

**From:** Brian Swanson  
**To:** City Clerk (Public)  
**Cc:** City Council; planningcommission; Transportation Services (public); Planning Services (public); Planning Services (public); Finance  
**Subject:** Public Comment - Agenda Item 6.2, Update on Iron Horse Trail Dual Tracking Design; and Agenda Item 9.3, Resolution No. 2026-096, San Ramon Trails Master Plan - City Council Meeting - June 23, 2026  
**Date:** Monday, June 22, 2026 4:18:13 PM

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City Council Members:

I respectfully request two distinct actions. First, I recognize that Agenda Item 6.2 is classified as a Special Presentation and that the Ralph M. Brown Act does not necessarily require the City to prepare a substantive staff report or post every presentation slide with the agenda solely because an informational presentation is scheduled. My concern, therefore, is not that the agenda label itself is unlawful. Rather, my concern is that the City included only a staff-report shell for a project located in the heart of San Ramon. The design bears directly on Central Park, Iron Horse Middle School, City Center, the San Ramon Transit Center, the Trails Master Plan, trail overcrossings, accessibility, drainage, emergency response, enforcement, and regional trail use. The Council should voluntarily provide the level of disclosure, discussion, and item-specific public participation ordinarily associated with a substantive New Business item. If substantive design information is first disclosed during the presentation, the Council should reopen public comment immediately afterward; if the Council may rely on that new information when considering Agenda Item 9.3, it should continue one or both items rather than act on an incomplete public record. In all events, the Council should receive Item 6.2 as information only and avoid treating the presentation as a design approval, endorsement, funding commitment, environmental determination, or formal policy direction. Second, for Agenda Item 9.3, the Council should not adopt Resolution No. 2026-096 as presented. The Council should continue the item until the San Ramon Trails Master Plan is revised, the unresolved issues are addressed in writing, and the complete decision record is available before the Council acts.

This comment is a companion to, and incorporates by reference, my May 10, 2026 written comment on Parks and Community Services Commission Agenda Item 5.3; my September 18, 2025 Draft Bicycle Master Plan Update comment; my March 25, 2025 Shared Mobility Hub and General Plan Annual Report comment; my May 12, 2025 Iron Horse Corridor Management Program Advisory Committee comment; and my July 31, 2025 Crow Canyon Road Iron Horse Trail overcrossing correspondence. It also incorporates my June 3 and June 15, 2026 correspondence under the Ralph M. Brown Act (Brown Act), the City Attorney's June 17, 2026 response, and the supporting chronology and exhibits. The June 23 staff report links the May 13 record, which improves access, but linking a public comment is not the same as responding to its substantive recommendations.

(Sources: May 13 staff report and record: <https://sanramonca.portal.civicclerk.com/event/1105/files/agenda/1315>; May 13 written public comment: <https://sanramonca.portal.civicclerk.com/event/1105/files/agenda/1425>; June 23 meeting page: <https://sanramonca.portal.civicclerk.com/event/1150/files>)

Terminology matters. Agenda Item 6.2 uses "Dual Tracking," while Agenda Item 9.3 and Contra Costa County materials use "Double Tracking." I use "double-tracking" below because that is the established project terminology. The City and County should adopt a single official project name, project number, document version system, and common index so that residents can reliably locate the complete record for the Iron Horse Trail (IHT) corridor.

This comment raises fifteen core issues:

1. The City must distinguish the Brown Act's current minimum requirements from the stronger prospective transparency policy requested here; implement a reliable contemporaneous-access protocol; and correct a material factual error in the City Attorney's June 17 response.
2. The Council needs a specific comparison of the May 13 Parks and Community Services Commission staff report and the June 23 City Council staff report, including a version comparison and response-to-comments matrix as decision-making tools.
3. Agenda Item 6.2 is formally a Special Presentation, and I do not contend that the Brown Act automatically requires a full staff report or advance slide deck for an informational presentation. However, the City included a staff-report shell with blank Recommendation, Background, and Attachment fields; Agenda Item 9.3 states that in-progress double-tracking construction documents informed the Trails Master Plan; and the agenda requires the public to comment on Section 6 presentations before seeing them. Given the project's central location and significant safety, connectivity, environmental, accessibility, emergency-response, and regional implications, the City should afford Item 6.2 business-item-level disclosure, discussion, and an item-specific opportunity for public comment after the presentation.
4. The Trails Master Plan must be treated as an active transportation and greenhouse gas (GHG) mitigation implementation document, not merely a recreation plan.
5. The Plan must show how it implements the San Ramon General Plan 2040 Environmental Impact Report (EIR), the Updated Climate Action Plan (CAP), and the California Environmental Quality Act (CEQA) Greenhouse Gas Emissions Thresholds and Guidance Report.
6. IHT double-tracking must be disclosed and analyzed as more than a trail-comfort amenity, including faster wheeled use, possible shuttle or shared autonomous vehicle use, Shared Mobility Hubs, private development benefit, and related infrastructure.
7. The Council must address corridor-wide electric bicycle, electric scooter, and higher-powered electric-motorcycle-style device ("e-moto") safety and enforcement, including the Town of Danville's June 16, 2026 unanimous first-reading vote and East Bay Regional Park District (EBRPD) enforcement responsibilities.
8. The Plan must address school, senior, pedestrian, emergency response, accessibility, and downstream public health effects associated with induced use on the IHT.
9. Shared Mobility Hub, electric-vehicle (EV) charging, PRESTO, County Connection, Bishop Ranch, San Ramon Transit Center, and Sunset Development plans must be disclosed and evaluated together rather than as disconnected projects.
10. Any electric vehicle charging component at a Shared Mobility Hub must demonstrate an unmet public or fleet need and avoid unnecessary duplication, public subsidy, or market cannibalization of San Ramon's extensive distributed charging network.
11. The Crow Canyon Road IHT overcrossing requires disclosure of current CEQA and National Environmental Policy Act (NEPA) review, federal funding, Section 106 compliance, and connecting infrastructure, kept distinct from the completed Bollinger Canyon Road overcrossing.
12. The Plan must contain an Americans with Disabilities Act (ADA) Title II program access plan, a reasonable modification plan, an accessible communications plan, a barrier inventory, and a transition plan implementation framework.
13. The staff report's claimed plus-or-minus three-percentage-point survey margin of error requires methodological disclosure and correction unless the survey used a defensible probability sampling or expressly modeled methodology.
14. Funding, development-agreement proceeds, capital costs, maintenance, enforcement, emergency access, and long-term operating responsibilities must be identified on a project-by-project basis.
15. The Council should continue Agenda Item 9.3 until staff provides the written responses and deliverables identified in this comment and the incorporated May 10 comment.
  1. Transparency, Brown Act Compliance, Public Comment, and the Project Record
  - 1.1 The June 23 Written-Comment Directions Are a Material Improvement

The June 23 agenda now states that comments received up to two hours before the meeting will be emailed to the Council, placed in the red binder at the back of the meeting room, posted on CivicClerk under the meeting date within "Public Comment," and made available for inspection at City Hall. That is materially clearer than the May 13 Commission agenda and the May 26 Council agenda. The City should implement the revised directions exactly as written, preserve the posting timestamps, and cross-link this comment to both Agenda Items 6.2 and 9.3 so a reader does not have to search a meeting-level folder to determine which material relates to which item.

(Source: June 23, 2026 City Council agenda, p. 6, meeting page: <https://sanramonca.portal.civicclerk.com/event/1150/files>)

- 1.2 What Current Law Requires

Government Code section 54957.5(b)(1) uses distribution—not mere receipt by staff—as the statutory timing trigger. If any person distributes a nonexempt writing related to an open-session agenda item to all or a majority of the legislative body less than 72 hours before a regular meeting, the writing must be made available for public inspection at the time of distribution. The City's two-hour submission cutoff is therefore an administrative procedure and public promise; it does not replace the statutory distribution trigger.

The statute provides two principal methods for writings distributed before a meeting. Under subdivision (b)(2)(A), the City may use a designated public office or location, but the address of that location must be listed on agendas. Under the internet posting alternative in subdivision (b)(2)(B), an initial staff report or similar document containing an executive summary and the staff recommendation, if any, relating to the agenda item must have been available for public inspection at least 72 hours before the meeting. The latter writing must then be posted immediately in a position and manner making clear that it relates to an agenda item for an upcoming meeting, and the statute's remaining physical-copy and agenda-notice conditions must also be satisfied.

