

Agenda Item No. 2



PLEASE NOTE:

In an effort to conserve paper, copies of the agenda items and staff reports for the September 17, 2008, and the October 15, 2008, SMART District Board meetings are not included in this packet, but are available in the Office of the District Secretary.



AGENDA: SMART DISTRICT BOARD MEETING

September 17, 2008

1:30 PM

San Rafael City Council Chambers
1400 Fifth Street, San Rafael

- I. Call to Order
- II. Approval of July 16, 2008 Board Meeting Minutes – **DISCUSSION/ACTION****
Approval of August 6, 2008 Board Meeting Minutes – **DISCUSSION/ACTION****
Approval of August 22, 2008 Board Meeting Minutes – **DISCUSSION/ACTION****
- III. Consent Agenda – **DISCUSSION/ACTION****
 - III-a. SMART Project Cost Report - **INFORMATION ****
 - III-b. Property Manager Position, Resolution 2008-08 - **DISCUSSION/ACTION****
 - III-c. Parsons Brinckerhoff Contract Amendment –**DISCUSSION/ACTION****
 - III-d. Matthew Stevens Contract –**DISCUSSION/ACTION****
 - III-e. Bob Jehn Contract - **DISCUSSION/ACTION****
 - III-f. ARC Maintenance Contract – **DISCUSSION/ACTION****
 - III-g. Lucrecia Milla Contract- **DISCUSSION/ACTION****
 - III-h. ENA Extension Railroad Square LLC- **DISCUSSION/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 (Rob Krantz) – **DISCUSSION**
- IX. Program Management Consultant Team Recommendation (Lillian Hames/John Nemeth) - **DISCUSSION/ACTION****
 - A. Authorization to enter contract negotiations with EarthTech team.
 - B. Introductions.
- X. Quiet Zone Presentation: Novato Crossing Evaluation (John Nemeth/Dominic Spaethling–**DISCUSSION/ACTION****

XI. Final FY 2008-09 SMART Fiscal Year Budget (Lillian Hames/Scott Catania) – DISCUSSION/ACTION*

A. Resolution 2008-09.

XII. City of Larkspur Joint Planning Effort Participation Letter (Charles McGlashan/Lillian Hames) – DISCUSSION/ACTION*

XIII. 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

XIV. Report on Closed Session

XV. Next Meeting Date: October 15, 2008, Sonoma County Board of Supervisors Chambers, Santa Rosa - DISCUSSION/ACTION

XVI. 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.

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 Lindaro Street, Suite 200, San Rafael, CA 94901 during regular business hours.

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



**MINUTES OF SMART BOARD MEETING
July 16, 2008
San Rafael City Council Chambers
1400 Fifth Street
San Rafael, California**

I Call to Order

Chair McGlashan brought the meeting to order and stated he expected a longer session to complete the full agenda. The following Board members were present:

Al Boro
Peter Breen
Hal Brown
Valerie Brown (teleconference)
Carole Dillon-Knutson
James Eddie
Debora Fudge
Mike Kerns
Jake Mackenzie
Barbara Pahre (teleconference)

II Minutes of the June 18, 2008 SMART Meeting

Motion was made by Director Kerns and seconded by Director Boro to approve the minutes of the June 18, 2008 SMART Board meeting. Motion passed unanimously.

III Consent Agenda

Chair McGlashan introduced the Consent Agenda. Lillian Hames pointed out that there was a typo on item III-d regarding John Nemeth's Salary Adjustment, it should reflect 2% retroactive to June 14, 2007, not 2008. Ms. Hames stated that two of the Board Members, Director Pahre and Director V. Brown were in attendance via teleconference today from Iowa and Missouri as referenced on the agenda.

Motion was made by Director Mackenzie, with that amendment, and seconded by Director Kerns to approve the Consent Agenda. Motion passed unanimously.

IV Agenda Review

Chair McGlashan asked that public comment on non-agenda items be moved toward the end of the agenda. The Board concurred

V Board Member Announcements

Chair McGlashan called for announcements from the Board members and asked if Director Breen and Director Dillon-Knutson would give the Board an update on the TAM Working Group proceedings. He also noted that TAM's Executive Director Dianne Steinhauser was here today to give a quick briefing. Director Breen gave the Board an overview of the TAM Working Group's five meetings on SMART and their review of

SMART's financial plan, environmental work, transit coordination and project cost estimates. He thought the process had been very good and that the working group was impressed by the amount of information, and the staff work provided by TAM and SMART. He went on to say that the TAM summary report had been presented to several town councils, city councils and several other groups over the last several weeks. Director Dillon-Knutson echoed Director Breen's statement, noting that she appreciated being a part of the Working Group and hoped the public would review the summary report.

