

MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
TAM

JANUARY 23, 2020
6:00 PM

MARIN COUNTY CIVIC CENTER, ROOM 330
3501 CIVIC CENTER DRIVE
SAN RAFAEL, CALIFORNIA

MEETING MINUTES

Members Present:

Alice Fredericks, Tiburon Town Council, TAM Vice-Chair
Brian Colbert, San Anselmo Town Council
Damon Connolly, Marin County Board of Supervisors
Dan Hillmer, Larkspur City Council
David Kunhardt, Corte Madera Town Council
Dennis Rodoni, Marin County Board of Supervisors
Eric Lucan, Novato City Council
Gary Phillips, San Rafael City Council
John Reed, Fairfax Town Council
Judy Arnold, Marin County Board of Supervisors, TAM Chair
Kathrin Sears, Marin County Board of Supervisors
Katie Rice, Marin County Board of Supervisors
Stephanie Moulton-Peters, Mill Valley City Council

Members Absent:

P. Beach Kuhl, Ross Town Council
James Campbell, Belvedere City Council
Susan Cleveland-Knowles, Sausalito City Council

Staff Members Present

Anne Richman, Executive Director
Bill Whitney, Principal Project Delivery Manager
Dan Cherrier, Principal Project Delivery Manager
David Chan, Manager of Programming and Legislation
Derek McGill, Planning Manager
Helga Cotter, Senior Accountant
Li Zhang, Deputy Executive Director/Chief Financial Officer
Molly Graham, Public Outreach Coordinator
Nick Nguyen, Principal Project Delivery Manager
Scott McDonald, Senior Transportation Planner

Chair Arnold called the meeting to order at 6:05 p.m.

1. TAM Annual Selection of Chair and Vice Chair, Review of Ex-Officio Members, and Issue Oath of Office for 2020 Term (Action)

Executive Director (ED) Anne Richman issued oaths of office to Commissioners Arnold, Colbert, Fredericks, Lucan, Phillips, Rodoni, and Sears who began a new term on the TAM Board.

ED Richman presented this item which recommended that the TAM Board select a Chair and Vice-Chair.

Commissioner Sears moved to approve the selection of Commissioner Judy Arnold as the TAM Chair and Commissioner Alice Fredericks as the TAM Vice Chair which was seconded by Commissioner Lucan. The motion was approved unanimously.

2. Chair's Report (Discussion)

None.

Commissioner Reed joined the meeting and was seated at the dais.

3. Commissioner Matters Not on the Agenda (Discussion)

Vice Chair Fredericks noted that April 22 will mark the 50th anniversary of Earth Day and suggested that TAM find a way to publicize its successes at addressing climate change.

Commissioner Rice announced that the Marin County Board of Supervisors recently adopted a resolution regarding the County's policy on fleet vehicle purchases. The policy complements Governor Newsom's executive order to purchase from manufacturers who are in alignment with California's goal to reduce vehicle emissions.

Commissioner Moulton-Peters reported that she and ED Richman attended the National Governor's Association Infrastructure Summit in San Francisco earlier this week.

ED Richman issued the oath of office to Commissioner Reed who began a new term on the TAM Board.

4. Executive Director's Report (Discussion)

ED Richman highlighted items in her report including the status of the Phase 1 Ramp Metering project, TAM's holiday party and fundraiser for 10,000 Degrees, service at new SMART stations in Larkspur and Novato, expansion of the GetSMART Program to serve the new SMART stations, local coordination with the Bay Area Air Quality Management District (BAAQMD) on funding opportunities, a ribbon cutting ceremony held on December 11, 2019 for a new section of carpool lanes and the completion of the bicycle connection as part of the Marin Sonoma Narrows project, an update of activity for the FASTER Technical Advisory Group of which she is a member, and the launch of the California Resilience Challenge which addresses climate change threats.