Subdivision (c) separately governs qualifying writings distributed during a public meeting. Agency- or body-member-prepared writings must be available for inspection at the meeting; third-party writings may be made available after the meeting. The same subdivision expressly requires appropriate alternative formats upon request by a person with a disability. Section 54957.5(e) also states that these meeting-access rules do not limit or delay rights under the California Public Records Act (CPRA).

Government Code section 54954.3 requires an opportunity to address the legislative body before or during its consideration of an agenda item, permits reasonable regulations, and prohibits the body from barring criticism of agency policies, programs, services, or acts and omissions. The June 23 agenda places public comment on Special Presentation Item 6.2 under Agenda Item 4, before the presentation. That arrangement may satisfy the statute's minimum timing language. It does not, however, provide an opportunity to address design details first revealed during the presentation. The Council may address that practical problem without asserting a Brown Act violation by reopening item-specific public comment after the presentation or continuing the item if significant new information will affect Council discussion on Agenda Item 9.3.

(Sources: Government Code § 54957.5: [https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&sectionNum=54957.5](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=54957.5); Government Code § 54954.3: [https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&sectionNum=54954.3](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=54954.3).)

**1.3 First Amendment Coalition Guidance Clarifies Both the Minimum and the Requested Best Practice**

The First Amendment Coalition (FAC) explains that the Brown Act does not invariably require a local agency to create or post every conceivable supporting document before a meeting, nor does it require permanent online retention of all past agendas and supporting materials in every circumstance. FAC also explains that the California Public Records Act is not itself a records-retention statute. FAC's explainers are informational rather than legal advice, and the current statutory text remains controlling.

Those qualifications sharpen this request rather than defeat it. I do not contend that the Brown Act automatically requires the City to create every requested memorandum, redline, response matrix, or permanent online archive. I request those materials as Council-directed decision aids and as a prospective project-record policy for a 20-year plan and multiple related capital projects. If relevant writings already exist and have been distributed to all or a majority of the Council, Government Code section 54957.5 governs their public availability. If they do not exist, the Council should require their preparation, where necessary, to support informed decision-making.

FAC also distinguishes the statutory minimum from agency practices that provide greater access and transparency. Greater access is warranted here because the Council is considering a long-range plan and interconnected capital projects that involve multiple agencies, funding sources, environmental review processes, and future operating obligations.

I do not ask the Council under Agenda Items 6.2 or 9.3 to adjudicate the remedial consequences of the May 13, May 26, or June 3 events. I ask it to apply a reliable prospective procedure now, correct the factual record, disclose the materials that will inform its decisions, and avoid final action on Agenda Item 9.3 until the public and Council have a meaningful opportunity to review them. Nothing in this discussion characterizes, limits, supersedes, or waives any prior notice, demand, objection, claim, deadline, or remedy.

(Sources: First Amendment Coalition, Explainers: <https://firstamendmentcoalition.org/resources/explainers/>; First Amendment Coalition, California Brown Act Primer: <https://firstamendmentcoalition.org/handbook/california-brown-act-primer/>)

**1.4 Contra Costa County's Higher Disclosure Standard Is a Relevant Benchmark, Not a Direct Rule for This City's Special Presentation**

Government Code section 54954.2 establishes a 72-hour minimum for a regular local-agency meeting agenda. Contra Costa County's Better Government Ordinance (BGO) goes further for County regular meetings: County guidance states that agendas ordinarily must be posted for a full 96 hours and that staff reports and other materials prepared or forwarded by County staff to provide background or recommendations ordinarily must be complete and available to the County body and the public at least 96 hours in advance. A narrower 24-hour provision may apply to supporting materials for an item placed on a later agenda at a prior meeting held no more than seven days earlier.

County guidance also provides a late-material procedure: when staff materials cannot be supplied on the ordinary 96-hour schedule, staff should provide a written explanation, and the County body may waive the County time limit by a three-fourths vote, while the Brown Act's 72-hour regular meeting minimum remains applicable. Those County requirements help explain the disclosure practices that a County Supervisor and County staff ordinarily follow.

I do not contend that the County BGO directly governs the San Ramon City Council, that the City must transform every Special Presentation into a New Business item, or that the Supervisor's appearance in a City chamber automatically imports every County procedural rule. The BGO is relevant here as a transparency benchmark because Item 6.2 concerns a County-led design, is presented by a County Supervisor, and may rely on County staff or consultant materials. Where those materials already exist, voluntary advance posting on a comparable schedule is reasonable and would support informed participation. If any materials are distributed to a majority of the City Council less than 72 hours before the meeting, Government Code section 54957.5 independently governs their public availability.

The City and Supervisor Andersen's office should therefore disclose when each Item 6.2 slide, drawing, memorandum, consultant product, cost estimate, and design or construction document was finalized, transmitted to the City, distributed to Councilmembers, and posted publicly. To the extent any materials moved through a County policy body or staff process subject to the BGO, the record should identify the applicable disclosure schedule and any late-material procedure. If the presentation materials are not available before the Item 4 public-comment period, the Council should, at a minimum, reopen item-specific comment after the presentation; if newly disclosed information may be relied upon for Agenda Item 9.3, the safer course is to continue final action.

(Source: Contra Costa County, Brown Act and Better Government Ordinance Training, pp. 6-7 and 17:

<https://www.contracosta.ca.gov/DocumentCenter/View/61430/Brown-Act-Training---July-2019---Full-Materials-Packet>)

**1.5 The May 13, May 26, and June 3 Chronology Supports a Uniform Procedure; Separate Brown Act Correspondence Remains Preserved**

The City Attorney's June 17, 2026 letter describes the May 13 handling of my written comment in potentially inconsistent temporal terms. The letter states that my May 10 comment was received in advance, that hard copies were left at the Commissioners' dais "just before the meeting," and that a copy was placed in a folder at the back of the room. It nevertheless treats the distribution as having occurred "during" the public meeting under Government Code section 54957.5(c). "Just before the meeting" and "during the meeting" are not synonymous. The exact times of staff review, printing, dais placement, member access, public-folder placement, and online posting determine whether subdivision (b) or subdivision (c) applies. The City has not provided that complete chronology.

The broader concern is practical and prospective. A written comment submitted nearly three days before a meeting should not first become publicly discoverable only in the moments surrounding the meeting, merely because staff deferred its distribution. Although Government Code section 54957.5 generally uses distribution to the legislative body—not staff's initial receipt—as the statutory trigger, the City should distribute and post timely comments as soon as operationally feasible so that other members of the public may read and respond before the body acts. The City should preserve the relevant time stamps for receipt, distribution, posting, and public availability.

The City Attorney's letter also contains a material factual error concerning the May 26 comment. It states that I "chose to email each individual Councilmember directly rather than adhering to the established written instructions." I did not. The contemporaneous May 26 transmittal shows that the comment was addressed to the published City Clerk address, the generic City Council group address, and the Finance Department address. It was not addressed separately to individual Councilmembers. Individual Councilmember addresses were copied only on later Brown Act follow-up correspondence. The City should correct this error because the asserted "non-standard submission" is the letter's principal explanation for why staff allegedly failed to recognize that distribution to a majority had occurred.

The City Attorney nevertheless acknowledges that the May 26 materials were not posted "in strict accordance" with Government Code section 54957.5(b)(1) and identifies prospective changes, including active monitoring, clearer agenda instructions, item-related website posting, and improved public access. The June 23 agenda reflects several of those changes. The Council should now direct staff to memorialize them in one uniform written procedure applicable to the Council and every City commission and committee, rather than leaving implementation to varying agenda templates or informal practices.

The separate June 3 Finance Committee chronology remains unanswered. My timely comment was acknowledged for distribution, yet the public-facing CivicClerk page did not display a public comment or supplemental material file before or during the meeting. A file appeared later. Whether Government Code section 54957.5 was triggered depends on when the comment was distributed to the two Committee members, and the City has not provided that chronology. The May 13, May 26, and June 3 events show a recurring records-routing and public-access issue that needs a uniform prospective protocol.

Finally, the City Attorney denied a rehearing of the May 13 Commission item, in part, because the Commission was advisory, the Council would take final, binding action, and my written comments and attachments had purportedly been introduced into the record for Council review. That rationale makes the June 23 hearing the specific

opportunity the City identified as avoiding practical prejudice. The Council should therefore not treat Agenda Item 9.3 as a perfunctory adoption. It should demonstrate that the incorporated comments were reviewed, require written staff responses to material issues, and continue the item if the necessary information is not available.

I am addressing the disputed legal and factual issues in separate correspondence and do not ask the Council to adjudicate them under Agenda Items 6.2 or 9.3. They are summarized here because the May 13 Commission proceeding is the predicate advisory proceeding for Agenda Item 9.3, and because the City's own no-prejudice rationale now depends on meaningful Council review. Nothing in this comment withdraws, supersedes, waives, tolls, or extends any prior notice, demand, objection, claim, deadline, or remedy.

