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GENERAL MANAGER

Eddy Cumins

July 15, 2026

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

SUBJECT: Delegation of Chief Financial Officer duties

Dear Board Members:

RECOMMENDATIONS: Adopt Resolution 2026-20 delegating the Chief Financial Officer duties to the General Manager until a new Chief Financial Officer is appointed by the Board.

SUMMARY:

SMART was created pursuant to California Public Utilities Code section 105010 *et seq.* Section 105050 provides for the appointment by the Board of Directors of a Controller, Auditor, and Treasurer. The Code further allows these positions to be held either by separate officers or combined into a single office.

Through Ordinance No. 2009-01, the Board elected to combine the offices of Controller, Auditor, and Treasurer into a single position titled Chief Financial Officer (CFO) and delegated supervisory authority over that position to the General Manager.

The Chief Financial Officer position has recently become vacant, and no interim appointment is planned. Given the anticipated time required to recruit and hire a permanent replacement, the position may remain unfilled for several months. In the meantime, the financial responsibilities assigned to the Chief Financial Officer must continue to be performed to ensure uninterrupted operations and compliance with statutory requirements.

Resolution No. 2026-20 authorizes the General Manager to temporarily assume the duties and responsibilities of the Chief Financial Officer until a new Chief Financial Officer is appointed by the Board.

FISCAL IMPACT:

None

Sincerely,

/s/

Eddy Cumins
General Manager

Attachment: 1.) SMART Ordinance No. 2009-01
2.) Resolution 2026-20

ORDINANCE NO. 2009-01

AN ORDINANCE OF THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT PROVIDING FOR THE ESTABLISHMENT OF OFFICERS, ASSISTANTS AND DEPUTIES PURSUANT TO PUBLIC UTILITIES CODE SECTIONS 105050 AND 105052(b), TO COMBINE THE OFFICES OF AUDITOR, CONTROLLER AND TREASURER INTO ONE OFFICE WHICH OFFICER SHALL BE ENTITLED CHIEF FINANCIAL OFFICER, AND TO DELEGATE AUTHORITY TO THE GENERAL MANAGER TO SUPERVISE THE CHIEF FINANCIAL OFFICER.

BACKGROUND FINDINGS:

The Sonoma-Marín Area Rail Transit District (“SMART”) was created pursuant to Public Utilities Code section 105010 *et seq.* Section 105050 provides for the appointment by the Board of Directors of a General Manager, a secretary, a chief engineer, a legal counsel, a controller, an auditor, and treasurer. The offices of auditor, controller, and treasurer may be held by separate officers or combined and held by one officer. Section 105050 also provides for the appointment of other officers, assistants, and deputies, as the Board may deem necessary by ordinance. Section 105052(b) also provides that the General Manger may appoint, supervise, suspend, or remove district officers, other than members of the board and officers appointed by the board.

Section 1. TITLE. This ordinance shall be known as the SMART Personnel Ordinance.

Section 2. PURPOSE. This Ordinance is adopted to establish employment positions for SMART, which are not otherwise provided for by statute, to combine the offices of auditor, controller and treasurer into one office which officer shall be entitled Chief Financial Officer, and to delegate authority to the General Manager to supervise the Chief Financial Officer.

Section 3. ESTABLISHMENT OF OFFICERS, ASSISTANTS AND OTHER DEPUTIES.

a. The SMART Board hereby establishes the following employment positions:

1. Rail Engineering and Project Implementation Manager
2. Community Outreach Manager
3. Office Manager
4. Property Manager
5. Rail Planning Manager

b. The General Manager shall have the authority to appoint, supervise, suspend or remove the managers listed in section (a) above. The General Manager shall be charged with further delineating the job descriptions and the job duties for each management position.

- c. Salaries and any benefits for employment positions created by this Ordinance shall be set by the Board by resolution.

Section 4. COMBINING THE OFFICES OF AUDITOR, CONTROLLER AND TREASURER INTO ONE OFFICE WHICH OFFICER SHALL BE ENTITLED CHIEF FINANCIAL OFFICER AND DELEGATING AUTHORITY TO THE GENERAL MANAGER TO SUPERVISE THE CHIEF FINANCIAL OFFICER.

The SMART Board hereby combines the offices of auditor, controller and treasurer into one office which officer shall be entitled Chief Financial Officer (“CFO”). The CFO shall be appointed by the Board of Directors. The Board delegates to the General Manager the authority to supervise the CFO.

Section 5. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

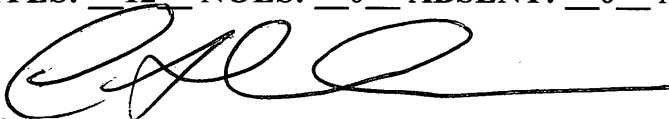
Section 6. EFFECTIVE DATE. This Ordinance shall become effective 30 days from the date of final passage and it shall be published once before the expiration of fifteen (15) days after its passage, with the names of the Directors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California, and in *The Marin Independent Journal*, a newspaper of general circulation published in the County of Marin, State of California.

PASSED AND ADOPTED by the Board of Directors of the Sonoma-Marín Area Rail Transit District in the County of Sonoma, State of California, on February 18, 2009, by the following vote:

DIRECTORS:

MCGLASHAN: Aye FUDGE: Aye ARNOLD Aye BORO: Aye
BREEN: Aye BROWN: Aye EDDIE: Aye
KELLNER: Aye KERNS: Aye MACKENZIE: Aye PAHRE: Aye
RUSSELL: Aye

AYES: 12 NOES: 0 ABSENT: 0 ABSTAIN: 0 VACANT: 0



Charles McGlashan, Chair, SMART Board of Directors

Attest:



Lillian Hames, General Manager and Clerk of the Board

**Resolution No. 2026-20 Sonoma-Marín Area Rail Transit District
July 15, 2026**

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT, STATE OF CALIFORNIA, DELEGATING THE DUTIES OF THE CHIEF FINANCIAL OFFICER TO THE GENERAL MANAGER ON AN INTERIM BASIS UNTIL A NEW CHIEF FINANCIAL OFFICER IS APPOINTED BY THE BOARD

WHEREAS, the Sonoma-Marín Area Rail Transit District (“SMART”) was created pursuant to the Public Utilities Code section 105010 *et seq.*; and

WHEREAS, Section 105050 provides for the appointment by the Board of Directors a controller, and auditor, and a treasurer; and

WHEREAS, the offices of the controller, auditor, and treasurer may be held by separate officers or combined and held by one officer; and

WHEREAS, on February 18, 2009, the Board of Directors passed Ordinance No. 2009-01 which combined the three offices into one under an officer entitled, Chief Financial Officer; and

WHEREAS, Ordinance No. 2009-01 also delegated the supervision of the Chief Financial Officer to the General Manager; and

WHEREAS, the position is currently vacate and the duties of the Chief Financial Officer need to continue to be done until another Chief Financial Officer is appointed by the Board of Directors; and

WHEREAS, the General Manager per Ordinance No. 2009-01 already has the authority to supervise the Chief Financial Officer, so it seems appropriate in the absence of an appointed Interim Chief Financial Officer, that the General Manager assume these duties; and

NOW, THEREFORE, BE IT RESOLVED that Board of Directors delegates the Chief Financial Officer duties to the General Manager until another Chief Financial Officer is appointed by the Board of Directors.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Sonoma-Marín Area Rail Transit District held on the 15th day of July 2026, by the following vote:

DIRECTORS:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

ATTEST:

Kyreen Jorgensen, Clerk of the Board of Directors
Sonoma-Marín Area Rail Transit District