

MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
TAM

NOVEMBER 19, 2020
6:00 PM

VIRTUAL MEETING

MEETING MINUTES

Members Present: Alice Fredericks, Tiburon Town Council, TAM Vice-Chair
P. Beach Kuhl, Ross Town Council
Brian Colbert, San Anselmo Town Council
Charles Lee, Corte Madera Town Council
Damon Connolly, Marin County Board of Supervisors
Dan Hillmer, Larkspur City Council
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
Susan Cleveland-Knowles, Sausalito City Council
Urban Carmel, Mill Valley City Council

Members Absent: Dennis Rodoni, Marin County Board of Supervisors
James Campbell, Belvedere City Council

Staff Members Present: Anne Richman, Executive Director
Dan Cherrier, Principal Project Delivery Manager
David Chan, Manager of Programming and Legislation
Denise Merleno, Executive Assistant Derek McGill, Planning Manager
Helga Cotter, Senior Accountant
Li Zhang, Chief Financial Officer/Deputy Executive Director

Chair Arnold called the meeting to order at 6:00 p.m.

Chair Arnold welcomed everyone to the virtual meeting as allowed by Governor Newsom's Executive Order N-29-20, asked Executive Assistant Denise Merleno to conduct a roll call, and Ms. Merleno reported that there was a quorum of the Board.

1. Chair's Report (Discussion)

a. Outgoing Commissioner Recognition

Chair Arnold provided resolutions of appreciation to three Commissioners who will be stepping away from public service and not serving on the TAM Board soon. She thanked Commissioners Sears, Phillips, and Reed for their dedicated services to TAM and wished them well.

2. Commissioner Reports (Discussion)**a. MTC Report**

Commissioner Connolly reported that the Metropolitan Transportation Commission (MTC) will consider revisions to the Plan Bay Area (PBA) 2050's telecommute policy later this week, that public input is being sought for three alternatives for the relocation of the San Rafael Transit Center, and that the California Transportation Commission (CTC) staff's recommendation for a \$40 million allocation to the Marin Sonoma Narrows (MSN) Project under the Senate Bill 1 (SB1) competitive grant program will be considered by the CTC in December. He finalized his report by discussing activity at the North Coast Rail Authority (NCRA) including the transitioning of freight responsibility on the southern portion of the line to the Sonoma Marin Area Rail Transit (SMART) and banking northern segments of the rail line to preserve unbroken sections of the line for possible use and creation of the Great Redwood Trail in the future.

b. Marin Transit Report

Commissioner Rice announced that Marin Transit recently completed its annual performance and financial reports for FY2019-20. She reported that ridership and revenues were growing through February but suffered after that due to the COVID-19 health crisis. Federal funding through the Coronavirus Aid, Relief, and Economic Security (CARES) Act provided much needed financial support for the balance of the year. She reported on numerous service adjustments that have been made to increase service on the most heavily traveled routes to allow for safe social distancing and to accommodate passengers who would otherwise be passed up due to limited rider capacity.

c. SMART Report

Commissioner Lucan reported that SMART has conducted eight listening sessions in Marin and Sonoma Counties and will continue to host these virtual events for public feedback. He noted that SMART has completed refinancing its existing debt for a \$3.5 million annual savings. He finalized his report by stating that SMART received a clean audit result for its FY2019-20 Comprehensive Annual Financial Report (CAFR).

3. Commissioner Matters Not on the Agenda (Discussion)

None.

Commissioner Sears left the meeting.

4. Executive Director's Report (Discussion)

Executive Director (ED) Richman introduced Mr. Bill Higgins, the executive director of the California Association of Councils of Government (CALCOG) of which TAM recently became a member. Mr. Higgins explained the member composition and mission of CALCOG.

ED Richman thanked Mr. Higgins for attending the meeting and then highlighted items in her report including the \$40 million allocation for the MSN Project that the CTC will vote on next month; the public outreach efforts currently underway for the Part-Time Transit Lanes Study; anticipated construction contract award for the North-South Greenway Project; staff's participation on panels at various virtual events; the translation option that was added, recently, to the TAM website; local and state election results; MTC Annual Pavement Condition Report scheduled for release in the coming days; SMART's announcement of a new Chief Financial Officer and the impending departure of Caltrans District 4 Director Tony Tavares to District 7 in Los Angeles. She finalized her

report by announcing that the Women's Transportation Seminar (WTS) announced its lifetime achievement award which would be presented to former TAM Executive Director Dianne Steinhauser at its virtual holiday party.

