

TRANSPORTATION AUTHORITY OF MARIN
BOARD OF COMMISSIONERS MEETING

DECEMBER 15, 2022

6:00 P.M.

Zoom

<https://us02web.zoom.us/j/88155449529?pwd=eS9NOTJUMm9kT1ITekZZNXF0QXRVdz09>

Webinar ID: 881 5544 9529

Passcode: 389590



900 Fifth Avenue
Suite 100
San Rafael
California 94901

Phone: 415/226-0815
Fax: 415/226-0816

www.tam.ca.gov

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
Mary Sackett
Katie Rice
Stephanie Moulton-Peters
Dennis Rodoni
Judy Arnold

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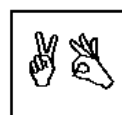
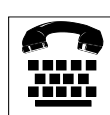
Teleconference: Members of the public wishing to participate via teleconference, can do so by dialing in to the following number at 6:00 PM on the day of the meeting: +1 669 900 6833; Access Code: 881 5544 9529; Password: 389590

How to provide comment on agenda items:

- Before the meeting: email your comments to jdoucette@tam.ca.gov. Please email your comments no later than 5:00 P.M. Wednesday, December 14, 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. 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.



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 no later than 5 days before the meeting date.

AGENDA

1. Adopt TAM Resolution No. 2022-18 in Compliance with AB 361 (Action) – **Attachment**
2. Chair’s Report
 - a. Outgoing Commissioner Recognition (Discussion)
 - b. Appointments to the TAM Executive Committees (Action) – **Attachment**
3. Commissioner Matters Not on the Agenda (Discussion)
4. Commissioner Reports (Discussion)
 - a. MTC Report – TBD
 - 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 October 27, 2022
 - b. Acceptance of Revisions to the TAM Financial Management and Accounting Procedures
 - c. Approval of Revisions to the TAM Human Resources Policies and Procedures
 - d. State Legislative Consultant Contract Extension
 - e. Authorize Contract Amendment with Moffatt & Nichol for the North/South Greenway – Northern Segment
 - f. Amendment to the Resilient State Route 37 Program Memorandum of Understanding (MOU) to Add the Sonoma Marin Area Rail Transit (SMART) District as a Party to Cooperatively Implement Mutual Corridor Responsibilities
 - g. Approval of Scope Revision of San Anselmo’s Innovation Program Funding
 - h. Review and Acceptance of the 2022 Measure A/AA Compliance Audit Results
 - i. Adopt Update to the Programming of FY21/22 TDA Article 3 Funds
 - j. Acceptance of the Draft FY2021-22 TAM Annual Comprehensive Financial Report
8. Measure B Expenditure Plan Ten-Year Review and Recommended Amendments (Action) – **Attachment**
9. Receive State Route 37 (SR 37) Corridor Planning and Project Update Presentation (Discussion)
– **Attachment**
10. Countywide Transportation Plan (Discussion) – **Attachment**



DATE: December 15, 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. 2022-18 in Compliance with AB 361 (Action), Agenda Item No. 1

RECOMMENDATION

The Board adopts TAM Resolution No. 2022-18 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. 2022-18 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. 2022-18 expires 30 days from the date of approval, which is January 14, 2023.

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. 2022-18.

NEXT STEPS

All public meetings are expected to be held remotely for the duration allowed by TAM Resolution No. 2022-18. 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. 2022-18 expires on January 14, 2023. 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. 2022-18

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

TAM RESOLUTION NO. 2022-18**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 15th day of December 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Stephanie Moulton-Peters, Chair
Transportation Authority of Marin

ATTEST:

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

20 North San Pedro Road
Suite 2002
San Rafael, CA 94903
415 473 6924 T
415 473 3344 TTY
www.marincounty.org/hhs

September 22, 2021

Dennis Rodoni
President, Board of Supervisors
3501 Civic Center Drive, 3rd 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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DATE: December 15, 2022
TO: Transportation Authority of Marin Board of Commissioners
FROM: Anne Richman, Executive Director *Anne Richman*
SUBJECT: Appointments to the TAM Executive Committees (Action) – Agenda Item No. 2b

RECOMMENDATION

The TAM Board approves the Chair’s recommendation to appoint Commissioner Chance Cutrano, representing the Town of Fairfax, and Commissioner Kate Colin, representing the City of San Rafael, to the Administration, Projects & Planning (AP&P) Executive Committee; and Supervisor Mary Sackett, representing Marin County Board of Supervisors – District 1, and Commissioner Urban Carmel, representing the City of Mill Valley, to the Funding, Programming and Legislation (FP&L) Executive Committee. In addition, Commissioners Alice Fredericks and Beach Kuhl would switch their current respective assignments: Commissioner Fredericks to FP&L and Commissioner Kuhl to AP&P.

BACKGROUND

Vacancies exist on TAM’s Executive Committees due to representatives stepping down from office. Per TAM’s Administrative Code, *“Membership to each Committee shall be as recommended by the TAM Board Chair and approved by a majority of the full TAM Board.”*

Members of the Executive Committees conduct initial vetting of Board items and have the opportunity to ask questions, guide changes or additions to staff recommendations, and discuss policy direction on next steps, before taking an issue to the full Board. In general, the members review, discuss, and refer items to the Board in the following categories:

Administration, Projects & Planning

- Budget: annual development, quarterly financials, audits
- Administration: personnel, operations, etc.
- Planning: Vision, Regional Transportation Plan, other planning items
- Projects: capital project development, updates

Funding, Programs & Legislation

- Programming/funding (local, state, regional, federal)
- Programs: Electric Vehicle, Transportation Demand Management, Safe Routes to Schools, Bikeshare, Crossing Guards
- Legislation: annual platform and bill positions

Typically, Executive Committee meetings are held on the 2nd Monday of the month. When in person the meetings are held in the TAM Conference Room at 900 Fifth Avenue, Suite 100, San Rafael, California. The FP&L Executive Committee meeting starts at 2:00 p.m.; and the AP&P Executive meeting starts at 3:30 p.m. During the pandemic, while the Governor’s Emergency Order (EO) has been in effect, the meetings have been held virtually, but this is expected to change by March 2023 due to the anticipated expiration of the EO.

DISCUSSION/ANALYSIS

If the TAM Board approves the recommendation, the makeup of each Executive Committee will consist of:

Administration, Projects & Planning

Stephanie Moulton-Peters – Chair
Beach Kuhl
Chance Cutrano (*new*)
Eric Lucan
Kate Colin (*new*)

Funding, Programming and Legislation

Brian Colbert – Chair
Alice Fredericks
Katie Rice
Mary Sackett (*new*)
Urban Carmel (*new*)

FISCAL IMPACTS

None.

NEXT STEPS

Once approved by the Board, the newly appointed commissioners will serve on the respective Executive Committees effective immediately.

ATTACHMENTS

None.



MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN

OCTOBER 27, 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
Kate Colin, San Rafael City Council
Nancy Kemnitzer, Belvedere City Council
Stephanie Moulton-Peters, Marin County Board of Supervisors, TAM Chair
Susan Cleveland-Knowles, Sausalito City Council
Urban Carmel, Mill Valley City Council

Members Absent: Katie Rice, Marin County Board of Supervisors

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
Emily Tong, Senior Accountant
Grace Zhuang, Accounting and Payroll Specialist
Jennifer Doucette, Executive Assistant/Clerk of the Board
Li Zhang, Deputy Executive Director/Chief Financial Officer
Molly Graham, Public Outreach Coordinator

Chair Moulton-Peters called the meeting to order at 6:02 p.m.

Chair Moulton-Peters welcomed everyone to the meeting and 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. 2022-17 in Compliance with AB 361 (Action)

Commissioner Fredericks moved to adopt TAM Resolution No. 2022-17 for compliance with AB 361, which was seconded by Commissioner Cleveland-Knowles. A roll call vote was conducted, and the motion passed unanimously.

2. Chair's Report (Discussion)

Chair Moulton-Peters commented that tonight's Board meeting agenda includes items on TAM's Draft Equity Statement and an update on the Sea Level Rise (SLR) Program. Chair Moulton-Peters also announced that an informational update on State Route (SR) 37 will be provided at the next TAM Board meeting.

3. Commissioner Matters Not on the Agenda (Discussion)

Commissioner Carmel commented on the need for safety training and education for electric bicycle (e-bike) riders; and that the City of Mill Valley is partnering with the Marin County Bicycle Coalition (MCBC) to increase these efforts. Commissioner Carmel also commented that TAM may be well suited to coordinate a countywide effort to address safety concerns.

Vice-Chair Colbert commented that MCBC unveiled its e-bike education program during the last weekend of September in the Town of San Anselmo, and that the event was well attended. Vice-Chair Colbert also commented that the Central Marin Police Authority provided an e-bike safety presentation at the October 25 San Anselmo Town Council meeting. Vice-Chair Colbert commented that TAM may be able to play a role in countywide e-bike safety infrastructure.

Chair Moulton-Peters commented that the Marin County Open Space District, which manages the multi-use path in Southern Marin, is also exploring ways to enhance safety efforts.

4. Commissioner Reports (Discussion)

a. MTC Report – Commissioner Connolly

Commissioner Connolly reported that the California Transportation Commission (CTC) released its staff recommendations for the Statewide and Small Urban and Rural components of the 2023 Active Transportation Program (ATP) on October 20, 2022. CTC received 434 project applications, totaling \$3.1 billion in ATP funding requests, and approximately \$4.3 billion in total project costs. There were no projects recommended from Marin or the North Bay in the Statewide component, and only 10% of the recommended funds were for the Bay Area, which is approximately 20% of the state population. Applications from Bay Area agencies that were not selected by CTC for the Statewide component will be evaluated and considered for the Regional ATP Program by the Metropolitan Transportation Commission (MTC). These statewide results will put pressure on MTC's regional ATP program, to which most of the Marin projects also applied. TAM and local jurisdictions are promoting active transportation and need partner support. Commissioner Connolly reported that he has called on fellow North Bay Commissioners and MTC staff to proactively ensure that the North Bay is receiving its share of statewide funds.

Commissioner Connolly also reported that the Major Projects Advancement Policy and Transit and Intercity Rail Capital Program (TIRCP) were included on the MTC agenda. Up to \$1.2 billion of the \$1.5 billion TIRCP Augment 1 funding is set aside for projects that have received prior TIRCP grant awards. The Windsor Extension of SMART was not endorsed for TIRCP Augment 1 funding. The Windsor Extension previously received \$20 million in TIRCP funds and should be eligible for this funding source. Commissioner Connolly further reported that the Windsor project is 30% complete and requires \$30 million to be completed. The Windsor extension is expected to be funded with Regional Measure 3 (RM 3) funding, which is still unavailable due to litigation. Once RM3 funds are available, construction of the Windsor extension will take approximately 18 months. While requests under TIRCP exceed available funding, projects will continue to be evaluated and supported. Commissioner Connolly reported that his comments were supported by other North Bay Commissioners.

Chair Moulton-Peters commented that the population served by the Windsor extension represents approximately 80-85% of the ridership and confirmed with Commissioner Connolly that the extension would also ultimately include stops in Healdsburg and Cloverdale.

b. Marin Transit Report – Commissioner Colbert

Commissioner Colbert reported that Marin Transit (MT) ridership continues to increase steadily and is at 85% of pre-pandemic levels.

Commissioner Colbert also reported that after being delayed by supply chain issues, the switchgear needed to charge new electric buses has been delivered and is currently being installed. Supply chain issues have also impacted the cost of vehicles and associated equipment.

Commissioner Colbert further reported that at its October 3 meeting, the MT Board approved a new contract with Golden Gate Transit (GGT), which provides approximately 40% of Marin County's local fixed route service. The new contract has an initial term of 3 years 9 months with two option years; and increases the rate by 18%, resulting in a total contract value of \$45 million for the initial term.

c. SMART Report – Commissioner Lucan

Commissioner Lucan reported that the Sonoma Marin Area Rail Transit (SMART) Board allocated \$14 million in grant funding for a second Petaluma train station; and introduced a field trip program for students and schools to communicate and coordinate directly with SMART.

Commissioner Lucan also reported that SMART has installed bicycle and pedestrian counters along the SMART multi-use path to collect data, which may be useful for future funding applications. Commissioner Lucan further reported that a ribbon cutting ceremony was held on October 22 for the opening of a new path segment, which was coupled with a ground breaking for an additional new segment.

Lastly, Commissioner Lucan reported that SMART recorded another post-Covid ridership record of 2,325 riders on October 20.

MCBC Policy and Planning Director Warren Wells commented on the recent e-bike/pedestrian accident on the Mill Valley/Sausalito bike path; and referenced the Marin Voice article regarding e-bike safety. Mr. Wells thanked Commissioners Carmel and Colbert for their comments on the need for e-bike safety training and education; and informed the Board that MCBC has hired a new staff member to lead the new E-Bike Smart Marin program. Mr. Wells also expressed concern that no projects in Marin were selected for statewide ATP funding. Lastly, Mr. Wells expressed support of SMART's new bicycle/pedestrian counters and maps, and the future addition of SMART personnel to develop the pathway.

5. Executive Director's Report (Discussion)

Executive Director (ED) Richman reported on the following: Measure B Expenditure Plan Review process; the new Street Smarts program - "Eyes up, Marin"; Safe Routes to Schools (SR2S) activity in October; San Rafael Transit Center relocation project Environmental Impact Report; Annual Update for the Pavement Condition Index Report; ATP funding; and Clipper Cards.

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

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 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

Chair Moulton-Peters asked that Item 7d be removed from the Consent Calendar for discussion.

Commissioner Cutrano moved to approve Consent Items 7a-7c and 7e, which was seconded by Commissioner Kuhl. Chair Moulton-Peters opened the items to public comment and hearing none, a roll call vote was conducted, and the motion passed unanimously.

In response to Chair Moulton-Peters, ED Richman explained that Ride Amigos is the software used for the Marin Commutes Program, a Transportation Demand Management (TDM) system, which was relaunched in October with new features, including a reward program and gamification. ED Richman also explained that the relaunch includes public outreach and employer partnerships to promote use of the program. ED Richman further explained that TAM staff has access to the program statistics and data, including the number of users and trips, distances traveled, CO2 savings, and calories burned. Lastly, ED Richman recommended providing an update to the Board in early Spring 2023 in order to allow enough time to capture significant data.

In response to Commissioner Cutrano, ED Richman explained that TAM staff has been working with local jurisdictions, including the City/Town Councils and the County Board of Supervisors to assist with the promotion and engagement of the program, and that staff is available to provide presentations to large employers.

In response to Chair Moulton-Peters, ED Richman explained that the Ride Amigos/Marin Commutes platform is only one of the various policy and program tools used by TAM to improve the transportation network in Marin County, reduce single-occupant vehicle use, and promote active transportation.

Chair Moulton-Peters asked if any members of the public wished to speak or had submitted a comment by e-mail and hearing none, asked for a motion.

Commissioner Cleveland-Knowles made a motion to approve the Ride Amigos Software Subscription Agreement Extension to Support the Marin Commutes Program, which was seconded by Commissioner Fredericks. A roll call vote was conducted, and the motion passed unanimously.

8. State Legislative Update (Discussion)

Chair Moulton-Peters welcomed TAM's legislative advocate, Gus Khouri of Khouri Consulting, to present this item for discussion.

Mr. Khouri provided a summary of the State legislative bills of interest, including Assembly Bills (AB) 1778, 2237, 2438, and 2622; and Senate Bills (SB) 307, 922, 942, and 1482.

Mr. Khouri also reported on legislative bills regarding the Ralph M. Brown Act (Brown Act), including AB 361, which remains in effect during a declared state of emergency, and AB 2449, which allows individual board members to meet virtually with certain conditions when there is no state of emergency.

Mr. Khouri further reported on SB 1 competitive grant and federal funding opportunities; 2023 State Legislative platform development; and the 2023-2024 Legislative Session schedule.

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

MCBC Policy and Planning Director Warren Wells commented on the passage of SB 932, AB 2097, and AB 2011.

9. Review and Accept the Draft TAM Equity Statement and Action Plan (Action)

ED Richman explained that the Equity Statement is in draft form and that subsequent community outreach and internal agency analyses are forthcoming.

Director of Planning Derek McGill presented the staff report, which asks that the TAM Board reviews and approves the Draft TAM Equity Statement and Action Plan. Mr. McGill reported that 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.

Mr. McGill provided background and context for planning as it intersects with TAM's Mission Statement, Community Based Transportation Plans (CBTPs), and Strategic Vision Plan; and provided an overview of the data used by MTC to identify Equity Priority Communities (EPCs), including Marin City, the Canal Neighborhood, Southeast San Rafael and the Los Ranchitos Neighborhood.

Mr. McGill also provided an overview of the development of the Draft Equity Statement and its core tenets; and outlined the Action Plan, including the assessment of internal operations, community engagement, investment review, implementation, and regularly reporting progress to the Board and the public.

Lastly, Mr. McGill provided a summary of the AP&P Executive Committee feedback; next steps; and upcoming activities, including the development of a CBTP and a Countywide Transportation Plan (CTP).

Commissioner Colin expressed support for the Draft Equity Statement and commented that it should incorporate both language and cultural appropriateness. Commissioner Colin also commented on the role of compensation during the community engagement process.

In response to Commissioner Cutrano, Mr. McGill explained that an equity working group will be developed to start the process of community engagement.

In response to Commissioner Carmel, Mr. McGill explained that the December TAM Board meeting agenda will include a presentation on the CTP and that a Request for Proposal/Qualifications (RFP/Q) is anticipated in Spring 2023.

Commissioner Rodoni commented that Marin County Health and Human Services uses the California Healthy Place Index to identify underserved communities, including the Canal Neighborhood, Marin City, parts of Novato, and West Marin.

Chair Moulton-Peters commented that MT has an outreach program for the purpose of designing transit and obtaining community feedback and encouraged TAM staff to continue to work with MT throughout the development process.

Commissioner Cutrano encouraged the use of "active" language within the Draft Equity Statement.

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

Commissioner Colin moved to approve the Draft TAM Equity Statement and Action Plan, with revised language, which was seconded by Commissioner Cutrano. A roll call vote was conducted, and the motion passed unanimously.

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

Mr. McGill provided an update on the Sea Level Rise (SLR) Program, including funding from the Measure AA ½-Cent Sales Tax; considerations by project phase; past Board direction; outstanding questions; and a proposed path forward.

Mr. McGill reported on the draft scope of work, including identifying a range of adaptation measures; conducting governance review; creating an implementation plan; and next steps.

In response to Chair Moulton-Peters, Mr. McGill confirmed that in coordination with local jurisdictions, the objective of this program is to identify transportation-related facilities that will be subject to SLR, possible solutions and project implementation.

Commissioner Lucan commented that the scope of work is focused on concept development, including designs for specific locations and expressed his support for project development and implementation.

Commissioner Colin expressed support of the Marin County Department of Public Works' BayWAVE program; and moving forward into project development and implementation.

Commissioner Cleveland-Knowles expressed support for TAM's coordination efforts with regard to SLR and inquired how information will be shared with other jurisdictions. In response to Commissioner Cleveland-Knowles, Mr. McGill explained that proofs of concepts are developed through the implementation plan, which will include a wide-range design process; and ED Richman explained that the SLR program will entail evaluation of different models for governance, project delivery and revenue.

Chair Moulton-Peters asked if any members of the public wished to speak or had submitted a comment by e-mail.

Member of the Public Jean Severinghaus expressed support for TAM's SLR Program, including adaptation efforts; and also commented on the need to address SLR and flooding issues in the area surrounding Lucky Drive, which includes multiple jurisdictions. In response to Ms. Severinghaus, Mr. McGill confirmed that the aforementioned area will be taken into consideration as part of the SLR program.

11. Public Comment Regarding Closed Session Item

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

12. Adjourn to Closed Session

13. Reconvene to Open Session – Announcement from Closed Session

Chair Moulton-Peters reported that the Board met in closed session to discuss the annual performance review for the ED, and that direction will be given to staff.

The meeting was adjourned at 8:33 p.m.



DATE: December 15, 2022

TO: Transportation Authority of Marin Board of Commissioners

FROM: Anne Richman, Executive Director *Anne Richman*
Li Zhang, Deputy Executive Director/Chief Financial Officer

SUBJECT: Acceptance of Revisions to the TAM Financial Management and Accounting Procedures (Action) - Agenda Item No. 7b

RECOMMENDATION

The Board reviews and approves the following recommended revisions to the TAM Financial Management and Accounting Procedures (Procedure), as the 8th revision:

1. Update the Expense Reimbursement Section under “Expenditures” to reflect current travel reimbursement standards.
2. Update the Capitalization Section under “Fixed Assets” to increase the capitalization threshold from \$5,000 to \$25,000.

In addition, staff also updates the position titles and accounting process throughout the Procedures when appropriate.

BACKGROUND

The Procedure was originally developed and approved by the Board in June 2008 and has provided guidelines for all TAM’s financial activities. Periodic review of the Procedure has been conducted to ensure all components meet the requirements of current regulations/laws and to keep policies and procedures up to date with current standard practices.

DISCUSSION/ANALYSIS

Recommended Revision 1 – *Update the Expense Reimbursement Section under “Expenditures” to increase the meal reimbursement standards: breakfast from \$18 to \$23, lunch from \$20 to \$25, and diner from \$35 to \$45.* This revision is recommended to reflect the labor cost and food item inflation increases experienced in the last 3 years. TAM is not using federal funds for meal reimbursement and its meal allowance is set approximately 25% higher than per diem rates set by the US General Services Administration (GSA) to account for regional cost differences. Please note that receipts are required for meal reimbursement and no reimbursement of alcohol consumption is allowed on TAM business travel.

Recommended Revision 2 – *Update the Capitalization Section under “Fixed Assets” to increase the capitalization amount of fixed assets from \$5,000 to \$25,000.* This revision is recommended to reflect a practical application of the materiality principle and to establish an updated minimum amount of costs that must be incurred before recognition of an asset is recorded.

FISCAL CONSIDERATION

Staff expects no potential increase in expenses from the capitalization and small fiscal impacts from the expenditure reimbursement revisions.

NEXT STEP

New revisions will be effective once approved by the TAM Board.

ATTACHMENTS

Attachment A – Cover and Pages of the Procedure with Essential Revisions Highlighted
(Full copy of the Procedure can be provided upon request)

TRANSPORTATION AUTHORITY OF MARIN

Financial Management and Accounting Procedures

Originally Adopted June 2008

1st Revision December 2010

2nd Revision June 2011

3rd Revision January 2012

4th Revision April 2016

5th Revision December 2017

6th Revision February 2019

7th Revision October 2019

8th Revision December 2022

EXPENDITURES

A. Expense Reimbursement

A1. Definitions

Eligible claimants for reimbursement of authorized expenses include TAM Board members and employees. Authorized expenses mean those expenses as described in this procedure incurred by eligible claimants directly connected with authorized TAM business, travel, meetings, conferences, and training eligible for reimbursement. Authorized TAM business, travel, conferences, meetings, and training means any activities which have received specific authorization as described in this policy.

A2. Authorized expenses

The following expenses shall be eligible for reimbursement in connection with authorized TAM business, travel, conferences, meetings and training.

1. Mileage – Mileage is defined as the use of a private automobile for TAM business, travel, offsite meetings, conferences and training. Mileage reimbursement is meant to cover only those miles incurred above and beyond the claimant's normal commute from home to his/her regular work location. Along with the mileage reimbursement, the claimant must provide a map log showing the total mileage for the trip, less the normal commute distance to and/or from work if applicable. If the travel time falls on a weekend and/or holiday, or the work event is all day event, the mileage may be measured between the claimant's home location and the site of business travel. The rate of reimbursement shall be the rate in effect at the time as established by the Internal Revenue Service. Claimant who receives an automobile allowance from TAM or the appointing agency are not eligible for mileage reimbursement.

All claimants using a private automobile for authorized TAM business are required to have automobile insurance in compliance with State law. Employee's or official's own insurance company shall be responsible for responding to any claim made against the claimant in connection with the driving of a private automobile on TAM business.

2. Air travel – Air travel is defined as air transportation in connection with authorized TAM business, travel, meetings, conferences and training. Governmental or group rates offered by the meeting or conference organizers shall be used when possible. In all other cases, economy or coach fares will be the rate eligible for reimbursement.
3. Lodging – Lodging is defined as overnight lodging in connection with authorized TAM business, travel, out-of-region meetings, conferences and training. Where the conference, training, or out-of-region business meeting is held in a hotel, the group rate at the establishment, when available, shall be eligible for reimbursement. In other instances, claimants shall seek reasonable, economical, comfortable, safe and secure lodging, which shall be eligible for reimbursement. Government rates shall be utilized when available. The Executive Director or his/her designee reserves the right to determine which lodging is reasonable, economical, comfortable, safe and secure, following guidelines of the U.S. General Services Administration (GSA).
4. Meals – Meals are defined as those meals in connection with authorized TAM business, meetings, conferences and training. Reimbursement shall be for actual expenditures in an amount not to exceed \$93 for three meals in a day, with \$23 for breakfast, \$25 for lunch and \$45 for dinner. In the case that employee is eligible for reimbursement for all three meals during the day, the reimbursement is only subject to the daily limit. If any meals of the day are covered by the event/conference, then reimbursements of the meals not covered are subject to the individual

FIXED ASSETS

A. General

Fixed Assets shall be defined as those items of tangible property which are of significant value or which have a useful life of at least one fiscal year. The primary purpose of accounting for fixed assets shall be as follows:

A1. To safeguard and track investments;

A2. To assign custodial responsibility;

A3. To aid in scheduling future asset retirement and acquisition;

A4. To supply financial reporting data;

A5. To assure compliance with applicable local, state and federal requirements

B. Capitalization

Individual inventory records shall be established and maintained in accordance with the following capitalization policy:

Items of equipment shall include tangible property that is movable or detachable without causing impairment to the units to which they are attached and have a unit value of \$25,000 or more, and a useful life of one year or more.

Unit value shall be set at an amount equal to the original cost of acquisition, plus any costs associated with bringing the asset to an operating or useful condition. Such costs include, but are not necessarily limited to, taxes, freight, installation, testing and related costs. In cases where an asset has been acquired by gift or other means by which costs are not readily available, cost shall be established using an estimate of fair market value at the time of donation.

C. Non-Capitalized Items

For purposes of administrative control, items that meet neither the value nor useful life criteria set forth in the above "Capitalization" paragraph, but have a useful life of one year or more and a value of \$500 or greater, shall be maintained on an inventory list as non-capitalized memorandum entries.

For Non-Capitalized items, such as computer and phone equipment, that are assigned to individual employee, TAM will allow employee to purchase those items at market/preset value upon separation from the agency if he/she desires.

For items that TAM purchased at market value, price of the comparable items at the time employee separation in pre-owned condition will be used as the basis to determine the amount TAM will charge. At least three reasonable price quotes should be obtained and the average of the three will be used as the sale prices.

For items that TAM purchased at discounted price as a governmental agency, or through a purchase pool, employee will pay 75% of the amount that TAM paid if the item is less than one-year old during the TAM of separation, 50% of amount that TAM paid if the item is more than one-year but less than two-year old, and 25% of the amount that TAM paid for any items that are more than two-year old.

Only items that the departing employee has been assigned for individual use can be purchase upon

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DATE: December 15, 2022

TO: Transportation Authority of Marin Board of Commissioners

FROM: Anne Richman, Executive Director *Anne Richman*
Li Zhang, Chief Financial Officer/Deputy Executive Director

SUBJECT: Approval of Revisions to the TAM Human Resources Policies and Procedures (Action),
Agenda Item No. 7c

RECOMMENDATION

The Board approves the recommendation of adding an additional floating holiday to be observed on a day of cultural or personal significance to TAM's current approved holiday list, along with the necessary revision to the TAM Human Resources Policies and Procedures (HR Policies and Procedures).

