

## Board of Directors Meeting: February 19, 2025 – Public Comments

<b>Date</b>	<b>Name</b>	<b>3. Approval of January 15, 2025 Board Meeting Minutes</b>
		None
<b>Date</b>	<b>Name</b>	<b>6. Public Comment on Non-Agenda Items</b>
2/18/20225	Mark Horrne	Attached
<b>Date</b>	<b>Name</b>	<b>7. <u>Consent</u></b> <b>a. Accept Monthly Ridership Report – January 2025</b> <b>b. Approve Monthly Financial Status Report – December 2024</b>
		None
<b>Date</b>	<b>Name</b>	<b>8. Approve Appointments to the Citizens Oversight Committee (COC) – <i>Presented by General Manager Cumins</i></b>
2/18/2025	Mary Stompe	Attached
2/18/2025	Mimi Willard	Attached
<b>Date</b>	<b>Name</b>	<b>9. Approve Amendment to Personal Service Agreement Contract for the General Manager – <i>Presented by Chair Lucan</i></b>
		None
<b>Date</b>	<b>Name</b>	<b>10. Adopt a Resolution to Amend the Fiscal Year 2025 Adopted Budget to reduce the passenger rail spending authority and increase the overall remaining fund balance (Budget Amendment #10) <i>Presented by Chief Financial Officer, Heather McKillop</i></b>
		None
<b>Date</b>	<b>Name</b>	<b>11. Closed Session - Conference with Legal Counsel regarding existing litigation pursuant to California Government Code Section 54956.9(a); Number of cases: One (1) Case: Dennis Muelrath, et al. v. Sonoma-Marin Area Rail Transit District (SMART) - Superior Court of California, County of Sonoma - SCV-271787</b>
		None

# \$24.4 MILLION IN HUFFMAN INFRASTRUCTURE PROJECTS SLATED TO MOVE FORWARD

## COMMUNITY PROJECTS REQUESTED BY HUFFMAN INCLUDED IN SURFACE TRANSPORTATION PACKAGE

**JUNE 08, 2021**

**Washington, D.C.** – Today, Congressman Jared Huffman (D-San Rafael), Member of the House Committee on Transportation and Infrastructure (T&I), announced that over \$24.4 million has been allocated for transportation projects serving the people of California’s Second Congressional District as a part of T&I’s surface transportation reauthorization bill, the INVEST in America Act.

“I’m glad to see this funding awarded to our community for the vital transportation projects we need to keep California’s Second District moving,” **said Rep. Huffman.** “Infrastructure is the bedrock of America. It drives our economy, creates good jobs, and can be a pivotal part of the solution to climate change – and transformative investments are long overdue. This is just the beginning of our work to bring this country’s infrastructure into the 21<sup>st</sup> Century, and I look forward to working with my colleagues and the Biden-Harris administration to move these projects across the finish line.”

Below are the summaries of the projects in Congressman Huffman’s district selected by the House Committee on Transportation and Infrastructure to move forward in the INVEST Act:

**Project Name/Location:** Bay Trail Connectivity—Vista Point Bay Trail

Vista Point Bay Trail, Sausalito, CA, 94965

**Project Sponsor:** Metropolitan Transportation Commission

**Amount:** \$1,300,000

**Project Name/Location:** Overlook and Viewpoint Improvements to end of Mouth of Smith River Road, Smith River, CA, Mouth of Smith Rover Road, Smith River, California 95567

**Project Sponsor:** Tolowa Dee-ni’ Nation

**Amount:** \$500,000

**Project Name/Location:** Resilient State Route 37 Corridor

Santa Rosa, CA 95401

**Project Sponsor:** Sonoma County Transportation Authority

**Amount:** \$7,000,000

**Project Name/Location:** San Rafael Channel Crossing Swing Bridge

Harbor & Street Canal Street to 15 3rd Street, San Rafael CA 95448

**Project Sponsor:** City of San Rafael

**Amount:** \$2,000,000

**Project Name/Location:** SMART Healdsburg Russian River Rail Bridge Rehabilitation

Front Street, Healdsburg, CA 95448

**Project Sponsor:** Sonoma-Marin Area Rail Transit District (SMART)

**Amount:** \$13,606,840

In addition to these projects included in the INVEST Act, Congressman Huffman also made appropriations requests which have not yet been determined by the committee.