#### **1.6 Requested Uniform Protocol and Durable Project Record**

The Council should direct the City Clerk and City Attorney to publish a uniform written protocol that identifies: the designated section 54957.5(b)(2)(A) inspection location; whether and when the City invokes the online alternative in subdivision (b)(2)(B); the exact public URL; responsibility for monitoring generic and designated public-comment inboxes; the time of distribution to each body member; the time and location of public availability; treatment of materials distributed during meetings; accessible-format procedures; and item-specific naming and cross-linking conventions. Posting logs and timestamps should be retained.

I also request that the City create and maintain a single, durable, searchable, agenda-linked electronic project and decision record for the Trails Master Plan, IHT double-tracking, the Bollinger Canyon Road and Crow Canyon Road overcrossings, and related corridor improvements. This is an affirmative Council policy request, not a claim that the Brown Act or CPRA automatically mandates permanent web hosting. Precisely because FAC explains that permanent online retention may not be the statutory minimum, the Council should require it as a condition of adopting a 20-year plan whose projects, grants, environmental reviews, permits, and maintenance obligations will unfold across decades and agencies.

The record should be available through a stable landing page in accessible Hypertext Markup Language (HTML) and searchable Portable Document Format (PDF), with maintained links, version dates, document descriptions, and cross-links to each relevant agenda item. It should include staff reports; attachments; presentations; consultant scopes, proposals, contracts, and amendments; design and construction documents; cost estimates; funding applications and awards; grant restrictions; maintenance and enforcement plans; public comments; supplemental materials; environmental documents; permits; stormwater and drainage materials; electric-vehicle charging inventories, permits, utility-interconnection and grid-capacity studies, operator and host-property agreements, utilization and pricing data, charging-revenue and market-impact analyses; accessibility analyses; collision and near-miss data; IHT-user correspondence; emergency-response correspondence; and communications from every funding, permitting, reviewing, partner, and cooperating agency.

The agency list should include, as applicable, the Federal Highway Administration (FHWA); California Department of Transportation (Caltrans); Metropolitan Transportation Commission (MTC); Contra Costa Transportation Authority (CCTA); Contra Costa County; East Bay Regional Park District (EBRPD); San Francisco Bay Regional Water Quality Control Board; San Ramon Valley Fire Protection District; law-enforcement and emergency-response agencies; school districts; transit providers; Pacific Gas and Electric Company and other affected utilities (including Kinder Morgan); charging network operators and host properties; adjacent jurisdictions; affected property owners; and development interests. A temporary StoryMap, a meeting-level public comment folder, a red binder, or a collection of disconnected webpages is useful for limited purposes but is not an adequate long-term project index.

#### **2. Specific Comparison of the May 13 and June 23 Staff Reports**

##### **2.1 Decision Posture and Revision History**

The May 13 Parks and Community Services Commission staff report recommended approval and forwarding to the Council. It also expressly authorized the Commission to provide additional feedback or ask staff to make further revisions and return the document. It identified the principal changes made after the March 18 Commission review: condensing and renaming the Plan Summary; reorganizing the Community Needs Assessment and Trail System Assessment ahead of recommendations; relocating reference material to appendices; adding information about "Friends of" groups; updating conservation-easement mapping; revising the engagement timeline; making text, caption, and map changes; clarifying that costs were in 2026 dollars and subject to change; renaming staffing implications as maintenance implications; and replacing short-, mid-, and long-term labels with 0-5, 6-10, and 11-20-year timeframes.

The June 23 Council report changes the decision posture from recommendation to final adoption of Resolution No. 2026-096. Yet it does not identify whether the Plan changed after May 13, whether the Commission's oral direction was fully incorporated, or whether any written public recommendation was accepted, rejected, or deferred. The Council is therefore being asked to adopt a final document without a version history covering the most recent and most consequential review period.

##### **2.2 Public Comment Is Linked but Not Answered**

The June 23 report links both the May 13 staff report and the written public comment. That is a meaningful access improvement. It is not a response-to-comments process. The report does not identify any issue raised in the May 10 comment, state whether staff agrees or disagrees, identify a plan revision, or explain why no revision was made. Because the City Attorney relied on Council review as the final opportunity to consider the comment, a written staff response is especially important before adoption.

FAC correctly notes that the Brown Act does not, by itself, require the City to create a response matrix or redline. I request those documents as practical decision aids for the Council. If a staff response, revision log, or comparison already exists and was distributed to Councilmembers, it must be handled under section 54957.5. If it does not exist, the Council should direct staff to prepare it rather than infer that a linked 25-page comment has somehow been resolved.

##### **2.3 Double-Tracking Materials Are Referenced but Not Included with the Agenda Item Devoted to the Design Update**

The June 23 Item 9.3 report states that the Trails Master Plan was compared against "Double Tracking on the Iron Horse Trail - (In-progress Construction Documents)," Agenda Item 6.2, however, consists of a one-page staff report shell with no recommendation, background, attachments, presentation, drawings, cross-sections, cost information, environmental review status, or construction document index. The Brown Act may not require the City to create or attach all of those materials for an informational Special Presentation. Still, the packet leaves the public unable to determine whether the design materials shown under Item 6.2 are the same in-progress construction documents that informed the Plan proposed for adoption under Item 9.3.

Before relying on those documents for Agenda Item 9.3, the Council should require the document title, date, revision number, design percentage, author, consultant, agency approver, and a complete set of drawings used in the Plan comparison. Those materials should be linked under both Items 6.2 and 9.3 as a matter of sound decision-making and record continuity, even if the Brown Act did not independently require their creation for the Special Presentation.

##### **2.4 Community Engagement and the Claimed Statistical Precision**

The June 23 report adds material assertions regarding 824 survey responses, an estimated plus-or-minus three-percentage-point margin of error at 95 percent confidence, four Commission presentations, extensive interdepartmental review, partner-agency input, and a public-facing StoryMap. The May 13 report focused more narrowly on revisions after Commission review. Neither report provides the sampling frame or methodology supporting the margin-of-error claim, a complete stakeholder list, the raw or de-identified survey dataset, an interview index, or a comment-to-revision crosswalk.

##### **2.5 Fiscal, Environmental, Accessibility, and Implementation Disclosure**

Both reports leave fiscal implementation largely to future annual budgets and Capital Improvement Program processes. The June 23 report states that the Plan includes planning level costs, funding opportunities, environmental and regulatory considerations, mitigation strategies, CEQA compliance, and intersection safety considerations. Yet the staff report and proposed resolution do not identify the specific environmental determination for adopting this 20-year guiding document, do not provide a General Plan/Updated CAP implementation finding, do not address ADA Title II program access, and do not identify who will fund, maintain, enforce, inspect, or eventually rehabilitate the recommended facilities.

Before adoption, staff should provide a concise comparison memorandum addressing six questions: (1) whether the June 23 Plan text is identical to the May 13 text; (2) if not, what changed, by page and section; (3) which Commission and public comments produced each change; (4) which recommendations were rejected or deferred, and why; (5) which documents were used in the comparison review, including the in-progress double-tracking construction documents; and (6) what current fiscal, environmental, accessibility, and implementation findings support adoption.

(Sources: May 13 staff report, pp. 17-18: <https://sanramonca.portal.civicclerk.com/event/1105/files/agenda/1315>; June 23 meeting page and Agenda Items 6.2 and 9.3: <https://sanramonca.portal.civicclerk.com/event/1150/files>)

#### **3. Agenda Item 6.2 Is a Special Presentation, but Its Substance Warrants Business-Item-Level Disclosure and Public Participation**

Agenda Item 6.2 is titled "Update on Iron Horse Trail Dual Tracking Design" and appears under the agenda's Special Presentations section. "Special Presentation" is an internal agenda category, not a separate exemption from the Brown Act. Still, the designation reasonably signals that it is an informational item rather than a formal action item. Consistent with First Amendment Coalition guidance, I do not contend that the Brown Act automatically requires the City to create a substantive report or post every supporting document in advance merely because this presentation will occur.

The City nevertheless chose to include a staff-report shell at packet page 125. Its Recommendation, Background, and Attachment fields are blank, while Agenda Item 9.3 states that in-progress double-tracking construction documents were used to evaluate the Trails Master Plan. Given that connection, the shell is not merely a formatting curiosity. It highlights that the public has no advance description of the design stage, project limits, cost, funding, drainage, environmental review, accessibility, emergency access, maintenance, enforcement, or relationship to the Plan that the Council is being asked to adopt later the same evening.

