NSP Road	700	\$ 500,000	Pilgrim Park Apartments Coordination Easement Investigation
Caltrans to SMART ROW Route (CT-SMART)		Orange	Connects Pilgrim Way to SMART Berm	100	\$ 100,000	Pilgrim Park Apartments Coordination Easement Investigation
		Yellow	Connects (E) CT Path to SMART ROW	1800	\$ 4,000,000	PG&E Coordination - Gas Line & Elec Poles Coordination with CT for EP/Land Rights Soil Investigation
		Red	Connects (P) Yellow Segment to NSP Road	600	\$ 1,100,000	PG&E Coordination - Gas Line & Elec Poles City/County Coordination - Signal Crossing
		ALT Yellow	Connects (E) CT Path to SMART ROW	2000	\$ 4,400,000	PG&E Coordination - Gas Line & Elec Poles Coordination with CT for EP/Land Rights Soil Investigation
		Abbreviations:				
Potential Routes - Engineer's Estimate - Full Project Delivery						
Merrydale to North San Pedro Route				\$4.3M		
Caltrans to SMART ROW Route				\$5.1M to \$5.5M		
Pilgrim Way Route (Incl Green Segment Cost)				\$3.1M		
(E) = Existing (P) = Proposed City = City of San Rafael County = County of Marin CT = Caltrans Department of Transportation EP = Encroachment Permit FT = Feet LF = Linear Foot NSP = North San Pedro ROW = Right-of-Way SMART = Sonoma Marin Area Rail Transit						

Table 1 – Segment Summary

2.0 – SEGMENT DESCRIPTIONS

2.1 GREEN SEGMENT – (E) Caltrans Path to mid-Merrydale



The Green Segment connects the existing Caltrans Bikeway at the southeast end of Merrydale Road to mid-Merrydale Road. The connection point at mid-Merrydale is intended to be at a location where the grade of the existing roadway is 5%. The green segment has two distinct concept sections as shown in Sections 2.1A and 2.1B below and includes conceptual switchbacks as shown in Exhibit 8. Section A is constrained to an 8-foot minimum two-way pathway to lessen roadway impacts and Section B is located on a vacant Caltrans parcel with sufficient width for the Class I Bikeway minimum standard. All sections of the Green Segment are expected to be located within the Merrydale Road ROW or Caltrans property. At least one PG&E Guy Wire facility is expected to conflict with the proposed segment alignment, but relocation appears straightforward. Some tree removal is anticipated because of the pathway installation. There is an existing roadside ditch at the Merrydale connection to the Cyan segment with several off-shoulder parking spots that are not anticipated to remain. Preserving parking and maintaining

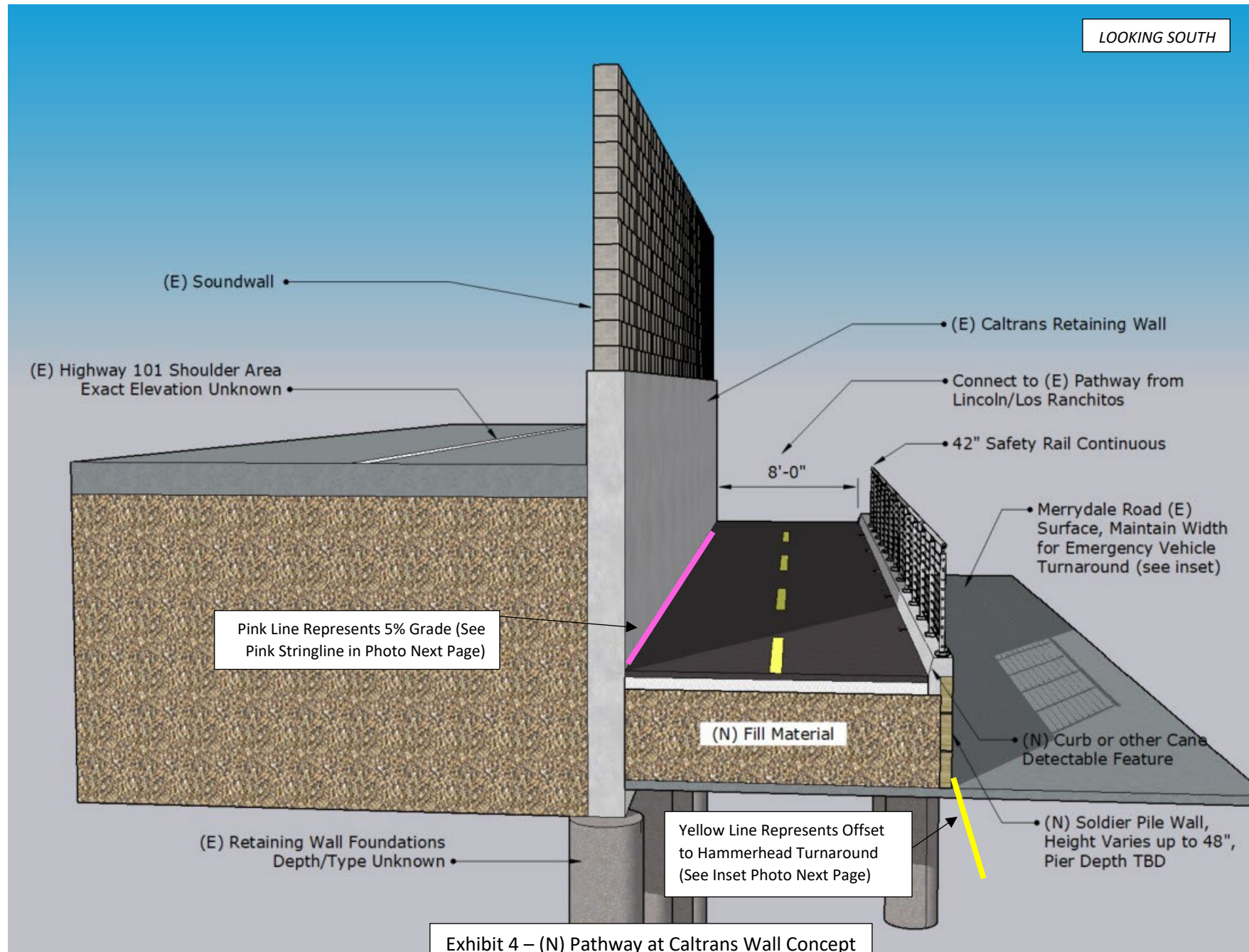
minimum lane widths of 12 feet in this area will require further study. Pathway grades and drainage facilities will need to be further analyzed to address drainage in this area; however, a combination of surface drainage and catch basins/buried culverts were included in the estimate of probable cost for this segment. Drainage through the switchback area(s) needs further study but could be accomplished with either permeable paving and/or several grated inlets at strategic low spots along the pathway. Two-way bicycle and pedestrian travel were anticipated for this segment.

2.1A – end of (E) Caltrans Path to undeveloped Caltrans Triangular Parcel

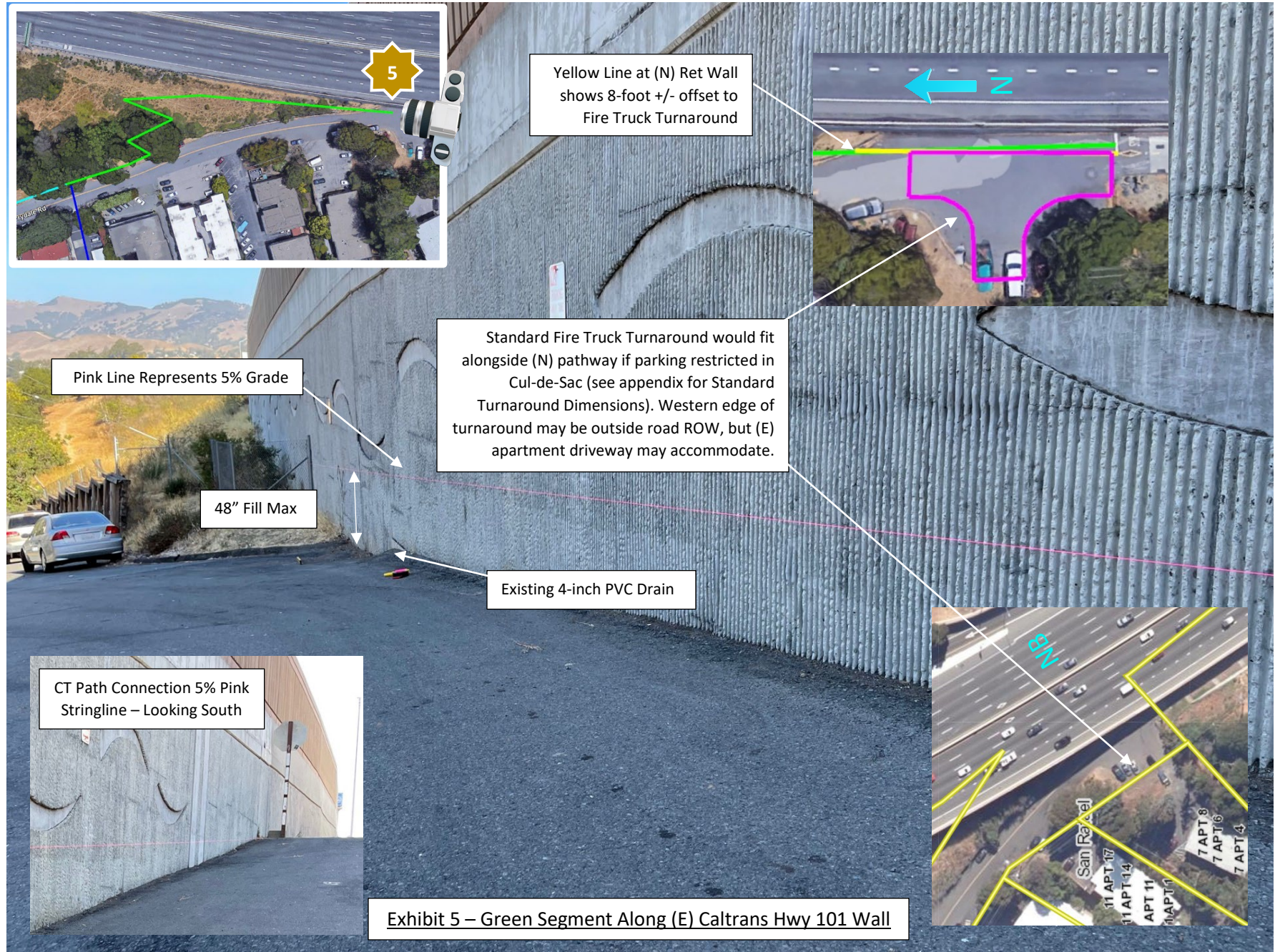
Exhibit 4 shows a cross section of the proposed pathway and Exhibit 5 shows existing conditions. To meet the 5% maximum grade requirement for pathway longitudinal slopes, fill along this portion of the path is necessary because Merrydale Road in this section is much steeper than 8%. Further, the minimum Caltrans Class I Bikeway width cannot be met without significant encroachment into the Merrydale cul-de-sac that would impact both emergency vehicle access (fire truck turnaround standard) and the downhill lane (NB) of Merrydale Road. Therefore, the minimum 2-foot shoulders are proposed to be eliminated for this short stretch. Close coordination with Caltrans is needed to confirm the feasibility of this route – may require a Design Engineering Evaluation Report (DEER).

This 100-foot-long section of the Green segment would be constructed with fill over a portion of Merrydale Road at the base of an existing Caltrans retaining wall. The proposed fill would be supported by an engineered retaining wall and would act to passively support the existing Caltrans wall. Friction release between the existing Caltrans wall and the proposed fill would mitigate any potential down-drag forces. There is a 4-inch diameter PVC drain within the fill area that should be routed to surface drain to the existing asphalt concrete berm at the top of Merrydale Road, similar to the existing configuration. Roadway drainage at this location would remain otherwise unchanged by the proposed pathway.





2.0 – SEGMENT DESCRIPTIONS



2.0 – SEGMENT DESCRIPTIONS

2.1B – Transition to Full Minimum Pathway Width at Caltrans Triangular Parcel and Connect to Merrydale Road

Exhibit 6 shows a cross section of the proposed pathway along the undeveloped Caltrans Parcel adjacent to highway 101. Exhibit 7 shows existing conditions and Exhibit 8 shows a conceptual switchback configuration to maintain the minimum standards for a two-way Caltrans Class I Bikeway. The concept switchback results in a 25'x32' footprint (see Exhibit 9) to accomplish a 2-foot elevation change, which may result in tall retaining walls for existing steep terrain. Detailed topography and analysis would identify problem areas wherein reduced pathway widths may be considered (i.e., maintain minimum 8-foot paved two-way pathway without shoulders). Further, while the ADA allows pathway grades as steep as 8.33% with regularly spaced resting areas, this configuration was not analyzed in this report. A continuous cane detectable curb is anticipated along with a safety railing in accordance with the California Building Code. For estimating probable cost, both the railing and curb were assumed to be necessary along the entire Green Segment.

Existing soils are assumed to be suitable for use in cut and fill grading operations and some portions of this segment may not need large retaining walls depending on a soil's investigation. Pathway lighting is anticipated in this segment (type and location to be determined) and is estimated to require a standard luminaire every 40 feet or so. A lighting study and investigation into existing power sources should be conducted. Underground conduit installation is anticipated and was included in the estimate. PG&E guy wires are located along the segment; however, they should be easily relocated. PG&E would provide further information on these facilities and any potential easements/land rights they may hold. Costs for relocation of public utilities is not included in the estimate. Finally, Exhibit 9 shows a plan and profile of a rough alignment wherein a 5% maximum graded pathway would be feasible.