“The Tolowa Dee-ni’ Nation is thrilled to have the Mouth of Smith River Overlook project included in the INVEST in America Act, and we are so appreciative of Congressman Huffman’s support. This project is very important to the Tolowa – the project location offers unparalleled views of the Mouth of the Smith River and Pacific Ocean, along with public access to the Pacific Ocean and Smith River. This project will allow us to make the overlook a draw for tourists, giving visitors a reason to stay and appreciate our beautiful region that the Tolowa have called home since time immemorial,” **said Chairperson Jeri Lynn Thompson.**

“Recommendations for this significant Capital Project gets us another step closer towards fulfillment of our commitment for the completion of passenger Rail service for Healdsburg & Cloverdale and pathways that connects our stations” **said Melanie Bagby, SMART Board member and member of Cloverdale City council.**

“We are pleased that \$13.6 million for the SMART Russian River Rail Bridge project has been included in the House Surface Transportation Bill,” **said David Rabbitt, Chair of the SMART Board of Directors.** “Thanks to Representative Huffman, we have an excellent chance to maintain our momentum towards achieving our vision of delivering passenger rail service to Healdsburg and Cloverdale.”

**Rabbitt, who also serves as Chair of the Resilient Highway 37 Policy Committee taskforce added:** “These funds will help support the timely delivery of critical project elements along the Highway 37 corridor and will be used to match local funds to deliver corridor improvements including carpool lanes. We are grateful for the support of Congressman Huffman as we continue to make progress on this major corridor.”

“The Vista Point Bay Trail is a small investment that will yield huge returns for generations to come, not only by closing a critical gap in our beloved San Francisco Bay Trail but also by making one of the world’s most spectacular sites safer and more enjoyable for the thousands of bicyclists and pedestrians traveling between the Golden Gate Bridge and Sausalito,” **said Alfredo Pedroza, Chair of the Metropolitan Transportation Commission, which oversees the Bay Trail project.**

“The San Rafael Channel Crossing Swing Bridge project is a critical equity project for our City, and we are thrilled to see it advance in legislation. The project would fill a much-needed transportation connection: providing the densely populated Canal neighborhood with a direct bike-pedestrian route to the schools, grocery stores and other essential services that are across the Channel waterway. Since many Canal residents rely on non-motorized transport, the construction of this bridge would not only enable Canal residents to access both services, employment and education more quickly, but also much more safely. We are very grateful for our Congressmember’s support in ensuring this important project moves forward,” **said San Rafael Mayor Kate Colin.**

For more information on the INVEST in America Act, click [here](#).

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# SMART GETS MONEY FOR CRUCIAL HEALDSBURG BRIDGE, BUT LAWSUITS BLOCKING CONSTRUCTION DRAG ON

**JUNE 18, 2021**

With a budget line in Washington, Rep. Jared Huffman has opened a pathway for SMART to fully fund the replacement of an aging railroad bridge over the Russian River, a key impediment to the line reaching Healdsburg.

The tentative breakthrough on funding comes amid a prolonged stall in work on the rail system's extension north of Santa Rosa, where funding is tied up in a lawsuit now before the state Supreme Court. The lawsuit has delayed expansion of the commuter rail system, once slated to reach Windsor by the end of 2021, by six months and counting.

A separate court challenge, meanwhile, has halted work on SMART's parallel bike and pedestrian pathway, a major setback for the popular trail project. Officials said that case could drag on for months or years, throwing another wrench in SMART's overall buildout.

The announcement of the Healdsburg bridge money comes as SMART has [expanded train service in recent weeks and dropped fares](#) in a bid to jump-start lagging pandemic-era ridership.

Funding for the span, which dates to about 1921, would come through a \$13.6 million earmark Huffman, D-San Rafael, secured in a \$547 billion transportation bill before the House of Representatives.

Replacing the bridge is "a huge impediment into getting the train into downtown Healdsburg and then north," Cloverdale councilwoman and SMART board member Melanie Bagby said.

Funding that piece of the project "kind of breaks everything open," she said.

SMART has already secured a \$3.4 million grant from the Sonoma County Transportation Authority to match the proposed federal dollars and complete the bridge replacement project, now pegged at \$17 million.

But SMART is building the railroad line north one segment at a time, and is well behind on its first northward expansion — from Santa Rosa to Windsor. Construction on that 3-mile segment is only about a third complete, and work has been halted since the end of last year amid a legal fight over Bay Area bridge tolls.

A voter-approved hike on those tolls was set to fund an array of regional transit projects, including work on the SMART line, but the Howard Jarvis Taxpayers Association sued, claiming that the increased bridge tolls amounted to an unlawfully approved tax. The case is pending before the state high court, tying up at least \$40 million in SMART funding earmarked for the Windsor expansion.

