

Board of Directors Meeting: October 6, 2021 – Public Comments

Date	Name	6. Public Comment on Non-Agenda Items
10/05/2021	Mike Arnold	See attachment
10/5/2021	Matthew Hartzel	<p>Mr. Farhad Mansourian, General Manager Ms. Heather McKillop, Chief Financial Officer Sonoma Marin Area Rail Transit District 5401 Old Redwood Hwy #200, Petaluma, CA 94954</p> <p>Re: Request for Actions to Support SMART Pathway</p> <p>Dear Mr. Mansourian and Ms. McKillop:</p> <p>Thank you for your contributions and commitment to SMART. WTB-TAM and the general public recognize the tremendous work required to advance the train component of the SMART multi-modal transportation system. We also recognize your recent focus on the SMART Pathway, described in the project's enacting legislation as a "parallel bicycle/pedestrian pathway linking the 14 train stations" from Larkspur to Cloverdale. We offer the below suggestions to help advance our common mission, and build the foundation for Marin's sustainable mobility future:</p> <p>We respectfully request that two permanent agenda items be added to future SMART Board of Directors meetings: 1. A monthly progress report on the status of the environmental clearances, engineering, and design of all remaining unbuilt Pathway segments as listed in the April 2021 SMART Capital Improvement Plan. 2. A monthly progress report by the consultant Zoon Engineering on the status of the Feasibility Study of the Multi-use Pathway from the top of Puerto Suello Hill to North San Pedro Road in San Rafael.</p> <p>Thank you. Respectfully submitted,</p> <p>Patrick Seidler, President</p> <p>Matthew Hartzel, Director of Planning & Research</p> <p>WTB-TAM 475 Miller Avenue Mill Valley, CA 94939</p> <p>Warren Wells, Policy & Planning Director</p> <p>Marin County Bicycle Coalition PO Box 695, Fairfax, CA 94930</p>
Date	Name	7. Consent
		<p>a. Approval of Monthly Financial Reports</p> <p>b. Authorize the General Manager to modify the existing 401(a) Money Purchase Plan to allow for SMART to contribute up to the maximum allowable IRS limit</p>
10/05/2021	Mike Arnold	See attachment
10/5/2021	Eris Weaver	<p>I noticed that the Monthly Financial Reports in this packet seems to be missing something. It includes revenues and expenditures, but is lacking what was previously referred to as the Investment Report - what I would report to MY Board of Directors as Account Balances. When I review my own organization's (admittedly orders of magnitude smaller) finances and discuss them with my Board, it's important to know not just how much is going in</p>

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		and out but how much is accumulating. The SMART Board - and the public - deserve access to this key piece of financial information in order to have a complete picture of the District's financial health. I hope it was left out accidentally; if it was done intentionally, WHY? Please put it back in. Thank you.
Date	Name	8. Approve a Resolution Authorizing the General Manager to Execute Contract No. EV-BB-21-001 with Hanford Applied Restoration and Conservation for Implementation and Monitoring of the San Rafael Creek Riparian Enhancement Project for an amount of \$234,800
		None
Date	Name	9. Authorize the General Manager to Award a Contract to BBM Railway Equipment, LLC to Manufacture and Furnish a Railroad Wheel Press Machine in the amount of \$1,041,500
		None
Date	Name	10. Approve a Resolution Regarding Tele/Video-Conference Meetings During the COVID-19 State of Emergency
		None
Date	Name	11. Short Range Transit Plan (<i>Information/Discussion</i>)
		None
Date	Name	12. Approve a Resolution Adopting Policy HRM 0025, COVID-19 Vaccination and Testing Policy for Staff and Members of the Board of Directors
		None
Date	Name	13. Closed Session a. Conference with Board of Directors Regarding Labor Negotiations General Manager Recruitment – Pursuant to California Government Code Section 54957.6 Agency Designated Representative: Board of Director's Chair Employee: Unrepresented b. Conference with Legal Counsel Regarding Existing Litigation pursuant to California Government Code Section 54956.9(a); Szele v. Sonoma-Marin Rail Transit District Marin County Superior Court Case No. CIV-210323; Number of cases: 1

