



SMART REAL ESTATE AND PROJECT DEVELOPMENT COMMITTEE

AGENDA

April 7, 2010
10:00 A.M. to 12:00 P.M.

SMART Project Office
490 Mendocino Avenue, Suite 103
Santa Rosa, CA 95401
Please note new location

- I. **Call to Order**
- II. **Approval of March 3, 2010, Minutes****
- III. **Comments from the Public on Non-Agenda Items**
- IV. **Update on On-Going Real Estate Issues – Rob Krantz (DISCUSSION)**
- V. **Approve Exercise of Option to Transfer Ownership of Hamilton Station Site from City of Novato to SMART – Rob Krantz (DISCUSSION)****
- VI. **Station Design Update: Larkspur, Civic Center, San Rafael Station, Santa Rosa Guerneville Site – John Nemeth (DISCUSSION)****
- VII. **Next Meeting Date: May 5, 2010, 10:00 am, San Rafael City Council Chambers**
- VIII. **Adjourn**

DISABLED ACCOMMODATION: if you have a disability that requires the agenda materials to be in an alternate format or that requires an interpreter or other person to assist you while attending this meeting, please contact SMART at least 72 hours prior to the meeting to ensure arrangements for accommodation.

DOCUMENTS: Documents distributed by SMART for its monthly Board meeting or committee meetings, and which are not otherwise privileged, may be inspected at SMART's office located at 750 Lindero Street, Suite 200, San Rafael, CA 94901 during regular business hours.

COMMITTEE OF THE WHOLE: This Committee may be attended by Board Members who do not serve on this Committee. In the event that a quorum of the entire Board is present, this Committee shall act as a Committee of the Whole. In either case, any item acted upon by the Committee or the Committee of the Whole will require consideration and action by the full Board of Directors as a prerequisite to its legal enactment.

* Information will be provided at the meeting, ** Information attached.



**REAL ESTATE and PROJECT DEVELOPMENT COMMITTEE
MINUTES
March 3, 2010
San Rafael City Council Chambers
1400 Fifth Ave., San Rafael, CA**

I. Call to Order

The SMART Real Estate and Project Development Committee welcomed Director Pahre as the new Chair of the Committee. Committee members present were:

Debora Fudge
Madeline Kellner
Charles McGlashan
Barbara Pahre
Carol Russell

Joan Thomas, SMART Real Estate Assistant, was introduced by Rob Krantz and welcomed by the Committee.

II. Approval of January 6, 2010, Minutes

It was moved by Director Kellner and seconded by Director Russell to approve the minutes. All were in favor and the motion passed unanimously.

III. Comments from the Public

David Shonbrunn spoke regarding the grade crossing at Andersen Drive in San Rafael.

IV. Update on Ongoing Real Estate Issues

Rob Krantz reported that the Santa Rosa Project Office will be operational by March 15. The ongoing corridor cleanup and maintenance this month included the cleanup of railroad ties in Petaluma, cleanup of the break-in at the communications building in Petaluma, and the cleanup on Jacoby Street. SMART is working on a Request for Qualifications (RFQ) for corridor-wide annual cleanup and maintenance. Last year Denno Brothers was hired to provide weed abatement.

V. Central Marin Ferry Connection (CMFC)

In follow up to the November 4, 2010, Real Estate Committee report on the CMFC, Bill Gamlen reviewed the CMFC project that under Phase 1 will begin design in the second quarter of 2010. The project is fully funded with RM2 and Nonmotorized Transportation Pilot Program funding. TAM had

asked for input from SMART on three technical items: (1) location of CMFC structure, (2) trestle considerations (how the path will go thru trestle) and (3) how SMART would like the station connection to look. SMART responded that it was important to maintain a double track with 15' track center-line spacing and maintain the same general track alignment that is currently in place.

SMART and Transportation Authority of Marin (TAM) have met and together have been able to achieve everything that TAM was asking for and still maintain the future SMART's 15' track center-line spacing and maintains 15 feet from track to CMFC structure. It maximizes clearance at the Atwood Building and does not degrade SMART's system.