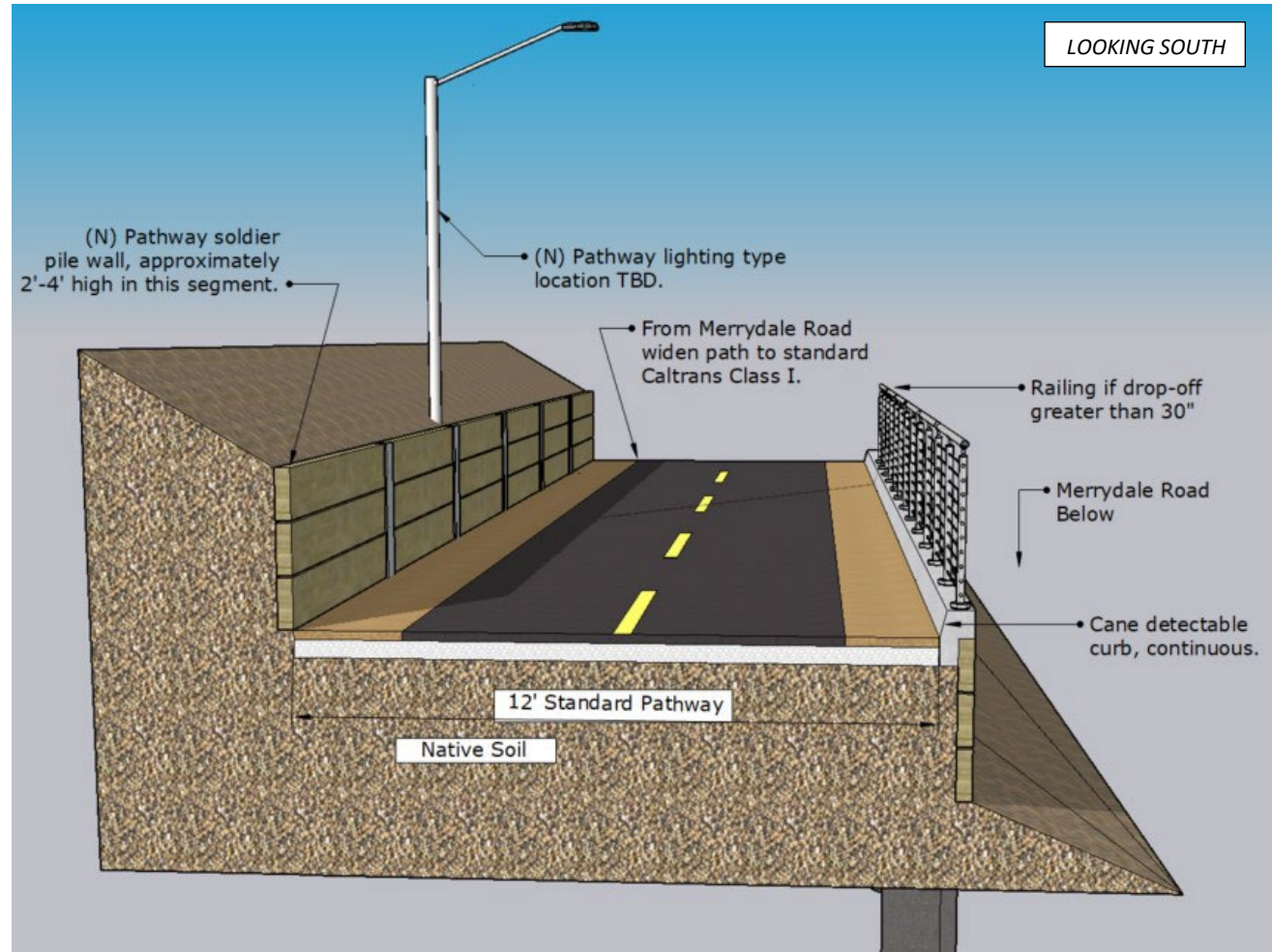


Exhibit 6 – Caltrans Minimum Pathway Cross Section at Triangle Parcel

2.0 – SEGMENT DESCRIPTIONS



2.0 – SEGMENT DESCRIPTIONS

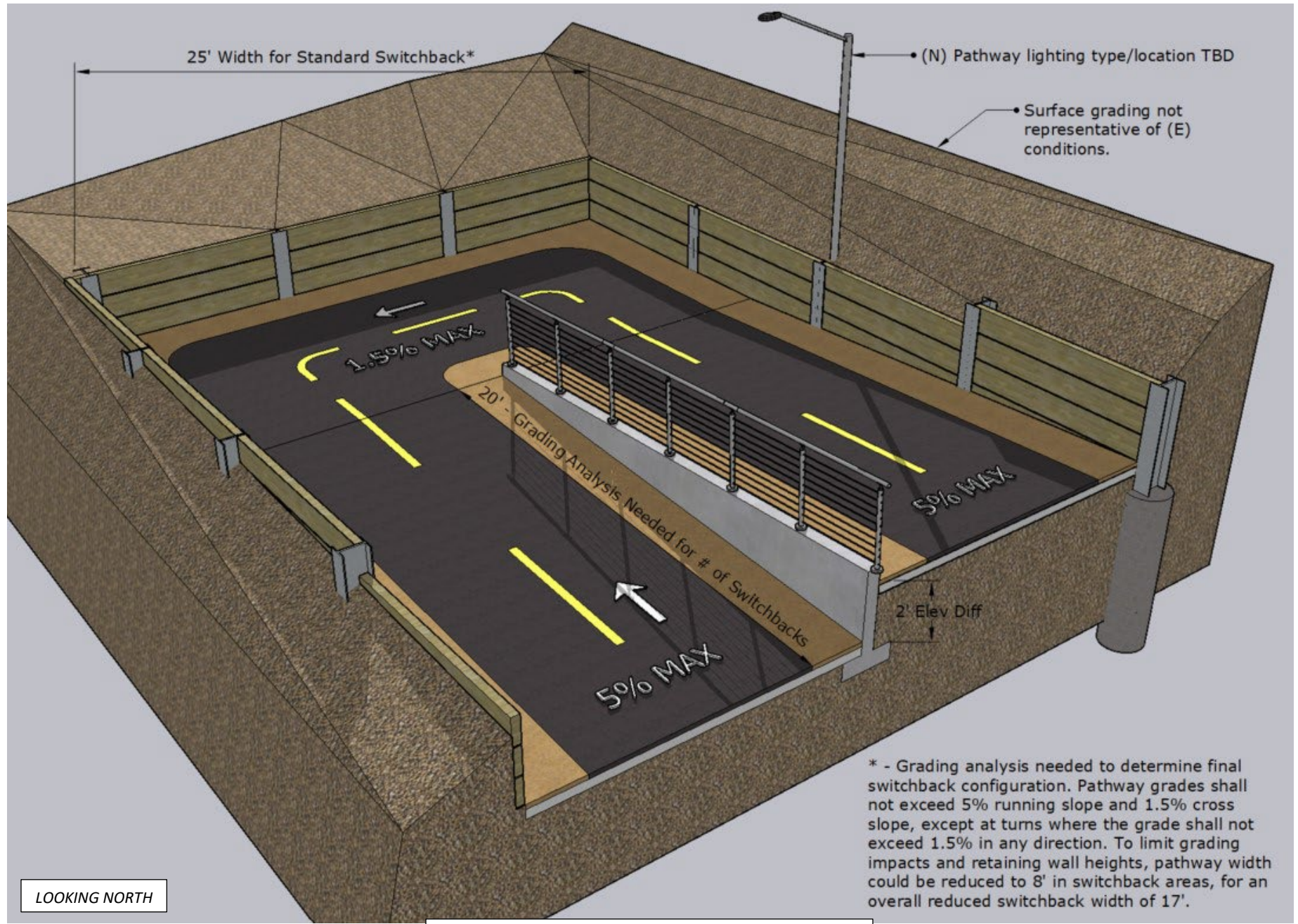


Exhibit 8 – Switchback Concept at Green Segment

2.0 – SEGMENT DESCRIPTIONS



Exhibit 9 - Plan and Profile - Grade to slope no greater than 5%

2.0 – SEGMENT DESCRIPTIONS

2.2 – CYAN SEGMENT – Mid-Merrydale to North San Pedro Road

The Cyan Segment connects the Green segment at mid-Merrydale Road to both eastbound (EB) and westbound (WB) North San Pedro Road (NSP). This segment is expected to be constrained to an 8-foot minimum two-way pathway as it approaches NSP. Exhibit 10 shows a conceptual transition from Green to Cyan and Exhibit 11 (along with Exhibit 12) shows how driveways would be treated. The concept intersection connection for WB NSP cyclists is shown in Exhibit 13 – striping, and bike box with a loop detector. A new crosswalk across Merrydale, new pedestrian ramps at each corner, traffic signal island reconfigurations (especially at the northeast (NE) corner of the intersection), and drainage improvements are anticipated here. Improved signage and potential bike specific ramps could be used to facilitate transitions from pathway to roadway facilities. Cyclists continuing WB on NSP would wait at a bike box (with loop detector) at the new crosswalk and traverse the intersection via guide striping to a new Class II facility on NSP, connecting to the Light Green segment. EB NSP cyclists would use a continuous pathway to the Light Blue segment and connect to the existing Class I Pathway under Highway 101 per Exhibit 13 (see also description under Light Blue).



Mid-Merrydale to NSP

Exhibit 10 below shows a concept to transition from the Green Segment to the Cyan segment at mid-Merrydale. The pathway is expected to be 12-foot wide per the Caltrans minimum standard at the transition but will become constrained at several driveway crossings and the narrowing road ROW width. There is nearly 300-feet of pathway length along this segment between 50 and 66 Merrydale where a safety railing could be considered (e.g., Sir Francis Drake Blvd Rehabilitation project or E. Francisco Blvd Pathway). Where gaps must be maintained for driveway crossings, green highlight striping and signage could be used as shown in Exhibit 11. Exhibit 12 shows some of the constraints associated with existing conditions. Between 66 Merrydale and the intersection at NSP, the pathway is proposed to be 8-foot width with no shoulders to minimize driveway impacts. 12-foot minimum lane widths on Merrydale will be maintained and no lane shifts are envisioned. All improvements would be within the existing road ROW. This section of the Cyan segment would maintain driveway access via conform paving yet will require further analysis of existing grade conditions to ensure no changes to vehicular access. Drainage will be maintained with standard driveway culvert crossings and the entire ditch along Merrydale for the Cyan segment is expected to be piped. These new drainage facilities will connect to the existing drainage structures at the corner of NSP and Merrydale (see notes on Exhibit 13 – the NSP intersection concept).



2.0 – SEGMENT DESCRIPTIONS

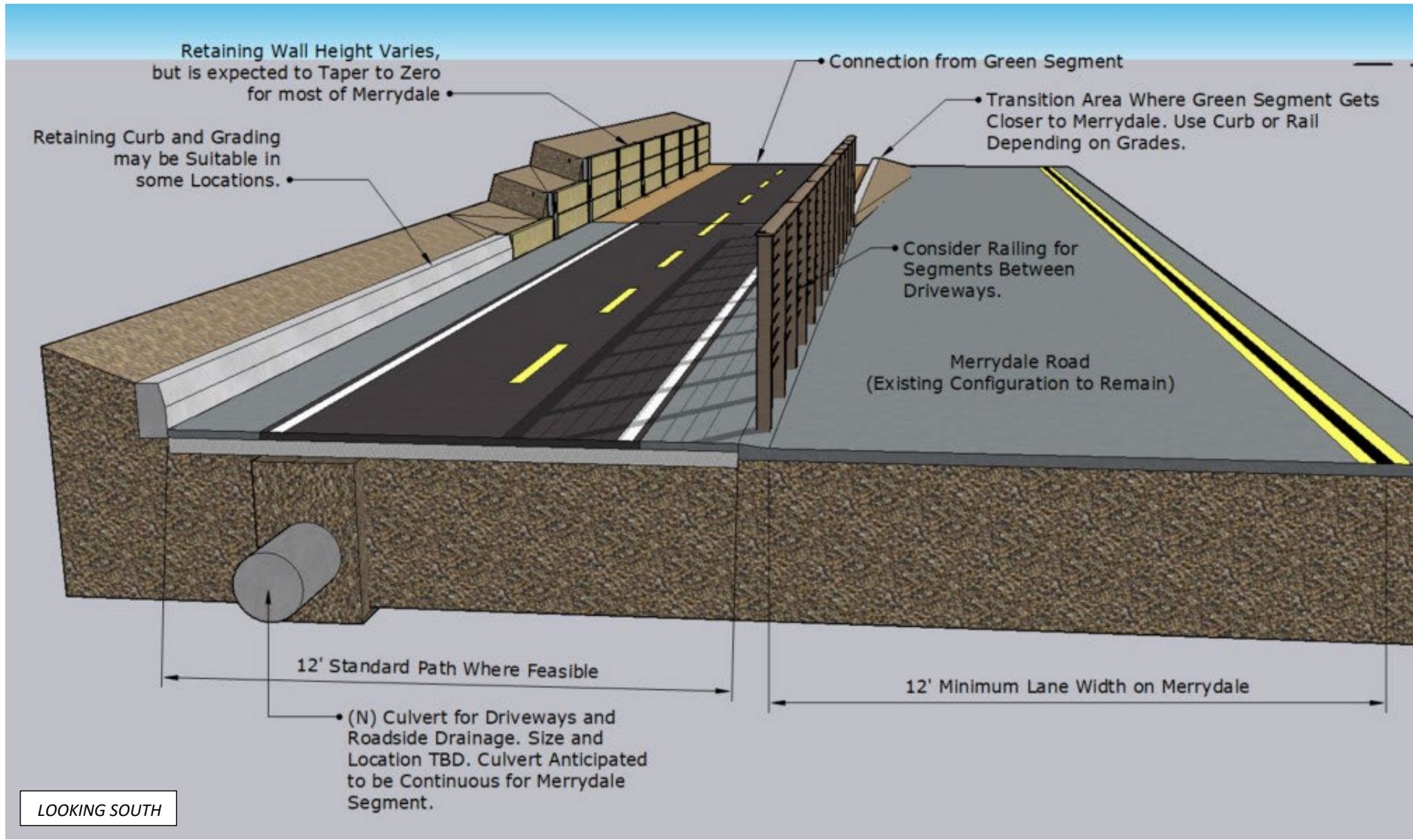


Exhibit 10 – Green Segment to Cyan Segment Connection along Merrydale Road

2.0 – SEGMENT DESCRIPTIONS

Where the pathway crosses driveways along this segment, National Association of City Transportation Officials (NACTO) design guidelines for raised cycle tracks could be applied to highlight the pathway in this section. There appears to be sufficient ROW and driveway depth to accommodate the pathway concept shown in Exhibit 11, but improvements on private property (using right-to-enters) for conform paving may be needed. Converting the existing roadside ditch to an infill culvert spanning the length of this section would facilitate making the grade changes necessary to cross driveways. Pathway lighting is anticipated (type and location to be determined) for the Cyan segment, however, further study is needed to understand impacts of pathway lighting to nearby residences and adjacent homes. Power for pathway lighting could be available from the existing signalized intersection at NSP.

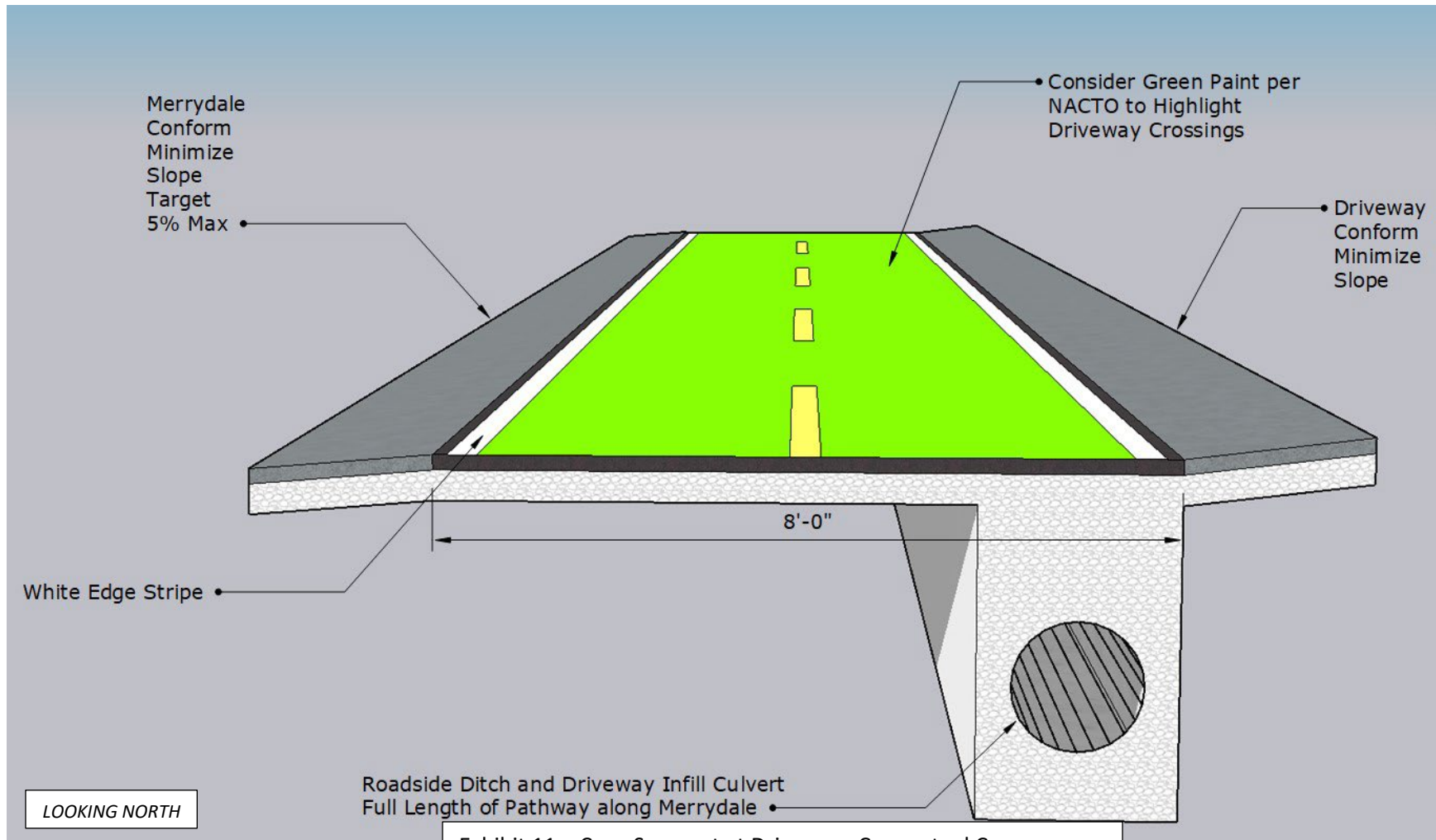
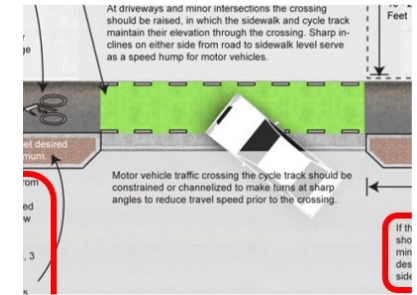


