



**TRANSPORTATION AUTHORITY OF MARIN  
BOARD OF COMMISSIONERS MEETING**

**OCTOBER 27, 2022**

**6:00 P.M.**

**Zoom**

<https://us02web.zoom.us/j/88155449529?pwd=eS9NOTJUMm9kT1ITekZZNXF0QXRvdz09>

**Webinar ID: 881 5544 9529**

**Passcode: 389590**

As allowed by Governor Newsom's Executive Order N-15-21 and Assembly Bill 361, until further notice the TAM Board meetings will not be providing an in-person meeting location for the public to attend because state and local officials are recommending measures to promote social distancing. The Board will meet via Zoom and members of the public are encouraged to participate remotely as described below. Note: this meeting will not be webcast on Granicus.

**How to watch the live meeting using the Zoom link:**

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**Teleconference:** Members of the public wishing to participate via teleconference, can do so by dialing in to the following number at 6:00 PM on the day of the meeting: **+1 669 900 6833**; Access Code: 881 5544 9529; Password: 389590

**How to provide comment on agenda items:**

- Before the meeting: email your comments to [jdoucette@tam.ca.gov](mailto:jdoucette@tam.ca.gov). Please email your comments no later than 5:00 P.M. Wednesday, October 26, 2022, to facilitate timely distribution to Board members. Please include the agenda item number you are addressing and your name and address. Your comments will be forwarded to the TAM Board members and will be placed into the public record.

- During the meeting (only): Your meeting-related comments may be sent to [info@tam.ca.gov](mailto:info@tam.ca.gov). During the meeting, your comments will be read (3 minutes limit per comment) when the specific agenda item is considered by the Board. Your comment will also become part of the public record. (In order to ensure staff receives your comment during the meeting, it is recommended that you send your comment early in the meeting.)

- During the meeting (only): If watching this meeting online, click on the "raise hand" feature in the webinar controls. This will notify TAM staff that you would like to comment. If participating by phone, "raise hand" on Zoom by pressing \*9 and wait to be called on by the Chair or the Clerk to speak. Ensure that you are in a quiet environment with no background noise. You will be notified that your device has been unmuted when it is your turn to speak. You may be notified prior to your allotted time being over. Your comments will also become part of the public record.

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**Belvedere**  
James Campbell

**Corte Madera**  
Charles Lee

**Fairfax**  
Chance Cutrano

**Larkspur**  
Dan Hillmer

**Mill Valley**  
Urban Carmel

**Novato**  
Eric Lucan

**Ross**  
P. Beach Kuhl

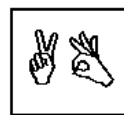
**San Anselmo**  
Brian Colbert

**San Rafael**  
Kate Colin

**Sausalito**  
Susan Cleveland-Knowles

**Tiburon**  
Alice Fredericks

**County of Marin**  
Damon Connolly  
Katie Rice  
Stephanie Moulton-Peters  
Dennis Rodoni  
Judy Arnold



Late agenda material can be inspected in TAM's office between the hours of 8:00 a.m. and 5:00 p.m.  
The TAM Office is located at 900 Fifth Avenue, Suite, 100, San Rafael.

The meeting facilities are accessible to persons with disabilities. Requests for special accommodations (assisted listening device, sign language interpreters, etc.) should be directed to Jennifer Doucette, 415-226-0820 or email: [jdoucette@tam.ca.gov](mailto:jdoucette@tam.ca.gov) no later than 5 days before the meeting date.

## **AGENDA**

1. Adopt TAM Resolution No. 2022-17 in Compliance with AB 361 (Action) – **Attachment**
2. Chair’s Report (Discussion)
3. Commissioner Matters Not on the Agenda (Discussion)
4. Commissioner Reports (Discussion)
  - a. MTC Report – Commissioner Connolly
  - b. Marin Transit Report – Commissioner Colbert
  - c. SMART Report – Commissioner Lucan
5. Executive Director’s Report (Discussion)
6. Open time for public expression, up to three minutes per speaker, on items not on the Board of Commissioners’ Agenda. (While members of the public are welcome to address the Board, under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen.)
7. CONSENT CALENDAR (Action) – **Attachments**
  - a. Approve TAM Board Meeting Minutes September 22, 2022
  - b. Amend the Administrative Code and the Accompanying Resolution for the Conflict of Interest Section on Designated Positions Requiring Compliance with State Disclosure Requirements
  - c. Authorize Contract Amendment and Cooperative Agreement for the Highway 101 Interchange and Approaching Roadways Study
  - d. Ride Amigos Software Subscription Agreement Extension to Support the Marin Commutes Program
  - e. Review and Accept the FY2022-23 First Quarter Financial Report
8. State Legislative Update (Discussion) – **Attachment**
9. Review and Accept the Draft TAM Equity Statement and Action Plan (Action) – **Attachment**
10. Measure AA Category 2.3 Sea Level Rise Program (Discussion) – **Attachment**
11. Public Comment Regarding Closed Session Item
12. Adjourn to Closed Session – **Attachment**
  - a. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
**Title: Executive Director**  
**California Government Code section 54957(b)(1)**
13. Reconvene to Open Session – Announcement from Closed Session



**DATE:** October 27, 2022

**TO:** Transportation Authority of Marin Board of Commissioners

**FROM:** Anne Richman, Executive Director *Anne Richman*  
David Chan, Director of Programming and Legislation

**SUBJECT:** Adopt TAM Resolution No. 2022-17 in Compliance with AB 361 (Action), Agenda Item No. 1

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## RECOMMENDATION

The Board adopts TAM Resolution No. 2022-17 as shown in Attachment A and allows all TAM public meetings subject to the Ralph M. Brown Act to be conducted remotely for the next 30 days in compliance with Assembly Bill (AB) 361 and Government Code Section 54953(e)(2), in order to ensure the health and safety of the public while providing access to public meetings.

## BACKGROUND

On March 4, 2020, Governor Newsom declared a State of Emergency to help the State prepare for a broader spread of COVID-19. In response to the COVID-19 pandemic, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings electronically without a physical meeting place. Executive Order N-29-20 expired on September 30, 2021.

## DISCUSSION

On September 16, 2021, Governor Newsom signed AB 361, which became effective immediately upon approval. AB 361 provides local government bodies that are subject to the Ralph M. Brown Act the ability to continue to use video and/or teleconferencing through December 31, 2023 under certain conditions, including when state or local officials have recommended social distancing during a proclaimed state of emergency.

On September 22, 2021, Director Benita McLarin of Marin Health & Human Services issued a letter (Attachment B) to the County Board of Supervisors recommending that the County continue to use social distancing to enhance safety at public meetings. Director McLarin noted that safety measures can include using video/teleconferencing for public meetings and spacing at in-person meetings so that individuals from different households are not sitting next to each other. Director McLarin has not issued a new letter since September 22, 2021 and the recommendation remains in effect.

While the state proclamation of emergency remains in place, TAM Resolution No. 2022-17 would provide TAM with the option to use video and/or teleconferencing for all public meetings held by the Board, Executive Committees, and Citizens' Oversight Committee (COC) before TAM Resolution No. 2022-17 expires 30 days from the date of approval, which is November 26, 2022.

AB 361 restricts public agencies from passing such a resolution for more than 30 days at a time. The TAM Board will need to pass a new resolution when an existing resolution expires to continue remote meetings.

## **FISCAL IMPACTS**

There are no direct fiscal impacts with the adoption of TAM Resolution No. 2022-17.

## **NEXT STEPS**

All public meetings are expected to be held remotely for the duration allowed by TAM Resolution No. 2022-17. Staff will continue to monitor local health and safety requirements and practices. If needed, staff will request the Board to adopt another resolution to further authorize remote meetings when TAM Resolution No. 2022-17 expires on November 26, 2022. Given the recently announced expiration of the State of Emergency effective February 28, 2023, TAM staff will work with the Board Chair and Vice Chair to transition back to in-person or hybrid meetings before that date and will keep the Board and public apprised of plans.

## **ATTACHMENTS**

Attachment A – TAM Resolution No. 2022-17

Attachment B – Marin Health and Human Services Letter, dated September 22, 2021

**TAM RESOLUTION NO. 2022-17****RESOLUTION OF THE TRANSPORTATION AUTHORITY OF MARIN (TAM) MAKING FINDINGS THAT THE PROCLAIMED STATE OF EMERGENCY CONTINUES TO IMPACT THE ABILITY TO MEET SAFELY IN PERSON AND DECLARING THAT TAM WILL CONTINUE TO MEET REMOTELY IN ORDER TO ENSURE THE HEALTH AND SAFETY OF THE PUBLIC**

**WHEREAS**, TAM is committed to preserving and nurturing public access and participation in meetings of the Board of Commissioners, TAM Executive Committees, and Citizens' Oversight Committee (COC); and

**WHEREAS**, all meetings of TAM's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch TAM's legislative bodies conduct their business; and

**WHEREAS**, the Brown Act, Government Code Section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code Section 54953(b)(3), subject to the existence of certain conditions; and

**WHEREAS**, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of COVID-19; and

**WHEREAS**, on March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings electronically without a physical meeting place; and

**WHEREAS**, as a result of Executive Order N-29-20, staff set up Zoom teleconference meetings for all Board of Commissioners, TAM Executive Committee and COC meetings; and

**WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which specified that Executive Order N-29-20 would remain in effect through September 30, 2021, at which point it would expire; and

**WHEREAS**, since the issuance of Executive Order N-08-21, the COVID-19 variants have emerged, causing a spike in COVID-19 cases throughout the state; and

**WHEREAS**, the Governor's proclaimed State of Emergency remains in effect, and State and local officials, including the Marin County Director of Health and Human Services, the California Department of Public Health, and the Department of Industrial Relations, have imposed or recommended measures to promote social distancing; and

**WHEREAS**, on September 16, 2021, the Governor signed Assembly Bill (AB) 361 into law, as urgency legislation that goes into effect on October 1, 2021, amending Government Code Section 54953 of the Brown Act to allow legislative bodies to continue to meet remotely during a proclaimed state of emergency, provided certain conditions are met and certain findings are made; and

**WHEREAS**, the continued local rates of transmission of the virus and variants causing COVID-19 are such that the Director of Health & Human Services has recommended that the County continue to emphasize social distancing in order to minimize the potential spread of COVID-19 during indoor, public meetings; and

**WHEREAS**, TAM cannot maintain adequate safe social distance among members of the public, Board and Committee members, and staff in their respective meeting locations; and

**WHEREAS**, because of the rise in cases due to new variants of COVID-19, TAM is concerned about the health and safety of attendees, the TAM Board of Commissioners desires to take the actions necessary to comply with AB 361 and to continue to hold its Board and Committee meetings remotely.

**NOW, THEREFORE, THE TAM BOARD RESOLVES AS FOLLOWS:**

1. TAM has reconsidered the circumstances of the State of Emergency, and finds that:
  - a. The factors triggering the State of Emergency continue to directly impact the ability of the members of the TAM Board of Commissioners and staff, and members of the public to meet safely in person; and
  - b. State and local officials continue to recommend measures to promote social distancing.
2. TAM will continue to conduct public meetings remotely for the next 30 days in compliance with AB 361 and Government Code Section 54953(e)(2), in order to ensure the health and safety of the public while providing access to all public meetings.
3. TAM will reconsider the circumstances of the State of Emergency and revisit the need to conduct meetings remotely within 30 days of the adoption of this Resolution.

REGULARLY PASSED AND ADOPTED this 27th day of October 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Stephanie Moulton-Peters, Chair  
Transportation Authority of Marin

ATTEST:

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Jennifer Doucette  
Clerk of the Board



DEPARTMENT OF  
**HEALTH AND HUMAN SERVICES**

Promoting and protecting health, well-being, self-sufficiency, and safety of all in Marin County.



Benita McLarin, FACHE  
DIRECTOR

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September 22, 2021

Dennis Rodoni  
President, Board of Supervisors  
3501 Civic Center Drive, 3<sup>rd</sup> Floor  
San Rafael, CA 94903

Re: Public Meetings/Social Distancing

Dear President Rodoni:

On September 20, 2021, Governor Newsom signed AB 361. The legislation provides that local agencies may continue to hold certain public meetings via video/tele-conference as they have done during the Covid-19 emergency. The legislation allows such meetings to continue during a proclaimed state of emergency if state or local officials have recommended measures to promote social distancing.

Local government meetings are indoor meetings that are sometimes crowded, involve many different and unfamiliar households, and can last many hours. Given those circumstances, I recommend a continued emphasis on social distancing measures as much as possible to make public meetings as safe as possible. These measures can include using video/tele-conferencing when it meets community needs and spacing at in-person meetings so that individuals from different households are not sitting next to each other. I will notify you if this recommendation changes while the Governor's state of emergency for COVID-19 remains in place.

Respectfully,

Benita McLarin  
Director, Health & Human Services

cc: Matthew H. Hymel, CAO  
Brian E. Washington, County Counsel

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MEETING OF THE  
TRANSPORTATION AUTHORITY OF MARIN

SEPTEMBER 22, 2022  
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, TAM Vice-Chair
- Chance Cutrano, Fairfax Town Council
- Charles Lee, Corte Madera Town Council
- Damon Connolly, Marin County Board of Supervisors
- Daniel Hillmer, Larkspur City Council
- Dennis Rodoni, Marin County Board of Supervisors
- Eric Lucan, Novato City Council
- Judy Arnold, Marin County Board of Supervisors
- Katie Rice, Marin County Board of Supervisors
- Kate Colin, San Rafael City Council
- Max Perrey, Mill Valley City Council
- Nancy Kemnitzer, Belvedere City Council
- Stephanie Moulton-Peters, Marin County Board of Supervisors, TAM Chair
- Susan Cleveland-Knowles, Sausalito City Council

Members Absent: None

Staff Members Present:

- Anne Richman, Executive Director
- Bill Whitney, Principal Project Delivery Manager
- Dan Cherrier, Director of Project Delivery
- David Chan, Director of Programming and Legislation
- Derek McGill, Director of Planning
- Grace Zhuang, Accounting and Administrative Specialist
- Jennifer Doucette, Executive Assistant/Clerk of the Board
- Li Zhang, Deputy Executive Director/Chief Financial Officer
- Nick Nguyen, Principal Project Delivery Manager

*Chair Moulton-Peters called the meeting to order at 6:00 p.m.*

Chair Moulton-Peters welcomed everyone to the meeting and Executive Director (ED) Anne Richman issued an oath of office to Max Perrey as the alternate representing the City of Mill Valley. Chair Moulton-Peters asked Executive Assistant/Clerk of the Board Jennifer Doucette 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. Adopt TAM Resolution No. 2022-14 in Compliance with AB 361 (Action)**

Commissioner Lucan moved to adopt TAM Resolution No. 2022-14 for compliance with AB 361, which was seconded by Commissioner Fredericks. A roll call vote was conducted, and the motion passed unanimously.

**2. Chair's Report (Discussion)**

None.

**3. Commissioner Matters Not on the Agenda (Discussion)**

None.

**4. Commissioner Reports (Discussion)**

**a. MTC Report – Commissioner Connolly**

Commissioner Connolly reported that Therese McMillan, Executive Director of the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG), will retire on January 31, 2023 and that MTC is in the process of finding a replacement.

Commissioner Connolly also reported that the MTC Planning Committee referred the Transit Oriented Community (TOC) policy to the Commission for adoption. The policy specifies certain parking, access, density, and housing policy requirements for jurisdictions with ferry and rail stations. There have been some changes to the draft policy over the last couple months, including parking requirements for rail stations and ferry terminals being subject to the policy regardless of whether they are in a Priority Development Area (PDA). With the change to the train station and ferry terminal requirements, the following jurisdictions in Marin would appear to be subject to the TOC policy: Sausalito, Tiburon, Larkspur, San Rafael, and Novato, and maybe the County depending on where the half-mile lines fall from the SMART stations.

Commissioner Connolly further reported that compliance with the policy will have implications for future One Bay Area Grant (OBAG) funding cycles and possibly other regional discretionary funds as well. Jurisdictions will be given until 2026 to comply. MTC staff will begin implementation planning after adoption of this item by the Commission. Commissioner Connolly reported that he has inquired if MTC will make resources available to help jurisdictions come into compliance, for both PDAs and non-PDAs.

Lastly, Commissioner Connolly reported that MTC is still awaiting a decision from the Supreme Court of California regarding the litigation against Regional Measure 3 (RM 3).

**b. Marin Transit Report – Commissioner Colbert**

Commissioner Colbert reported that Marin Transit (MT)'s ridership continues to increase steadily. Recent reports show that ridership is at 85% of pre-pandemic levels, with MT continuing to have the greatest percentage of ridership recovery among all Bay Area transit operators.

Commissioner Colbert also reported that transit worker shortages in Marin are following a national trend that started before and have been exacerbated by the pandemic. MT is currently short about 38 drivers, or 20% of the drivers needed. Due to this shortage, missed service levels are currently higher than nearly all historic levels, and primarily concentrated on supplemental school and Muir Woods shuttle routes. While these increases in missed service are of concern, it is important to note that missed service represents less than 1% of all trips. MT and its contractors are taking a variety of actions to increase the transit worker pool and adjust services to minimize impacts on transit riders.

**c. SMART Report – Commissioner Lucan**

Commissioner Lucan reported that the Sonoma Marin Area Rail Transit (SMART) ridership levels continue to increase, including a post-Covid ridership record of 2,278 riders on one day during the week of September 12; and that average weekday boardings are 8% higher in September compared to August.

Commissioner Lucan also reported that Sonoma County received a funding grant to build a second SMART station in Petaluma.

## **5. Executive Director's Report (Discussion)**

ED Richman reported on the following: new Marin Commutes reward program launching October 1; September is Pedestrian Safety Month; the launch of the new Street Smarts program, "Eyes up, Marin"; International Walk and Roll to School Day on October 12; National Drive Electric Week; and the electric vehicle (EV) and e-bike show on September 24 at the Bon Air Shopping Center in Greenbrae.

ED Richman also reported on the progress report for the North-South Greenway and Cross-Marin Bike Way corridors; new pedestrian hybrid beacons in Tiburon and Mill Valley; the Marin-Sonoma Narrows (MSN) B7 construction site tour on August 30; the Federal Highway Administration's (FHWA's) Environmental Excellence Award presented to TAM and agency partners in recognition of the State Route (SR) 37 "Environmental Stakeholder Outreach Workshop Series"; and the SR 37 Planning and Environmental Linkages (PEL) public meeting held on September 14.

ED Richman further reported on Senate Bill (SB) 1 funding programs, including Solutions for Congested Corridors, Trade Corridors Enhancement Program, LPP Competitive Program, LPP Formulaic Program, and the Active Transportation Program (ATP) grant awards expected to be announced in October.

Lastly, ED Richman called attention to this month's Caltrans report; and recent and upcoming TAM public outreach meetings.

In response to Commissioner Cutrano, ED Richman explained that the new Street Smarts program includes messaging for pedestrians, bicyclists and motorists; and that the Marin County Bicycle Coalition (MCBC) will be launching training and educational sessions for e-bike riders.

Chair Moulton-Peters commented that Mill Valley has developed a messaging program specifically for e-bike riders.

## **6. Open Time for Public Expression**

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

## **7. CONSENT CALENDAR (Action)**

- a. Approve TAM Board Meeting Minutes July 28, 2022
- b. Approve Contract Extension with Moss, Levy, Hartzheim, LLP for Compliance Audit Services
- c. Review and Acceptance of the Semi-Annual Project Status Report
- d. TAM Response to Grand Jury Report on Affordable Housing
- e. Approval of Extension of Interagency Agreements with Larkspur-Corte Madera and Kentfield School Districts for Crossing Guard Services

Commissioner Cutrano made the motion to approve the Consent Calendar, which was seconded by Commissioner Arnold. Chair Moulton-Peters opened the item to public comment and hearing none, a roll call vote was conducted, and the motion passed unanimously.

