

MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
TAM

MARCH 25, 2021
6:00 PM

Virtual Meeting

MEETING MINUTES

Members Present: Alice Fredericks, Tiburon Town Council
Beach Kuhl, Ross Town Council
Brian Colbert, San Anselmo Town Council
Chance Cutrano, Fairfax Town Council
Charles Lee, Corte Madera Town Council
Damon Connolly, Marin County Board of Supervisors
Dan Hillmer, Larkspur City Council
Dennis Rodoni, Marin County Board of Supervisors
Eric Lucan, Novato City Council, TAM Chair
James Campbell, Belvedere City Council
Judy Arnold, Marin County Board of Supervisors
Kate Colin, San Rafael City Council
Katie Rice, Marin County Board of Supervisors
Stephanie Moulton-Peters, Marin County Board of Supervisors, TAM Vice-Chair
Susan Cleveland-Knowles, Sausalito City Council
Urban Carmel, Mill Valley City Council

Members Absent: None

Staff Members Present Anne Richman, Executive Director
David Chan, Manager of Programming and Legislation
Denise Merleno, Executive Assistant
Helga Cotter, Senior Accountant
Li Zhang, Chief Financial Officer/Deputy Executive Director
Scott McDonald, Senior Transportation Planner

Chair Lucan called the meeting to order at 6:02 p.m.

Chair Lucan welcomed everyone to the meeting and asked Executive Assistant Denise Merleno to conduct a roll call to ensure a quorum. A quorum of the Board was confirmed and detailed information about how the public may participate was provided.

1. Chair's Report (Discussion)

Chair Lucan reported a change to the membership of TAM's Human Resources Ad-hoc Committee due to vacancies that had arisen. The new roster will include Commissioners Fredericks, Kuhl, Rodoni and Vice-Chair Moulton-Peters who will chair these meetings. Commissioner Arnold will continue to serve as an alternate.

2. Commissioner Matters Not on the Agenda (Discussion)

None.

3. Commissioner Reports (Discussion)**a. MTC Report – Commissioner Connolly**

Commissioner Connolly reported that the Metropolitan Transportation Commission (MTC) voted on the allocation of \$802 million of funding from the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) of 2021, an anticipated \$1.7 billion that the Bay Area will receive via the newly enacted American Rescue Plan, and a federal infrastructure plan that is being considered. He commented on the possibility of the return of federal earmarks as noted during a recent presentation given by Congressman Jared Huffman. Regarding seamless transportation, he discussed advocacy principles adopted by MTC to guide legislation towards improving the Bay Area's transit system.

b. Marin Transit Report – Commissioner Colin

Commissioner Colin reported that Marin Transit recently held a workshop to discuss budgetary assumptions based on ridership and revenues in the post pandemic era. She noted that social distancing requirements on busses have impacted capacity levels but that she hoped increased ridership will be permitted as Marin has moved into the less restrictive orange tier of the Blueprint for a Safer Economy's color-coded system.

c. SMART Report – Chair Lucan

Chair Lucan reported that Sonoma Marin Area Rail Transit (SMART) has been evaluating the feedback received through the nine community listening sessions that the agency conducted over the past year. He noted that the SMART Board will continue to review the recommendations to help plan and direct the agency's future.

Commissioners Arnold and Hillmer joined the virtual meeting.

4. Executive Director's Report (Discussion)

Executive Director (ED) Anne Richman highlighted recent activities and transportation news including the distribution of the TAM Annual Report; a survey that was released regarding TAM's study of 12 interchanges in the county; a recently completed Safe Pathway Project at Pixley and Redwood Avenues in Corte Madera; MTC's Pavement Management Technical Assistance Program; MTC's recommendation to the California Transportation Commission (CTC) to award \$4,302,000 for the Richmond-San Rafael Bridge Shared Use Path Gap Closure project; an upcoming State Route 37 (SR 37) Town Hall on April 15; the announcement of Dina El-Tawansy as the new Director of Caltrans District 4, TAM's application for \$77 million through the federal Infrastructure for Rebuilding America (INFRA) 2021 Program; and the possibility of the return of federal earmarks rebranded as "community projects."

5. Open Time for Public Expression

Chair Lucan asked if any members of the public wished to speak or had sent in an e-comment, and hearing none, he moved on to the next item.

6. CONSENT CALENDAR (Action)

- a. Approve TAM Board Meeting Minutes of February 25, 2021
- b. Amend the Administrative Code

Commissioner Rodoni moved to approve the Consent Calendar and was seconded by Commissioner Kuhl.

Chair Lucan opened the item to public comment and hearing none, a roll call vote was conducted, and the motion passed unanimously.