Dianne Steinhauser stated the Working Group had a very specific work plan adopted by the TAM Board: to look at the availability of information and determine if specific answers were in place. The working Group looked at everything from the overall rail proposal to the environmental documentation in 2006 and 2008 as well as cost estimates, funding plan assumptions and transit integration. The group also addressed questions about SMART's institutional relationship with NCRA. Ms. Steinhauser then briefly walked through the summary report she had provided to the TAM Board.

The Working Group recommended SMART answer all questions from the public and constituent groups. SMART responded with a detailed letter to Marin Conservation League sent to TAM dated June 9, 2008. Finally she noted that the Working Group had recommended that SMART consider adopting a policy that would prohibit the future use of any currently programmed funds. She concluded with a summary on the feasibility of SMART's funding plan assumptions, noting the group's conclusion that SMART's financial plan assumptions were feasible and realizable.

Chair McGlashan thanked TAM and Working Group members for all of their work and the valuable advice and clarity brought to this effort.

Last, Director Mackenzie stated that with departure of Director Bob Jehn, there was a vacant chair open on SMART's Board. He noted that the replacement would be selected on July 24th.

VI Public Comment on Items Not On the Agenda

Moved to after Item X.

VII SMART General Manager Report

Lillian Hames stated staff time had been devoted to the agenda items to be presented today, staffing presentations to local jurisdictions and work with the TAM Working Group over the last month.

VIII Real Estate Committee Report

Lucrecia Milla reported that at the July 2nd meeting was short and only had a presentation by the Petaluma Art Council and a closed session to discuss Railroad Square. Lastly, Ms. Milla stated it would be her last Board Meeting as she had taken a position with STV Engineering in New York and would be leaving on July 31st. Ms. Milla thanked the Board and stated what a pleasure it had been to work with the Board and SMART staff. Vice Chair Fudge stated she had enjoyed working with Ms. Milla and wished her well as she moved off to the Big Apple.

IX Public Hearing on SMART Final SEIR and Ordinance Retail Transactions and Use Tax

Chair McGlashan asked Ms. Hames to provide an overview of the next several agenda

items. Ms. Hames stated she was joined by SMART's team that would be doing the presentation: Sally McGough, Legal Counsel focusing on environmental issues, Vicki Hill, Project Manager for the SEIR, and Bryan Porter of Jacobs-Carter Burgess who would present SMART's Funding and Expenditure Plan. Ms. Hames stated there would a PowerPoint presentation outlining each action that the Board would take today including the three resolutions and one ordinance requiring roll call votes. She noted the Board would be asked to address the certification of the FSEIR, adoption of the 2008 Sales Tax Ordinance, which included the 2008 Expenditure Plan and address Resolution 2008-06 which set forth specific CEQA findings regarding the project. Finally, the Board would be asked to act on a resolution calling for an election on the Sales Tax Ordinance in November, 2008 with specific ballot language.

Ms. McGough and Ms. Hill presented the findings of the FSEIR to the Board including an overview of the project components and a summary of the Supplemental EIR elements: adding weekend passenger service, potential light DMU use, alternative Novato South station sites – the downtown Novato, Ignacio Wye and Hamilton and also looking at potential change in future NCRA freight service. Ms. Hill noted that the purpose and the scope of the SEIR included evaluating environmental effects due to changes in the project since the 2006 FEIR certification and did include a reevaluation of the entire project.

The SEIR was initiated with a Notice of Preparation in 2007 and a public scoping meeting in October, 2007. The draft SEIR was completed and made available for public review on March 7, 2008 and public meetings were held on the draft SEIR on April 9th in Novato and April 16th in Santa Rosa. During this time SMART received comments from six agencies, eleven organizations, 29 individuals or firms and 26 oral comments. The final SEIR was published on July 2, 2008. Ms. Hill went on to state that no new significant adverse impacts were found beyond those identified in the original EIR. She presented the key conclusions of the analysis documented in the FSEIR for each of the four specific areas of study and the master responses provided in the final document.

Ms. McGough reminded the Board that the supplemental EIR findings would be referenced in Resolution 2008-05, noting the Board's finding that CEQA compliance was achieved. Ms. Hames stated the SMART staff recommendation would be to move forward with an assumption of weekend service, to drop the Ignacio Wye Novato Site and to carry forward discussions with the City of Novato on the Downtown and the Hamilton station sites. Last, she noted that the Program Management team would be asked to finalize the vehicle selection choice.