Committee Discussion: The committee thanked Bill Gamlen and SMART for working together with TAM to come to an agreeable settlement.

Public Comment:

David Shonbrunn spoke regarding the vertical grade that will be generated between the tunnel and the bridge, and money from the NMPP might be used for building out the pathway if SMART was to agree to interim use.

Andy Peri, MCBC, thanked the two agencies for their work to complete the CMFC project.

Board Discussion: There was discussion on the area of the trestle. Director Russell requested clarification and follow up on the existing Atwood building's 4-1/2 ft spacing to make sure it will not cause a problem in an emergency situation. Mr. Gamlen stated TAM will be looking at that as part of their Environment Impact Report and SMART staff will follow up.

VI. Real Estate Acquisition Management Plan (RAMP) Update

Staff previously reviewed with the Committee the SMART property acquisition process. SMART will administer the real property acquisition process related to the Project pursuant to applicable local, State of California and other regulations, including the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (the URA or Uniform Act) and California Relocation Assistance Law (the CRAL). The document that is critical to this process is the Real Estate Acquisition Management Plan (RAMP). The RAMP will serve the purpose of satisfying any potential federal funding sources and it serves as a guideline for SMART to accomplish its property acquisitions. SMART intends to pursue voluntary acquisition of all properties, and eminent domain will only be used as a last resort to acquire properties.

Committee Discussion: Director Russell requested that the RAMP be placed on SMART's website. Response from legal counsel was that SMART can place a link on the website as well as brochures that have condensed language for those who do not care to read the entire RAMP document. Director Pahre asked if the Federal government will look at our RAMP and requested review by SMART's Board of Directors. Legal counsel explained that some of the things contained in the RAMP such as rules for purchasing property, policies and procedures, etc. are rules that all public agencies adhere to and that the RAMP will be brought to the whole Board. SMART will also follow federal procedures in order to be able to take advantage of any funding match.

Public comment: There was no further public comment.

It was the consensus of the Committee to bring the RAMP to the full Board for review under the Consent Calendar.

VII. Station Workshops Synopsis

Comments and questions from the Stations Workshops are being reviewed. Thirty percent of all the comments provided the community character and design advice. Nearly 20% of the public comments regarded bicycle and pedestrian access. Approximately 15% of comments were with regard to station furnishings and amenities. Restrooms are not part of the SMART's stations plan, but are planned for the vehicles. Permits for vendors at stations were discussed. There was concern that there not be over illumination. Over 5% of the comments were with regard to signage and information. Parking issues represented approx 5% of public comments. The five next key comments were with regard to: bus and shuttle access, green design, platform issues, station area planning issues, and security.

The April 21st SMART Board Meeting agenda will include review of the ZGF station design and plan late April meetings with city staff to review station/platform design concepts.

Committee Discussion: Director Kellner asked about the timing of the next stations workshops. Director Russell stated she appreciated the work done in Cloverdale and thanked ZGF and SMART for the workshop. Director Pahre asked about the strategy and timing of meetings with city staff and members of the public and asked if it could be made available to the city staff prior to coming to the Board such as key elements that will repeat along the line. There was further discussion among the committee members, and it was the consensus of the committee that SMART staff take the preliminary general aesthetic qualities/designs to city staff prior to bringing it to the Board of Directors and then schedule public workshops. Director McGlashan suggested that if the Board changes something it will need to go back to the city staff again.

Mr. Lackey stated the conceptual design is about getting the project to a point to develop cost estimates and unlike the vehicle specifications used to procure and build the cars, the station design will have more opportunity for review and change in that process. Ms. Hames stated the conceptual design stage of the stations drawings will not be final; the value engineering is an important piece to the project and the drawings will change.

Public Comment:

Steve Birdlebough commented on the Santa Rosa and Petaluma stations' workshops, pedestrian crossings, keeping flexibility in the design and asked for future workshops to be held at places of business where ridership will be greatest.