The County's 96-hour Better Government Ordinance standard does not necessarily apply directly to this City Special Presentation. It is still a relevant benchmark. Supervisor Andersen and County staff are familiar with a County system that ordinarily provides regular meeting staff materials well in advance, subject to a documented late material process. Where County-prepared slides, drawings, memoranda, or consultant products already exist for this City presentation, posting them in advance would be a reasonable transparency measure rather than an assertion that the County ordinance legally controls the City agenda.

First Amendment Coalition guidance likewise explains that the Brown Act does not invariably require that every supporting document be posted in advance, nor does it require an agency to create a particular report or plan. It does require qualifying documents distributed to the body to be made available under Government Code section 54957.5. The agenda description—an "Update" presented as a "Special Presentation," with no recommendation—provides notice of an informational presentation. It does not provide a clear notice that the Council will formally approve a design, commit funding, make an environmental determination, or provide binding policy direction. The Council should therefore keep the item informational unless any future action is separately and clearly agendized.

The June 23 agenda allows comments on Section 6 presentations only under Item 4, before the presentation occurs. That may satisfy the Brown Act's minimum requirement to allow comment before or during consideration. Yet members of the public cannot meaningfully address widths, surfaces, drainage, barriers, vehicle accommodation, tree removal, emergency access, accessibility, cost, funding, or enforcement if those details first appear in slides after the comment period. Because the project is located in central San Ramon and directly affects a major regional trail, the City should handle public participation more like a substantive business item by reopening item-specific comments after the presentation and before Council discussion.

That additional opportunity is particularly important because the County's Iron Horse Corridor Management Program Advisory Committee process has not provided a consistently reliable alternative forum for obtaining and reviewing the same information. In my May 2026 experience, the posted agenda referenced a remote connection that was difficult or impossible to use; a separate Microsoft Teams link was later provided, but was not incorporated into the revised agenda; and the process for receiving agenda packets and for understanding how written comments would be archived was unclear. I do not present those experiences as a conclusion that every meeting violated the Brown Act. They demonstrate a practical access problem: San Ramon residents should not be expected to reconstruct a fragmented County record or overcome unreliable remote links before they can comment intelligently on a design located in the center of their own city.

Any City- or Councilmember-prepared writing distributed during the meeting must be available at the meeting under Government Code section 54957.5(c). Other qualifying writings are governed according to their authorship and time of distribution. As a matter of the City's revised June 23 procedures and good governance, every slide, drawing, map, cost estimate, and design document shown to the Council should also be posted online when presented, even where a third-party document might be legally available only after the meeting under the statute's minimum rules.

The Council should receive Item 6.2 as information only. Councilmembers may ask questions and discuss the agenda item. Still, the Council should expressly state that the presentation does not constitute design approval, project endorsement, funding commitment, environmental clearance, or formal policy direction. Any request for such action should be returned as a separately agendized business item with a complete staff report, fiscal analysis, environmental review status, supporting attachments, and an item-specific opportunity for public comment after the materials are available.

At a minimum, the Item 6.2 record should identify the official project name; project number; limits; landowner; lead and partner agencies; project manager; design consultant; current design percentage; construction-document date and version; intended users; dimensions and separation; drainage and stormwater work; utility conflicts; tree and habitat effects; emergency and maintenance access; accessibility standards; funding sources; construction and maintenance costs; environmental-review status; and required City, County, EBRPD, and other agency approvals and community review milestones. The request is based on the project's substance and its relationship to Agenda Item 9.3, not on a claim that every ceremonial or informational Special Presentation must contain this level of detail.

(Sources: First Amendment Coalition, Agenda & Supporting Documents and Agenda Fair Notice explainers: <https://firstamendmentcoalition.org/resources/explainers/>; Government Code § 54957.5: [https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&sectionNum=54957.5](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=54957.5); June 23 Item 6.2, p. 125 of the packet: <https://sanramonca.portal.civicclerk.com/event/1150/files>; May 11, 2025 written public comment regarding the Iron Horse Corridor Management Program Advisory Committee, incorporated with this comment.)

#### 4. The Trails Master Plan Is an Active Transportation and Greenhouse Gas Mitigation Implementation Document

The Trails Master Plan cannot be siloed as a parks and recreation document. It addresses the IHT, bicycle and pedestrian connections, grade separations, trail access, schools, transit, Shared Mobility Hubs, public safety, and capital projects. Those subjects overlap directly with the transportation and GHG assumptions embedded in the San Ramon General Plan 2040, its EIR, the Updated CAP, and the CEQA Greenhouse Gas Emissions Thresholds and Guidance Report.

The City describes the Updated CAP as the primary implementation strategy for the General Plan 2040 GHG reduction program. The CAP states that General Plan EIR Mitigation Measure GHG-1 required the adoption and implementation of a qualified CAP and CEQA GHG thresholds. The CEQA GHG guidance further states that plans and projects undergoing CEQA review must demonstrate consistency with applicable CAP measures and actions or otherwise provide a supported quantitative analysis.

(Sources: City CAP Update: [https://www.sanramon.ca.gov/news/what\\_s\\_new/climate\\_action\\_plan\\_update](https://www.sanramon.ca.gov/news/what_s_new/climate_action_plan_update); Adopted Updated CAP: <https://plansanramon.com/images/Adopted%20CAP%206-10-2025.pdf>; CEQA GHG Emissions Thresholds and Guidance Report: <https://plansanramon.com/images/Adopted%20CEQA%20GHG%20Thresholds%20Report%206-10-2025.pdf>)

The Updated CAP's transportation measures make active transportation central to the City's GHG reduction strategy. Measure T-1 calls for implementation and regular updating of the Bicycle Master Plan and Walking District Master Plan to reduce vehicle miles traveled (VMT) and achieve an active transportation mode share of 3 percent by 2030 and 8 percent by 2045. Measure T-2 calls for enhancing 37 miles of vehicle roadways into active transportation corridors by 2045. Measure T-3 calls for a new zero-emission local microtransit service connecting commuters to major public transit, with public transit mode-share targets of 14 percent by 2030 and 16 percent by 2045.

Active transportation is therefore not optional or merely aspirational. It is part of the City's adopted GHG mitigation, VMT reduction, public-health, and General Plan implementation framework. Before adopting the Trails Master Plan, the Council should require a crosswalk that identifies which Plan recommendations implement General Plan EIR Mitigation Measure GHG-1 and Updated CAP Measures T-1, T-2, and T-3; which responsible department and funding source apply; what performance metric will be used; and how implementation will be reported.

#### 5. Double-Tracking Must Be Analyzed as a Corridor Project, Not Marketed as a Simple Safety Amenity

The proposed IHT double-tracking segment between Bollinger Canyon Road and Crow Canyon Road would create a second paved path, separating faster-moving wheeled users from pedestrians and slower users. That may provide benefits, but it may also materially change the character, capacity, speed, and geographic reach of the corridor. The Trails Master Plan and Item 6.2 must evaluate both sides of that change.

(Source: CCTA Countywide Bicycle and Pedestrian Plan project list: <https://ccta.net/wp-content/uploads/2025/03/ProjectList-CBPP-2025.pdf>)

The broader County planning record is particularly important. The Contra Costa County IHT Active Transportation Corridor Study states that the corridor vision would not preclude shared autonomous vehicles, discusses emerging mobility, includes an evaluation of shared autonomous vehicles, and explains that such vehicles would require a dedicated lane, given the technology evaluated at the time. The same study discusses mobility hubs connecting walking, bicycling, transit, shared mobility, and potential future autonomous vehicles. Those facts make it necessary to disclose whether the second track is being designed solely for nonmotorized user separation, or also to accommodate a future shuttle, minibus, shared autonomous vehicle, PRESTO-type service, microtransit, delivery, or other motorized uses.

(Source: Contra Costa County IHT Active Transportation Corridor Study: <https://www.contracosta.ca.gov/DocumentCenter/View/67559>)

Supervisor Candace Andersen's public platform describes her as a leading advocate for a separate IHT "bicycle expressway." Advocacy is not itself objectionable, but the project should not be presented as a neutral safety refinement. At the same time, its broader policy history, design intent, funding, and possible future operations remain scattered across County, campaign, advisory committee, and City records. The Supervisor's June 23 presentation makes full disclosure especially important.

(Source: Supervisor Andersen platform: <https://supervisorandersen.com/platform>)

From my perspective, County-level disclosure has been unusually difficult. Meeting notices and access to the Iron Horse Corridor Management Program Advisory Committee were broken or unreliable for roughly six months, and key projects were omitted from at least one of the current project lists. The City should not treat an opaque County process as a substitute for its own record when the design lies in San Ramon, directly affects City parks, schools, trail connections, and development, and is being presented to the Council immediately before Plan adoption.