Exhibit 11 – Cyan Segment at Driveways Conceptual Cross

2.0 – SEGMENT DESCRIPTIONS

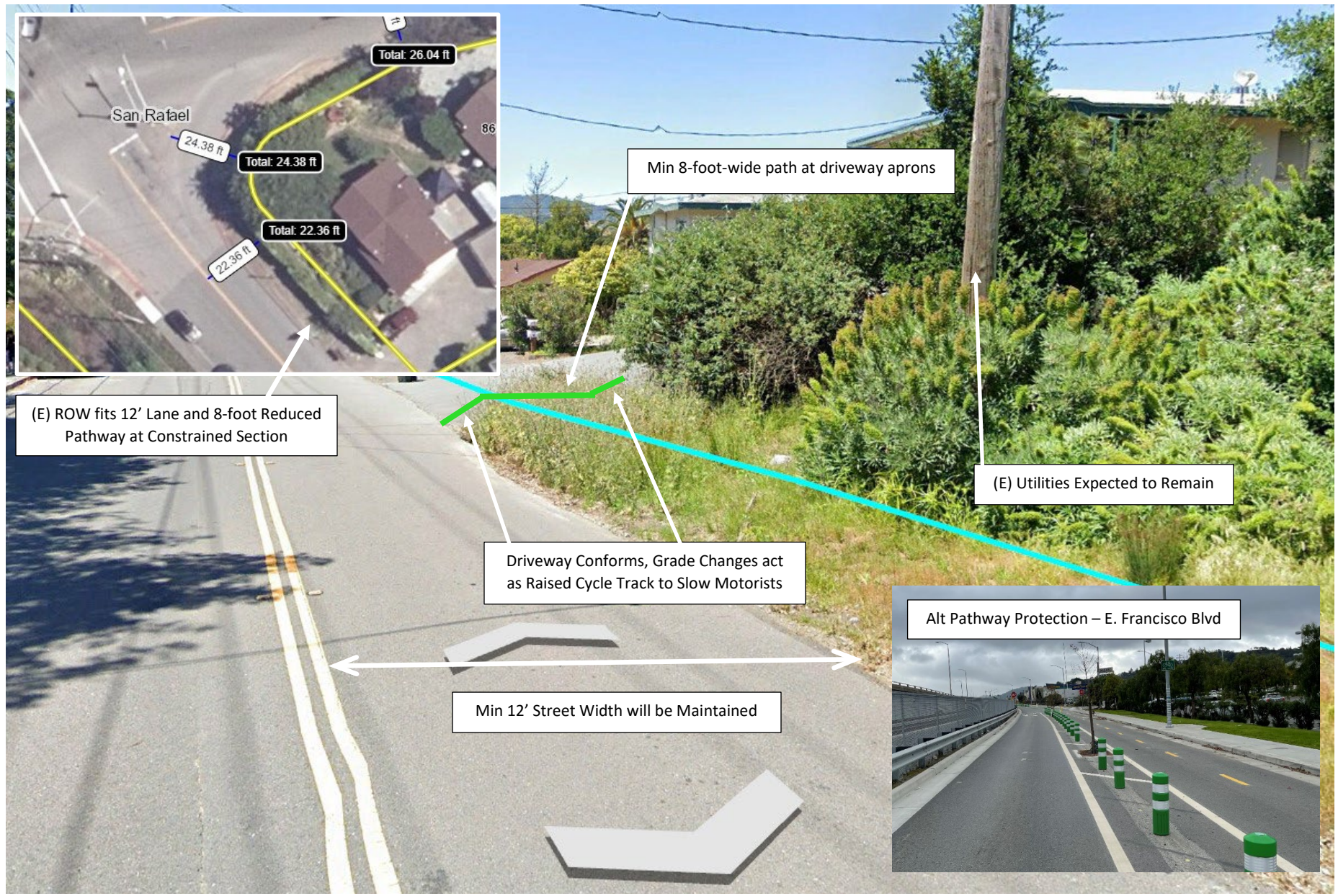


Exhibit 12 – Looking North on Merrydale towards NSP

Feasibility Study – Puerto Suello Hill Path – May 17, 2022

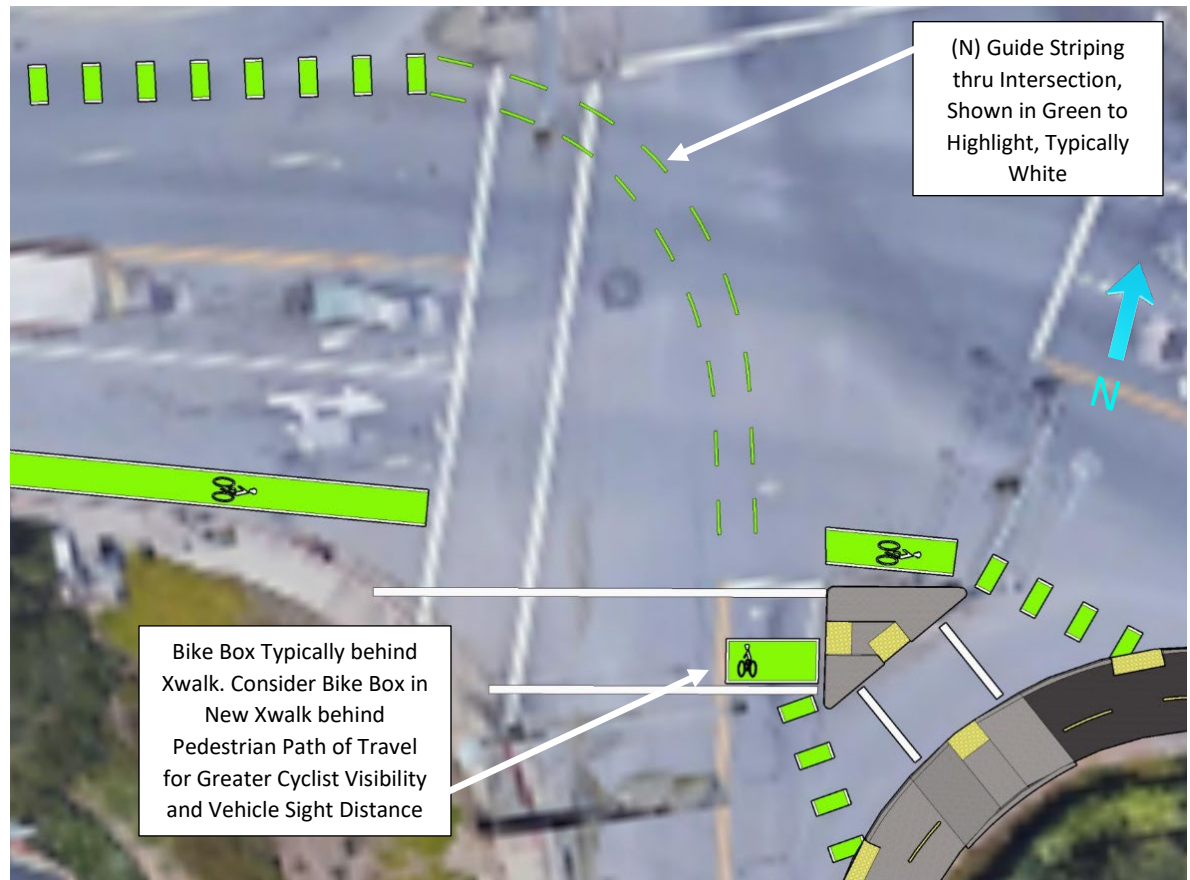
2.0 – SEGMENT DESCRIPTIONS

Connection to NSP Intersection and Light Blue & Light Green Segments

Exhibit 13 shows the conceptual connection point at Merrydale and the NSP intersection for connecting to WB and EB NSP road travel. The inset exhibit to the right shows an aerial view of the intersection and the Exhibit 12 inset MarinMap exhibit shows 24-feet available for a 20-foot wide concept (12-foot free right turn and 8-foot path). The concept maintains 12' lane widths and transitions to a concrete walkway at the bottom of Merrydale to connect to the EB Light Blue segment (101 Connector), and a bike lane with a bike box and loop detector to connect to WB NSP and the Light Green segment.

The concept would entail the construction of a new 8-foot wide sidewalk and drainage improvements, along with reconstruction of the existing pork chop island at the SE corner of the Merrydale NSP intersection. A new crosswalk as shown and reconstruction of the curb ramps at all corners of this intersection should be anticipated as existing paths-of-travel are not ADA compliant. Existing signal poles may be able to remain, while adjustment/relocation of pull boxes is likely. Cyclist specific ramps or rolled curb configurations could be investigated for the SE corner pathway connections, however, misdirection of pedestrians is a concern – especially the seeing impaired. In lieu of bike specific ramps, cyclists could walk bicycles across the intersection through the reconstructed SE corner pork chop island.

Relocation and/or reconfiguration of the existing drainage inlets at the SE corner of the intersection is necessary to tie into path drainage from Merrydale and to capture pathway runoff coming from the Light Blue segment – which appears to convey Highway 101 overpass drainage. The existing conditions are shown in Exhibit 14. The EB connection to NSP would maintain an 8-foot two-way elevated bicycle and pedestrian travel way separated from motor traffic via a 6-inch curb, transitioning to a guardrail system like the existing condition under Highway 101. Connections to the proposed WB NSP Class II facility (Light Green segment) would be via guide striping through the intersection as shown above. Because this intersection is maintained by Caltrans, an encroachment permit will be needed and potentially a deeper level of study (DEER) depending on the extent and cost (>\$1M) of the total Caltrans encroachments for the selected project. While the DEER is typically reserved for project on the National Highway System (NHS), Caltrans may require one for this project.



2.0 – SEGMENT DESCRIPTIONS

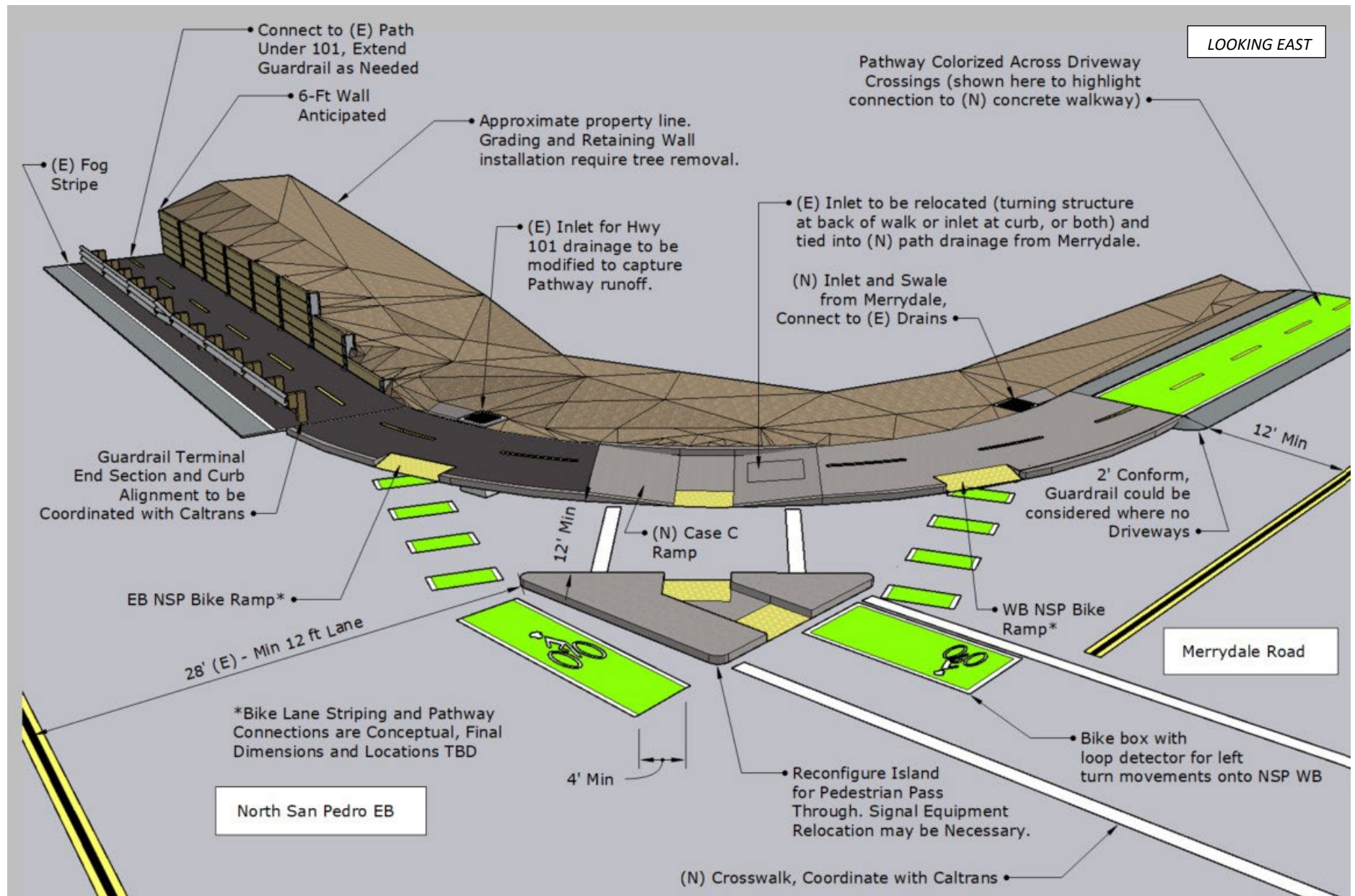


Exhibit 13 – Cyan Segment – Connection to North San Pedro Road Intersection and Light Blue Segment

2.0 – SEGMENT DESCRIPTIONS

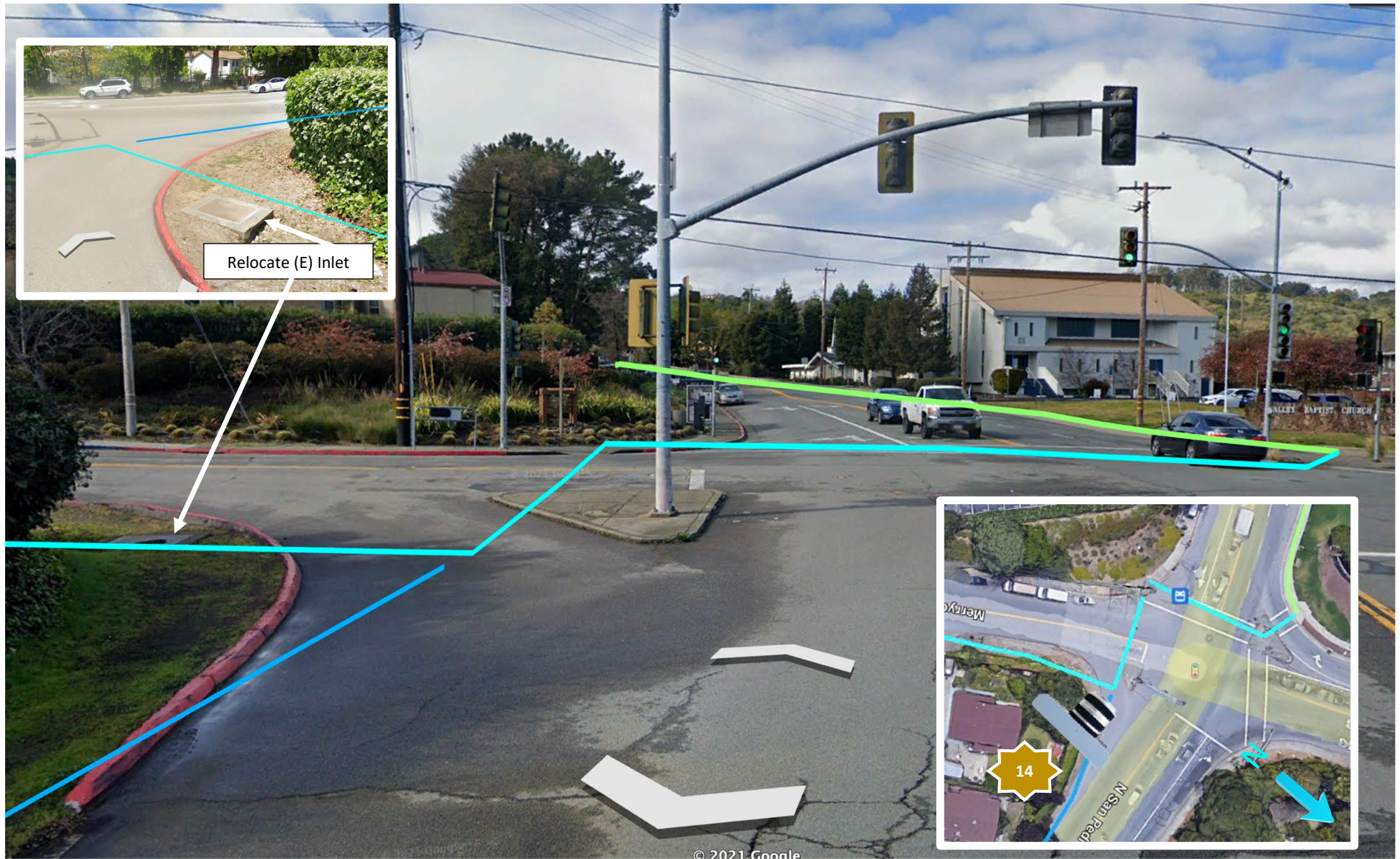


Exhibit 14 – Cyan Segment – Looking West on North San Pedro at Merrydale

2.0 – SEGMENT DESCRIPTIONS

2.3 – LIGHT BLUE SEGMENT – Hwy 101 Pathway Connector

OPTIONAL

The Light Blue Segment connects the intersection of Merrydale Road and NSP to the existing Caltrans pathway under Interstate 101. This segment is considered optional as it is not part of the Lincoln Ave to SMART Pathway connection. The concept maintains existing 12-foot lane widths and results in no lane configuration change while generally maintaining the location of the existing fog stripe. The road longitudinal slope is less than 5% and the entirety of this segment is expected to be located within NSP ROW with a reduced width 8-foot two way pathway without shoulders. Some tree removal is anticipated because of the pathway installation, and an adjacent slope will need to be cutback to accommodate the new soldier pile wall. A combination of surface drainage and catch basins/buried culverts were included in the estimate of probable cost for this segment as existing freeway drainage makes its way along the road edge to a catch basin at the Merrydale intersection. Pathway lighting is anticipated in this segment (type and location to be determined) and is estimated to require a standard luminaire every 40 feet or so. A lighting study and investigation into existing power sources should be conducted, but power should be available at the Merrydale intersection. Underground conduit installation is anticipated and was included in the estimate.

Exhibit 15 shows a cross section of the proposed pathway and Exhibit 16 shows existing conditions. The concept includes a Midwest guardrail system (MGS) barrier, treated with a flared end terminal, to provide a barrier spanning the length of this 300-foot path. The flared end terminal and path alignment should be analyzed for optimal placement and termination at the Merrydale intersection. A 10-foot overall width from the existing fog stripe would be needed to accommodate the 8-foot path and MGS. The new retaining wall is expected to taper to zero elevation as the path approaches either end of this segment.

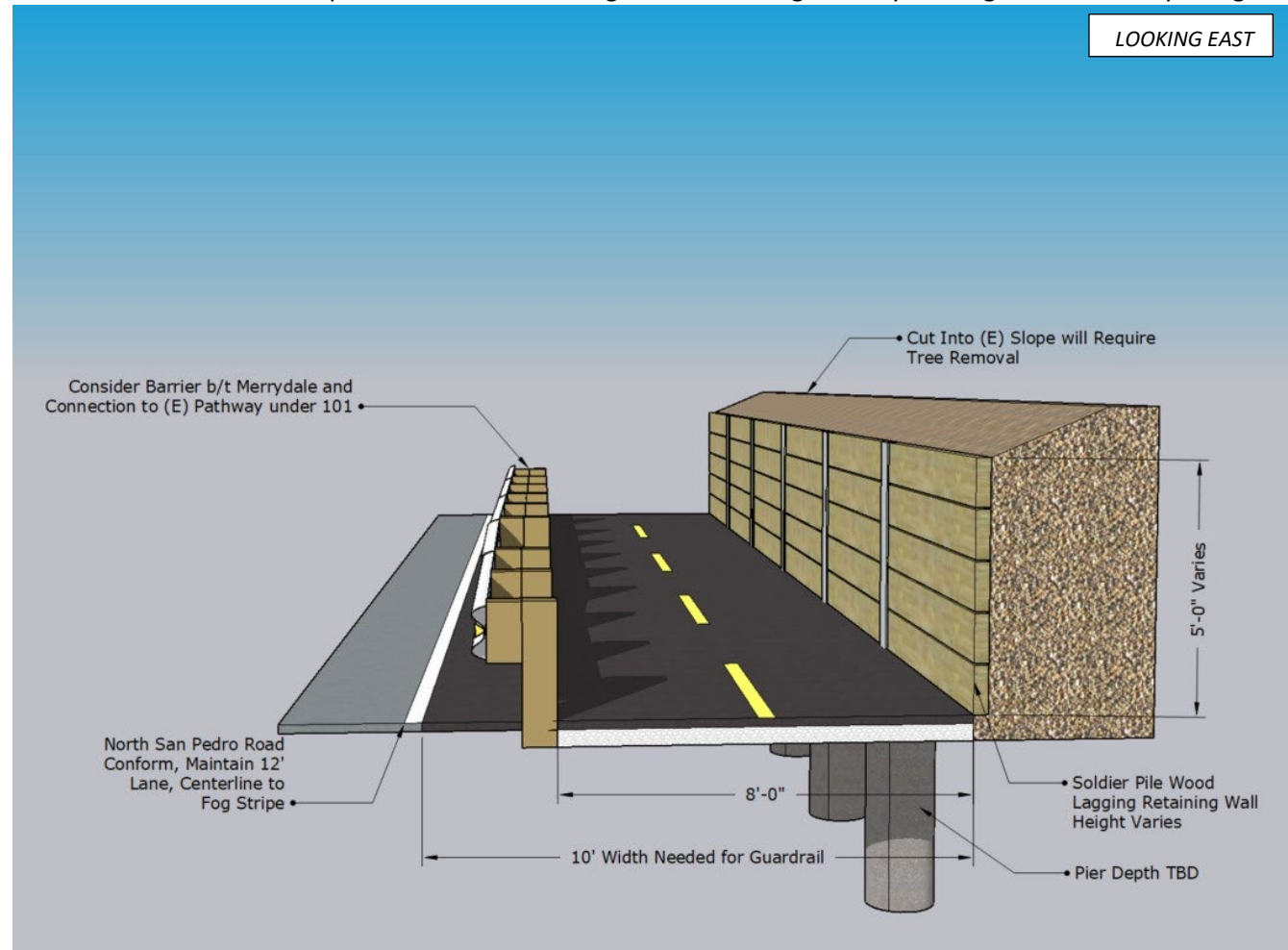


Exhibit 15 – Light Blue Segment – Class I Bikeway connection to existing AC path under freeway

2.0 – SEGMENT DESCRIPTIONS



Exhibit 16 – Light Blue Segment – Looking East on North San Pedro at Merrydale

2.0 – SEGMENT DESCRIPTIONS

2.4 – LIGHT GREEN SEGMENT – North San Pedro West



The Light Green Segment connects the intersection of Merrydale Road to the westbound portion of NSP at the existing SMART rail crossing. This section of the study highlights several feasible concepts for this 600-foot long segment. The concept shown in Exhibit 17 preserves the existing curb to curb street width by proposing to reduce lane widths to 10-feet allowing for an additional EB Class II facility while minimizing lane reconfiguration and infrastructure replacement. Exhibit 20 illustrates the development of a reduced width Class I pathway on the

north side of NSP and would also require reduced lane widths to accommodate the new facility. All alternatives discussed in this section are targeted to be located within NSP ROW. Some allowances for drainage improvements were included in the estimate of probable cost for this segment to address aging infrastructure, but changes to existing drainage patterns are not anticipated. While existing roadway lighting is anticipated to be adequate, new luminaires every 40 feet are included in the estimate of probable cost for budgeting purposes. Existing parking and lane configurations are preserved in the Exhibit 17 proposed concept while extensive traffic studies are needed to further assess the feasibility of a Class I pathways in this segment.