## **8. Nomination Recommendations for the One Bay Area Grant Program Cycle 3 (Action)**

Director of Programming and Legislation David Chan presented this item, which recommends that the Board adopts the nomination and contingency nomination recommendations for OBAG 3 funding, and the project conditions on PDA studies and transit coordination requirements for applicable projects selected for funding. Mr. Chan reported that this item was reviewed and referred to the TAM Board for adoption by the Funding, Programming & Legislation (FP&L) Executive Committee at its September 12 meeting.

Mr. Chan provided background for the OBAG 3 program; sponsor requirements; policies and nomination targets, including requirements relating to the PDAs; call for projects and schedule/timeline; application screening and evaluation process; staff recommendations; and next steps.

Mr. Chan also reported on the input that was provided by the Bicycle/Pedestrian Advisory Committee (BPAC) at its August 29 meeting; and highlighted project conditions for PDA studies and transit coordination, and other sponsor requirements.

Chair Moulton-Peters commented that the OBAG 3 funding is a complicated multi-layered process.

In response to Commissioner Cutrano, Mr. Chan explained that MTC has directed all County Transportation Authorities (CTAs) to nominate projects and develop a priority process; and that the contingency nomination list included the next-ranked project(s) on the list.

In response to Commissioner Lucan, ED Richman explained that the funding amounts listed for the recommended projects were the amounts requested by the project sponsors, and that the overall project cost will be more than the requested amounts due to match requirements. ED Richman also explained that there are deadlines and obligation requirements that are incorporated into the OBAG 3 program. Mr. Chan explained that funds may be programmed over a four-year period.

In response to Chair Moulton-Peters, Mr. Chan explained that the regional program is administered by MTC and that funding will be available for both regional use by MTC and county use by individual CTAs; and that Marin County will receive approximately 2.8% of the CTAs portion, or \$9.5 million. ED Richman explained that PDA studies are specific plans for the areas that have been nominated as PDAs; and that PDA planning funds allow cities and communities to determine specific development goals and plans.

Chair Moulton-Peters commented that the City of San Rafael has designated the most PDAs in the County.

Commissioner Colin commented that the City of San Rafael was the only jurisdiction in the County to nominate a PDA for OBAG 3.

Chair Moulton-Peters asked if any members of the public wished to speak or had sent an e-comment.

MCBC ED Tarrell Kullaway expressed support for the staff recommendations, including the SMART Pathway and Bridgeway Bike Lane projects.

San Rafael Community Development Director Ali Giudice expressed gratitude for the staff recommendation to provide the requested funding amounts to the PDA studies in San Rafael; and explained that the PDA studies will allow more in-depth evaluation of issues and needs in the areas, such as bicycle and pedestrian connections to transit and sea level rise.

WTB-TAM representative Matthew Hartzell expressed support of the recommendation list, including strong support for the SMART Pathway, Second and Fourth Street Intersection Improvements, and Bridgeway Bike Lane projects, as they contribute to the County's multi-modal network.

MT General Manager Nancy Whelan thanked TAM staff for the consideration of the transit projects, which can be difficult to qualify for competitive grant funding.

Commissioner Colin commented that the PDAs incorporate congestion management in conjunction with increased housing density. Commissioner Colin also expressed gratitude for staff's ranking of the Canal Area PDA Study, which reflects the City of San Rafael's Equity Statement.

Chair Moulton-Peters expressed support for the application and nomination process; and commented on the significant amount of administrative reporting that recipients of federal funding are required to perform.

Chair Moulton-Peters also expressed support for the staff recommendation and commented that lower-ranked projects may qualify for other funding sources.

Commissioner Colin made a motion to adopt the nomination and contingency nomination recommendations for OBAG 3 funding, and the project conditions on PDA studies and transit coordination requirements for applicable projects selected for funding, which was seconded by Commissioner Lee. A roll call vote was conducted, and the motion passed unanimously.

## **9. Alternative Fuels Program Update and Outreach Activities (Discussion)**

ED Richman introduced Director of Planning Derek McGill to present this item for discussion. Mr. McGill provided an overview and update of the Alternative Fuels Program, including a summary of the existing program; Element 3.3 investments to date; regional, state and federal funding updates; and current challenges and opportunities.

Mr. McGill also reported on the public agency electric vehicle (EV) project concept solicitation, including concepts submitted for EV charging and fleet conversions by local school districts, police and fire departments, sanitary and water districts, and TAM.

ED Richman reported on additional findings, including identified barriers and technical support requests.

Mr. McGill further reported on the review process to date; next steps, including partnering with local agencies to develop a Countywide EV Acceleration Plan, and identifying barriers to adoption.

Lastly, Mr. McGill provided an update on outreach efforts by TAM and other local jurisdictions, including equity research and plan tactics; and provided program budget details.

In response to Commissioner Kemnitzer, Mr. McGill explained that the pilot program does not currently have a formal application process; and that electrical street sweepers are an example of some of the concepts that were submitted by local jurisdictions. Mr. McGill also explained that charging infrastructure for items such as electrical street sweepers will need to be addressed through planning with public works directors.

Commissioner Cleveland-Knowles commented on the importance of working with public works directors through this process, including a compilation of information, data, and technical assistance that can be widely used by local jurisdictions. Commissioner Cleveland-Knowles also commented on the need for redundancy with charging infrastructure in the event of a power shortage.

Commissioner Cutrano commented that the Town of Fairfax has started transitioning its public safety fleet; expressed the need for technical assistance when planning for electrical fleet and charging infrastructure; and expressed support for a collective delivery model. Commissioner Cutrano also commented that new federal funding incentives will increase the number of EV drivers and the importance of expanding charging infrastructure for multi-family housing.

Mr. McGill explained that after the public review period for the Countywide EV Acceleration Plan closes in October 2022, the Plan will then go to local city/town councils for adoption. Staff will assess the cities/towns' activities and commitment levels to determine what level of support is needed and will report the findings to the TAM Board.

Chair Moulton-Peters expressed support for an EV charging station delivery toolkit that includes technical, design, and permitting guidance.

Mr. McGill explained that ultimately a countywide EV contractor could be responsible for delivering public agency charging stations and balancing the usage needs with the cost effectiveness of the site; and providing technical expertise to apply for air quality grant funding.

Chair Moulton-Peters also commented that Equity Priority Communities (EPCs) located in the County have different specific needs that will require individualized community approaches.

Mr. McGill explained that the advancement of the EV infrastructure in EPCs, in coordination with a countywide plan, is integral for grant funding.

Chair Moulton-Peters also expressed support for a North Bay EV event.

Chair Moulton-Peters asked if any members of the public wished to speak or had sent an e-comment.

San Anselmo resident and MTC Public Advisory Council member Veda Florez inquired about connecting EV charging stations to future housing development; expressed the need for more public outreach; and highlighted the successful Spring EV event at the Marin County Civic Center. Ms. Florez also expressed support for continued outreach to EPCs, including the possibility of using mobile charging stations to service various areas; and commented that different types of outreach need to be performed to address equity justice issues.

Cool the Earth and Ride and Drive Clean representative Lawrie Mott expressed support for the Alternative Fuels Program and the solicitation process, including the direct communication with the public works directors. Ms. Mott also expressed support for a “turn-key” unit for EV charging to streamline the process for local jurisdictions; and expressed concern about the current state of EV charger maintenance and reliability. Lastly, Ms. Mott highlighted the EV event scheduled for Saturday, September 24 at the Bon Air Shopping Center in Greenbrae.

Commissioner Rice expressed support of gathering and sharing performance reliability data for existing EV chargers throughout the County.

Commissioner Lucan expressed support of assessing the rate structure of the existing EV chargers in conjunction with data regarding EV charger reliability.

Commissioner Perrey expressed support for the Alternative Fuels Program, including the engagement of the local jurisdiction staff, and commented that the City of Mill Valley is currently in the process of identifying various EV charging locations, including the downtown area, and the Hamilton site, which may include future development of affordable housing.

#### **10. Marin-Sonoma Bike Share Pilot Program Update (Discussion)**

ED Richman presented this discussion item, which included a program overview; contractor scope of work; and summary of program activities.

ED Richman reported that in July 2022, prior to the launch of the pilot program, the contractor, Bolt Mobility, ceased operations; and that TAM and partner agencies have initiated the contract termination process. ED Richman also reported that TAM and partner agencies are exploring options for the use of grant funding and identifying potential new vendors.

ED Richman further reported on the considerations for next steps, including revising the scope of work, awaiting industry stabilization, and/or developing an alternative program.

ED Richman introduced MTC Bike Share Coordinator Laura Krull to provide a Bay Area Bike Share update, including summaries of programs in Richmond and Fremont; and ridership trends.

Lastly, ED Richmond reported that TAM will continue to monitor the state of the industry, explore options and return to the Board at a future date for further discussion or approval of a recommendation.

Commissioner Cleveland-Knowles expressed the importance of developing e-bike infrastructure, including secure parking and storage facilities; and also expressed support of alternative programs such as e-bike “libraries” and rebates.

In response to Commissioner Lucan, ED Richman explained that the agreement with Bolt Mobility covered a 3-year pilot period with the goal to continue as a self-sustaining program thereafter. Commissioner Lucan commented that a lower-cost alternative might be considered for a short-term pilot program.

In response to Commissioner Rice, Ms. Krull explained that operators such as Lyft reported higher incidences of vandalism to bicycles in the Bay Area compared to other markets.

Commissioner Kemnitzer commented that theft and vandalism of shared e-bikes is not limited to markets within the Bay Area, and that in addition to monitoring the financial state of the industry, TAM should also assess the industry’s business model(s).

In response to Commissioner Cutrano, Ms. Krull explained that e-bike share is still a relatively new industry in the Bay Area, and that local jurisdictions applied for grant funding for the specific scope of each program. Ms. Krull also explained that scooter share programs tend to be less expensive to operate and are often connected to permit programs within each city/town.

Chair Moulton-Peters commented that models for urban and suburban bike share programs are significantly different; and expressed support for reassessing the program, including alternative options for shared mobility hubs.

Chair Moulton-Peters asked if any members of the public wished to speak or had sent an e-comment.

Ms. Kullaway commented that a large inventory of e-bikes is integral to the success of a shared bike program; and informed the Board about Shasta Living Streets, a new shared bike program opening in Redding, California in October 2022.

*The meeting was adjourned at 8:40 p.m.*

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**DATE:** October 27, 2022

**TO:** Transportation Authority of Marin Board of Commissioners

**FROM:** Anne Richman, Executive Director *Anne Richman*  
David Chan, Director of Programming and Legislation

**SUBJECT:** Amend the Administrative Code and the Accompanying Resolution for the Conflict of Interest Section on Designated Positions Requiring Compliance with State Disclosure Requirements (Action), Agenda Item No. 7b

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## **RECOMMENDATION**

Recommend that the TAM Board amends the accompanying resolution for the Conflict of Interest Section under Section 107.2 of Article VII of TAM's Administrative Code to revise the titles of four existing positions, delete one old position title, and add a new position title as designated positions requiring compliance with State disclosure requirements.

## **BACKGROUND**

The California Political Reform Act requires every local government agency, including TAM, to review its conflict of interest code biennially. A conflict of interest code tells public officers and governmental employees what financial interests they must disclose on the Statement of Economic Interests (Form 700). By September 15, 2022, TAM was required to submit either a notice of no change or a notice to amend our Conflict of Interest Code to the County Board of Supervisors. By December 30, 2022, the amendment is due to the County Board of Supervisors.

## **DISCUSSION**

The Conflict of Interest Section under Article VII of the Administrative Code contains the policies governing disclosure requirements. TAM is subject to the California Political Reform Act that requires all public agencies to adopt, periodically review, and update a Conflict of Interest Code. The Act also requires all public agencies to adopt a Resolution specifying designated positions that require compliance with State disclosure requirements.

Every elected official and public employee who makes or influences governmental decisions is required to submit a Statement of Economic Interest, also known as the Form 700. Designated positions in the TAM Administrative Code are required to file a Form 700 annually.

The current list of designated positions for TAM include the following: Board of Commissioners, Executive Director, Deputy Executive Director, Chief Financial Officer, Manager of Programming and Legislation, Principal Project Delivery Manager, Associate Project Delivery Manager, Public Outreach Coordinator, and Planning Manager.

The titles for the Manager of Programming and Legislation and the Planning Manager have been changed to Director of Programming and Legislation and Director of Planning, respectively, but have not been reflected in the accompanying resolution. A new title, Director of Project Delivery, has also been added since the last adopted resolution. The positions of the Deputy Executive Director and Chief Financial Officer are currently being staffed as one, under the title Deputy Executive Director/Chief Financial Officer. Staff is proposing to delete the outdated Associate Project Delivery Manager title and update the accompanying resolution with the current titles as a part of the 2022 Biennial Review. The disclosure requirements for the updated positions remain unchanged.

Attachment A is the accompanying resolution (Resolution 2022-16) that updates the designated positions requiring financial disclosure pursuant to the Political Reform Act of 1974. As instructed by the California Fair Political Practices Commission (FPPC), per Government Code Section 82011, certification by the Board of Supervisors is required once the TAM Board approves the resolution.

### **FISCAL IMPACTS**

There are no fiscal impacts with approving this administrative action.

### **NEXT STEPS**

Upon approval by the TAM Board, staff will forward the amendment of the Conflict of Interest Code and Resolution 2022-16 to the Marin County Board of Supervisors for certification by December 30, 2022.

### **ATTACHMENT**

Attachment A – Resolution 2022-16

**RESOLUTION NO. 2022-16**

**A RESOLUTION OF THE TRANSPORTATION AUTHORITY OF MARIN  
AMENDING THE CONFLICT OF INTEREST CODE TO REVISE TITLES OF  
EXISTING POSITIONS AND ADD A NEW POSITION TITLE**

WHEREAS, The Political Reform Act, Government Code sections 81000 et seq., requires state and local government agencies to adopt Conflict of Interest Codes, and to review those codes every two years; and

WHEREAS, In 2004, the Transportation Authority of Marin adopted an Administrative Code containing the conflict of interest code pursuant to state law, and has determined that to remain in compliance with state law that code should be amended to add and designate positions; and

WHEREAS, Resolution No. 2005-12b was adopted on November 17, 2005 to specify a disclosure category for each position; and

WHEREAS, Resolution 2006-11, Resolution 2008-20, Resolution 2011-09, Resolution 2018-12, and Resolution 2019-03 were adopted on July 27, 2006, July 24, 2008, October 27, 2011, July 26, 2018, March 28, 2019, and July 23, 2020, respectively, to amend the list of designated positions and the disclosure categories assigned to each position; and

WHEREAS, The California Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially; and

WHEREAS, 2022 is the next scheduled review; and

WHEREAS, Title changes and corrections on existing positions are deemed necessary amendments to the Conflict of Interest Code; and

WHEREAS, The Administrative Code allows changes to designated positions and designated disclosure categories by resolution; now, therefore, be it

RESOLVED, That the existing positions of Manager of Programming and Legislation, and Planning Manager shall be amended to Director of Programming and Legislation and Director of Planning, respectively; that a new position title of Director of Project Delivery shall be added; and that the positions of Deputy Executive Director and Chief Financial Officer are currently being served as one position under the title Deputy Executive Director/Chief financial Officer as shown below, in Section 107.2 to report in both disclosure categories.

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Member and Alternate of the Board of Commissioners	1, 2
Executive Director	1, 2
<del>Deputy Executive Director</del>	
<del>Chief Financial Officer</del> <b>Deputy Executive Director/Chief Financial Officer</b>	1, 2
<del>Manager of Programming and Legislation</del> <b>Director of Programming and Legislation</b>	1, 2
Principal Project Delivery Manager	1, 2
<del>Associate Project Delivery Manager</del>	1, 2
Public Outreach Coordinator	1, 2
<del>Planning Manager</del> <b>Director of Planning</b>	1, 2
<b>[NEW]                      Director of Project Delivery</b>	1, 2

PASSED AND ADOPTED at a regular meeting of the Transportation Authority of Marin held on the 27<sup>th</sup> day of October 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Stephanie Moulton-Peters, Chair  
Transportation Authority of Marin

ATTEST:

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Jennifer Doucette  
Clerk of the Board



**DATE:** October 27, 2022

**TO:** Transportation Authority of Marin Board of Commissioners

**FROM:** Anne Richman, Executive Director *Anne Richman*  
Bill Whitney, Principal Project Delivery Manager

**SUBJECT:** Authorize Contract Amendment and Cooperative Agreement for the Highway 101 Interchange and Approaching Roadways Study (Action), Agenda Item No. 7c

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## RECOMMENDATION

Staff recommends that the TAM Board authorizes the Executive Director to amend the professional service contract with HNTB and increase the total contract authority by \$2,556,000 to prepare a Project Initiation Document (PID) consisting of three Interchanges on Highway 101 as approved in the Implementation and Prioritization Plan; and to execute a Cooperative Agreement with the California Department of Transportation (Caltrans) to provide PID oversight services in accordance with Caltrans procedures in the amount of \$200,000.

Funding is available from the Measure AA ½-Cent Transportation Sales Tax.

## BACKGROUND

The overall approach of the Interchange Study Program is to identify operational and safety improvements for all users of an interchange and approaching roadways including adjacent intersections. The interchange studies have been developed as part of a comprehensive effort to evaluate our interchange infrastructure at twelve locations to address deficiencies most in need, and feasible.

On July 27, 2022, the Board approved the Interchange Program's Implementation and Prioritization Plan. The Plan identifies the following three interchanges be prioritized for further evaluation and development:

- Tiburon Blvd./East Blithedale (Long-term improvement proposal)
- Manuel T. Freitas Parkway/Civic Center Drive (Long-term improvement proposal)
- Alameda Del Prado/Nave Drive (Short-term improvement proposal)

Interchange study materials are posted on the TAM website: <https://tam101study.com/>.

## DISCUSSION

The next step in the project development phase is to work closely with Caltrans and our local agencies to prepare a PID. The purpose of the PID is to continue to refine the project scope and evaluate other potential alternatives for consideration. PIDs are required to be developed and approved by Caltrans before any major or highly complex projects can be programmed and constructed on the State Highway System.

The most important function of the PID is to establish a project as a viable candidate for Federal, State, regional and local funds. Without completion of a PID, most capital projects would be ineligible for programming, which is the commitment of funds.

Staff has worked with our consulting team being led by HNTB and Parisi Transportation Consulting to develop a scope of work to prepare a PID for the three interchanges in accordance with state procedures. The scope of work consists of using the work previously developed as part of the studies to advance the design improvements, prepare a variety of technical reports (over 30 reports), prepare project cost estimates, grant writing, and obtain PID approval from Caltrans for all three interchanges. The grant writing component will be used to pursue funding opportunities as they become available either while the PID is being developed, or after the PID has been completed.

Staff and our consultant team will also assemble a Technical Advisory Committee (TAC) consisting of local jurisdiction and transit agency staff to guide the development process and to gain local support. We will also host public workshops in the geographic locations of the three interchanges to inform the public of proposed improvements under consideration and to receive feedback.

The consultant team has submitted a scope and fee proposal in the amount of \$2,556,000 for the professional services over a two-year period.

Staff has also worked with Caltrans to develop a scope and fee for PID oversight and approval. Caltrans staff estimates the level of effort will cost \$200,000. A Cooperative Agreement between TAM and Caltrans will be needed to reimburse the state for resources required for this review and approval process.