BACKGROUND/DISCUSSION

The Board first adopted the HR Policies and Procedures on November 30, 2017. The HR Policies and Procedures has been reviewed and revised over the years as needed.

As part of the FY2022-23 TAM Annual Budget adoption process, staff reviewed the cost of living and benefit adjustments of other public agencies. In recognition of many public agencies' efforts to honor the Juneteenth National Holiday to promote diversity, equity, and inclusion in the workplace, at the June 23, 2022 TAM Board meeting, staff requested the Board to allow staff further research and bring back appropriate action for consideration and approval towards the end of year. Based on the additional discussions, staff now recommends offering an annual floating holiday that will allow individuals from different religious or cultural backgrounds the option to observe a holiday that is personally significant to them in addition to the current 11 holidays observed by TAM.

FISCAL CONSIDERATION

This recommended revision has no direct fiscal impacts on TAM's salary and benefit costs.

NEXT STEPS

New revisions will be effective on January 1, 2023 once approved by the TAM Board.

ATTACHMENTS

Attachment A – Cover and Policy 304 of the HR Policies and Procedures with Revisions Highlighted
(Full copy of the HR Policies and Procedures can be provided upon request)

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HUMAN RESOURCES POLICIES & PROCEDURES

Adopted November 30, 2017
1st Revision June 28, 2018
2nd Revision February 28, 2019
3rd Revision January 28, 2021
4th Revision December 15, 2022



POLICY# 304

SECTION: BENEFITS
SUBJECT: HOLIDAYS

For purposes of holiday, a day is defined as eight (8) hours unless otherwise stated.

Regular full-time employees receive twelve (12) paid holidays per year:

New Year's Day	January 1
Martin Luther King, Jr. Birthday	Third Monday in January
Presidents' Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas Eve	December 24
Christmas Day	December 25
Floating Holiday	At employee's discretion*

When any of the holidays identified above fall on a Sunday, the following Monday shall be deemed to be the holiday in lieu of the day normally observed. When any of the holidays above fall on a Saturday, the preceding Friday shall be deemed to be the holiday in lieu of the day normally observed.

*One floating holiday/year can be observed at employee's discretion on a day of cultural or personal significance. Unpaid floating holiday time as of December 31 of each year will be lost and is not paid out at the end of the year or upon separation from employment.

GUIDELINES

1. Employees are required to work on their regularly scheduled workday preceding and following the holiday to receive payment for the holiday, unless the employees are on approved leave or a regularly scheduled day off.
2. Holiday pay is at straight time wages.



DATE: December 15, 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 Consultant Contract Extension (Action), Agenda Item No. 7d

RECOMMENDATION

The TAM Board approves a one-year extension with Khouri Consulting for State Legislative Services not to exceed \$46,200.

BACKGROUND

In January 2019, the TAM Board approved a contract with Khouri Consulting for State Legislative Services for up to three years at \$42,000 annually with an option for two one-year extensions at TAM's discretion. Furthermore, the TAM Board authorized the Executive Director with the discretion to include a cost-of-living increase (COLA) after two years into the contract. A COLA was approved after three years into the contract and the annual contract amount was increased to \$46,200.

DISCUSSION

As TAM's state legislative advocate, Mr. Gus Khouri of Khouri Consulting has been actively and consistently monitoring issues and supporting TAM's direction and priorities on legislation germane to Marin's transportation projects/programs and other related issues. He helps communicate positions on legislative bills that are pertinent to TAM, provides prudent advice on complex issues, and is readily available when requested. Mr. Khouri also advocates on behalf of TAM's interests before the legislative bodies, particularly on transportation funding and helps coordination between TAM and California Transportation Commission (CTC) staff.

The initial three-year duration of the contract with Khouri Consulting expired on December 31, 2021 and the Board approved the first one-year extension on November 18, 2021. The approval extended the expiration to December 31, 2022.

Staff is recommending exercising the 2nd and final year of the available two one-year options. Staff is anticipating using Khouri Consulting in 2023 to continue the momentum from prior years to advocate local projects for state funding with targeted State Legislators. The one-year extension with Khouri Consulting will be contracted not to exceed \$46,200. The contract extension will commence January 1, 2023 and expire December 31, 2023.

Prior to the expiration of the 2nd year extension on December 31, 2023, TAM will be issuing a Request for Qualifications (RFQs) for state legislative services in late Summer 2023 in order to retain a state legislative consultant starting on January 1, 2024. A proposed state legislative consultant will be presented to the TAM Board for approval no later than December 2023.

FISCAL IMPACTS

There are no additional fiscal impacts. The amount needed for the state legislative services contract is already included in the adopted TAM FY 2022-23 Annual Budget.

NEXT STEPS

Upon approval of the TAM Board, staff will execute a one-year contract extension with Khouri Consulting not to exceed \$46,200.

ATTACHMENTS

None.



DATE: December 15, 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 with Moffatt & Nichol for the North/South Greenway – Northern Segment (Action), Agenda Item No. 7e

RECOMMENDATION

Staff is recommending that the TAM Board authorizes the Executive Director to execute a contract amendment in the amount of \$105,000 with the engineering firm Moffatt & Nichol to provide additional administrative and design services for the North/South Greenway Gap Closure Project in Central Marin (Northern Segment).

Funding for this work will be provided from an augmentation of Transportation Development Act (TDA) funds, which the Board is being asked to program to the North/South Greenway Gap Closure Project under a separate action item on this agenda.

BACKGROUND

The North/South Greenway Gap Closure Project in Central Marin (Northern Segment) is being implemented in two phases. Staff assessed the scope of the Northern Segment and concluded it would be more efficient to implement it in phases, since one portion of the path is within the California Department of Transportation’s (Caltrans’) right-of-way and the other portion is along Old Redwood Highway, which is within the City of Larkspur’s right-of-way.

Construction of the portion over Corte Madera Creek is winding down with minor “punch-list” items being completed by Caltrans’ contractor. This portion of the North/South Greenway has been open for public use since last summer.

The portion along Old Redwood Highway has been under development with the California Environmental Quality Act (CEQA) with the National Environmental Policy Act (NEPA) environmental phase completed and the design phase nearing completion.

Most of the funding for this project is from the Metropolitan Transportation Commission’s (MTC) Regional Measure 2 (RM2) Program. Other fund sources include interest revenue from the Measure A/AA Transportation Sales Tax, the Transportation Development Act (TDA), the Transportation Fund for Clean Air (TFCA), Senate Bill (SB) 1’s Local Partnership Program (LLP), local City of Larkspur funds, and federal Congestion Mitigation and Air Quality Program (CMAQ) funds. Caltrans and the City of Larkspur have also provided staff oversight services as “in-kind” contributions.

DISCUSSION

As noted above, the final design and preparation of construction documents for the multi-use path on Old Redwood Highway is nearing completion. While finalizing the design, the team revised the construction cost estimate in light of recent increases in labor and material costs. A funding shortfall has been identified in the project construction capital and support costs. Staff will return to the Board shortly with an overall strategy for closing the funding gap.

Meanwhile, in an effort to update the design and to be ready to proceed to construction as soon as practical, staff has asked the consulting team to submit a proposal to update the construction documents. Moffatt and Nichol has submitted a proposal in the amount of \$105,000 to update the design and provide additional administrative services that are associated with Caltrans obligating the federal CMAQ funds.

FISCAL IMPACTS

This amendment request is subject to the Board approving staff's request to approve an update to the programming of FY21/22 TDA Article 3 funds (Agenda Item No. 7i). This update is recommended to program an additional \$188,113 of TDA Article 3 funds toward the North/South Greenway Gap Closure Project in Central Marin (Northern Segment). Of that amount, \$105,000 is required for the design update and the remaining \$83,113 will be directed to the construction capital phase. A budget adjustment will be incorporated in the next budget amendment.

NEXT STEPS

Upon Board approval, staff will execute the contract with Moffatt & Nichol to update the design and to provide administrative services to obligate the federal CMAQ funds. This action is time sensitive as MTC requires the CMAQ funding request be submitted no later than January 31, 2023.

At a future date, staff will bring a recommendation to the Board regarding closing the remaining funding shortfall on the project.

ATTACHMENTS

None.



DATE: December 15, 2022

TO: Transportation Authority of Marin Board of Commissioners

FROM: Anne Richman, Executive Director *Anne Richman*
Nicholas Nguyen, Principal Project Delivery Manager

SUBJECT: Amendment to the Resilient State Route 37 Program Memorandum of Understanding (MOU) to Add the Sonoma Marin Area Rail Transit (SMART) District as a Party to Cooperatively Implement Mutual Corridor Responsibilities (Action), Agenda Item No. 7f

RECOMMENDATION

The Board approves Amendment No.1 to the existing Resilient State Route 37 Program Memorandum of Understanding (MOU) to cooperatively determine and implement mutual responsibilities in delivering the multi-agency *Resilient State Route 37 Program* projects and authorizes the TAM Board Chairperson to execute the final amendment MOU. The amendment would add SMART as a participating agency in the corridor program activities.

BACKGROUND:

State Route 37 (SR 37) is a key transportation corridor linking the four North Bay counties. Due to its strategic transportation role and environmentally sensitive natural footprint, SR 37 has been the subject of numerous planning studies, including those conducted by UC Davis (UCD), the California Department of Transportation (Caltrans), and the Metropolitan Transportation Commission (MTC). The Corridor has been cooperatively developed for over seven years by the coalition of the four county transportation agencies in Marin, Sonoma, Napa, and Solano, plus Caltrans and MTC, in concert with numerous resource agency partners.

For purposes of project development, the corridor is divided into three segments. Segment A is from Hwy 101 to Hwy 121 with 3.4 miles in Marin and 3.9 miles in Sonoma. Segment B is from Hwy 121 to Mare Island with 2.3 miles in Sonoma and 7 miles in Solano. Segment C is 4.4 miles entirely in Solano.

Two prior Board actions relate to this item:

September 2015 – The TAM Board approved entering into an MOU among TAM, the Napa Valley Transportation Authority (NVTA), the Solano Transportation Authority (STA), and the Sonoma County Transportation Authority (SCTA). The intent of the MOU was to define how the four transportation agencies would work together in cooperation to successfully promote and expedite the delivery of improvements in the SR 37 Corridor to address the threat of sea level rise, traffic congestion, transit options and recreational activities. The MOU also created the SR 37 Policy Committee; Commissioners Arnold and Lucan, and now-Assemblyperson Connolly have been representing TAM in recent years on the Committee.

February 28, 2019 – The TAM Board approved entering into the Resilient SR 37 Program MOU with MTC, Caltrans, STA, SCTA, and NVTa to cooperatively determine and implement mutual corridor responsibilities with the parties committing to make progress on the delivery of the priority Segment B (Sears Point to Mare Island) interim and ultimate projects. With a funding plan that was developed and adopted by the Policy Committee based on \$100 million being included in the Regional Measure (RM) 3 program, it was determined that an implementation-specific MOU would be ideal to keep the various projects moving forward with cooperation and coordination among parties (see Attachment A – 2019 MOU).

DISCUSSION/ANALYSIS

Since the execution of the Resilient State Route 37 Program MOU in 2019, significant progress has been made by MTC to thoroughly develop the Segment B - Sears Point to Mare Island Improvement Project to improve highway circulation, along with concurrent “ultimate vision” studies completed of the entire corridor via a Caltrans-led *planning and environmental linkage* (PEL) study and a design-alternative assessment study of Segment A. In addition, TAM was awarded a \$20 million earmark in the FY2022-23 state budget, to be used toward design of Segment A; staff are working with Caltrans to develop the environmental document that would lead to the design of a future project and a draft EIR is expected in 2023. An overall project update is being presented under another item on this agenda.

The Segment B - Sears Point to Mare Island Improvement Project team circulated the draft environmental document and received various substantive comments. Among the comments to address was the need to provide public transit for equity communities and to reduce congestion. In response, this interim improvement project would include the implementation of new bus public transit operation.

Additionally, it has been recognized that an opportunity exists to potentially expand public transit by assessing and potentially developing SMART rail service to provide future passenger service within the vicinity of the SR 37 corridor. To further explore this possibility, it is proposed that SMART be added to the Resilient SR 37 Program MOU as an active party. SMART staff has been participating in corridor discussions for some time, and the attached proposed amendment document would memorialize SMART’s participation. All of the signatory agencies to the MOU have stated their intention to bring this amendment to their respective boards or executives for consideration/approval. Staff recommends the approval of the draft and to authorize the TAM Board Chairperson to execute the final amendment so long as it is in substantial conformance.

FISCAL CONSIDERATION

There are no fiscal impacts to the recommended actions.

NEXT STEPS

Upon Board approval, the MOU amendment will be circulated for execution, and staff will continue to engage with the SR 37 Policy Committee to define future priorities of the SR 37 corridor and implement projects.

ATTACHMENTS

Attachment A – Executed *Resilient State Route 37 Program MOU*

Attachment B – Amendment No. 1 to *Resilient State Route 37 Program MOU*

MEMORANDUM OF UNDERSTANDING
for
THE RESILIENT STATE ROUTE 37 PROGRAM
between
BAY AREA TOLL AUTHORITY
CALIFORNIA DEPARTMENT OF TRANSPORTATION
SOLANO TRANSPORTATION AUTHORITY
SONOMA COUNTY TRANSPORTATION AUTHORITY
TRANSPORTATION AUTHORITY OF MARIN
NAPA VALLEY TRANSPORTATION AUTHORITY

This Memorandum of Understanding (MOU) is entered into and effective as of the last date written below between the Bay Area Toll Authority (“BATA”), California Department of Transportation District 4 (“Caltrans”), the Solano Transportation Authority (“STA”), the Sonoma County Transportation Authority (“SCTA”), Transportation Authority of Marin (“TAM”) and Napa Valley Transportation Authority (“NVTA”) (referred to herein collectively as the “Parties” or individually as a “Party”), to cooperatively determine their mutual responsibilities in delivering the Resilient State Route 37 Program (“Program”).

Recitals

1. The Resilient SR 37 Program aims to address resiliency of transportation infrastructure to sea level rise and flooding, traffic congestion, and opportunities for ecological enhancements, transit, multimodal use and public access along the SR 37 corridor from I-80 to US 101. The Program includes near- and longer-term improvements for a majority of the 20-mile corridor, including the long-term sea level rise vulnerability of a number of low-lying areas throughout the corridor.
2. The SR 37 Policy Committee, Executive Steering Committee (“ESC”) and the Project Leadership Team (“PLT”) currently have varying roles and responsibilities in the development and delivery of the Program. The SR 37 Policy Committee, composed of Executive Directors and Board Members representing BATA, Caltrans, STA, SCTA, TAM, and NVTA, provides policy oversight and dispute resolution to the respective staffs. The Executive Directors of BATA, Caltrans, STA, SCTA, TAM, and NVTA serve on the ESC to provide strategic direction to the Policy Committee and PLT. The Directors and their staffs of BATA, Caltrans, STA, SCTA, TAM, and NVTA participate in the PLT to vet technical, policy, and other related project issues and elevate them as appropriate to the ESC.
3. The BATA, Caltrans, STA, SCTA, TAM and NVTA completed a SR 37 Transportation and Sea Level Rise Corridor Improvement Plan that identified Segment B between and including Sears Point to the Mare Island Bridge (referred to herein as the “Segment B”) as the highest priority. On November 2, 2017, the SR 37 Policy Committee confirmed that Segment B is the priority segment. Subsequently, BATA, STA, SCTA, TAM and NVTA prepared a Project Initiation Document (PID)

BATA/Caltrans/STA/SCTA/TAM/NVTA
Memorandum of Understanding
Resilient SR 37 Program

for Segment B improvements and submitted it to Caltrans for review and approval. Caltrans approved this PID on December 28, 2018.

4. On November 8, 2018 the SR 37 Policy Committee unanimously approved a funding plan and authorized the applicable sponsor(s) to submit Initial Project Reports to the Metropolitan Transportation Commission for funding consideration under Regional Measure 3, as follows: \$15 million to STA for Segment C-Fairgrounds Interchange, \$20 million to SCTA for Interim Segment B Environmental and Design Phases, \$4 million to SCTA for Environmental Phase for SR 37/121 improvements, \$3 million to TAM for Segment A levee study, and \$58 million to SCTA and TAM for Ultimate Segment A and Segment B improvements.
5. The Parties wish to organize the delivery of the SR 37 Program wherein:
 - a. BATA, Caltrans, SCTA and TAM is assigned to and have purview over Segment A (US 101 to SR121);
 - b. BATA, Caltrans, SCTA, STA and NVTA is assigned to and have purview over Segment B (Sears Point to Mare Island Bridge); and
 - c. BATA, Caltrans, and STA is assigned to and have purview over Segment C (Mare Island Bridge to I-80).

The SR 37 Policy Committee, ESC and PLT continue to perform the same roles and responsibilities except for the technical work, discussions, actions and decisions of the individual Party would be targeted and applicable to the project segment for which that Party is assigned.

6. The Parties commit to continue to make progress on the delivery of the priority Segment B interim and ultimate projects, while also performing feasibility studies, environmental studies, PIDs, and related studies with the goal of coordinating the longer-term delivery of the SR 37 Program.
7. A Party intends to seek legislation to amend Section 30910 of the Streets & Highway Code for the Sears Point-Mare Island Bridge to become a State-owned bridge, joining the toll bridge financial enterprise administered by BATA.
8. The Parties acknowledge the likely need for funding above and beyond toll bridge enterprise funding administered by BATA, and as such, intend to develop a financing and funding plan consisting of other traditional and untraditional funding sources to deliver the Program.
9. The Parties wish to work cooperatively to deliver the Program by exploring alternative project delivery methods (including, but not limited to, Design Build contracts), early environmental enhancements, and traditional and non-traditional funding and partnerships.

BATA/Caltrans/STA/SCTA/TAM/NVTA
Memorandum of Understanding
Resilient SR 37 Program

I. Term

The term of this MOU shall commence when fully executed, and unless amended earlier, shall terminate at a date agreed upon by the Parties.

II. SR 37 Program Delivery Organization

A. Executive Steering Committee (ESC)

1. Role

The ESC shall guide the identification, development, funding plan and implementation of projects to improve State Route 37. The ESC will select a Chairperson. The Chairperson will rotate between the members every two years. The Chairperson shall preside over the meetings of the ESC and shall perform all other duties incident to the position or as assigned to her or him by the ESC.

2. Members

- a. Executive Director, BATA (or designee)
- b. District 4 Director, Caltrans (or designee)
- c. Executive Director, STA (or designee)
- d. Executive Director, SCTA (or designee)
- e. Executive Director, TAM (or designee)
- f. Executive Director, NVTA (or designee)

3. Assignment

- a. Segment A: BATA, Caltrans, SCTA, TAM
- b. Segment B: BATA, Caltrans, SCTA, STA, NVTA
- c. Segment C: BATA, Caltrans, STA

4. Responsibilities

- a. Approve implementation and funding plan(s), which may include one or more projects.
- b. Define agency roles and responsibilities for individual projects, including project managers.
- c. Approve the scope, schedule, budget and funding plan for individual projects within funding levels approved by the BATA or other funding agencies, as applicable.
- d. Oversee overall project progress and reporting of project status, risk assessments, costs and schedule.
- e. Advise the BATA on contract matters.
- f. Review and approve project staffing plans.

5. Decision-making

The ESC will endeavor to make decisions on a consensus basis. To ensure public accountability, transparency and public disclosure, the decisions will be documented.

BATA/Caltrans/STA/SCTA/TAM/NVTA
 Memorandum of Understanding
 Resilient SR 37 Program

6. Meetings

Regular meetings of the ESC shall be held quarterly as otherwise determined by the ESC. Notice shall include an agenda of items on which the ESC will take action. Each member of the ESC has the right to place a matter on the ESC's agenda for consideration. Meetings to be rotated between BATA, Caltrans, STA, SCTA, NVTA, TAM offices or at a location determined by the ESC.

B. Corridor Director of the ESC

1. The Corridor Director serves as staff to the ESC, represents all ESC members and works directly with member agency Executive Directors and their staffs.
 - a. BATA will select, with the ESC, and employ the Corridor Director.
 - b. BATA reserves the right to make decisions regarding hiring, promotion, termination, compensation, and removal of the Corridor Director, in consultation with the ESC.
 - c. The Corridor Director may serve the SR37 Corridor Policy Committee in a similar capacity.

2. Responsibilities

The Corridor Director shall work with the Project Leadership Team, collaborate and provide direction to the project managers, as appropriate, to

 - a. Develop a implementation plan(s) and funding plan(s), including delivery methods
 - b. Develop the scope, schedule, budget and funding plan for individual projects.
 - c. Report regularly to the ESC on project status, risks assessments, change, costs and schedule.
 - d. Develop project staffing plans.
 - e. Prepare agendas for ESC meetings.
 - f. Deliver progress reports to and consult with the SR 37 Corridor Policy Committee.
 - g. Deliver progress reports to ESC and Policy Committee.
 - h. Provide oversight and direction to project managers.

The Corridor Director will also advise the SR37 Corridor Policy Committee on the SR 37 program.

C. Project Leadership Team

1. Role

The ESC hereby establishes a Project Leadership Team (PLT) that shall assist the ESC in the performance of its duties. The members of the PLT shall advise the Corridor Director on matters that are to be brought before the ESC.

BATA/Caltrans/STA/SCTA/TAM/NVTA
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2. Members

- a. Deputy Executive Director, Operations, BATA (or designee)
- b. Chief Deputy Director, Caltrans District 4 (or designee)
- c. Deputy Executive Director/Director of Projects, STA (or designee)
- d. Director of Projects and Programming, SCTA (or designee)
- e. Principal Project Delivery Manager, TAM (or designee)
- f. Director of Programs, Projects and Planning, NVTA (or designee)

3. Assignment

- a. Segment A: BATA, Caltrans, SCTA, TAM
- b. Segment B: BATA, Caltrans, SCTA, STA, NVTA
- c. Segment C: BATA, Caltrans, STA

4. Responsibilities

The PLT shall assist the Corridor Director and ESC in the performance of their duties for their assigned segments by

- a. Developing a implementation plan(s) and funding plan(s)
- b. Developing the scope, schedule, budget and funding plan for individual projects.
- c. Reviewing cost estimates, risk assessments, and cash flow requirements.
- d. Reviewing project status, scope and budgets, expenditures, staffing and contractor services to anticipate, identify, evaluate, and report to the Corridor Director concerning any project issues.
- e. Developing project staffing plans and structures.
- f. Preparing other project related reports for ESC review.
- g. Performing such other assignments as appropriate.

5. Meetings

The PLT will meet on an as-needed basis as determined necessary by the members or by the Corridor Director.

III. GENERAL

A. Integration Clause

This Agreement constitutes the complete and entire understanding among the Committee Members.

B. Amendments

This Agreement may be amended in writing from time to time upon agreement of the Committee Members.

BATA/Caltrans/STA/SCTA/TAM/NVTA
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C. Counter Parts

This Agreement may be executed in counterparts, each one of which will be an original or the equivalent thereof.

D. Miscellaneous

This Agreement is intended solely as a guide to the obligations, intentions and policies of the Committee Members. It does not constitute an authorization for funding a project nor does it constitute a legally binding agreement amongst the Agencies.

IN WITNESS WHEREOF, the Parties hereto have agreed to this Agreement on the date opposite their respective names.

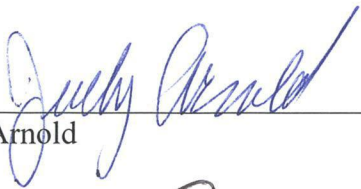
Jake Mackenzie, Feb 27, 2019
Date
Jake Mackenzie
Chair
Metropolitan Transportation Commission/Bay Area Toll Authority

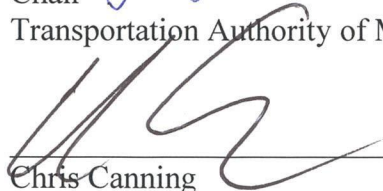
Tony Tavares, 2/27/19
Date
Tony Tavares
District 4 Director
Caltrans

Harry Price, 2/14/19
Date
Harry Price
Chair
Solano Transportation Authority

Mark Landman, 2/20/19
Date
Mark Landman
Chair
Sonoma County Transportation Authority

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_____, 2/28/19
Date
Judy Arnold
Chair
Transportation Authority of Marin


_____, 2/20/19
Date
Chris Canning
Chair
Napa Valley Transportation Authority

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AMENDMENT NO. 1
MEMORANDUM OF UNDERSTANDING
for
THE RESILIENT STATE ROUTE 37 PROGRAM
between
METROPOLITAN TRANSPORTATION COMMISSION
CALIFORNIA DEPARTMENT OF TRANSPORTATION
SOLANO TRANSPORTATION AUTHORITY
SONOMA COUNTY TRANSPORTATION AUTHORITY
TRANSPORTATION AUTHORITY OF MARIN
NAPA VALLEY TRANSPORTATION AUTHORITY
SONOMA MARIN AREA RAIL TRANSIT

This Memorandum of Understanding (MOU) is entered into and effective as of the last date written below between the Metropolitan Transportation Commission (“MTC”), the California Department of Transportation District 4 (“Caltrans”), the Sonoma Marin Area Rail Transit District (SMART), the Solano Transportation Authority (“STA”), the Sonoma County Transportation Authority (“SCTA”), Transportation Authority of Marin (“TAM”) and Napa Valley Transportation Authority (“NVTA”) (referred to herein collectively as the “Parties” or individually as a “Party”), to cooperatively determine their mutual responsibilities in delivering the Resilient State Route 37 Program (“Program”).

Recitals

1. The Resilient SR 37 Program aims to address resiliency of transportation infrastructure to sea level rise and flooding, traffic congestion, and opportunities for ecological enhancements, transit, multimodal use and public access along the SR 37 corridor from I-80 to US 101. The Program includes near- and longer-term improvements for a majority of the 20-mile corridor, including the long-term sea level rise vulnerability of a number of low-lying areas throughout the corridor.
2. The SR 37 Policy Committee, Executive Steering Committee (“ESC”) and the Project Leadership Team (“PLT”) currently have varying roles and responsibilities in the development and delivery of the Program. The SR 37 Policy Committee, composed of Executive Directors and Board Members representing MTC, Caltrans, STA, SCTA, TAM, and NVTA, provides policy oversight and dispute resolution to the respective staffs. The Executive Directors of MTC, Caltrans, STA, SCTA, TAM, and NVTA serve on the ESC to provide strategic direction to the Policy Committee and PLT. The Directors and their staffs of MTC, Caltrans, STA, SCTA, TAM, and NVTA participate in the PLT to vet technical, policy, and other related project issues and elevate them as appropriate to the ESC.