David Shonbrunn referenced letter to SMART Real Estate Committee dated March 2, regarding station locations for Larkspur and Civic Center.

Andy Peri, MCBC, asked Staff if it is okay to continue to submit comments throughout the advanced conceptual design process. The answer was that it is okay.

Allen Tacy, Friends of Smart, commented that 50% of ridership will arrive by car and asked for that consideration in the station design as well as taking into account the wind direction at the Petaluma station.

Committee Discussion: Director Fudge asked if the cities took part in noticing the station planning workshops and asked if the cities could help get the word out especially to the ridership and Hispanic community for the future station planning workshops.

Public Comment:

Matt Stevens commented that SMART has a very large email list for persons actively interested in the project. Notice went out two weeks prior and SMART tracks the email progress for these meetings. With regard to the Hispanic community, SMART may need to go to the Hispanic community meetings to receive feedback.

Jack Swearingen, Chair of Friends of SMART, suggested a Founders Grove, in memoriam of people who originated the SMART concept. Friends of SMART would bear the cost through donations they collect and will come back to the Board with recommendations on location.

Committee Discussion: Director McGlashan asked Friends of SMART to bring the concept back to the Real Estate Committee for further review and the dynamic growth potential of the grove.

VIII. Civic Center Station Update

John Nemeth reviewed the Civic Center Station concept plan from the 2005 DEIR. At that time, Marin County commented and did not express concerns on the location of station. In 2009, SMART met with the County to work cooperatively to deal with the interface of SMART's lot and the property. The County suggested they may use all the land that was designated as SMART's Park and Ride lot, and Marin suggested SMART might be able to use some spaces in the Marin Center parking lot. SMART requested feedback from the Real Estate Committee on Marin County's suggestion and what parking could be made available. The timing is such that SMART's station designers need to know how to orient the Civic Center Station in their conceptual plan.

Committee Discussion: Director Kellner asked about the number of spaces committed by the county, how many spaces SMART was hoping to have and the timing. SMART had identified approximately 139 parking spaces.

Director Russell asked how SMART had planned for approximately 139 parking spaces and the County's new development of making available fewer parking spaces. Ms. Hames noted that SMART prepared preliminary designs in 2003-2004 for the EIR with public workshops and SMART met with the County Administrator three or four times. Marin County had evolving conversations regarding the farmer's market and had questions about the amount of parking available.

David Spear, Marin County Facility Planning and Development Manager for Marin County, acknowledged conversations have evolved over the past couple of years with regard to the farmers' market and a Request for Proposal was put out for a partner to develop and operate a farmers' market. Preliminary conceptual studies of the site for the farmers' market brought forward a shared use concept with SMART. There has not been a follow-up meeting with SMART on these details. The County sees

the entrance at the Merrydale Avenue crossing design as the northern entrance to the Frank Lloyd Wright historic Civic Center and incorporates a cohesive design for the northern entrance.

Director McGlashan asked if it is feasible to split the parking over the two sites: 70 spaces on the Caltrans parcel and 70 spaces on the Marin Civic Center side so that SMART could get its full quota of parking spaces. Ms. Hames mentioned that the issue would be getting people across the tracks.

Staff suggests the station design team incorporate functional parking layout ideas that will make use of shared parking for cost savings and good environmental practices at the Civic Center and bring it back to the Committee.

Director McGlashan supported that it is important for SMART to get 139 parking spaces and ask ZGF to use this site as a bike share hub and possibly as a pilot site for bike share. Director Pahre asked about the opportunity to charge for parking. Ms. Hames stated SMART recommends 139 paid parking spaces. Director Russell reiterated that the Marin Center is a key stop for travel north and also for concerts and events, and the parking spaces are really important for the use of this station. Director Fudge asked what SMART could do to get housing at the Civic Center to incorporate housing and parking.

It was the consensus of the Committee that they would like to see creative options in ZGF's Civic Center station design keeping SMART's interests in mind.