Bryan Porter presented the SMART funding plan assumptions and the 2008 Expenditure Plan. He provided an overview of the project capital and operating costs and the changed assumptions that reflected increased funding for fuel, quiet zones and contingencies. Ms. Hames added that staff was recommending an addition to the Expenditure Plan that addressed TAM's request to not seek programmed funding.

Ms. McGough concluded the staff presentation noting that Resolution 2008-07 was required to request consolidation with the November general election with recommended ballot language and authorization for the Chair to draft the ballot arguments.

Vice Chair Fudge asked if it would be possible to speed up the project start up earlier than 2014. Ms. Hames stated that all efforts would be made to accelerate start up. Chair McGlashan asked about if there were more funding available in the future, how would that affect the bike/pedestrian pathway. Ms. Hames stated in implementing guideline number 8; it stated that if additional funds become available, the SMART Board will prioritize

completion of the bike/pedestrian pathway.

Chair McGlashan opened the Public Hearing.

Matt Stevens announced there would be a three minute time limit and he would keep the times.

Dani Sheehan-Myer, Sonoma County stated it was her pleasure to help Chris Coursey and Matt Stevens at the Marin County Fair and hopes the Board will move forward quickly with project implementation. David Schonbrunn noted a typo in Exhibit C of Resolution 2008-05. He also stated his opposition to Funding Guideline 8, stating the Board might wish to retain more flexibility. Marla Fields urged the Board to act quickly and stressed the support for the project in her neighborhood of Hamilton. Willard Richards pointed out the air quality advantages of the SMART project and encouraged the Board to place SMART on the ballot. Bob Roberts, Sonoma County, stated his opposition to train service and concern over train horn noise impacts. Allen Tacy, Petaluma, stated his support for the project noting the high quality service that would attract higher ridership. Chris Lynch, Santa Rosa Chamber of Commerce, informed the Board of their unanimous support. Jack Swearingen, Santa Rosa, spoke in support of the ballot measure. Tanya Narath, Friends of SMART and Leadership Institute, also spoke in support of the measure.

Deb Hubsmith, Marin County Bicycle Coalition, urged the Board to retain Guideline No. 8 and move to place the ballot measure before the voters again. Karen Nygren, Tiburon, was concerned about the costs of the Expenditure Plan. Mike Arnold informed the Board of four statements from environmental groups opposed to freight service and concerns over costs. Cynthia Murray, President of Northbay Leadership Council, urged the Board to move forward to provide the SMART alternative to high gas prices and global warming. Bill Kortum stated Sonoma and Marin Counties were the greenest counties in the nation and our transportation should reflect that and requested approval of all the resolutions. Steve Birdleough urged passage of the resolutions and continued efforts to implement the environmentally correct SMART project. Walter Strakosh noted that fears about freight service to the Eel River were unfounded given the \$1 billion price tag, he urged approval. Marge Macris, stated her commitment to the project and the environment and noted now was the time to act to implement the project.

Lionel Gambill stated that we cannot afford to ignore global warming. He noted that greenhouse gases accounted for 12% of greenhouse gas in Europe while it is 62% in Marin County. Ken Dale stated that White Paper Number 4 had errors he wanted to see corrected. Chair McGlashan asked there were any more public comments, there were none. Chair McGlashan closed the public session. Chair McGlashan announced a 15 minute break and requested that staff address a few of the issues raised prior to the vote on the resolutions and ordinance.

Following the recess, Ms Hames stated staff felt Guideline 8 did retain flexibility as written. Ms. McGough SMART had never indicated quiet zones were a mitigation to train passby noise, only train horns. Director Dillon-Knutson asked if passby noise was reduced with new track construction. Ms. McGough stated yes. Mr. Porter noted the current Expenditure Plan was a 20 year total of \$1.4 million dollars, not \$1.6. Ms. McGough stated the issues raised by Ms. Nygren's letter had been reviewed and would not substantially change the conclusions in the Supplemental EIR. Ms. McGough also summarized the master response on the cumulative impact of freight as stated in the SEIR. Further, she stated that with regard to night time trains, SMART does not require NCRA trains to run at night, they could be accommodated at off peak hours.