7. Adopt Positions on 2021 State Legislative Bills (Action)

Chair Lucan disclosed that among the bills to be discussed there were two about electric bike rebates, and since he is an officer of a bicycle company, he stated that he would ask staff to provide an overview on legislative activity at the state level and then recuse himself for the part of the discussion focused on the two e-bike bills. A vote would be taken on the e-bike bills and then he would return to participate in the vote on the balance of the bills.

ED Richman introduced Gus Khouri from Khouri Consulting, who presented this item which recommended that the TAM Board review and adopt positions on 22 bills in the 2021 State Legislative Bills Matrix as presented in the staff report.

Mr. Khouri provided an update on relevant activities and information at the State level, including the proposed FY2021-22 state budget, and the draft Climate Action Plan for Transportation Investment (CAPTI) which is focused on promoting mode shift to reduce greenhouse gas (GHG) emissions.

ED Richman added that staff welcomed feedback on CAPTI as the deadline to submit comments may be extended.

Commissioner Cleveland-Knowles hoped there would be an opportunity to learn more about the plan and then review any comments before submitting them. She wanted to make certain that TAM sends the message that it values mode shift while ensuring that the Plan would not interfere with TAM's programmatic goals.

Mr. Khouri agreed and added that he will work with ED Richman and David Chan, TAM's Manager of Programming and Legislation, to generate a response.

Commissioner Carmel stated he recognized that Marin has road projects that need funding but that the only way to make the crossover towards a multi-modal Marin will be to make deliberate investments in those areas.

Chair Lucan recused himself from the discussion on the two e-bike bills and asked Vice-Chair Moulton-Peters to preside over that portion of the item.

Chair Lucan stepped away from the virtual dais.

Mr. Khouri reviewed AB 117 (Beorner Horvath) which would establish, implement, and administer an Electric Bicycle Rebate Pilot Project, and a federal bill which was awaiting introduction (Panetta, Blumenauer), that would create a federal tax credit for electric bikes. He noted that staff is recommending a "watch" position on both bills.

Hearing Mr. Khouri confirm that AB 117 was amended to provide a preference for low-income earners, Commissioner Rice stated that she would recommend that TAM change its position on the bill from "Watch" to "Support."

Vice-Chair Moulton-Peters opened the item to public comment.

Warren Wells of the Marin County Bicycle Coalition (MCBC) expressed his organization's support of AB 117.

Seeing no others wishing to speak, Vice-Chair Moulton-Peters closed the item to public comment.

Commissioner Cleveland-Knowles made a motion to adopt a support position on AB 117 (Beorner Horvath) and a watch position on the pending federal bill (Panetta, Blumenauer) which was seconded by Commissioner Rice. A roll call vote was conducted, and the motion passed unanimously.

Chair Lucan returned to the virtual dais.

Mr. Khouri reviewed the balance of the bills in the staff report for which an action was requested, including a support position for AB 43 (Friedman), AB 703 (Rubio, Blanca), AB 361 (Rivas, Robert), AB 745 (Gipson), and SB 551 (Stern), and an oppose position for SB 542 (Limón) and SB 771 (Becker).

Commissioner Colin, on AB 67 (Petrie-Norris), asked for a support position rather than watch. Mr. Khouri stated that the language is too generic at this point and is ambiguous as to the implications of the bill to recommend supporting but that he may recommend changing it to support in the future as the bill moves along.

Commissioner Campbell, on AB 51 (Quirk), felt that guidance from the state should be provided to coordinate efforts against climate change.

ED Richman commented that these two bills demonstrate that there is broad interest in the topic and a recognition that it is difficult for local jurisdictions to address it on their own. She suggested that the two bills attempt to address the question in different ways. As a result, she suggested waiting to see how they are structured before taking a position.

Commissioner Connolly stated that MTC and ABAG (Association of Bay Area Governments) decided to take the same approach in addressing the same issue on competing measures.

Vice-Chair Moulton-Peters agreed that the Board should wait until more definition and shaping of the two bills have occurred.

Commissioner Rice agreed that it would be prudent to take a watch position on the two climate change bills but hoped that there would be a way for TAM to express its interest in the bills and to receive more clarity.

Commissioner Colbert, on SB 771, asked if Mr. Khouri had a sense as to how such a sales tax exemption on the purchase would affect local revenue.

Mr. Khouri replied that approximately 60 percent of all vehicles are leased but he was unsure how many of those are electric vehicles and what the revenue assumption might be.

Commissioner Carmel suggested that TAM should signal its support for AB 67 and AB 51 and that taking a "Watch" position did not seem to clearly express support.