5. Commissioner Reports (Discussion)

a. MTC Report

This report was provided later in the meeting.

b. Marin Transit Report

Commissioner Rodoni provided a summary of activities that occurred at the last Marin Transit Board Meeting including the reorganization of the Board where he was selected as the President, Councilmember Kate Colin as the Vice-President, and Supervisor Judy Arnold as the Second Vice-President. Additionally, that the Marin Transit Board held public hearings on the Short-Range Transit Plan, proposed fare changes, and changes in fares and service areas for the Marin Connect Program.

c. SMART Report

Commissioner Lucan reported on the reorganization of the SMART Board and that he had been selected as the SMART Chair for 2020. He thanked Commissioner Phillips for chairing the SMART Board for 2019. Commissioner Lucan stated that ridership is growing and that the data is now available on the SMART website. He finalized his comments by stating that a ride on SMART versus driving a car emits 33 percent less pounds of carbon dioxide.

6. Open Time for Public Expression

None.

7. CONSENT CALENDAR (Action)

- a. Approve TAM Board Meeting Minutes of November 21, 2019
- b. Review and Acceptance of the FY2019-20 Second Quarter Financial Report
- c. Approve the Change of TAM's Unemployment Insurance Financing Method
- d. Approval of the Cooperative Agreement and Resolution for the Northbound US 101 to Eastbound I-580 Direct Connector Project
- e. Appoint TAM Board Member Eric Lucan to the Sonoma-Marin Area Rail Transit District (SMART) Board of Directors
- f. Allocate Transportation Sales Tax (Measure AA) Funds to Mill Valley for the East Blithedale Avenue Rehabilitation Project
- g. Letters of No Prejudice (LONP) for Regional Measure (RM) 3 Projects

Commissioner Phillips asked that Item 7b be removed from Consent Calendar for discussion.

Commissioner Moulton-Peters moved to approve Consent Items 7a and 7c-7g which Commissioner Sears seconded. The motion was approved unanimously.

Regarding, Item 7b - Review and Acceptance of the FY2019-20 Second Quarter Financial Report, Li Zhang, Deputy Executive Director/Chief Financial Officer, responded to questions from Commissioner Phillips regarding the potential for delays in the receipt of revenues before the end of the fiscal year. She stated she did not anticipate any unforeseen issues to arise and expects Measure AA and Measure B revenues to come in close to budget.

Commissioner Kunhardt referred to the pie charts in the staff memo and questioned why the revenues and expenditures did not balance. He suggested that a notation should be added as to why the two charts are not supposed to balance, if that is the case.

Ms. Zhang explained that, with the exception of the project funds which are 100% reimbursement based, revenues and expenditures may not balance in any given year. She cited the example that revenues from Measures AA and B are collected in advance and may be used for current or future year project and program expenditures. She also explained that the fund balance accumulated over the years allows TAM to spend more in a given year for major project/program needs.

Commissioner Phillips moved to approve the acceptance of the FY2019-20 Second Quarter Financial Report which was seconded by Vice-Chair Fredericks. The motion passed unanimously.

8. Adopt the 2020 Legislative Platform (Action)

David Chan, Manager of Programming and Legislation, presented this item which recommended that the TAM Board adopt the draft 2020 Legislative Platform.

Mr. Chan introduced Gus Khouri, TAM's legislative consultant, who provided an update on recent activities by the state legislature. Mr. Khouri then spoke on the draft legislative platform for the board's consideration.

Chair Arnold asked and Mr. Khouri confirmed that changes suggested by the TAM Funding, Programs and Legislation Executive Committee had, in fact, been incorporated into the latest document.

Commissioner Phillips referred to the staff report and asked why there was a strikethrough notation in the San Rafael Transit Center line item.

ED Richman replied that the entire RM3 item was being deleted because it is no longer a legislative matter. She noted that the voters had approved it and it is now in the implementation phase, though is stalled due to litigation.