Chair McGlashan thanked staff, the consultant team and the Board for their work and presentations and moved forward with the votes on the pending resolutions and ordinance. Chair McGlashan stated there would be 4 items to vote on today and the first item for vote would be Resolution 2008-05 certifying the SEIR. Director Kerns moved the resolution and Director Mackenzie seconded the motion. Ms. Hames took the roll call: Directors Fudge, Boro, Valerie Brown, Hal Brown, Breen, Eddie, Kerns, McGlashan, Mackenzie, and Pahre voted Aye and Director Dillon-Knutson voted no. The outcome was 10 ayes, 1 no and 1 vacant.

Chair McGlashan stated the next item to vote on would be the Sales Tax Ordinance 2008-01 and the 2008 Expenditure Plan. Ms Gough noted there would be a new guideline number 9 in the Expenditure Plan and would it state: SMART would not seek any funding that TAM or Marin Transit currently had programmed for transportation improvements in Marin County, including funds in the Regional Transportation Plan (T-2030 and T2035) or the Federal Transportation Improvement Program. Director Mackenzie moved the ordinance and Director Breen seconded. Director Dillon-Knutson had a question on how to vote. Director Dillon-Knutson's council instructed her to vote no but she had a question on whether she could split her vote regarding guideline 9. Greg Dion stated she could not and would need to vote on Ordinance 20008-01 as a whole. Chair McGlashan stated it would be noted that Director Knutson supported the change of adding guideline number 9.

Ms. Hames took roll call on Ordinance 2008-01: Directors Fudge, Boro, Valerie Brown, Hal Brown, Breen, Eddie, Kerns, McGlashan, Mackenzie, and Pahre voted yes. Director Dillon-Knutson voted no and the outcome was 10 ayes, 1 no and 1 vacant. Director Hal Brown then spoke up realizing he had not voted as planned and asked to now change his vote to no. The revised final outcome was 9 ayes, 2 no's and 1 vacant.

Moving to Resolution 2008-06 making appropriate CEQA findings, Director Fudge moved and Director Mackenzie seconded the resolution. Directors Fudge, Boro, Valerie Brown, Breen, Eddie, Kerns, McGlashan, Mackenzie, and Pahre voted aye and Director Dillon-Knutson and Hal Brown voted no. The Roll call outcome was 9 ayes, 2 no and 1 vacant.

Chair McGlashan now moved to Resolution 2008-07, calling for the consolidation of the election with the November 2008 general election. Ms Hames read the ballot question. Director Dillon-Knutson moved the motion and it was seconded by Directors Boro and Kerns. The roll call vote was: Directors Fudge, Boro, Valerie Brown, Breen, Eddie, Kerns, McGlashan, Mackenzie, and Pahre and Dillon-Knutson voting yes. Director Hal Brown voted no and the outcome was 10 ayes, 1 no and 1 vacant.

X Next Steps no Pending Significant Projections/Matter

Ms. Hames stated staff would be doing interviews for the program management RFP process and there would negotiations with New Railroad Square LLC regarding development agreement. She also noted that negotiations with NCRA on new operating Agreement would be reinitiated. As noted in the staff report, the negotiations were expected to focus on discussions related to the least polluting freight vehicles, quiet zones and the elimination of night freight. Director Breen stated SMART should not start negotiate until NCRA defines a plan and/or the court case is resolved.

Chair McGlashan asked for public for comments on non-agenda items. Ms. Nygren asked if there would be any more white papers. John Stewart of New Railroad Square and Santa Rosa Cannery supported the Board's actions to move forward on their potential agreement.

XI Closed Session

Chair McGlashan stated we would now go into closed session.

XII Report on Closed Session

Greg Dion reported out of closed session that direction had been given to staff to send a letter to New Railroad Square LLC and to Santa Rose Cannery with a proposed Term Sheet.

XIII Next Meeting Date September 17, 2008, 1:30 pm, San Rafael City Council Chambers

XIV Adjournment

The meeting was adjourned at 4:40 pm.



AGENDA: SMART DISTRICT BOARD MEETING

October 15, 2008

1:30 PM

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

- I. Call to Order
- II. Minutes of the September 17, 2008 SMART Meeting – **DISCUSSION/ACTION****
- III. Consent Agenda – **DISCUSSION/ACTION****
 - III-1 SMART Financial Update Project Cost Report - **INFORMATION ****
 - III-2 Salary Adjustment Community Outreach Manager- **DISCUSSION/ACTION****
 - III-3 Joe Walsh Contract Extension- **DISCUSSION/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 (Rob Krantz) – **DISCUSSION**
- IX. Program Management Contract EarthTech (Lillian Hames/John Hugunin) – **DISCUSSION/ACTION****
- X. Overview SMART Project Signal Controls and Safety Plans– (Lillian Hames/HDR) – **DISCUSSION/ACTION***
- XI. Larkspur Planning Process (Lillian Hames/Charles McGlashan) - **DISCUSSION/ACTION***
 - A. **Resolution 2009-10**
- XII. **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