A shuttle or minibus would not need formal exclusive use rights to obtain de facto exclusive use. Vehicle width, stopping distance, boarding, sensor needs, emergency procedures, liability, and normal user avoidance could cause walkers, seniors, children, joggers, and casual riders to be displaced from the lane. If motorized use is not intended, the City and County should say so expressly and identify the physical, legal, operational, funding, and enforcement mechanisms that will prevent it. If such use remains possible or "not precluded," it must be disclosed and analyzed before the project is characterized solely as a safety improvement.

The Item 6.2 presentation should also disclose whether the project includes new storm drain facilities, grading, trenching, retaining structures, utility relocation, lighting, signal work, fiber, surveillance or communications equipment, fencing, barriers, tree removal, habitat disturbance, or access for maintenance and emergency vehicles. Those are not incidental details; they affect environmental review, cost, operations, accessibility, and the relationship to the Crow Canyon Road overcrossing and nearby development.

#### 6. Danville's 5-0 Vote and Existing EBRPD Rules Make Enforcement a Regional Requirement

San Ramon has already acknowledged that e-bike safety is an immediate regional issue. An April 13, 2026 Tri-Valley Cities Coalition letter, signed for San Ramon by Mayor Mark Armstrong, states that e-bike safety is no longer an abstract emerging mobility discussion but an immediate local government issue involving pedestrian safety, school-age behavior, enforcement limitations, higher-powered devices, downtowns, parks, sidewalks, and shared-use trails. The letter reports 19 stops and four parent contacts during a Tri-Valley e-bike enforcement day, as well as two pedestrian injury incidents in downtown Danville during the same week.

(Source: Tri-Valley Cities Coalition e-bike legislation support letter: <https://www.danville.ca.gov/DocumentCenter/View/13134/TVC-Letter-of-Support---E-Bike-Legislation-Package>)

On June 16, 2026, the Danville Town Council voted 5-0 on first reading to advance Ordinance No. 2026-02. As reported after the meeting, the first-reading action would prohibit riding e-bikes in Town parks, allow riders to dismount and walk them, and establish a 15-mile-per-hour speed limit on Town-managed trails. The vote was a first reading, not final adoption; a final reading is scheduled for July 7. The significance is immediate: the neighboring jurisdiction directly north of the proposed double-tracking segment is tightening rules because residents, police, and Councilmembers perceive a real shared-facility safety problem.

(Sources: Town of Danville, June 16, 2026 staff report and Ordinance No. 2026-02: [https://danville.ca.granicus.com/MetaViewer.php?clip\\_id=4015&meta\\_id=74563&view\\_id=9](https://danville.ca.granicus.com/MetaViewer.php?clip_id=4015&meta_id=74563&view_id=9); Local News Matters, June 19, 2026: <https://localnewsmatters.org/2026/06/19/danville-advances-e-bike-safety-measure-after-resident-complaints-and-injuries/>)

EBRPD, which manages the Iron Horse Regional Trail, already allows Class 1 e-bikes where regular bicycles are allowed and Class 2 e-bikes on paved regional trails, including the IHT, while prohibiting Class 3 e-bikes and e-scooters on regional trails. EBRPD states that the maximum trail speed is 15 miles per hour and that riders must slow to 5 miles per hour when passing. EBRPD also directs the public to report reckless bicycle, skateboard, and scooter use, as well as improper e-bike use, through its Public Safety Dispatch or Park Watch systems.

(Sources: EBRPD biking rules: <https://www.ebparks.org/recreation/biking>; EBRPD Ordinance 38 and reporting: <https://www.ebparks.org/public-safety/ordinance-38>; EBRPD multi-use trail rules: <https://www.ebparks.org/trails/multi-use-rules>)

Double-tracking may encourage additional use of faster, longer-range electric devices. That is a foreseeable planning concern, not a claim that every user will ride unsafely. The induced trips will not stop at the San Ramon boundary. A "fast" wheeled track between Bollinger Canyon Road and Crow Canyon Road can increase the volume and range of riders continuing into downtown Danville, Alamo, and Walnut Creek, where older pedestrians, families, slower cyclists, and constrained downtown paths remain exposed. San Ramon should not create or market a higher-speed corridor and externalize its enforcement and injury risks onto neighboring jurisdictions.

Before design approval or construction, San Ramon, Contra Costa County, EBRPD, the Town of Danville, San Ramon Police Services, Danville Police, school districts, and emergency responders should adopt a corridor-wide enforcement and operations plan. It should address device classification; modified and mislabeled e-bikes; higher-powered electric-motorcycle-style devices, or "e-motos"; the 15-mile-per-hour limit; 5-mile-per-hour passing; patrol jurisdiction and hours; school outreach; parent notification; citation authority; signage; geofencing where applicable; complaint intake; near-miss and collision reporting; data sharing; emergency access; and measurable enforcement outcomes. Education alone is not an enforcement plan.

#### 7. Shared Mobility Hubs, Electric-Vehicle Charging, PRESTO, County Connection, Bishop Ranch, and Sunset Development Must Be Addressed Together

The Trails Master Plan and double-tracking presentation must disclose whether IHT improvements are being coordinated with the San Ramon Shared Mobility Hub, a relocated or replacement San Ramon Transit Center, Bishop Ranch 3, City Center, PRESTO, microtransit, or private-development circulation. CCTA states that the San Ramon Shared Mobility Hub has received funding and is moving through environmental clearance and engineering.

(Source: CCTA Shared Mobility Hubs: <https://ccta.ca.gov/projects/innovate-680/shared-mobility-hubs/>)

County Connection materials state that approximately \$10 million in Transit and Intercity Rail Capital Program (TIRCP) funds were awarded for a Shared Mobility Hub originally proposed at the Bollinger Canyon Park-and-Ride lot. After Chevron's departure and Bishop Ranch redevelopment plans, CCTA and County Connection worked with Sunset Development to identify a new location near Bishop Ranch 3, closer to City Center and the IHT, that would replace the existing Transit Center to the north. The same material reported an average daily ridership of 404 on the relevant Interstate 680 express routes in Fiscal Year 2023, compared with 1,288 before the pandemic. It stated that operating resources for added service had not been identified at that time.

(Source: County Connection I-680 Express Bus and Hydrogen Fueling Station Update: [https://countyconnection.com/wp-content/uploads/2023/11/4.FINAL\\_I-680-Express-Bus-Update.pdf](https://countyconnection.com/wp-content/uploads/2023/11/4.FINAL_I-680-Express-Bus-Update.pdf))

#### 7.1 An Electric-Vehicle Charging Component Requires a Demonstrated Service Gap and Market Analysis

CCTA planning expressly identifies EV charging as a potential Shared Mobility Hub function, both to encourage private EV use and to provide off-peak charging for shared and transit fleets. That concept cannot simply be imported into San Ramon without local need, market, grid capacity, ownership, operating, and fiscal analyses.

San Ramon has already facilitated a distributed charging market. Municipal Code Division C9 establishes an expedited permit process to encourage EV charging system installations. Tesla currently lists at least five San Ramon Supercharger locations totaling 84 charging positions: 16 at Target, 2610 Bishop Drive; 20 at Diablo Plaza, 2415 San Ramon Valley Boulevard; 16 at Gateway Center, 21001 San Ramon Valley Boulevard; 20 at Bishop Ranch 3, 2633 Camino Ramon; and 12 at Clementine's, 18080 San Ramon Valley Boulevard. This is Tesla's network alone, before counting other charging networks or facilities that are approved, under construction, or planned.

The geography matters. These facilities are distributed across shopping, dining, employment, and other destinations, allowing drivers to charge while making routine trips. One of the largest sites is already at Bishop Ranch 3, the area identified for relocation of the Shared Mobility Hub. A centralized, publicly supported retail charging component at the Hub may therefore duplicate existing infrastructure rather than fill a gap.

Publicly subsidized charging at a centralized Hub could potentially cannibalize utilization, charging revenue, and associated customer activity from existing or already committed charging operators and host properties. It could also direct scarce electrical capacity and public investment toward a location selected for broader development or transit objectives rather than one with a demonstrated need for charging. The issue is not opposition to EV charging; it is whether public funds, public land, preferential utility infrastructure, or development-related funds should compete with or undermine a market that the City's own expedited permitting policy has already helped create.