In response to a question posed by Commissioner Kunhardt on the FASTER initiative being a two-year bill and if a lead agency had been identified, Mr. Khouri stated that it is a two-year bill that was introduced last year and is still in the house of origin. In order for it to remain viable, it has to be moved out of the house of origin by the end of the month. He added that it is, essentially, a placeholder bill but Senator Beall is attempting to move it to the Assembly.

Commissioner Connolly added that the discussion will continue this year with anticipation of placing it on the November 2020 ballot.

Chair Arnold asked if any members of the public wished to speak and seeing none closed the item to public comment.

Commissioner Kunhardt moved to adopt the draft 2020 Legislative Platform as presented in the staff report which was seconded by Vice-Chair Fredericks. The motion passed unanimously.

9. Review and Accept the January 2020 Project Status Report (Action)

ED Richman introduced Principal Project Delivery Managers Nick Nguyen, Dan Cherrier and Bill Whitney who presented this item which recommended that the TAM Board accept the January 2020 Project Status Report.

The projects covered included: the Marin Sonoma Narrows, North-South Greenway Gap Closure, Class 4 Bikeway on the Sir Francis Drake Blvd. Off-Ramp, Bellam Blvd. Off-Ramp from US 101, Northbound US 101 to Eastbound I-580 Direct Connector, State Route 37, and the upcoming study of US 101 Interchanges.

Commissioner Phillips asked for an update on the SMART rail network bikeways between Novato and Petaluma relative to the Marin Sonoma Narrows project. Mr. Nguyen stated that most of the bike path has been completed with the exception of a small tract on San Antonio Road up to the county line. Mr. Nguyen clarified that approximately one mile of Class 3 bikeway currently exists but will be upgraded to a Class 2 facility when funding becomes available.

Commissioner Rice questioned whether the hours of operation are the same for the high-occupancy vehicle (HOV) lanes in both Marin and Sonoma and Mr. Nguyen confirmed that they differ.

Commissioner Kunhardt commented on the southern segment of the North-South Greenway Gap Closure project and stated that the Town of Corte Madera's Climate Adaptation work is identifying the area as a possible location for a levee which would raise the old railway to defend against sea level rise.

Commissioner Rice asked for the estimated costs of the Bellam Blvd Off-Ramp project and the Direct Connector project as well as the construction timeline if funding was available. Mr. Cherrier replied that it was \$6.2 million and \$150 million respectively and that he would hope to advertise the Bellam project by summer and complete it by late summer of 2021 if funds were available.

Commissioner Rice commented that while the Bellam project will not ameliorate the issues completely, it will improve the flow of traffic and reduce stacking on the freeway near the offramp. She expressed concern that Caltrans has not expedited the progress of this project, regardless of the lack of funding, given the safety issue involved.

Mr. Cherrier stated that, in addition to the funding shortfall, staff has met with Caltrans over the safety issues but the small number of accidents that have occurred at that location does not signify, in Caltrans' view, as an urgent situation compared to other locations.

Commissioner Kunhardt agreed with Commissioner Rice and asked if there was anything that TAM could do to advance the project.

ED Richman suggested her desire to investigate other alternatives prior to exerting additional political pressure on Caltrans. She reminded everyone of a letter that TAM sent to Caltrans on the matter and is awaiting a formal response.

Chair Arnold asked if any members of the public wished to speak.

Jeff Rhodes spoke on the Northbound US 101 to Eastbound I-580 Direct Connector project and stated that, from an equity, safety and fiscal standpoint, he believes that the project should consider access to the southeast area of San Rafael.

In response to a question from Commissioner Kunhardt asking if he was suggesting an interchange or flyover to connect with Francisco Blvd. East, Mr. Rhodes stated he was suggesting a programmatic document rather than a specific design although he did have some designs in mind.

Commissioner Phillips commented that the speaker's points were worthy of consideration.

Seeing no other speakers, Chair Arnold closed the item to public comment.

