



## **MEMO**

**To:** NCRA Board of Directors

**From:** Executive Director Stogner

**Date:** July 11, 2018

**Subject:** **Agenda Item F.2 – Discussion and Possible Action Regarding Agreement between SMART and the City of Novato concerning Quiet Zones**

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Under a November 3, 2008 Consent Decree with the City of Novato, NCRA was required to provide the funding for all the Supplemental Safety Measures (SSM's) required to institute Quiet Zones at all rail crossings within the city limits of Novato. All of the Quiet Zone improvements have been completed under an agreement with SMART, utilizing a 1992 NCRA ISTEA grant which provided the funding to complete the work.

The City of Novato and SMART have entered into an agreement recognizing the existence of the Quiet Zones and the mutual responsibilities the city and SMART must follow in recognition of the Quiet Zones.

Under the 2008 Consent Decree, the NCRA has responsibility for maintenance and any additional future costs related to any upgrades to the Supplemental Safety Measures at each of the Quiet Zone crossings. Paragraph 22 of the attached agreement between SMART and Novato reaffirms NCRA's responsibilities to pay maintenance and any future upgrades related to the Quiet Zones.

### **Staff Recommendation:**

Approve the agreement between SMART and the City of Novato that reaffirms NCRA's responsibilities under the November 3, 2008 Novato Consent Decree regarding maintenance and future Quiet Zone upgrades within the city limits of Novato.