## **FISCAL IMPACTS**

Sufficient funding has been collected from the Measure AA ½-Cent Transportation Sales Tax to prepare the PIDs for the three interchanges and to reimburse Caltrans for oversight review and approval. Funds are included in the FY 22/23 Budget.

Measure AA provides a limited amount of funding to advance these three interchanges into the next phase of project development. However, significant additional funding would be needed to bring the improvements to construction in the future. Staff will pursue grant funding opportunities as they become available.

## **NEXT STEPS**

Staff will execute the Contract Amendment with HNTB and the Cooperative Agreement with Caltrans upon Board approval.

## **ATTACHMENTS**

None.



**DATE:** October 27, 2022

**TO:** Transportation Authority of Marin Board of Commissioners

**FROM:** Anne Richman, Executive Director *Anne Richman*  
Scott McDonald, Principal Transportation Planner

**SUBJECT:** Ride Amigos Software Subscription Agreement Extension to Support the Marin Commutes Program (Action), Agenda Item No. 7d

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## RECOMMENDATION

Authorize the Executive Director to extend the Ride Amigos Software Subscription Agreement for one year, increasing the aggregate contract not to exceed amount by \$30,588 for a total of \$147,232.

## BACKGROUND

As part of the ongoing commitment to promote a variety of high-quality transportation options and alternatives to single occupant vehicle trips, TAM launched its Marin Commutes Program in January 2019. The Marin Commutes Program is a comprehensive public engagement effort emphasizing the benefits of alternative transportation options and building awareness of the incentives and tools available to Marin commuters through the website *MarinCommutes.org* and various other public outreach efforts. With the goal of encouraging alternatives to single occupancy vehicle trips, TAM contracted with Ride Amigos through its standard introductory subscription service in December 2018 to integrate its Transportation Demand Management (TDM) software platform into the *MarinCommutes.org* site.

Several agencies and employers in the Bay Area are also implementing online TDM platforms through Ride Amigos to offer commute related incentives using the real-time rideshare apps and trip planning tools. Ride Amigos is currently being utilized by the Napa Valley Transportation Authority (NVTa), Sonoma County Transportation Authority (SCTA), and Solano Transportation Authority (STA), along with TAM, to coordinate a pilot program to support travel along State Route (SR) 37 through a grant provided by the Bay Area Air Quality Management District (BAAQMD). The Metropolitan Transportation Commission (MTC) has also entered into an agreement with Ride Amigos to provide expanded ride share matching regionally while coordinating with county platforms.

Through TAM's Ride Amigos software subscription, employers can also provide additional trip promotions and incentives, with the County of Marin and City of San Rafael currently administering incentives for employees that track green trips on the software platform. While COVID-19 has halted some commute activities during the pandemic, currently TAM is using the Ride Amigos software for a newly provided ongoing rewards program and is expected to increase trips recorded through the program. The use of the Ride Amigos software is a cornerstone of TAM's Marin Commutes Program to support local employers and employee transportation.

## **DISCUSSION**

The Marin Commutes Program is TAM's public facing effort, which incorporates the Marin Emergency Ride Home Program, Vanpool Incentive Program, Connect2Transit in partnership with Marin Transit and UBER, and shared ride and transit planning in the Ride Amigos Software platform. Ride Amigos consistently provides innovations to improve the platform and the user experience.

Ride Amigos Software has also been an effective tool for the following services: trip planning, incentive management, commute challenges, trip tracking, gamification, and data collection to support the distribution of incentives to encourage adoption and ongoing use of non-single occupant vehicle commuting modes.

The proposed action would extend the agreement from its current expiration date of December 9, 2022, to December 8, 2023, to gain another year of experience with the Ride Amigos Software platform, grow the benefits of the Marin Commutes Program, and coordinate with regional programs using the software to expand green trips. This extension is provided as an eligible additional annual subscription.

## **FISCAL IMPACTS**

No additional budget increase is needed to support the Ride Amigos Software agreement. Ride Amigos Software is a component of the Marin Commutes Program included in the adopted TAM FY2022-2023 Annual Budget. Funding for the Ride Amigos Agreement is available through the Measure B, Element 3.2 Commute Alternative Programs.

## **NEXT STEPS**

Upon Board approval, staff will work with Ride Amigos to execute the agreement extension and continue implementation of its software through the *MarinCommutes.org* site.

## **ATTACHMENTS**

None.





**DATE:** October 27, 2022

**TO:** Transportation Authority of Marin Board of Commissioners

**FROM:** Anne Richman, Executive Director *Anne Richman*  
Finance and Administration Team

**SUBJECT:** Review and Accept the FY2022-23 First Quarter Financial Report (Action), Agenda Item No. 7e

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## **RECOMMENDATION**

Staff recommends that the Board reviews and accepts the FY2022-23 First Quarter Financial Report.

## **BACKGROUND**

This report, along with all accompanying attachments, provides a summary of the financial activities for the period ending September 30, 2022, and covers TAM's revenue and expenditure activities from July 1, 2022 to September 30, 2022. Revenues and expenditures are presented on a cash basis for the period covered.

## **DISCUSSION/ANALYSIS**

### Revenue Highlights:

As of September 30, 2022, the total ½-Cent Transportation Sales Tax cash disbursements received from the California Department of Tax and Fee Administration (CDTFA) for the three-month period from July to September 2022 was \$8.97 million, which is 15% more than the total disbursements for the same period of FY2021-22.

As of September 30, 2022, TAM has received a total of \$0.59 million in Measure B \$10 Vehicle Registration Fee cash disbursements from the Department of Motor Vehicles (DMV) for the three-month period from July to September 2022, which is 0.42% less than the cash disbursement received during the July to September period last year.

As of September 30, 2022, TAM received the total fee contributions of \$550,000 from cities, towns, and the County for the Congestion Management Agency (CMA) planning, programming, and project delivery support services provided.

TAM also received \$170,506 in interest revenue for the first quarter of FY2022-23, which includes \$168,296 from its investments in CalTRUST (Investment Trust of California), and \$2,204 from its cash in the money market account with Bank of Marin.

### Expenditure Highlights:

Total expenditures through the first quarter of the year are about \$0.93 million. Please note all expenditures are reported on a cash basis and there are delays due to time needed by vendors to prepare and submit payment requests for work conducted in the first quarter of the year.

Budget Amendments:

There are no budget amendments included in the FY2022-23 First Quarter Financial Report.

Investment with CalTRUST:

Attachment 7 of the staff report provides principal and interest earning details for each of the CalTRUST funds in which TAM invests. As of September 30, 2022, interest earning from all funds totaled \$168,296, unrealized loss was \$1,661,644, which is mostly from the agency's investment in the Medium-Term Fund due to the current financial market turmoil. Staff is closely monitoring the agency's cash flow needs and currently is not expecting any need to sell those funds in the near future.

**FISCAL CONSIDERATION**

None.

**NEXT STEPS**

The Second Quarter Financial Report for FY2022-23 will be provided for review and acceptance in January 2023.

**ATTACHMENTS**

- Attachment 1 FY2022-23 Budget to Actual Comparison as of 9/30/2022
- Attachment 2 Summary of FY2022-23 Budget Amendments as of 9/30/2022
- Attachment 3 FY2022-23 Revenue and Expenditure Report as of 9/30/2022 – Measure A Sales Tax Detail
- Attachment 4 FY2022-23 Revenue and Expenditure Report as of 9/30/2022 – Measure AA Sales Tax Detail
- Attachment 5 5.1: Monthly Measure A/AA Sales Tax Disbursement Comparison  
5.2: Annual Measure A/AA Sales Tax Actual Vs. Budget Comparison
- Attachment 6 FY2022 and FY2023 Monthly Measure B VRF Disbursement Comparison
- Attachment 7 CalTRUST Investment Monthly Interest Income by Fund
- Attachment 8 8.1: FY2022-23 Budget Revenue Overview by Funding Source  
8.2: FY2022-23 Budget Expenditure Overview by Category
- Attachment 9 Transportation Acronyms

**Attachment I: FY2022-23 Budget to Actual Comparison as of 9/30/22**

<b>Budget Line Items</b>	<b>Annual Budget</b>	<b>Actual 9/30/22</b>	<b>\$ Difference</b>	<b>Actual as % of Budget</b>
<b><u>Beginning Fund Balance</u></b>	<b><u>43,881,126</u></b>	<b><u>43,881,126</u></b>		
<b>REVENUES</b>				
Measure A/AA Sales Tax	34,850,000	8,970,017	(25,879,983)	25.74%
Measure B Vehicle Registration Fee Revenue	2,300,000	592,675	(1,707,325)	25.77%
Cities/Towns and County CMA Fee	550,000	550,000	-	100.00%
Interest Revenue	250,000	170,506	(79,494)	68.20%
MTC STP/CMAQ Planning & OBAG Grant Funds	1,228,121		(1,228,121)	0.00%
MTC Regional Measure 2 Fund	1,518,390	-	(1,518,390)	0.00%
State STIP PPM Fund	100,005	-	(100,005)	0.00%
Federal STP Fund	10,000	-	(10,000)	0.00%
Caltrans Safe Roads Marin Grant	72,000	-	(72,000)	0.00%
Realized Highway 101 ROW Excess Fund	225,000	20,259	(204,741)	9.00%
Marin Transportation For Clean Air Funding	350,000	-	(350,000)	0.00%
Regional TFCA Competitive Grants	63,727	-	(63,727)	0.00%
<b><u>Total Revenue Available</u></b>	<b><u>41,517,244</u></b>	<b><u>10,303,457</u></b>	<b><u>(31,213,787)</u></b>	<b><u>24.82%</u></b>
<b>EXPENDITURES</b>				
<b>Administration</b>				
Salaries & Benefits	2,979,000	594,265	2,384,735	19.95%
Agency-Wide Classification Study	25,000	-	25,000	0.00%
Office Lease	245,000	80,140	164,860	32.71%
Agency IT Related Equipment Upgrade	40,000	-	40,000	0.00%
Equipment Purchase/Lease	10,000	843	9,157	8.43%
Telephone/Internet/Web Hosting Services	25,000	6,122	18,878	24.49%
Office Supplies & Small Miscellaneous Items	31,000	5,117	25,884	16.50%
Insurance	15,000	14,682	318	97.88%
Financial Audit	23,000	-	23,000	0.00%
Legal Services	35,000	-	35,000	0.00%
Document/Video/Marketing Material Production	50,000	6,026	43,974	12.05%
Memberships	34,500	33,150	1,350	96.09%
Travel/Meetings/Conferences	31,500	881	30,619	2.80%
Professional Development	5,000	-	5,000	0.00%
Human Resources/Board Support	20,000	540	19,460	2.70%
Information Technology Support	45,000	5,265	39,735	11.70%
Annual Support & Upgrade of Financial System	10,000	-	10,000	0.00%
<b><u>Subtotal, Administration</u></b>	<b><u>3,624,000</u></b>	<b><u>747,029</u></b>	<b><u>2,876,971</u></b>	<b><u>20.61%</u></b>

**Attachment I: FY2022-23 Budget to Actual Comparison as of 9/30/22**

<b>Budget Line Items</b>	<b>Annual Budget</b>	<b>Actual 9/30/22</b>	<b>\$ Difference</b>	<b>Actual as % of Budget</b>
<b>Professional Services</b>				
Bellam Blvd I01 Off-ramp Improvements - Design & ROW	700,000	-	700,000	0.00%
Travel Model Maintenance & Update	100,000	-	100,000	0.00%
Traffic Monitoring, Reporting & Travel Model Data Requests	75,000	7,344	67,656	9.79%
Project Management Oversight	140,000	-	140,000	0.00%
State Legislative Assistance	46,200	7,700	38,500	16.67%
Financial Advisor/Sales Tax Audit Services	10,000	982	9,018	9.82%
Measure A/AA Sales Tax Compliance Audit	20,000	-	20,000	0.00%
N/S Greenway - Construction Design Support	250,000	8,774	241,226	3.51%
Public Outreach Service Support	40,000	3,745	36,255	9.36%
Vision Plan Update/Countywide Transportation Plan	150,000	-	150,000	0.00%
Safe Roads Marin - HSIP Caltrans	72,000	-	72,000	0.00%
Equity Framework	50,000	-	50,000	0.00%
Consulting Pool	10,000	-	10,000	0.00%
<b>Subtotal, Professional Services</b>	<b>1,663,200</b>	<b>28,545</b>	<b>1,634,655</b>	<b>1.72%</b>
<b>Measure A Sales Tax Programs/Projects</b>				
<u>Strategy 1 - Transit</u>	<u>2,445,230</u>	<u>-</u>	<u>2,445,230</u>	<u>0.00%</u>
<i>Substrategy 1.1 - Local Bus Transit Service</i>	<i>680,000</i>	<i>-</i>	<i>680,000</i>	<i>0.00%</i>
<i>Substrategy 1.2 - Rural Bus Transit System</i>	<i>55,080</i>	<i>-</i>	<i>55,080</i>	<i>0.00%</i>
<i>Substrategy 1.3 - Special Needs Transit Services</i>	<i>165,410</i>	<i>-</i>	<i>165,410</i>	<i>0.00%</i>
<i>Substrategy 1.4 - Bus Transit Facilities</i>	<i>1,544,740</i>	<i>-</i>	<i>1,544,740</i>	<i>0.00%</i>
<u>Strategy 3 - Local Transportation Infrastructure</u>	<u>406,545</u>	<u>-</u>	<u>406,545</u>	<u>0.00%</u>
<i>Substrategy 3.1 - Major Roads</i>	<i>163,105</i>	<i>-</i>	<i>163,105</i>	<i>0.00%</i>
<i>Substrategy 3.2 - Local Streets and Roads</i>	<i>243,440</i>	<i>-</i>	<i>243,440</i>	<i>0.00%</i>
<u>Strategy 4 - Safer Access to Schools.</u>	<u>537,870</u>	<u>-</u>	<u>537,870</u>	<u>0.00%</u>
<i>Substrategy 4.1 - Safe Routes to Schools</i>	<i>60,690</i>	<i>-</i>	<i>60,690</i>	<i>0.00%</i>
<i>Substrategy 4.2 - Crossing Guards</i>	<i>77,180</i>	<i>-</i>	<i>77,180</i>	<i>0.00%</i>
<i>Substrategy 4.3 - Safe Pathways to School</i>				
<i>Safe Pathway Capital Projects</i>	<i>400,000</i>	<i>-</i>	<i>400,000</i>	<i>0.00%</i>
<b>Subtotal, Measure A Programs</b>	<b>3,389,645</b>	<b>-</b>	<b>3,389,645</b>	<b>0.00%</b>

**Attachment I: FY2022-23 Budget to Actual Comparison as of 9/30/22**

<b>Budget Line Items</b>	<b>Annual Budget</b>	<b>Actual 9/30/22</b>	<b>\$ Difference</b>	<b>Actual as % of Budget</b>
<b>Measure AA Sales Tax Programs/Projects</b>				
Major Road Set-Aside	5,000,000	-	10,300,000	0.00%
<u>Category 1 - Reduce Congestion</u>	<u>4,200,000</u>	<u>126,495</u>	<u>4,073,505</u>	<u>3.01%</u>
Category 1.1 - Completion of Marin-Sonoma Narrows				
MSN B7/B8 Design/ROW/Utility Work	1,400,000	-	1,400,000	0.00%
MSN B7/B8 Construction Design Support	400,000	-	400,000	0.00%
Category 1.2 - Match for Completion of 101/580 Direct Connector				
580/101 Direct Connector Project PID & PAED	1,100,000	54,048	1,045,952	4.91%
Category 1.3 - Enhance Interchanges	1,200,000	72,447	1,127,553	6.04%
Category 1.4 - Transportation Demand Management	100,000	-	100,000	0.00%
<u>Category 2 - Local Transportation Infrastructure</u>	<u>7,988,432</u>	<u>-</u>	<u>7,988,432</u>	<u>0.00%</u>
Category 2.1 - Local Roads	6,773,432	-	6,773,432	0.00%
Category 2.2 - Large Safe Pathways Capital Projects	1,000,000	-	1,000,000	0.00%
Category 2.3 - Sea Level Rise	100,000	-	100,000	0.00%
Category 2.4 - Innovative Technology	115,000	-	115,000	0.00%
<u>Category 3 - Safer Access to Schools</u>	<u>3,170,000</u>	<u>18,224</u>	<u>3,151,776</u>	<u>0.57%</u>
Category 3.1 - Safe Routes to Schools	970,000	-	970,000	0.00%
Category 3.2 - Crossing Guards	1,950,000	18,224	1,931,776	0.93%
Category 3.3 - Small Safe Pathways Capital Projects	250,000	-	250,000	0.00%
<u>Category 4 - Transit</u>	<u>14,643,464</u>	<u>-</u>	<u>14,643,464</u>	<u>0.00%</u>
Category 4.1 - Local Bus Transit Service	6,000,000	-	6,000,000	0.00%
Category 4.2 - Rural Bus Transit System	1,131,141	-	1,131,141	0.00%
Category 4.3 - Special Needs Transit Services	4,159,467	-	4,159,467	0.00%
Category 4.4 - School Transit Service	1,600,000	-	1,600,000	0.00%
Category 4.5 - Bus Transit Facilities	1,628,357	-	1,628,357	0.00%
Category 4.6 - Expand Access to Transit	124,499	-	124,499	0.00%
<b>Subtotal, Measure AA Programs</b>	<b>35,001,896</b>	<b>144,719</b>	<b>40,157,177</b>	<b>0.41%</b>
<b>Measure B VRF Programs</b>				
<u>Element 1 - Maintain Local Streets &amp; Pathways</u>	<u>2,357,095</u>	<u>-</u>	<u>2,357,095</u>	<u>0.00%</u>
Element 1.1 - Local Streets and Roads	2,257,095			0.00%
Element 1.2 - Bike/Ped Pathways	100,000	-	100,000	0.00%
<u>Element 2 - Seniors &amp; Disabled Mobility</u>	<u>950,000</u>	<u>-</u>	<u>950,000</u>	<u>0.00%</u>
Element 2.1 - Mobility Management Programs	100,000	-	100,000	0.00%
Element 2.2 - Paratransit & Low Income Scholarships	190,000	-	190,000	0.00%
Element 2.3 - Paratransit Plus	360,000	-	360,000	0.00%
Element 2.4 - Volunteer Drive & Gap Grant	300,000	-	300,000	0.00%
<u>Element 3 - Reduce Congestion &amp; Pollution</u>	<u>875,000</u>	<u>55,834</u>	<u>819,166</u>	<u>6.38%</u>
Element 3.1 - Safe Routes to School/Street Smart Program	175,000	-	175,000	0.00%
Element 3.2 - Commute Alternative Programs	350,000	29,056	320,944	8.30%
Element 3.3 - Alternative Fuel Vehicle Program	350,000	26,778	323,223	7.65%
<b>Subtotal, Measure B Programs</b>	<b>4,182,095</b>	<b>55,834</b>	<b>4,126,261</b>	<b>1.34%</b>

**Attachment I: FY2022-23 Budget to Actual Comparison as of 9/30/22**

<b>Budget Line Items</b>	<b>Annual Budget</b>	<b>Actual 9/30/22</b>	<b>\$ Difference</b>	<b>Actual as % of Budget</b>
<b>Interagency Agreements</b>				
Caltrans - N/S Greenway (Northern Segment) Construction	1,500,000	-	1,500,000	0.00%
Larkspur N/S Greenway (ORH)- Construction support	150,000	-	150,000	0.00%
San Anselmo - Hub Reconfiguration Phase I Study	9,000	-	9,000	0.00%
Caltrans - MSN B8 PS&E/ROW Support & Capital	225,000	4,761	220,239	2.12%
Larkspur - North-South Greenway Construction Management	200,000	-	200,000	0.00%
Various Agencies - Bike/Ped Path Maintenance	100,000	-	100,000	0.00%
Marin Transit - Bus Facility Lease or Purchase Contribution	1,100,000	-	1,100,000	0.00%
Marin County - Drake/Cole Improvement Project	68,000	-	68,000	0.00%
Caltrans - 580/101 Direct Connector PID	120,000	-	120,000	0.00%
Caltrans & Other - MSN B7 PS&E/ROW Support & Capital	450,000	-	450,000	0.00%
Caltrans - MSN B7 Construction Capital & Support	1,026,000	-	1,026,000	0.00%
<b>Subtotal, Interagency Agreements</b>	<b>4,948,000</b>	<b>4,761</b>	<b>4,943,239</b>	<b>0.10%</b>
<b>TFCA Programs/Projects Expenditures</b>				
North/South Greenway Construction	28,364	-	28,364	0.00%
TFCA - Reimbursement of Various Capital Projects	394,000	-	394,000	0.00%
<b>Subtotal, TFCA Programs/Projects</b>	<b>422,364</b>	<b>-</b>	<b>422,364</b>	<b>0.00%</b>
<b>Total Expenditures</b>	<b>53,231,200</b>	<b>980,888</b>	<b>57,550,312</b>	<b>1.84%</b>
<b>Net Change in Fund Balance</b>	<b>(11,713,956)</b>	<b>9,322,569</b>		
<b>Ending Fund Balance</b>	<b>32,167,170</b>	<b>53,203,695</b>		

Please note the budget to actual comparisons are presented on a cash basis and revenues collected and expenditures paid may not reflected the actual collection and work during the period.