Commissioner Cleveland-Knowles thanked staff for adding the translation function to the TAM website.

5. Open Time for Public Expression

Chair Arnold opened the item to any member of the public to speak on matters not on the agenda and seeing none, she closed this item.

6. CONSENT CALENDAR (Action)

- a. Approve TAM Board Meeting Minutes October 22, 2020
- b. Allocate Measure AA (Transportation Sales Tax) Funds to Golden Gate Bridge, Highway and Transportation District for Ferry Shuttle Service
- c. Contract Amendment with BKF Engineers to Complete Design and Support on the Richmond-San Rafael Bridge Approach Improvements
- d. Amend the Resilient Neighborhoods Agreement to Support the Marin Commutes Program
- e. Ride Amigos Software Subscription Agreement Extension to Support the Marin Commutes Program
- f. TAM Response to 2019-2020 Marin County Civil Grand Jury Report on "Climate Change: How Will Marin Adapt?"

Chair Arnold opened the item to any member of the public to speak on matters not on the agenda.

Carleen Cullen of Cool the Earth spoke on Item 6f and asked that the response be strengthened by emphasizing continued resources for climate mitigation, support for Drawdown Marin and pursuing collaborative proven models in the county.

Commissioner Rice stated that it is important that all agencies collaborate towards climate mitigation.

Commissioner Rice moved to approve the Consent Calendar, which Commissioner Hillmer seconded. A roll call vote was conducted, and the motion carried unanimously.

7. Measure B Expenditure Plan Review (Action)

David Chan, TAM's Manager of Programming and Legislation, presented this item which recommended that the TAM Board adopts TAM Resolution No. 2020-16 to maintain a status quo with the Measure B Expenditure Plan for up to two years starting on April 1, 2021, and directs staff to return to the TAM Board with further recommendations to commence a more substantive review no later than January 2023 and adoption in March 2023.

ED Richman noted that staff had reached out to the recipients of the Measure B revenue and Marin Managers Association (MMA). She also reported that the Citizens' Oversight Committee (COC) has also reviewed and concurred with staff's recommendation to maintain status quo with the Measure B Expenditure Plan for up to two years starting on April 1, 2021 and recommended to maintain the current level of funding for the Alternative Fuels Program.

Mr. Chan provided background on the formulation of the Measure; distribution of revenue by "elements"; notable accomplishments since inception of the Measure; total funding that has been distributed since the Measure's inception; the 10-year review requirement included in the Measure's Expenditure Plan and staff's recommended proposal for the required review.

Mr. Chan noted that Deputy County Counsel Brian Case was in attendance to answer any questions that the Board may have.

Commissioner Kuhl expressed his support for the staff recommendation and asked if Mr. Case had weighed in on it since there is no provision in the Expenditure Plan allowing for a postponement of the 10-year review.

ED Richman stated that staff has consulted with Mr. Case on this and it was determined that it would be legally defensible if the Board adopts the resolution associated with this item. She noted that the resolution states reasons for the delay and a timeframe for returning to the Board for the review.

Mr. Case noted that the Expenditure Plan is silent regarding emergency situations. He stated that he ascertained that the voters intended to a robust outreach and public input process relative to the review and given the current COVID-19 conditions, the staff recommendation is consistent with the voter input and is recommended as legally defensible.

Commissioner Rice stated her support of the staff recommendation and commented that the Board should provide direction to staff as to when the public input process should begin. She recommended that the process begin at least six months prior to asking the Board to consider an action.

ED Richman agreed with the timeline as stated by Commissioner Rice.

Commissioner Carmel expressed his support for the recommendation. He asked if the timeline for outreach is fixed or if it is flexible. He also asked whether Measure B Element 3 funds could be used to fund the Safe Routes to Schools (SR2S) Program that was discussed in the last meeting.

ED Richman stated that timeline is flexible insofar as re-opening after the pandemic is under control. She added that the SR2S Program would be eligible for Element 3 funds but that would then reduce funding for the Crossing Guard Program which has potential funding challenges as well.

Commissioner Cleveland-Knowles asked for confirmation of the funding status of the Alternative Fuels program.

ED Richman replied that the program receives funding from Element 3.3 which historically had a low level of funding expenditures. However, in recent years, the Board increased the funding level to \$345,000 per year for a 3-year period. She suggested that the advocates want to ensure that funding will remain at the level of recent years.