This concern does not dispute the Updated CAP's broader goal of expanding public charging. The Updated CAP directs the City to implement an Electric Vehicle Readiness Plan and install 700 additional public EV chargers by 2030. It asks instead that any Shared Mobility Hub charging component be justified within that citywide strategy, sited to fill a documented gap, and designed so that public subsidy does not merely duplicate private investment already distributed.

Before any Shared Mobility Hub charging component is endorsed, funded, or environmentally cleared, the City and CCTA should disclose:

1. A complete inventory of existing, approved, under construction, and reasonably foreseeable public and fleet charging facilities in San Ramon.
2. Existing utilization, peak demand, charging speeds, connector compatibility, pricing, geographic coverage, and any documented wait-time or capacity constraint.
3. Whether the proposed Hub charging would serve the general public, County Connection buses, PRESTO, or other shared vehicles, City fleets, private fleets, or some combination.
4. The unmet geographic, operational, accessibility, resilience, or fleet-charging need that existing distributed facilities cannot meet.
5. Electrical service and grid upgrades; interconnection costs and schedules; capital and operating subsidies; ownership, maintenance, and replacement; cybersecurity; and stranded-asset responsibilities.
6. The likely effects on existing and planned charging operators, shopping centers, and other host properties, charging revenue, customer activity, and the competitive market that the City has already encouraged.

If charging is proposed principally for County Connection, PRESTO, municipal, or other fleet use, the agencies should state that purpose expressly and size and restrict the facility accordingly. If public retail charging is proposed, the agencies should demonstrate a genuine service gap and explain why publicly supported centralized charging would not unfairly duplicate or cannibalize the distributed private charging network.

(Sources: CCTA Shared Mobility Hubs Final Report: [https://ccta.ca.gov/wp-content/uploads/2023/08/CCTA\\_SMH-Final-Report\\_01\\_27\\_23\\_v2.0.pdf](https://ccta.ca.gov/wp-content/uploads/2023/08/CCTA_SMH-Final-Report_01_27_23_v2.0.pdf); San Ramon Municipal Code, Division C9, expedited EV charging permits: <https://online.encodeplus.com/regs/sanramon-ca/doc-viewer.aspx?tocid=001.004.009.001.005>; San Ramon Updated CAP, Action T-6a: <https://plansanramon.com/images/Adopted%20CAP%206-10-2025.pdf>; Tesla Target: <https://www.tesla.com/findus/location/supercharger/sanramoncaliforniasupercharger>; Tesla Diablo Plaza: <https://www.tesla.com/findus/location/supercharger/sanramondiabloplazasupercharger>; Tesla Gateway Center: <https://www.tesla.com/findus/location/supercharger/SanRamonCASupercharger>; Tesla Bishop Ranch 3: <https://www.tesla.com/findus/location/supercharger/4001213>; Tesla Clementine's: <https://www.tesla.com/findus/location/supercharger/404073>)

#### 7.2 PRESTO and Transit Demand Must Be Supported by Performance Data

The PRESTO San Ramon/Bishop Ranch autonomous vehicle pilot ended July 31, 2025, after more than 2,000 rides, and CCTA and Sunset Development are exploring an expanded service area. The Martinez pilot ended in December 2025 with 1,038 rides and approximately 98,000 miles driven. The Rossmoor pilot ended in November 2025 with more than 1,600 rides and 5,029 miles. Those figures underscore the need to disclose passenger load, rides per operating day, boardings per revenue hour, empty-vehicle miles, cost per passenger trip, operating subsidy, safety incidents, and actual transfers to fixed-route transit before an autonomous shuttle or microtransit concept is used to justify trail or hub infrastructure.

(Sources: PRESTO Bishop Ranch: <https://ridepresto.com/bishop-ranch/>; PRESTO Martinez: <https://ridepresto.com/martinez/>; PRESTO Rossmoor: <https://ridepresto.com/rossmoor/>)

Based on my frequent personal observations of PRESTO service in Martinez between the County Medical Center and downtown, the vehicle appeared almost always empty. That observation is anecdotal and should not be used as a substitute for agency data. It is precisely why the City should require the underlying trip, occupancy, cost, and transfer data rather than relying on the words "innovative," "mobility," or "hub" as substitutes for demonstrated demand.

#### 7.3 Public Benefit, Private Benefit, and Development-Agreement Funding Must Be Disclosed

The Plan should also disclose whether public trail, bridge, hub, or shuttle investments primarily serve public safety and access, private development circulation, and land value, or both. Ordinance 530 requires Sunset Development to pay \$3,000 per residential unit at Bishop Ranch 7 and Bishop Ranch 11, adjusted by the Consumer Price Index, into a fund for improvements on or adjacent to the IHT. The City should disclose the expected fund balance, deposit timing, eligible projects, restrictions, and whether those funds may be used for double-tracking, overcrossings, Shared Mobility Hub connections, or shuttle-supportive infrastructure.

(Source: San Ramon Ordinance 530/Bishop Ranch development agreement: <https://online.encodeplus.com/regs/sanramon-ca/doclibrary.aspx?id=470197a1-69fc-4381-9d71-ad34972031ca>)

#### 8. The Crow Canyon Road Overcrossing Requires Current CEQA, NEPA, Funding, and Connectivity Disclosure

The City identifies the Crow Canyon Road IHT Bicycle-Pedestrian Overcrossing as Capital Improvement Program 905531 and Federal Project No. CPFL 5437 (034), with final design and construction not yet complete. It would construct a bicycle-and-pedestrian overcrossing over Crow Canyon Road and remove the existing signal and at-grade crosswalk. The City identifies design from 2025 to 2027 and construction from 2028 to 2030, funding dependent.

(Sources: Bollinger Canyon Road overcrossing: [https://www.sanramon.ca.gov/our\\_city/departments\\_and\\_divisions/public\\_works/construction/construction\\_projects/iron\\_horse\\_trail\\_overcrossing\\_bollinger\\_canyon](https://www.sanramon.ca.gov/our_city/departments_and_divisions/public_works/construction/construction_projects/iron_horse_trail_overcrossing_bollinger_canyon); Crow Canyon Road project: [https://www.sanramon.ca.gov/our\\_city/departments\\_and\\_divisions/public\\_works/construction/construction\\_projects/iron\\_horse\\_trail\\_overcrossing\\_at\\_crow\\_canyon\\_road](https://www.sanramon.ca.gov/our_city/departments_and_divisions/public_works/construction/construction_projects/iron_horse_trail_overcrossing_at_crow_canyon_road))

The City's Request for Proposals page lists a Notice of Top-Ranked Respondents dated January 9, 2026, and a Cost Proposal Package/Respondents List dated January 23, 2026, even though the original procurement schedule anticipated an earlier award. The June 23 Trails Master Plan staff report does not identify the selected consultant, contract status, present design phase, revised schedule, budget, or current National Environmental Policy Act (NEPA) review status. Those facts should be disclosed before the Plan is adopted as the governing framework for the same corridor.

(Source: City Crow Canyon Road/IHT Overcrossing procurement page: [https://www.sanramon.ca.gov/our\\_city/bids\\_\\_\\_r\\_f\\_p/crow\\_canyon\\_road\\_iht\\_overcrossing](https://www.sanramon.ca.gov/our_city/bids___r_f_p/crow_canyon_road_iht_overcrossing))

Prior CEQA documents for the San Ramon IHT Overcrossings Project addressed both Bollinger Canyon Road and Crow Canyon Road. However, Bollinger-specific CEQA or NEPA approvals should not be treated as current clearance for the separate Crow Canyon project. The City should identify whether it is relying on the 2017/2018 Final Initial Study/Mitigated Negative Declaration and 2019 Addendum, whether an addendum, subsequent, supplemental, or other CEQA review is required, and which specific CEQA determination applies to the current design.

As of July 2025, the Caltrans District 4 Local Assistance Environmental Branch Chief confirmed that Caltrans had NEPA approval authority for Federal Project No. CPFL 5437 (034), that the project was proposed for a categorical exclusion under 23 Code of Federal Regulations section 771.117(c)(3), and that NEPA approval was not complete because Section 106 documentation under the National Historic Preservation Act remained in progress. The City should disclose the current status of that review, the responsible federal funding agency, consultation, and permit status, and any changes to the design or connected projects that require updated analysis.