MTC/Caltrans/STA/SCTA/TAM/NVTA/SMART
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3. The MTC, Caltrans, STA, SCTA, TAM and NVTA completed a SR 37 Transportation and Sea Level Rise Corridor Improvement Plan that identified Segment B between and including Sears Point to the Mare Island Bridge (referred to herein as the “Segment B”) as the highest priority. On November 2, 2017, the SR 37 Policy Committee confirmed that Segment B is the priority segment. Subsequently, MTC, STA, SCTA, TAM and NVTA prepared a Project Initiation Document (PID) for Segment B improvements and submitted it to Caltrans for review and approval. Caltrans approved this PID on December 28, 2018.
4. On November 8, 2018 the SR 37 Policy Committee unanimously approved a funding plan and authorized the applicable sponsor(s) to submit Initial Project Reports to the Metropolitan Transportation Commission for funding consideration under Regional Measure 3, as follows: \$15 million to STA for Segment C-Fairgrounds Interchange, \$20 million to SCTA for Interim Segment B Environmental and Design Phases, \$4 million to SCTA for Environmental Phase for SR 37/121 improvements, \$3 million to TAM for Segment A levee study, and \$58 million to SCTA and TAM for Ultimate Segment A and Segment B improvements.
5. The Parties wish to organize the delivery of the SR 37 Program wherein:
 - a. MTC, Caltrans, SMART, SCTA and TAM is assigned to and have purview over Segment A (US 101 to SR121);
 - b. MTC, Caltrans, SCTA, SMART, STA and NVTA is assigned to and have purview over Segment B (Sears Point to Mare Island Bridge); and
 - c. MTC, Caltrans, SMART and STA is assigned to and have purview over Segment C (Mare Island Bridge to I-80).

The SR 37 Policy Committee, ESC and PLT continue to perform the same roles and responsibilities except for the technical work, discussions, actions and decisions of the individual Party would be targeted and applicable to the project segment for which that Party is assigned.

6. The Parties commit to continue to make progress on the delivery of the priority Segment B interim and ultimate projects, while also performing feasibility studies, environmental studies, PIDs, and related studies with the goal of coordinating the longer-term delivery of the SR 37 Program.
7. A Party intends to seek tolling authority between Sears Point and Mare Island.
8. The Parties acknowledge the likely need for funding above and beyond tolling and as such, intend to develop a financing and funding plan consisting of other traditional and untraditional funding sources to deliver the Program.

MTC/Caltrans/STA/SCTA/TAM/NVTA/SMART
Memorandum of Understanding
Resilient SR 37 Program
Amendment No. 1

9. The Parties wish to work cooperatively to deliver the Program by exploring alternative project delivery methods (including, but not limited to, Design Build contracts), early environmental enhancements, and traditional and non-traditional funding and partnerships.
 10. This amendment No. 1 adds SMART to the MOU. SMART is the owner of the railroad corridor that is adjacent to portions of SR37, including running parallel in Segment A and in the proximity of Segments B and C. The addition of SMART to the Resilient State Route 37 Program is a commitment to the multi-modal nature of the Program beyond bus transit and carpooling.
- I. Term
The term of this MOU shall commence when fully executed, and unless amended earlier, shall terminate at a date agreed upon by the Parties.
 - II. SR 37 Program Delivery Organization
 - A. Executive Steering Committee (ESC)
 1. Role
The ESC shall guide the identification, development, funding plan and implementation of projects to improve State Route 37. The ESC will select a Chairperson. The Chairperson will rotate between the members every two years. The Chairperson shall preside over the meetings of the ESC and shall perform all other duties incident to the position or as assigned to her or him by the ESC.
 2. Members
 - a. Executive Director, MTC (or designee)
 - b. District 4 Director, Caltrans (or designee)
 - c. Executive Director, STA (or designee)
 - d. Executive Director, SCTA (or designee)
 - e. Executive Director, TAM (or designee)
 - f. Executive Director, NVTA (or designee)
 - g. General Manager, SMART (or designee)
 3. Assignment
 - a. Segment A: MTC, Caltrans, SMART, SCTA, TAM
 - b. Segment B: MTC, Caltrans, SMART, SCTA, STA, NVTA
 - c. Segment C: MTC, Caltrans, SMART, STA
 4. Responsibilities
 - a. Approve implementation and funding plan(s), which may include one or more projects.

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 Memorandum of Understanding
 Resilient SR 37 Program
 Amendment No. 1

- b. Define agency roles and responsibilities for individual projects, including project managers.
- c. Approve the scope, schedule, budget and funding plan for individual projects within funding levels approved by the MTC or other funding agencies, as applicable.
- d. Oversee overall project progress and reporting of project status, risk assessments, costs and schedule.
- e. Advise the MTC on contract matters.
- f. Review and approve project staffing plans.

5. Decision-making

The ESC will endeavor to make decisions on a consensus basis. To ensure public accountability, transparency and public disclosure, the decisions will be documented.

6. Meetings

Regular meetings of the ESC shall be held quarterly as otherwise determined by the ESC. Notice shall include an agenda of items on which the ESC will take action. Each member of the ESC has the right to place a matter on the ESC's agenda for consideration. Meetings to be rotated between MTC, Caltrans, STA, SCTA, NVTA, TAM offices or at a location determined by the ESC.

B. Corridor Director of the ESC

1. The Corridor Director serves as staff to the ESC, represents all ESC members and works directly with member agency Executive Directors and their staffs.
 - a. MTC will select, with the ESC, and employ the Corridor Director.
 - b. MTC reserves the right to make decisions regarding hiring, promotion, termination, compensation, and removal of the Corridor Director, in consultation with the ESC.
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MTC/Caltrans/STA/SCTA/TAM/NVTA/SMART
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- f. Deliver progress reports to and consult with the SR 37 Corridor Policy Committee.
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The Corridor Director will also advise the SR37 Corridor Policy Committee on the SR 37 program.

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- c. Director of Projects, STA (or designee)
- d. Deputy Executive Director, SCTA (or designee)
- e. Principal Project Delivery Manager, TAM (or designee)
- f. Director of Programs, Projects and Planning, NVTA (or designee)
- g. Chief Engineer, SMART (or designee)

3. Assignment

- a. Segment A: MTC, Caltrans, SMART, SCTA, TAM
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- c. Segment C: MTC, Caltrans, SMART, STA

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MTC/Caltrans/STA/SCTA/TAM/NVTA/SMART
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The PLT will meet on an as-needed basis as determined necessary by the members or by the Corridor Director.

III. GENERAL

A. Integration Clause

This Agreement constitutes the complete and entire understanding among the Committee Members.

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This Agreement may be amended in writing from time to time upon agreement of the Committee Members.

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This Agreement may be executed in counterparts, each one of which will be an original or the equivalent thereof.

D. Miscellaneous

This Agreement is intended solely as a guide to the obligations, intentions and policies of the Committee Members. It does not constitute an authorization for funding a project nor does it constitute a legally binding agreement amongst the Agencies.

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DATE: December 15, 2022

TO: Transportation Authority of Marin Board of Commissioners

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

SUBJECT: Approval of Scope Revision of San Anselmo’s Innovation Program Funding (Action), Agenda Item No. 7g

RECOMMENDATION

The Board authorizes the amendment of the Quick Build Funding Agreement (A-FY21-21) between TAM and the Town of San Anselmo to support additional analysis including conceptual renderings of innovative bike/ped treatments for San Anselmo’s Hub Transportation Study. No additional TAM funding is requested as part of the work scope change.

BACKGROUND

The Measure AA Expenditure Plan directed TAM to set aside 0.5% under Category 2: Maintain, Improve and Manage Marin’s Local Infrastructure to support operational improvements to local streets and roads through innovative technology. The first round of “Innovation Program” funds were approved to fund quick build projects to support pandemic recovery at the July 23, 2020 board meeting. Individual funding agreements with the 11 local jurisdictions, including the Town of San Anselmo, were authorized, not to exceed \$20,000 each, totaling \$208,776 in funding to support this program.

DISCUSSION/ANALYSIS

The first round of “Innovation Program” funds focused on support for pandemic recovery, resulting in funding agreements with 11 jurisdictions. Many of the projects were completed in 2020 and 2021, and TAM reimbursement for this program is \$122,598 to date. The Town of San Anselmo’s proposed project, the San Anselmo Avenue Improvements for Pedestrian Access, Comfort and Usability, was not advanced into implementation, and the \$20,000 in funds have not been utilized. Overall, this program has not expended any funds since last fiscal year.

In Fall 2022, the Town of San Anselmo requested assistance in advancing innovative design approaches for Bike and Pedestrian facilities as part of the ongoing study of The Hub in San Anselmo. TAM has supported this study with \$309,000 in funding from OBAG 2 and serves on the Technical Advisory Committee for the project. Town staff has requested that additional 2D and 3D renderings be developed to visualize and understand conceptual designs developed for potential overcrossing and roundabout concepts for bike and pedestrian facilities. This approach to addressing challenging traffic conflicts will support public outreach and understanding of various alternatives at this location. The work is estimated to cost approximately \$30,000; if the \$20,000 in Innovation Program funds are approved for this use, the balance of funds will be provided by the Town of San Anselmo.

FISCAL CONSIDERATION

The amendment would not alter the not to exceed amount (\$20,000) of the funding agreement, and funds are available.

NEXT STEPS

Upon Board approval, staff will revise the funding agreement with the Town of San Anselmo and authorize a notice to proceed for work to begin. TAM staff will be exploring options for future phases of the Innovation Program in 2023.

ATTACHMENTS

None.



DATE: December 15, 2022

TO: Transportation Authority of Marin Board of Commissioners

FROM: Anne Richman, Executive Director *Anne Richman*
Li Zhang, Deputy Executive Director/Chief Financial Officer

SUBJECT: Review and Acceptance of the 2022 Measure A/AA Compliance Audit Results (Action) - Agenda Item No.7h

RECOMMENDATION

The TAM Board reviews and accepts the 2022 Measure A/AA Compliance Audit results.

At its November 21, 2022 meeting, the Citizens' Oversight Committee (COC) reviewed the reports, provided feedback, and voted unanimously to refer the 2022 Measure A/AA Compliance Audit reports to the Board for acceptance.

BACKGROUND

TAM has a fiduciary responsibility to the voters of Marin County to ensure that the Measure A and Measure AA Transportation Sales Tax funds are spent appropriately and has carried out this responsibility diligently since the inception of Measure A in 2004. Both the Measure A and Measure AA Expenditure Plans provided TAM with the authority to audit all Measure A/AA fund recipients for their use of the sales tax proceeds. An independent compliance audit is explicitly permitted under the terms and conditions of TAM's funding agreements/contracts with all Measure A/AA funding recipients. The COC played a critical role in the development of the original Measure A Compliance Audit Policy and the final Policy was adopted by the TAM Board at its October 28, 2010 Board meeting. The implementation of the Policy started with the FY2011-12 and prior Measure A funding activities. The Compliance Audit Policy was updated to include all categories under Measure AA and approved by the TAM Board at its April 23, 2020 meeting.

The TAM Board approved the six Measure A/AA Transportation Sales Tax fund recipients that were selected for the 2022 audit cycle at its June 23, 2022 meeting as shown in Table 1. The 2022 compliance audit cycle covers Measure A/AA revenue and expenditure activities which occurred in or prior to FY2021-22.

Table 1: Sales Tax Fund Recipients Selected for the 2022 Compliance Audit Cycle

No.	Fund Recipient	Funding Strategy/Category
Interest Revenue Funding Usage		
1	City of San Rafael	Usage of Multi-Use Path Maintenance Funds
2	County of Marin	Usage of Multi-Use Path Maintenance Funds
Measure A Strategy 1/Measure AA Category 4 Local Bus Transit System		
3	Marin Transit	For all sales tax funds received for its FY2021-22 transit operation and capital needs
Measure AA Category 1 Highway 101 & Adjacent Roadways		
	None for this Cycle	
Measure A Strategy 3.1/Measure AA Major Road Set Aside		
	None for this Cycle	
Measure A Strategy 3.2/Measure AA Category 2.1 Local Street and Road		
4	City of Mill Valley	For the usage of the FY2020-21 or prior sales tax Local Roads funds
Measure A Strategy 4.1/Measure AA Category 3.1 Safe Routes to School Program		
	None for this Cycle	
Measure A Strategy 4.2/Measure AA Category 3.2 Crossing Guard Program		
5	All City Management Services	For the usage of crossing guard funding in FY2021-22
Measure A Strategy 4.3 Safe Pathways to School Project		
6	Town of San Anselmo	Large capital project, for Measure A funds received for the Brookside Elementary School Sidewalk Gap Closure Project

DISCUSSION/ANALYSIS

Measure A/AA Compliance Audit Process:

The annual Measure A/AA Compliance Audit Workshop was conducted on September 8, 2022. Staff, along with the audit team from Moss, Levy & Hartzheim (MLH), LLP, reviewed the requirements of the Measure A/AA Expenditure Plans, the agreements and contracts in place, and the compliance audit policy adopted, and explained the audit process and timeline. Representatives from 8 different fund recipients (of which 5 are selected and 3 are not selected for this audit cycle) attended the workshop and provided staff with valuable questions and feedback.

The audit team from MLH, along with TAM staff, started the initial pre-audit meetings in September with the fund recipients selected, field visits were completed, and draft audit results were presented to TAM staff for review in early November. The audit team noted one observation with the City of San Rafael’s audit, which was reviewed and is being addressed by both the City of San Rafael and TAM staff. Staff is very pleased to report that there were no non-compliance findings discovered during this round of the compliance audit.

Measure A/AA Compliance Audit Results by Fund Recipients:

The main purpose of the compliance audit is to verify that all Measure A/AA Transportation Sales Tax funds were spent according to the requirements of the Measure A/AA Transportation Sales Tax Expenditure Plans/Strategic Plan and the funding agreements/contracts. Results from the audits can also help TAM staff to continue improving the fund programming, allocation, and monitoring process.

Compliance audit results for the 6 fund recipients selected for the 2022 compliance audit effort are presented below.

City of San Rafael, Interest Revenue for Routine Maintenance of Puerto Suello Hill Multi-Use Pathway

Measure A/AA Expenditure Audited:

The compliance audit for the City of San Rafael covers all Measure A expenditures which occurred in FY2021-22 for the maintenance costs of the Puerto Suello Hill Multi-Use Pathway.

<i>Measure A/AA Allocation</i>				
Allocation Period	Agreement Number	Measure A/AA Strategy/Category	Agreement Date	Available Amount
FY 21/22	2015-017	Measure A Interest	7/8/2016	\$ 26,299
Total Measure A/AA Allocation				\$ 26,299
<i>Measure A/AA Expenditures</i>				
Project Name	Phase	Measure A Strategy	Date of Completion	Amount
Puerto Suello Hill Pathway Maintenance	n/a	Measure A Interest	6/30/2022	\$ 26,299
Total Measure A/AA Expenditure				\$ 26,299

Result:

The results of the auditor’s procedures disclosed no instances of noncompliance with the Measure A Expenditure Plan and the funding agreement between City of San Rafael and TAM. However, the following observation is reported.

Observation – Lack of supporting documentation for payroll charges:

During the review of payroll charges, it was noted that hours and rates charges are management estimates instead of actual hours and hour rates supported by timesheet and personnel action forms.

Effect:

Without adequate supporting documentation for payroll charges such as direct timesheets and exact reconciliation of salary and benefit rates, it is difficult to determine if the recipient is in compliance with the requirements of the fund agreement and Measure A/AA Expenditure Plans.

Recommendation:

The audit team recommends that the City of San Rafael updates its procedures to obtain/retain adequate documentation for all actual payroll and other maintenance charges to the pathways.

Questioned Cost:

None noted.

Follow-up Meeting and/or Action:

TAM staff reviewed the observation with the City of San Rafael’s staff. City of San Rafael staff agreed with the observation and has set up project codes in the City’s financial/payroll system to properly track the staff hours and other actual maintenance cost of each pathway eligible for the Measure A interest fund.

County of Marin, Interest Revenue for Routine Maintenance of Cal Park Tunnel Multi-Use Pathway

Measure A/AA Expenditure Audited:

The compliance audit for the County of Marin covers all Measure A expenditures which occurred in FY2019-20 for the maintenance costs of the Cal Park Tunnel Multi-Use Pathway.

<i>Measure A/AA Allocation</i>				
Allocation Period	Agreement Number	Measure A/AA Strategy/Category	Agreement Date	Available Amount
FY2018-19	2015-014	Measure A Interest	9/22/2015	\$ 45,000
Total Measure A/AA Allocation				\$ 45,000
<i>Measure A/AA Expenditures</i>				
Project Name	Phase	Measure A/AA Strategy/Category	Date of Completion	Amount
Cal Park Tunnel Maintenance	n/a	Measure A Interest	2/2/2020	\$ 41,773
Total Measure A/AA Expenditure				\$ 41,773

Result:

The results of the auditor’s procedures disclosed no instances of noncompliance with the Measure A Expenditure Plans and the funding agreement between the County of Marin and TAM.

Follow-up Meeting and/or Action:

Not needed.

Marin Transit, Measure AA Funds for Local Transit

Measure A/AA Expenditure Audited:

Compliance audit for Marin Transit covers all Measure A and Measure AA funds allocated and spent in FY2021-22 for Marin Transit’s operation and capital needs.

<i>Measure A/AA Allocation</i>				
Allocation Period	Agreement Number	Measure A/AA Strategy/Category	Agreement Date	Available Amount
FY 2021-22	A-FY22-13	Measure AA C4	11/11/2021	\$ 13,612,184
Total Measure A/AA Allocation				\$ 13,612,184
<i>Measure A/AA Expenditures</i>				
Project Name		Strategy/Category	Date of Completion	Amount
Marin Transit Operation and Capital Needs		AA C4.1	6/30/2022	\$ 3,232,784
		AA C4.2		\$ 664,630
		AA C4.3		\$ 2,767,189
		AA C4.4		\$ 1,291,954
		AA C4.5		\$ 886,173
Total Measure A/AA Expenditure				\$ 8,842,730

Result:

The results of the auditor’s procedures disclosed no instances of noncompliance with the Measure A/AA Expenditure Plans and the funding agreement between Marin Transit and TAM.

Follow-up Meeting and/or Action:

Not needed.

City of Mill Valley, Measure A/AA Funds for East Blithdale Rehabilitation Project

Measure A Expenditure Audited:

The Compliance audit for the City of Milly Valley covers Measure A/AA funds allocated in FY2020-21 for the East Blithdale Rehabilitation Project.

<i>Measure A/AA Allocation</i>				
Allocation Period	Agreement Number	Measure A/AA Strategy/Category	Agreement Date	Available Amount
FY2020-21	A-FY21-05	AA S2.1	7/1/2020	\$ 261,055
		Measure A Reserve	7/1/2020	\$ 14,154
Total Measure A/AA Allocation				\$ 275,209
<i>Measure A/AA Expenditures</i>				
Project Name	Phase	Measure A/AA Strategy/Category	Date of Completion	Amount
East Blithdale Rehab Phase 1	All	AA S2.1	6/30/2021	\$ 261,055
		Measure A Reserve	6/30/2021	\$ 14,154
Total Measure A/AA Expenditure				\$ 275,209

Result:

The results of the auditor’s procedures disclosed no instances of noncompliance with the Measure A/AA Expenditure Plan and the funding agreement between the City of Mill Valley and TAM.

Follow-up Meeting and/or Action:

Not needed.

All City Management Services, Measure A/AA Funds for Crossing Guard Services

Measure A/AA Expenditure Audited:

The compliance audit for the Crossing Guard Program covers Measure A/AA funds TAM provided to All City Management Services for crossing guard services under the current contract.

<i>Measure A/AA Allocation</i>				
Contract Period	Contract Number	Measure A/AA Strategy/Category	Contract Date	Available Amount
July 2018 to July 2023	C-FY19-03	Measure A and AA	7/31/2018	\$ 11,300,000
Total Measure A/AA Contract Amount				\$ 11,300,000
<i>Measure A/AA Expenditures</i>				
Project Name		Measure A/AA Strategy/Category	Date of Completion	Expenditure Amount*
Crossing Guards		Measure A Reserve		\$ 79,450
		A S2		\$ 100,000
		AA C3.2		\$ 34,000
		A S4.2		\$ 1,415,383
		AA C3.2		\$ 3,536,766
Total Measure A/AA Expenditure				\$ 5,165,599

Result:

The results of the auditor’s procedures disclosed no instances of noncompliance with the Measure A/AA Expenditure Plans and the contract between All City Management Services and TAM.

Follow-up Meeting and/or Action:

Not needed.

Town of San Anselmo, Measure A Funds for the Brookside Elementary School Sidewalk Gap Closure Project

Measure A/AA Expenditure Audited:

The compliance audit for the Town of San Anselmo covers Measure A Element 4.3 funds for the Brookside Elementary School Sidewalk Gap Closure Project, which was allocated in FY2020-21 and spent in FY2021-22.

<i>Measure A/AA Allocation</i>				
Allocation Period	Agreement Number	Measure A/AA Strategy/Category	Agreement Date	Available Amount
FY2020-21	2015-008	Measure A S4.3	5/18/2015	\$ 350,000
Total Measure A/AA Allocation				\$ 350,000
<i>Measure A/AA Expenditures</i>				
Project Name	Phase	Measure A/AA Strategy/Category	Date of Completion	Amount
Brookside Elementary School Sidewalk Gap Closure	All	A S4.3	6/30/2022	\$ 350,000
Total Measure A/AA Expenditure				\$ 350,000

Result:

The results of the auditor's procedures disclosed no instances of noncompliance with the Measure A/AA Expenditure Plan and the funding agreement between the Town of San Anselmo and TAM.

Follow-up Meeting and/or Action:

Not needed.

FISCAL CONSIDERATION

The Measure A/AA compliance audit was conducted within budget and on schedule.

NEXT STEPS

The 2023 Measure A/AA compliance audit cycle will start in June 2023.

ATTACHMENTS

Since the reports are very similar and essential information from all reports is highlighted in the staff memo, only the City of San Rafael report is included as part of the package. The other reports may be accessed using the links below:

[Attachment 2-1 Measure A/AA Compliance Audit Report – City of San Rafael](#)

[Attachment 2-2 Measure A/AA Compliance Audit Report – County of Marin](#)

[Attachment 2-3 Measure A/AA Compliance Audit Report – Marin Transit](#)

[Attachment 2-4 Measure A/AA Compliance Audit Report – City of Mill Valley](#)

[Attachment 2-5 Measure A/AA Compliance Audit Report – All City Management Services](#)

[Attachment 2-6 Measure A/AA Compliance Audit Report – Town of San Anselmo](#)



MOSS, LEVY & HARTZHEIM LLP

 CERTIFIED PUBLIC ACCOUNTANTS

PARTNERS
 RONALD A LEVY, CPA
 CRAIG A HARTZHEIM, CPA
 HADLEY Y HUI, CPA

COMMERCIAL ACCOUNTING & TAX SERVICES

 9107 WILSHIRE BLVD. SUITE 500
 BEVERLY HILLS, CA 90210
 TEL: 310.273.2745
 FAX: 310.670.1689
 www.mlhcpas.com

GOVERNMENTAL AUDIT SERVICES

 5800 E. HANNUM, SUITE E
 CULVER CITY, CA 90230
 TEL: 310.670.2745
 FAX: 310.670.1689
 www.mlhcpas.com

INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE

Transportation Authority of Marin
 900 Fifth Ave #100
 San Rafael, California

Compliance

We have audited the City of San Rafael's (City) compliance with the types of compliance requirements described in the Measure A/AA Expenditure Plans and the respective funding agreement with the Transportation Authority of Marin (Authority), for the fiscal year ended June 30, 2022. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to compliance audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Management of the City of San Rafael is responsible for compliance with the Measure A/AA Expenditure Plans and requirements of its funding agreement with the Authority. Our responsibility is to express an opinion on the City's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to compliance audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Measure A/AA Expenditure Plans issued by the County of Marin, and the respective funding agreement between the City and the Authority. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide legal determination on the City's compliance with those requirements.

In our opinion, the City complied with the compliance requirements referred to above for funding allocated for Measure A Interest funds completed during the fiscal years ended June 30, 2022.

Internal Control over Compliance

The management of the City is responsible for establishing and maintaining effective internal control over compliance with requirements of laws, regulations, contracts, and grants applicable to Measure A/AA funded programs. In planning and performing our audit, we considered the City's internal control over compliance to determine the auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We noted no deficiencies that we considered to be material weaknesses.

A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We noted no deficiencies that we considered to be significant deficiencies.

This report is intended solely for the information of the Board of Commissioners, City Council, Citizens' Oversight Committee, Management of the Authority, and Management of the City, and is not intended to be and should not be used by anyone other than these specified parties.

Moss, Levy & Hartzheim

MOSS, LEVY & HARTZHEIM, LLP
Culver City, CA
October 31, 2022

CITY OF SAN RAFAEL

Measure A/AA Compliance Report

Notes to the Compliance Report

June 30, 2022

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**Financial Reporting Entity**

The City of San Rafael (City) is an incorporated City that receives funding under the Measure A/AA Expenditure Plans as a member of the County of Marin.

Basis of Accounting

The City utilizes the economic resources measurement focus basis of account, whereby revenues are recognized when measurable and available. The City considers all revenues reported to be available if the revenues are collected within sixty days after the fiscal year end. Expenditures are recorded when the related fund liability is incurred. Capital assets acquisitions are reported as expenditures in the governmental funds.

NOTE 2 MEASURE A/AA SALES TAX

The Measure A/AA sales tax is a ½-cent sales tax originally approved as Measure A in 2004 and then renewed as Measure AA in 2018 by the voters of Marin. Together, it is expected to provide more than \$1.2 billion in reliable local transportation dollars as a step in implementing the “transportation vision” set forth by the County of Marin as a plan to alleviate traffic congestion, reinvent the public transportation system, provide addition pedestrian and bike pathways, provide safer routes to school and many other additional transit related goals. Various community and advocacy groups in each part of the County, representing the many diverse interests in Marin, provided input that result in a draft expenditure plan for both Measure A and Measure AA. The draft plans were presented to each of Marin’s City/Town Councils and to numerous stakeholder groups for review and input. Comments received prompted refinements reflected in the Final Measure A/AA Transportation Sales Tax Expenditure Plans (Plans).

The original Marin County Transportation Sales Tax Expenditure Plan (Measure A) was approved in November 2014 and subsequently, the renewed Marin County Transportation Sales Tax Expenditure Plan was approved by 76.7% of Marin voters as Measure AA in November 2018. This renewed the current ½-cent transportation sales tax for another 20 years, until 2039.

The Plan is administered by the Authority. Its 16-member Board of Commissioners consists of the five Board of Supervisors and a council member of each incorporated City/Town. The Authority is accountable to a 12-member Citizens’ Oversight Committee (Committee), created with the assistance of the League of Women Voters. The Committee reviews all expenditures and reports annually and reports to the public in its annual report.