In response to Commissioner Colbert, ED Richman stated that, barring any new dramatic changes to the revenues, she believes that staff would recommend continuing to fund the program at the current levels for the next year or two but that increasing the funding level would mean that other programs in that Element would suffer.

Chair Arnold opened the item to any member of the public who wished to comment.

Lawrie Mott of Cool the Earth stated that she sent a comment letter agreeing with the recommendation to delay the review of the Measure B Expenditure Plan due to the robust public process needed but not possible with the COVID-19 situation. In the meantime, she requests maintaining the Element 3.3 Alternative Fuels Program funding level at \$345,000 until a new plan is adopted. She added that TAM's funding support for the Marin Electrical Vehicle (EV) Readiness Plan is imperative.

David Moller's comment letter was read into the record which supported the staff recommendation. It advocated for continuing to fund the Element 3.3 Alternative Fuels Program at \$345,000 annually.

Chair Arnold closed the item to public comment.

Commissioner Rice moved to adopt TAM Resolution No. 2020-16 to maintain a status quo with the Measure B Expenditure Plan for up to two years starting on April 1, 2021, direct staff to return to the TAM Board with further recommendations to commence public hearing for a more substantive review no later than January 2023 and adoption in March 2023, and to direct staff to conduct the engagement process in advance of a proposed review by the Board. The motion was seconded by Commissioner Kuhl.

In response to a question from Chair Arnold regarding placing an addendum to the recommendation which indicates that the funding level for Element 3.3 Alternative Fuels Program be maintained, ED Richman suggested that rather than do that, this could be added as direction to staff.

Mr. Case concurred that adding the Chair's language to the recommendation as part of an action could be considered a violation of the Brown Act. He suggested, instead, that this language be structured in the form of direction to staff.

A roll call vote was conducted, and the motion carried unanimously.

8. Measure AA Category 2.3 Sea Level Rise Program (Discussion)

ED Richman introduced this discussion item and noted that Chris Choo, Principal Watershed Planner with the County of Marin, was in attendance to speak on the BayWave project. TAM Planning Manager Derek McGill began his presentation with an overview of this Measure AA program.

Ms. Choo demonstrated effects of sea level rise by showing photos of flooding throughout the County over the past 50 years. She spoke about the vulnerability assessment conducted in 2017 showing the risk of sea level rise on major highways throughout the Bay Area. She discussed flood prone locations within Marin County and how flooding would impact movement particularly for emergency, medical, and fire services. She addressed the issue of equity and the impact that sea level rise would have on disadvantaged communities.

Mr. McGill discussed the local and regional efforts related to sea level rise, as well the funding to support resiliency in Measure AA. Mr. McGill outlined options for the Measure AA funds including a call for projects and the types and size of projects that could be considered. He described two sea level rise projects in Marin identified in Plan Bay Area 2050; next steps in the process including the BayWave implementation planning process and Regional BayADAPT joint policy platform process; staff coordination on sea level rise programs; and continued accrual of local sea level rise funds.

Mr. McGill finalized his presentation by posing questions for the Board to consider including balancing between community plans and transportation plans, if a multi-year phased approach should be considered, the role TAM should have in addressing sea level rise and how TAM should evaluate the program and measure success.

Commissioner Lucan voiced support for using funds for small projects and wondered if the category could include small planning studies.

Mr. McGill noted that, for this conversation, projects and planning are interchangeable.

Commissioner Cleveland-Knowles asked for an example of proof of concept relative to this topic.

Ms. Choo stated that one such example of proof of concept could be to look at drainage, how water moves through pipes and shows up where it is not expected. She said that the technologies that might prevent water from moving beyond the pipes by moving the tide gate from the end of the pipe to a more inward position in the system are an example of proof of concept type projects.

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Commissioner Hillmer asked staff to address opportunities in this context of needs that may be identified with respect to growth areas in PBA2050.

Mr. McGill explained that PBA 2050 focuses the limited funding in the growth areas known as Priority Development Areas (PDAs) but that is not to say that funding will not be available to areas outside those identified.

Commissioner Hillmer stated that his Council is looking at the US 101/Sir Francis Drake Blvd. area and the San Quentin Peninsula for growth possibilities.

Commissioner Lee suggested that TAM should address sea level rise in a manner that directly correlates with TAM's Mission Statement. He added that the community plans should address the unique needs of each community relative to the transportation network. He discussed software that might be able to react quickly in the event of a flooding situation to suggest alternate routes.

Chair Arnold thanked staff and Ms. Choo for the report.

The meeting was adjourned at 8:15 p.m.

DRAFT