(Sources: Caltrans categorical-exclusion guidance: <https://dot.ca.gov/programs/environmental-analysis/standard-environmental-reference-ser/volume-1-guidance-for-compliance/ch-30-categorical-exclusions>; 23 Code of Federal Regulations section 771.117: <https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-771/section-771.117>)

The Plan must also explain how the Crow Canyon Road overcrossing will connect, or not connect, to active transportation infrastructure on both sides of Crow Canyon Road, including bicycle lanes, protected facilities, sidewalks, trailheads, San Ramon Valley Boulevard, Bishop Ranch, schools, residential and commercial areas, and the Town of Danville. It must disclose whether the project includes or relies on resurfacing, striping, signal removal or modification, roadway work, lighting, wayfinding, stormwater facilities, double-tracking, mobility-hub infrastructure, or other connected improvements.

The City should not segment the Bollinger overcrossing, Crow overcrossing, double-tracking, Shared Mobility Hub, Transit Center relocation, Bishop Ranch redevelopment, PRESTO, microtransit, and connecting street improvements into isolated administrative boxes. The Trails Master Plan should identify how those reasonably foreseeable projects will be coordinated for CEQA, NEPA, design, permitting, water-quality review, funding, operations, maintenance, accessibility, emergency response, and public review.

#### 9. Americans with Disabilities Act Access Is a Civil Rights and Program-Access Obligation

The Trails Master Plan includes general accessibility concepts, including Outdoor Recreation Access Routes (ORARs) and trail-class design criteria. Those concepts are useful, but they are not a substitute for an ADA Title II program-access analysis, a reasonable modification process, an accessible communications plan, a barrier inventory, a grievance procedure, or a transition plan implementation matrix.

The Plan should identify accessibility barriers and remedies for existing and proposed trails, trailheads, parking, restrooms, drinking fountains, benches, shade, maps, wayfinding, emergency access points, curb ramps, sidewalks, crossings, bridges, overcrossings, Shared Mobility Hubs, transit connections, and public engagement materials. It should show how the Bollinger Canyon Road and Crow Canyon Road overcrossings and double-tracking connect to continuous accessible routes, not merely whether an isolated structure meets a design slope.

The Plan should explain how residents may request reasonable modifications, accessible formats, effective communication, or equivalent program access when terrain or environmental constraints prevent full physical access. All public-facing plans, designs, maps, presentations, and late-distributed agenda materials should be available in accessible formats. Government Code section 54957.5(c) itself recognizes alternative-format obligations for writings distributed during a meeting.

(Sources: U.S. Department of Justice, ADA Title II: <https://www.ada.gov/topics/title-ii/>; U.S. Access Board, Outdoor Developed Areas: <https://www.access-board.gov/aba/guides/chapter-10-outdoor/>; Government Code section 54957.5: [https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&sectionNum=54957.5](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=54957.5))

**10. The Survey Margin-of-Error Claim Requires Methodological Support**

The June 23 staff report states that 824 online and in-person survey responses produced an estimated margin of error of plus or minus 3 percent at a 95 percent confidence level. Sample size alone does not establish a conventional margin of sampling error. The American Association for Public Opinion Research explains that a margin of sampling error applies to probability-based surveys in which participants have a known, nonzero chance of selection; it ordinarily does not apply to opt-in online or other nonprobability surveys.

(Source: American Association for Public Opinion Research, Margin of Sampling Error: <https://aapor.org/wp-content/uploads/2023/01/Margin-of-Sampling-Error-508.pdf>)

A self-selected community survey can still provide valuable engagement information. Still, it should not be represented as statistically generalizable without disclosure of the sampling frame, selection method, recruitment channels, response rate, weighting, design effect, duplicate-response controls, population definition, subgroup sizes, and calculation methodology. Staff should provide that methodology or remove and qualify the plus-or-minus three-percentage-point claim before the Council relies on it as evidence of representative community support.

**11. Funding, Maintenance, Enforcement, and Agency Responsibility Remain Generic**

The June 23 fiscal-impact statement says only that projects will be reviewed, prioritized, and funded through future annual budgets and Capital Improvement Program processes. That is not an implementation plan. The Council should receive a project-by-project matrix identifying the lead agency; partners; capital cost; design and construction phase; grant source; local match; grant restrictions and deadlines; development-agreement contribution; CEQA and NEPA status; permit status; maintenance responsibility; patrol and enforcement cost; emergency response role; accessibility obligation; useful life; annual operating cost; and, for EV charging, utility capacity, interconnection, ownership, pricing, expected revenue, market effects, maintenance, and equipment-replacement responsibility.

The matrix should identify the City's Safe Streets and Roads for All (SS4A) Vision Zero award; Transportation Development Act Article 3 (TDA Article 3) funding and bicycle advisory review requirements; CCTA and MTC funding; Measure J; One Bay Area Grant; Transportation for Livable Communities; Bay Area Air District funding; Tri-Valley Transportation Council funding; Active Transportation Program funds; federal community-project funding; TIRCP and Regional Measure 3 funds; and the Ordinance 530 IHT improvement fund. The current agency name is Bay Area Air District; legacy references to the former Bay Area Air Quality Management District may be retained only where necessary to identify the historic grant.

(Sources: U.S. Department of Transportation FY2023 SS4A awards: [https://www.transportation.gov/sites/dot.gov/files/2023-12/FY23\\_SS4A\\_PDG-Awards-by-State.pdf](https://www.transportation.gov/sites/dot.gov/files/2023-12/FY23_SS4A_PDG-Awards-by-State.pdf); MTC TDA Article 3: <https://mtc.ca.gov/funding/regional-funding/tda-sta/bicycle-pedestrian-funds-tda-3>; Bay Area Air District naming guidance: <https://www.baaqmd.gov/en/about-the-air-district/air-district-logos>)

Capital funding is not enough. Double-tracking and overcrossings create recurring obligations for pavement and surface maintenance, drainage, vegetation, lighting, structures, graffiti removal, signage, inspections, accessibility, patrol, enforcement, education, data collection, emergency response, and eventual rehabilitation, as well as charging-equipment maintenance, software and network fees, utility demand charges, component replacement, and eventual decommissioning where EV charging is included. The Council should not adopt a 20-year plan without identifying who will pay those costs and how the City will avoid adding unfunded infrastructure while simultaneously emphasizing fiscal resilience.

**12. Specific Written Responses Needed Before the Council Acts**

The 30 written questions in my May 10 comment remain incorporated and unanswered. At a minimum, the Council should require written answers to the following updated questions before final action:

1. What is the one official name, project number, lead agency, project manager, design consultant, current design percentage, construction-document version, and schedule for the IHT double-tracking project?
2. What in-progress double-tracking construction documents were used in evaluating the Trails Master Plan, and why were they not attached to Agenda Item 6.2 or indexed under Agenda Item 9.3?
3. What are the proposed track widths, separation, surfaces, grades, drainage features, barriers, lighting, utilities, tree removals, habitat effects, emergency access, maintenance access, and accessibility criteria?
4. Is the second track designed, funded, or preserved to accommodate or "not preclude" a shuttle, minibus, shared autonomous vehicle, PRESTO, microtransit, delivery vehicle, Shared Mobility Hub connection, or other motorized use?
5. If motorized use is not intended, what enforceable physical, legal, operational, funding, and design mechanisms will prevent it?
6. What City, County, EBRPD, CCTA, developer, consultant, school, fire, police, and advisory-body records or discussions have addressed such future uses?
7. What CEQA determination, permits, San Francisco Bay Regional Water Quality Control Board review, and cumulative or connected-project analysis apply to double-tracking?
8. What usage, speed, origin-destination, and induced-demand analysis supports the proposed separation of faster wheeled users?
9. How will San Ramon, Danville, Contra Costa County, EBRPD, police, schools, and emergency responders coordinate the 15-mile-per-hour limit, passing rules, device classifications, modified e-bikes and e-motos, patrols, citations, data, complaints, near misses, and collisions?
10. How will double-tracking affect Iron Horse Middle School, Central Park, daycares, older users, slower users, emergency access, and downstream trail users in Danville and Walnut Creek?
11. What changed in the Trails Master Plan after May 13, and where is the redline, version log, and response-to-comments matrix?
12. How does each relevant recommendation implement General Plan EIR Mitigation Measure GHG-1 and Updated CAP Measures T-1, T-2, and T-3?
13. What probability-sampling or modeled methodology supports the claimed plus-or-minus three-percentage-point survey margin of error?
14. What is the current Crow Canyon Road overcrossing consultant, contract status, design phase, schedule, budget, funding package, NEPA status, Section 106 status, and CEQA determination?
15. How will the Crow Canyon Road overcrossing connect to active transportation facilities on both sides of Crow Canyon Road, and what connected roadway, trail, signal, drainage, lighting, and wayfinding work is included?
16. How will the City avoid segmentation among the Bollinger overcrossing, Crow overcrossing, double-tracking, Shared Mobility Hub, Transit Center, Bishop Ranch redevelopment, PRESTO, microtransit, and connecting street projects?
17. How will the Plan satisfy ADA Title II program access, reasonable modifications, accessible communications, barrier removal, continuous accessible routes, and transition-plan implementation?
18. What are the actual ridership, passenger-load, cost-per-trip, empty-mile, subsidy, safety, and transit-transfer outcomes from PRESTO San Ramon, Martinez, and Rossmoor?
19. What is the current status and final intended location of the San Ramon Shared Mobility Hub and replacement Transit Center, and how are they connected to the IHT and Bishop Ranch?
20. Does the proposed San Ramon Shared Mobility Hub include public EV charging, fleet charging, or both? What inventory of existing, approved, under-construction, and planned charging facilities, utilization, geographic-gap, charging-speed, connector, pricing, grid-capacity, subsidy, and market-impact analysis supports that