CITY OF SAN RAFAEL

Measure A/AA Compliance Report

Attachment A – Procedures Performed

June 30, 2022

1. Obtained original Funding Agreement/Contract, Allocation Request, and Funding Agreement/Contract Amendments for the audit period or for the period during which funding was utilized for an approved project.
2. Reviewed Funding Agreement/Contract, Allocation Request, and Funding Agreement/Contract Amendments to determine total funding provided by the applicable Strategy for the audit period or for the projects being audited.
3. Interviewed finance staff regarding internal controls in the following areas, specific to, but not limited to, accounting for Measure A/AA funding, to obtain an understanding of the entity's operations:
 - a. Cash Disbursements – Reviewed policies and procedures regarding approval, defacements, accounts payable check processing, and other matters related to the disbursement of funds.
 - b. Cash Receipts – Reviewed policies and procedures regarding cash handling of over-the-counter receipts and cash receipts received through the mail, bank deposits, bank reconciliations, and other matters related to the receipt of funds.
4. Obtained all invoices submitted to the Authority for reimbursements, if applicable.
5. Obtained supporting documentation for all invoices submitted to the Authority for reimbursements, including construction, personnel, project management, consultants, and other related costs.
6. Obtained general ledger detail for revenue and expenditures charged to the Measure A/AA funding source or equivalent reports where income and expenses associated with Measure A/AA funds can be clearly identified.
7. Reviewed remittances from the Authority to ensure that all revenues are correctly coded to the specific cost center or fund code designated for Measure A/AA funding.
8. For reimbursement-based agreements/contracts, we reviewed all invoices submitted to the Authority to ensure that the costs being billed on the invoices reconcile with the ones being charged to the specific Measure A/AA cost center in the entity's financial accounting system.
9. For reimbursement-based agreements/contracts, expenditures charged to the specific cost center or fund code designated for Measure A/AA funding were selected on a random basis and tested for the following attributes:
 - a. Approval – Reviewed invoices and supporting documentation to ensure that the proper review and approval process occurred and was documented on the invoice.
 - b. Invoice – Reviewed invoices and supporting documentation to ensure that they were mathematically accurate, properly addressed to the auditee and had sufficient detail to justify the amounts being charged and the cost center or fund code to which it was charged to.
 - c. Coding – Reviewed invoices and supporting documentation to ensure that they had been correctly coded to the specific cost center or fund code designated for Measure A/AA funding.
 - d. Allowable – Reviewed invoices and supporting documentation to ensure that the costs being charged to the specific cost center or fund code designated for Measure A/AA funding were allowable costs based on the Measure A/AA Expenditure Plans, the entity's funding agreement with the Authority, and specific requirements of the Strategy/Category for which the funds were restricted for. Also reviewed expenditures to ensure that all costs are direct costs and not indirect costs or allocations of any kind.

CITY OF SAN RAFAEL

Measure A/AA Compliance Report

Attachment A – Procedures Performed

June 30, 2022

10. For entities receiving funding in advance for Measure A Strategy 3 and/or Measure AA Category 2 under a funding agreement, we reviewed, in summary form, various invoices to verify that expenditures being charged to the specific cost center or fund code restricted for Measure A/AA were reasonable for the project. In addition, expenditures were also tested in the same fashion as outlined in Step 9 of this list.
11. For entities where capital construction projects were funded utilizing Measure A Strategy 1,3&4 and Measure AA Category 2,3&4 and the Major Road Set-aside funding, we obtained the necessary project files and reviewed them for the following requirements:
 - a. Procurement Process – Reviewed procurement process of the project to ensure that the project was properly advertised in publications, internet, trade journals and/or other acceptable means. If other means of procurement, such as selective Request For Proposal (RFP) submittals were followed, we determined whether the process was adequate in regards to the project. Reviewed any other evidence of procurement when appropriate, such as fax logs or mailing lists.
 - b. Bids and Proposals – Reviewed bids and proposals received to ensure that sufficient bids were received in regards to the project.
 - c. Bid Award – Reviewed County Board of Supervisor and/or City/Town Council Agendas and Minutes along with Staff Reports in regards to the bid award to ensure that the contract for the project was properly approved and documented in a public forum. Also, we reviewed bidding results to ensure that the lowest bid was selected, and if the lowest bid was not selected, that there was sufficient documentation for any other selection process utilized.
12. For entities where professional service contracts were paid utilizing Measure A/AA funding, with regards to construction projects or other purposes, we reviewed the policies and procedures of the entity in question to ensure that internal policies and procedures were followed in regards to the selection of professional service firms.
13. For entities where capital construction projects were paid utilizing Measure A Strategy 1,3&4 and Measure AA Category 2,3&4 and the Major Road Set-aside funding, we reviewed any applicable environmental review requirements and reviewed documentation to verify that all reports and reviews were performed prior to the start of any construction.
14. For entities where personnel costs were charged to Measure A/AA funding, we selected a representative sample of charges for personnel costs and tested for the following:
 - d. Recalculation – Reviewed and reconciled wage rates from personnel costs charged to Measure A/AA cost center or fund code to the entity’s payroll registers to ensure that wage rates being charged were accurate and properly approved; reviewed all benefits and fringe costs being allocated in addition to wage rates to ensure that they were accurate and appropriate; recalculated personnel costs utilizing wage rates and hours being charged to ensure that the amounts were mathematically accurate; review the calculation to ensure no indirect costs were included in the reimbursement request.
 - e. Timesheet – Reviewed timesheets for selected personnel costs to ensure that hours being charged to Measure A/AA are properly supported with an approved timesheet. All charges to Measure A/AA funding must be clearly documented on timesheets, detailing the number of hours and the funding source, on a daily basis. We also reviewed timesheets for selected personnel costs to ensure that signatures of both the employee and supervisor were present. Electronic time documentation methods must also have similar electronic signatures.
15. Obtained close-out reports, from completed capital construction projects, submitted to the Authority.
16. Reviewed close-out reports to ensure that they were submitted within 90 days and were properly certified in accordance with the entity’s funding agreement/contract with the Authority.

CITY OF SAN RAFAEL

Measure A/AA Compliance Report

Attachment B - Findings and Observations

June 30, 2022

Observation

2022-01

Observation – Lack of supporting documentation for payroll charges:

During the review of payroll charges, it was noted that hours and rates charges are management estimates instead of actual hours and hour rates supported by timesheet and personal action forms.

Effect:

Even though the estimated hours and rates are reasonable based on the understanding of work needed, without adequate supporting documentation for payroll charges such as direct timesheets and exact reconciliation of salary and benefit rates, actual cost cannot be determined.

Recommendation:

We recommend that recipient update procedures to ensure that they obtain/retain adequate documentation for all payroll charges.

City of San Rafael Management's Response:

The City used the average hour rate of park maintenance and facilities repair workers and reasonable estimated hours for the FY2021-22 Measure A interest fund reimbursement request. City staff understands the concern identified in the observation and has set up an project code to properly tracking the staff hours and other actual maintenance cost of each pathway eligible for the Measure A interest fund.

CITY OF SAN RAFAEL

Measure A/AA Compliance Report

Attachment C – Schedule of Funding Allocations and Expenditures

June 30, 2022

<i>Measure A/AA Allocation</i>				
Allocation Period	Agreement Number	Measure A/AA Strategy/Category	Agreement Date	Available Amount
FY 21/22	2015-017	Measure A Interest	7/8/2016	\$ 26,299
Total Measure A/AA Allocation				\$ 26,299
<i>Measure A/AA Expenditures</i>				
Project Name	Phase	Measure A Strategy	Date of Completion	Amount
Puerto Suello Hill Pathway Maintenance	n/a	Measure A Interest	6/30/2022	\$ 26,299
Total Measure A/AA Expenditure				\$ 26,299

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DATE: December 15, 2022

TO: Transportation Authority of Marin Board of Commissioners

FROM: Anne Richman, Executive Director *Anne Richman*
David Chan, Director of Programming & Legislation
Scott McDonald, Principal Transportation Planner

SUBJECT: Adopt Update to the Programming of FY21/22 TDA Article 3 Funds (Action), Agenda Item No. 7i

RECOMMENDATION

The TAM Board adopts updated programming of FY21/22 Transportation Development Act (TDA) Article 3 Funds shown in Attachment A. This update is recommended to program an additional \$188,113 of TDA Article 3 funds toward the North/South Greenway Gap Closure Project in Central Marin (Northern Segment). The additional funds are available due to a revenue increase beyond initial Metropolitan Transportation Commission (MTC) revenue projections.

BACKGROUND

Staff issued a Multi-Fund Call for Projects on May 20, 2021, with a total of \$1,307,316 including Transportation for Clean Air (TFCA) and TDA Article 3 funds. Following an evaluation process, the programming of these funds was approved by the TAM Board at its October 28, 2021, meeting. Anticipating a potential revenue increase at the time, staff recommended, and the Board authorized that should additional revenues be collected above the initial estimates, the funding would be directed to the project that was ranked highest by the TFCA/TDA review committee. Since the last programming action, MTC staff has notified TAM that final TDA Article 3 revenue for FY21/22 is \$188,113 higher than the initial estimates.

Given that the highest ranked project by the TFCA/TDA review committee was the North/South Greenway Gap Closure Project in Central Marin (Northern Segment), which received \$274,062 in TDA Article 3 funds at the time, staff is recommending the additional revenue be provided to the project, which has an additional funding need. Based on the current recommendation, that amount would increase by \$188,113 for a total of \$462,175 in FY21/22 TDA Article 3 funds.

FISCAL CONSIDERATION

The additional \$188,113 amount in TDA Article 3 funds is recommended for the North/South Greenway Gap Closure Project in Central Marin (Northern Segment). With this revision, which will be submitted to MTC for approval, the project will receive an updated funding allocation.

NEXT STEPS

Upon Board approval, staff will submit the updated project approved for TDA funding to MTC, for a subsequent allocation request for the additional \$188,113.

ATTACHMENTS

Attachment A – Updated Funding Recommendation to reflect increase in FY21/22 TDA Article 3 funding for the North/South Greenway Gap Closure Project in Central Marin

December 2022 TFCA & TDA 3 Funding Recommendation

Sponsor	Ranking	Project	Total Project Cost	Comments	Recommended Funding		
					TFCA	TDA	Fiscal Year
Corte Madera	2	Corte Madera Path/Echo Avenue Connector	\$230,000	Bay Trail segment (Class 1 MUP)	\$175,000		FY21/22
County of Marin	5	Lomita Drive Gap Closure Project	\$328,000	Sidewalk Pedestrian Improvement	N/E	\$130,000	FY22/23
Larkspur	6	Doherty Drive Safe Pathways to Schools Phase II	\$500,000	MUP Gap Closure	\$218,254		FY21/22
Marin County Parks	4	Mill Valley Sausalito Pathway Bridge Repair Project	\$305,000	Bridge Repair Project	N/E	\$100,000	FY22/23
Ross	7	Laurel Grove Safe Pathways Project Phase III	\$930,000	Design of Bike and Pedestrian Path	N/E	\$75,000	FY21/22
San Rafael	2	Grand Avenue Class IV Cycle Track	\$1,406,000	Class IV Cycle Track	\$335,000		FY22/23
TAM	1	North - South Greenway Gap Closure Project in Central Marin - Northern Segment	\$17,711,000	TDA 3 Increase recommended in December 2022 by \$188,113 for a total of \$462,175 in FY21/22 TDA Article 3 funds	N/E	\$462,175	FY21/22
Total			\$21,410,000	Recommended	\$728,254	\$767,175	
Total Available Funds ¹					\$728,254	\$767,175	
Remaining					\$0	\$0	

1. Since the last programming action, MTC staff notified TAM that TDA Article 3 revenue for FY21/22 is \$188,113 higher than the initial estimates.

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DATE: December 15, 2022

TO: Transportation Authority of Marin Board of Commissioners

FROM: Anne Richman, Executive Director *Anne Richman*
Li Zhang, Deputy Executive Director/Chief Financial Officer

SUBJECT: Acceptance of the Draft FY2021-22 TAM Annual Comprehensive Financial Report (Action),
Agenda Item No. 7j

RECOMMENDATION

The Board reviews and accepts the Draft FY2021-22 TAM Annual Comprehensive Financial Report (ACFR).

The Citizens' Oversight Committee (COC) reviewed the Draft FY2021-22 TAM ACFR at its November 21, 2022 meeting, provided feedback, and voted unanimously to refer the ACFR to the TAM Board for acceptance.

Please note that the finalization of the report is pending the final round of review by the audit team, Eide Bailly LLP. Since the audit field work is completed and TAM staff has provided all items needed, the draft clean audit and in compliance opinions issued are not expected to change while Eide Bailly finalizes its audit process. The timely action of the TAM Board is needed for the production of the FY2021-22 COC/2022 TAM Annual Report and to meet the filing date of various regulatory and grantor agencies. Should any unexpected items arise that impact the audit opinion during the final review, staff will bring the ACFR back to the Board for further review.

BACKGROUND

TAM is required by the Measure A/AA ½-Cent Transportation Sales Tax Expenditure Plans and PUC Code 180105(c) to conduct an annual financial audit. TAM staff, along with its audit team from Eide Bailly LLP, started work on the FY2021-22 financial audit in June of this year. Both the initial and the final field visits were conducted remotely due to the COVID-19 pandemic but went smoothly. As required by the Measure A/AA ½-Cent Transportation Sales Tax Expenditure Plans, the COC is asked to review and accept the Draft FY2021-22 ACFR, refer it to the TAM Board for review and acceptance, and report the results to Marin residents in its FY2021-22 COC/2022 TAM Annual Report.

DISCUSSION/ANALYSIS

FY2021-22 Annual Comprehensive Financial Report

TAM's ACFR includes the following key components to ensure that users of the financial statements have the information and context needed to assess the financial health of TAM.

- **Introductory Section:** A letter of transmittal is included in this section. The letter discusses the profile of the agency and the general economy of Marin County, in which it operates. It also highlights accomplishments and discusses major initiatives of TAM.
- **Financial Section:** This section contains what is required for basic financial statements.
- **Statistical Section:** This section consists of the following operational, economic, and historical data, which provides a context for assessing a government's economic condition: .
 - ✓ Information on financial trends
 - ✓ Information on revenue capacity
 - ✓ Information on debt capacity
 - ✓ Demographic and economic information
 - ✓ Operating information
- **Compliance Section:** This section includes all the compliance audits that TAM is subject to in the fiscal year audited as well as the Single Audit Report required by the federal awards.

TAM's first ACFR, developed for FY2017-18, received the Certificate of Achievement for Excellence in Financial Reporting Award from the Government Finance Officers Association of the United States and Canada (GFOA). To apply and receive this award, the agency needs to publish an easily readable and efficiently organized ACFR that satisfies both the generally accepted accounting principles and applicable program requirements. Staff appreciates the confirmation of quality work by the GFOA and is committed to continue to improve the ACFR over the years.

Results of the FY2021-22 Financial and Single Audits

The auditor has certified that all of TAM's financial statements are presented fairly in all material aspects, the respective financial position of the governmental activities and each major fund of TAM, as of June 30, 2022, and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

The auditor also confirmed that all tests during the Single Audit process disclosed no instances of non-compliance or other matters that are required to be reported under Government Auditing Standards.

Confirmation of Compliance with the 5% Administration Cost Cap Requirement in Measure A/AA and Transportation Development Act (TDA) Funds

The Expenditure Plan allows TAM to use up to 5% of the Measure A/AA revenue for administration and project/program management related expenditures, of which 1% can be used for salaries and benefits for administrative staff and 4% can be used for overall project/program support. The Measure A/AA compliance audit conducted for FY2021-22 confirmed that TAM is in compliance with the 5% overall administration cost ceiling and is below the 1% administrative staff cost cap mandated by Measure A/AA.

TAM also spent and received reimbursement in the amount of \$274,062 from TFA funds, which was for the North/South Greenway Project. A compliance audit was conducted, and all expenditures were confirmed to be in compliance with the TDA requirement.

FISCAL CONSIDERATION

The audit is being conducted within budget.

NEXT STEPS

After the acceptance by the TAM Board, the COC will report the final audit results to Marin County residents in the FY2021-22 COC/2022 TAM Annual Report. Staff will work to meet all regulatory and grantor reporting requirements.

ATTACHMENTS

[Attachment A – Draft TAM FY2021-22 Annual Comprehensive Financial Report](#) *(attached as link)*

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DATE: December 15, 2022

TO: Transportation Authority of Marin Board of Commissioners

FROM: Anne Richman, Executive Director *Anne Richman*
David Chan, Director of Programming & Legislation
Scott McDonald, Principal Transportation Planner

SUBJECT: Measure B Expenditure Plan Ten-Year Review and Recommended Amendments (Action),
Agenda Item No. 8

RECOMMENDATION

Staff recommends that the Board reviews the Draft Amended Measure B Expenditure Plan as shown in Attachment A and opens a 45-day public comment period.

On November 14, 2022, staff presented a summary of the proposed amendments to the Funding, Programs & Legislation (FP&L) Executive Committee, which provided its feedback and voted unanimously to refer the amendment to the full Board for review and for release for a 45-day public comment period.

BACKGROUND

In 2010, the TAM Board authorized the development of the Measure B Expenditure Plan, which was presented to Marin voters in November 2010 as Measure B and passed with a 63% approval rate, establishing a \$10 vehicle registration fee (VRF) on motor vehicles registered within the County.

The 2010 Measure B Expenditure Plan (<https://bit.ly/2010MeasureB>) lists projects and programs that are eligible for the VRF funds and establishes the percentage of funds that is allocated to each element. Measure B generates approximately \$2.3 million annually to be distributed to the following three Elements:

- Element 1 – Maintain Local Streets and Pathways (40%)
- Element 2 – Improve Transit for Seniors and Persons with Disabilities (35%)
- Element 3 – Reduce Congestion and Pollution (25%)

Revenue collection of Measure B funds started on April 1, 2011. Measure B was approved with no sunset date; however, it included the provision that the Measure B Expenditure Plan will be reviewed at least every ten years, and any amendments would need to be approved by the TAM Board following a 45-day public comment period. The first Measure B Expenditure Plan review was originally scheduled for adoption no later than April 1, 2021. Due to the COVID-19 pandemic, in November 2020 the TAM Board extended the time and directed staff to commence a public hearing no later than January 2023 with adoption of the amended plan by March 2023.

DISCUSSION

In March 2022, the TAM Board approved the Measure B Expenditure Plan Review schedule and timeline and directed the Expenditure Plan Review process to occur through the TAM Citizens' Oversight Committee (COC) meetings, with additional stakeholder outreach and engagement. Staff has since presented information to the public through COC meetings, along with engagement of various other groups including the Marin Public Works Association (MPWA), Marin Managers Association (MMA), and Ad-Hoc Committees, such as the Commute Alternatives & Reduction of Trips (CART), Alternative Fuel & Electric Vehicle (AFEV), and Safe Routes to Schools (SRTS) Committees, while developing the draft recommendation. The Expenditure Plan review has also been publicized through the TAM website, the monthly TAM Traveler newsletter, social media, and the TAM Executive Director's Report for regular Board meetings. Several comment letters were received and are included as Attachments E, F, and G.

COC meetings with the review of the Measure B Expenditure Plan as the focused agenda item were held in March, May, June, July, and October 2022. The meetings included presentations by sponsors currently receiving Measure B funding, public comments, as well as questions and discussion throughout the process. On October 24, 2022, the COC deliberated and voted unanimously to support the recommended amendments as summarized in Attachment B.

After extensive review and thorough consideration of various options via productive discussions with the COC and various stakeholder groups, the current staff proposal will not fundamentally change the Measure B Expenditure Plan funding elements or percentages. However, input during the process indicated a need to leverage funding for non-motorized transportation and support complete streets elements of projects with modest changes reflected under Element 1 below. No changes are proposed for Elements 2 or 3.

Element 1.1 Summary of Proposed Changes

Staff proposes to maintain the current 35% funding share through a formula-based program, which would provide funds using the existing distribution formula (50% population and 50% lane miles) to the cities, towns, and County of Marin, with the requirement that all funds would be used for specific bike/pedestrian projects and safety improvement projects that benefit bicycle and pedestrian travel. TAM would establish project criteria, and the local jurisdictions would nominate projects within their available funding amounts to establish a five-year list of projects to be delivered. TAM would approve the project list.

It should be noted that the proposed changes to Element 1.1 were developed by members of MPWA following extensive discussions. The proposed changes were then further refined and presented to MPWA at the October 20 MPWA meeting for consideration. MPWA voted unanimously to support the proposed changes shown in Attachment B.

Element 1.2 Summary of Proposed Changes

Staff proposes to maintain the current 5% funding share, however providing the TAM Board discretion to redirect carryovers (currently approximately \$300,000) at the sunset of the current expenditure plan (expected June 30, 2023) to any countywide pathway planning, maintenance or construction needs. To ensure future pathway maintenance funds are timely and effectively used, staff also proposes adding a provision to allow the TAM Board the discretion to redirect future carryovers to any countywide pathway planning, maintenance or construction needs whenever the carryover exceeds \$250,000 under the Amended Measure B Expenditure Plan.

Other than the changes to carryover fund provisions, staff is not recommending any other changes to this element and funds would continue to be made available annually to eligible entities for pathway maintenance, consistent with the current process.

Language to Allow Future COC Membership Change

The current 12-member COC membership structure was originally established in the 2004 Measure A Transportation Sales Tax Expenditure Plan. To make sure the COC membership structure can be reviewed and changed timely to reflect the evolving needs of various communities, especially those who are underserved, staff recommends amending language in the Measure B Expenditure Plan to allow the Board the authority to review and adjust the COC membership structure when necessary. More specifically, TAM's Equity Statement and Action Plan is under review and development. As part of this process, staff plans to ask the COC to provide input and then recommend the TAM Board review the current COC membership structure with the potential to add one or more new seats to address the needs and voices of the Equity Priority Communities in Marin at a future meeting.

Legal Review

The Measure B Expenditure Plan states the following on page 19:

“The spending priorities outlined in this Plan will be reviewed and the Plan will be amended and republished as necessary at least every 10 years. Amendments to the Plan will be approved by a two-thirds vote of the TAM Board.”

During the review process, a question was raised on whether Senate Bill (SB) 83, which enabled the passage of the VRF, permits a revised Measure B Expenditure Plan to be approved by the TAM Board when the original Measure B Expenditure Plan was approved by Marin voters.

The question was presented to Marin County Counsel for review. Marin County Counsel affirmed that the TAM Board has the authority to approve a revised Measure B Expenditure Plan through a public process. Marin County Counsel reasoned that the Measure B ballot and the accompanying Expenditure Plan, originally approved by the voters, expressly stated that the Expenditure Plan could be amended, set forth the process regarding how it would be amended, and put voters on notice of the possibility that the Expenditure Plan would be revisited periodically for amendments by a two-third vote of TAM Board. A formal legal opinion letter from the County Counsel regarding this matter dated November 2, 2022, is included as Attachment C.

Marin County Counsel is also in the process of reviewing the Draft Amended Measure B Expenditure Plan as shown as Attachment A for compliance to SB 83 requirements. Given that no new eligible projects or programs were introduced, staff believes that the Draft Amended Measure B Expenditure Plan is consistent with SB 83. Marin County Counsel is scheduled to complete its review before the TAM Board meeting on December 15, 2022. If deficiencies are discovered, necessary revisions will be made in consultation with Marin County Counsel to comply with SB 83 and will be reported at the TAM Board meeting.

FISCAL IMPACTS

There are no immediate fiscal impacts associated with the review and release of the amended Measure B Expenditure Plan for the 45-day public comment period. When the Amended Measure B Expenditure Plan is adopted, a Measure B Strategic Plan will be developed to address all fiscal impacts. Approved amendments would be expected to go into effect on July 1, 2023.

NEXT STEPS

Upon approval from the TAM Board, the Amended Measure B Expenditure Plan will be released for the 45-day public comment period. The comment period and ways to submit comments will be posted on the home page of the TAM website (<http://www.tam.ca.gov>). A public notice will also be published in the Marin Independent Journal approximately two weeks before the close of the public comment period. The 45-day public comment period will end on January 29, 2023.

Staff will consider and provide responses to all public comments received during the comment period and return to the Board for the approval of the Amended Measure B Expenditure Plan.

A public hearing will be conducted at the TAM Board meeting on January 26, 2023, prior to the completion of the 45-day comment period on January 29, 2023. Public comments that result in changes to the Amended Expenditure Plan will be reported at the January 26, 2023 TAM Board meeting. Public comments received after the mailout of the January 26, 2023 packet but before the end of the public comment period that result in minor revisions will be incorporated in the final adopted Amended Measure B Expenditure Plan. Comments that require substantive changes will necessitate the return of the Amended Measure B Expenditure Plan to the TAM Board for additional approvals.

ATTACHMENTS

- Attachment A – Draft Amended Measure B Expenditure Plan
- Attachment B – Summary of Proposed Amendments
- Attachment C – County Counsel Letter, dated November 2, 2022
- Attachment D – Staff PowerPoint Presentation
- Attachment E – Paratransit Coordinating Council Comment Letter
- Attachment F – Marin Aging Action Initiative Comment Letter
- Attachment G – Marin Transit Email Comment

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MARIN COUNTY VEHICLE REGISTRATION FEE EXPENDITURE PLAN



Original Approved August 2010

Amended January 2023

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Acknowledgements

The Transportation Authority of Marin (TAM) would like to thank the TAM Board of Commissioners and the Citizens' Oversight Committee members for their contributions, assistance, and advice in developing the amended Expenditure Plan for Marin County's Vehicle Registration Fee.

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Paul Roye, *Ross Valley Planning Area*

Debbie Alley, *Southern Marin Planning Area*

Scott Tye, *West Marin Planning Area*

Vince O'Brien, *Bicyclists and Pedestrians Groups*

Allan Bortel, *Marin County Paratransit Coordinating Council*

Kate Powers, *Environmental Organizations*

Zack Macdonald, *School Districts*

Kingston Cole, *Taxpayer Groups*

Marin County Vehicle Registration Fee Expenditure Plan

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Marin County Vehicle Registration Fee Expenditure Plan

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Introduction

What Is a Vehicle Registration Fee (VRF) and How Does it Work?

Senate Bill (SB) 83 (Hancock) was signed into law by the Governor on October 11, 2009. The law authorizes a countywide transportation planning agency, the Transportation Authority of Marin (TAM) in Marin County, to propose an annual VRF of up to \$10 on motor vehicles registered within the county. The revenue generated by the VRF would be returned to the county to be spent on specified transportation programs and projects. SB 83 also sets a number of conditions on the fee:

- Fees may only be used to pay for programs and projects that bear a relationship or benefit to the owners of motor vehicles paying the fee and are consistent with a regional transportation plan.
- The countywide transportation planning agency must adopt a specified VRF expenditure plan and must make a finding of fact that the programs and projects have a relationship or benefit to the persons who pay the fee.
- Local administrative costs are limited to no more than 5 percent of the fees collected.

SB 83 identifies specific goals for the use of the VRF, including reducing congestion and the impacts of pollution related to motor vehicles. The fees collected will be used to fund projects and programs that will meet those goals, either by improving the operation of existing transportation infrastructure or by providing alternatives to driving.

What is the Purpose of this Plan?

The Measure B VRF Expenditure Plan (Plan) guides the expenditure of the funds generated by the \$10 VRF, approved by a majority of voters in the November 2010 election and amended by the TAM Board in January 2023. The goal of this Plan is to support transportation investments in a way that sustains the County's transportation network and reduces traffic congestion and vehicle-related pollution. Measure B is a key part of an overall strategy to develop a balanced transportation network of all types – automobile, transit, bicycle, walking and specialized transportation services. The VRF revenue is being used to fund programs/projects that:

- Make bicycle, pedestrian, and safety improvements to local streets, roads, and multi-use pathways in the County, including neighborhood and residential priority locations.
- Make public transportation easier to use and more efficient, particularly for the senior and disabled population in Marin County.
- Make it easier to get to work or school, whether by driving, using public transportation, bicycling, or walking.
- Result in the reduction of pollution from cars and trucks, by reducing the need to drive and encouraging the use of alternative travel modes and alternative fuel vehicles.

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The Plan has the following specific conditions:

- All of the money raised by the VRF would be used exclusively for transportation projects and programs in Marin County.
- Funds cannot be taken by the State once approved for Marin County.
- There must be a relationship or benefit between the projects or programs in the Expenditure Plan to the owners of motor vehicles paying the fee.
- Revenue raised will help to fund projects in Marin County that increase safety for motorists, pedestrians, and bicyclists.
- The VRF will provide revenue that will help improve mobility options and reduce congestion for those who live in Marin County.
- VRF revenue will establish a reliable source of funding to help finance critical and essential local transportation projects and programs.