Vice-Chair Fredericks moved to accept the January 2020 Project Status Report which was seconded by Commissioner Kunhardt. The motion passed unanimously.

10. Plan Bay Area 2050 Update (Discussion)

Derek McGill, Planning Manager, presented this discussion item on MTC Horizon and Plan Bay Area 2050.

Commissioner Connolly asked for clarification on Priority Development Areas (PDAs) and High Resource Areas (HRAs). Mr. McGill replied that the definition of the term "High Resource Area" still needs to be refined and that the implication of including growth areas that are not locally identified is still unclear at this point.

Commissioner Rodoni noted that enhanced regional transit is one of the strategies in Plan Bay Area 2050, yet, as observed in the report provided earlier on the agenda, the SR37 project does not contain a provision for transit enhancement. He encouraged that further consideration be given to adding bus and/or rail to the SR37 project.

Commissioner Lucan asked if the Priority Conservation Areas (PCAs) component of previous iterations of Plan Bay Area was being considered in this update. Mr. McGill stated that Marin continues to support this key element of the Plan by submitting additional PCAs including areas in Tiburon and San Anselmo.

Commissioner Lucan asked if there would continue to be a grant cycle associated with PCAs(?) and ED Richman said that MTC will need to make the determination whether or not to continue the grant program.

Commissioner Rice asked how the Regional Housing Needs Assessment (RHNA) methodology and housing legislation outcomes will coordinate with MTC's blueprint for housing, transportation and the environment. Mr. McGill stated that MTC is moving forward with the blueprint to help identify the framework for the RHNA methodology committee and clarify how it integrate its elements with that framework.

Chair Arnold asked if any members of the public wished to speak and seeing none closed the item to public comment.

Agenda Item 5a – the MTC Report – was heard out of order.

Commissioner Connolly stated that there will be a two-day MTC/ABAG board workshop at the end of the month. He noted that SR37 has the potential to become the Bay Area's eighth toll bridge, and he reported on the FASTER initiative which may be put to the voters as early as this November, various housing bills including SB50 (Weiner) and AB1487 (Chiu), Plan Bay Area 2050, and the ongoing discussion on conditioning transportation dollars on housing development.

Commissioner Rodoni left the meeting.

11. Adopt a Position of Support for the SMART Sales Tax Renewal (Action)

Mr. Chan presented this item which recommended that the TAM Board consider adopting a position of support for Measure I in March 2020 to extend Sonoma-Marin Area Rail Transit's (SMART's) sales tax collection for another 30 years, from 2029 to 2059.

ED Richman welcomed SMART General Manager Farhad Mansourian to speak on the matter. Mr. Mansourian introduced Chief Financial Officer Erin McGrath, and Chief Engineer Bill Gamlen, provided an update on SMART's history, proposed future development, and finalized his comments by requesting that the TAM Board support Measure I.

Chair Arnold asked if any members of the public wished to speak.

Patrick Seidler of WTB/TAM (Wilderness Trail Bikes/Transportation Alternatives for Marin) distributed a packet of information to the TAM Board and expressed his organization's support, in general, for the SMART rail and trail project. He stated, however, that SMART's 2019 Strategic Plan eliminates 40 percent of the pathway from the Larkspur station to the Marin/Sonoma border and that Measure I will eviscerate the legislative integrity of SMART's original measure - Measure Q which provided for pathway from Larkspur to Cloverdale. He said that SMART is not being accountable or honoring its commitments to complete the trail which would fill a gap in the North-South Greenway as promised in Measure Q. He added that SMART is not participating in the community's goal of building a sustainable future. He finalized his comments by stating that "Measure I needs to fail."

Seeing no other speakers, Chair Arnold closed the item to public comment.

Chair Arnold spoke briefly on the consequences to SMART if Measure I fails, including its inability to refinance its debt payments to a lower rate and possible service cuts that the Agency would need to make to pay for those debt payments. She encouraged the TAM Board to continue to support SMART through endorsement of Measure I.