Commissioner Fredericks spoke on the topic of taking a position early in the life of a bill. She stated that it has been her experience that it is better to wait when legislation has broad statements that one may agree with, but it is not clear how it will look once implemented. She finalized her comments by stating that she supports waiting to take a position on either of the two bills until amendments are made and the bills are clarified.

Vice-Chair Moulton-Peters asked when Mr. Khouri would be returning to the Board for an update on these bills.

ED Richman suggested that Mr. Khouri would be invited back at any point when there is more information on the bills under discussion.

Mr. Khouri added that he is in contact with staff whenever there is movement on a bill that is of interest to the TAM Board so that it may be heard and considered by the Executive Committee or full Board.

Chair Lucan asked if any members of the public wished to speak or had sent in an e-comment, and hearing none, he closed the item to public comment.

Commissioner Fredericks made a motion to adopt positions on the remaining 20 bills in the 2021 State Legislative Bills as presented in the staff report which was seconded by Commissioner Cleveland-Knowles. A roll call vote was conducted, and the motion passed unanimously.

8. Program Senate Bill (SB) 1 Local Partnership Program (LPP) Incentive Funds (Action)

Mr. Chan presented this item which recommended that the Board authorizes the ED to request the CTC to program and allocate \$3.5 million in Local Partnership Program (LPP) Incentive Funds to the Marin Sonoma Narrows (MSN) project.

Chair Lucan asked if any members of the public wished to speak or had sent in an e-comment, and hearing none, he closed the item to public comment.

Vice-Chair Moulton-Peters made a motion to approve staff's recommendation. A roll call vote was conducted, and the motion passed unanimously.

9. MTC Safe and Seamless Mobility Quick-Strike Program (Action)

ED Richman introduced the item noting that there is an overwhelming amount of interest in this MTC-sponsored program.

Mr. Chan presented this item which recommended that the TAM Board approve the Funding, Programs & Legislation (FP&L) Executive Committee recommendation of directing staff to forward six applications to MTC for funding consideration from the Safe and Seamless Mobility Quick-Strike ("Quick-Strike") Program, as shown in the staff report without indicating the applications' assigned tiers unless requested by MTC.

Commissioner Carmel asked Mr. Chan to explain what the FP&L Executive Committee's thoughts were in removing the two-tiered ranking structure for projects.

Mr. Chan stated that the FP&L Executive Committee decided that the projects in Tier 2 were just as deserving of funding as those in Tier 1 and did not want to put them at a disadvantage by using a tiered structure.

Commissioner Carmel suggested that TAM is in a position to provide input to MTC on the best projects for funding and prioritizing them would allow TAM to do that.

Commissioner Colin agreed with Commissioner Carmel and stated that it is important, particularly in light of the high demand for funding. She asked that the Board consider a tiered approach.

Vice-Chair Moulton-Peters asked about the criteria MTC established for this program. Mr. Chan stated that MTC issued standardized criteria for all agencies to use when ranking projects.

Vice-Chair Moulton-Peters asked if TAM might expect to receive more than the projected \$1.5 million as targeted by MTC. Mr. Chan commented that he thought MTC would make every effort to keep to its original funding projections.

Vice-Chair Moulton-Peters asked about the state of readiness of Corte Madera's Casa Buena Drive Project and Sausalito's Bridgeway Bike Lane Project. Mr. Chan stated that Sausalito's project is in the concept stage and Corte Madera's project is nearing completion of the design phase and close to being shovel ready.

Commissioner Cleveland-Knowles commented that Sausalito is hoping to receive monies from the San Francisco Bay Trail Project for design after which she hopes to bring this project back to TAM for future funding opportunities.

Vice-Chair Moulton-Peters asked if the Corte Madera project is in a shovel-ready status similar to the Mill Valley East Blithedale Pathway to Transit. Mr. Chan stated that, based on the information he had received, they are comparable in readiness status.

Commissioner Lee stated that the design is complete on the Casa Buena Drive Project. He added that he does not support using a two-tier system when submitting the projects to MTC since that was not the understanding his staff had when working with TAM on submitting this project. He noted, as well, that he would request that the Casa Buena Drive Project be elevated to a Tier 1 project if the Board does choose to utilize a tiered system to submit its projects to MTC.

Commissioner Rodoni agreed with Commissioner Lee that the Casa Buena Drive Project is in shovel-ready condition. He asked if an equity lens was utilized when ranking these projects. Mr. Chan responded that there was a criterion that analyzed equity as it asked whether a project was in a Priority Development Area, Transit Priority Area, Community of Concern, or a Community Air Risk Evaluation category.