What are the Goals of the Marin County VRF?

In addition to the VRF Program, TAM manages the ½-Cent Transportation Sales Tax Program, Measure A/AA, for Marin County. TAM is also responsible for programming transportation funding from a variety of local, regional, state, and federal sources, and is in a unique position to magnify the impact of this revenue source through leveraging of other transportation funding sources that change over time. TAM has been managing the VRF funds in a cost-effective manner in response to substantial changes in other transportation funding sources.

The Plan is designed to address some important goals established by the TAM Board:

- Reduce greenhouse gas (GHG) emissions and vehicle miles traveled (VMT), while supporting healthy living
- Satisfy SB 83's requirement that the usage of the fee has a relationship to, or benefit, the fee payer
- Select projects that are part of an approved plan and have a strong history of community input
- Improve mobility options and reduce congestion
- Benefit local residents
- Enable TAM and other agencies to leverage transportation funds coming from state and federal sources
- Be cost effective
- Ensure that benefits are easily measurable and quantifiable

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How Much Revenue Will this Plan Generate?

The \$10 annual fee on each vehicle registered in the County generates approximately \$2.3 million annually. TAM may take up to 5 percent off the top for general project and program support.

It should be noted that this is a fixed fee per vehicle and does not index with inflation. Fee revenues will increase only if the number of registered vehicles in the County increases. During the first 10 years of the fee, annual revenue fell slightly over the decade. The Plan makes the assumption that the number of vehicles registered in Marin will remain flat over the next 10 years. The success of this Amended Expenditure Plan continues to be dependent not only on the revenue generated by this fee, but also by creative leveraging from other funding sources that multiplies the impact of each new dollar invested.

Plan Development

This Amended Expenditure Plan is the result of an extensive public engagement process that included numerous meetings with local governmental agencies, stakeholder organizations and the TAM Citizens' Oversight Committee (COC).

Public input was solicited throughout the development process via TAM's existing Board and Committee structure. The COC, which also provides oversight to the Measure A/AA ½-Cent Transportation Sales Tax revenues and expenditures, is made up of individuals representing a diverse range of interests within the County and has assumed the same role for the VRF, reporting directly to the public, and producing an annual report regarding the revenues and expenditures of the Fee.

This Amended Expenditure Plan is expected to remain in effect for up to 10 years, with annual reporting on the use of the funds. If necessary, the TAM Board has the discretion to amend the plan whenever appropriate.

Marin County Vehicle Registration Fee Expenditure Plan

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Plan Summary

The Plan includes three elements that work together to reduce congestion, improve safety, and reduce the environmental impacts from vehicle trips. The three elements are:

- Enhance and maintain Bicycle, Pedestrian, and Safety Improvements on Local Network
- Improve Transit for Seniors and Persons with Disabilities
- Reduce Congestion and Pollution

Figure 1 summarizes the Amended Expenditure Plan for the VRF in Marin County. Each program element is described in more detail in the sections that follow.

Marin County Vehicle Registration Fee Expenditure Plan

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Figure 1 Summary of Expenditure Plan

Estimated Annual \$	Expenditure Element	Description of Element	How Will Funds be Spent?	Relationship to Fee Payer
35% (\$721,000)	1a. Bicycle, Pedestrian, and Safety Improvements on Local Network	Funds will be used for bicycle, pedestrian, and safety improvements on Marin County’s transportation network, thereby improving multimodal performance and safety. Eligible activities include: <ul style="list-style-type: none"> • Safety improvements that benefit bicycle and pedestrian travel • Emergency repair on sidewalks and pathways • Bicycle facilities, pathways and access improvements • Crosswalk and accessibility enhancements • Maintenance and improvement of Class I (exclusively) bicycle and pedestrian pathways, including new facilities 	<ul style="list-style-type: none"> • 35% of funds to be returned to eligible local agencies based on population (50%) and lane miles (50%). • Local agencies submit eligible bicycle, pedestrian, and safety improvement projects for allocations based on five years of estimated fund collection. • 5% of funds exclusively dedicated to Class I bike/pedestrian path maintenance. Distribution based on share of Class I pathway miles constructed after 1/1/08; except use of certain carryover funds to be determined by the TAM Board. • Only the Cities, Towns, and County of Marin are eligible recipients of funds from Element 1. 	Fee payers benefit from having roadways safely maintained and operating efficiently and from improved bicycle/pedestrian access, and safety and efficiency for all users. Well-maintained pathways encourage walking and bicycling, thereby reducing congestion and pollution.
5% (\$103,000)	1b. Maintain Class I Bike/Ped Pathways			

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Estimated Annual \$	Expenditure Element	Description of Element	How Will Funds be Spent?	Relationship to Fee Payer
35 % (\$721,000)	2. Improve Transit for Seniors and People with Disabilities	Eligible activities include: <ul style="list-style-type: none"> • Implementing a Mobility Management Program that identifies and implements mobility options for Seniors and Persons with Disabilities • Support and enhance paratransit and other related local services • Implement a “Paratransit Plus” program to serve older seniors who may not qualify for service under the Americans with Disabilities Act • Implement other innovative programs to provide mobility to seniors as an alternative to driving 	Marin Transit will receive and prioritize funds working with its Mobility Management Consortium of service providers and stakeholders.	Fee payers benefit from reduced trips by "at risk" drivers, fewer local vehicle trips, and safety improvements. Fee payers benefit from increased alternatives to driving, reduced dependence on friends and family for mobility, and increased options as drivers prepare to "retire" from driving.

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Estimated Annual \$	Expenditure Element	Description of Element	How Will Funds be Spent?	Relationship to Fee Payer
25% (\$515,000)	3. Reduce Congestion and Pollution	<p>Eligible activities are limited to 3 core strategies and programs:</p> <ul style="list-style-type: none"> • School Safety and Congestion Reduction: <ul style="list-style-type: none"> ○ Maintain the School Crossing Guard program ○ Provide matching funds for Safe Routes to Schools programs ○ Enhance/expand programs designed to reduce congestion and improve safety around schools including Street Smarts and other related programs • Local Marin County Commute Alternatives: Enhance/expand existing alternative programs in Marin County designed to reduce single occupancy commuting, including: <ul style="list-style-type: none"> ○ Carpool and vanpool information and incentive programs ○ Emergency Ride Home ○ Transit information and promotion ○ Transportation Demand Management programs such as telecommuting ○ Support efforts to bring trip reduction programs to Marin County • Alternative Fuels Infrastructure and Promotion: Support the development of alternative fuels infrastructure (such as electric vehicle fueling stations) and education programs; support alternative fuels vehicle programs. 	<p>TAM will be responsible for distributing school safety funds to sustain or grow existing programs. Beneficiaries of these funds will include the County, local jurisdictions, and school districts.</p> <p>TAM will administer the Commute Alternatives program.</p> <p>TAM will assign funds for alternative fuels programs, as a match to other fund sources, or through competitive grant programs. TAM will administer alternative fuels educational programs in cooperation with stakeholders, such as the Marin Climate and Energy Partnership.</p>	<p>Fee payers benefit from reduced school trips by car, a large traffic congestion and pollution generator in Marin. Improved crossings at schools reduce collisions and improve safety for motorists, pedestrians, and bicyclists.</p> <p>Fee payers benefit from commute programs which reduce trips, congestion, and pollution related to commute travel, the single largest source of congestion in the County. Programs reduce costs, provide flexibility, improve the environment, and improve worker health and productivity.</p> <p>Alternative Fuels programs will benefit fee payers by providing lower driving costs, while reducing pollutants associated with gasoline powered vehicles. Reduced emissions will benefit the fee payer by improving air quality, especially on congested roadways and at intersections.</p>

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Element 1 – Enhance Bicycle, Pedestrian, and Safety Improvements on Local Network

Element 1		
Enhance Bicycle, Pedestrian, and Safety Improvements on Local Network Maintain Class I Bicycle/Pedestrian Pathways		
	%	Est. 10-year revenue
What can local streets and pathways maintenance funds be used for?		
<ul style="list-style-type: none"> Safety improvements on all modes that benefit bicycle and pedestrian travel Bicycle, pedestrian, and accessibility enhancements, including bicycle and pedestrian access improvements to transit Intersection control, pavement, and drainage improvements for bicyclists and pedestrians Emergency repairs on damaged sidewalks and pathways Maintenance and improvement of Class I (exclusively) bicycle and pedestrian pathways, including new facilities 	40%	\$8.24 M
How will the funds be spent?		
<ul style="list-style-type: none"> TAM will distribute 35% of available funds to the Cities, Towns and County of Marin based on a formula which combines population (50%) and lane miles (50%), to support bicycle, pedestrian, and safety infrastructure projects. Funding priorities will be determined based on project selection criteria set by TAM and supported by Marin Public Works Association (MPWA). Only the Cities, Towns, and County of Marin are eligible recipients of funds from Element 1. Estimated funds collected over a five-year period will be allocated to eligible projects. 	35%	\$7.21 M
<ul style="list-style-type: none"> Funding for Class I pathway maintenance will be distributed by TAM annually to the agencies and jurisdictions who own, operate, or maintain eligible Class I pathways in Marin County. The distribution of funds will be based on a publicly available, published inventory, adopted by TAM, of pathways constructed after January 1, 2008. This inventory will be updated every two (2) years to account for newly constructed Class I facilities throughout Marin County. In no case will funds allocated to an agency or jurisdiction exceed their actual expenses for Class I pathway maintenance. The TAM Board has the discretion to redirect carryovers at the sunset of the original Expenditure Plan (expected June 30, 2023) to any countywide pathway planning, maintenance or construction needs. To ensure future pathway maintenance funds are timely and effectively used, the TAM Board has the discretion to redirect carryovers to any countywide pathway planning, maintenance or construction needs whenever the carryover exceeds \$250,000 under the amended Expenditure Plan. Class I maintenance funds will be made available only to municipalities that have adopted a Complete Streets policy.¹ 	5%	\$1.03 M

Marin County Vehicle Registration Fee Expenditure Plan

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Summary of expenditure element:**1a. Bicycle, Pedestrian, and Safety Improvements on Local Network**

This amended expenditure plan element would allocate 35 percent of the funds available through the VRF to the local jurisdictions in Marin, for the purposes of improving bicycle, pedestrian, and safety conditions on local and residential streets and pathways. Only the Cities, Towns, and County of Marin are eligible recipients of funds from Element 1. Projects are expected to include improvements in the following general categories:

- Bike, pedestrian, and safety improvement elements as part of a local or major street project that can be easily identified
- Safety improvements for all modes
- Pedestrian crosswalk and accessibility enhancements
- Design and construction of new pathways
- Access improvements to transit for pedestrians and bicyclists

Based on the 5-year projections for VRF revenue and the current funding formula, Figure 2 shows the amount of revenue each jurisdiction can expect over a five-year period.

Figure 2 Estimated 5-Year Revenue by Jurisdiction

Marin County	5-Year Revenue
Belvedere	\$37,358
Corte Madera	\$140,721
Fairfax	\$105,174
Larkspur	\$150,912
Mill Valley	\$216,048
Novato	\$690,262
Ross	\$40,016
San Anselmo	\$169,409
San Rafael	\$746,755
Sausalito	\$105,678
Tiburon	\$132,788
County	\$1,289,879
Total	\$3,825,000

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Funds generated by the VRF cannot be expected to solve all pathway project needs on their own. However, combined with other local and state sources, the VRF provides a stable base of revenue that can be used for high priorities, as well as leveraging or matching other sources for planned projects, thereby increasing the federal and state revenues coming to Marin County.

Eligible local agencies submit eligible bicycle, pedestrian, and safety improvement projects to TAM for allocations based on five years of estimated fund collection. The TAM Board will approve projects and allocate funds at the start of the five-year period. Timing of the availability of funds in the five-year period will be determined by TAM based on project readiness and cash availability.

1b. Maintain and Improve Class I Bicycle/Pedestrian Pathways

The Amended Expenditure Plan dedicates five (5) percent of funding in this element to be distributed to local agencies and jurisdictions in Marin County exclusively for the maintenance of Class I bicycle and pedestrian pathways. These pathways are generally characterized as exclusive bicycle, pedestrian and multi-use pathways separated from streets and roads. Marin County benefits from an integrated network of off-road pathways, and the funds will provide basic resources to the local jurisdictions that are responsible for managing this vital resource.

Funding for Class I pathway maintenance will be distributed by TAM annually to the agencies and jurisdictions who own, operate, or maintain eligible Class I pathways in Marin County. The distribution of funds will be based on a publicly available, published inventory, adopted by TAM, of pathways constructed after January 1, 2008. This inventory will be updated every two (2) years to account for newly constructed Class I facilities throughout Marin County. In no case will funds allocated to an agency or jurisdiction exceed their actual expenses for Class I pathway maintenance.

The TAM Board has the discretion to redirect carryover funds at the sunset of the original expenditure plan (June 30, 2023) to any countywide pathway planning, maintenance or construction needs. To ensure future pathway maintenance funds are timely and effectively used, the TAM Board also has the discretion to redirect carryovers to any countywide pathway planning, maintenance or construction needs whenever the carryover exceeds \$250,000 under the Amended Expenditure Plan.

Finally, this funding will be made available only to local jurisdictions that have adopted a Complete Streets policy either by a directive of the Public Works Department, Council Resolution, within the Bicycle and Pedestrian Master Plan, or within the Transportation Element of the General Plan.¹

¹ AB 1358 (Leno), the "Complete Streets Act of 2008," requires that all municipalities incorporate Complete Streets provisions in the Transportation Element of their General Plans beginning in 2011.

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Element 2 – Improve Transit for Seniors and Persons with Disabilities

Element 2		
Improve Transit for Seniors and Persons with Disabilities		
	%	Est. 10-year revenue
What can these transit funds be used for?		
<ul style="list-style-type: none"> • Manage the Mobility Management Program that identifies and implements mobility options for Seniors and Persons with Disabilities • Support and Enhance paratransit and other local services focused on this population • Manage the “Paratransit Plus” program to serve older seniors who may not qualify for service under the Americans with Disabilities Act • Implement other innovative programs to provide mobility to seniors as an alternative to driving 	35%	\$7.64 M
How will the funds be spent?		
TAM will distribute these funds to Marin Transit. Marin Transit will report on the usage and effectiveness of these funds with an annual report presented to the TAM Board in a publicly noticed meeting.		

Summary of expenditure element:

Reflecting national trends, the older adult population in Marin is increasing rapidly. Marin Department of Health and Human Services cited that as of 2021 approximately 28 percent of Marin County residents are over the age of 60. This trend continues well into the foreseeable future, only slowing after 2030. Not only is the size of the senior population expected to grow rapidly, but the most rapid growth is expected to occur in the oldest age groups (85+), which have the most severe mobility challenges.

Funds in this category will be distributed to Marin Transit for use on Mobility Management programs and enhancements to the specialized transportation system for people with disabilities (sometimes called paratransit) to include older adults regardless of disability status. One of the most profound limitations to the current system, implemented under the requirements of the Americans with Disabilities Act, is that services are limited to persons who are unable to use a fixed route bus due to a physical or cognitive disability. Because many seniors are reluctant to describe themselves as “disabled,” they either do not apply for services, or may not understand the benefits of the program to their situation. By removing that stigma and broadening the range of services being offered to seniors and persons with disabilities, this program will ensure that individuals can be matched to the services that will best meet their needs. This will reduce the need for at risk seniors to continue driving and will also reduce the burden on caregivers and family members who are often tied to their own cars to provide transportation for a loved one.

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Element 3 – Reduce Congestion and Pollution

Element 3		
Reduce Congestion and Pollution		
	%	Est. 10-year revenue
What can congestion and pollution reduction funds be used for?		
<p>Eligible activities are limited to 3 core sub-elements:</p> <ul style="list-style-type: none"> • School Safety and Congestion Reduction: <ul style="list-style-type: none"> ○ Maintain the School Crossing Guard program ○ Provide matching funds for Safe Routes to Schools programs ○ Enhance/expand programs designed to reduce congestion and improve safety around schools including Street Smarts and related programs • Local Marin County Commute Alternatives: Enhance/expand existing alternative programs in Marin County designed to reduce single occupancy commuting, including: <ul style="list-style-type: none"> ○ Carpool and vanpool information and incentive programs ○ Emergency Ride Home ○ Transit information and promotion ○ Transportation Demand Management programs such as telecommuting ○ Support efforts to bring trip reduction programs to Marin County • Alternative Fuels Infrastructure and Promotion: Support the development of alternative fuels infrastructure (such as electric vehicle fueling stations) and education programs; support alternative fuels vehicle programs. 	25%	\$5.15 M
How will the funds be spent?		
<p>TAM will be responsible for distributing school safety funds to sustain or grow existing programs.</p> <p>TAM will administer the Commute Alternatives program.</p> <p>All transit programs will be coordinated through Marin Transit</p> <p>TAM will assign funds for alternative fuels programs, as a match to other fund sources or through competitive grant programs. TAM will manage alternative fuels program education in collaboration with stakeholders such as the Marin Climate and Energy Partnership.</p> <p>The distribution of funds among the three eligible sub-elements will be determined every two years based on program expenditure needs and other grant opportunities.</p>		

Summary of expenditure element:

The allocation of funds among the three eligible sub-elements will be determined every two years based on program expenditure needs and grant opportunities. The goal is to be flexible and maximize the value of these funds by targeting matching grant opportunities, pilot programs and other timely opportunities for leveraging revenue.

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School related congestion has long been recognized in Marin County as one of the most significant contributors to localized congestion. In Marin, TAM and its member jurisdictions have successfully leveraged local sales tax dollars, along with other state and federal funding sources, to reduce the impact of localized congestion through its nationally recognized Safe Routes to School programs, including Street Smarts, Crossing Guard, and other school commute programs.

School Safety and Congestion Reduction funds are designed to support and enhance existing efforts. The VRF revenue will make it possible to maintain the current number of crossing guards. In addition, VRF revenue could be used to maintain and expand school commute programs, which encourage the use of alternative modes to travel to school. Funds in this element would be leveraged with Measure AA sales tax funds, along with other grants that may be made available to TAM for Safe Routes to Schools programs.

The Commute Alternatives Program is designed to reduce congestion and the impact of vehicle travel on the environment by enhancing and increasing the utilization and effectiveness of existing and proven commute programs in Marin County. These locally based programs are designed to offer alternatives for single occupant vehicle commutes to jobs in Marin County by offering information and incentives to vanpool, carpool, and telecommute, including providing emergency ride home programs. The Commute Alternatives Program enables TAM to work specifically with Marin employers and employees to design locally customized commute alternatives that will make it easier for employees to try alternative travel modes.

The Alternative Fuels Program is the final eligible expenditure for this element. Implementing methods to reduce greenhouse gases and other motor vehicle emissions is a growing requirement in California and funding sources are emerging to support this effort. Often a limited amount of local matching funds can be leveraged to obtain sizable levels of funding for projects and programs for reducing pollutants that are affecting the climate and public health. Revenue is needed to provide matching funds for grants related to clean air infrastructure, such as electric vehicle charging stations. The goal of the Alternative Fuels program is to coordinate, support and enhance Marin's development of these strategies, while leveraging existing and future funding streams. This type of leveraging will ensure that funds are focused on proven programs with measurable results.

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Required Findings

The statute requires that the ballot measure resolution, adopted by a countywide transportation agency, contain a finding of fact that the projects and programs to be funded by the fee increase have a relationship or benefit to the persons who will be paying the fee, and the projects and programs are consistent with the regional transportation plan. Below is a summary of the benefits and relationship of this fee to the fee payer.

Benefits and Relationship of Fee to the Fee Payer

The Plan includes three elements. Since this Fee is levied on motorized vehicles, by extension, the fee payer is predominately the driver of the vehicle. Each element benefits the fee payer as follows:

- **Enhance Bicycle, Pedestrian, and Safety Improvements to Local Streets and Pathways:** Fee payers benefit from having roadways safely maintained and operating efficiently. Programs that improve local roads and pathways benefit all users by improving roadway conditions, offering alternatives to driving, and identifying and mitigating safety and congestion problems.
- **Improve Transit for Seniors and Persons with Disabilities:** Fee payers benefit from the provision of effective alternatives to driving for older adults and persons with disabilities who may be at risk drivers and/or require the services of friends and family members for their mobility. The provision of effective transportation services for seniors and persons with disabilities will also benefit fee payers who would like to drive less or stop driving as they get older by providing alternatives to driving.
- **Reduce Congestion and Pollution:** Fee payers benefit from reduction in automobile dependent, single passenger trips to schools through reduced corridor level and site-related congestion. Reductions in single student vehicle travel further reduce air pollution and vehicle related impacts on the environment. Secondary benefits may include removing barriers for parents to use alternatives to single occupant travel to work by relieving them of the need to pick up or drop off students as part of their commute trip.

Fee payers benefit from the development and promotion of efficient and effective tools to help employers and employees take advantage of alternatives to single occupant vehicle travel to work. Reducing single occupant vehicle trips during commute times could have a profound effect on both congestion and the negative impacts of automobiles on the environment. Additional programs that support emerging "green" transportation technologies, such as alternative fuels vehicles, can reduce air pollution.

Fee payers benefit from support for alternative fuels programs, such as electric vehicle infrastructure. The need to transition to more fuel-efficient vehicles, such as electric vehicles, can only occur with the implementation and maintenance of charging stations. Electric vehicles can reduce air pollution, as well as municipal fleet costs, business costs, and local fee-payer costs, while allowing the maximum flexibility to travel.

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Consistency with the Regional Transportation Plan

The Plan is consistent with the Metropolitan Transportation Commission's (MTC's) Regional Transportation Plan ("*Plan Bay Area 2050*") and performance objectives outlined in the Plan.

Compliance with California Environmental Quality Act

Environmental review of the Expenditure Plan is not required under the rationale stated in *Sustainable Transportation Advocates of Santa Barbara v. Santa Barbara County Association of Governments* (2009) 179 Cal.App.4th 113. None of the programs in the Expenditure Plan rises to the level of specification that would create a project under the California Environmental Quality Act (CEQA). Many of the programs would be categorized as exempt. If a project to be funded by one of the Programs listed in this Expenditure Plan requires an analysis under CEQA, an independent project level CEQA analysis will be completed prior to implementation of the project. No fund allocations for implementing the improvement will be made until the requisite analysis has been completed.

Governing Board and Organizational Structure**Agency Responsible for Administering Proceeds of Fee**

TAM will collect and administer the VRF in accordance with the Plan.

Annual Budget and Reporting

The Annual Budget, adopted by TAM's Board of Commissioners each year, will project the expected fee revenue, other anticipated funds and planned expenditures for administration and programs. In addition, TAM will prepare an Annual Report which will be made available to the public and will summarize revenues collected and distributed each year. Before adopting the Annual Report, comments from the public will be invited at a publicly noticed regular meeting of the TAM Board.

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TRANSPORTATION AUTHORITY OF MARIN

Use of Proceeds

The proceeds of the fees governed by this ordinance shall be used solely for the programs and purposes set forth in the Plan and for the administration thereof. Indirect costs of the programs as defined in federal Office of Management and Budget Circular A-87 shall not be allowed as eligible expenditures of these fee proceeds. The Transportation Authority of Marin will administer the proceeds of the VRF to implement the expenditure elements described in the Amended Expenditure Plan. Pursuant to California Government Code section 65089.20, not more than five percent of the fees shall be used for local administrative costs associated with the programs and projects.

It is the intent of the Amended Expenditure Plan that revenues provided from the VRF be used to supplement existing revenues being used for transportation improvements and programs. Each project sponsor receiving VRF funds pursuant to the Amended Expenditure Plan shall meet this requirement. TAM reserves the right to conduct compliance audits on the use of the funds to ensure the funds are not used to supplant existing transportation funding.

Pursuant to California Vehicle Code section 9250.4, the initial setup and programming costs identified by the Department of Motor Vehicles (DMV) to collect the Fee upon registration or renewal of registration of a motor vehicle shall be paid by TAM from the Fee. Any payments that TAM will advance to the Department of Motor Vehicles (DMV) prior to the collection of the Fee proceeds shall be repaid off the top of the initial proceeds collected, with no restriction on the funds. The costs deducted pursuant to this paragraph shall not be counted against the five percent administrative cost limit specified in California Government Code section 65089.20(d). Following implementation, annual costs incurred by the Department of Motor Vehicles, associated with the collection of the fee shall be taken off the top of the fees collected with the remainder transmitted to the Transportation Authority of Marin.

Duration of Fee

The Fee will be imposed annually unless repealed. The spending priorities outlined in this Plan will be reviewed and the Plan will be amended and republished as necessary at least every 10 years. Amendments to the Plan will be approved by a two-thirds vote of the TAM Board.

Severability

If any provision of this Plan or the application thereof to any person or circumstance is held invalid, the remainder of this Plan and the application thereof to other persons or circumstances shall not be affected. If an expenditure element, or portion of an element, of this Plan is found to be invalid, the previously allocated funds to said element will be distributed to the remaining elements on a pro-rata share basis.

Amendments to the Plan

Amendments to the Plan shall be approved by a two-thirds vote of the TAM Board. All jurisdictions within the County, along with the public, will be given a minimum of 45-day notice and opportunity to comment on any proposed Plan amendment prior to its adoption. Any amendments will be heard at a noticed public hearing prior to TAM Board consideration.

Marin County Vehicle Registration Fee Expenditure Plan

TRANSPORTATION AUTHORITY OF MARIN

Option to Bond

The Agency administering the Fee will have the authority to bond for the purposes of expediting the delivery of projects and programs within the Amended Expenditure Plan elements. The bonds, along with any issuance costs, will be paid with the proceeds of the Fee. The costs associated with bonding will be borne only by those elements in the Plan utilizing the bond proceeds. The costs and risks associated with bonding will be presented in the Agency's Annual Budget and will be subject to public comment before approving a bond sale.

Citizens' Oversight Committee

The COC, created by the TAM Board with the assistance of the League of Women Voters to provide oversight for the ½-Cent Transportation Sales Tax (Measure A/AA), will provide oversight of the VRF, as well. The COC reports directly to the public and will be responsible for reviewing all revenues and expenditures related to the Fee. The responsibilities of the COC are:

- Must hold public meetings to inform Marin County residents how funds collected from the Fee are being spent. The Meetings will be open to the public and must be held in compliance with the Brown Act, California's open meeting law. Information announcing the meetings must be well publicized and posted in advance.
- Must publish information on the use of the Fee in an annual report. This report can be included as part of the annual report currently published by the COC related to the ½-Cent Transportation Sales Tax. Copies of these documents must be made widely available to the public at large.

A single COC oversees both the Measure A/AA ½-Cent Transportation Sales Tax and the VRF. To accurately represent the voices of the communities in Marin, especially to timely address the needs and voices of the Equity Priority Communities (EPC), the TAM Board has the authority to review and amend the COC membership structure when necessary.

Implementation

This Plan is guided by principles that ensure the revenue generated by the VRF is spent in the most efficient and effective manner possible, consistent with the desires of the voters of Marin County. The principles outlined in this section provide the flexibility needed to address issues that may arise during the life of the Plan. The specific operations of the Authority are further addressed in its Administrative Code.