Commissioner Rice stated that she would not be in support of Measure I. She said that she believes SMART will be successful in the future but that, due to the uncertainty of mandates that may come through the Plan Bay Area process, RHNA and other state legislation on development, this is not the right time for SMART to go to the ballot. She added that few in her Ross Valley community use SMART since they are “east/west” travelers and, as a result, some question its value. She finalized her comments by stating her preference to wait until 2024 when more information will be available in terms of SMART’s potential growth opportunities.

Commissioner Hillmer expressed his support for Measure I. He noted that the train enables a person to live and travel anywhere between San Francisco and Santa Rosa without a car and that he expects ridership to increase given the discounted rate for users of both the ferry and train.

Commissioner Colbert stated he would not be in support of Measure I. While he expressed support for multi-modal transportation, in general, he believes that it is premature to ask voters to reauthorize SMART’s sales tax. He emphasized that the train location, schedule, and other challenges make it difficult for residents in the Ross Valley to access.

Commissioner Lucan, who is serving as SMART’s Chair for 2020, provided the SMART Board’s reasoning for placing Measure I on the ballot now as opposed to waiting until 2024. He stressed that the time is right for investing in SMART, now, in its fledgling status rather than wait a few years which will require the Agency to dip into the reserve fund in the interim.

Commissioner Kunhardt expressed his support for Measure I. He emphasized that Measure I is a continuation of the current sales tax rather than an increase. As such, he said that this should be considered as a financing tool for a new asset which is being given the opportunity for a long life. This longer life will enable SMART to complete its promises.

Commissioner Moulton-Peter expressed her support for Measure I. She spoke on SMART being in its infancy and that she sees no reason why ridership will not increase over time as has been the case with other transit operators. She said she was sympathetic towards voters in the Ross Valley since they are the most distant, geographically, from the SMART facility whereas southern Marin is connected via the bike path and Hwy 101. She suggested that TAM could recommend that SMART agree to use a sizeable portion of the \$12 million it would receive from refinancing its debt to complete the bike path that SMART agreed to build. She added that this would free up TAM to use its bike path funds to complete a bike path to the Ross Valley through San Rafael.

Vice-Chair Fredericks expressed her support for Measure I. She stated that the SMART train is the best option when considering how to address regional growth, jobs, economy, travel and housing. She emphasized the need for long-term funding to confront the impacts, challenges, and the provision of services.

Commissioner Phillips expressed his support for Measure I. He cited evidence of reduction in greenhouse gas emissions, increase in ridership since service began, and his belief that ridership will increase. He stated that the renewal of the measure is a funding mechanism and agreed to by the full SMART Board, as the most appropriate path to take at this time.

Commissioner Connolly expressed his support for Measure I. He stated that the train is still in its infancy and that ridership will increase, particularly with the opening of the segment that extends the train to Larkspur and the ferry. He agreed with previous commenters that the renewal is a prudent fiscal measure akin to financing. He cited areas of improvement which need to be addressed including resolving the first and last mile issue, fare structuring, a more comprehensive, transparent report on ridership numbers, and options to increase ridership.

Commissioner Reed expressed his support for Measure I. He noted that the original sales tax measure was approved with strong support of the bicycle community, so it is understandable that the cycling community felt snubbed when promises were not fulfilled. However, he believes that supporting the renewal will allow SMART to refinance its debt and encouraged SMART to work more closely with the biking community in the future.

Vice-Chair Fredericks made a motion to adopt a position of support for Measure I in March 2020 to extend Sonoma-Marine Area Rail Transit's (SMART's) sales tax collection for another 30 years, from 2029 to 2059 which was seconded by Commissioner Lucan. The vote passed 10-2 with Commissioners Colbert and Rice dissenting and Commissioners Campbell, Cleveland-Knowles, Kuhl and Rodoni not in attendance.

12. Caltrans Report (Information)

The meeting was adjourned at 8:45 p.m.