Board of Directors Meeting: October 6, 2021 – Public Comments

		c. Conference with legal counsel regarding existing litigation pursuant to California Government Code Section 54956.9(a); Naumik v. Sonoma-Marín Rail Transit District, City of San Rafael, County of Marin; Marin County Superior Court Case No. CIV-2100734; Number of cases: 1
		None

To: David Rabbit, SMART Chair and SMART Boardmembers; Heather McKillop
From: Mike Arnold
Subject: Agenda Item #6: (Non Agenda Item) MTC's Response to SMART Comments on EIR for Plan Bay Area 2050
Date: October 5, 2021

The MTC responded to SMART's comment letter on the Draft EIR of Plan Bay Area 2050. Here are the published comments. If anyone is interested in the detailed report underlying MTC's response to SMART's comment, the detailed analysis is available at:

https://mtc.ca.gov/sites/default/files/documents/2021-08/ProjectPerformance_FinalFindings_Jan2020_editAug2021.pdf

Letter 94
Sonoma-Marín Area Rail Transit
Farhad Mansourian, General Manager
July 19, 2021

Thank you for your comments. Your interest is appreciated, and your comment is now a part of the official record on the proposed Plan.

94-1

The commenter requests that three Sonoma-Marín Area Rail Transit (SMART) passenger rail extension projects be added to the proposed Plan: (1) from Windsor to Healdsburg, (2) from Healdsburg to Cloverdale, and (3) from Novato to Suisun City (to Solano). As presented on page 1-16 in Section 1.7.5, "Plan Development Process," of the Draft EIR, a Project Performance Assessment was conducted to evaluate major transportation projects considered for inclusion in the proposed Plan. The Project Performance Assessment evaluated nearly 100 projects for societal benefit-cost ratios, equity impacts, and alignment with the proposed Plan's guiding principles. Among the projects evaluated were SMART's extensions to Cloverdale and to Solano (between Novato and Suisun City). SMART's extension to Windsor was assumed as a committed project and was not evaluated in the assessment and thus was ultimately integrated into the Plan Bay Area 2050 Transportation Project List found on the Plan Bay Area website at www.planbayarea.org/reports. Both the Cloverdale and Solano extension projects had benefit-cost ratios less than 0.5, indicating that the costs significantly outweighed the societal benefits of the project. Further, both projects had an equity score of "Challenges" based on quantitative modeling analysis, indicating that transportation accessibility benefits of the projects accrued in higher proportion to higher-income populations. The performance of these two extensions were evaluated against three different potential futures, including a high-growth transit-supportive future, and the results were similar across all futures, indicating that these projects would not perform well under a wide range of future conditions.

In general, the assessment found that, "High-cost commuter rail projects have mixed performance outcomes, predominantly benefitting higher-income groups." It was recommended that, "Rail projects should be evaluated alongside lower-cost bus improvements. Rail projects should be paired with complementary fare policy and land use strategies to ensure that all Bay Area residents benefit from them." While the SMART projects were considerably lower in cost than other evaluated rail projects, their performance outcomes were similar. These findings were released in winter 2020 and can be found online at: https://mtc.ca.gov/sites/default/files/documents/2021-08/ProjectPerformance_FinalFindings_Jan2020_editAug2021.pdf.

In addition, the Confidence Assessment within the Project Performance Assessment considered other factors that may not be captured in the modeling analysis of these projects:

- ▲ SMART to Cloverdale: Analysis was performed for a typical weekday, but many of the project's benefits may occur on weekends due to recreational use and tourism. Further, the analysis does not capture some potential benefits of the project such as allowing freight rail service and providing infrastructure redundancy during emergency evacuations. Other potential benefits of the project may include providing rural broadband infrastructure and dark fiber access.
- ▲ SMART to Solano: The analysis does not capture the cost of investment necessary for protection from sea level rise, and may therefore overestimate the benefit-cost ratio. The analysis does not capture some potential benefits of the project such as allowing freight rail service and providing infrastructure redundancy during emergency evacuations. Other potential benefits of the project may include providing rural broadband infrastructure and dark fiber access.