1. TAM is charged with a fiduciary duty in administering the VRF proceeds in accordance with the applicable laws and this Expenditure Plan.
2. All meetings of the TAM Board of Commissioners will be conducted in public according to State law, through publicly noticed meetings. The annual budget of the Authority, including the budget for the use of these funds, will be prepared for public scrutiny. TAM will select and allocate funds to specific projects or programs from each element in the Expenditure Plan.
3. Under no circumstances may the proceeds of this Vehicle Registration Fee be applied to any purpose other than for transportation improvements benefiting the payers of the fee in Marin County. The funds may not be used for any transportation projects or programs other than those specified in this Plan without an amendment of the Expenditure Plan.

Marin County Vehicle Registration Fee Expenditure Plan

TRANSPORTATION AUTHORITY OF MARIN

4. Actual revenues may be higher or lower than expected in this Plan due to changes in receipts and/or changes in the number of vehicles registered in Marin County. Because the Expenditure Plan is based on percentage distributions, dollar values in this Plan are estimates only. Actual revenues will be programmed over the life of the Plan based on the percentage distributions identified in the Plan. Distribution of bicycle/pedestrian pathway maintenance funds will be revised when a new pathway becomes eligible.
5. TAM will prepare and adopt a Measure B Strategic Plan, which will identify the priorities for projects, annual funding available for each element, and timing of allocations. The Measure B Strategic Plan reconciles the timing of expected revenues with the schedule for when those revenues are needed in order for sponsors to deliver projects and services. The Measure B Strategic Plan will also include implementation guidelines for recipients to comply with requirements, including metrics and reporting. The Measure B Strategic Plan and subsequent amendments must be approved by the TAM Board, following a noticed public hearing on the draft Measure B Strategic Plan and a 30-day public comment period. The Measure B Strategic Plan will be amended as needed.
6. Funds may be accumulated by TAM over a period of time to pay for larger and longer-term programs or projects. The TAM Board has the discretion to use the interest revenue generated by the fee proceeds to fund any transportation project or program that is described in the Expenditure Plan. Recipient agencies shall not retain more than one year of unspent funds. All interest accumulated by recipient agencies for funds retained beyond one year shall be retained by TAM for dedication to carrying out the programs and projects described in this Expenditure Plan.
7. If applicable, projects funded with the proceeds of the VRF will be required to complete appropriate CEQA clearance and other necessary environmental review, completed under the sole responsibility of the recipient of the funds.
8. New cities, towns or other entities that come into existence in Marin County after this Fee is authorized by voters could be considered as eligible recipients of funds through a Plan amendment.

Measure B Expenditure Plan – Summary of Proposed Amendments
December 15, 2022

Element 1.1 – Maintain Local Streets & Roads:

- Maintain the current 35% funding share
- Funds to be distributed to eligible local agencies based on population (50%) and lane miles (50%) shares.
- Only the Cities, Towns, and County of Marin are eligible recipients of funds from Element 1.1.
- Eligible local agencies submit eligible bicycle, pedestrian, and safety improvement projects to TAM for allocations based on five years of estimated fund collection. Project criteria to be developed by TAM in coordination with local jurisdictions.
- TAM will confirm the approved project list at the start of the five-year period.
- Timing of the availability of funds in the five-year period will be determined by TAM based on project readiness and cash availability.
- Estimated 5 Years of Revenue by Jurisdiction for Element 1.1 is shown below; adjustments to reflect actual revenue received during the 5-year period may be necessary, TAM will work with jurisdictions to ensure no negative impact on project schedule/delivery if any adjustments are needed.

Jurisdiction	5-Year Revenue
Belvedere	\$37,358
Corte Madera	\$140,721
Fairfax	\$105,174
Larkspur	\$150,912
Mill Valley	\$216,048
Novato	\$690,262
Ross	\$40,016
San Anselmo	\$169,409
San Rafael	\$746,755
Sausalito	\$105,678
Tiburon	\$132,788
County	\$1,289,879
<i>Total</i>	\$3,825,000

Element 1.2 – Maintain Class 1 Pathways:

- Maintain the current 5% funding share
- The TAM Board has the discretion to redirect carryovers at the sunset of the current expenditure plan (expected June 30, 2023) to any countywide pathway planning, maintenance or construction needs.
- To ensure future pathway maintenance funds are timely and effectively used, allow the TAM Board the discretion to redirect carryovers to any countywide pathway planning, maintenance or construction needs whenever the carryover exceeds \$250,000 under the amended Expenditure Plan.

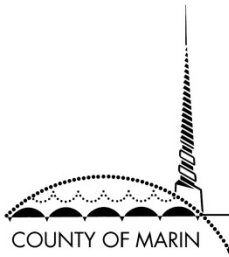
Element 2 – Improve Transit for Seniors & People with Disabilities:

- Maintain the current 35% funding share
- No changes recommended

Element 3 – Reduce Congestion & Pollution:

- Maintain the current 25% funding share
- No funding split recommendation for the sub-elements to maintain flexibility but address specific project/program funding needs in the Strategic Plan.

Applicable metrics for each element will be integrated in the development of the Measure B Strategic Plan.



November 2, 2022

Brian E. Washington
COUNTY COUNSEL

Renee Giacomini Brewer
ASSISTANT COUNTY COUNSEL

Jenna J. Brady
CHIEF DEPUTY COUNTY COUNSEL

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

DEPUTIES

Colleen McGrath
ADMINISTRATIVE SERVICES
OFFICER

Marin County Civic Center
3501 Civic Center Drive
Suite 275
San Rafael, CA 94903
415 473 6117 T
415 473 3796 F
415 473 2226 TTY
www.marincounty.org/cl

VIA EMAIL

Anne Richman
900 Fifth Avenue, Suite 100
San Rafael, CA 94901
ARichman@tam.ca.gov

RE: Measure B Expenditure Plan Revision

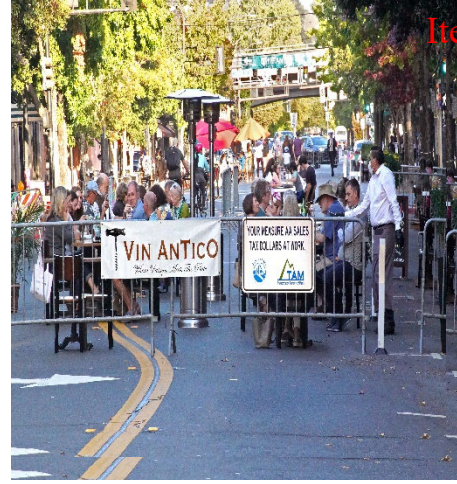
Dear Ms. Richman,

A question was presented to me regarding whether TAM may amend the Measure B Expenditure Plan without voter approval. After review of the measure and all information presented to the voters when approval for Measure B was given, it is permissible for TAM to amend the Measure B Expenditure Plan. Measure B itself and the Plan expressly state that the Plan would be amended, set forth the process regarding how it would be amended, and put every voter on notice that the \$10 fee was ongoing, while the Expenditure Plan would be revisited through a formal process every 10 years. A change in the Plan through public review and a two-thirds vote of the TAM Board is in accordance with the approval granted by the voters for the measure.

Sincerely

Stephen Raab
Deputy County Counsel

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Measure B Expenditure Plan Ten-Year Review and Recommended Amendments

TAM Board of Commissioners Meeting
December 15, 2022

Measure B Expenditure Plan

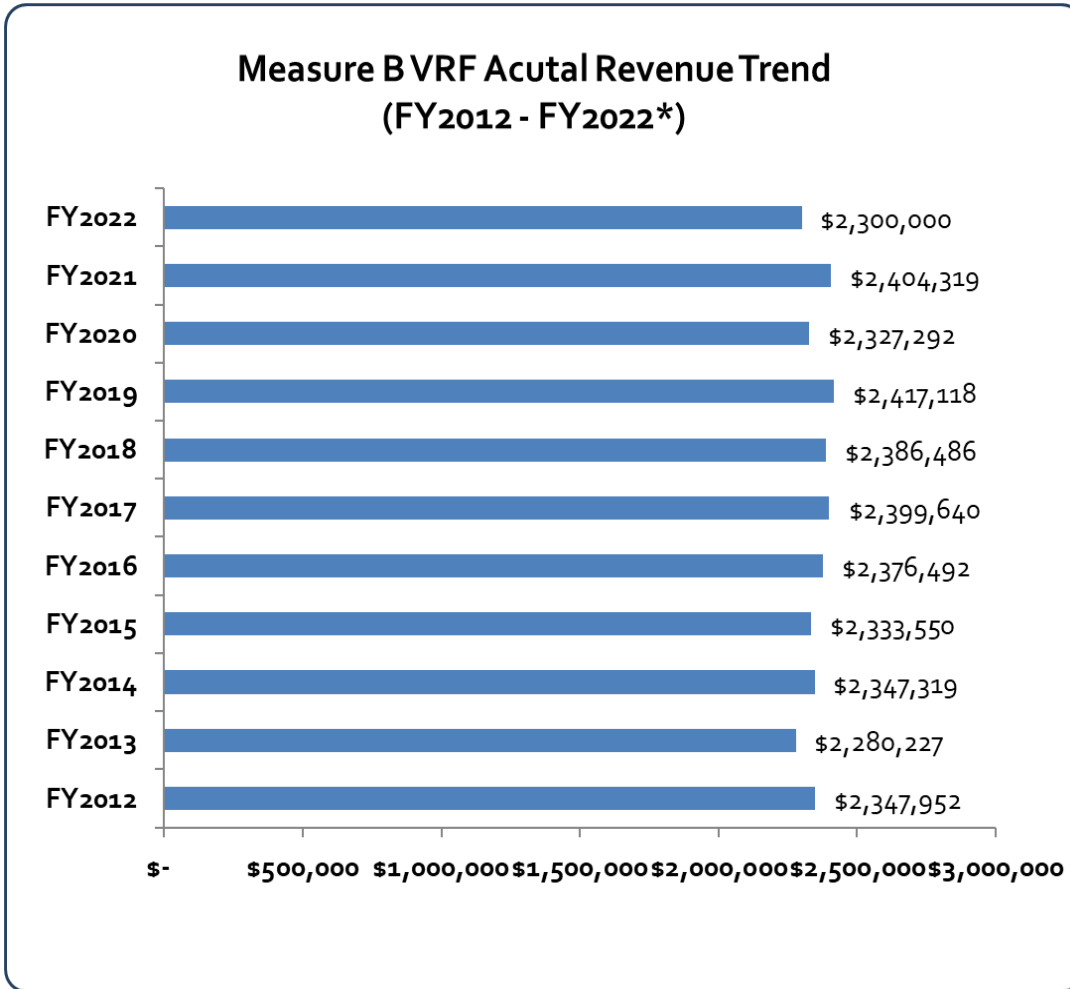
- Measure B was approved by 63% of the Marin voters in 2010 establishing a \$10 vehicle registration fee on motor vehicles registered within the County
- Generates approximately \$2.3 million/year
- The Measure B Expenditure Plan directs the TAM Board to review the spending priorities in the Expenditure Plan at least every 10 years and amend as necessary



Current Expenditure Plan Overview

Element	Share
1.1 – Maintain Local Streets (Formula)	35%
1.2 – Maintain Class 1 Pathways (Formula)	5%
2 – Improve Transit for Seniors & People with Disabilities	35%
3 – Reduce Congestion & Pollution	25%
3.1 - School Crossing Guards & Steet Smarts	
3.2 - Commute Alternatives	
3.3 - Alternative Fuel Infrastructure & Promotion	
Total	100%

Measure B Revenue Overview



- Flat \$10 fee
- Steady revenue without much fluctuation
- Approximately 5% of the total annual revenue TAM collects
- In comparison, the Measure A/AA sales tax revenue is approximately 75% of the total annual revenue

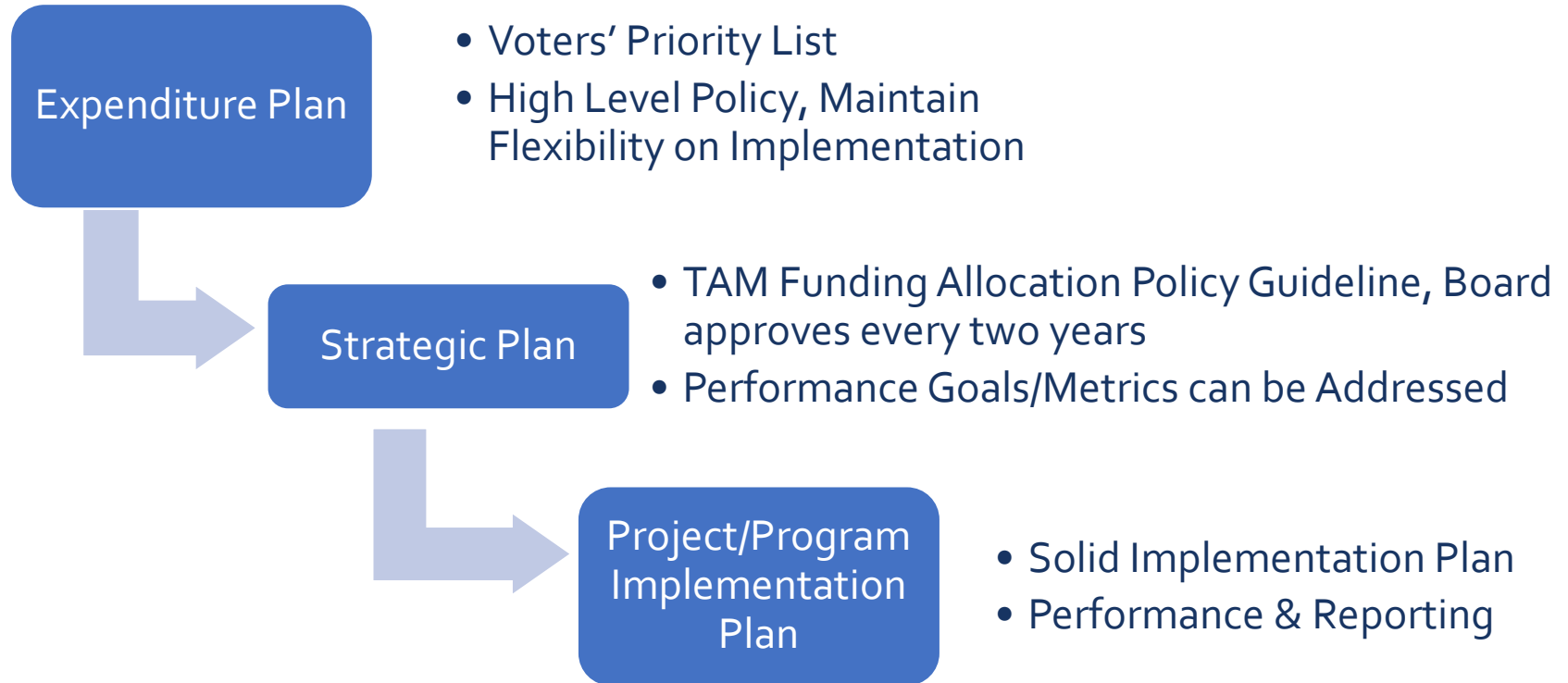
* FY2022 revenues is estimated based on cash disbursements as of April 2022

Measure B Investments in the First 10 Years

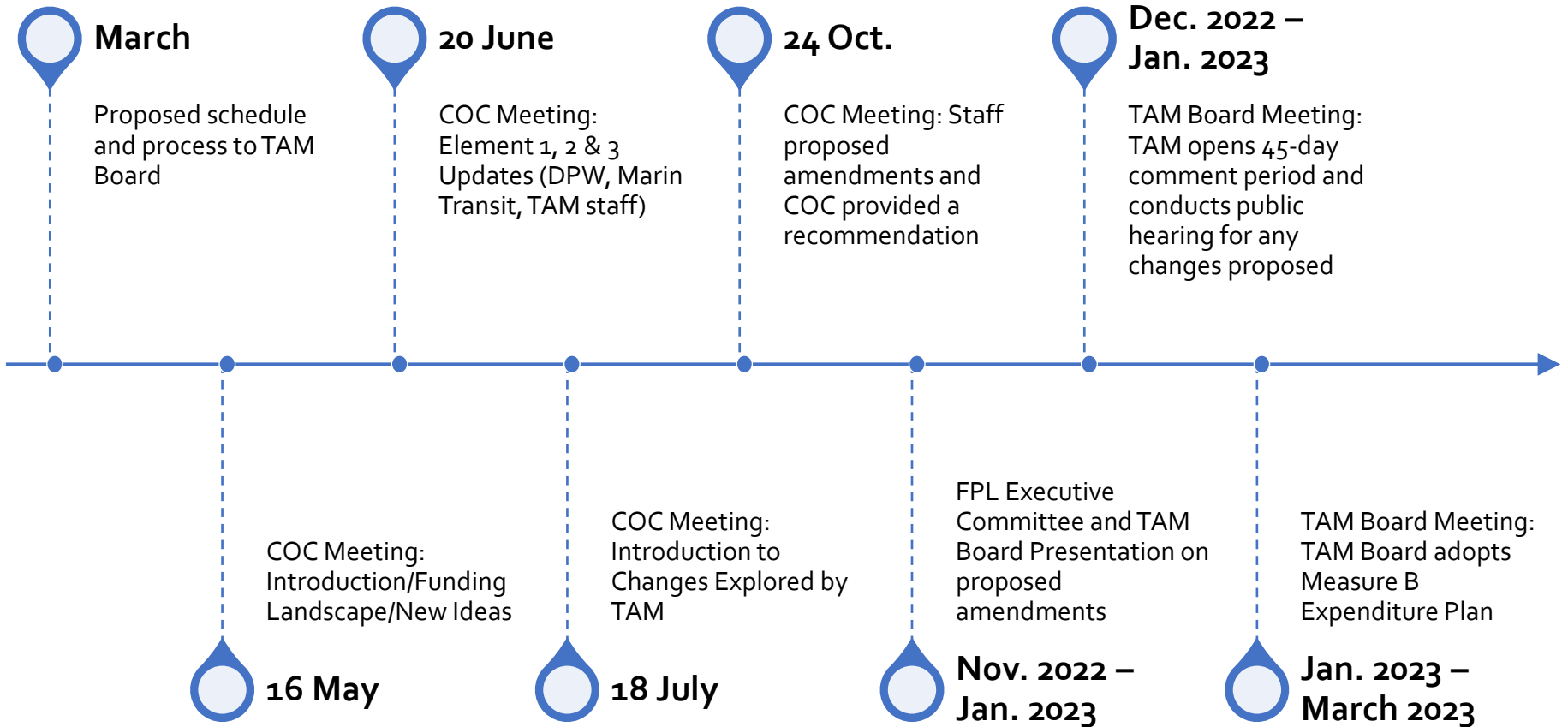
Element	Amount (\$ Millions)
1.1 – Maintain Local Streets	\$7.2
1.2 – Maintain Class 1 Pathways	\$0.76
2 – Improve Transit for Seniors & People with Disabilities	\$7.5
3 – Reduce Congestion & Pollution	
3.1 - School Crossing Guards & Street Smarts	\$2.1
3.2 - Commute Alternatives	\$1.7
3.3 - Alternative Fuel Infrastructure & Promotion	\$1.0

Measure B has provided over \$20 million to programs during the first 10-year period

Steps/Processes in Policy and Program Development



Review Timeline and Process



COC Role in Measure B Expenditure Plan Review

- The review process focused on public meetings through the Citizens' Oversight Committee (COC)
- The COC held public meetings in compliance with the Brown Act
- Agency partners such as local jurisdictions and transit districts, along with other stakeholders and the public were provided opportunities to provide their input in public meetings
- Meetings occurred in March, May, June, July, October 2022



COC and Stakeholder Feedback

Reaffirmed the Overall Approach to Expenditures

- Fund programs that provide benefit to the fee payers (required by statute)
- Prioritize funding for programs that can leverage the relatively small Measure B contribution
- Prioritize funding for projects where a small investment could make a big difference based on limited funding
- Prioritize funding for innovation & pilots
- Require program managers to produce and report on measurable performance results
- Costs vs. benefits and targets should be considered for programs
- Current EP calls for a review at least every 10 years, COC suggested review more often than 10 years when necessary

COC Feedback (cont.)

- Increase funding for non-motorized transportation – possibly through Safe Routes capital programs or by funding complete streets elements of projects, potentially to include stormwater and flooding issues
- Maintain and consider increasing funds for Element 2
- Increase funding for Element 3 programs, especially for Alternative Fuels Infrastructure

Recommendations: Element 1.1

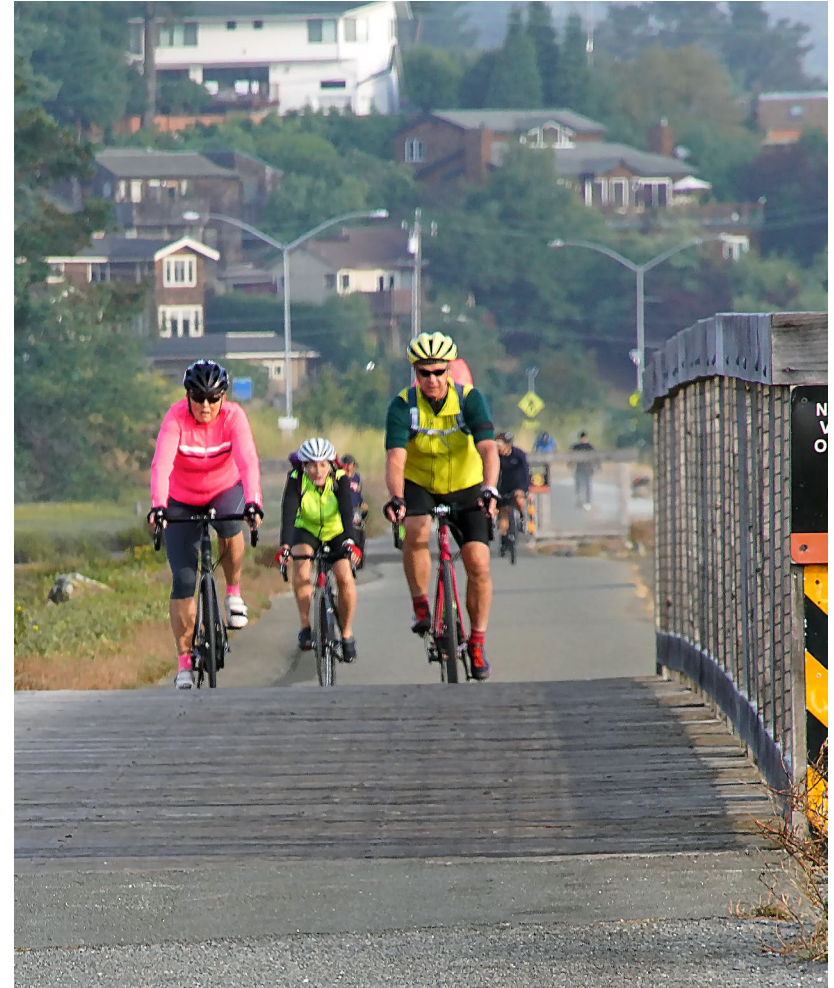
Element 1.1 – Maintain Local Streets & Roads

- Maintain the current 35% funding share
- Funds will be distributed to jurisdictions based on the current 50% lane miles/50% population formula
- Jurisdictions to identify projects for bike/ped/safety improvements, in accordance with TAM-developed criteria
- 5-years worth of funds will be made available for allocation to provide certainty and help with timely delivery of projects
- TAM will confirm the approved project list at the start of the five-year period
- Timing of the availability of funds will be determined by TAM based on project readiness and cash availability

Jurisdiction	Estimated 5-Year Revenue
Belvedere	\$37,358
Corte Madera	\$140,721
Fairfax	\$105,174
Larkspur	\$150,912
Mill Valley	\$216,048
Novato	\$690,262
Ross	\$40,016
San Anselmo	\$169,409
San Rafael	\$746,755
Sausalito	\$105,678
Tiburon	\$132,788
County	\$1,289,879
Total	\$3,825,000

Recommendations: Element 1.1 (cont.)

- Expected Benefits:
 - Helps achieve goals of mobility and safety
 - Helps TAM as countywide agency strengthen countywide network
 - Funds discrete projects
 - Provides funding for projects that are not a good fit for state and federal funds



Recommendations: Element 1.2

Element 1.2 – Maintain Class 1 Pathways

- Maintain the current 5% funding share
- Allow TAM Board the discretion to redirect carryover funds at the transition of the current expenditure plan (expected June 30, 2023) to any countywide pathway planning, maintenance or construction needs
 - Approx. \$300,000 available
- To ensure future pathway maintenance funds are timely and effectively used, allow the TAM Board the discretion to redirect carryovers to any countywide pathway planning, maintenance or construction needs whenever the carryover exceeds \$250,000

Recommendations: Element 2

Element 2 – Improve Transit for Seniors & People with Disabilities

- Maintain the current 35% funding share
- No changes recommended
- Recognize that senior mobility is a very high priority with Marin voters, want to continue the support of the programs but cannot increase the funding at the expense of other high priorities

Recommendations: Element 3

Element 3 – Reduce Congestion & Pollution

- Maintain the current 25% funding share
- No funding split recommendation in order to maintain flexibility and support overall goals, but can address specific project/program funding needs in the Strategic Plan
 - Crossing Guard/Street Smarts - loss of funds would result in fewer guards
 - Commute Alternatives Program - primarily Measure B funded
 - Alternative Fuel Promotion - entirely Measure B funded

Recommendations: COC Membership

- Voices of communities in Marin have been evolving
- Recommend adding language into the Measure B Expenditure Plan to allow the Board the authority to review the current COC membership structure with the potential to add one or more new seats to address the needs and voices of Equity Priority Communities
- Membership review would be part of TAM's Equity Statement and Action Plan review and development process



Recommendations: Metrics & Reporting

Based on suggestions from the COC, staff recommends addressing the following during the Strategic Plan process, which will be developed once the Amended Expenditure Plan is finalized:

- Performance metric requirements
- Periodic reporting on program/project progress and achievement
- Promote fund leveraging
- Define use of carryover funds in Elements 1.2 and 3
- Periodic reporting on EP progress; staff recommends this rather than requiring a review of the EP earlier than every 10 years, in order to allow time to see effects of investments and to promote both stability and innovation in programs

Approval Actions So Far

- MPWA unanimously supported the staff proposal on October 20
- COC unanimously approved the staff proposal on October 24
- FP&L Executive Committee unanimously supported the staff proposal on November 14 and authorized staff to present the DRAFT Amended Measure B Expenditure Plan to the full Board for review and release of a 45-day public comment period

Recommended Action and Next Steps

- December 15: Staff presents the draft Amended Measure B Expenditure Plan to the TAM Board for review and release for the 45-day public comment period
- December 15, 2022 to January 29, 2023: Public comment period
- January 26, 2023: TAM Board holds a public hearing at regular Board meeting and conditionally adopts the Amended Plan pending the close of the public comment period
- Spring 2023: Staff will work with fund recipients and Board regarding Element 1.1 project list, Element 1.2 carryover funds
- Spring 2023: Strategic Plan development process
- July 1, 2023: Changes go into effect

Questions and Feedback

Thank you!



July 8, 2022

Peter Pelham peterpelham@gmail.com
 Chairperson, Citizens' Oversight Committee
 Transportation Authority of Marin
 900 Fifth Avenue, Suite 100
 San Rafael, CA 94901

RE: Support for increased mobility support for Marin's growing population of older adults

Dear Mr. Pelham:

I am writing to express the support of the Marin Aging Action Initiative for Measure B expenditures for transportation services that assist older adults and individuals with disabilities. As the Citizens' Oversight Committee evaluates the Measure B expenditure plan and considers potential reallocation of those resources, it is essential to recognize the essential value of this funding to Marin's growing number of vulnerable and isolated older residents.

