

Agenda Item No. 3



**PLEASE NOTE:**

**In an effort to conserve paper, copies of the agenda items and staff reports for the April 16, 2008, SMART District Board meeting are not included in this packet, but are available in the Office of the District Secretary.**



# **SMART DISTRICT BOARD MEETING**

**April 16, 2008**

**Due to the SMART SEIR Public Meeting Scheduled for  
6:30pm on April 16<sup>th</sup> at the Sonoma County Board of  
Supervisors Chambers**

**THE REGULARLY SCHEDULED SMART BOARD OF  
DIRECTORS MEETING WILL CONVENE AT**

**4:00 PM**

**AT THE SAME LOCATION ON APRIL 16<sup>th</sup>.**

**This SMART Board meeting time change is only for the April 16<sup>th</sup> meeting.**



## **AGENDA: SMART DISTRICT BOARD MEETING**

**April 16, 2008**

**4:00 PM**

### **PLEASE NOTE TIME CHANGE**

Sonoma County Board of Supervisors Chambers  
575 Administration Drive, Suite 102-A, Santa Rosa, California

- I. Call to Order
- II. Minutes of the March 19, 2008 SMART Meeting – **DISCUSSION/ACTION\*\***
- III. Consent Agenda – **DISCUSSION/ACTION\*\***
  - III-1 SMART Financial Update Project Cost Report - **INFORMATION \*\***
  - III-2 KNN Contract– **ACTION\*\***
- IV. Agenda Review
- V. Board Member Announcements
- VI. Public Comment on Items Not on the Agenda (Comments Limited to 3 Minutes)
- VII. SMART General Manager Report (Lillian Hames) – **DISCUSSION**
- VIII. Real Estate Committee Report (Lucrecia Milla) – **DISCUSSION**
- IX. SMART Website Update (Chris Coursey) – **DISCUSSION\***
- X. Program Management RFP – (Lillian Hames) – **DISCUSSION/ACTION\***
- XI. **Closed Session**

a. Closed Session: Conference with Real Property Negotiator (Govt. Code. Section 54956.8)

Property: Northwestern Pacific Railroad (NWP) Right-of-Way at NWP Milepost 53.8 in Santa Rosa, Sonoma County.

District Negotiator: Lillian Hames, General Manager

Negotiating Parties: Railroad Square, LLC  
Owner: SMART District

**XII.** Report on Closed Session

**XIII.** Next Meeting Date: May 21, 2008 San Rafael City Council Chambers –  
**DISCUSSION/ACTION**

**XIV.** Adjournment - **ACTION**

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.

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



**MINUTES OF SMART BOARD MEETING  
March 19, 2008  
San Rafael City Council Chambers  
1400 Fifth Avenue  
San Rafael, CA**

**I Call to Order**

Chair McGlashan brought the meeting to order. The following Board members were present:

Al Boro  
Hal Brown  
Valerie Brown  
James Eddie  
Debora Fudge  
Bob Jehn  
Jake Mackenzie  
Charles McGlashan  
Barbara Pahre

**II Minutes of the February 20, 2008 SMART Meeting**

Motion was made by Director H. Brown and seconded by Director Mackenzie to approve the minutes of the February 20, 2008 SMART Board meeting. Motion passed unanimously.

**III Consent Agenda**

Chair McGlashan introduced the Consent Agenda. Motion was made by Director Mackenzie and seconded by Director H. Brown to approve the Consent Agenda. Motion passed unanimously.

**IV Agenda Review**

Hearing no comment, Chair McGlashan moved to the next item.

**V Board Member Announcements**

Chair McGlashan called for announcements from the Board members. Hearing none, the Chair moved to the next item.

**VI Public Comment on Items Not On the Agenda**

Chair McGlashan called for any comments from the public on items not on the agenda. Hearing none, the Chair moved to the next item.

## **VII SMART General Manager Report**

Chris Coursey addressed the Board noting that Lillian Hames was on vacation and John Nemeth was not present due to the birth yesterday of a baby girl. He stated that Nadine Fogerty, Strategic Economics, was present and would be speaking to the New Railroad Square agenda item.

Mr. Coursey announced that the Draft Supplemental Environmental Impact Report (DSEIR) was released and distributed. Copies of the DSEIR were mailed to all Board members. The comment period will continue until April 24, 2008. Mr. Coursey gave an overview of the project elements covered in the DSEIR: weekend service, light rail vehicles, alternative station sites in Southern Novato and new NCRA freight forecasts. Mr. Coursey reported that the two DSEIR public meetings have been scheduled. The first will be at the Novato Unified School District on April 9, 2008 at 6:30 pm; the second will be at the Sonoma County Board Chambers in Santa Rosa on April 16, 2008 at 6:30 pm; the latter being the same date as the next SMART Board meeting. Board members were encouraged to attend the public meetings to hear public comments.