Exhibit 17 – NSP Class II Bikeway

Exhibit 17 shows a cross section of the proposed changes to NSP in this segment, Exhibit 18 shows a plan view, and Exhibit 19 shows existing conditions. The intent of this concept is to preserve the existing 55-foot width between curbs to minimize roadway changes in this short segment. Parking is preserved and the width needed for an additional Class II facility would come from lane reductions to 10-feet. Narrowing of lanes by 1-2 feet in this short segment is feasible and may encourage slower vehicular speeds. Green bike lane markings would greatly enhance visibility for the new Class II facility. EB NSP on-street parking is heavily utilized and so this option preserves parking to minimize impacts. The connection points to the SMART ROW are discussed further under Exhibits 21 and 22 and need additional study due to the CPUC required signalization at the rail crossing (see Red Segment for further elaboration on the EB NSP connection). Signal interconnection and timing adjustments to the Los Ranchitos intersection may be needed and broader coordination with the City of San Rafael and Marin County is needed. There are several alternatives for reconfiguration of the Los Ranchitos intersection and the existing bike/ped facilities between here and the SMART ROW, however that is beyond the scope of this study.



2.0 – SEGMENT DESCRIPTIONS

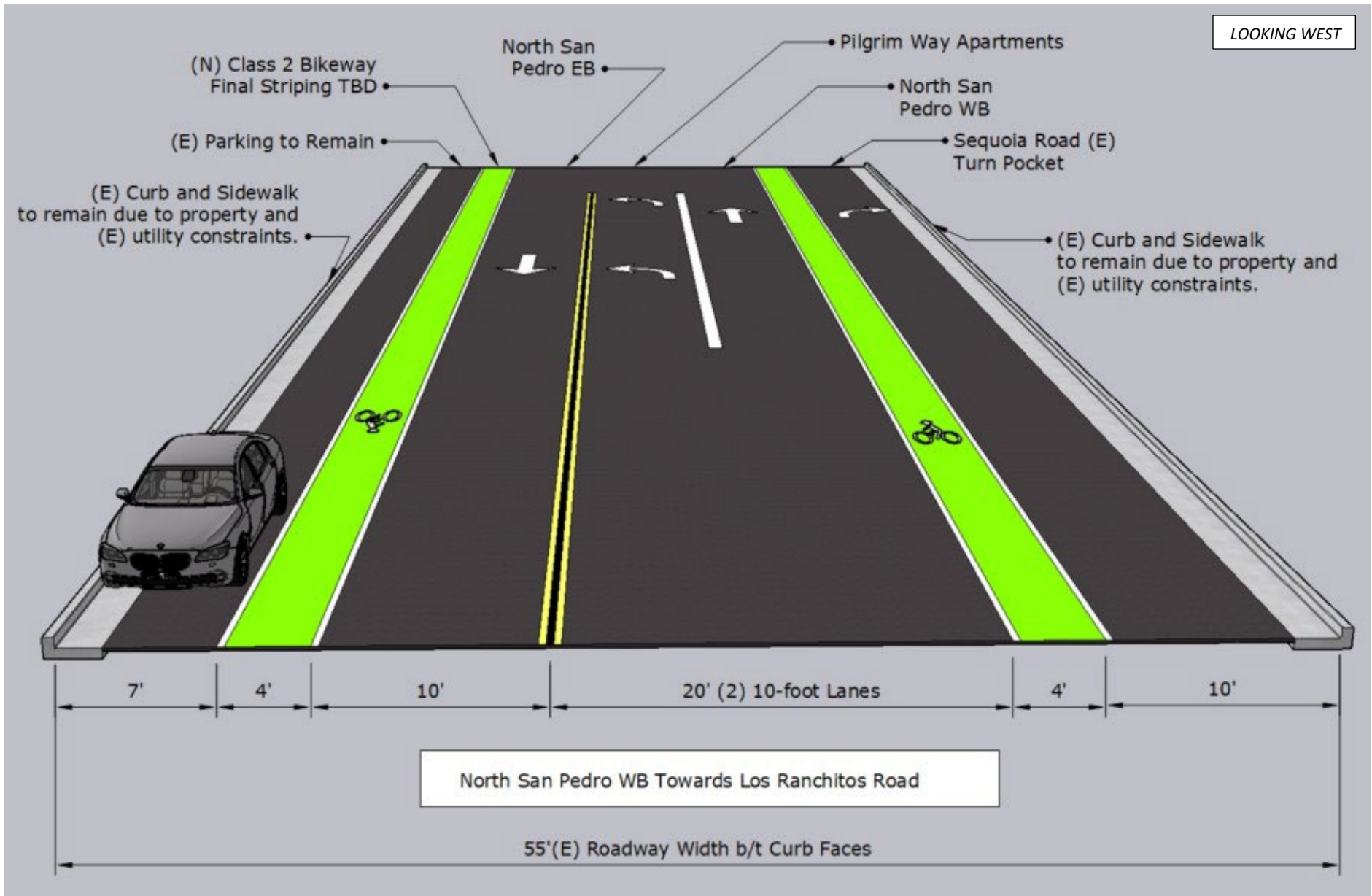


Exhibit 17 – Light Green Segment – NSP Class II Bikeway

2.0 – SEGMENT DESCRIPTIONS



Exhibit 18 – Light Green Segment – NSP Class II Bikeway Concept
Feasibility Study – Puerto Suello Hill Path – May 17, 2022

2.0 – SEGMENT DESCRIPTIONS



Exhibit 19 – Light Green Segment – NSP Looking West

2.0 – SEGMENT DESCRIPTIONS

Exhibit 18 – NSP Class I Bikeway

Exhibit 20 below shows the concept of a Class I bikeway for the Light Green segment – two-way bicycle and pedestrian travel on the north side of NSP. To accommodate the 9-foot width of the new bikeway, the existing curb, gutter, and sidewalk on the north side of NSP would be reconstructed. Lane widths would be reduced to 10 feet as shown and the existing sidewalk on the south side of NSP would be removed and existing parking relocated to align with the old back of sidewalk. Due to ROW constraints, extensive utility relocations, and landscaping impacts, this alternative would require extensive coordination among stakeholders to determine its feasibility and would be significantly more expensive than a Class II facility. Parking removal along this segment would facilitate the alternative, but due to its heavy utilization, the existing parking on the south side of NSP is assumed to be highly desirable. Finally, cyclists travelling EB on NSP from Los Ranchitos would likely utilize vehicular lanes (currently Class III) in lieu of crossing at Los Ranchitos to use the new two-way path (for such a short distance along the Light Green segment), then crossing again at Merrydale to make the connection to the other segments.

A third alternative could be to construct a similar Class I bikeway on the south side of NSP – effectively flipping the concept in Exhibit 20. Construction on the south side would require similar curb and gutter demolition and lane width reductions per Exhibit 20. Parking could likely not remain on the south side of NSP EB due to the required lane shifts (e.g., centerline moves 4 to 5-feet north) which creates lane alignment issues at both the Merrydale and Los Ranchitos intersections. There would also be a conflict with the existing bus stop at the Merrydale intersection. Other alternatives such as 6-foot wide sidewalks on both sides (3-feet + 3-feet bike/ped mixed use) were briefly considered, but pedestrian-cyclist conflicts were anticipated to be high due to the extensive parking use and bus stop at Merrydale.



2.0 – SEGMENT DESCRIPTIONS

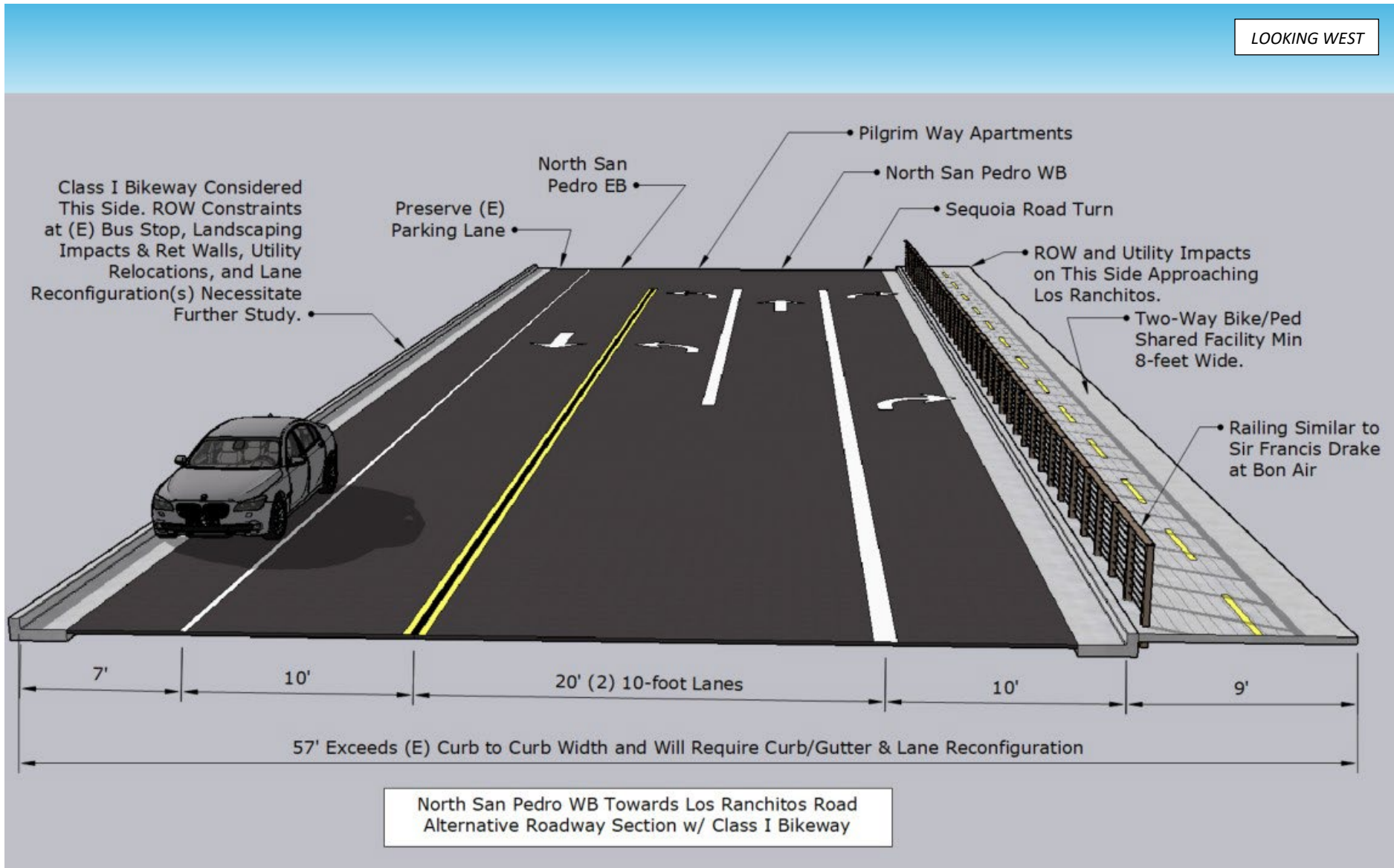


Exhibit 20 – Light Green Segment – NSP Class I Bikeway

2.0 – SEGMENT DESCRIPTIONS



Exhibit 21 – NSP Looking EB – Signalization at SMART Crossing to be Coordinated with Los Ranchitos (E) Signal

It is understood that crossing for pedestrians and cyclists at the SMART tracks requires signalization per the CPUC. Due to the proximity of the Los Ranchitos signal (County of Marin jurisdiction), signal interconnection and the final configuration of these crossings (for both EB and WB travel on NSP) will need further study.

2.0 – SEGMENT DESCRIPTIONS



The proposed configuration intends to channelize pedestrian and bicycle movements similar to the inset photo of the (E) SMART crossing at Civic Center Drive in San Rafael. The sidewalk on both sides of the SMART tracks for EB and WB NSP movements would be widened to 8-feet to accommodate dual-use with striping and signage improvements to facilitate route-finding. Another alternative would be to continue the Class II facility in the NSP roadway (while avoiding modifications to the existing sidewalk) as there is sufficient lane width on both sides.

2.0 – SEGMENT DESCRIPTIONS

2.5 – BLUE SEGMENT – Pilgrim Way

The Blue Segment connects Merrydale (via a mid-block crosswalk) to the Pilgrim Park Apartments driveway ending at the corner as shown in Exhibit 23. From here, it would connect to the SMART berm (Red Segment) via the Orange Segment or to the Magenta Segment continuing along the Pilgrim Way driveway. Exhibit 24 shows an excerpt from the City of San Rafael Bike/Ped Master plan and identifies this as project A10. Exhibit 25 shows a parcel map for this area and identifies an existing 16-foot wide Marin Municipal Water District easement that would be the basis for bike/ped access through this segment. Due to the inherent access issues, further study of the easement and coordination with property owners is needed to assess the feasibility of this segment.



2.0 – SEGMENT DESCRIPTIONS

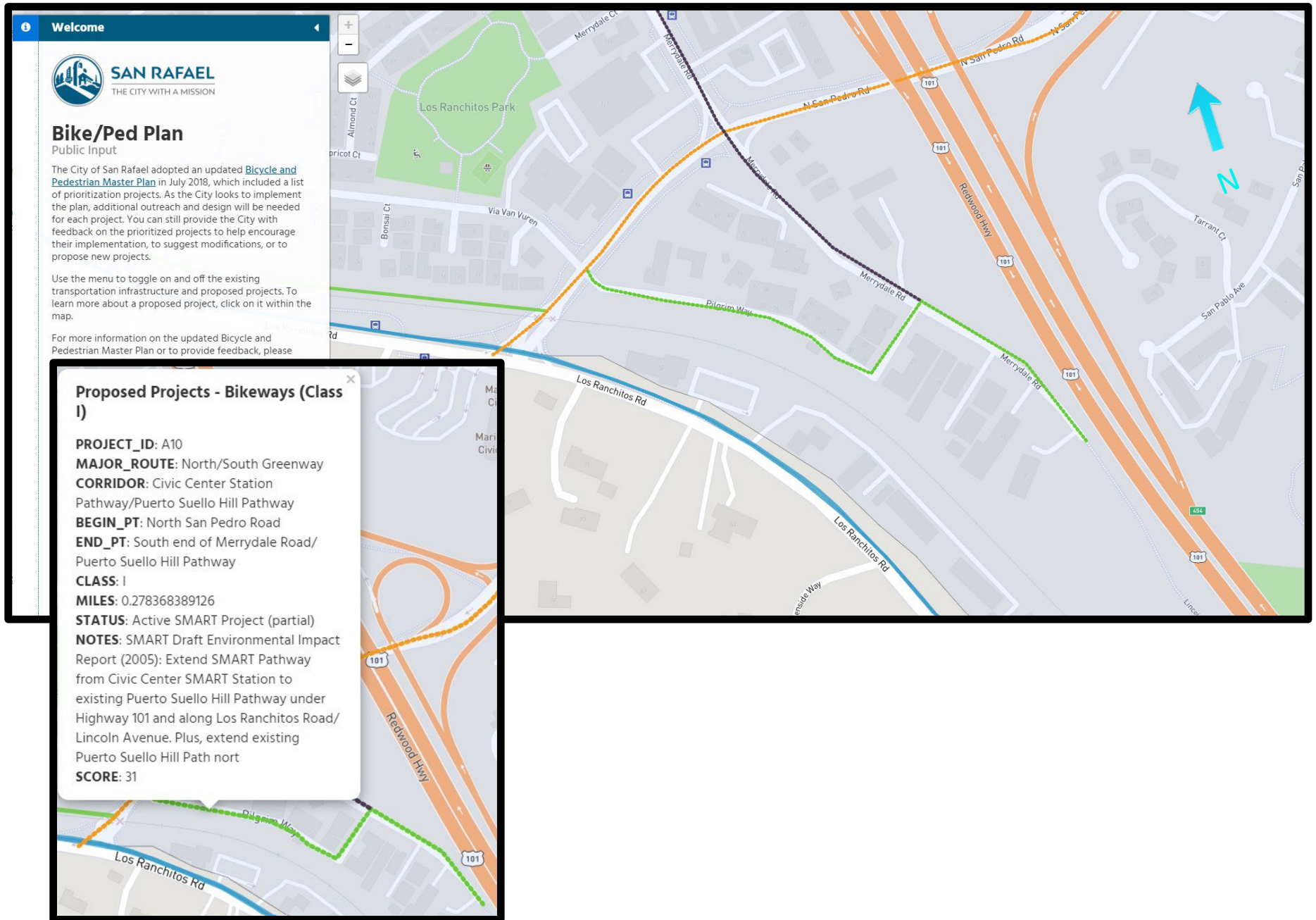


Exhibit 24 – City of San Rafael Bike/Ped Master Plan Excerpt

2.0 – SEGMENT DESCRIPTIONS

- (1) N 12° 17' 59" E 83.353
- (2) N 53° 12' 52" E 16.142
- (3) N 08° 39' 20" E 28.053
- (4) N 17° 23' 12" W 16.408
- (5) N 08° 36' 11" E 21.83
- (6) N 40° 02' 22" E 7.754