We know that the number of people dependent on Marin Transit's programs will increase as people age into the not-driving years of later life. The California Department of Finance reports that in 2010, Marin had 54,319 youth 18 and younger, and 42,628 people over 65. This is projected to change: by 2030, Marin will have almost than twice as many older adults as children (79,189 to 42,028). Not only that, the number of people 85 and older will more than double from 2010 to 2030, from 6,575 to nearly 14,000.

It is imperative that the Transportation Authority Marin meets the demand for mobility options of people aging in Marin. Marin Transit not only serves people unable to drive. It also provides key transportation for seniors on fixed incomes who are stretched by housing and health costs as they grow older.

Measure B funding is crucial. It ensures that people in Marin who are 65 years or older or are living with a disability have access to safe and reliable mobility options that allow them to travel within and beyond Marin. Measure B funding currently supports a comprehensive suite of mobility programs meeting today's needs. An expanded allocation of Measure B funding will allow Marin Transit to expand and modify programs to meet the growing needs of transit dependent populations in Marin County. This funding allocation ensures ongoing support for the most vulnerable members of our community.

I respectfully ask for your support of Marin Transit's request in the COC's evaluation of the Measure B expenditure plan.

Sincerely, *Linda*

Linda M. Jackson
 Director, Marin Aging Action Initiative

CC: Anne Richman, Executive Director, Transportation Authority of Marin
 Teri Dowling, Chair, AAI Steering Committee
 Aging Action Initiative Steering Committee

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Anne Richman
 Executive Director
 Transportation Authority of Marin
 900 Fifth Avenue, Suite 100
 San Rafael, CA 94901
 Via email: arichman@tam.ca.gov

Dear Ms. Richman,

The Marin Paratransit Coordinating Council (PCC) is an advisory committee of Marin Transit. It is comprised of paratransit riders and community-based organizations that serve paratransit riders. The PCC provides feedback and oversight for Marin Transit's mandated paratransit program. It also supports development and implementation of additional mobility programs designed to meet the transit needs of older adults, people with disabilities, and other transit-dependent community members.

Measure B funding is crucial. It ensures that people in Marin who are 65 years or older or are living with a disability have access to safe and reliable mobility options that allow them to travel within and beyond Marin. Measure B funding supports a comprehensive suite of mobility programs including travel training, the Travel Navigator team, the Catch-A-Ride subsidized taxi program, Marin Transit Connect, the STAR & TRIP volunteer driver reimbursement programs, fare assistance for individuals with limited incomes, and the Marin Access Innovation Incubator. Additionally, Measure B funding is leveraged to support efforts in securing additional funding to maintain and expand Marin Access programs.

Over the past ten years, Marin Access programs have successfully supported the transit needs of this population. By 2035, older adults are expected to make up 33% of the population in Marin County with this number expected to increase year over year beyond that¹. Due to a growing population and cost growth, additional funding is needed to maintain and expand mobility options in Marin.

The PCC supports an expansion of the allocation of Measure B funding to improve transit for older adults and people with disabilities. Greater funding will allow Marin Transit to collaborate with stakeholders to identify and implement expanded or adjusted programs to meet the growing needs of transit dependent populations in Marin County. This funding allocation ensures ongoing support for the most vulnerable members of our community.

Additional funding could be used to:

- Expand eligibility or individual subsidies for the LIFA program
- Offer fare-free fixed route services to all eligible Marin Access participants
- Increase the volunteer driver program subsidies
- Offer incentives to attract new volunteers for the volunteer driver programs
- Expand the outreach and travel training efforts of the Travel Navigator team
- Explore expansion of the service area for non-mandated Marin Access premium services
- Develop new programs to support trips to medical appointments or unplanned travel
- Explore opportunities to consolidate or adjust existing programs

¹ CA Department of Finance - P-2B County Population by Age - <https://dof.ca.gov/forecasting/demographics/projections/>

The PCC respectfully requests that the Transportation Authority of Marin Citizen's Oversight Committee and Board of Directors consider an increase in the allocation of funding from 35% to 45%, to meet the growing needs of transit-dependent populations in Marin County and to improve transit for older adults and people with disabilities.

Sincerely,

Patti Mangels, PCC Chair

Cc: Peter Pelham, Chairperson, Citizens' Oversight Committee, Transportation Authority of Marin

Grace Zhuang

From: Nancy Whelan <nwhelan@marintransit.org>
Sent: Monday, October 24, 2022 3:44 PM
To: Anne Richman
Cc: David Chan; Li Zhang; Grace Zhuang
Subject: Measure B Expenditure Plan Update Item on COC Agenda 10/24

Dear Anne-

Unfortunately, due to a conflict I will not be able to attend tonight's Citizen's Oversight Committee meeting. I was hoping to provide comments supporting the staff recommendation on the Measure B Expenditure Plan Update item at the meeting.

I wanted to express Marin Transit's thanks to the COC and TAM staff for considering the funding needs for transit for seniors and people with disabilities. We appreciate the opportunity the COC gave us to explain how we use Measure B on Marin Access programs and the growing population of older people in Marin County. We understand that there are competing needs for Measure B funding and that you carefully evaluated all needs. We hope there will be other funding opportunities for our growing programs in the future and that COC and TAM will continue to take these needs into account.

On behalf of Marin Transit staff, I support the staff recommendation. Thank you and the COC members for your efforts to update the Measure B expenditure plan.

Sincerely,

Nancy E. Whelan (she, her, hers)

General Manager

marin transit

711 Grand Ave, Suite 110, San Rafael, CA 94901

[p] (415) 226-0864 [c] (415) 269-8291 // marintransit.org

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DATE: December 15, 2022

TO: Transportation Authority of Marin Board of Commissioners

FROM: Anne Richman, Executive Director *Anne Richman*
Nicholas Nguyen, Principal Project Delivery Manager

SUBJECT: Receive State Route 37 (SR 37) Corridor Planning and Project Update Presentation (Discussion), Agenda Item No. 9

RECOMMENDATION

Discussion item only. The Board receives a State Route (SR) 37 Corridor Planning and Project update presentation by Caltrans and MTC representatives.

BACKGROUND

SR 37 is a key transportation corridor linking the four North Bay counties. Due to its strategic transportation role and environmentally sensitive natural footprint, SR 37 has been the subject of numerous planning studies conducted by a number of transportation agencies and organizations, including the Metropolitan Transportation Commission (MTC) and the California Department of Transportation (Caltrans). Staff and elected officials from these various agencies have been in discussion over the past seven years about how to advance improvements in the corridor.

The corridor is divided into three segments. Segment A is from Highway (Hwy) 101 to State Route 121 (SR 121) with 3.4 miles in Marin and 3.9 miles in Sonoma. Segment B is from SR 121 to Mare Island with 2.3 miles in Sonoma and 7 miles in Solano. Segment C is 4.4 miles entirely in Solano. Each segment has unique challenges and vary in how those challenges can be met in regard to mobility, sea level rise and flooding.

The Corridor has been cooperatively developed for over the past seven years by the coalition of the four county transportation agencies consisting of TAM, Sonoma County Transportation Authority (SCTA), Napa Valley Transportation Authority (NVTA), and Solano Transportation Authority (STA), plus Caltrans and MTC via the SR 37 Policy Committee, in concert with numerous resource permitting agency partners. Two separate memoranda of understanding (MOU) guide agency cooperation. Initial consensus was reached where MTC, STA, and SCTA would develop interim and ultimate project solutions for Segment B, TAM would work with Caltrans and local partners to develop interim and ultimate project solutions for Segment A, and STA would develop projects in Segment C.

DISCUSSION

The initial consensus has evolved slightly over the past several years because of funding opportunities and prioritization along the entire 21-mile corridor. The various on-going projects and studies include the following:

1. Caltrans SR 37 Planning and Environmental Linkage (PEL) Study – A “pre-environmental clearance” effort that seeks to collect preliminary input from stakeholders, develop initial project concepts and facilitate the subsequent environmental clearance effort for the long-term (formerly called “Ultimate”), corridor-wide, sea level rise project. This study is nearing completion.
2. MTC/Caltrans Segment B Improvement Project – Currently in the environmental clearance phase (Draft EIR issued, Final EIR expected soon), the project would widen the existing roadway segment at the existing elevation to address congestion and shore up the existing roadway. There has been significant interest from environmental stakeholder groups to modify the current scope of work for this project. Design work would commence immediately after environmental clearance has been completed.
3. Caltrans Segment A Flood Reduction Project – Currently in the environmental clearance phase, the project has been revised and now proposes to focus on long-term solutions to flooding events along the Marin sections of the corridor, with early-deliverable elements. A draft EIR is expected in 2023, and TAM was awarded a \$20 million earmark from the FY2022-23 state budget for the subsequent design phase.

The SR 37 Policy Committee has been kept apprised of the above-mentioned projects/studies, and various public outreach meetings associated with them have been conducted over the past two years. Tonight’s presentation by Caltrans and MTC representatives will provide an update to the above-mentioned projects/studies and how they would support one another. Their presentation is for information only.

FISCAL CONSIDERATION

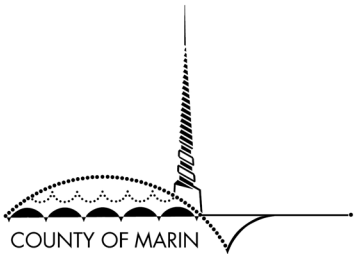
None.

NEXT STEPS

Staff will continue to work with the SR 37 partners and actively participate in the projects and studies.

ATTACHMENTS

Attachment A – Marin County Board of Supervisors SR 37 Ultimate Project Support Letter



BOARD OF SUPERVISORS

October 13, 2022

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Marin County Civic Center
3501 Civic Center Drive
Suite 329
San Rafael, CA 94903
415 473 7331 T
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www.marincounty.org/bos

Mr. Tony Tavares, Director
California Department of
Transportation (Caltrans)
P.O. Box 942873
Sacramento, CA 94273-0001

Ms. Therese McMillan, Executive Director
Metropolitan Transportation Commission
Bay Area Metro Center
375 Beale Street, Suite 800
San Francisco, CA 94105-2066

Subject: Accelerate planning and construction of a Highway 37 elevated causeway as the “ultimate” project with near-term measures to address congestion and flood risk as initial phases of the “ultimate” project

Dear Director Tavares and Director McMillan,

On behalf of the Marin County Board of Supervisors, I write to urge a strong commitment to the accelerated planning and construction of the Highway 37 (SR 37) multi-modal, multi-benefit sea level rise adaptation project on a pile-supported causeway along the current SR 37 alignment (Planning and Environmental Linkages (PEL) Alternative 5). This “ultimate” elevated causeway project will enable timely flood risk and congestion management, along with wetland restoration, while also allowing the opportunity for rail to be adjacent.

Chronic traffic congestion and periodic flooding along this vital 21-mile commute and transportation corridor connecting Highway 101 in Marin County to Interstate 80 in Vallejo will only worsen as climate change continues to accelerate. Sitting just above sea level, flooding has caused the closure of Highway 37 for as many as 28 consecutive days (2017) and chronic congestion plagues commuter and commercial traffic daily – making near-term solutions an essential part of the long-term solution.

However, as CalTrans/MTC moves to finalize the EIR for a temporary, nearly \$500 million 10-mile freeway widening with 24-hour HOV lanes from Highway 121 at Sears Point in Sonoma County to Mare Island in Solano County as its preferred near-term solution, we want to express our serious concerns regarding the near-term proposal. We all agree near-term measures to address congestion and flooding are critical, but we respectfully urge that such projects should minimize adverse environmental impacts, maximize environmental benefits, such as wetland restoration, and align with the ultimate project to connect Marin, Sonoma, Napa, and Solano counties for future generations.

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Moreover, depending on the ultimate cost, including public transit between Novato and Suisun City, such as an extension of SMART train service, coupled with the largest wetland restoration project on the West Coast while also alleviating traffic congestion, would make the elevated causeway a “win-win-win” solution for future generations. We suggest SMART be involved as a stakeholder in the planning of the ultimate project.

The environmental community supports the “ultimate” project.

The environmental benefits of the ultimate project are so compelling that regional, state and federal regulators may accelerate and simplify environmental reviews and permitting. In addition to qualifying for federal and state highway infrastructure funding that is currently available, the multiple benefits of the ultimate project and the opportunity to provide a national model for resiliency potentially open other funding sources, including rail, multi-modal, climate resiliency and ecosystem restoration funding.

The flood prone agricultural lands of the North Bay may represent the largest and best opportunity in San Francisco Bay to restore tidal wetland ecosystems at a landscape-scale, with physical and ecological connectivity to terrestrial habitats that can support the landward migration of tidal wetlands in response to sea level rise, and riverine habitats that supply much needed sediment so existing and restoring wetlands can keep pace with rising sea levels.

The ultimate “elevated causeway” solution simultaneously responds to three aspects of the climate crisis, as outlined by the State Route 37 Baylands Group this summer:

- Adaptation, by providing a natural buffer against sea level rise for North Bay communities;
- Mitigation, by reducing atmospheric carbon dioxide through the blue carbon benefits of salt marshes; and
- Biodiversity: by expanding ecologically vital wetland habitat. Improving Highway 37 must be approached as a multi-benefit project that compliments and advances these critical objectives.

Near-term traffic relief improvements consistent with the ultimate project should be provided while the causeway is being planned and built.

We all share the urgency that existing traffic issues for tens of thousands of commuters on the highway need to be addressed before the elevated causeway is completed. However, the proposed temporary freeway widening along the corridor, created with fill on sensitive wetlands, does not align with the long-term solution. It is our understanding that the

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proposed temporary freeway widening, potentially costing in excess of \$500 million once completed, would likely be overtopped by rising sea levels within 15 years and would need to be demolished for the “elevated causeway” to function.

We respectfully urge that CalTrans/MTC move forward with near-term alternatives that bring traffic relief faster, cheaper, and in ways that are consistent with the multi-benefit, multi-modal elevated causeway that everyone agrees is the ultimate solution. Insofar as this is as much an environmental as an infrastructure project, both near and long-term outcomes should include the following at an accelerated pace so that some of the benefits of the ultimate project can be realized more quickly and progress can continue while funding for future phases is secured:

- Congestion relief, potentially including a redesigned interchange at Highway 121;
- Reduced adverse environmental impacts, including mitigated use of fill during near-term project phases;
- Maximized environmental benefits, such as wetland preservation and restoration;
- Sea level rise adaptation and flood control; and
- Preservation of rail transit options, depending upon ultimate cost.

We have a unique alignment of financial, political and regulatory elements that can help it succeed right now.

Please let us know how we can help.

Sincerely,



Katie Rice, President
Marin County Board of Supervisors

Cc: Honorable Congressman Jared Huffman
Honorable Governor Gavin Newsom
Honorable State Senator, Mike McGuire
Marin County Board of Supervisors
Anne Richman, Exec. Director, Transportation Authority of Marin

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DATE: December 15, 2022

TO: Transportation Authority of Marin Board of Commissioners

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

SUBJECT: Countywide Transportation Plan (Discussion), Agenda Item No. 10

RECOMMENDATION

Discussion item only.

BACKGROUND

At its April 28, 2022 meeting, the TAM Board directed staff to begin the development of a Countywide Transportation Plan (CTP) as part of opting out of the historical Congestion Management Program (CMP), managed by TAM. In August, TAM notified the Metropolitan Transportation Commission (MTC) that the majority of cities representing the majority of the population of the County had completed resolutions supporting opting out of the CMP.

Marin County is the only county in the Bay Area that does not prepare a CTP. The TAM Strategic Vision Plan, accepted by the TAM Board in November 2017, along with the local Measure A/AA and Measure B Expenditure Plans, and TAM's submittal of projects to the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), serve as primary elements of the County's long-range transportation planning framework.

MTC is required to provide guidance on the development of CTPs to ensure a consistent planning framework is used to inform policy and investment decisions. MTC's guidance was finalized at the MTC Commission meeting in November 2022, where MTC staff was also directed to work with County Transportation Agencies (CTAs) to include transit priority and recovery as a policy element in the CTP guidance. That direction will be developed in the coming months.

DISCUSSION/ANALYSIS

Staff has begun to develop a scope of work for the CTP and related planning efforts and is seeking feedback to guide the development of the plan. Major elements of the CTP are set by the guidelines included as Attachment A. These guidelines address overall framework for the CTP and policy areas to include in the CTP. In addition, MTC guidelines require updates to the TAM travel model, which is expected to be a primary tool for conducting the CTP, and opportunities to align existing planning efforts such as Community Based Transportation Plans (CBTPs), and RTP requirements. Staff will also continue to coordinate with MTC on the development of the scope of work.

Staff has discussed the CTP with the Marin County Planning Directors; the Marin Public Works Association (MPWA) and the Marin Managers Association (MMA), and extensive engagement is expected with these groups and the public as the CTP begins. Feedback received to date includes exploring opportunities to create efficiencies through shared data systems, advancing Vision Zero policies, and recognition that many transportation issues work across traditional planning and public works roles.

Staff is seeking Board feedback in a number of areas, including relationship to local planning efforts such as housing element updates that have been under development for the last year, outcomes expected from the CTP, and how the CTP can support and facilitate opportunities to advance the quality of life for existing and future residents of Marin.

FISCAL CONSIDERATION

None at this time. Staff will return with budget and funding information once a competitive procurement has been conducted.

NEXT STEPS

Staff will conduct an RFQ/P (Request for Qualifications/Proposal) process over the next few months to seek qualified consulting firms to support this effort and will return to the Board for contract approval. Staff will also begin developing committees and working groups to support the development of this process.

ATTACHMENTS

Attachment A – MTC Guidelines
Attachment B – Staff Presentation

Date: November 16, 2022
W.I.: 1121
Referred by: PLNG

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Guidelines for Countywide Transportation Plans

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The intent of these guidelines is to provide context for coordinated transportation and land use planning in the San Francisco Bay Area by developing a common planning framework between Countywide Transportation Plans (CTP) and the San Francisco Bay Area's Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS, herein referred to as "Plan Bay Area"), reflective of state and regional climate and equity goals. As such, these guidelines are intended to guide the development of the next round of CTPs, which are expected to inform the development of the next major update of Plan Bay Area, expected to begin in 2026 and be adopted in 2029.

A | PLANNING CONTEXT

CTP Background

In 1988, the State legislature passed Assembly Bill 3705 (Eastin), authorizing Bay Area counties to develop CTPs on a voluntary basis. The provisions in AB 3705 are codified in Section 66531 (see Appendix A) of the California Government Code and were modified by the passage of AB 1619 (Lee) (Statutes of 1994, Chapter 25). Among other things, the law suggests content to be included in CTPs and clarifies relationships between the CTP and the RTP, and between the CTP and Congestion Management Programs (CMPs).

Importantly, the state law established an inter-dependent relationship between CTPs and the RTP and provided a pathway for regionally significant local policies and priorities to be included into the RTP if the CTP was prepared in a consistent manner as the Commission's preparation of the RTP (see Appendix B). The statute promoted compatibility between CTPs and the RTP through a common planning framework, even though the plans may differ in scope.

CTPs and MTC's guidelines have evolved since the passage of AB 3705. The Bay Area's County Transportation Agencies have prepared and updated CTPs to build consensus toward countywide transportation visions, guide long-term decision-making, reflect local policies and priorities, and inform transportation funding decisions. CTPs continue to be a primary input into the preparation of Plan Bay Area. Accordingly, MTC's guidelines are intended to establish a common framework for CTPs that encourages compatibility of the plans with Plan Bay Area.

Plan Bay Area

On October 21, 2021, the Metropolitan Transportation Commission (MTC) and the Executive Board of the Association of Bay Area Governments (ABAG) jointly adopted the third iteration of Plan Bay Area, *Plan Bay Area 2050*. Plan Bay Area 2050 connects the elements of housing, the economy, transportation, and the environment through 35 strategies that aim to make the Bay Area more equitable for all residents and more resilient in the face of unexpected challenges. In the short-term, the Plan's implementation plan identifies more than 80 specific actions for MTC, ABAG, and partner organizations to take over the next five years to make headway on each of the 35 strategies and achieving Plan Bay Area goals and objectives.

Plan Bay Area grew out of the Sustainable Communities and Climate Protection Act (Sustainable Communities Act, SB 375, Chapter 728, Statutes of 2008), which requires each of the state's 18 metropolitan areas to identify transportation and land use strategies to reduce per capita greenhouse gas (GHG) emissions from cars and light trucks. Pursuant to SB 375, the California Air Resources Board

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(CARB) sets regional targets for GHG emissions reductions. These emissions reduction targets are the state's primary mechanism to achieve statewide GHG emissions reduction goals for cars and light trucks. In 2010, the Bay Area's reduction targets were set at 7 percent per capita by 2020 and 15 percent per capita by 2035, with both targets compared to 2005 emissions levels. In 2018, CARB updated the regional emissions reduction targets in order to make significant progress in achieving the state's 2030 emissions target. The Bay Area's current GHG emissions reduction targets are 10 percent per capita by 2020 and 19 percent per capita by 2035¹. CARB is tasked with monitoring statewide progress toward meeting regional emissions reduction targets every four years (2018, 2022², etc.) and updating the regional emissions reduction targets every eight years (2018, 2018, etc.) to ensure the state is on course to achieve climate goals.

State Goals

Since SB 375 was enacted in 2008, state policy has continued to emphasize accelerated achievement of GHG emissions reduction goals. The CARB scoping plans (2017 and 2022³) contain statewide strategies to meet GHG emissions reduction targets and reach carbon neutrality. The scoping plans emphasize the state's need to significantly reduce vehicle miles traveled (VMT) and increase walking, biking, and transit usage.

More recently, the state has also identified equity as an equally important goal in its transportation planning and funding policies. CAPTI, the state's Climate Action Plan for Transportation Infrastructure (March 2021), supports the California Transportation Plan by creating a framework for aligning the state's transportation investments with its climate, health, and social equity goals. CAPTI also recognizes the need to reduce VMT and increase walking, biking, and transit usage. As a result, transportation projects and policies that reduce VMT are expected to receive higher priority and be more competitive for state funding programs than projects that increase VMT moving forward.

Across these recent state activities, the state has recognized the need to (1) pivot from investing in auto-oriented projects that increase VMT to those that enhance active and shared mobility options; (2) better manage the existing transportation system through managed lane networks, pricing mechanisms, and seamless transit enhancements; (3) leverage new mobility options such as autonomous vehicles and shared micromobility; and (4) improve the alignment of local and regional land use and housing planning.

Reflecting Local, Regional, and State Goals and Policy

Advancing a common CTP planning framework contributes to an effective regional planning process. Documenting how investments implement county and regional priorities helps to illustrate how the region is achieving its climate, equity, and land use goals. Understanding county and local priorities ensures that they are considered for inclusion and integrated with the regional plan.

¹ <https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-program/regional-plan-targets>

² The Draft 2022 Progress Report was released in June 2022, and is expected to be finalized sometime in 2022.

³ The Draft 2022 Scoping Plan was released in May 2022, and is expected to be finalized sometime in 2022.

B | CTP RECOMMENDATIONS

The intent of the recommendations in the following section, as well as the RTP/SCS elements described in Appendix B, is to strengthen compatibility between CTPs and Plan Bay Area through a common planning framework, even though the plans may differ in scope. Accordingly, the Bay Area's County Transportation Agencies should include the following recommendations, to the extent practical, in their respective CTP:

1. Outreach and Engagement

- Implement a public outreach and engagement effort in a manner consistent with MTC's Public Participation Plan (<https://mtc.ca.gov/about-mtc/public-participation/public-participation-plan>).
- Follow current best practices related to virtual and in-person public participation, outreach, and engagement, see the Best Practices for Equitable Engagement primer for examples (<https://abag.ca.gov/technical-assistance/best-practices-equitable-engagement>).
- Lower participation barriers for hard-to-reach populations, Limited English Proficient (LEP) speakers, people with disabilities, and those who historically have been excluded from weighing in on public decision-making processes.
- Document the outreach process, including efforts to lower participation barriers, see the Plan Bay Area 2050 Public Engagement Report for example documentation (https://www.planbayarea.org/sites/default/files/documents/Plan_Bay_Area_2050_Public_Engagement_Report_October_2021.pdf).

2. Regional Coordination

- Engage with MTC/ABAG staff during the project scoping phase and include an MTC/ABAG representative on relevant technical advisory committees and/or working groups.
- Notify MTC/ABAG of project milestones, including comment period(s) for the draft CTP and adoption of final CTP.

3. Planning Assumptions

- Use planning assumptions consistent with the latest adopted Plan Bay Area (see Appendix C). Planning assumptions are inclusive of the projected population, household, and job growth in the Regional Growth Forecast; the growth geographies in the Regional Growth Framework; and the anticipated regional, state, and federal revenues in the Transportation Revenue Forecast.
- Document differences with Plan Bay Area's planning assumptions, including any new transportation revenue sources and/or strategies to fund investments within the county. Discuss sources of potential new revenues, the forecasted amount of potential new revenues, and near-term actions to ensure their availability.
- Select planning horizons that cover a 25 to 30-year period.

4. Performance Framework

- Establish a performance framework to demonstrate how CTP investment decisions support multimodal transportation and land use goals and objectives.
- Establish transportation and land use goals and objectives that reflect local priorities, but also consider Plan Bay Area's overall vision, goals and cross-cutting issues (see Appendix C),

including the region's two mandatory targets to (1) reduce GHG emissions from cars and light trucks, and (2) house the region's projected population growth at all income levels.

- Identify quantifiable metrics—including *VMT and equity measures*—to evaluate multimodal system performance of CTP implementation.
- Establish a performance framework that is consistent with applicable multimodal performance elements of Congestion Management Programs (CMP) and provides a long-range vision for the CMP, if prepared for the county.

5. Strategies (i.e., Investments and Policies)

- Incorporate, to the extent practical, Plan Bay Area's transportation strategies—*defined as a set of multimodal transportation investments (projects and/or programs) or transportation policies* (see Appendix C)—and document and explain how CTP investments and policies are consistent with and supportive of their implementation. Similarly, document the basis for the exclusion of any Plan Bay Area transportation strategies.
- Incorporate, to the extent practical, the Bay Area Air Quality Management District's (BAAQMD) Clean Air Plan and its respective Transportation Control Measures (TCM) (<https://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>).
- Reflect local priority strategies, especially those established through other local planning initiatives, including, but not limited to:
 - Active Transportation Plans, Complete Streets and Safe Routes to School efforts; or,
 - Community Based Transportation Plans (CBTP);
 - Corridor studies, including Comprehensive Multimodal Corridor Plans (CMCP);
 - Local/modal studies conducted by the county(s) or transit agency(s);
 - Regional and/or sub-regional transportation studies; and,
 - Specific Plans for Priority Development Areas (PDA);
- Prioritize strategies that support and encourage development in the regional growth framework (growth geographies), particularly in PDAs and locations subject to the regional Transit-Oriented Communities (TOC) Policy (MTC Res. No. 4530).
- Prioritize strategies that advance equity, especially those that affect historically and systemically marginalized, underserved and excluded groups, including people with low incomes, people with disabilities, and communities of color.
- Prioritize strategies that are resilient to future uncertainties, including strategies that address effects of climate change (e.g., sea level rise and intensified drought and wildfires).
- Evaluate strategy alignment with federal, state, and regional funding program objectives and eligibility requirements.

6. Transportation Project List

- Coordinate with cities and transit operators within the county to prepare a list of transportation investments (projects and programs).
- Incorporate both funded and unfunded investments and include relevant project and program details, including design concept and scope, system capacity impacts (i.e., new lane miles), cost, funding, and schedule.
- Escalate cost estimates into year-of-expenditure dollars and document inflation rate assumptions.