XIII. Report on Closed Session

XIV. Next Board Meeting Date: November 19, 2008 San Rafael City Council Chambers –
DISCUSSION/ACTION

Next Real Estate Committee Meeting Date: November 6, 2008 at 3:00 PM San Rafael
City Council Chambers or 750 Lindaro– **DISCUSSION/ACTION**

XV. Adjournment - **ACTION**

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



**MINUTES OF SMART BOARD MEETING
September 17, 2008
San Rafael City Council Chambers
1400 Fifth Street
San Rafael, California**

I Call to Order

Chair McGlashan brought the meeting to order and stated he expected a longer session to complete the full agenda. The following Board members were present:

Peter Breen
Valerie Brown
James Eddie
Debora Fudge
Mike Kerns
Barbara Pahre

II Minutes of the July 16th, August 6th and August 22nd, 2008 SMART Meeting

Motion was made by Director Breen and seconded by Director Kerns to approve the minutes of the July 16th, August 6th and August 22, 2008 SMART Board meetings. Motion passed unanimously.

III Consent Agenda

Chair McGlashan introduced the Consent Agenda. Motion was made by Director Kerns and seconded by Director Eddie to approve the Consent Agenda. Motion passed unanimously.

IV Agenda Review

Chair McGlashan asked for public comments not on the agenda today. There were none.

V Board Member Announcements

Chair McGlashan called for announcements from the Board members and started with a summary of the legal actions he and Vice Chair Fudge took in Sonoma and Marin Counties challenging the misrepresentations stated in the oppositions ballot arguments. He thanked staff and Vice Chair Fudge for their work on this issue. Director Kerns thanked Chair McGlashan and Vice Chair Fudge for their efforts, noting it is illegal to spread misinformation in the publicly funded Voters Pamphlet and he appreciated the opportunity to make that point to the public.

VI Public Comment on Items Not On the Agenda

Karen Nygren asked what type of train control signalization SMART was considering, noting the new federal legislation provides funding for signal upgrades. Steve Birdlebough encouraged SMART to move forward with its commitment to consider positive train control in final engineering. Dave Schonbrunn also stated his desire that SMART incorporate

positive train control technology in the SMART corridor.

VII SMART General Manager Report

Lillian Hames introduced Rob Krantz, SMART's new Real Estate Property Manager. She stated SMART staff was very happy to have him join the team, noting his experience working with the Golden Gate Bridge District on the SMART corridor. Chair McGlashan stated he was extremely impressed with Mr. Krantz's resume and looked forward to working with him.

Ms. Hames stated that the white papers would be distributed today. Chris Coursey stated that all 18 papers were now complete. He went on to explain the white papers would be distributed to city council members, city managers and other elected officials along the 70 mile corridor. Director V. Brown commended Mr. Coursey for his summation of the cost per mile statistics he used in a recent presentation to the Sonoma Valley Chamber.

Ms. Hames asked Greg Dion to provide a legal overview of the recent actions taken by the Chair and Vice Chair in Marin and Sonoma Superior Courts. Mr. Dion stated that the SMART Board had a special meeting on August 22, 2008 and authorized him to file lawsuits on behalf of the Chair and Vice Chair in Sonoma and Marin Counties challenging the ballot arguments against SMART as misrepresentations of the facts. He noted one sentence was challenged in Sonoma County and seven in Marin County. The Sonoma County judge directed the one phrase be altered as recommended by SMART's council and the Marin County judge struck five of the seven phrases contested.

Ms. Hames stated staff and SMART's consultants were reviewing information on the recent Metrolink accident. She noted that the absence of any signal enforcement system on Metrolink was a key element responsible for the accident. She went on to state that SMART's signal enforcement system would be a part of the passenger rail project and would be implemented at the time of construction. The Program Management Consultant and Final Engineering contracts will make recommendations as to the most appropriate signal enforcement/positive train control requirements. She went on to describe Automatic Train Stop (ATS) procedures and how that could have prevented the accident in Los Angeles.

VIII Real Estate Committee Report

Mr. Rob Krantz thanked the Board for their kind welcome and summarized his recent activities on corridor management. He also noted that the September Real Estate Committee meeting had been cancelled.