**Attachment 2: Summary of FY2022-23 Budget Amendments as of 9/30/22**

***No budget amendments were recommended/approved for the first quarter.***

### Attachment 3: FY2022-23 Revenue and Expenditure Report as of 9/30/22 – Measure A

Budget Line	Interest	5% Reserve	1% Admin	4% Program	S - 1.1 Local Bus	S - 1.2 Rural Bus	S - 1.3 Para.	S - 1.4 Cap. Imp.
<b>REVENUE</b>								
FY2022 Accrual Balance updated)	4,122,059	4,021,844	56,750	11,749	166,231	1,920	5,752	1,439,115
FY2023 Revenue - FY2023	-	-	(122)	(487)	(4,622)	(375)	(1,124)	(750)
<b>EXPENSES</b>								
<b>ADMINISTRATION</b>								
Salaries & Benefits				7,351				
<b>PROFESSIONAL SERVICES</b>								
N/S Greenway - Construction Design Support	3,178							
<b>MEASURE A SALES TAX PROGRAMS/PROJECTS</b>								
Strategy 1 - Transit								
Strategy 3 - Streets & Roads								
Strategy 4- Safe Routes								
Total Expenses	3,178	-	-	7,351	-	-	-	-
<b>BALANCE</b>	4,118,882	4,021,844	56,628	3,911	161,608	1,545	4,628	1,438,366



### Attachment 3: FY2022-23 Revenue and Expenditure Report as of 9/30/22 – Measure A

Budget Line	S - 3.1 Major Roads	S - 3.2 Local Roads	S - 4.1 SR2S	S- 4.2 C. Guards	S - 4.3 Pathways	Total
<b>REVENUE</b>						
FY2022 Accrual Balance updated)	11,009	386,153	3,058	4,678	-	10,230,318
FY2023 Revenue - FY2023	(1,655)	(1,655)	(412)	(525)	(437)	(12,163)
<b>EXPENSES</b>						
<b>ADMINISTRATION</b>						
Salaries & Benefits						7,351
<b>PROFESSIONAL SERVICES</b>						-
N/S Greenway - Construction Design Support						3,178
<b>MEASURE A SALES TAX PROGRAMS/PROJECTS</b>						-
Strategy 1 - Transit						-
Strategy 3 - Streets & Roads						-
Strategy 4- Safe Routes						-
Total Expenses	-	-	-	-	-	10,529
<b>BALANCE</b>	9,354	384,498	2,646	4,153	(437)	10,207,626

## Attachment 4: FY2022-23 Revenue and Expenditure Report as of 9/30/22 – Measure AA

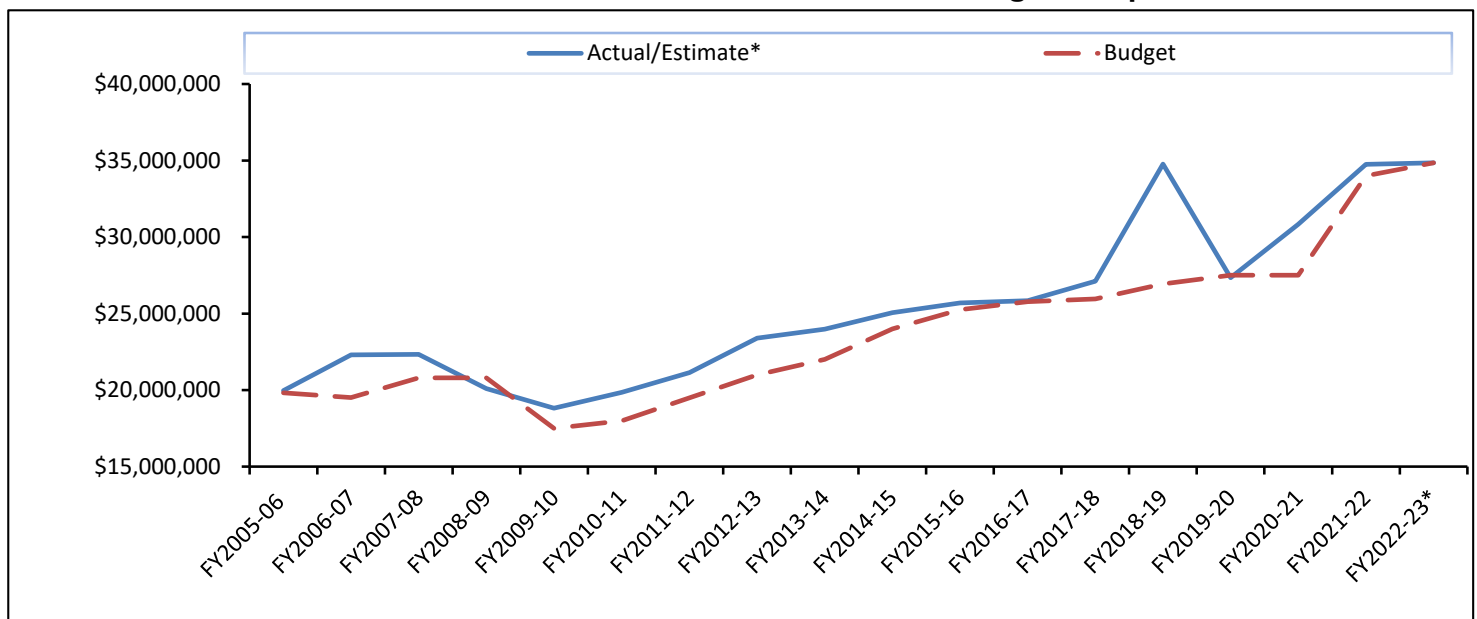
Budget Line	Interest	Major Road Set Aside	5% Reserve	1% Adm	4% PM	Category DM	Cat 1.1 MSN	Cat 1.2 101/580	Cat 1.3 Intrchngs	Cat 1.4 TDM	Cat 2.1 Local Roads	Cat 2.2 Large SP Projects	Cat 2.3 Sea Level Rise	Cat 2.4 Innovative Tech
<b>REVENUE</b>														
FY2022 Accrual Balance	-	-	3,426,114	685,078	737,833		-	-	521,507	402,109	6,991,490	946,932	825,981	290,389
FY2023 Revenue	-	195,833	140,095	28,019	112,076	56,250	31,317	41,756	62,633	10,439	503,044	68,597	22,866	11,433
<b>EXPENSES</b>														
<b>ADMINISTRATION</b>														
Salaries & Benefits					328,685									
Agency-Wide Classification Study														
Office Lease					80,140									
Agency IT Related Equipment Upgrade														
Equipment Purchase/Lease					843									
Telephone/Internet/Web Hosting Services					6,122									
Office Supplies & Small Miscellaneous Items					4,729									
Insurance					14,682									
Financial Audit														
Legal Services														
Production					6,026									
Memberships					10,650									
Travel/Meetings/Conferences					789									
Professional Development														
Human Resources/Board Support					540									
Information Technology Support					5,265									
Annual Support & Upgrade of Financial System														
<b>PROFESSIONAL SERVICES</b>														
N/S Greenway - PS&E/Environmental/Construction Design Support														
Project Management Oversight														
Financial Advisor/Sales Tax Audit Services					982									
Measure A/AA Sales Tax Compliance Audit														
N/S Greenway - Construction Design Support														
Public Outreach Service Support														
Consultant Pool														
<b>MEASURE AA SALES TAX PROGRAMS/PROJECTS</b>														
Major Road Set-Aside														
Category 1 - Reduce Congestion								54,048	72,447					
Category 2 - Local Transportation Infrastructure														
Category 3 - Safer Access to Schools														
Category 4 - Transit														
<b>INTERAGENCY AGREEMENTS</b>														
Various Agencies - Bike/Ped Path Maintenance														
Marin Transit - Bus Facility Lease or Purchase Contribution														
Marin County - Drake/Cole Improvement Project														
Caltrans - 580/101 Direct Connector PID														
Caltrans & Other - MSN B7 PS&E/ROW Support & Capital														
Caltrans - MSN B7 Construction Capital & Support														
Total Expenses	-	-	-	-	459,452	-	-	54,048	72,447	-	-	-	-	-
<b>BALANCE</b>	-	195,833	3,566,209	713,097	390,457	56,250	31,317	(12,292)	511,693	412,548	7,494,534	1,015,529	848,847	301,821

## Attachment 4: FY2022-23 Revenue and Expenditure Report as of 9/30/22 – Measure AA

Budget Line	Cat 3.1 SR2S	Cat 3.2 Crossing Guards	Cat 3.3 Small SP Projects	Cat 4.1 Local Transit	Cat 4.2 Rural Transit	Cat 4.3 Special Needs	Cat 4.4 School Transit	Cat 4.5 Transit Facilities	Cat 4.6 Transit Access	Total
<b>REVENUE</b>										
FY2022 Accrual Balance	1,693,277	1,941,795	260,152	10,397,840	288,005	1,489,533	1,117,473	504,172	239,369	32,759,050
FY2023 Revenue	75,065	150,130	21,447	762,538	69,322	219,519	115,536	92,429	11,554	2,801,896
<b>EXPENSES</b>										
<b>ADMINISTRATION</b>										
Salaries & Benefits										328,685
Agency-Wide Classification Study										-
Office Lease										80,140
Agency IT Related Equipment Upgrade										-
Equipment Purchase/Lease										843
Telephone/Internet/Web Hosting Services										6,122
Office Supplies & Small Miscellaneous Items										4,729
Insurance										14,682
Financial Audit										-
Legal Services										-
Production										6,026
Memberships										10,650
Travel/Meetings/Conferences										789
Professional Development										-
Human Resources/Board Support										540
Information Technology Support										5,265
Annual Support & Upgrade of Financial System										-
<b>PROFESSIONAL SERVICES</b>										-
N/S Greenway - PS&E/Environmental/Construction Design Support										-
Project Management Oversight										-
Financial Advisor/Sales Tax Audit Services										982
Measure A/AA Sales Tax Compliance Audit										-
N/S Greenway - Construction Design Support										-
Public Outreach Service Support										-
Consultant Pool										-
<b>MEASURE AA SALES TAX PROGRAMS/PROJECTS</b>										-
Major Road Set-Aside										-
Category 1 - Reduce Congestion										126,495
Category 2 - Local Transportation Infrastructure										-
Category 3 - Safer Access to Schools		18,224								18,224
Category 4 - Transit										-
<b>INTERAGENCY AGREEMENTS</b>										-
Various Agencies - Bike/Ped Path Maintenance										-
Marin Transit - Bus Facility Lease or Purchase Contribution										-
Marin County - Drake/Cole Improvement Project										-
Caltrans - 580/101 Direct Connector PID										-
Caltrans & Other - MSN B7 PS&E/ROW Support & Capital										-
Caltrans - MSN B7 Construction Capital & Support										-
Total Expenses	-	18,224	-	-	-	-	-	-	-	604,171
<b>BALANCE</b>	1,768,342	2,073,701	281,599	11,160,378	357,327	1,709,051	1,233,009	596,601	250,923	34,956,774

**Attachment 5.1: FY2022 and FY2023 Monthly Measure A/AA Sales Tax Disbursement Comparison***(Cash Disbursement from July to June)*

		<b>FY2022</b>	<b>FY2023</b>	<b>\$ Difference</b>	<b>% Difference</b>
<b>Actuals</b>	<b>July</b>	3,060,294	3,064,770	4,475	0.15%
	<b>August</b>	3,136,938	3,115,515	(21,422)	-0.68%
	<b>September</b>	2,593,609	2,789,732	196,123	7.56%
<b>Actual / Budget</b>	<b>October</b>	3,003,354		(3,003,354)	-100.00%
	<b>November</b>	2,885,919		(2,885,919)	-100.00%
	<b>December</b>	2,580,827		(2,580,827)	-100.00%
	<b>January</b>	2,601,176		(2,601,176)	-100.00%
	<b>February</b>	4,068,704		(4,068,704)	-100.00%
	<b>March</b>	2,331,782		(2,331,782)	-100.00%
	<b>April</b>	2,291,983		(2,291,983)	-100.00%
	<b>May</b>	3,606,477		(3,606,477)	-100.00%
	<b>June</b>	2,610,277		(2,610,277)	-100.00%
	<b>July - September</b>	<b>8,790,841</b>	<b>8,970,017</b>	<b>179,176</b>	<b>2.04%</b>
	<b>Annual Disbursement</b>	<b>34,771,340</b>			
	<b>FY2023 Annual Budget</b>		<b>34,850,000</b>		

**Attachment 5.2 Measure A/AA Sales Tax Actual Vs. Budget Comparison**

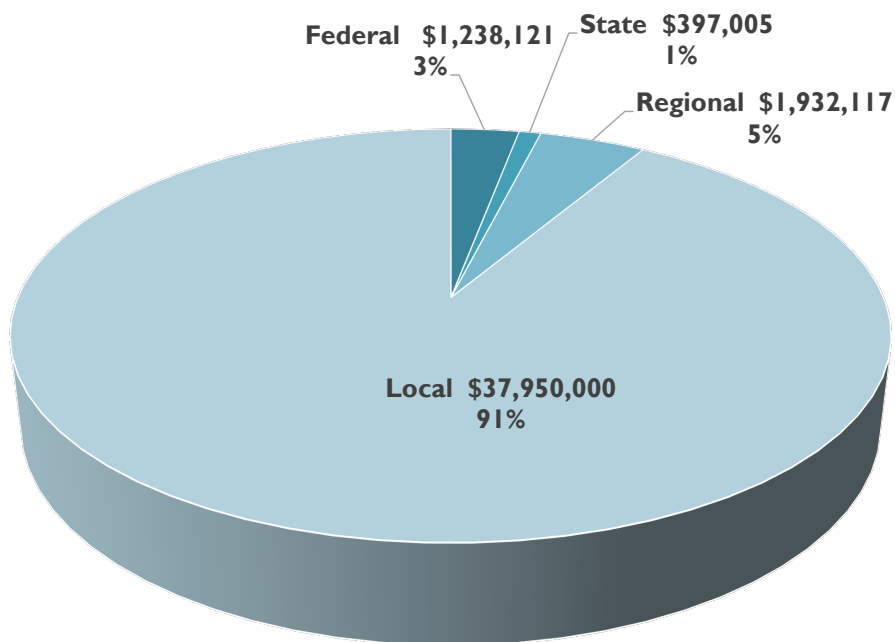
**Attachment 6: FY2022 and FY2023 Monthly Measure B VRF Disbursement Comparison***(Cash Disbursement from July to June)*

		<b>FY2022</b>	<b>FY2023</b>	<b>\$ Difference</b>	<b>% Difference</b>
<b>Actual</b>	<b>July</b>	191,151	196,187	5,036	2.63%
	<b>August</b>	209,086	199,555	(9,532)	-4.56%
	<b>September</b>	189,937	196,934	6,997	3.68%
<b>Actual / Budget</b>	<b>October</b>	202,293		(202,293)	-100.00%
	<b>November</b>	197,478		(197,478)	-100.00%
	<b>December</b>	174,814		(174,814)	-100.00%
	<b>January</b>	183,190		(183,190)	-100.00%
	<b>February</b>	206,589		(206,589)	-100.00%
	<b>March</b>	194,601		(194,601)	-100.00%
	<b>April</b>	183,146		(183,146)	-100.00%
	<b>May</b>	203,565		(203,565)	-100.00%
	<b>June</b>	179,738		(179,738)	-100.00%
	<b>July - September</b>	<b>590,174</b>	<b>592,675</b>	<b>2,501</b>	<b>0.42%</b>
	<b>Annual Disbursement</b>	<b>2,315,587</b>			
	<b>FY2023 Annual Budget</b>		<b>2,300,000</b>		

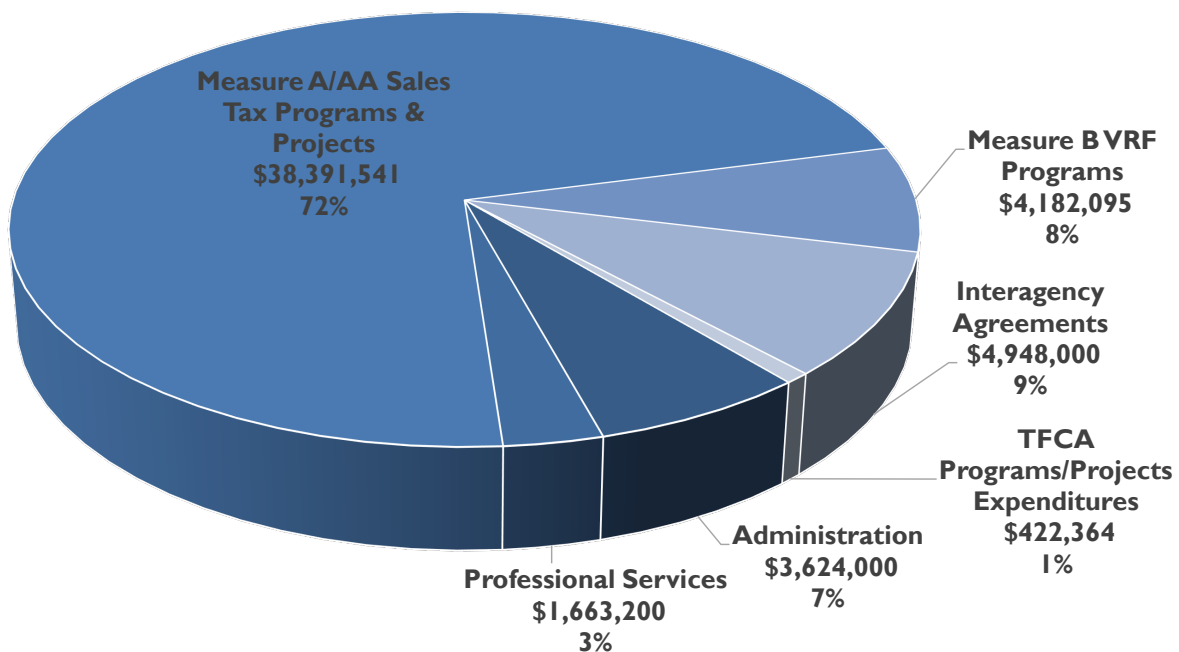
**CalTRUST Investment Monthly Interest Income by Fund**  
**(July - Sept 2022)**

	Short Term	Medium Term	Liquidity*	Total
<b>Initial Principal Investment</b>	\$ 1,808,530	\$ 44,297,339	\$ -	\$ 46,105,869
<b>Prior Reinvested Interest Revenue</b>	\$ 123,009	\$ 3,714,131	\$ 659,369	\$ 4,496,509
<b>Prior Reinvestment of Interest to Liquidity Fund</b>	\$ (47,707)	\$ (1,490,021)	\$ 1,537,728	\$ -
<b>Prior Realized Gain/(Loss)</b>	\$ 5,599	\$ 77,449	\$ -	\$ 83,048
<b>Prior Redemption</b>	\$ (938,351)	\$ (4,000,000)	\$ (2,001,728)	\$ (6,940,079)
<b>Realized Gain/(Loss) - 09/30/2022 YTD</b>	\$ -	\$ -	\$ -	\$ -
<b>FY2022-23 Monthly Interest Income</b>				
<b>July-22</b>	\$ 1,103	\$ 43,576	\$ 234	\$ 44,913
<b>August-22</b>	\$ 1,597	\$ 56,920	\$ 490	\$ 59,007
<b>September-22</b>	\$ 1,753	\$ 62,020	\$ 603	\$ 64,377
<b>Total Thru 1st Quarter</b>	\$ 4,453	\$ 162,516	\$ 1,327	\$ 168,296
<b>Reinvestment of Interest to Liquidity Fund</b>	\$ (4,453)	\$ (162,516)	\$ 166,970	
<b>Redemption - 09/30/22 YTD</b>	\$ -	\$ -	\$ -	\$ -
<b>Unrealized Gain/(Loss) - 09/30/2022 Cumulative</b>	\$ (4,732)	\$ (1,656,912)	\$ -	\$ (1,661,644)
<b>Market Value - 09/30/2022</b>	\$ 946,347	\$ 40,941,987	\$ 363,666	\$ 42,252,000

Note: Starting December 1, 2018, interests earned in the short-term and medium-term funds are reinvested in the liquidity fund for potential immediate agency cash needs with no principal risk.