Analyses by SMART officials have dropped the cost estimates for replacing the Healdsburg bridge several times over the years, from an initial price tag of no less than \$50 million down to the current \$17 million.

Overall, the price of extending the track from Windsor to Healdsburg, including building a station in Healdsburg, has come down from \$194 million in 2019 to \$118 million today.

To reach the lower figure, the agency revised an estimate of \$25 million to build a maintenance facility that could house trains down to \$5 million through plans to convert an existing warehouse into a smaller, satellite maintenance facility.

The cost dropped an additional \$44 million when the agency ran new simulations and decided it no longer needed to buy new trains to serve the expanded line. That write-down came through SMART officials crafting a new operations plan where a train would run from Healdsburg to Windsor, where riders would cross the platform and board another train to take them farther south.

Still, lawsuits and national politics ensure there's little certainty of when the railroad extension will pick up steam north of Santa Rosa.

Huffman's earmark is included in the INVEST Act, which has passed two House committee hearings. Republicans and Democrats alike have added projects in their districts. Its passage appears more feasible than President Joe Biden's much larger infrastructure proposal, which is mired in a Senate standoff.

"We are cautiously optimistic that we will get the needed funds to rebuild the Healdsburg rail bridge," Farhad Mansourian, SMART's executive director, said in a statement to The Press Democrat.

SMART began construction on a Windsor extension in January 2020, and the work was estimated to last two years. But the majority of the funding for the \$65 million project, some \$40 million destined for the railroad from \$1 toll hikes on Bay Area bridges, [has been tied up in the courts for over two years](#). The Howard Jarvis Taxpayers Association sued the Bay Area Toll Authority over the toll measures, which it argues amounted to an illegally passed tax for regional infrastructure projects, not a fee for the use of the bridge.

Though two lower courts have ruled against the taxpayer group, the California Supreme Court agreed in October to take up its appeal, and the case has awaited action since. The toll increase, called Regional Measure 3, secured 55% of the vote in 2018. The measure was designed to raise \$4.5 billion for regional transportation projects through three \$1 bridge toll increases, one of which has gone into effect.

The Howard Jarvis group argues the measure should have required the two-thirds margin of voters required for tax increases under California's Proposition 13.

While SMART waits for a court resolution, it is also seeking alternative funding to keep the project advancing, according to Mansourian. "We can't predict how the California State Supreme Court will rule," he said.

A separate lawsuit, this one in federal court and directly targeting SMART, has been filed by [trackside property owners challenging the legality of constructing a pedestrian and bicycle trail](#) along a right of way historically provided for building rail lines. That lawsuit has halted construction of pathway work, a selling point for voters who approved SMART's formation in 2008.

At an April 21 board meeting, Mansourian told the agency's directors the lawsuit could take 18 months to several years to resolve. The agency could not build new pedestrian pathway in the interim, he said.

In Windsor, SMART still needs to construct a platform for people to embark and disembark trains at the existing station building.

Just south of the building, the halt in rail work is unmistakable: The line running south is graded and lined with stacked rail sections. Heavy machinery sat idle on a recent weekday.

Knowing SMART would quickly burn through the other funding it had secured through a mix of state and federal grants, project managers focused on stream crossings, culverts and other drainage construction, agency officials and board members said.

"We had a feeling that the money might get tied up," Windsor councilwoman and SMART board member Deb Fudge said. The agency also wrote a construction contract that will allow it to avoid a new round of bidding and hiring for the project once, and if, the toll money begins to flow again.

No projected completion date for reaching Windsor now exists since the agency cannot predict when the bridge toll money will flow again, Fudge said.

*You can reach Staff Writer Andrew Graham at 707-526-8667 or [andrew.graham@pressdemocrat.com](mailto:andrew.graham@pressdemocrat.com). On Twitter @AndrewGraham88.*

**By: Andrew Graham**

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## Leticia Rosas

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**From:** stompe@verizon.net  
**Sent:** Tuesday, February 18, 2025 3:55 PM  
**To:** Eddy Cumins  
**Cc:** Leticia Rosas  
**Subject:** Re: COC application

I am a Board member of a bona fide taxpayer's association, a seat I believe, that is required on the COC. I put that on my application. I don't believe anyone else has that credential.