IX Program Management Consultant Team Recommendation

Ms. Hames informed the Board that staff was recommending that contract negotiations with Earthtech proceed as the top firm following the release of the Program Management RFQ in April, 2008. She noted that SMART had convened a selection panel that consisted of Howard Goode, Caltrain, Stacey Mortensen, General Manager of ACE, Steve Meyer, Manager of Commuter Rail Construction for the Utah Rail Authority, Joe Walsh, former project manager of Portland's commuter rail system and Bill Whitney, project engineering with TAM. Interviews were conducted on September 8, 2008 where three teams presented. She pointed out that members of the EarthTech team were present today, including the Project Manager John Hugunin and Assistant Project Manager Kam Shadan. Chair McGlashan thanked Mr. Hugunin for his efforts, as well as the team members. Director Kerns moved the motion to enter into contract negotiations with Earthtech for the

Program Management work and it was seconded by Director V. Brown. Motion passed unanimously.

X Quiet Zone Presentation: Novato Crossing Evaluation

John Nemeth stated that SMART had been monitoring federal rules related to Quiet Zones and had recently given a report to the Board on the subject. Staff also examined the crossings in Novato to determine the estimated costs of implementing a quiet zone for the entire city, given the local interest in the topic. Nemeth reported that he, Dominic Spaethling of Parsons Brinkerhoff and Mike Strider of HDR had recently conducted such an analysis.

Mr. Nemeth introduced Dominic Spaethling and summarized his experience in planning and implementing Quiet Zones in California. Mr. Spaethling walked through each crossing in Novato from South to North, detailing the recommended solution at each crossing, and noting that public safety was the highest priority. While potential Quiet Zones in other locations had not been yet examined, the results of the Novato analysis indicated that the \$4.5 million budgeted in SMART's 2008 Expenditure Plan may be sufficient to upgrade the entire SMART corridor to Quiet Zones, if local jurisdictions concur.

Director Kerns asked how the cost estimate range was calculated. Mr. Spaethling stated that the costs varied depending on what improvements might be necessary at crossings which couldn't be determined with precision until a full diagnostic was conducted, so that a range was presented. Director Pahre asked how many crossings were in the city limits on the line. Mr. Strider said it was about 50 crossings. Chair McGlashan thanked Mr. Spaethling and Mr. Nemeth on the presentation. Chair McGlashan asked for public comments.

David Schonbrunn suggested that SMART declare it would meet whatever requests were made for quiet zones. Bob Brown of Novato stated the quiet zones presentation was very interesting and he wanted to suggest that SMART present the information to Novato. Don Wilhelm asked if NCRA would implement Quiet Zones in the Black Point area. Andy Peri stated based on Novato's Quiet Zone cost estimates, it might be possible to quiet the whole corridor for a cost ranging from \$1.4 million to \$3.3 million.

Director Pahre suggested notifying cities that SMART has funds allocated for quiet zone implementation and getting feedback on their interest. Chair McGlashan concurred and suggested the topic be returned to the Board at a later meeting.

XI Final FY 2008-09 SMART Fiscal Year Budget

Ms. Hames stated the Board had approved the preliminary budget in May 2008 and only minor modifications had been made since then. She summarized those changes noting that the key change in the budget from last year was the introduction of construction funding for the CalPark Tunnel Project. She introduced Scott Catania from the Sonoma County Auditor and Controller's office to answer any questions, noting that the major increase in this year's budget was from the addition of construction funding for the CalPark tunnel project. Director Breen asked if the PERS package was the same as last year. Ms. Hames stated the yes it was. Director Kerns moved the motion and it was seconded by Director Breen. The resolution to adopt the budget passed unanimously.

XII City of Larkspur Joint Planning Effort Participation Letter

Chair McGlashan stated that he had a request from the City of Larkspur to provide a letter summarizing SMART's commitment to work collaboratively with the City, TAM, MTC and Golden Gate to address transportation planning issues in the Larkspur Landing area. A draft of the proposed letter was available for the Board to review. Director Eddie moved approval of the letter and Vice Chair Fudge seconded it. It passed unanimously.

XIII Closed Session

Chair McGlashan stated we would now go into closed session.

XIV Report on Closed Session

Greg Dion reported out of closed session that direction had been given to staff

XV Next Meeting Date October 15 ,2008, 1:30 p.m. Sonoma County Board of Supervisors Chambers, Santa Rosa

XVI Adjournment

The meeting was adjourned at 3:40 pm.