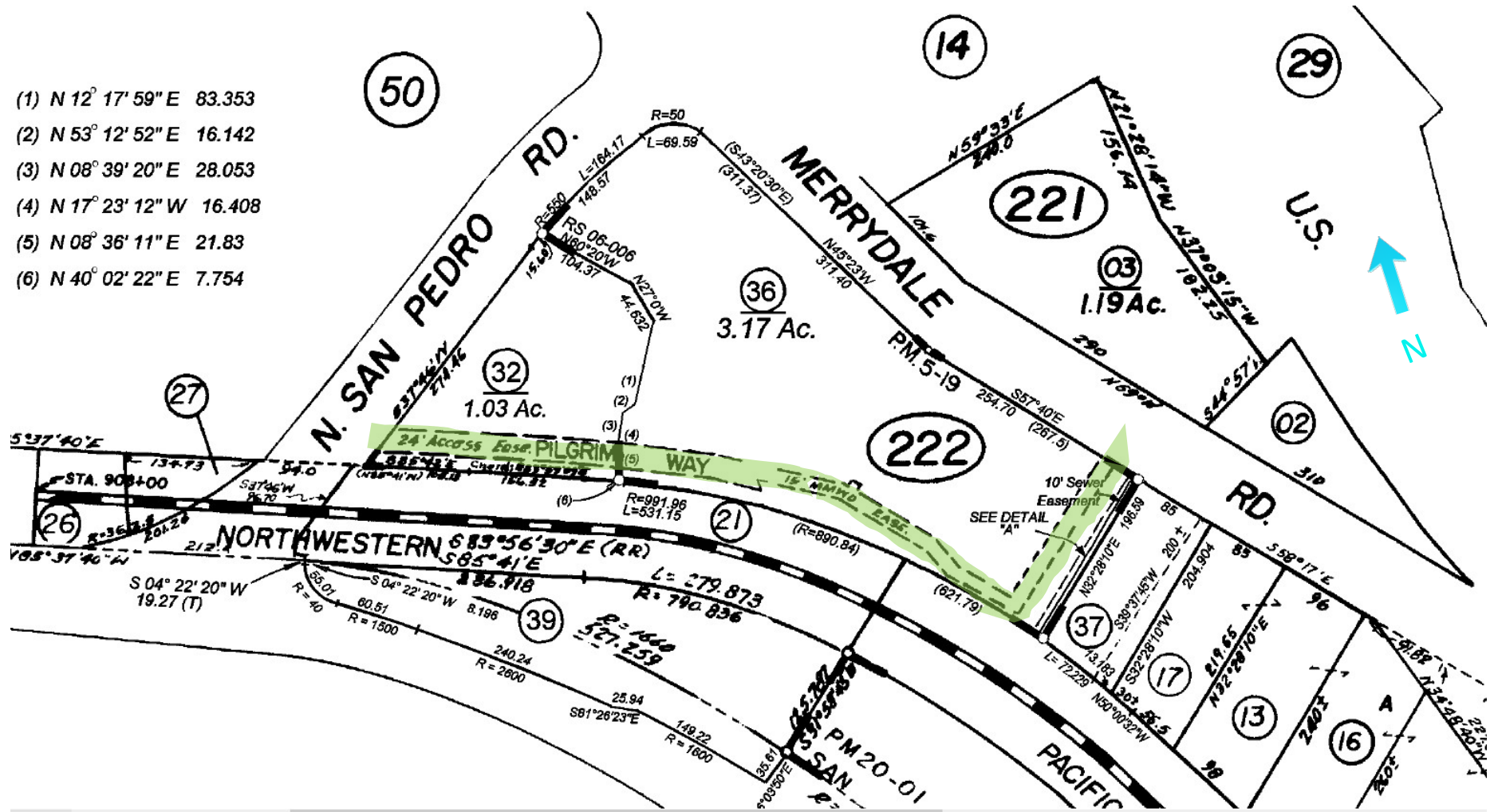


Exhibit 25 – Pilgrim Way Access Easement and MMWD Easement

2.0 – SEGMENT DESCRIPTIONS

2.6 – MAGENTA SEGMENT – Pilgrim Way to North San Pedro

The Magenta Segment connects the Blue Segment to NSP through the Pilgrim Park Apartments driveway. Exhibit 24 shows an excerpt from the City of San Rafael Bike/Ped Master plan and identifies this as project A10. Exhibit 25 shows a parcel map for this area and identifies an existing 16-foot wide Marin Municipal Water District easement as well as a 24-foot Access Easement, both of which would be the basis for bike/ped access through this segment. Due to the access issues and unknown easement conditions, further study and coordination with Pilgrim Way Apartments is needed to assess the feasibility of this segment.



Exhibit 26 – Pilgrim Way Access – Looking North towards North San Pedro – 24' Access Easement and MMWD Easement

2.0 – SEGMENT DESCRIPTIONS

2.7 – ORANGE SEGMENT – Pilgrim Connector

The Orange Segment is a short connection from the Blue Segment to the SMART berm Red Segment as shown in Exhibit 27. It is envisioned to be a concrete ramp at 5% maximum running slope with retaining walls similar to other concepts in this study. Security fencing and public access at this location is a concern and further coordination with Pilgrim Park is needed. Due to the access issues associated with the Blue Segment, further study and coordination with Pilgrim Way Apartments is needed to assess the feasibility of this segment.



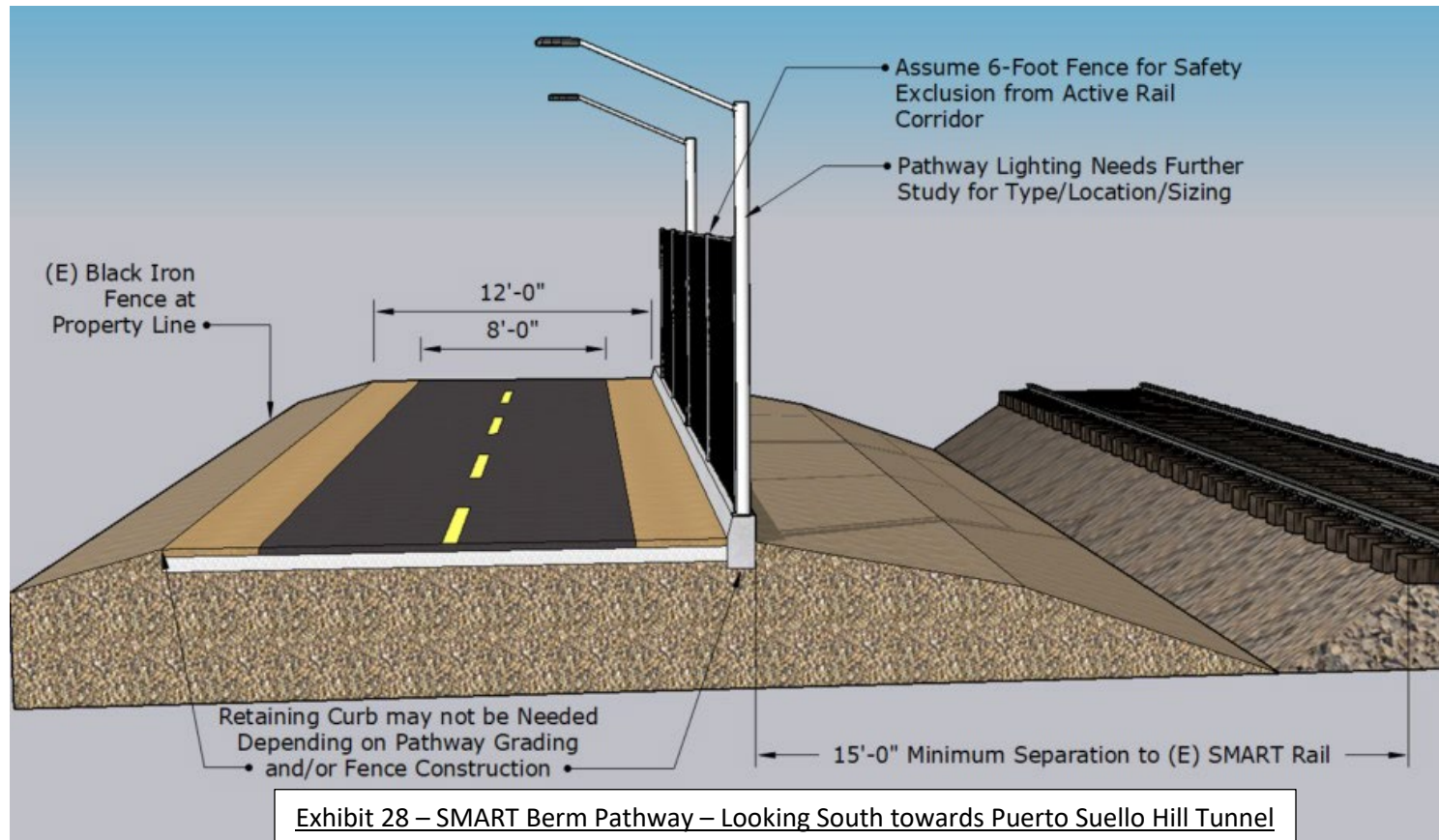
Exhibit 27 – SMART Berm Connection – Looking West towards the SMART Railway

2.0 – SEGMENT DESCRIPTIONS

2.8 – RED SEGMENT – SMART Berm

The Red Segment provides a connection from the Yellow Segment (Zoon or WTB/TAM alignment) to NSP, and the concept is shown in Exhibit 26. The entirety of the red segment is located within SMART ROW with sufficient width for the Class I Bikeway minimum standard. Some tree removal is anticipated due to the grading for pathway installation. The new pathway would be installed a minimum of 15-feet away from the SMART railway and continuous exclusionary fencing would be used to prohibit access to the rail corridor. A

combination of surface drainage and catch basins/buried culverts were included in the estimate of probable cost for this segment in light of identified existing drainage facilities (rock rip rap towards Pilgrim Way). Pathway lighting is anticipated in this segment (type and location to be determined) and is estimated to require a standard luminaire approximately every 40 feet. Pathway lighting along this segment may affect nearby residents at the Pilgrim Park Apartments



and a lighting study and investigation into existing power sources should be conducted. A continuous cane detectable curb may be needed for ADA compliance and is included in the engineer's estimate. Exhibit 29 shows existing conditions and Exhibit 30 shows a reduced pathway section to 8-feet wide with no shoulders to avoid relocation of an existing building and to keep the improvements within the existing ROW. Red Segment termination and the CPUC required signalization need further study to determine the final configuration of the connection to NSP.

Exhibit 28 – SMART Berm Pathway – Looking South towards Puerto Suello Hill Tunnel

2.0 – SEGMENT DESCRIPTIONS



The connection here could be similar to that as shown in Exhibit 20 (inset photo of the (E) SMART crossing at Civic Center Drive in San Rafael). The sidewalk at this location could be widened to 8-feet in combination with improved striping and signage to decrease potential bike/ped conflicts and to facilitate route-finding. It is understood that crossing for pedestrians and cyclists at this location requires signalization per the CPUC. Due to the proximity of the Los Ranchitos signal (County of Marin jurisdiction) and potential for signal interconnection, the final configuration of this connection will need further study.

2.0 – SEGMENT DESCRIPTIONS

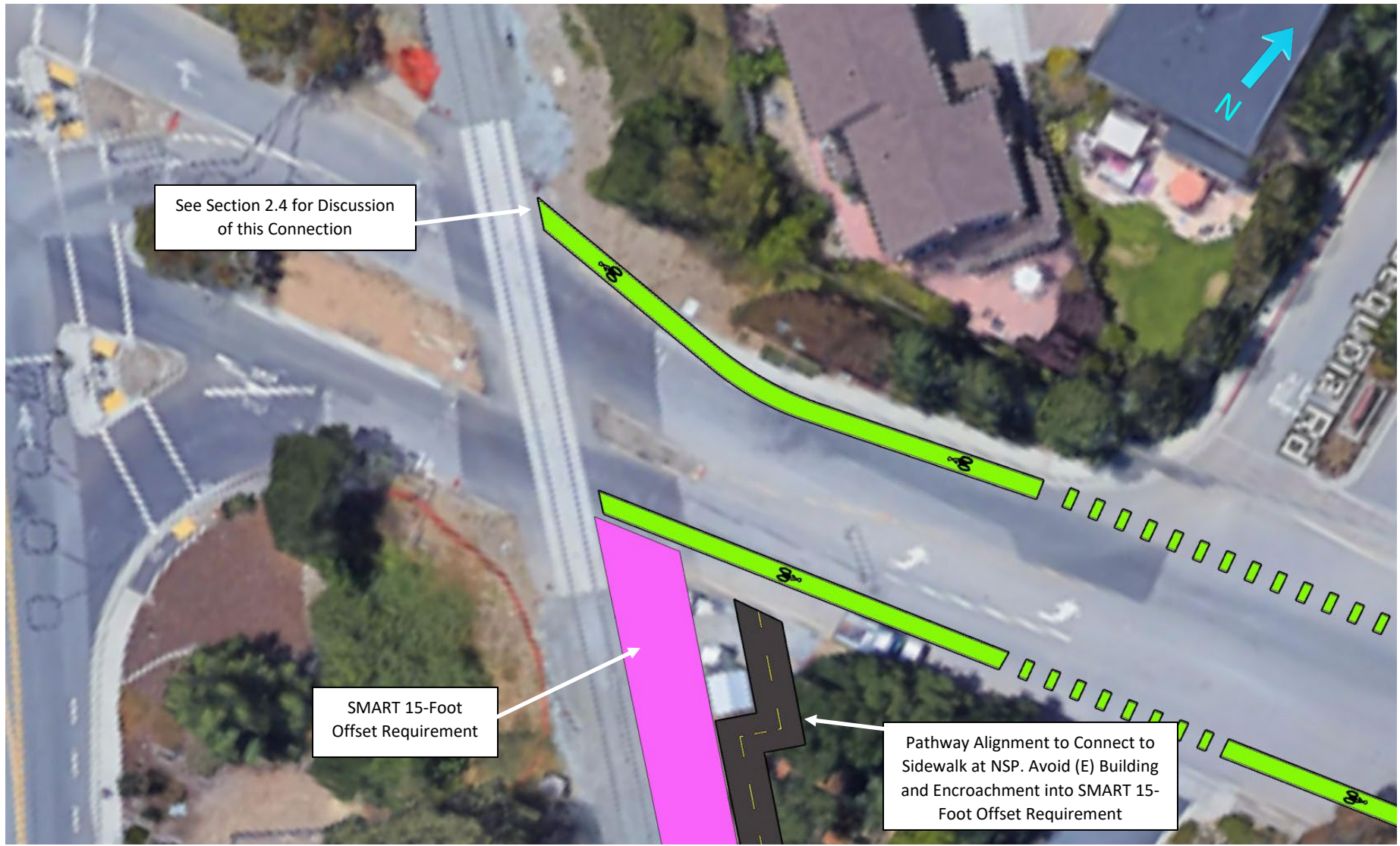


Exhibit 30 – Red Segment –Equipment Enclosure Pathway Routing and Connection to NSP

The 15-foot offset requirement and existing green building shown in Exhibit 29 result in the necessity to shift the route as shown in Exhibit 30. Striping and signage should be used to alert cyclists of this change and warn them of the approaching tee-intersection at the NSP sidewalk. As described in Section 2.4, signalization of this intersection requires further study.

2.0 – SEGMENT DESCRIPTIONS

2.9 – YELLOW SEGMENT – Upper Caltrans Path to SMART Berm (Red Segment)

The Yellow Segment connects the existing Caltrans Class I Bikeway to the Red segment and aims for a direct route to SMART's ROW installing the Caltrans Standards Class I Bikeway with a continuous maximum running slope of 5% and a cross slope of 1.5%. This alignment traverses a Caltrans parcel that is directly adjacent to Highway 101 and the SMART ROW. When compared to the WTB/TAM alternative (which takes a more gradual route), this alignment is shorter by about 200 linear feet. For this alternative, switchback configurations of varying dimensions are needed to navigate areas of steep terrain and maintain the Class I standard. Extensive grading, tree removal, and retaining walls from 2 to 10 feet tall are envisioned to enable the installation of the standard Caltrans Class I bikeway. The pathway cross section is expected to vary from top to bottom including segments with no retaining walls (Exhibit 28), segments with retaining walls on one side (Exhibit 31 below) and retaining walls both sides as shown in the Light Green Segment (Exhibit 7). As steep terrain is encountered, the retaining wall shown in Exhibit 31 may be as tall at 10-feet. There is a PG&E gas line running along the base of the hill at the bottom of this segment (see WTB/TAM Exhibit 34) that will require further coordination with PG&E. See Section 2.10 for more information regarding constraints associated with the gas line.

Pathway grades and drainage facilities will need to be further analyzed to address drainage in this area; however, a combination of surface drainage and catch basins/buried culverts were included in the estimate of probable cost for this segment.