Mr. Coursey also noted that the trial date scheduled for March 18<sup>th</sup> (Novato v. NCRA) has been continued to May 6<sup>th</sup>.

The Chair called for any comments/questions from the Board. Director Pahre questioned staff as to whether these are workshop meetings or public hearings. Mr. Coursey responded that they are public meetings.

The Chair called for any comment from the public on the General Manager's Report.

David Schonbrunn addressed the Board noting his appreciation of the summary by staff, but asked if this information was also given to the press. Mr. Coursey responded that the information had been provided to the press. He went on to say that some information had been misrepresented in the press but that staff has contacted reporters and editors to correct these inaccuracies.

## **VIII Real Estate Committee Report**

Ms. Lucrecia Milla informed the Board that the March 5, 2008 Real Estate Committee included an update on Railroad Square which was also agenzized for today's meeting.

Chair McGlashan called for comment on the Real Estate Committee Report and Mayor Boro asked to go back to the previous item with a question to Mr. Coursey. He asked if each elected council member from both counties received a copy of the SEIR document. Mr. Coursey responded that staff did mail copies to all elected council members.

## **IX Regional Measure 2 Funding Request**

Ms. Milla stated the Board was being asked to approve an RM2 IPR Update and Resolution 2008-03 related to the CalPark Tunnel Rehabilitation and Multi-Use Pathway Improvement project. Both of these actions requested additional funding to begin construction of the Phase "A" portion of the project.

Ms. Milla reiterated that the project included construction of a bicycle/pedestrian pathway within the railroad right-of-way from Anderson Drive in San Rafael to the Larkspur Landing Circle in Larkspur. The project would require the construction of a new pathway structure adjacent to the existing Auburn Street railroad trestle. The tunnel would be rehabilitated as "rail ready" such that no pathway improvements will be removed when rail operations

equipment and track is installed.

Ms. Milla reminded the Board that previous approvals included an RM2 IPR Update and adopted Resolution 2007-03 to complete design work for the CalPark Tunnel project in February, 2007. Additionally, SMART entered into a 50/50 Cost Sharing Agreement with the County of Marin. All the design work was now complete.

The CalPark Tunnel project was ready to advance to the construction phase. The County of Marin and SMART staff have prepared all construction documents that consist of re-opening the CalPark Tunnel and constructing the associated improvements within the tunnel. This initial phase is called Phase "A". Phase "B" would include building the improvements approaching the tunnel to the north and south completing the connection to the existing public facilities. SMART staff was asking for \$7,800,000 from the RM2 program to complete Phase "A". This allocation was consistent with the funding plan adopted for the project. MTC's Programming and Allocation Committee had already approved the funding, subject to the Board's acceptance of the Resolution 2008-03.

Chair McGlashan called for any Board comment on this item. Hearing none, he called for public comment.

Andy Peri, MCBC, expressed appreciation on SMART's collaboration with the County of Marin on this project.

Hearing no further comment from the public, Chair McGlashan brought the item back to the Board.

Director Mackenzie moved and Director Fudge seconded staff's recommendation to request \$7,800,000 as outlined in Regional Measure 2 Initial Project Report (IPR) Update and adopt Resolution 2008-03. Motion carried unanimously.

Chair McGlashan thanked the Board and noted that the tunnel will eliminate the biggest barrier for bicyclists traveling between central and southern Marin.

#### **X. Railroad Square Update**

Nadine Fogerty, with Strategic Economics, addressed the Board noting that John Nemeth asked her to give a brief update of the project's status and upcoming actions.

Ms. Fogerty explained that the John Stewart Company will be meeting with the developers, SMART representatives, the development team, and members of the Real Estate Committee to proceed with project implementation. She noted that a meeting was held Monday with members of the development team, representatives from the City of Santa Rosa's Planning Department and their Redevelopment Agency to discuss critical milestones for project entitlement and financing. She concluded that it was a successful meeting, but just a beginning with additional work and discussions required to proceed. The next meeting is expected in April.

Chair McGlashan called for any public comment on this item.

David Schonbrunn commented that in reading some of the articles about what's happening with this project, they seem to focus on the question of transferring title out of the district. He thinks it would be incumbent upon SMART to explain to the public how the district's interests will be protected.

Chair McGlashan noted that this item was an informational item update with no action required.

**XI Closed Session**

Chair McGlashan announced a move to Closed Session, noting that Railroad Square will be discussed.

**XII Report on Closed Session**

Greg Dion reported out on Closed Session. On Item a. the Board approved Directors Fudge and Boro to meet with the developer for Railroad Square.

**XIII Next Meeting Date: April 16, 2008, 1:30 pm, Sonoma County Board of Supervisors Chambers, Santa Rosa**

**XIV Adjournment**

The meeting was adjourned at 2:30 pm.