Public comment:

Sue Biddle commented on concern for the level of traffic at the intersection of North San Pedro and Civic Center Drive.

IX. Next Meeting Date

The next meeting will be held on April 7th.

X. Adjournment

The meeting was adjourned at 12:00 p.m.



MEMORANDUM

DATE: April 7, 2010
TO: SMART Real Estate Committee
FROM: Rob Krantz
RE: Agenda Item V

Staff Report: Approve Exercise of Option to Transfer Ownership of Hamilton Station Site from City of Novato to SMART

Background

SMART is planning to establish two passenger rail stations in Novato at sites formally recommended by the Novato City Council, one of which is at the former Hamilton Air Force Base. This site is currently owned by the City of Novato, but SMART holds an option to transfer ownership of that station site to SMART at no cost. SMART requests approval from the Real Estate Committee to work with the City to exercise this right and obtain this property.

Analysis

In December 1995, the Golden Gate Bridge Highway and Transportation District ("GGB") contracted with the City of Novato in a Cooperative Agreement to require two actions by the City of Novato that were to be taken upon receipt of GGB's written demand. The City was required to: (a) exercise its existing right to acquire the Hamilton property from the federal government for the future development of a transit station, and (b) transfer the City's right, title and interest in the property to GGB at no cost to GGB (the "Transfer Option"). In November 1998, the City of Novato exercised its right to acquire the property from the federal government, satisfying the first condition.

The Transfer Option has not yet been exercised, and is now an option owned by SMART pursuant to the transfer of the GGB interest in the NWP right-of-way to SMART in a Memorandum of Understanding that was entered into in October 2005. This Transfer Option must be exercised prior to January 1, 2018, or else it reverts back to GGB.

The Hamilton site is a 4-acre parcel located east of the railroad right of way in Novato, between Main Gate Road and North Hamilton Parkway, and is necessary in order to construct a transit facility.

As SMART is the successor in interest to GGB for the Transfer Option of the Hamilton property, the City is obligated to transfer its interest in the 4-acre parcel to SMART at no cost, along with any environmental information that it may have about the parcel, and to assign to SMART any federal government benefits that have been committed (if any) to remediate the site. There is a caveat that if the federal government objects to the transfer for which it has committed federal funds, then the City can instead lease the site to SMART at no cost to SMART. However, SMART is not anticipating an objection to the transfer by the federal government as this is a transfer to another governmental entity.

SMART needs to obtain the Hamilton property in order to move forward with station implementation at this location in Novato. SMART wishes to work with the City to commence the property acquisition process.

Staff Recommendation

Staff requests permission from the Committee to exercise SMART's Transfer Option by making written demand upon the City of Novato to transfer the Hamilton site to SMART at no cost pursuant to Section 3(a) of the Cooperative Agreement.



MEMORANDUM

DATE: April 7, 2010
TO: SMART Real Estate Committee
FROM: John Nemeth
RE: Agenda Item VI

Staff Report: Station Design Update

Issue Summary

Staff will present an update on the status of four station designs: Larkspur, Downtown San Rafael, Marin Civic Center and North Santa Rosa (Guerneville Road alternative).

Background

In January 2010 SMART initiated work on the design of its stations as part of the project-wide Advanced Conceptual Engineering phase. In conjunction with its contract architects, ZGF, SMART solicited input on station design in a series of public workshops in February 2010.

In late April 2010, SMART will conduct a second round of public workshops to gather more input and further refine the design of stations. In advance of that activity, staff will provide the Real Estate Committee with an overview of the status of stations: Larkspur, Downtown San Rafael and Marin Civic Center.

At the January Real Estate Committee meeting, staff was directed to pursue the development of a site plan for an alternative North Santa Rosa Station at Guerneville Road. That work is being reimbursed by Coddling Enterprises, as part of a formal agreement with SMART. Staff will provide an update on the status of that site planning work. In May, staff will bring the North Santa Rosa Station issue back to the Real Estate Committee for further direction.

Staff Recommendation

For information only. No action required.