**Attachment 8.1: FY2022-23 Budget Revenue Overview by Funding Source****Attachment 8.2: FY2022-23 Budget Expenditure Overview by Category**

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### Attachment 9: Transportation Acronyms

Acronym	Full Term
ABAG	Association of Bay Area Governments
ADA	Americans with Disabilities Act
BAAQMD	Bay Area Air Quality Management District
BATA	Bay Area Toll Authority
BART	Bay Area Rapid Transit
BCDC	Bay Conservation and Development Commission
BPAC	Bicycle / Pedestrian Advisory Committee
BRT	Bus Rapid Transit
BTAA	Bicycle Transportation Account
Caltrans	California Department of Transportation
CEQA	California Environmental Quality Act
CIP	Capital Investment Program
CMA	Congestion Management Agency
CMAQ	Congestion Mitigation and Air Quality
CMFC	Central Marin Ferry Connection
CMP	Congestion Management Program
CO-OP	Cooperative Agreement
CTC	California Transportation Commission
DPW	Department of Public Works
EIR	Environmental Impact Report
EV	Electric Vehicle
FASTER	Freedom, Affordability, Speed, Transparency, Equity, Reliability
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FY	Fiscal Year
GGT	Golden Gate Transit
GGBHTD	Golden Gate Bridge Highway and Transportation District
HOT Lane	High Occupancy Toll Lane
HOV Lane	High Occupancy Vehicle Lane
ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
JARC	Job Access and Reverse Commute
LATIP	Local Area Transportation Improvement Program
LOS	Level of Service
MCBC	Marin County Bicycle Coalition
MPO	Metropolitan Planning Organization
MPWA	Marin Public Works Association
MT	Marin Transit
MTC	Metropolitan Transportation Commission



**Attachment 9: Transportation Acronyms**

<b>Acronym</b>	<b>Full Term</b>
MTS	Metropolitan Transportation System
Neg Dec	Negative Declaration
NEPA	National Environmental Policy Act
NOP	Notice of Preparation
NTPP	Non-motorized Transportation Pilot Program
OBAG	One Bay Area Grant
PAED	Project Approval and Environmental Document
PCA	Priority Conservation Area
PCI	Pavement Condition Index
PDA	Priority Development Area
PS&E	Plans, Specifications and Engineers Estimate
PSR	Project Study Report
RHNA	Regional Housing Needs Allocation
RM2	Regional Measure 2 (Bridge Toll)
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
SCS	Sustainable Communities Strategy
SLPP	State-Local Partnership Program
SMART	Sonoma Marin Area Rail Transit
SR	State Route
SR2S/SRTS	Safe Routes to Schools
STA	State Transit Assistance
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TCM	Transportation Control Measures
TCRP	Transportation Congestion Relief Program
TDA	Transportation Development Act
TDM	Transportation Demand Management
TFCA	Transportation Fund for Clean Air
TIP	Federal Transportation Improvement Program
TLC	Transportation for Livable Communities
TMP	Traffic Management Plan
TMS	Transportation Management System
TNC	Transportation Network Company
TOD	Transit-Oriented Development
TOS	Transportation Operations Systems
VMT	Vehicle Miles Traveled
VRF	Vehicle Registration Fee

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**DATE:** October 27, 2022

**TO:** Transportation Authority of Marin Board of Commissioners

**FROM:** Anne Richman, Executive Director *Anne Richman*  
David Chan, Director of Programming and Legislation

**SUBJECT:** State Legislative Update (Discussion), Agenda Item No. 8

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## RECOMMENDATION

No action is needed. This is a discussion item only.

## BACKGROUND

The State Legislature convened on January 3, 2022 to start the 2022 Legislative Session, which is the second year of a two-year session. All bills that do not progress through the legislative process in the second year of a two-year session are considered dead and must be re-introduced in a future legislative session. The 2022 Legislation Session ended August 31, 2022. September 30, 2022 was the last day for the Governor to sign or veto bills. Bills passed take effect on January 1, 2023 unless they were considered urgency bills, which take effect immediately after they were enacted into law.

## DISCUSSION

### State Legislation

Attachment A contains 25 state bills that have been monitored by staff and Mr. Khouri, TAM's Legislative Consultant. Since the start of the State Legislative Session, the TAM Board has adopted positions for the 25 bills as shown in the table below as a quick overview. The final outcome of each bill is shown in parentheses with "P" for passed, "F" for failed, and "V" for vetoed by Governor.

Adopted Position	# of Bills	Bills
Support	7	AB 1944 (F), AB 2622 (P), SB 307 (P), SB 922 (P), SB 942 (P), SB 1049 (F), SB 1482 (V)
Watch	15	AB 1713 (F), AB 1778 (F), AB 1909 (V), AB 1919 (V), AB 1946 (F), AB 2120 (F), AB 2449 (P), AB 2647 (P), AB 2807 (F), SB 873 (F), SB 917 (F), SB 1078 (V), SB 1217 (F), SB 1230 (P), SB 1050 (F)
Oppose	2	AB 1638 (F), AB 2237 (F)
Oppose Unless Amended	1	AB 2438 (V)
	<b>25</b>	<b>Total</b>

Attachment A provides a more detailed description, including the final outcome, for each bill.

In addition to reporting on legislative bills, staff and Khouri Consulting have periodically provided the Board with updates on the state budget and other relevant state issues applicable to TAM. For the October 2022 TAM Board meeting, Mr. Khouri will provide updates on:

- TAM Bill Matrix
- Redistricting Updates
- AB 285 Report on Greenhouse Gas Emissions Reduction Efforts

Attachment B is Mr. Khouri's report on State Legislative Update that provides an overview of his presentation for the TAM Board on October 27, 2022.

## **FISCAL IMPACTS**

There are no immediate fiscal impacts to TAM with this discussion item.

## **NEXT STEPS**

Under the direction of the Board, staff will continue to explore ideas to be used in the development of the 2023 Legislative Platform and present a proposed 2023 Legislation Platform for adoption in January 2023.

## **ATTACHMENTS**

Attachment A – TAM Bill Matrix – October 2022

Attachment B – Khouri's State Legislative Update – October 2022

## TAM Bill Matrix – October 2022

Measure	Status	Bill Summary	Recommended Position
<b>AB 1638 Kiley (R)</b> <b>Motor Vehicle Fuel Tax Law:</b> <b>suspension of tax</b>	3/28/2022 Assembly Transportation  Failed Passage	This bill would suspend the imposition of the tax on motor vehicle fuels for 6 months. If enacted, this bill would drastically impact state funding for highways, local streets and roads, and public transportation given that the gas tax is the main source of funding for transportation infrastructure and voters have repeatedly supported protection of those funds.	<b>Oppose</b>  <b>MTC: None</b> <b>CSAC: None</b> <b>League: Watch</b> <b>SHCC: Oppose</b>
<b>AB 1713 Boerner Horvath (D)</b> <b>Vehicles: required stops: bicycles</b>	8/29/2022 Senate Floor  Failed Passage	This bill would, until January 1, 2026, require a person who is 18 years of age or older riding a bicycle, when approaching a stop sign at the entrance of an intersection, to yield the right-of-way to any vehicles that have either stopped at or entered the intersection, or that are approaching on the intersecting highway close enough to constitute an immediate hazard, and to pedestrians, as specified, and continue to yield the right-of-way to those vehicles and pedestrians until reasonably safe to proceed. The bill would require other vehicles to yield the right-of-way to a bicycle that, having yielded as prescribed, has entered the intersection.	<b>Watch</b>  <b>MTC: None</b> <b>CSAC: Watch</b> <b>League: Watch</b>
<b>AB 1778 Garcia (D)</b> <b>State transportation funding:</b> <b>freeway widening</b>	6/29/2022 Senate Transportation  Failed passage	This bill would require Caltrans to consult the California Healthy Places Index (CHPI), as a condition of using state funds or personnel time to fund or permit freeway projects, as provided. The CHPI is defined as an online resource developed by the Public Health Alliance of Southern California to describe local factors that predict life expectancy and compare community conditions across the state. The bill would require Caltrans to analyze housing and environmental variables through the index, as provided, and would prohibit any state funds or personnel time from being used to fund or permit freeway projects in areas that fall within the zero to 40th percentile on the housing and environmental variables analyzed through the index, as provided. The prohibition pertains to a census tract with a population of 5,000 or more per square mile on the latest version of the United States Census Demographic Data Map Viewer. In its current form, this bill may establish a precedent and impact funding, permitting, design, and other state activities related to highway projects in Marin County (and across the state).	<b>Watch</b>  <b>MTC: None</b> <b>CSAC: Watch</b> <b>League: Watch</b> <b>SHCC: Oppose</b> <b>CalCOG: Watch</b>

## TAM Bill Matrix – October 2022

Measure	Status	Bill Summary	Recommended Position
<b>AB 1909 Friedman (D)</b> <b>Vehicles: bicycle omnibus</b>	9/13/2022 Vetoed	This bill would remove the prohibition of class 3 electric bicycles (electric bicycles that feature pedal assist and top off at 28 miles per hour) on a bicycle path or trail. The bill would instead authorize a local authority to prohibit the operation of any electric or any class of electric bicycle on an equestrian trail or hiking or recreational trail. This bill, commencing on January 1, 2024, extends the authorization for an electric bike to cross an intersection when a “WALK” sign is displayed unless a bicycle control signal is displayed. This bill would no longer require a bicycle to be licensed and requires a vehicle that is passing or overtaking a vehicle to move over to an adjacent lane of traffic if one is available, before passing or overtaking the bicycle.	<b>Watch</b>  <b>MTC: None</b> <b>CSAC: Watch</b> <b>League: Watch</b>
<b>AB 1919 Holden (D)</b> <b>Transportation: free transit passes</b>	9/13/2022 Vetoed	Upon the appropriation by the Legislature, this bill would create the Youth Transit Pass Pilot Program, administered by Caltrans, for purposes of awarding grants to transit agencies for the costs of creating, designing, developing, advertising, distributing, and implementing free passes to persons attending certain educational institutions, providing service, and administering the program. The bill would authorize a transit agency to submit a grant application in partnership with one or more educational institutions and would also authorize grant funds to be used to maintain, subsidize, or expand an existing fare free program. The bill would authorize a transit agency with an existing fare free program that enables a person 18 years of age or younger to use a transit agency’s bus and rail services without paying any additional fare or charge to apply without an educational institution partner.	<b>Watch</b>  <b>MTC: None</b> <b>CSAC: Watch</b> <b>League: Watch</b>
<b>AB 1944 Lee (D)</b> <b>Local government: open and public meetings</b>	6/22/2022 Senate Governance and Finance Failed Passage	This bill would remove from the Brown Act the requirement for publicly posting the location of remote participation by a member of the local agency if the place is not public and requires that virtual participation by each individual member be referenced in the agenda. It would also require all open and public meetings of a legislative body that elects to use teleconferencing to provide a video stream accessible to members of the public and an option for members of the public to address the body remotely during the public comment period through an audio-visual or call-in option. This is a majority vote bill that would take effect on January 1, 2023.	<b>Support</b>  <b>MTC: Support</b> <b>CSAC: Support</b> <b>League: Support</b>

## TAM Bill Matrix – October 2022

Measure	Status	Bill Summary	Recommended Position
<b>AB 1946 Boerner Horvath (D)</b> <b>Electric bicycles: safety and training program</b>	8/15/2022 Signed by the Governor (Chapter 147, Statutes of 2022)	This bill would require the California Highway Patrol to develop, on or before September 1, 2023, statewide safety and training programs based on evidence-based practices for users of electric bicycles.	<b>Watch</b>  <b>MTC: None</b> <b>CSAC: Watch</b> <b>League: Watch</b>
<b>AB 2120 Ward (D)</b> <b>Transportation finance: federal funding: bridges.</b>	5/19/2022 Assembly Appropriations  Failed passage	The bill would require that the division and allocation of federal Highway Infrastructure Program funds occur pursuant to a specified formula approved by the California Transportation Commission (CTC).	<b>Watch</b>  <b>MTC: None</b> <b>CSAC: Sponsor</b> <b>League: Support</b>
<b>AB 2237 Friedman (D)</b> <b>Regional Transportation Plan: Active Transportation Program</b>	6/16/2022 Senate Transportation  Failed passage	This bill would prohibit funds collected from any local transportation tax measure passed on or after January 1, 2023, from being spent until the transportation projects or programs to be funded by the tax measure are included in the most recently adopted sustainable communities strategy of the applicable regional transportation planning agency or county transportation commission or, if applicable, the alternative planning strategy. To the extent permitted by the local tax measures, projects funded by local tax measures to be included in regional transportation plans would be required to adhere to the most recently adopted sustainable community strategy of the applicable regional transportation agency or county transportation commission and the state's climate goals.	<b>Oppose</b>  <b>MTC: Oppose unless amended</b> <b>CSAC: Oppose</b> <b>League: Oppose</b>  <b>SHCC: Oppose</b> <b>CalCOG: Watch</b>

## TAM Bill Matrix – October 2022

Measure	Status	Bill Summary	Recommended Position
<b>AB 2438 Friedman (D)</b>  <b>Transportation projects: Alignment with state plans</b>	9/29/2022  Vetoed	<p>This bill would require the agencies that administer the STIP, the SHOPP, the Solutions for Congested Corridors program, the Trade Corridor Enhancement program, and the Local Partnership Program to revise the guidelines or plans applicable to those programs to align with the California Transportation Plan (CTP), the Climate Action Plan for Transportation Infrastructure (CAPTI), and greenhouse gas emissions reduction standards. This bill would require funds under the Local Streets and Roads Program to be consistent with the CTP, CAPTI, and greenhouse gas emissions reduction standards. The bill would require the CTP to include a financial element that summarizes the cost of plan implementation constrained by a realistic projection of available revenues.</p> <p>Governor Newsom vetoed the bill citing the need to not codify one iteration of CAPTI, which would not allow for modifications to assist all regions meet climate goals. The veto message also references the need for additional stakeholder input and the prospective release of a CAPTI Implementation Progress report, which is expected to be released in October.</p>	<b>Oppose Unless Amended</b>  <b>MTC: None</b> <b>CSAC: None</b> <b>League: None</b>  <b>SHCC: Oppose</b>  <b>CalCOG: Watch</b>
<b>AB 2449 Rubio, B (D)</b>  <b>Open meetings: local agencies: teleconferences</b>	9/13/2022  Signed by the Governor (Chapter 285, Statutes of 2022)	<p>This bill allows a local agency to meet virtually, until January 1, 2026, without posting each member's location, if at least a quorum of the members of the legislative body participates in person from a singular location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. It also prohibits an agency from requiring public comments be submitted in advance. It requires the agenda cite a reason for why any Board/Committee member needs to participate remotely, including emergencies, and requires them to have their video on and to identify who else is in the room, and limits each member's remote participation to 3 consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year. Emergency absences include illness, childcare, business travel, or physical or mental limitations. In the event of a disruption that prevents the broadcast of a meeting, the board must cease acting on items until the dial-in or internet option is restored.</p>	<b>Watch</b>  <b>MTC: None</b> <b>CSAC: Support</b> <b>League: Support</b>



## TAM Bill Matrix – October 2022

Measure	Status	Bill Summary	Recommended Position
<b>AB 2622 Mullin (D)</b>  <b>Sales and use taxes: exemptions: California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: transit buses</b>	9/16/2022  Signed by the Governor (Chapter 353, Statutes of 2022)	This bill would extend, from January 1, 2024 to January 1, 2026, the partial state sales and use tax exemption for zero-emission buses (ZEBs) purchased by California transit agencies.	<b>Support</b>  <b>MTC: None</b> <b>CSAC: Neutral</b> <b>League: Support</b>
<b>AB 2647 Levine (D)</b>  <b>Local government: open meetings</b>	9/30/2022  Signed by the Governor (Chapter 971, Statutes of 2022)	This bill requires a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates and list the address of the office or location on the agenda for all meetings of the legislative body of the agency unless the local agency meets certain requirements, including that the local agency immediately posts the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting. Amended on 4/19.	<b>Watch</b>  <b>MTC: None</b> <b>CSAC: Support</b> <b>League: Sponsor</b>
<b>AB 2807 Bonta (D)</b>  <b>Transportation funding programs: eligibility: public transportation ferries</b>	8/11/2022  Senate Appropriations  Failed Passage	The bill would expand the purpose of the Clean Transportation Program, administered by the State Energy Resources Conservation and Development Commission, Low Carbon Transit Operations Program, the Medium- and Heavy-Duty Zero-Emission Vehicle Fleet Purchasing Assistance Program within the Air Quality Improvement Program, to fund capital and operations needs for commercial harbor craft. Last amended 6/21.	<b>Watch</b>  <b>MTC: None</b> <b>CSAC: None</b> <b>League: Watch</b>