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- Differentiate between projects and programs that increase transportation system capacity and those that do not. Projects and programs that do not increase system capacity may be bundled into group listings or programmatic investments.
- Advance equity through investments and policies that improve mobility options for residents of Equity Priority Communities (EPC) and other historically disadvantaged populations, such as by advancing priorities included in CBTPs.

7. Forecast and Report System Changes

- Forecast and report outcomes of implementing the investments and policies in the CTP, including, but not limited to changes in passenger car VMT compared to a performance baseline (i.e., model base year, current conditions, or Plan Bay Area forecast). Report VMT for both the performance baseline and for the CTP.
- Represent CTP investments and policies, to the extent possible, in the county or regional travel demand model to forecast multimodal system performance.
- Prepare consistency documentation in regard to the county's Model Development – Base Year(s) and Model Development – Forecast Year(s) processes described in the *MTC Guidance for Model Consistency, Collaboration, and Transparency* guidance (see Appendix C). Indicate if county model is consistent with established statement of Modeling Consistency for CMPs or provide documentation to explain how and why modeling assumptions, settings, versions, inputs, and forecasts differ from those discussed during Model Development – Base Year(s) and Model Development – Forecast Year(s) processes.
- Summarize and report, to the extent practical, the estimated change in street and highway lane miles, transit vehicle miles, and active transportation systems miles, from implementing the investments and policies in the CTP.

8. Investment and Growth Strategy

Document and explain how investments and policies are consistent with and supportive of implementation of the regional growth framework and other regional policies, including:

- PDAs, Transit-Rich Areas (TRAs), and High-Resource Areas (HRAs) forecasted to take on significant housing growth in Plan Bay Area (total number of units), including Regional Housing Needs Assessment (RHNA) allocations, as well as housing production, especially those PDAs, TRAs, or HRAs that are delivering large numbers of very low-, low-, and moderate-income housing units;
- Dense job centers in proximity to transit and housing (both current levels and those included in Plan Bay Area) especially those which are supported by reduced parking requirements and transportation demand management programs; and,
- Regional TOC Policy requirements (MTC Res. No. 4530), particularly the TOC Policy requirements for parking management and transit station access and circulation.

9. Prioritization and Near-term Implementation Actions

- Prioritize a set of investments and policies that can reasonably be implemented within a 10-year period post CTP adoption, with an emphasis on investments and policies that respond to local needs, achieve locally identified performance goals and objectives, and advance regional and state objectives (e.g., reduce GHG emissions and reduce VMT).

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- Prepare an implementation plan to identify near-term actions necessary to implement the 10-year priority investments of the CTP. Near-term actions may include advocacy and legislation; new, existing or restructured initiatives; and planning or research.
- Screen unfunded priority investments for alignment with federal, state, and regional funding program objectives and eligibility requirements. Consider bundling projects or programs into investment packages to ensure alignment with the state's climate, health, and social equity goals.

10. Updates

- CTPs should be updated at least every 8 years before the adoption of major updates to Plan Bay Area. The adoption of the next major update to Plan Bay Area is expected to commence in 2026 and be adopted in 2029. For this update, CTPs should be completed by 2026 in order to inform the next major update to Plan Bay Area.

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APPENDIX A | STATE CODE 66531: COUNTY TRANSPORTATION PLANS

- (a) Each county within the jurisdiction of the commission, together with the cities and transit operators within the county, may, every two years, develop and update a transportation plan for the county and the cities within the county. The county transportation plan shall be submitted to the commission by the agency that has been designated as the agency responsible for developing, adopting and updating the county's congestion management program pursuant to Section 65089 [CMPs], unless, not later than January 1, 1995, another public agency is designated by resolutions adopted by the county board of supervisors and the city councils of a majority of the cities representing a majority of the population in the incorporated area of the county. Nothing in this section requires additional action by the cities and county, if a joint powers agreement delegates the responsibility for the county transportation plan to the agency responsible for developing, adopting, and updating the county's congestion management program pursuant to Section 65089 [CMPs].
- (b) The county transportation plans shall be consistent with, and provide a long-range vision for, the congestion management programs in the San Francisco Bay area prepared pursuant to Section 65089 [CMPs]. The county transportation plans shall also be responsive to the planning factors included in Section 134 of the federal Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240).
- (c) The commission, in consultation with local agencies, shall develop guidelines to be used in the preparation of county transportation plans. These guidelines shall be consistent with the commission's preparation of the regional transportation plan pursuant to Section 65081. These plans shall include recommendations for investment necessary to mitigate the impact of congestion caused by an airport that is owned by the county, or city and county, and located in another county. The plans may include, but are not limited to, the following:
 - (1) Recommendations for investments necessary to sustain the effectiveness and efficiency of the county portion of the metropolitan transportation system, as defined cooperatively by the commission and the agency designated pursuant to Section 65089 [CMPs].
 - (2) Consideration of transportation system and demand management strategies which reinforce the requirements contained in Section 65089 [CMPs].
 - (3) Consideration of transportation impacts associated with land use designations embodied in the general plans of the county and cities within the county and projections of economic and population growth available from the Association of Bay Area Governments.
 - (4) Consideration of strategies that conserve existing transportation system capacity, such as pricing policies or long-term land use and transportation integration policies jointly developed by the commission and the agencies designated pursuant to Section 65089 [CMPs].
 - (5) Consideration of expected transportation revenues as estimated by the commission, the impact of these estimated revenues on investment recommendations, and options for enhanced transportation revenues.
- (d) The commission shall adopt revised guidelines not later than January 1, 1995.
- (e) The county transportation plan shall include recommended transportation improvements for the succeeding 10- and 20-year periods.
- (f) The county transportation plans shall be the primary basis for the commission's regional transportation plan and shall be considered in the preparation of the regional transportation

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improvement program. To provide regional consistency, the county transportation plans shall consider the most recent regional transportation plan adopted by the commission. Where the counties' transportation plans conflict, the commission may resolve the differences as part of the regional transportation plan. The commission shall add proposals and policies of regional significance to the regional transportation plan.

- (g) With the consent of the commission, a county may have the commission prepare its county transportation plan.
- (h) The counties, together with the commission, shall jointly develop a funding strategy for the preparation of each county's transportation plan.

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APPENDIX B | STATE AND FEDERAL REQUIREMENTS FOR RTP/SCS ELEMENTS

State and federal laws govern the development and content of MTC's RTP/SCS. California law relating to the development of the RTP/SCS is contained in Government Code Section 65080 and discussed in detail in the California Transportation Commission's (CTC) *2017 Regional Transportation Plan Guidelines for Metropolitan Planning Organizations*. Federal Code 23CFR, Part 450.324 governs the development and content of the Metropolitan Transportation Plan [RTP/SCS].

The CTC's RTP Guidelines identify four components: (1) policy element, (2) sustainable communities strategy (SCS), (3) action element, and (4) financial element. These four elements, along with a brief description, are identified below, and additional information is available within the CTC's RTP guidelines.

Policy Element

- Describes the transportation issues in the region;
- Identifies and quantifies regional needs expressed within both short- and long-range planning horizons (Government Code Section 65080 (b)(1));
- Maintains internal consistency with the Financial Element and fund estimates; and,
- The Policy Element should clearly convey transportation policies and supportive strategies and related land use forecast assumptions, including:
 - Describe how these policies were developed;
 - Identify any significant changes in policies from previous plans; and,
 - Provide the reason(s) for any changes in policies from previous plans.

Sustainable Communities Strategy

- (i) identify the general location of uses, residential densities, and building intensities within the region,
- (ii) identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan taking into account net migration into the region, population growth, household formation and employment growth,
- (iii) identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to Section 65584,
- (iv) identify a transportation network to service the transportation needs of the region,
- (v) gather and consider the best practically available scientific information regarding resource areas and farmland in the region as defined in subdivisions (a) and (b) of Section 65080.01,
- (vi) consider the state housing goals specified in Sections 65580 and 65581,
- (vii) set forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies, will reduce the greenhouse gas emissions from automobiles and light trucks to achieve, if there is a feasible way to do so, the greenhouse gas emission reduction targets approved by the state board, and
- (viii) allow the regional transportation plan to comply with Section 176 of the federal Clean Air Act (42 U.S.C. Sec. 7506).

Action Element

- Describes the programs and actions necessary to implement the RTP, including the SCS, and assigns implementation responsibilities
- Consists of short and long-term activities that address regional transportation issues and needs;
- Includes all transportation modes (highways, local streets and roads, mass transportation, rail, maritime, bicycle, pedestrian and aviation facilities and services);
- Identifies investment strategies, alternatives and project priorities beyond what is already programmed; and
- Provides clear direction about the roles and responsibilities of the MPO and other agencies to follow through on the RTP's policies and projects.

Financial Element

- Identifies current and anticipated revenue sources and financing techniques available to fund the investments described in the Action Element;
- Defines realistic financing constraints and opportunities; and,
- The Financial Element is composed of six major components;
 1. Summary of costs to operate and maintain the current transportation system;
 2. Estimate of costs and revenues to implement the projects identified in the Action Element;
 3. Inventory of existing and potential transportation funding sources;
 4. List of candidate projects if funding becomes available;
 5. Potential funding shortfalls; and,
 6. Identification of alternative policy directions that affect the funding of projects.

In addition to state guidelines, the RTP/SCS is also developed in accordance with federal metropolitan transportation planning guidance, which provide for the following considerations:

- Carry out a continuing, cooperative, and comprehensive performance-based multimodal transportation planning process, including the development of a metropolitan transportation plan and a TIP, that encourages and promotes the safe and efficient development, management, and operation of surface transportation systems to serve the mobility needs of people and freight (including accessible pedestrian walkways, bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities and commuter vanpool providers) fosters economic growth and development, and takes into consideration resiliency needs, while minimizing transportation-related fuel consumption and air pollution
- Provide for consideration and implementation of projects, strategies, and services that will address the following factors:
 1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
 2. Increase the safety of the transportation system for motorized and non-motorized users;
 3. Increase the security of the transportation system for motorized and non-motorized users;
 4. Increase accessibility and mobility of people and freight;
 5. Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;

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6. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
7. Promote efficient system management and operation;
8. Emphasize the preservation of the existing transportation system;
9. Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and
10. Enhance travel and tourism.

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APPENDIX C | ADDITIONAL LINKS AND RESOURCES

Final Plan Bay Area 2050 and Supplemental Reports

<https://www.planbayarea.org/finalplan2050>

Regional Growth Forecast/Pattern

[Growth Pattern](#)

Growth Geographies

[Growth Geographies Handout](#)

Transportation Revenue Forecast

[Technical Assumptions Report](#) > Chapter 2 | Technical Assumptions for the Transportation Element > Transportation Revenue Forecast

Guiding Principles and Vision for Plan Bay Area

[Chapter 1: Introduction and Growth Geographies](#) > Guiding Principles and Vision for Plan Bay Area 2050 > Page 8

Plan Bay Area 2050 Strategies

Final Blueprint Compendium > [Strategies](#) (Dec. 2020)

Transportation Strategies

[Chapter 4: Transportation](#)

MTC Guidance for Model Consistency, Collaboration, and Transparency

<https://github.com/BayAreaMetro/modeling-website/wiki/Model-Consistency%2C-Collaboration%2C-and-Transparency>

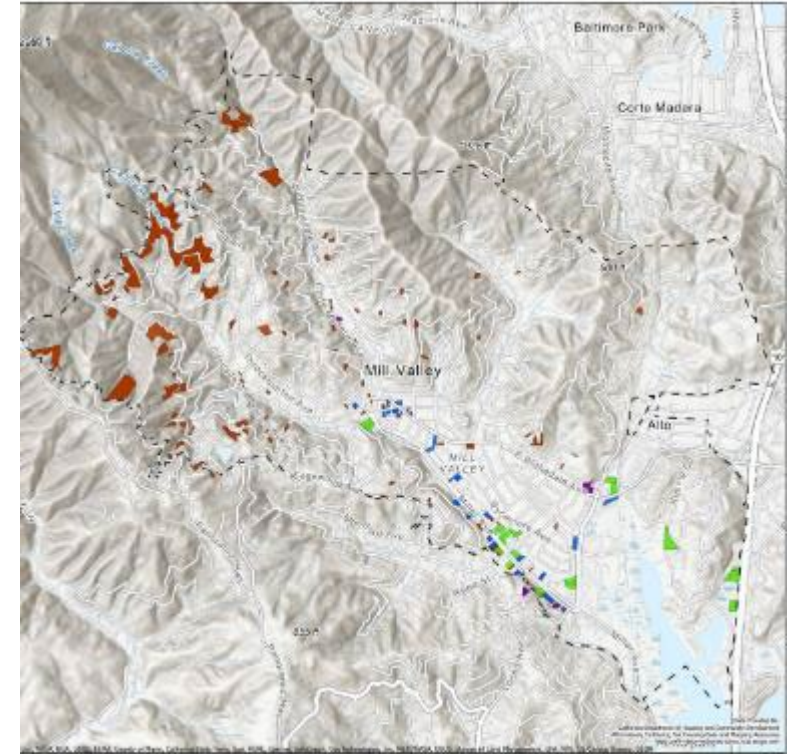


Countywide Transportation Plan Development

Transportation Authority of Marin
Board of Commissioners

December 15, 2022

Building a Community Vision



Planning for Mobility



Transportation Authority of Marin



New & Emerging Challenges



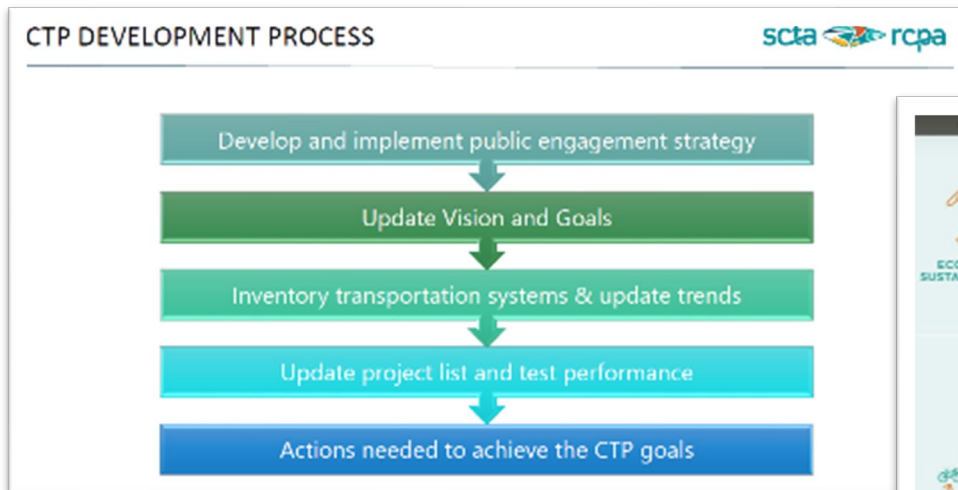
Building on Past Plans

- 1970's Countywide Plan
 - Conservation with Growth in Urbanized Area
 - Transit Focus for US 101
- 2017 Strategic Vision Plan
 - Includes significant elements of a Countywide Transportation Plan
 - Advanced vision, existing conditions analysis, policy framework, projects being considered, revenue framework
 - Robust outreach process
- Changes since 2017:
 - RM3, SB1, Measure AA, IJJA funding
 - Progress in delivery of projects & programs
 - Covid pandemic
 - Emergent areas of equity, transit recovery & priority, new technology, climate/resilience
 - Added emphasis on coordination & multi-jurisdictional systems approach

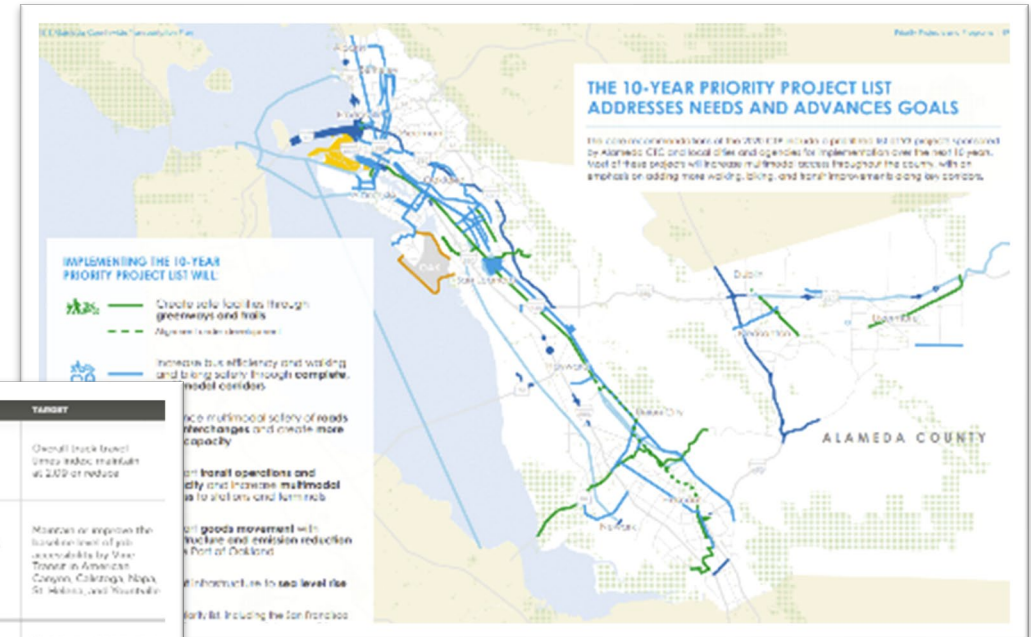


Countywide Transportation Plan Elements

- Identify countywide vision and needs
- Develop countywide approach to addressing challenges & prioritizing needs
- Set performance targets and measures
- Define actions to implement the plan
- Robust outreach & equity embedded in each stage



GOAL	MEASURE	CURRENT PERFORMANCE	TARGET
ECONOMIC SUSTAINABILITY	#1: Reliability of truck travel times	Overall truck travel times index, 2019	Overall truck travel times index, maintain at 2.00 or reduce
	#2: Number of jobs accessible by transit within one hour during the morning commute	Job accessibility by VTA Transit American Canyon: 57,725 Colma: 63,021 Naples: 40,241 St. Helena: 8,475 Vallejo: 28,121	Maximize or improve the functionality of job accessibility by VTA Transit in American Canyon, Colma, Naples, St. Helena, and Vallejo
SUSTAINABILITY	#1: Greenhouse gas emissions	63 lowest tons of greenhouse gas emissions per capita in Napa County in 2015	Reduce greenhouse gas emissions by 10% per capita in Napa County from the 2015 level
	#2: Vehicle miles traveled	Vehicle miles traveled: 13.5 miles per capita	10% reduction in vehicle miles traveled from baseline level
	#3: Share of active transportation for commute trips	Percentage of work trips made by bicycling or walking for Napa County residents: 3%	Increase the percentage of work trips made by bicycling or walking for Napa County residents to 10% by 2049
	#4: Transit ridership by annual boardings and alightings	Annual board alightings (fiscal year 2018-2019): 952,009	Number of increase from boardings/alightings

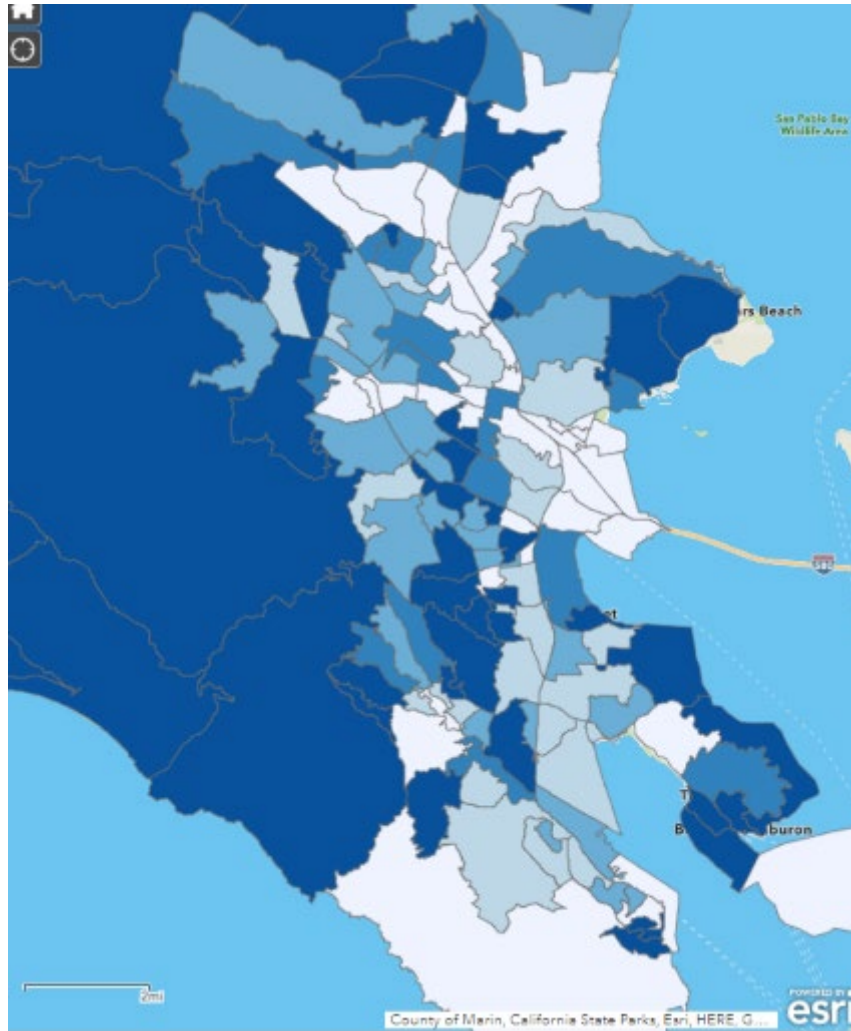


Potential Outcomes of the CTP

- Advance data driven planning
- Advance equity, safety and climate resiliency
- Educate/Broaden understanding of transportation planning
- Build consensus on priorities
- Strengthen position for competitive funding
- Broaden understanding of community desires
- Identify emerging areas and future needs
- Strengthen partnerships needed to deliver plan
- Align local, county planning with regional and state guidance where feasible

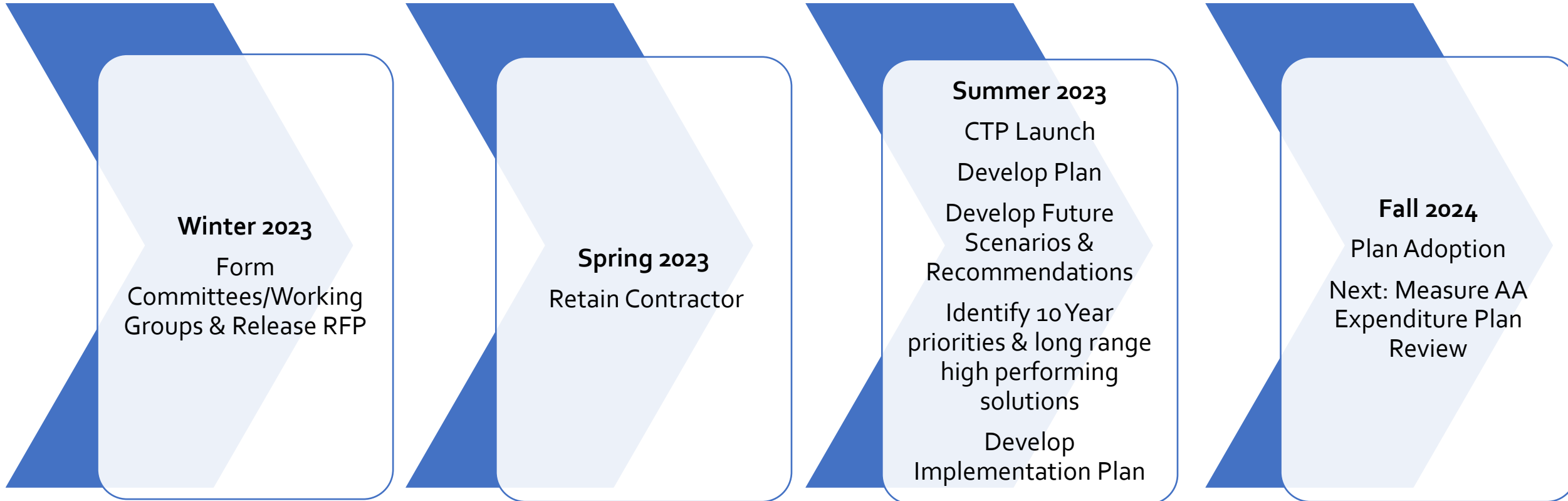


CTP – Related Planning Efforts



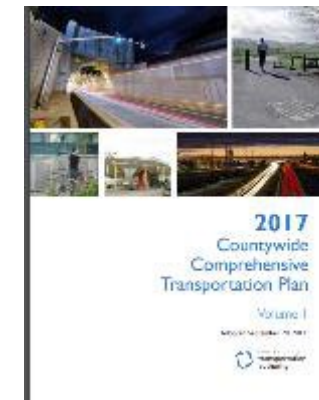
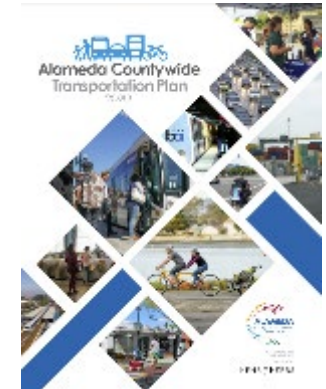
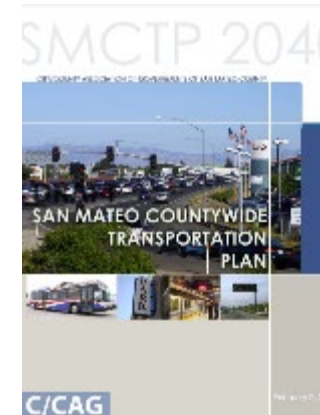
- Community Engagement Plan – 2023
 - Guide for conducting outreach
- TAM Demand Model Update – 2023
 - Forecast to model year 2050 (required by MTC)
 - Primary tool for analysis (off-model analysis expected to be required)
- Community Based Transportation Plan Program – 2023-2024
 - Opportunity to elevate Equity Priority Community needs and priorities beyond jurisdictional boundaries
 - Align CBTP/CTP outreach efforts
- RTP Call for Projects – 2023-2025
 - Integrate call for projects for inclusion in regional transportation plan
 - Potential opportunity to support project identification/conceptual design

CTP Schedule



Support From Local Jurisdictions and Transit Partners

- Staff Time
 - TAC Participation
- Community Visioning
 - How does the CTP align with your community vision and build on housing element discussions?
 - Advance planning, how does the CTP support or advance future housing element rounds?
- Provide Data and Information
 - Land Use data – Major input to travel models
 - Identification of current and future CIP Projects
- Feedback and review of major deliverables
- Support during Public Outreach
- Implementation Planning



Questions

- What outcome(s) is most beneficial from a countywide transportation plan?
- How should TAM coordinate on land use decisions (parking, density, etc.) that affect local and regional transportation systems (and visa versa)?
- What opportunities do you see to strengthen Marin County's transportation planning?
- What groups or partners should be included in proposed committees?
- Other questions?



Thank you!

Derek McGill, Director of Planning

Transportation Authority of Marin

dmcgill@tam.ca.gov