Drainage through the switchback area(s) needs further study but could be accomplished with either permeable paving and/or several grated inlets at strategic low spots along the pathway. Pathway lighting is anticipated (type and location to be determined) and is estimated to require a standard luminaire approximately every 40 feet with underground conduit and pullboxes for power. A lighting study and investigation into existing power sources should be conducted. A standard single

switchback concept is shown in Exhibit 8 which would apply to several locations along this segment. Exhibit 32 shows a conceptual four-switchback

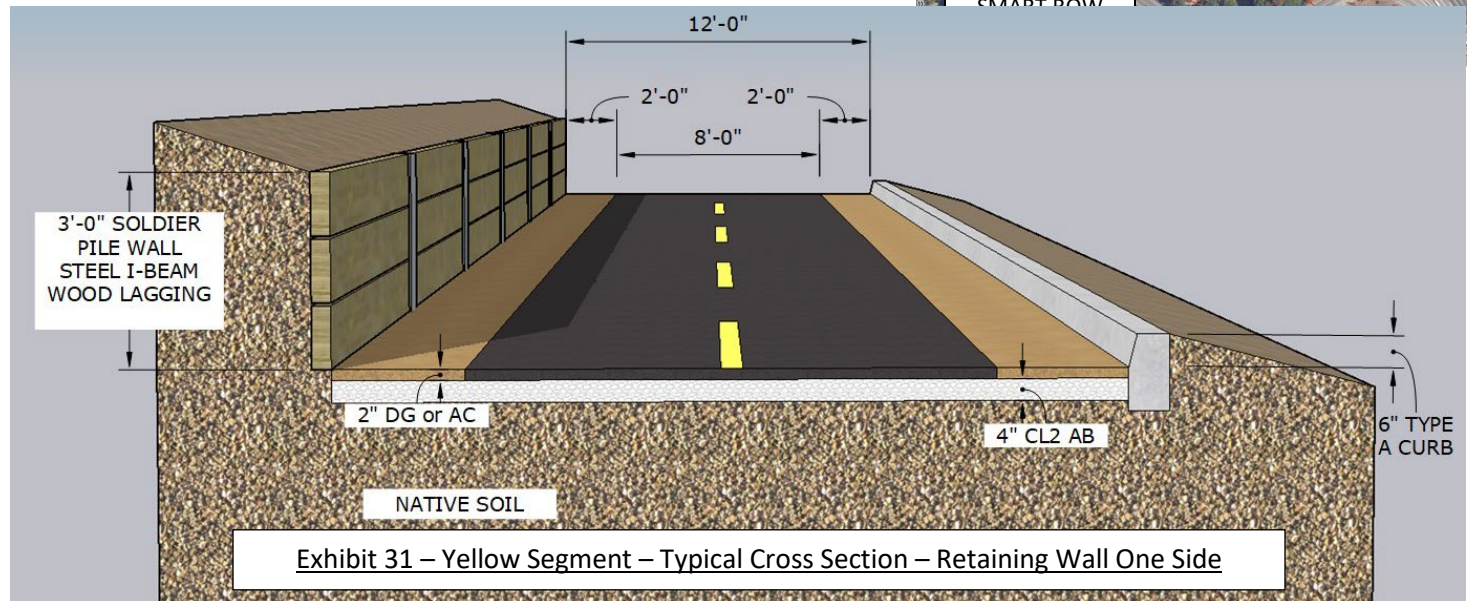
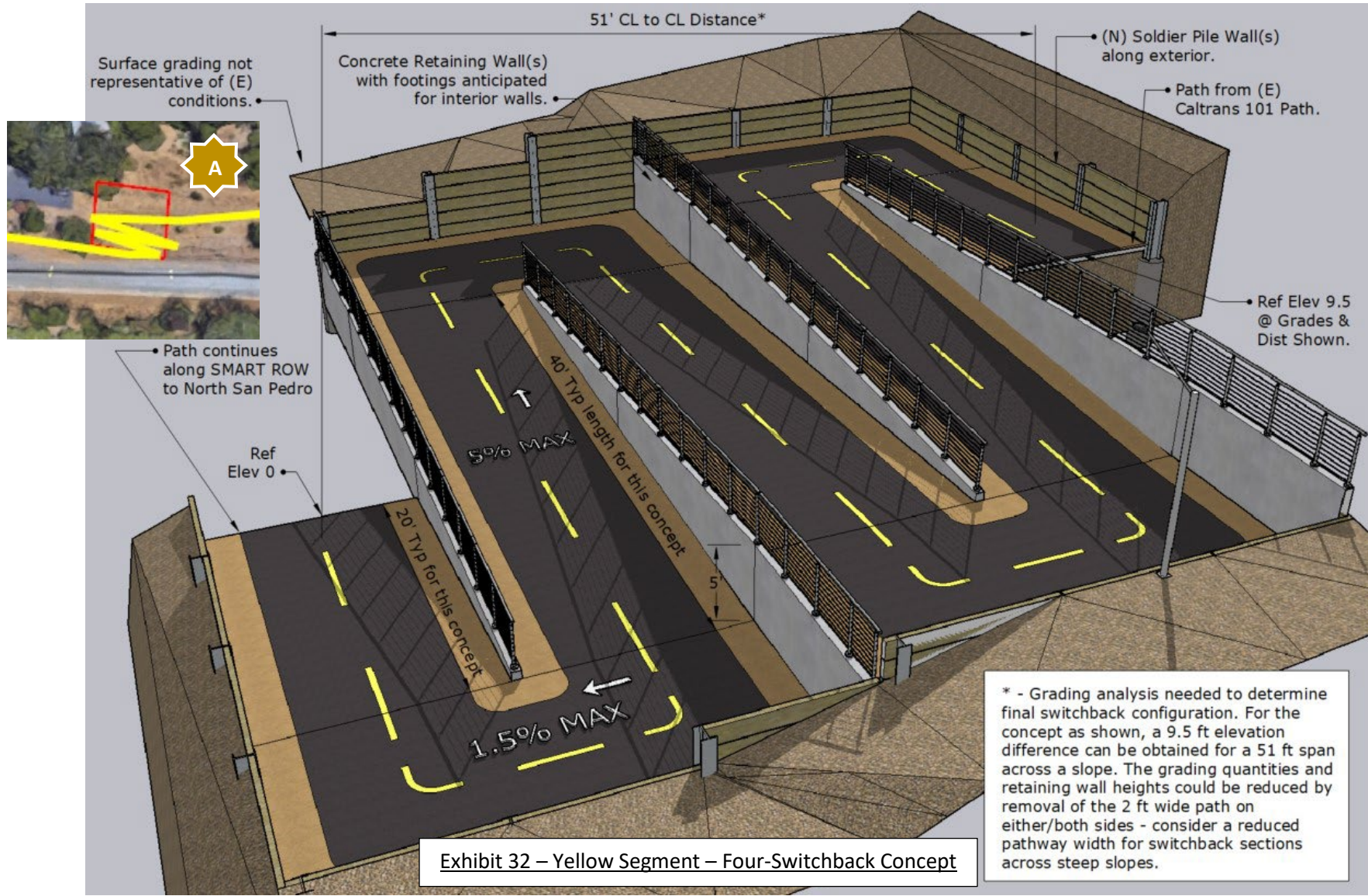


Exhibit 31 – Yellow Segment – Typical Cross Section – Retaining Wall One Side

2.0 – SEGMENT DESCRIPTIONS

configuration. The concept switchback results in a 51'x60' footprint (red box inset photo and "Location A" in Exhibit 34), which may result in tall retaining walls across steep terrain. Detailed topography and analysis would identify problem areas wherein reduced pathway widths may be considered (i.e., maintain minimum 8-foot paved two-way pathway without shoulders). Further, the ADA allows pathway grades as steep as 8.33% with regularly spaced resting areas. The switchbacks could serve as resting areas and be designed with this in mind thereby reducing costs and grading impacts.



2.0 – SEGMENT DESCRIPTIONS

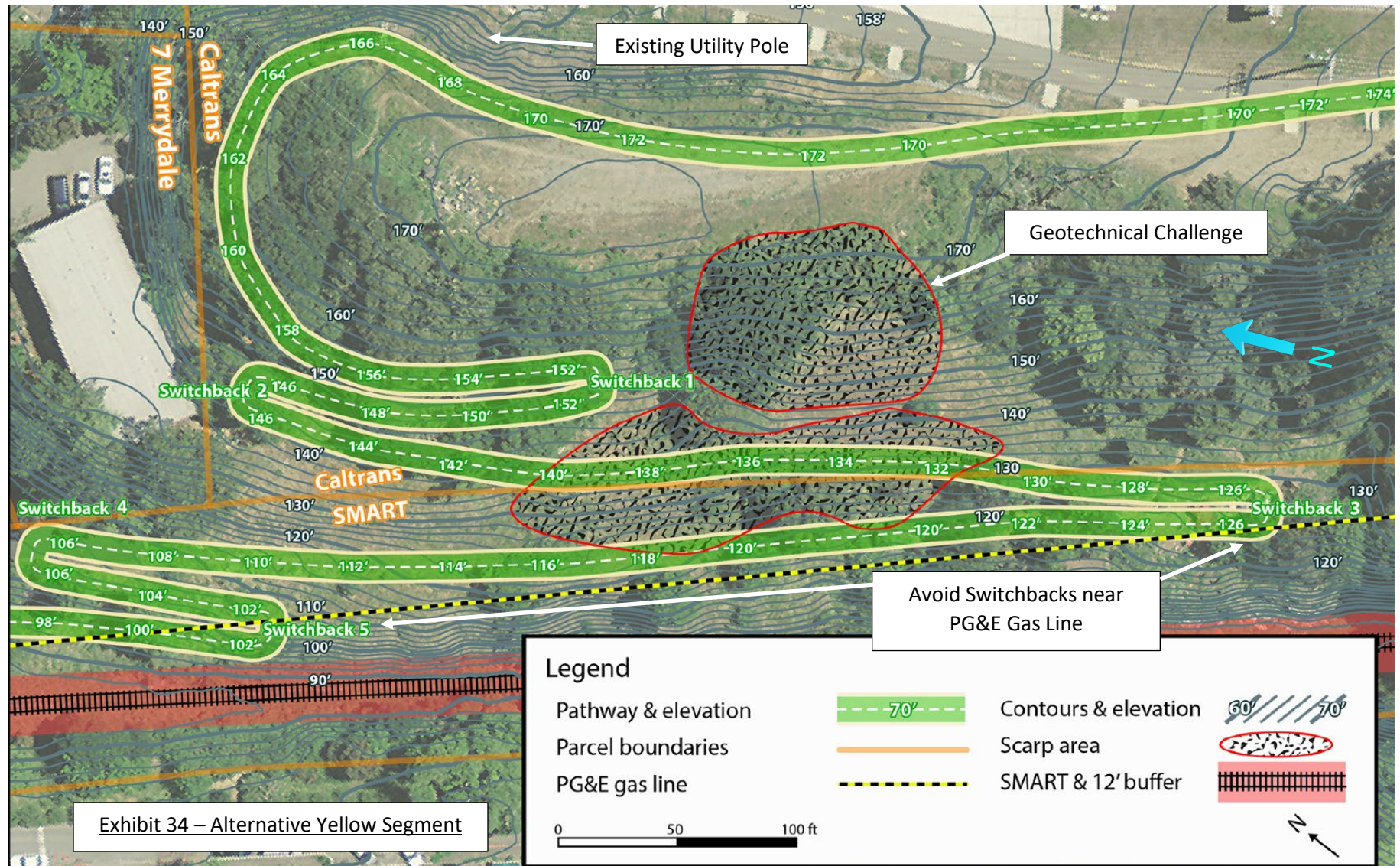


Exhibit 33 - Plan and Profile - Grade to Slope no Greater Than 5% - Location A Highlights Four-Switchback Area

2.0 – SEGMENT DESCRIPTIONS

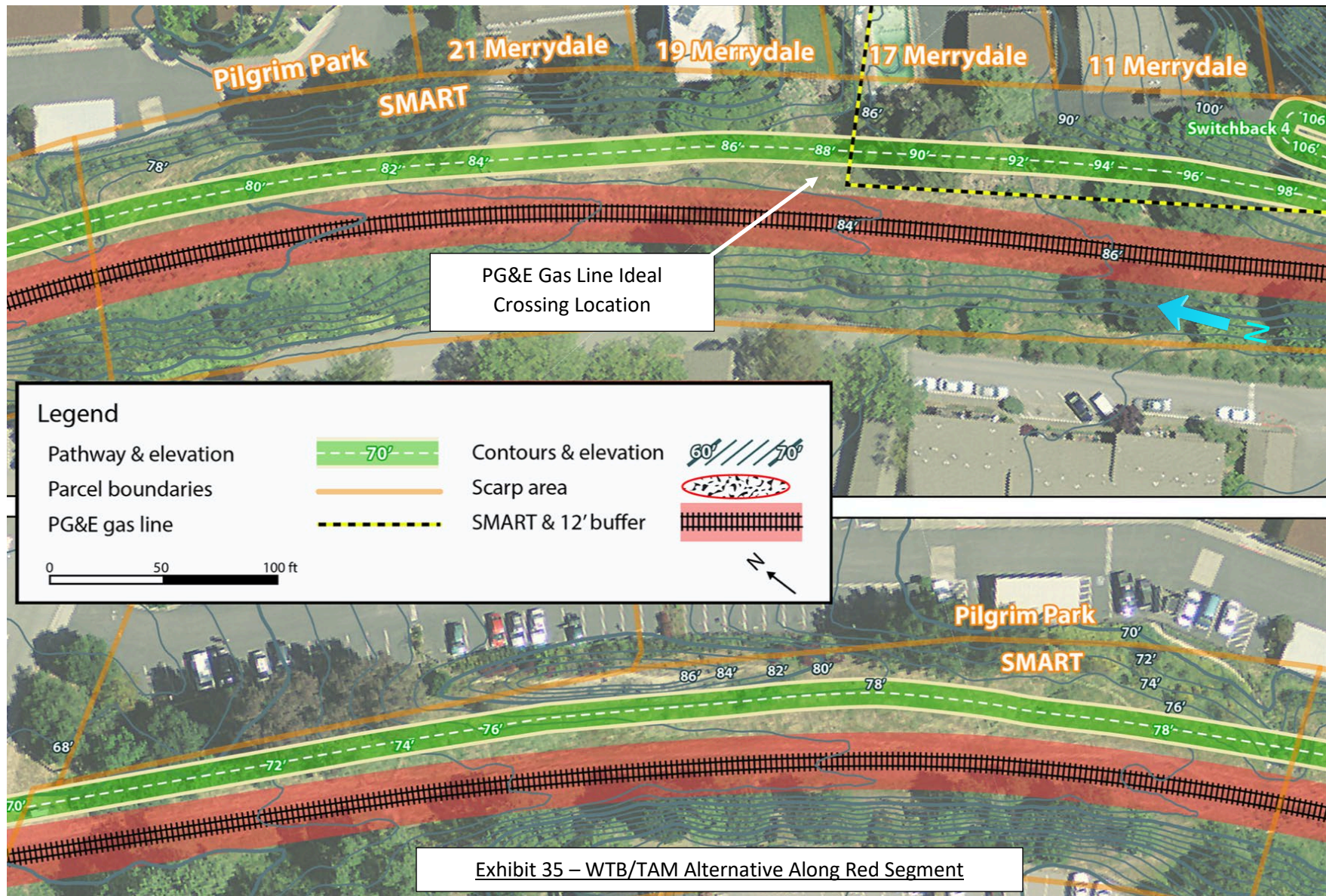
2.10 – Alternative Yellow Segment - WTB TAM Alternative 7

The WTB TAM Alternative 7 roughly follows the same alignment as the Yellow Segment to connect to the Red Segment, however, it meanders further north seeking to follow flatter grades which results in a 2000-feet long path+/- which is 200-feet longer than the Yellow Segment. The WTB Tam Alternative 7 segment shares all the constraints and opportunities (i.e., grading impact reductions) as discussed in Section 2.9. While costs for this alternative increase slightly due to the longer path and resultant additional grading/tree removal, etc, it is comparable to the Yellow Segment.



2.0 – SEGMENT DESCRIPTIONS

The WTB TAM Alternative 7 analysis extends to NSP mirroring the Red Segment (Exhibit 35 below) and sharing the constraints/opportunities as discussed in Section 2.8. This section of the WTB/TAM alignment was not re-analyzed due to the similarities and so costs for the Red Segment were added to the 2000-foot segment shown in Exhibit 34 above to arrive at the total estimated cost as presented in the appendices.



The WTB TAM Alternative 7 analysis provides an excellent grading analysis (Exhibit 36 below). This analysis is consistent with the analysis of the Yellow Segment. For both the Yellow segment and WTB/TAM's alternatives, additional grading analysis could result in reduced retaining wall heights and cut/fill balancing to reduce the amount of grading and material off-haul/import – all of which would further reduce costs associated with each alternative.



PG&E Gas Line in Proximity of Pathway Alignments 2.9 & 2.10 - SMART and Zoon discussed the gas line with PG&E staff and understands the following: The gas line location is based of MarinMap and should be accurately located prior to design; the gas line is to be protected in place; the gas line has a 10-foot wide easement that must be maintained; no deep foundations will be allowed in the easement area; and PG&E will need to approve the final design where the pathway encroaches on PG&E's easement. Given these constraints, the ideal pathway alignment would be at the east edge of the gas line with switchbacks

2.0 – SEGMENT DESCRIPTIONS

pushed east to avoid the conflict (See Exhibit 34). Where crossing the easement is needed (ideal location shown in Exhibit 35), PG&E approval will be needed. A perpendicular crossing is preferred to minimize encroachments and path foundation elements should stop short of the easement boundary. The pathway within PG&E's easement shall not have deep foundation elements and should be designed with PG&E future maintenance activities in mind (asphalt surfaces/gated openings along the fence). Extensive coordination with PG&E early in the design development will be necessary.

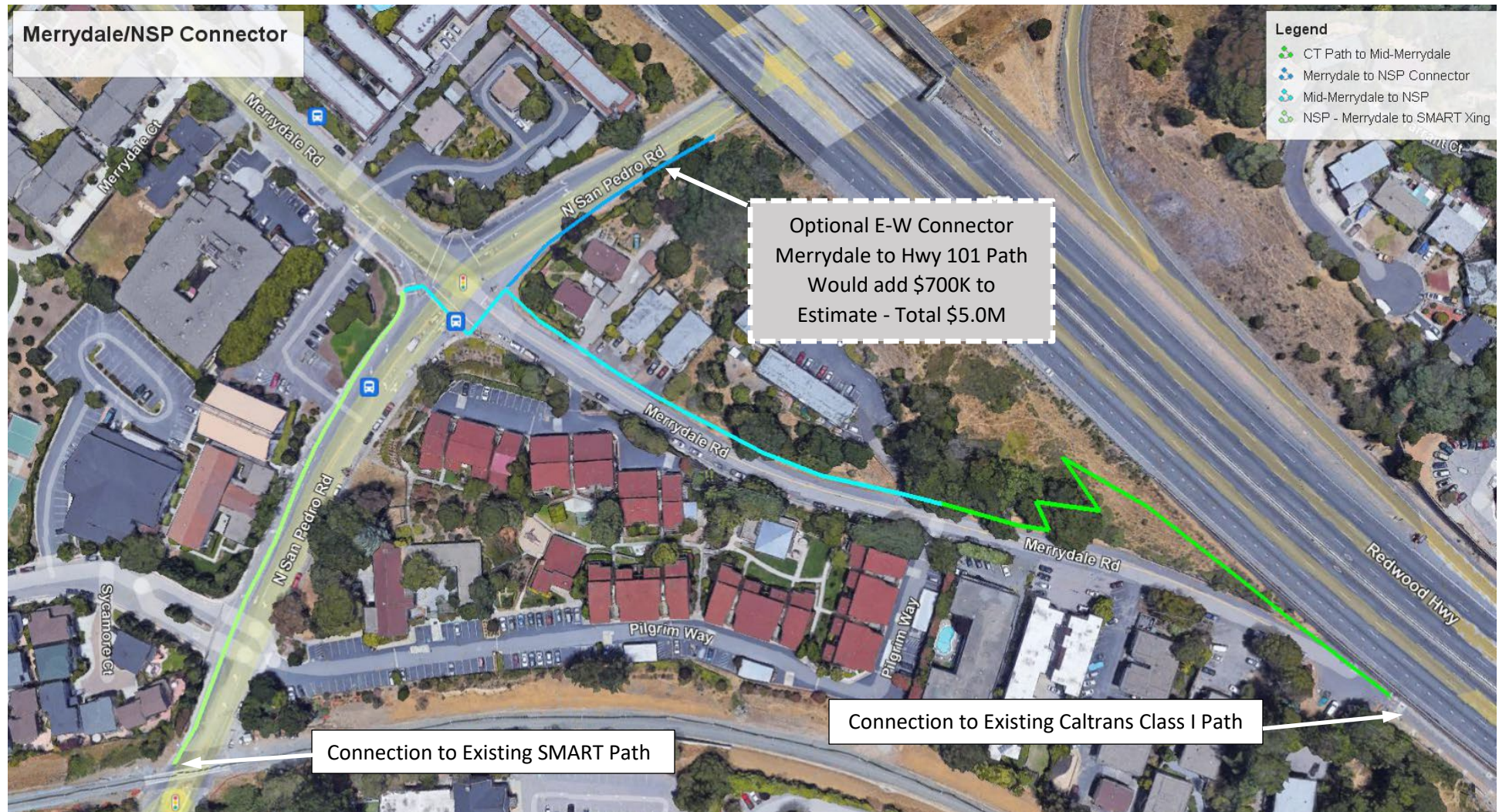
3.0 – ROUTE MAPS AND CONCLUSION

Preferred Route - Caltrans-SMART Route (Yellow-Red, or WTB Alignment-Red), *estimated cost = \$5.1M, \$5.5M respectively*. Requires coordination with Caltrans for Yellow/WTB Segments through CT parcel. The terrain is steep with unstable soils along the alignment requiring extensive grading/retaining walls. The gas line traverses the site along the eastern edge of the SMART ROW & Caltrans parcel. Coordination will be required with PG&E & Caltrans for improvements around this facility. The Red Segment connection to North San Pedro and CPUC will likely require vehicular signalization at this location, and needs further study, and could be expanded to include re-configuration of the Los Ranchitos signal for better connectivity to existing the SMART Class I path north of NSP.