- component; and how will the City and CCTA avoid duplicating or cannibalizing existing or permitted distributed charging facilities and their host properties?
21. What is the current balance, expected revenue, eligible-use policy, and project allocation for the Ordinance 530 IHT improvement fund?
  22. What are the capital, maintenance, enforcement, emergency-response, accessibility, and replacement costs for each recommended project, and which agency is responsible?
  23. Will the City correct the June 17 City Attorney letter's statement that the underlying May 26 comment was sent to each individual Councilmember?
  24. Which section 54957.5 method will the City use for June 23 late distributed writings—the designated physical location under subdivision (b)(2)(A), the internet alternative under subdivision (b)(2)(B), or both—and how will the City preserve the distribution and posting timestamps?
  25. Because Agenda Item 6.2 is a Special Presentation and the agenda schedules all Section 6 comments under Item 4 before the presentation, will the Council reopen item-specific public comment after the presentation if substantive design, cost, environmental, accessibility, emergency-response, enforcement, or funding information is disclosed for the first time?
  26. When was each Item 6.2 slide, drawing, memorandum, cost estimate, and design or construction document finalized, transmitted to the City, distributed to Councilmembers, and posted publicly; and, to the extent any material moved through a County policy-body or staff process subject to the Contra Costa County Better Government Ordinance, what disclosure schedule or documented late-material procedure applied?
  27. Will the City adopt a uniform written protocol for all Brown Act bodies identifying intake addresses, distribution triggers, inspection locations, online posting, item-specific labels, accessible formats, and retention of posting logs?
  28. Who will maintain the single durable project and decision record, what will be its stable URL, and how will link integrity, accessible formats, version control, and agenda-item cross-linking be preserved for the life of the Plan and related projects?
  29. How will all County-level Iron Horse Corridor Management Program Advisory Committee agendas, notices, minutes, attachments, correspondence, design materials, environmental records, and public comments be incorporated or linked?
  30. What specific CEQA provision and analysis supports adoption of Resolution No. 2026-096, rather than reliance on the agenda's blanket list of possible exemptions and statutory definitions?

**13. Requested Council Action**

For Agenda Item 6.2, I respectfully request that the Council:

- Receive the presentation as information only and state expressly that Council questions or discussion do not constitute design approval, project endorsement, funding commitment, environmental clearance, or formal policy direction.
- Request that all slides, drawings, and underlying design or construction documents be posted when distributed or presented. The request is a project-specific measure of transparency and decision quality, not a claim that the Brown Act requires advance attachments for every Special Presentation.
- Because the agenda schedules comment on Item 6.2 before the presentation, reopen item-specific public comment immediately after the presentation and before Council discussion if substantive information is disclosed for the first time. If that new information may be relied upon in deciding Agenda Item 9.3, continue final action rather than relying on an incomplete public record.
- Direct that any future Council endorsement, design direction, funding commitment, environmental action, or other formal decision be returned as a separately agendized business item with a complete staff report, fiscal analysis, environmental review status, supporting materials, and a meaningful item-specific public comment opportunity.
- Request that the Supervisor's office and County staff provide a materials chronology and identify whether any County policy body or staff process used to prepare or review the presentation was subject to the County's 96-hour Better Government Ordinance standard or a documented late-material procedure. Treat the County standard as a relevant benchmark, not as a direct legal rule governing the City's Special Presentation.
- Direct the City and County to use a single, consistent official project name and to establish a common indexed project record.

For Agenda Item 9.3, I respectfully request that the Council not adopt Resolution No. 2026-096 and instead continue the item until staff publicly provides:

- A version comparison between the May 13 and June 23 Plans and a written response-to-comments matrix, prepared as Council decision aids.
- A dedicated IHT corridor and double-tracking disclosure memorandum, including intended users, possible motorized uses, agency roles, design status, environmental review, construction documents, drainage, emergency access, and maintenance.
- A corridor-wide e-bike, e-scooter, and e-moto enforcement and operations memorandum developed with EBRPD, Contra Costa County, the Town of Danville, law enforcement, schools, and emergency responders.
- A General Plan EIR, Updated CAP, CEQA GHG guidance, Vision Zero, Safe Routes to School, and TDA Article 3 implementation crosswalk.
- A Crow Canyon Road overcrossing CEQA/NEPA, Section 106, federal-funding, procurement, schedule, and active-transportation connectivity memorandum.
- An ADA Title II accessibility, program-access, reasonable-modification, accessible-communications, and transition-plan memorandum.
- A corrected and fully disclosed survey methodology statement.
- A project-by-project funding, maintenance, enforcement, emergency response, accessibility, and implementation matrix.
- A Shared Mobility Hub, Transit Center, electric-vehicle charging, PRESTO, County Connection, Bishop Ranch, Sunset Development, and Ordinance 530 disclosure, including the existing and permitted charging inventory, public-versus-fleet charging purpose, utilization and service-gap analysis, grid capacity and interconnection, ownership and subsidy, expected revenue, and effects on existing charging operators and host properties.
- A project-specific CEQA determination for adoption of the Trails Master Plan rather than reliance on a blanket agenda preamble.
- Formal review by the Transportation Advisory Committee or other appropriate bicycle advisory body before final adoption.
- A uniform written-public-comment and late-distributed-material protocol implementing Government Code section 54957.5 across all City Brown Act bodies, together with correction of the factual error in the June 17 City Attorney letter.
- A Council-adopted policy establishing a single durable, searchable, accessible, agenda-linked project and decision record with stable URLs and maintained link integrity, including charging permits, utility studies, operator agreements, utilization data, and market analyses where relevant.

Finally, because this written comment applies directly to both agenda items, I request that it be posted under and linked from Agenda Items 6.2 and 9.3, provided to the Council in the manner and within the timing stated in the June 23 agenda, entered into the official record, and maintained in accessible HTML and searchable PDF formats with its incorporated materials. Nothing in this comment waives any prior Brown Act, CPRA, administrative-record, or other objection or remedy.

Respectfully,

Brian C. Swanson, AICP  
San Ramon Voter, Taxpayer, and Resident

On Fri, Jun 19, 2026 at 5:46 PM City of San Ramon <[casramon@service.govdelivery.com](mailto:casramon@service.govdelivery.com)> wrote:



The **City Council meeting** will begin at 7:00 p.m. on **Tuesday, June 23, 2026**.

The meeting agenda is now available at, [City Council Meeting • Agendas & Minutes • CivicClerk](#)

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The public is invited to participate in the meeting using any of the following methods:

**IN-PERSON**

Members of the public can provide in-person comments at the meeting. To make a request for disability-related accommodation to participate in the meeting, please contact the City Clerk's Office 48 hours in advance of the meeting.

**WRITTEN COMMUNICATION BY EMAIL**

Email public comments to [cityclerk@sanramon.ca.gov](mailto:cityclerk@sanramon.ca.gov). Comments received up to **two hours before** the meeting will be emailed to the City Council, placed in the red binder at the back of the meeting room, and posted online at <https://sanramonca.portal.civicclerk.com/> under the meeting date, within Public Comment. Public comment will also be made available for public inspection at San Ramon City Hall, 7000 Bollinger Canyon Road, San Ramon, CA during normal business hours. Comments received after the cutoff will be provided to the Council the following day and also posted online as noted above. Please include **"Public Comment"** in the subject line and your **name and agenda item** in the body. Written comments will not be read aloud.

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As a courtesy and technology permitting, the public will have the opportunity to view the meeting via one-way feed by the options below. However, the City cannot guarantee that the public's remote access to any meeting will be uninterrupted, and technical difficulties may occur from time to time. In those instances, so long as the public may still attend the meeting in person, the meeting will continue. Members of the public desiring to provide comments as a part of the meeting are encouraged to either submit written comments prior to the meeting or to attend the meeting in person.

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