Commissioner Cutrano asked if Mr. Chan could share how "community of concern" is defined.

ED Richman stated that census tracts have been used historically but that other factors are also taken into consideration such as income, demographic statistics, and access to household vehicles. She added that the communities of concern in Marin, as noted in Plan Bay Area 2050 are unchanged, for the most part, from those that were in Plan Bay Area 2040.

Commissioner Arnold, a member of the FP&L Executive Committee, supported removing the tiered system for submission to MTC. She added that any elected official may submit a letter of support for a project to MTC for more impact in its decision making.

Commissioner Rice, a member of the FP&L Executive Committee, spoke on the topic of equity and suggested that in addition to the location of a project, one should consider who will be using the facility. She wondered to what degree the Street Smarts Program was utilized in Marin's communities of concern and if it had been upgraded to be culturally appropriate.

Commissioner Rice expressed her concern for submitting too many projects to MTC resulting in none of the projects receiving enough funding to complete them. She noted that she would prefer to submit a shorter list and/or one that is tiered.

Chair Lucan, a member of the FP&L Executive Committee, stated that the Committee did struggle with whether to keep or remove the tiers. He added that, in the end, it was decided to submit the full list of recommended projects but to maintain the tiered list, internally, in the event that MTC asked for a prioritized list.

Commissioner Cleveland-Knowles, a member of the FP&L Executive Committee, recalled the group discussed that submitting too many projects for the limited funding had no downside and would give MTC a broader array of projects from which to select, thereby giving TAM a better chance at receiving funding.

ED Richman commented that it could be risky to submit too many projects making it more difficult for MTC to decide and in the end awarding funding to projects which may not reflect Marin's local priorities. She added that staff would continue to seek funding for projects that may not receive an award from this program.

Chair Lucan opened the item to public comment.

Jean Severinghaus expressed her support for the East Blithedale Pathway to Transit and the Casa Buena Drive Projects.

Nancy Whelan, Marin Transit General Manager, thanked TAM for considering the Marin County Bus Stop Improvements and asked the Board to support it for funding.

Mr. Wells of MCBC expressed his support for the East Blithedale Pathway to Transit Project.

Patrick Seidler of Transportation Alternatives for Marin expressed his support for submitting a tiered project list to MTC and support for the East Blithedale Pathway to Transit Project.

Seeing no others wishing to speak, Chair Lucan closed the item to public comment.

Vice-Chair Moulton-Peters stated that she supported using the tiered system, would include the Casa Buena Drive Project in Tier 1 since it is shovel ready, move the Street Smarts Program down to the Tier 2 level as she believed it would not be as competitive, and she would consider pro-rating the bus stop project or submitting it in its entirety.

Commissioners Rice, Cleveland-Knowles, Lee, Carmel, and Colin all expressed their support of the tiered system, moving the Casa Buena Drive Project to the Tier 1 status, and moving the Street Smarts Program down to Tier 2.

Chair Lucan asked and ED Richman confirmed that MTC set a \$250,000 minimum funding amount that could be requested and that the Street Smarts Program requested that minimum amount.

Commissioner Rodoni made a motion to shift the TAM Street Smarts Program down to Tier 2, move the Casa Buena Drive Project to Tier 1 and to submit the project list to MTC using the tiered system which was seconded by Commissioner Kuhl. A roll call vote was conducted, and the motion passed unanimously.

10. Review and Approve the Measure A/AA 1/2-Cent Transportation Sales Tax and the Measure B \$10 Vehicle Registration Fee Revenue Projections and the FY2021-22 Annual Budget and Strategic Plan Development Schedule (Action)

Chief Financial Officer/Deputy Executive Director Li Zhang presented this item which recommended the TAM Board review and approve the Measure A/AA 1/2-Cent Transportation Sales Tax and the Measure B \$10 Vehicle Registration Fee revenue estimates recommended for the FY2021-22 Annual Budget development, the long-term sales tax revenue projection recommended for the development of the Transportation Sales Tax Strategic Plan, and the development schedule for the FY2021-22 Annual Budget and Strategic Plan Update.

Chair Lucan opened the item to members of the public wishing to speak and seeing none, he closed it to public comment.

Commissioner Colbert thanked staff for the clarity of the presentation.

Commissioner Carmel agreed and stated that he was a strong supporter of reducing the revenue projections last year but that the consensus now is for a GDP growth of seven percent and another four and a half percent next year.

Commissioner Arnold made a motion to approve the actions recommended by staff, which was seconded by Commissioner Hillmer. A roll call vote was conducted, and the motion passed unanimously.

The meeting was adjourned at 8:25 p.m.

DRAFT