3.0 – ROUTE MAPS AND CONCLUSION

Alternative Route **Merrydale NSP** (Green, Cyan, Light Green), *estimated cost = \$4.3M*. Requires extensive coordination with Caltrans for Green Segment and intersection modifications at North San Pedro for Cyan Segment. Significant improvements conceptualized at the North San Pedro/Merrydale intersection, but does not include full intersection re-construction, i.e., new poles, signal controller, etc. – may add \$500K to \$1M depending on scope of intersection re-configuration. Green/Cyan Segment may impact parking at shoulder areas, but design could accommodate, Cyan Segment crosses driveways, but path as proposed improves over existing Class III. Class I options along NSP west of Merrydale trigger significant changes to existing lanes/parking.



3.0 – ROUTE MAPS AND CONCLUSION

Enhanced Routes (Yellow – Red – Light Green – Light Blue), Enhanced Route 2 (WTB TAM – Red – Light Green – Light Blue), *estimated cost = \$6.8M, \$7.2M respectively*. Though not directly related to connecting Lincoln Ave to the SMART Class I pathway at Los Ranchitos, addition of the Light Green and Light Blue Segments per the exhibit below would provide enhanced connectivity for EB North San Pedro users. All constraints/opportunities associated with the other routes remain. WB North San Pedro users would benefit from the striping improvements as previously presented.



3.0 – ROUTE MAPS AND CONCLUSION

CONCLUSION

This study presents opportunities and constraints and discusses the relative feasibility for several route options to connect existing Class I pathways at Lincoln Avenue and at the SMART North San Pedro road crossing near Los Ranchitos. The ultimate feasibility of any path segment relies on the resolution of the identified constraints and future cooperation with the stakeholder agencies – SMART, the City of San Rafael, the County of Marin, and Caltrans. Further study and coordination are necessary to refine the estimates and finalize pathway configurations including, but not limited to, *soils investigations, comprehensive utility potholing, PG&E coordination for Gas Line within yellow segment, encroachment permit coordination (multiple agencies), traffic analysis, property surveys and topography, potential lighting study, and CEQA*. Depending on the results of additional studies, CEQA compliance may require an Initial Study/Mitigated Negative Declaration for some routes/segments, but an Environmental Impact Report is not anticipated. Resource Agency Permits are not anticipated.

Utility conflicts were observed during field walks and are highlighted in the various sections of the report. This study assumes that parking and existing roadway lane configurations are to be preserved to the greatest extent feasible. A more in-depth traffic analysis and considerations for parking removal (discussed in Section 2.4) could result in a number of design alternatives for several segments identified in this study, however further stakeholder coordination should be conducted before analysis. The recommended next steps are as follows:

- Meet with Caltrans regarding the use of the vacant parcels along the different routes and the North San Pedro/Merrydale Intersection Modifications
 - Encroachment Permit Requirements – level of study required, Caltrans Design Engineering Evaluation Report (DEER or PEER)
 - Raised path against freeway retaining wall
 - Maintenance Agreements
- Meet with PG&E to discuss utility conflicts
 - Gas Line Conflict
 - Utility Pole Guy Wires
- Coordinate with San Rafael/County of Marin/SMART
 - Use of Merrydale/North San Pedro ROW
 - Fire Truck Access at the top of Merrydale and Safety Along the Routes
 - Parking Removal – at top of Merrydale for Fire Truck Turnaround *and* along North San Pedro if considering other alternatives in Section 2.4
 - Los Ranchitos Signal Modifications if warranted by CPUC required signalization at SMART crossing on North San Pedro (Signal owned by County of Marin, maintained by City of San Rafael)

APPENDIX

I. Engineer's Estimates of Probable Cost for Each Segment

II. WTB/TAM Alternative 7 Report

III. Novato Fire Standard Hammerhead Turnaround

ENGINEER'S ESTIMATE OF PROBABLE COST
SONOMA MARIN AREA RAIL TRANSIT
PUERTO SUELLO HILL PATHWAY FEASIBILITY STUDY

GREEN SEGMENT					
Bid Item	Description	EST QTY	Unit	Unit Cost	Total
1	STEEL SOLDIER PILE - ASSUME 12FT DEEP 6FT OC	2200	LF	\$ 200	\$ 440,000
2	RETAINING WALL (Incl Lagging and Subdrain)	4400	SF	\$ 50	\$ 220,000
3	CLASS 2 AGGREGATE BASE	220	TON	\$ 70	\$ 15,400
4	HOT MIX ASPHALT (TYPE A)	165	TON	\$ 400	\$ 66,000
5	CHAIN LINK FENCE	1100	LF	\$ 40	\$ 44,000
6	EARTHWORK	825	CY	\$ 150	\$ 123,750
7	REMOVE TREE	4	EA	\$ 4,000	\$ 16,000
8	TYPE 15 STREET LIGHT WITH FIXTURE-6' MAST ARM	28	EA	\$ 5,500	\$ 154,000
9	PULL BOX	28	EA	\$ 850	\$ 23,800
10	2-INCH CONDUIT	1100	LF	\$ 35	\$ 38,500
11	WIRING	1100	LF	\$ 2	\$ 2,200
12	STRIPING ALLOWANCE (I.E., BROKEN YELLOW LINE)	1100	LF	\$ 0.60	\$ 660
13	SIGNING	1	LS	\$ 20,000	\$ 20,000
14	CATCH BASIN	3	EA	\$ 4,500	\$ 13,500
15	12" REINFORCED CONCRETE PIPE	250	LF	\$ 175	\$ 43,750
16	MINOR CONCRETE CURB	1100	LF	\$ 30	\$ 33,000
17	CLEAR AND GRUB	32000	SF	\$ 0.10	\$ 3,200
				BID ITEM SUBTOTAL	\$ 1,257,760
				MOBILIZATION (10%)	\$ 125,776
				TRAFFIC CONTROL (10%)	\$ 125,776
				CONSTRUCTION SUBTOTAL	\$ 1,509,312
				CONSTRUCTION CONT (20%)	\$ 301,862
				ENGINEERING DESIGN (20%)	\$ 301,862
				CONST MGMT (15%)	\$ 226,397
				ENVIRONMENTAL (10%)	\$ 150,931
				TOTAL ESTIMATED COST	\$ 2,490,365

KEY: INCL - Including
EA - Each
EST - Estimate
INCL - Including
FT - Feet
LF - Linear Foot
LS - Lump Sum
OC - On Center
SF - Square Foot

ENGINEER'S ESTIMATE OF PROBABLE COST
SONOMA MARIN AREA RAIL TRANSIT
PUERTO SUELLO HILL PATHWAY FEASIBILITY STUDY

CYAN SEGMENT					
Bid Item	Description	EST QTY	Unit	Unit Cost	Total
1	CLASS 2 AGGREGATE BASE	57	TON	\$ 70	\$ 3,990
2	HOT MIX ASPHALT (TYPE A)	78	TON	\$ 400	\$ 31,200
3	REMOVE TREE	1	EA	\$ 4,000	\$ 4,000
4	TYPE 15 STREET LIGHT WITH FIXTURE-6' MAST ARM	14	EA	\$ 5,500	\$ 77,000
5	PULL BOX	14	EA	\$ 850	\$ 11,900
6	2-INCH CONDUIT	564	LF	\$ 35	\$ 19,740
7	WIRING	564	LF	\$ 2	\$ 1,128
8	STRIPING ALLOWANCE (I.E., BROKEN YELLOW LINE)	564	LF	\$ 0.60	\$ 338
9	INTERSECTION RECONFIG - ADA RAMPS	9	EA	\$ 5,000	\$ 45,000
10	STRIPE 8' BIKELANE	5848	SF	\$ 8.00	\$ 46,784
11	SIGNING	1	LS	\$ 10,000	\$ 10,000
12	CATCH BASIN	3	EA	\$ 4,500	\$ 13,500
13	12" REINFORCED CONCRETE PIPE	564	LF	\$ 175	\$ 98,700
14	MINOR CONCRETE CURB	564	LF	\$ 30	\$ 16,920
15	CONCRETE SIDEWALK	250	SF	\$ 50	\$ 12,500
16	POST AND CABLE RAILING	300	LF	\$ 40	\$ 12,000
17	CLEAR AND GRUB	5640	SF	\$ 0.10	\$ 564
BID ITEM SUBTOTAL					\$ 405,264
MOBILIZATION (10%)					\$ 40,526
TRAFFIC CONTROL (10%)					\$ 40,526
CONSTRUCTION SUBTOTAL					\$ 486,317
CONSTRUCTION CONT (20%)					\$ 97,263
ENGINEERING DESIGN (20%)					\$ 97,263
CONST MGMT (15%)					\$ 72,948
ENVIRONMENTAL (10%)					\$ 48,632
TOTAL ESTIMATED COST					\$ 802,424

KEY: INCL - Including
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ENGINEER'S ESTIMATE OF PROBABLE COST
SONOMA MARIN AREA RAIL TRANSIT
PUERTO SUELLO HILL PATHWAY FEASIBILITY STUDY

Optional

LIGHT BLUE SEGMENT					
Bid Item	Description	EST QTY	Unit	Unit Cost	Total
1	STEEL SOLDIER PILE - ASSUME 12FT DEEP 6FT OC	500	LF	\$ 200	\$ 100,000
2	RETAINING WALL (Incl Lagging and Subdrain)	1000	SF	\$ 50	\$ 50,000
3	CLASS 2 AGGREGATE BASE	220	TON	\$ 70	\$ 15,400
4	HOT MIX ASPHALT (TYPE A)	45	TON	\$ 400	\$ 18,000
5	CHAIN LINK FENCE	250	LF	\$ 40	\$ 10,000
6	EARTHWORK	230	CY	\$ 150	\$ 34,500
7	REMOVE TREE	8	EA	\$ 4,000	\$ 32,000
8	MIDWEST GUARDRAIL SYSTEM	250	LF	\$ 112	\$ 28,000
9	FLARED END TERMINAL	1	EA	\$ 8,000	\$ 8,000
10	TYPE 15 STREET LIGHT WITH FIXTURE-6' MAST ARM	4	EA	\$ 5,500	\$ 22,000
11	PULL BOX	4	EA	\$ 850	\$ 3,400
12	2-INCH CONDUIT	300	LF	\$ 35	\$ 10,500
13	WIRING	300	LF	\$ 2	\$ 600
14	STRIPING ALLOWANCE (I.E., BROKEN YELLOW LINE)	300	LF	\$ 0.60	\$ 180
15	SIGNING	1	LS	\$ 10,000	\$ 10,000
16	MINOR CONCRETE CURB	300	LF	\$ 30	\$ 9,000
17	CLEAR AND GRUB	3000	SF	\$ 0.10	\$ 300
				BID ITEM SUBTOTAL	\$ 351,880
				MOBILIZATION (10%)	\$ 35,188
				TRAFFIC CONTROL (10%)	\$ 35,188
				CONSTRUCTION SUBTOTAL	\$ 422,256
				CONSTRUCTION CONT (20%)	\$ 84,451
				ENGINEERING DESIGN (20%)	\$ 84,451
				CONST MGMT (15%)	\$ 63,338
				ENVIRONMENTAL (10%)	\$ 42,226
				TOTAL ESTIMATED COST	\$ 696,722

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ENGINEER'S ESTIMATE OF PROBABLE COST
SONOMA MARIN AREA RAIL TRANSIT
PUERTO SUELLO HILL PATHWAY FEASIBILITY STUDY

LIGHT GREEN SEGMENT					
Bid Item	Description	EST QTY	Unit	Unit Cost	Total
1	REMOVE STRIPING	600	SF	\$ 3.0	\$ 1,800
2	SLURRY SEAL	34000	SF	\$ 1	\$ 34,000
3	TYPE 15 STREET LIGHT WITH FIXTURE-6' MAST ARM	15	EA	\$ 5,500	\$ 82,500
4	PULL BOX	15	EA	\$ 850	\$ 12,750
5	2-INCH CONDUIT	600	LF	\$ 35	\$ 21,000
6	WIRING	600	LF	\$ 2	\$ 1,200
7	DUAL BIKELANE	4800	SF	\$ 8.00	\$ 38,400
8	STRIPING ALLOWANCE (I.E., BROKEN YELLOW LINE)	600	LF	\$ 0.60	\$ 360
9	TRAFFIC STRIPING ALLOWANCE	1200	LF	\$ 1.75	\$ 2,100
10	SIGNING	1	LS	\$ 10,000	\$ 10,000
11	NEW TRAFFIC SIGNAL AT SEGMENT TERMINUS	1	LS	\$ 300,000	\$ 300,000
BID ITEM SUBTOTAL					\$ 504,110
MOBILIZATION (10%)					\$ 50,411
TRAFFIC CONTROL (10%)					\$ 50,411
CONSTRUCTION SUBTOTAL					\$ 604,932
CONSTRUCTION CONT (20%)					\$ 120,986
ENGINEERING DESIGN (20%)					\$ 120,986
CONST MGMT (15%)					\$ 90,740
ENVIRONMENTAL (10%)					\$ 60,493
TOTAL ESTIMATED COST					\$ 998,138

KEY: CY - Cubic Yard
 EA - Each
 EST - Estimate
 INCL - Including
 FT - Feet
 LF - Linear Foot
 LS - Lump Sum
 INCL - Including
 SF - Square Foot

ENGINEER'S ESTIMATE OF PROBABLE COST
SONOMA MARIN AREA RAIL TRANSIT
PUERTO SUELLO HILL PATHWAY FEASIBILITY STUDY

RED SEGMENT					
Bid Item	Description	EST QTY	Unit	Unit Cost	Total
1	CLASS 2 AGGREGATE BASE	130	TON	\$ 70	\$ 9,100
2	HOT MIX ASPHALT (TYPE A)	95	TON	\$ 400	\$ 38,000
3	CHAIN LINK FENCE	623	LF	\$ 40	\$ 24,920
4	EARTHWORK	45	CY	\$ 150	\$ 6,750
5	REMOVE TREE	1	EA	\$ 4,000	\$ 4,000
6	TYPE 15 STREET LIGHT WITH FIXTURE-6' MAST ARM	16	EA	\$ 5,500	\$ 88,000
7	PULL BOX	16	EA	\$ 850	\$ 13,600
8	2-INCH CONDUIT	623	LF	\$ 35	\$ 21,805
9	WIRING	623	LF	\$ 2	\$ 1,246
10	STRIPING ALLOWANCE (I.E., BROKEN YELLOW LINE)	623	LF	\$ 0.60	\$ 374
11	SIGNING	1	LS	\$ 10,000	\$ 10,000
12	MINOR CONCRETE CURB	623	LF	\$ 30	\$ 18,690
13	DRAINAGE ALLOWANCE	1	LS	\$ 20,000	\$ 20,000
14	CLEAR AND GRUB	7476	SF	\$ 0.10	\$ 748
15	NEW TRAFFIC SIGNAL AT SEGMENT TERMINUS	1	LS	\$ 300,000	\$ 300,000
				BID ITEM SUBTOTAL	\$ 557,232
				MOBILIZATION (10%)	\$ 55,723
				TRAFFIC CONTROL (10%)	\$ 55,723
				CONSTRUCTION SUBTOTAL	\$ 668,679
				CONSTRUCTION CONT (20%)	\$ 133,736
				ENGINEERING DESIGN (20%)	\$ 133,736
				CONST MGMT (15%)	\$ 100,302
				ENVIRONMENTAL (10%)	\$ 66,868
				TOTAL ESTIMATED COST	\$ 1,103,320

KEY: CY - Cubic Yard
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ENGINEER'S ESTIMATE OF PROBABLE COST
SONOMA MARIN AREA RAIL TRANSIT
PUERTO SUELLO HILL PATHWAY FEASIBILITY STUDY

YELLOW SEGMENT					
Bid Item	Description	EST QTY	Unit	Unit Cost	Total
1	STEEL SOLDIER PILE - ASSUME 12FT DEEP 6FT OC	3640	LF	\$ 200	\$ 728,000
2	RETAINING WALL (Incl Lagging and Subdrain)	7280	SF	\$ 50	\$ 364,000
3	CLASS 2 AGGREGATE BASE	380	TON	\$ 70	\$ 26,600
4	HOT MIX ASPHALT (TYPE A)	273	TON	\$ 400	\$ 109,200
5	CHAIN LINK FENCE	1820	LF	\$ 40	\$ 72,800
6	EARTHWORK	810	CY	\$ 150	\$ 121,500
7	REMOVE TREE	8	EA	\$ 4,000	\$ 32,000
8	TYPE 15 STREET LIGHT WITH FIXTURE-6' MAST ARM	46	EA	\$ 5,500	\$ 253,000
9	PULL BOX	46	EA	\$ 850	\$ 39,100
10	2-INCH CONDUIT	1820	LF	\$ 35	\$ 63,700
11	WIRING	1820	LF	\$ 2	\$ 3,640
12	STRIPING ALLOWANCE (I.E., BROKEN YELLOW LINE)	1820	LF	\$ 0.60	\$ 1,092
13	SIGNING	1	LS	\$ 35,000	\$ 35,000
14	CATCH BASIN	6	EA	\$ 4,500	\$ 27,000
15	12" REINFORCED CONCRETE PIPE	500	LF	\$ 175	\$ 87,500
16	MINOR CONCRETE CURB	1820	LF	\$ 30	\$ 54,600
17	CLEAR AND GRUB	77000	SF	\$ 0.10	\$ 7,700
BID ITEM SUBTOTAL					\$ 2,026,432
MOBILIZATION (10%)					\$ 202,643
TRAFFIC CONTROL (10%)					\$ 202,643
CONSTRUCTION SUBTOTAL					\$ 2,431,718
CONSTRUCTION CONT (20%)					\$ 486,344
ENGINEERING DESIGN (20%)					\$ 486,344
CONST MGMT (15%)					\$ 364,758
ENVIRONMENTAL (10%)					\$ 243,172
TOTAL ESTIMATED COST					\$ 4,012,335

