November 2, 2022

Dear Board of Directors:

SUBJECT: ADDITION TO THE AGENDA (GOV. CODE § 54954.2 (b)(2/3 vote):
A legislative body may discuss and take action on a non-agenda item at a regular
meeting if, by two-thirds vote, the Board determines that there is a need to take
immediate action on an item and the need for action came to the attention of the
District subsequent to the posting of the agenda.

RECOMMENDATION: Add Item A to the November 2, 2022 Regular Calendar:
1. Determine by a two-thirds vote that there is a need for immediate attention
on this urgency item and that the need for action came to the attention of
the local agency subsequent to the agenda being posted.

2. Consider Agenda Item A and Resolution No. 2022-37 and make the
necessary findings, by 4/5 vote, to initiate emergency repair or
replacement of the timber trestle bridge to prevent further damage and to
allow the District to fulfill its freight obligations.

AGENDA ITEM A - SUMMARY:
This emergency item came to the District’s attention after the posting of the
Agenda on Friday, October 28, 2022. The timber trestle bridge at Railroad Slough,
MP-B38.97, failed on October 28, 2022, when the SMART Freight Team was
switching cars in Schellville.

In order to continue freight operations, maintain a critical connection to the
interchange and the national railroad system and to be able to continue to serve
SMART’s freight customers, the District must take immediate corrective action to
repair or replace the inoperable bridge.

General Counsel recommends that the Board make a finding by two-thirds vote
pursuant GOV. CODE § 54954.2(b) to add this additional item to the agenda on
your November 2, 2022, meeting.

Very truly yours,

/s/
Eddy Cumins
General Manager