After the release of the Project Performance Assessment findings, a shortlist of high-performing projects were integrated into the Draft Blueprint, and MTC and ABAG identified performance challenges in terms of cost-effectiveness, alignment with the adopted Guiding Principles, and support for equitable outcomes for the remaining projects. Project sponsors were then asked to submit tangible policy commitments or scope revisions to address these issues by April 2020. In June 2020, MTC and ABAG discussed the performance commitments made by project sponsors. SMART staff identified commitments to reduce fare burden through participation in a regional means-based fare program and to discount transfers to several local transit systems, but did not identify any broader, more substantive actions to address poor performance results. As a result, because of the limited future funding available for major transportation projects and the legal requirement that the proposed Plan's transportation project list be fiscally constrained, the two SMART extension projects were not prioritized for inclusion in the proposed Plan as part of Strategy T11. See "Master Response 7: Fiscally Constrained Transportation Project List" for additional discussion of this topic.

Apart from funding for maintaining and operating existing SMART service operations from Larkspur to Santa Rosa, extending service to Windsor, and adding an infill station in Petaluma, proposed Plan investments that benefit SMART would preserve existing SMART right-of-way from sea level rise inundation. The SMART corridor was found to be vulnerable to sea level rise, with key portions of the existing line susceptible to closures within the proposed Plan's 30-year period. Without the implementation of adaptation infrastructure, analysis found that SMART service would be unable to operate between the San Rafael and Petaluma Downtown stations due to potential sea level rise inundation occurring in multiple locations. Strategy EN01, Adapt to Sea Level Rise, includes a set of multi-benefit adaptations in Marin County that would protect the SMART corridor in these crucial segments, as well as Highway 101, and a number of neighboring homes and businesses. It is estimated that it could cost at least \$260 million for the protection of the existing SMART right-of-way within the Plan period. These adaptation investments would also provide benefits beyond 2050, as they would maintain the existing communities that support the SMART service, including downtown San Rafael. For more information on the Adapt to Sea Level Rise strategy, please see the Plan Bay Area 2050 and Sea Level Rise Adaptation document found at https://www.planbayarea.org/sites/default/files/pdfs_referenced/PBA2050_SLR_Brief_102120_Final_0.pdf.

The MTC Commission and ABAG Executive Board will consider this comment as part of their overall consideration of the proposed Plan.

To: David Rabbit, SMART Chair and SMART Boardmembers; Heather McKillop
From: Mike Arnold
Subject: Agenda Item #7: Comments on New Monthly Finance Report Format
Date: October 5, 2021

Staff has produced a new “Monthly Finance Report” (MFR) format. The Board should be aware that the new format excludes expenditures on freight and it’s “unrestricted” cash position formerly referred to as “Operating Accounts.”

1. There was no Monthly Finance Report posted for July 31, 2021. The agenda item in the September 1, 2021 Board packet says July 2021, but it was, in fact, June 2021.
2. Here are the differences between what was reported in the June 2021 MFR and what is not reported in the August report.
 - The June 2021 MFR reported revenues by department. In the new format, revenues are not allocated by department.
 - The June 2021 MFR reported about \$175,000 in freight expenditures. In the new format, there is no line item for “freight expenditures.” As SMART owns the freight trains and is operating them serving a few customers in Sonoma, presumably it has expended funds on these operations. How much has the agency spent of operating the freight trains in the first two months of this fiscal year?
 - The June MFR provides an “Investment Report,” including the “Operating Accounts” (or cash deposits) in two accounts: one at the Bank of Marin and second one in the Sonoma County Treasury Pool. There was \$69.9M in these two accounts as of June 31, 2021. How much was in these two accounts at the end of August?
3. Below is a graph of the “Operating Accounts” data provided in earlier reports. The red columns are “unrestricted reserves” reported in the audit reports. The spaces without columns are those months when a Monthly Finance Report was not produced.

Reported Operating Account Deposits at Month End (\$M)