## TAM Bill Matrix – October 2022

Measure	Status	Bill Summary	Recommended Position
<b>SB 307 McGuire (D)</b>  <b>Great Redwood Trail Agency:</b> <b>County of Humboldt: State Moneys</b>	9/30/2022  Signed by the Governor (Chapter 981, Statutes of 2022)	<p>Existing law creates the North Coast Railroad Authority with various powers and duties relating to rail service in the north coast area of the state, and, on March 1, 2022, renamed the authority the Great Redwood Trail Agency, as specified. Existing law requires the agency, to the extent funding is available, to complete a railbanking process on its rail rights-of-way and to plan, design, construct, operate, and maintain a trail in, or parallel to, those rail rights-of-way.</p> <p>This bill would prohibit the use of state moneys to initiate or operate rail service on those rail rights-of-way north of the City of Willits or for a project that is designed to rehabilitate, modernize, maintain, or repair an existing operation or facility, including a rail terminal, a railyard, a rail facility, and rail infrastructure, except as necessary for trail design or construction, on those rail rights-of-way north of the City of Willits. The bill would prohibit spending state moneys for any new bulk coal terminal project, as defined, within the County of Humboldt.</p>	<b>Support</b>  <b>MTC: None</b> <b>CSAC: Watch</b> <b>League: Watch</b>
<b>SB 873 Newman (D)</b>  <b>California Transportation Commission: state transportation improvement program: capital outlay support</b>	3/9/2022  Senate Transportation  Failed Passage	<p>This bill would require CTC to make an allocation of capital outlay support resources by project phase, including preconstruction, for each project in the State Transportation Improvement Program (STIP). The bill would require the CTC to develop guidelines, in consultation with Caltrans, to implement these allocation procedures. The CTC would also be required to establish a threshold for requiring a supplemental project allocation. Caltrans would be required to submit a supplemental project allocation request to the CTC for each project that experiences cost increases above the amounts in its allocation.</p>	<b>Watch</b>  <b>MTC: None</b> <b>CSAC: Watch</b> <b>League: Watch</b>

## TAM Bill Matrix – October 2022

Measure	Status	Bill Summary	Recommended Position
<b>SB 917 Becker (D)</b>  <b>Seamless Transit Transformation Act</b>	8/11/2022  Assembly Appropriations  Failed Passage	This bill is the legislative vehicle for the Seamless Bay Area. It requires MTC to develop and adopt a Connected Network Plan, adopt an integrated transit fare structure, develop a comprehensive, standardized regional transit mapping and wayfinding system, develop an implementation and maintenance strategy and funding plan, and establish open data standards, as specified. The bill would also require the region's transit agencies, as defined, to comply with those established integrated fare structure, regional transit mapping and wayfinding system, implementation and maintenance strategy and funding plan, and open data standards, as provided. The bill would require transit agencies within the MTC region to establish a regional transit coordinating council, and to submit the integrated transit fare structure to the commission for approval and, after approval, would require each transit agency in the region to present the structure to its board for consideration. SB 917 requires MTC to notify a transit agency if the transit agency is out of compliance. If a transit agency does not comply with the compliance parameters, the bill would make that transit agency ineligible to receive a portion of funding.	<b>Watch</b>  <b>MTC: None</b> <b>CSAC: Watch</b> <b>League: Watch</b>
<b>SB 922 Wiener (D)</b>  <b>CEQA exemptions; transportation-related projects</b>	9/30/2022  Signed by the Governor (Chapter 987, Statutes of 2022)	This bill would repeal the January 1, 2030 sunset date, to indefinitely continue an exemption from the California Environmental Quality Act (CEQA) for bicycle transportation plans for an urbanized area for re-striping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and related signage for bicycles, pedestrians, and vehicles. The bill also repeals the January 1, 2023, sunset date to indefinitely continue a CEQA exemption for transit prioritization projects, as defined, and projects for pedestrian and bicycle facilities or for the institution or increase of new bus rapid transit, bus, or light rail services on public or highway rights-of-way. Provides additional requirements for projects over \$100 million.	<b>Support</b>  <b>MTC: Support</b> <b>CSAC: Support</b> <b>League: Watch</b>

## TAM Bill Matrix – October 2022

Measure	Status	Bill Summary	Recommended Position
<b>SB 942 Newman (D)</b>  <b>Low Carbon Transit Operations Program: free or reduced fare transit program</b>	9/30/2022  Signed by the Governor (Chapter 988, Statutes of 2022)	This bill would allow public transit agencies to use funds from the Low Carbon Transit Operations Program to subsidize an ongoing free or reduced fare transit program.	<b>Support</b>  <b>MTC: None</b> <b>CSAC: Watch</b> <b>League: Watch</b>
<b>SB 1049 Dodd (D)</b>  <b>Transportation Resilience Program</b>	6/2/2022  Assembly Transportation  Failed Passage	This bill would establish the Transportation Resilience Program in Caltrans, to be funded in the annual Budget Act from 15% of the available federal National Highway Performance Program funds and 100% of the available federal Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation program funds. The bill would provide for funds to be allocated by the CTC for climate adaptation planning and resilience improvements, as defined, that address or mitigate the risk of recurring damage to, or closures of, the state highway system, other federal-aid roads, public transit facilities, and other surface transportation assets from extreme weather events, sea level rise, or other climate change-fueled natural hazards. The bill would establish specified eligibility criteria for projects to receive funding under the program and would require the CTC to prioritize projects that meet certain criteria.	<b>Support</b>  <b>MTC: Sponsor</b> <b>CSAC: Support</b> <b>League: None</b>

## TAM Bill Matrix – October 2022

Measure	Status	Bill Summary	Recommended Position
<b>SB 1050 Dodd (D)</b>  <b>State Route (SR) 37 Toll Bridge Act</b>	8/11/2022  Assembly Appropriations  Failed Passage	<p>This bill would authorize MTC to apply to CTC for high-occupancy toll lanes or other toll facilities to be developed and operated on State Route 37, as provided. If CTC approves the application submitted by MTC, it would create the SR 37 Toll Authority, which would be governed by the same board as the Bay Area Infrastructure Financing Authority (BAIFA). The bill would authorize toll bridge revenues to be used for capital improvements to repair or rehabilitate the toll bridge, expand capacity, improve toll bridge or corridor operations, reduce the demand for travel in the corridor, and to increase public transit, carpool, vanpool, and nonmotorized options on the toll bridge or in the segment of SR 37, as specified. The bill would require the authority to develop and approve an expenditure plan for toll revenues and any revenue bonds, and to update that plan at least every 3 years. The bill would require that the authority's toll schedule provide a 50% discount to qualifying high-occupancy vehicles and between a 25% and 50%, inclusive, discount to low-income drivers who reside in the Counties of Marin, Napa, Solano, or Sonoma.</p>	<b>Watch</b>  <b>MTC: Support</b> <b>CSAC: None</b> <b>League: Watch</b>
<b>SB 1078 Allen (D)</b>  <b>Sea Level Rise Revolving Loan Pilot Program</b>	9/29/2022  Vetoed	<p>This bill would require the Ocean Protection Council (OPC), in consultation with the State Coastal Conservancy, to develop the Sea Level Rise Revolving Loan Pilot Program for purposes of providing low-interest loans to local jurisdictions for the purchase of coastal properties in their jurisdictions identified as vulnerable coastal property. The bill would require the OPC, in consultation with other state planning and coastal management agencies, to adopt guidelines and eligibility criteria for the program. The bill would authorize specified local jurisdictions to apply for, and be awarded, a low-interest loan under the program from the conservancy, if the local jurisdiction develops and submits to the conservancy a vulnerable coastal property plan and completes all other requirements.</p> <p>Governor Newsom vetoed this bill over cost considerations and the need to have additional stakeholder input to address climate change.</p>	<b>Watch</b>  <b>MTC: None</b> <b>CSAC: None</b> <b>League: Watch</b>

## TAM Bill Matrix – October 2022

Measure	Status	Bill Summary	Recommended Position
<b>SB 1217 Allen (D)</b> <b>State-Regional Collaborative for Climate, Equity, and Resilience</b>	6/2/2022 Assembly Natural Resources Failed Passage	This bill would establish, until January 1, 2028, the State-Regional Collaborative for Climate, Equity, and Resilience to provide guidance, on or before January 1, 2024, to the California Air Resources Board (CARB) for approving new guidelines for sustainable communities strategies. The collaborative would consist of one representative each of CARB, the Transportation Agency, the Department of Housing and Community Development, and the Strategic Growth Council, along with 10 public members representing various local and state organizations, as specified. The bill would require, on or before December 31, 2025, CARB to update the guidelines for sustainable communities strategies to incorporate suggestions from the collaborative.	<b>Watch</b>  <b>MTC: None</b> <b>CSAC: None</b> <b>League: Watch</b>
<b>SB 1230 Limón (D)</b> <b>Greenhouse gas emissions: transportation</b>	9/16/2022 Signed by the Governor (Chapter 371, Statutes of 2022)	This bill provides instruction to the California Air Resources Board on the administration of the Clean Cars 4 All Program to require by January 1, 2025, all hybrid vehicles purchased using an incentive are capable of plug-in charging.	<b>Watch</b>  <b>MTC: None</b> <b>CSAC: Watch</b> <b>League: None</b>
<b>SB 1482 Allen (D)</b> <b>Building standards: electric vehicle charging infrastructure</b>	9/28/2022 Vetoed	This bill would require the California Building Standards Commission and the Department of Housing and Community Development to develop mandatory building standards for the installation of electric vehicle charging infrastructure for parking spaces in multifamily dwellings to require that each dwelling unit with access to a parking space have access to a branch circuit terminating in a receptacle for use by an electric vehicle driver to charge their plug-in electric vehicle, specified signage for those electric vehicle parking spaces, and electrical wiring design options, as specified.  Governor Newsom vetoed the bill on the grounds that the Department of Community and Development should handle this administratively, while considering affordable housing and feasibility of implementing what is sought after in this bill.	<b>Support</b>  <b>MTC: None</b> <b>CSAC: Watch</b> <b>League: None</b>



October 14, 2022

TO: Board Members, Transportation Authority of Marin  
 FROM: Gus Khouri, President  
 Khouri Consulting LLC

RE: **STATE LEGISLATIVE UPDATE – OCTOBER 2022**

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#### **GENERAL UPDATE**

On August 31, the Legislature concluded the second year of the 2021-22 Legislative Session. Governor Newsom had until September 30 to sign or veto legislation. Should a special session be called by the Governor for an extraordinary circumstance, such as a natural disaster, the current class cannot meet until November 30. Otherwise, the commencement of the 2023-24 Regular Session and swearing-in ceremony for members is scheduled for December 5.

TAM has been actively advocating on several bills this year. Below is a summary of items of interest, including bill outcomes, the state's AB 285 Report, and the reconstitution of new Assembly and Senate districts lines that were approved by the California Citizens Redistricting Commission (CRC).

#### **REDISTRICTING**

Last December, the CRC redrew the boundary lines for congressional, state, and local district representation. The impact of those decisions will take effect after this November's election. In the state legislature, Marin County's representation is expected to change, but it retains one Assembly and one Senate seat for legislative representation. Assembly Member Marc Levine is running for State Insurance Commissioner rather than remain for a final term in a newly configured Assembly District, so his seat is open. On the Senate side, Senator Mike McGuire is running for re-election with the new district lines. Below is a summary of each seat after redistricting:

**Assembly District (AD) 12** consists of **all of Marin County** and portions of Sonoma and San Francisco Counties, including San Rafael, Rohnert Park, Larkspur, Sausalito, Novato, Petaluma, Belvedere, Mill Valley, Cotati, Corte Madera, Fairfax, Ross, San Anselmo, Tiburon, and portions of Santa Rosa. Sonoma County and Santa Rosa were split to balance population while considering communities of interest. Communities in this district share a small-town feel, interests in coastal protection and open spaces, and are linked by transportation corridors such as Highway 101. Marin Supervisor Damon Connolly is running against Sara Aminzadeh who is President of a non-profit organization.

**Senate District 2** is based on nesting AD 2 and AD 12 and includes the **whole** Counties of Del Norte, Humboldt, Lake, **Marin**, Mendocino, and Trinity, and portions of Sonoma County to meet population requirements. A zero-population portion of the City and County of San Francisco is also included to keep the Angel Island State Park whole. This district includes the whole Cities of Arcata, Belvedere, Blue Lake, Clearlake, Cloverdale, Crescent City, Eureka, Ferndale, Fort Bragg, Fortuna, Healdsburg, Lakeport, Larkspur, Mill Valley, Novato, Petaluma, Point Arena, Rio Dell, San Rafael, Santa Rosa, Sausalito, Sebastopol, Trinidad, Ukiah Willits, the Towns of Corte Madera, Fairfax, Ross, San Anselmo, Tiburon, and Windsor. This district features the northern coastline, stretching from Del Norte to Marin County. The communities in this district share similar terrain, a transportation corridor running north to south, and healthcare networks. The district includes the Emerald Triangle, tribal lands, and brings together counties with shared issues related to the environment, wildfires, agriculture, as well as the fishing, timber, and tourism industries. Senator McGuire is running for re-election to this seat.

## **AB 285 REPORT**

Pursuant to Assembly Bill (AB) 285 (Friedman), Chapter 605, Statutes of 2019, Caltrans is required to detail how it plans to maximize emissions reductions in its California Transportation Plan to achieve the state's goal of reducing greenhouse gas emissions to 40% below 1990 levels by the end of 2030. The legislature required the Strategic Growth Council (SGC) to complete a report by January 31, 2022, with recommendations. SGC commissioned the University of California Berkley Institute of Transportation Studies to conduct the report.

On August 31, the final report was posted with the following findings:

- Too much state and local money is spent on highway widening and projects that increase vehicle travel and reflect a sustained reliance on cars;
- Projects, which take decades to plan, do not adjust and consider multimodal options;
- Too many layers of decision makers (State, regional, and local);
- Metropolitan Planning Organizations (MPOs) have no land use authority and their priorities do not synchronize with the state;
- Additionally, local sales tax measures were cited as inflexible in addressing air quality concerns due to heavy investment in highway projects instead of multi-modal options; and
- State wants to restructure MPO and local government responsibilities, centralize things with state perspective.

It should be noted that TAM's Measure AA would not be considered one of the local sales tax measures mentioned in the final report because Measure AA provides more than 70% of the funds to transit and multi-modal options and includes provision to amend the expenditure plan every six years to address current concerns.

There are several items to consider in the applicability of these findings. While Marin County resides in a clean air attainment district, the State is placing a heavy emphasis on encouraging mode shift. Certain factors such as the county's population density, geography and demographics are discounted, prioritizing reduction of vehicle miles traveled (VMT). VMT reduction is not always feasible, particularly when the VMT threshold is set at a level intended to address urban areas, and the metric provides no proportionality in its application.



From a regional perspective, the Bay Area has 7.5 million people living in a region that is 7,841 square miles and is one of the most densely populated areas in the Country. The four-county North Bay Region (Marin, Napa, Solano, and Sonoma) however accounts for only 18 percent of the population (1.34 million) but nearly 55 percent of the land mass (4,291 sq. miles). Marin County has 828 square miles, which is larger than Alameda (739 sq. miles), Contra Costa (716 sq. miles), and San Mateo (744 sq. miles) counties. With 260,206 residents, Marin has a much lower population density than those Counties (Alameda has 1,662,000 residents, Contra Costa 1,148,000, and San Mateo 765,623), which makes it more challenging to deliver multi-modal options.

Nevertheless, TAM has been working with our transit partners on multiple fronts for years to deliver more frequent transit service and connectivity, including ferry service, complete bike trails and highway projects to enhance safety and mobility for commuters, particularly those in disadvantaged communities, tourists, workers, and goods movement throughout the County and on US 101 and State Route 37.

In response to the AB 285 report, Assembly Member Laura Friedman, Chair of the Assembly Transportation Committee, introduced AB 2237 and AB 2438 to provide the State with a more assertive and prescriptive role in meeting State climate goals. Below is a summary of those bills as well as other priority bills that TAM acted on or tracked this year.

## **BILLS OF INTEREST**

This section is intended to highlight bills that the TAM Board acted on, as well as other bills of interest that were closely monitored and discussed throughout the year.

### **Climate and Mobility**

#### **AB 1778 (Garcia) – State Funding for Highway Capacity Projects, Healthy Communities**

This bill would have required Caltrans to consult the California Healthy Places Index, as defined, as a condition of using state funds or personnel time to fund or permit freeway projects, as provided. The bill would have required Caltrans to analyze housing and environmental variables through the index, as provided, and would prohibit any state funds or personnel time from being used to fund or permit freeway projects in areas that fall within the zero to 50<sup>th</sup> percentile on the housing and environmental variables analyzed, as provided. TAM monitored this bill to assess the impacts of projects on the I-580, SR 37, and US 101 corridors. **Status: Failed passage in the Senate Transportation Committee.**

**AB 2237 (Friedman) – Accelerating Climate Goals in Sustainable Communities Strategies** This bill would have prohibited the expenditure of local sales tax funding for projects that were not identified in an adopted sustainable communities strategy. TAM adopted an oppose position given the impacts to delivering voter approved projects identified in Measures AA. **Status: Failed Passage in the Senate Transportation Committee.**

#### **AB 2438 (Friedman) – CAPTI and California Transportation Plan Compliance – State Funding Eligibility**

This bill would have required that state funding, including maintenance programs, such as the State Highway Operation Protection Program, the SB 1 competitive grant programs, and State Transportation Improvement Program align with the California Transportation Plan and Climate Action Plan for Transportation Infrastructure. TAM adopted an oppose unless amended position and suggested amendments to maintain access to state funding programs while making it more achievable for smaller counties to deliver multi-modal projects. **Status: Vetoed by the Governor**

**AB 2622 (Mullin) – Sales Tax Exemptions for Hybrid and Zero-Emission Bus Purchases** This bill extends, from January 1, 2024, to January 1, 2026, the partial state sales and use tax exemption for zero-emission buses (ZEBs) purchased by California transit agencies. TAM adopted a support position. **Status: Signed by the Governor, Chapter 353, Statutes of 2022.**

**SB 922 (Wiener) – CEQA Exemptions** This bill expands California Environmental Quality Act (CEQA) exemptions, from 2023 to 2030, for specified transit, bicycle, and pedestrian projects, and extends these exemptions. TAM adopted a support position. **Status: Signed by the Governor, Chapter 987, Statutes of 2022.**

**SB 942 (Newman) – Transit Fare Subsidies** This bill allows public transit agencies to use funds from the Low Carbon Transit Operations Program to subsidize an ongoing free or reduced fare transit program. TAM adopted a support position. **Status: Signed by the Governor, Chapter 988, Statutes of 2022.**

#### **Brown Act**

**AB 1944 (Lee) – Brown Act Virtual Meetings** This bill would have provided a Brown Act exemption from the requirement for publicly posting the location of remote participation by a member of the local agency. It would also require all open and public meetings of a legislative body that elects to use teleconferencing to provide a video stream accessible to members of the public and an option for members of the public to address the body remotely during the public comment period through an audio-visual or call-in option. Unlike AB 361, this bill would allow for virtual meetings to occur regardless of whether a state of emergency has been declared. TAM adopted a support position. **Status: Failed passage in the Senate Governance and Finance Committee.**

**AB 2449 (Rubio) – Open meetings: local agencies: teleconferences** This bill requires that a least a quorum of the board meet in a physical location within the local agency's jurisdiction clearly identified on the agenda that is open to the public. Virtual participation in meetings is limited to specified emergency circumstances. Virtual participation is restricted to a period of no more than three consecutive months or 20% of the regular meetings for the local agency within a calendar year, or no more than two meetings if the legislative body regularly meets 10 times per calendar year. Board or Committee Members participating remotely must identify anyone in the room over the age of 18 and must always keep their videos on. **Status: Signed by the Governor, Chapter 285, Statutes of 2022.**



**DATE:** October 27, 2022

**TO:** Transportation Authority of Marin Board of Commissioners

**FROM:** Anne Richman, Executive Director *Anne Richman*  
Derek McGill, Director of Planning

**SUBJECT:** Review and Accept the Draft TAM Equity Statement and Action Plan (Action), Agenda Item No. 9

---

## RECOMMENDATION

The TAM Board reviews and approves the Draft TAM Equity Statement and Action Plan. The Administration, Projects and Planning (AP&P) Executive Committee reviewed the Plan at its October 10 meeting, provided feedback, and voted to refer the Draft TAM Equity Statement and Action Plan, with edits suggested from the AP&P Executive Committee incorporated, to the Board for final approval.