Thank you,

Mary

On Tuesday, February 18, 2025 at 02:55:55 PM PST, Eddy Cumins <ecumins@sonomamarintrain.org> wrote:

Mary,

An Ad Hoc Committee of the SMART Board of Directors met on February 7, 2025, to review 17 applications and recommend appointments. The Ad Hoc Committee recommended five applicants that will be presented to the SMART Board of Directors tomorrow (Wednesday February 19th), for approval. Below is a link to the board meeting packet. The COC Appointment Staff Report and associated information starts on page 29.

[https://sonomamarintrain.org/sites/default/files/Documents/SMART%20Board%20of%20Directors%20Packet%20\\_02.19.2025.pdf](https://sonomamarintrain.org/sites/default/files/Documents/SMART%20Board%20of%20Directors%20Packet%20_02.19.2025.pdf)

Once all appointments are approved by the SMART Board of Directors, SMART staff will notify all applicants who applied for the vacant positions.

Please let me know if you require any additional information.

Eddy

-----Original Message-----

From: stompe@verizon.net <stompe@verizon.net>

Sent: Tuesday, February 18, 2025 11:54 AM

To: Eddy Cumins <ecumins@sonomamarintrain.org>

Subject: COC application

Eddy,

I applied to be a member representing a taxpayer's association (in lieu of Lucy's resignation) but have not heard back from anyone at SMART. What is the status of my application?

Thank you.

Mary Stompe

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**From:** [Mimi Willard](#)  
**To:** [Eddy Cumins](#)  
**Cc:** [Mary Stompe](#)  
**Subject:** Time sensitive: SMART COC Nomination - Mary Stompe  
**Date:** Tuesday, February 18, 2025 3:20:38 PM

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Dear Eddy,

Thank you for your January 30 email.

The Coalition of Sensible Taxpayers formally nominated CST Director Mary Stompe to be our representative on the SMART COC. We are the only bona fide taxpayer organization in Marin. Sonoma County Taxpayers Association is dormant.

Mary submitted her application to SMART prior to the Feb 3 deadline. Her application stated that she is representing Coalition of Sensible Taxpayers. Mary has since been elected an officer of our organization.

We do not see Mary's name on the list of potential COC members to be approved at tomorrow's board meeting.

This is of great concern as there should be a taxpayer watchdog on your oversight board. This is all the more important in the runup to an anticipated sales tax renewal measure.

I am available if you would like to discuss further.

I request that you forward this letter to the SMART board today and make it part of the public record.

Sincerely,  
Mimi  
Mimi Willard, CFA  
President  
Coalition of Sensible Taxpayers  
[SensibleTaxpayers.org](http://SensibleTaxpayers.org)

On Thu, Jan 30, 2025 at 2:33 PM Eddy Cumins <[ecumins@sonomamarintrain.org](mailto:ecumins@sonomamarintrain.org)> wrote:

Good afternoon Ms. Willard

We were informed yesterday by SMART Citizens Oversight Committee (COC) Member Ms. Dilworth that she is resigning from the COC immediately (email below). She asked that we contact you to see if you would like to nominate a candidate to fulfill her term, which expires in 2027. We are currently in the process of accepting applications to fill several vacancies on the COC. If there are any interested parties that wish to apply I have provided the link (<https://www.sonomamarintrain.org/citizens-oversight-committee>) that outlines the process and required information. Applications are being accepted until Monday, February 3, 2025.

Please contact Clerk of the Board, Leticia Rosas at [lrosas@sonomamarintrain.org](mailto:lrosas@sonomamarintrain.org) if you have any questions. You can also contact me directly at 707-859-9950.

Thank you!

Eddy Cumins

SMART General Manager

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**From:** Lucy Dilworth <[lucy.dilworth@gmail.com](mailto:lucy.dilworth@gmail.com)>  
**Sent:** Wednesday, January 29, 2025 3:48 PM  
**To:** Eddy Cumins <[ecumins@sonomamarintrain.org](mailto:ecumins@sonomamarintrain.org)>  
**Cc:** Leticia Rosas <[lrosas@sonomamarintrain.org](mailto:lrosas@sonomamarintrain.org)>  
**Subject:** Resignation from the COC

Dear Eddy,

After careful consideration, I am resigning from the SMART COC, effective immediately. It's been a very interesting position and I have learned much about SMART and observed a very well managed agency, but I now find I have other civic commitments that require more of my time.

Please contact Mimi Willard, the President of the Coalition of Sensible Taxpayers. I am sure she can find a suitable candidate for the oversight committee.

Best wishes,

--Lucy

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