KEY: INCL - Including
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 INCL - Including
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 LS - Lump Sum
 OC - On Center
 SF - Square Foot

ENGINEER'S ESTIMATE OF PROBABLE COST
SONOMA MARIN AREA RAIL TRANSIT
PUERTO SUELLO HILL PATHWAY FEASIBILITY STUDY

<i>WTB TAM ALTERNATIVE SEGMENT</i>					
Bid Item	Description	EST QTY	Unit	Unit Cost	Total
1	STEEL SOLDIER PILE - ASSUME 12FT DEEP 6FT OC	4000	LF	\$ 200	\$ 800,000
2	RETAINING WALL (Incl Lagging and Subdrain)	8000	SF	\$ 50	\$ 400,000
3	CLASS 2 AGGREGATE BASE	418	TON	\$ 70	\$ 29,260
4	HOT MIX ASPHALT (TYPE A)	300	TON	\$ 400	\$ 120,000
5	CHAIN LINK FENCE	2000	LF	\$ 40	\$ 80,000
6	EARTHWORK	810	CY	\$ 150	\$ 121,500
7	REMOVE TREE	18	EA	\$ 4,000	\$ 72,000
8	TYPE 15 STREET LIGHT WITH FIXTURE-6' MAST ARM	50	EA	\$ 5,500	\$ 275,000
9	PULL BOX	50	EA	\$ 850	\$ 42,500
10	2-INCH CONDUIT	2000	LF	\$ 35	\$ 70,000
11	WIRING	2000	LF	\$ 2	\$ 4,000
12	STRIPING ALLOWANCE (I.E., BROKEN YELLOW LINE)	2000	LF	\$ 0.60	\$ 1,200
13	SIGNING	1	LS	\$ 35,000	\$ 35,000
14	CATCH BASIN	6	EA	\$ 4,500	\$ 27,000
15	12" REINFORCED CONCRETE PIPE	500	LF	\$ 175	\$ 87,500
16	MINOR CONCRETE CURB	2000	LF	\$ 30	\$ 60,000
17	CLEAR AND GRUB	7700	SF	\$ 0.10	\$ 770
BID ITEM SUBTOTAL					\$ 2,225,730
MOBILIZATION (10%)					\$ 222,573
TRAFFIC CONTROL (10%)					\$ 222,573
CONSTRUCTION SUBTOTAL					\$ 2,670,876
CONSTRUCTION CONT (20%)					\$ 534,175
ENGINEERING DESIGN (20%)					\$ 534,175
CONST MGMT (15%)					\$ 400,631
ENVIRONMENTAL (10%)					\$ 267,088
TOTAL ESTIMATED COST					\$ 4,406,945

KEY: INCL - Including

EA - Each

EST - Estimate

INCL - Including

FT - Feet

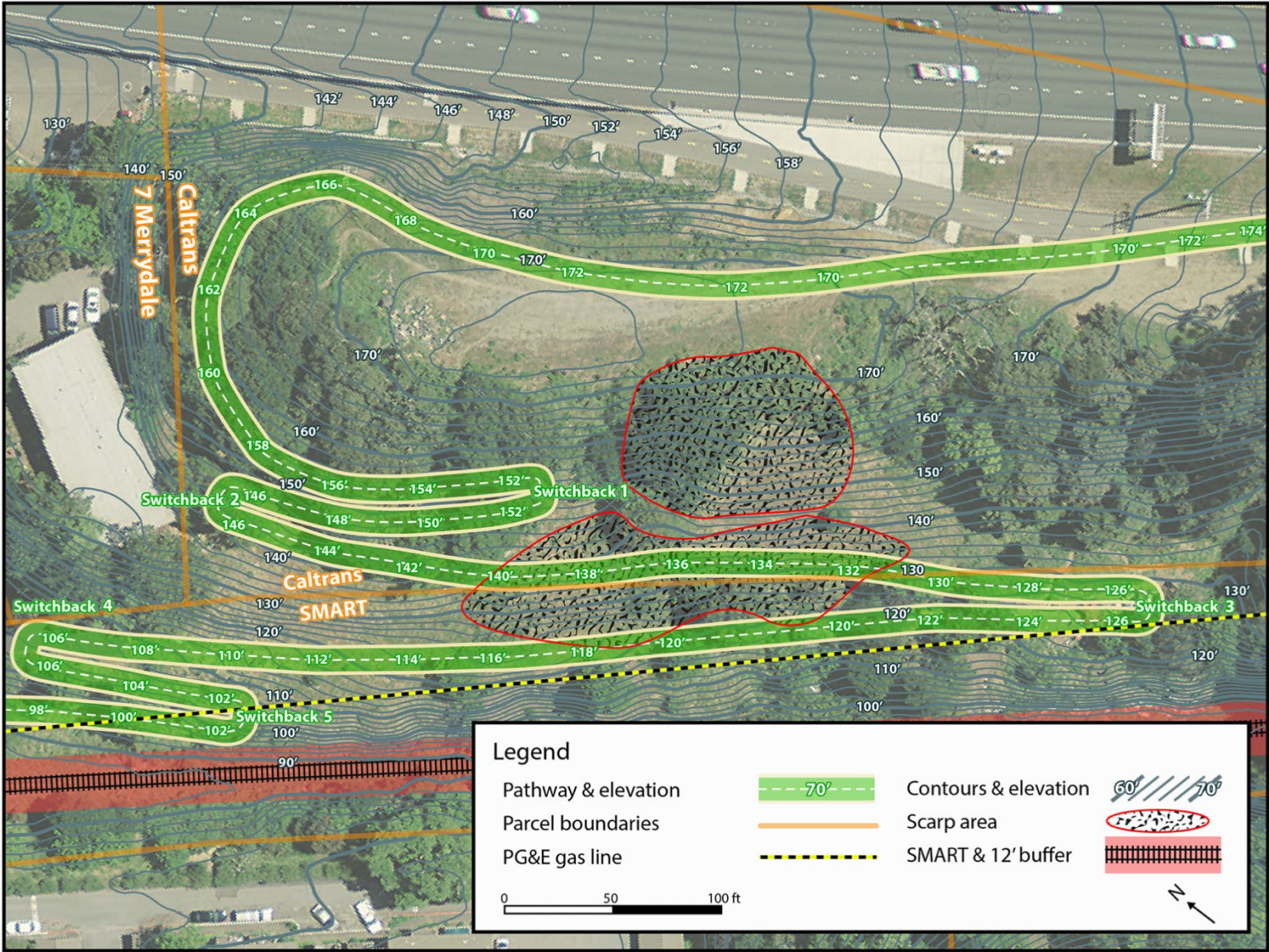
LF - Linear Foot

LS - Lump Sum

OC - On Center

SF - Square Foot

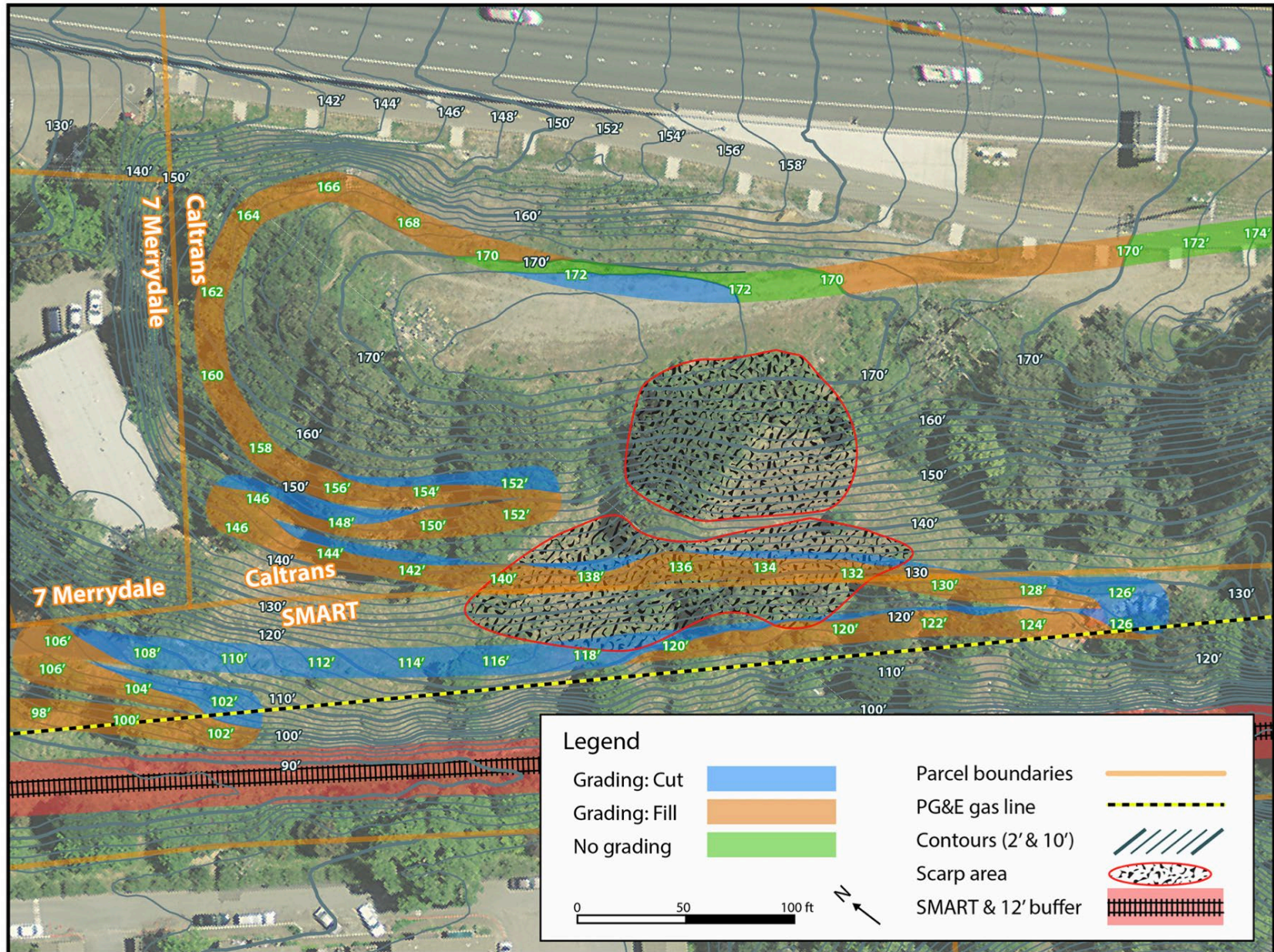
San Rafael Connection, WTB-TAM Alternative 7 (Frame 1)



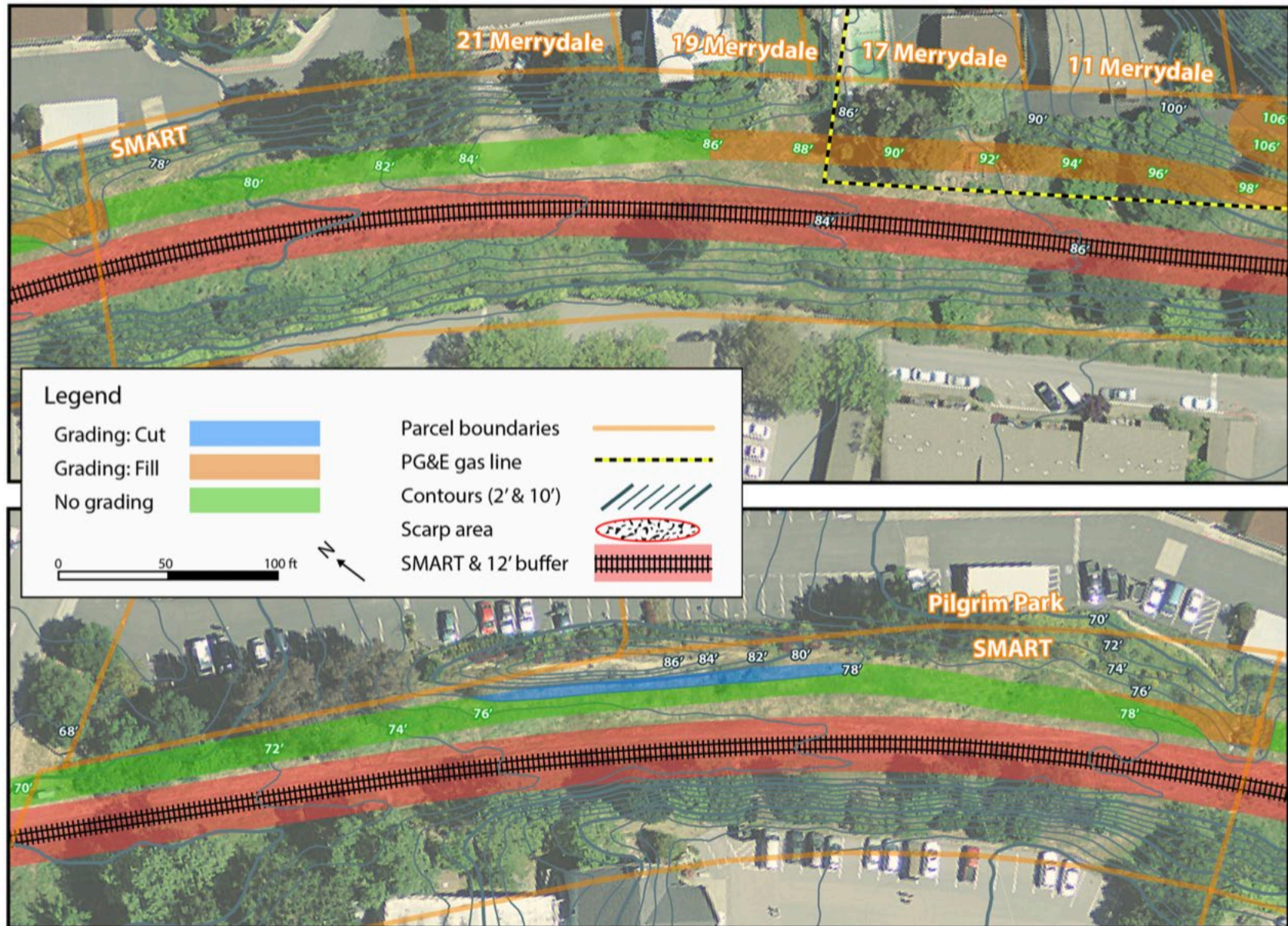
Feasibility Study – Puerto Suello Hill Path – May 17, 2022

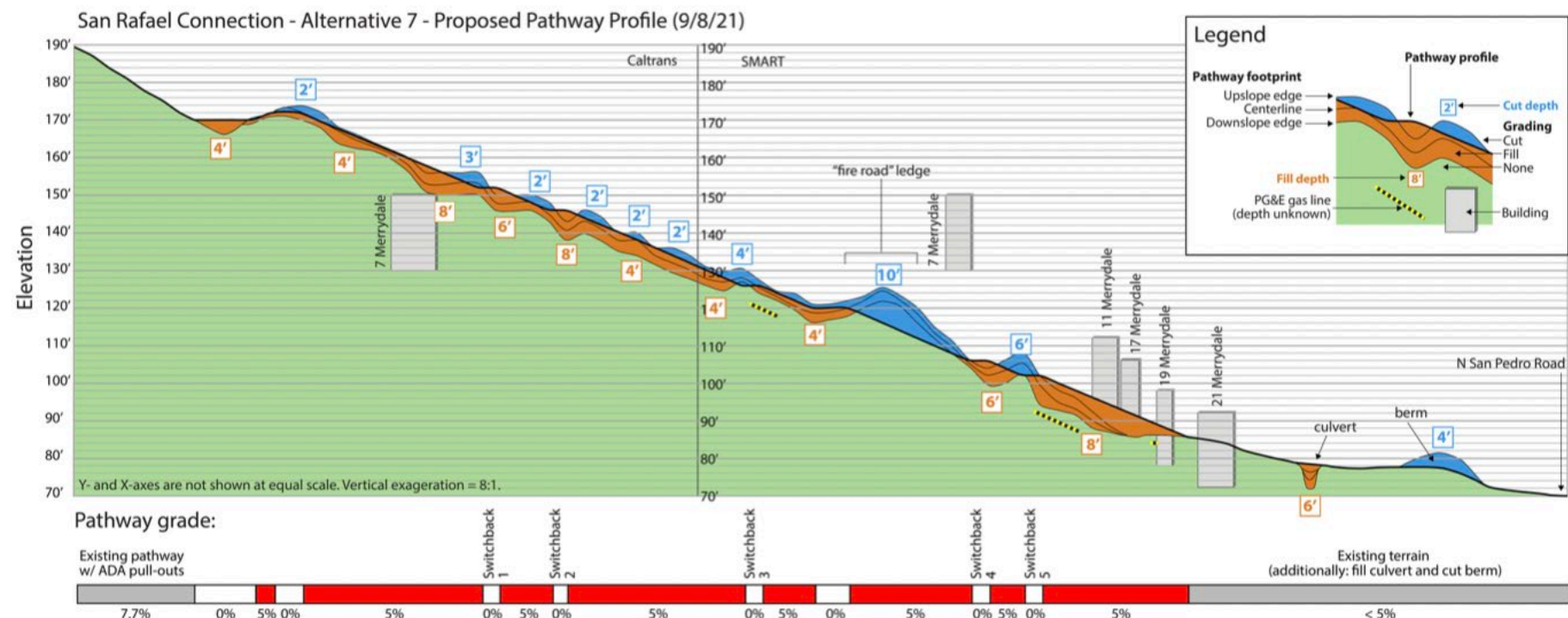


San Rafael Connection, Alternative 7: Grading Plan (Frame 1)



San Rafael Connection, Alternative 7: Grading Plan (Frames 2 & 3)





III. Novato Fire Standard Hammerhead Turnaround
(<https://www.novatofire.org/business/fire-protection-standards>)