## BACKGROUND

Since its inception in 2004, TAM has focused on delivering transportation improvements for residents, workers and visitors in Marin County. This focus has been articulated in many of TAM's plans and efforts, including mission statement, expenditure plans and vision plans.

To reflect the needs of Equity Priority Communities (EPCs) and underserved populations, TAM manages the Community Based Transportation Plan (CBTP) process in Marin County, listening to the needs articulated by residents, working with the communities to prioritize those needs, and elevating them to a countywide discussion. This process has resulted in successful delivery of community priorities in the Canal Neighborhood, Marin City and Novato.

Additionally, TAM has long prioritized community outreach and support, resulting in successful ongoing implementation of the Safe Routes to Schools (SR2S) Program, funding for safe pathways for active transportation, and support for senior and disabled population mobility through Measure AA and Measure B programs managed by Marin Transit.

In June 2020 and again in July 2021, staff presented a discussion on the impacts of the pandemic on various transportation projects/programs and noted the social justice movements underway and the renewed focus of planning for equity. The TAM Board encouraged staff to further develop an approach to equity, and staff has been working to advance these efforts.

The Metropolitan Transportation Commission (MTC) supports these efforts with regional equity analysis and an Equity Framework. Through Plan Bay Area, MTC uses data from the American Community Survey to identify census tracts that have significant concentration of underserved populations, such as households with low incomes and people of color. This regional definition uses the following factors:

- People of Color (70% threshold)
- Low-Income (less than 200% of Fed. poverty level, 28% threshold)
- Level of English Proficiency (12% threshold)
- Seniors 75 Years and Over (8% threshold)
- Zero-Vehicle Households (15% threshold)
- Single Parent Households (18% threshold)
- People with a Disability (12% threshold)
- Rent-Burdened Households (14% threshold)

If a tract exceeds both threshold values for Low-Income and People of Color, shares or exceeds the threshold value for Low-Income, and also exceeds the threshold values for three or more variables, it is an EPC. In Marin County, this results in Marin City, the Canal Neighborhood, Southeast San Rafael, and Los Ranchitos defined as EPCs. The regional definition includes geographies that are not included in state definitions such as SB 535 and AB 1550 climate priority populations, which do not include any Marin County communities.

## **DISCUSSION/ANALYSIS**

Building on TAM's support for equity and inclusion in the community engagement and planning process, staff has explored various ways to advance equity in TAM's internal operations, plan and program implementation, and community outreach and communications. An internal equity team has been developed to explore potential activities for advancing equity, and meetings with the Marin County Office of Equity, MTC and Marin Transit have also occurred to explore ways to partner and address this growing field.

Staff has developed the Draft TAM Equity Statement, included as Attachment A, to provide high-level policy guidance, and articulate a workplan with specific commitments to advance equity. Staff has shared this statement with MTC and the Marin County Office of Equity and no comments have been received at this time. The TAM Equity Statement is intended to be reviewed on a regular basis, and inform upcoming planning activities, specifically TAM's Countywide Transportation Plan (CTP).

The AP&P Executive Committee reviewed this item and provided feedback to staff at its October 10, 2022 meeting. The AP&P Executive Committee noted limitations with the regional EPC definition and lack of context to Marin's population or communities. TAM has historically recognized that EPCs or regional definitions do not fully represent the needs of our diverse communities and has explored other ways to represent these communities in the regional planning processes, including the CBTP planning process by including communities such as Novato that are not reflected in the regional EPC definition.

The AP&P Executive Committee also noted that the action plan was generally favorable, however community engagement should guide the development of the equity statement and directed staff to revise the equity statement to reflect the draft nature of the statement, pending community engagement activities.

## **FISCAL CONSIDERATION**

There is no fiscal impact from the acceptance of the Draft TAM Equity Statement. Based on the input received from the Board, individual items may require funding to retain consultant or expert support, and those needs are included in the adopted FY2022-23 TAM Annual Budget.

## **NEXT STEPS**

Based on the feedback received, and upon approval of the TAM Board, staff will begin to conduct activities identified in the workplan.

**ATTACHMENTS**

Attachment A – Draft TAM Equity Statement and Action Plan  
Attachment B – Staff Presentation

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## **DRAFT TAM Equity Statement and Action Plan**

**October 2022**

To help guide potential actions to advance equity in transportation, the following draft equity statement has been developed for consideration. Revisions to this statement are expected based on upcoming community engagement.

### *DRAFT Equity Statement*

As the Congestion Management Agency and Marin County's Transportation Sales Tax Authority, the Transportation Authority of Marin (TAM) recognizes the diverse needs of our communities including but not limited to, communities of color, low income, and historically marginalized populations.

TAM's mission is to advance mobility and access for all in Marin County. TAM acknowledges the responsibility to serve historically underserved populations and enable communities to access equitable opportunities and achieve positive outcomes.

TAM is committed to advancing equity, civil rights, social and environmental justice in all of our practices including policies, programs, funding, projects, and operations.

### *DRAFT Action Plan*

To guide implementation of the equity statement, the following actions have been identified:

- **Assess Internal Operations:**
  - Review internal operations including training, contracts, hiring and other human resource policies and operational practices.
  - Review TAM Advisory Committee representation (including the Bike and Pedestrian Advisory Committee and Citizens' Oversight Committee) to ensure committees fully reflect the local communities.
- **Engage All Members of Our Communities:**
  - Develop a community engagement plan that reflects input from a diverse set of residents, including populations identified above.
  - Conduct robust community engagement and capacity building through TAM projects and programs, with specific attention to regionally defined Equity Priority Communities and communities with similar demographics.

- Review Investments and Plan for Implementation:
  - Conduct a baseline investment equity review to establish historical investment levels and practices.
  - Explore options to update the Community Based Transportation Plan (CBTP) development process for future CBTPs.
  - Develop a Countywide Transportation Plan (CTP) that articulates the needs of our communities and prioritizes actions that address equity.
    - Explore development of an equity working group consisting of members of the community to refine the CTP workplan and identify areas of focus.
    - Create a data driven approach to addressing equity including developing criteria and metrics to assess programs and projects and measure progress in addressing equity.
- Commit to Accountability:
  - Hold ourselves accountable by reporting regularly to the Board and to the public on progress as staff works to fulfill the commitment made.
  - Commit to regular review and potential revisions to the Equity Statement, in conjunction with the Board and the communities we serve, to ensure that it remains relevant, viable, and forward-looking.





# TAM Draft Equity Statement and Action Plan

## TAM Board of Commissioners Meeting

Derek McGill, Director of Planning

October 27, 2022

# Planning Context

## *TAM Mission Statement (2004)*

The Transportation Authority of Marin (TAM) is dedicated to making the most of Marin County transportation dollars and creating an efficient and effective transportation system that promotes mobility and accessibility by providing a variety of high-quality transportation options *to all users*.

## *TAM Community Based Transportation Plans (CBTP) 2004-current*

A collaborative planning process that involves residents in minority and low-income communities, community and faith-based organizations that serve them, local jurisdictions, and transportation agencies including transit operators. The outcome is a plan that includes locally identified transportation needs, as well as solutions to address them.

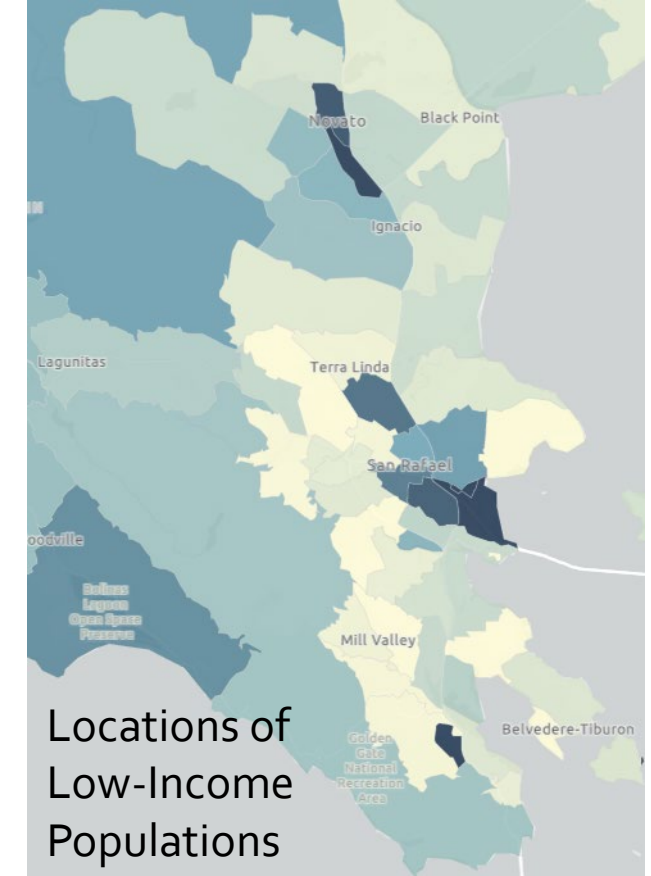
## *TAM Strategic Vision Plan (2017)*

Vision Statement – TAM’s vision is to have an efficient and effective transportation system, one that enhances our scenic environment, provides *equity for all of our users (including our vulnerable populations)*, and grows our economy for our residents, visitors, and workforce.

Equity Goal – Maximize mobility for all people; and Objective – Enhance mobility and access for all.

# MTC Equity Priority Communities

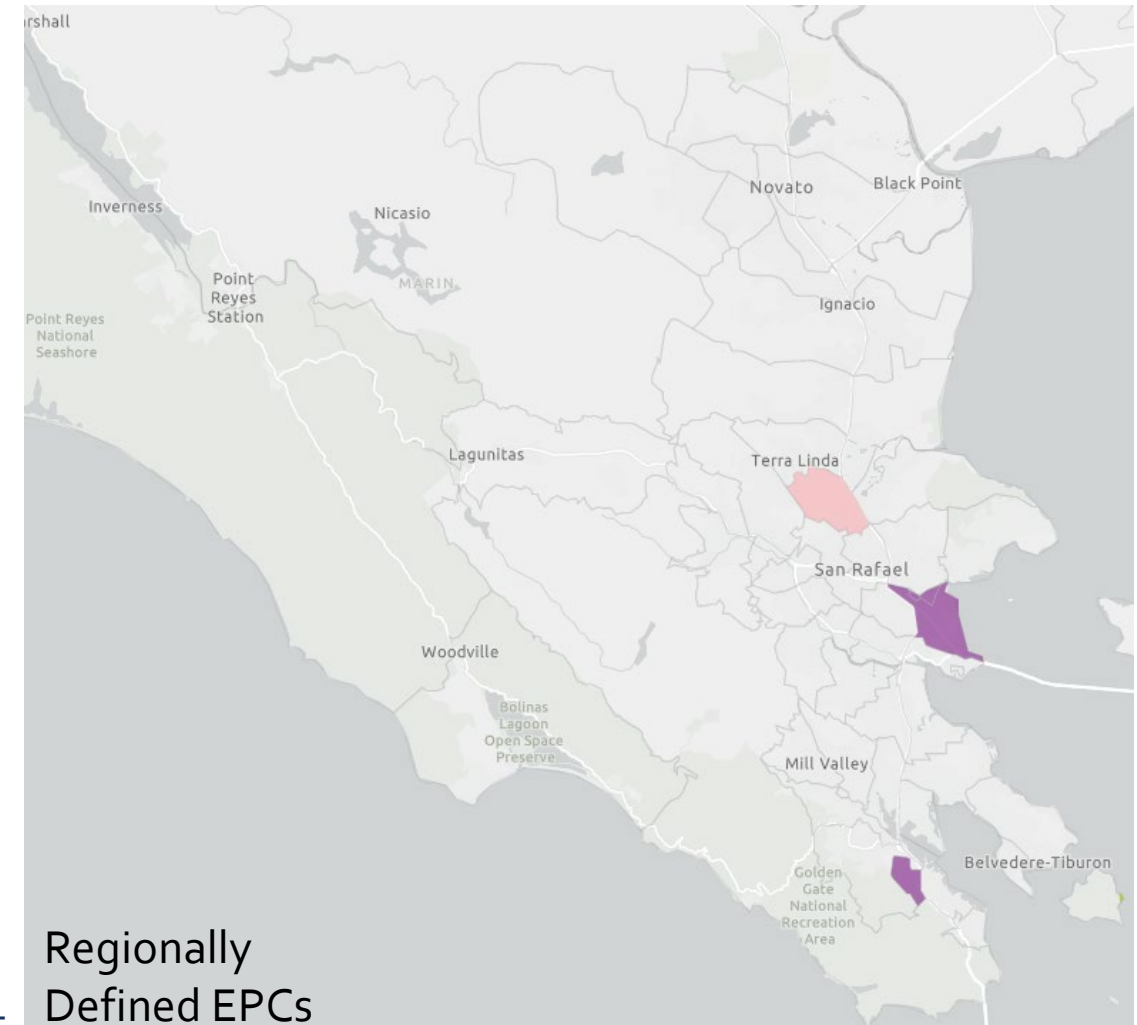
- MTC uses data from the American Community Survey to identify communities (census tracts) that may have historically faced disadvantage and underinvestment due to their background or socioeconomic status.
- MTC measures eight variables:
  - People of Color
  - Low-Income
  - Level of English Proficiency
  - Seniors 75 Years and Over
  - Zero-Vehicle Households
  - Single Parent Families
  - People with a Disability
  - Rent-Burdened Households





# MTC Equity Priority Communities

- EPCs in Marin County include:
  - Marin City
  - Canal Neighborhood
  - Southeast San Rafael
  - Los Ranchitos (new in PBA 2050)
- Other Regional and State Definitions include:
  - BAAQMD CARE Communities
  - SB 535 Disadvantaged Community Designations
  - AB 1550 Climate Priority Populations
- Limitations of EPC definition
  - Census Tract Boundaries
  - Issues exist outside identified geographies
  - More analysis and discussion needed for Marin Context
  - TAM has expanded CTBP efforts beyond EPCs in the past



# Development of Draft Equity Statement

- June 2020 and July 2021 TAM Board discussions on Pandemic Impact/Recovery
- Review of Local Jurisdictions' Diversity, Equity and Inclusivity Statements
- Collected County Transportation Agency Equity Statements
- Meetings with MTC, Marin County Office of Equity, Marin Transit
- Draft Equity statement developed to guide actions
- Not static, expectation of further refining Equity Statement based on community conversations
- Action Plan articulates actions for implementation



# Draft TAM Equity Statement

Draft statement will be revised based on community dialogue

**Define** { As the Congestion Management Agency and Marin County's Transportation Sales Tax Authority, the Transportation Authority of Marin (TAM) recognizes the diverse needs of our communities including but not limited to, communities of color, low income, and historically marginalized populations.

**Acknowledge TAM's Role** { TAM's mission is to advance mobility and access for all in Marin County. TAM acknowledges the responsibility to serve historically underserved populations and enable communities to access equitable opportunities and achieve positive outcomes.

**Commitment** { TAM is committed to advancing equity, civil rights, social and environmental justice in all of our practices including policies, programs, funding, projects, and operations.

# Draft Action Plan



- Carries the equity statement into implementation
- Action plan will also be subject to community dialogue and input
- Grouped into four main areas:
  - Assess Internal Operations (Two Actions)
  - Engage All Members of the Community (Two Actions)
  - Review Investments and Plan for Implementation (Five Actions)
  - Commit to Accountability (Two Actions)



# Assess Internal Operations

- Review internal operations including training, contracts, hiring and other human resource policies and operational practices.
- Review TAM Advisory Committee representation (including the Bike and Pedestrian Advisory Committee and Citizens' Oversight Committee) to ensure committees fully reflect the local communities.





# Engage All Members of the Community

- Develop a community engagement plan that reflects input from a diverse set of residents.
- Conduct robust community engagement and capacity building through TAM projects and programs, with specific attention to regionally defined EPCs and communities with similar demographics.



# Review Investments and Plan for Implementation

- Conduct a baseline investment equity review to establish historical investment levels and practices.
- Explore options to update the Community Based Transportation Plan (CBTP) development process for future CBTPs.
- Develop a Countywide Transportation Plan (CTP) that articulates the needs of our communities and prioritizes actions that address equity.
  - Explore development of an equity working group consisting of members of the community to refine the CTP workplan and identify areas of focus.
  - Create a data driven approach to addressing equity including developing criteria and metrics to assess programs and projects and measure progress in addressing equity.

# Accountability

- Hold ourselves accountable by reporting regularly to the Board and to the public on progress as staff works to fulfill the commitment made here.
- Commit to regular review and potential revisions to the Equity Statement, in conjunction with the Board and the community we serve, to ensure that it remains relevant, viable, and forward-looking.



Making the Most of Marin County Transportation Dollars

# AP&P Executive Committee Feedback & Next Steps

- AP&P Feedback
  - Generally Positive
  - Expand beyond EPC definitions to reflect Marin context
  - Add discussion to Draft Equity Statement to reflect draft status, pending community engagement
- Next Steps
  - Incorporate feedback
  - Staff will begin implementation & Community Engagement
  - Draft Equity Statement and action plan are expected to be revisited as needed
- Upcoming Activities
  - CBTP Development Approach
  - CTP Development

# Questions?

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Thank you!

Director of Planning  
dmcgill@tam.ca.gov

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**DATE:** October 27, 2022

**TO:** Transportation Authority of Marin Board of Commissioners

**FROM:** Anne Richman, Executive Director *Anne Richman*  
Derek McGill, Director of Planning

**SUBJECT:** Measure AA Category 2.3 Sea Level Rise Program (Discussion), Agenda Item No. 10

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## RECOMMENDATION

N/A. This is a discussion item only, reflecting changes from the TAM Administration, Projects & Planning (AP&P) Executive Committee.

## BACKGROUND

The renewed ½-Cent Transportation Sales Tax Expenditure Plan was approved by 76.7% of Marin voters as Measure AA in November 2018. The Measure AA Expenditure Plan sets aside 1% of the overall sales tax for Category 2.3: Develop projects to address transportation impacts from sea level rise (SLR). The expenditure plan states:

“This funding would be utilized to support protecting and adapting Marin’s roadways and related infrastructure to the effects of sea level rise and flooding. These funds can be used to serve as seed money to find solutions, attract matching grants and leverage private investments to meet the challenges and vulnerabilities identified in numerous planning efforts including those of Bay Wave, and CSMART. The funds can also be utilized for facilities to support alternative fuel vehicles including electric vehicles. Sea Level Rise and Resiliency funds shall be available to eligible recipients including local jurisdictions and will be distributed on a competitive basis following a Call for Projects managed by TAM.”

While the Expenditure Plan identifies the broad eligibilities for these funds, it does not identify the priorities or timing related to expenditure of these funds.

## DISCUSSION/ANALYSIS

To guide discussion related to the use of these local funds, staff presented an initial framework for input to the TAM Board at its November 19, 2020 meeting. The Board was generally interested in getting projects identified for the project development process, supporting smaller local projects and multimodal locations, supporting operational responses prior to storm events, and proof of concept projects.

To advance this direction, staff has developed a path forward in partnership with the County Department of Public Works (DPW) and County Community Development Agency (CDA), to navigate the patchwork of existing planning efforts and develop an understanding of the range of technical solutions available to address SLR impacts on our most vulnerable transportation facilities and develop conceptual alternatives and designs to address flooding on these facilities.

Staff will present a discussion of the proposed scope of work, for additional direction and input, prior to soliciting qualified consultant support. The consultant team is expected to consist of transportation planners, watershed planners and sea level rise experts to conduct the scope of work.

The AP&P Executive Committee reviewed this item and provided direction to staff to focus on advancing from planning into project development and continue to include Equity Priority Communities (EPCs) in this effort. Staff have developed the scope of work to focus on identifying technical alternatives and concept design development. This effort will support identifying co-benefits, stakeholders and potential project development decisions at vulnerable locations and guide the Measure AA program development.

### **FISCAL CONSIDERATION**

There is no fiscal impact from this discussion at this time. Staff will conduct a competitive procurement process and return with a contract for Board approval and budget authorization.

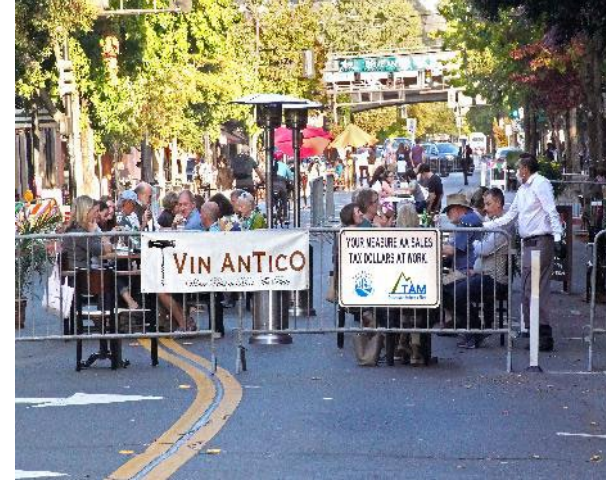
### **NEXT STEPS**

Based on the feedback received from the AP&P Executive Committee and the Board, staff will continue to develop the scope of work and release a Request for Qualifications/Proposals for professional services to support this program.

### **ATTACHMENTS**

Attachment A – Staff Presentation





# TAM Sea Level Rise Program Update

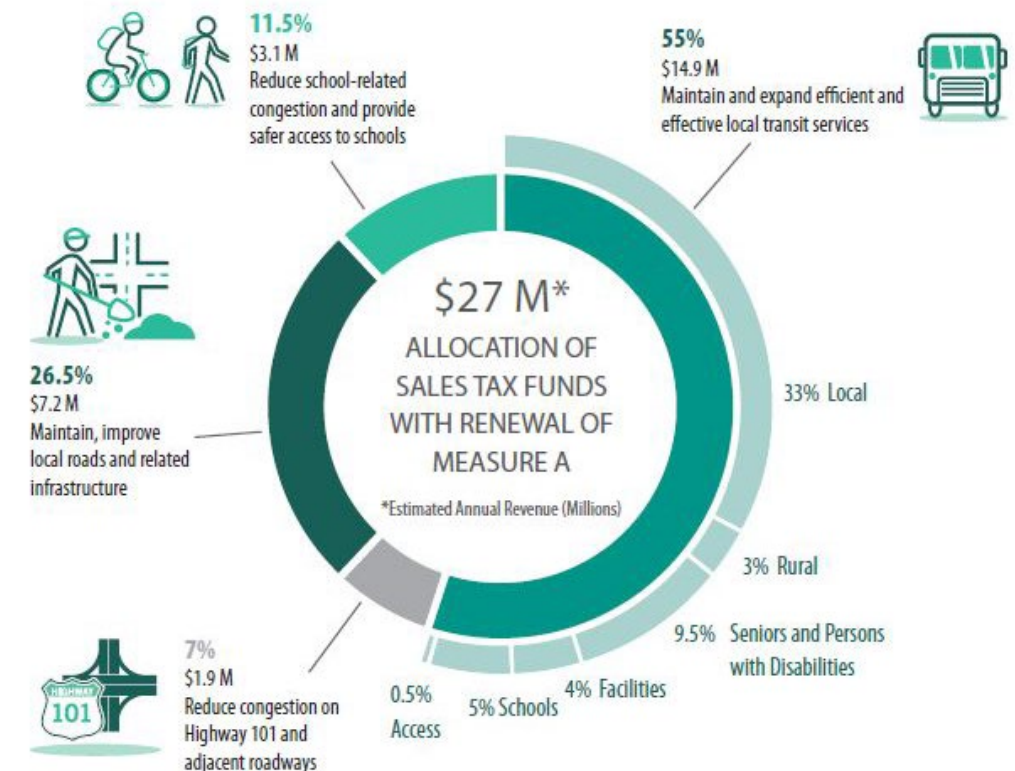
TAM Board of Commissioners

Derek McGill, Director of Planning

October 27, 2022

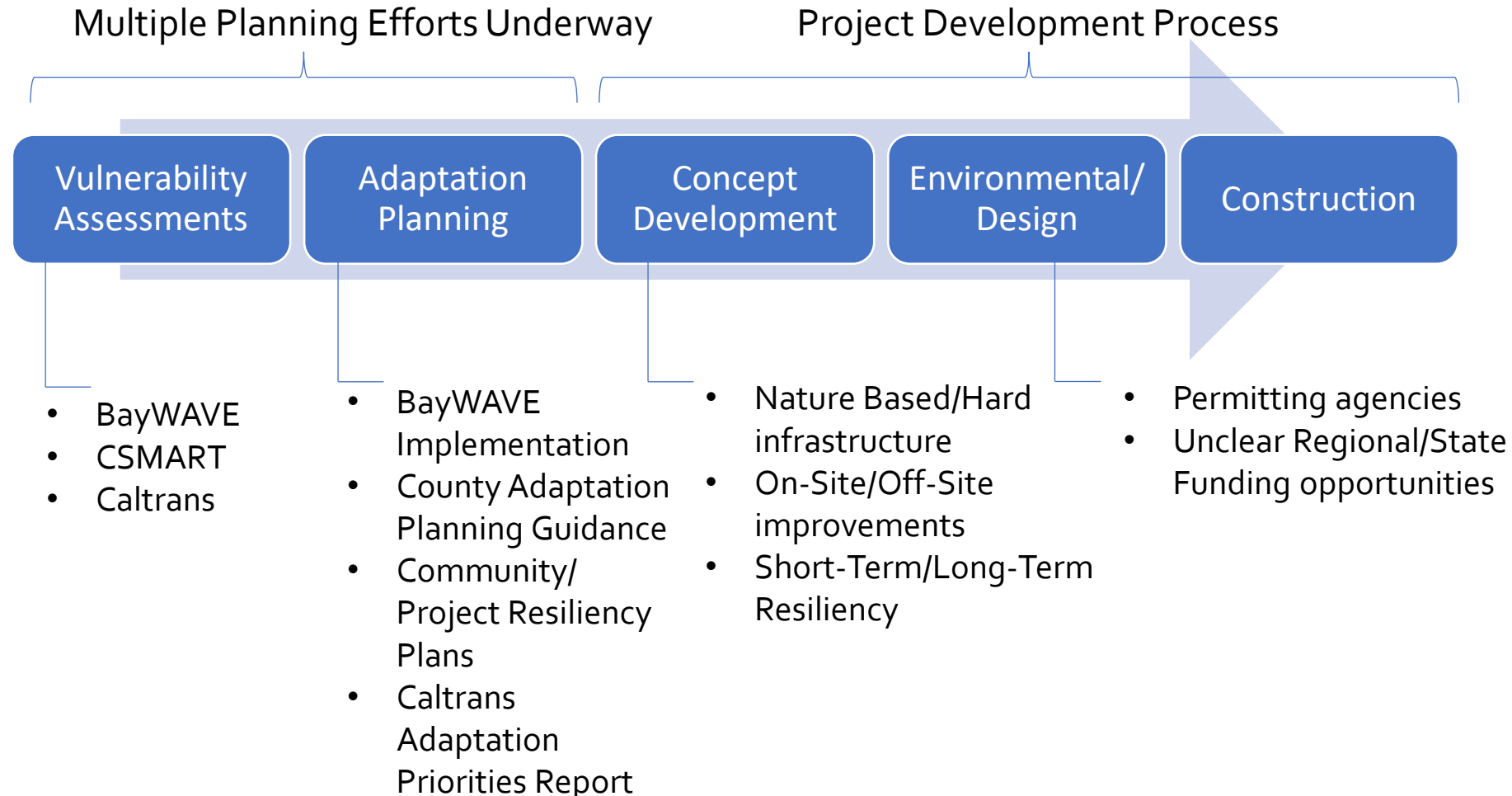
# Measure AA ½-Cent Sales Tax – Sea Level Rise Program

- Funded from Local Roads Category – 1.0%
- Expenditure Plan requires Call for Projects process
- Approximately \$240,000/annually
- Initial Board input gathered – November 2020
- Ongoing coordination with BayWAVE & Community Development Agency (CDA)



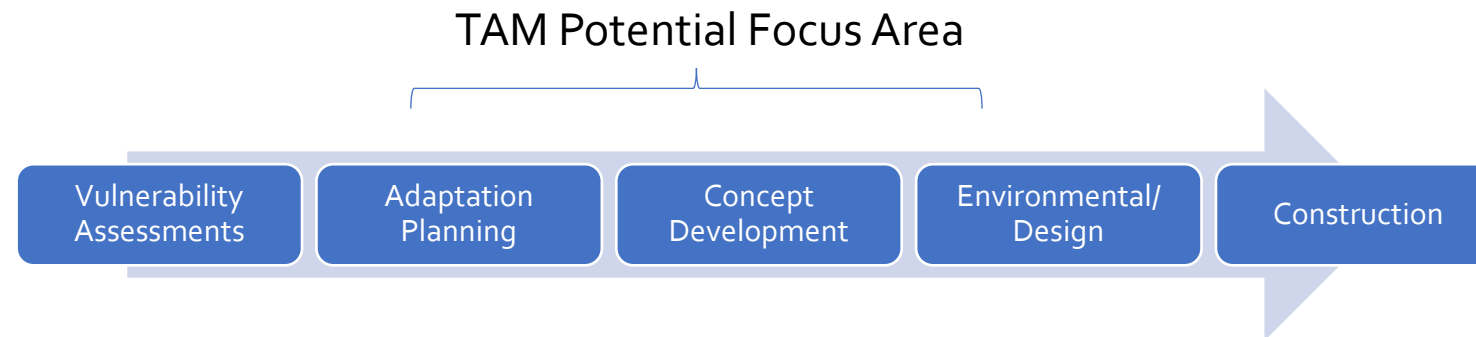
# Considerations by Project Phase

- Shown at Board Discussion in November 2020



# Board Direction

- Identify projects for project development
- Support for smaller projects & multimodal approach
- Consider Pilot or proof concept projects & technology rollouts
- Support Operational Responses prior to storm events



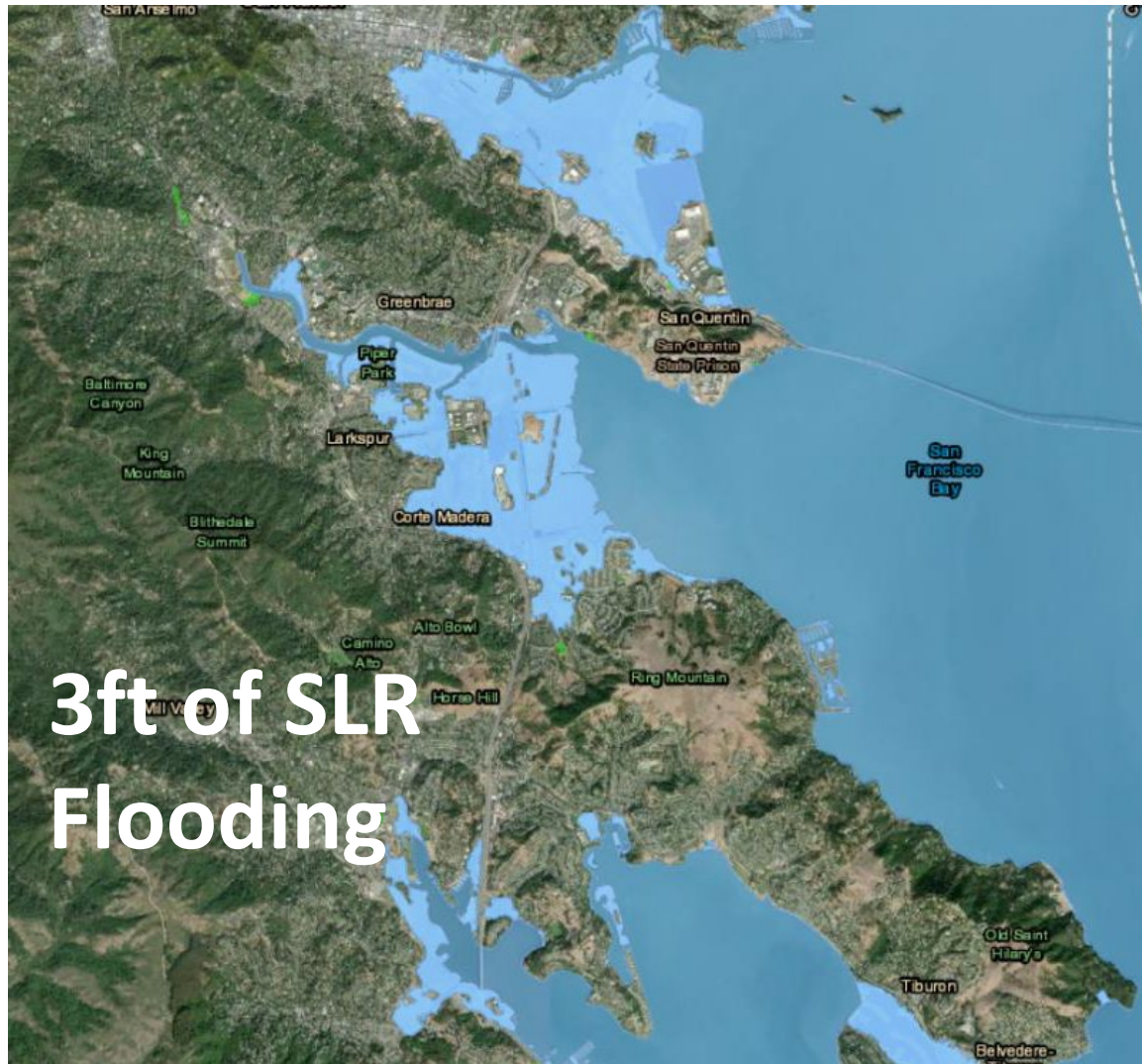


# Outstanding Questions

- For identified vulnerable locations, what protections to transportation assets (highway, arterial, bike/ped, transit) are being considered within existing projects or studies? What gaps remain?
- What protections can be considered?
- What protections are of benefit at multiple flooding scenarios?
- What locations would benefit from off-site protection?
- What stakeholders might need to be engaged?



# Proposed Goals, Outcomes and Path Forward



Goal: Develop a technical, data driven approach to understanding a range of potential solutions to Sea Level Rise (SLR) and flooding at known vulnerable locations in the County.

Outcome: Develop a countywide understanding of the benefits, challenges and issues with addressing SLR at individual locations.

Path Forward: Identify key locations, assess range of technical solutions/concept designs, identify benefits and challenges, develop an implementation plan & guidance.

# Draft Scope of Work

Identify Vulnerable Locations at multiple SLR Scenarios, such as:

- Lucky Drive
- US 101/580 Interchange and Vicinity
- Manzanita Park and Ride & Donahue ramps to Marin City
- Various locations on Highway 1
- Transit assets, including SMART rail and local and regional bus maintenance facilities or assets
- Bike/ped paths
- Equity Priority Communities
- Major Roadways

Conduct an Existing Plan Review

- Summarize any near-term and long-term solutions (nature based or infrastructure)
- Inventory potential stakeholders and co-benefits in the vicinity of the project
- Utilize existing data sets such as BayWAVE GIS or other county or regional sources of information



# Draft Scope of Work (cont.)

Identify Range of Adaptation Measures Across Multiple SLR Scenarios, such as:

- Retreat, Accommodate and Protect
- Nature based or Infrastructure solutions
- On-site or off-site mitigation/protection
- Where partnership or co-benefits exist

Develop conceptual design alternatives

- Understand potential benefits and challenges to be addressed in project development

Conduct Governance Review

- Review potential changes to governance, project delivery
- Considerations of revenue sources





# Draft Scope of Work (cont.)

## Create an Implementation Plan

- Develop guidance for project sponsors, and Measure AA Program Expenditures
- Include approaches to addressing SLR:
  - Understanding of near-term versus long-term tradeoffs at each vulnerable location
- May include opportunities for minimum design standard recommendations, and coordination across jurisdictions to ensure consistent protections on transportation corridors and assets.
- Identify key actions or activities for ongoing monitoring and implementation.



Photo by Mitchell Sam Rossi

# TAM AP&P Executive Committee Feedback and Next Steps

- AP&P Executive Committee Feedback
  - Mostly Support for Current Direction
  - Focus/Emphasis on Project Development
  - Continue to focus on Development of Alternatives
  - Continue to include Equity Priority Communities (EPCs)
- Next Steps
  - Staff prepare and release an RFQ/P
  - Seek team of qualified transportation and adaptation experts
  - Contract award by Summer 2023, with work underway late Summer 2023
  - Ongoing coordination with local jurisdictions

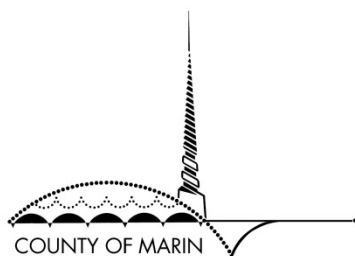
# Questions?

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Thank you!

Derek McGill, Director of Planning  
dmcgill@tam.ca.gov

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OFFICE OF THE  
COUNTY COUNSEL

Brian E. Washington  
COUNTY COUNSEL

October 27, 2022

Renee Giacomini Brewer  
ASSISTANT COUNTY COUNSEL

Board of Commissioners  
Transportation Authority of Marin  
900 Fifth Avenue, Suite 100  
San Rafael, CA 94901

Jenna J. Brady  
CHIEF DEPUTY COUNTY COUNSEL

**Re: Closed Session – Public Employee Performance Evaluation [GC section 54957(b)(1)]**

Patrick M. K. Richardson  
Stephen R. Raab  
Steven M. Perl  
Kerry L. Gerchow  
Tarisha K. Bal  
Deidre K. Smith  
Brandon W. Halter  
Sarah B. Anker  
Kate K. Stanford  
Scott Drexel

Dear Commissioners:

I request that you conduct a closed session, during your meeting on October 27, 2022, to conduct the performance evaluation of the TAM Executive Director.

The specific reason and the legal authority for the closed session is Government Code section 54957(b)(1). A legislative body may hold closed sessions to consider the evaluation of the performance of a public employee.

DEPUTIES

Colleen McGrath  
ADMINISTRATIVE SERVICES  
OFFICER

It should be noted that Government Code section 54954.2(a)(1) requires that the Closed Session item be posted on the Board agenda. Government Code section 54954.5 recommends that the agenda description should read as follows:

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

**Title: Executive Director**

**California Government Code section 54957(b)(1).**

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Should you have any questions, please do not hesitate to contact me.

Respectfully submitted,

BRIAN E. WASHINGTON  
Marin County Counsel

By: 

Stephen Raab  
Deputy County Counsel  
Attorney for Transportation Authority of Marin