



ADMINISTRATION, PROJECTS & PLANNING EXECUTIVE COMMITTEE MEETING

JANUARY 9, 2023

3:30 P.M.

Zoom

<https://us02web.zoom.us/j/83035113530?pwd=Ym1lVHdnUHZyclGN2VPZVlBY0Zrdz09>

Webinar ID: 830 3511 3530

Passcode: 891953

900 Fifth Avenue
Suite 100
San Rafael
California 94901

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

www.tam.ca.gov

Belvedere
Nancy Kemnitzer

Corte Madera
Pat Ravasio

Fairfax
Chance Cutrano

Larkspur
TBD

Mill Valley
Urban Carmel

Novato
TBD

Ross
P. Beach Kuhl

San Anselmo
Brian Colbert

San Rafael
Kate Colin

Sausalito
Melissa Blaustein

Tiburon
Alice Fredericks

County of Marin
Mary Sackett
Katie Rice
Stephanie Moulton-Peters
Dennis Rodoni
Eric Lucan

As allowed by Assembly Bill (AB) 361, until further notice, the TAM Executive Committee will not be providing an in-person meeting location for the public to attend. The Committee will meet via Zoom and members of the public are encouraged to participate remotely as described below.

How to watch the live meeting using the Zoom link:

<https://us02web.zoom.us/j/83035113530?pwd=Ym1lVHdnUHZyclGN2VPZVlBY0Zrdz09>

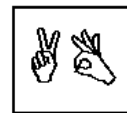
Webinar ID: 830 3511 3530

Passcode: 891953

Teleconference: Members of the public wishing to participate via teleconference, can do so by dialing in to the following number at 3:30 PM on the day of the meeting: **+1 669 900 6833**; Access Code: 830 3511 3530; Password: 891953

How to provide comment on agenda items:

- Before the meeting: Please email your comments to jdoucette@tam.ca.gov, no later than 5:00 p.m. Sunday, January 8, 2023, to facilitate timely distribution to Committee members. Please include the agenda item number you are addressing and your name and address. Your comments will be forwarded to the Committee members and will be placed into the public record.
- During the meeting: Your meeting-related comments may be sent to info@tam.ca.gov, and will be read (3 minutes limit per comment) when the specific agenda item is considered by the Committee. Your comment will also become part of the public record.
- 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" by pressing *9 and wait to be called upon by the Chair or the Clerk to speak. You will be asked to unmute your device when it is your turn to speak. 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. Chair's Report (Discussion)
2. Commissioner Comments (Discussion)
3. Executive Director's Report (Discussion)
4. 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.)
5. Approval of Meeting Minutes from October 10, 2022 (Action) – **Attachment**
6. Funding Agreements with Caltrans and County of Marin for Marin City Flood Mitigation Projects (Action) – **Attachment**



MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
ADMINISTRATION, PROJECTS & PLANNING
EXECUTIVE COMMITTEE

October 10, 2022
3:30 PM

Virtual Meeting

MEETING MINUTES

Members Present: Damon Connolly, Marin County Board of Supervisors
Eric Lucan, Novato City Council
Stephanie Moulton-Peters, Marin County Board of Supervisors, Cmte. Chair

Members Absent: Alice Fredericks, Tiburon Town Council
Dan Hillmer, Larkspur City Council

Staff Members Present: Anne Richman, Executive Director
Bill Whitney, Principal Project Delivery Manager
Dan Cherrier, Director of Project Delivery
David Chan, Director of Programming & Legislation
Derek McGill, Director of Planning
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
Nick Nguyen, Principal Project Delivery Manager
Scott McDonald, Principal Transportation Planner

Chair Moulton-Peters called the meeting to order at 3:33 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 Administration, Projects & Planning (AP&P) Executive Committee was confirmed and detailed information about how the public may participate was provided.

1. Chair's Report (Discussion)

Chair Moulton-Peters reported that the Marin County Board of Supervisors will consider a letter to the Metropolitan Transportation Commission (MTC) and the California Department of Transportation (Caltrans) regarding acceleration of the State Route (SR) 37 elevated causeway project at the October 11 Board of Supervisors meeting.

2. Commissioners Comments (Discussion)

Commissioner Lucan reported that the Novato City Council is also considering a supporting letter regarding SR 37 at the October 11 City Council meeting.

3. Executive Director's Report (Discussion)

Executive Director (ED) Anne Richman reported that Chair Moulton-Peters submitted a "Marin Voice" column regarding the Safe Routes to Schools program, including International Walk and Roll to School Day and the new "Eyes Up, Marin!" safety awareness campaign. The column was included in the Saturday, October 8 edition of the Marin Independent Journal (IJ).

ED Richman also reported on the Street Smarts' "Eyes Up, Marin!" campaign; International Walk & Roll to School Day (iWalk) on Wednesday, October 12; and the October 1 launch of the Marin Commutes Reward program.

ED Richman further reported that the Measure B Expenditure Plan review process has been underway with a variety of outreach with partners and stakeholders; and that the Citizens' Oversight Committee (COC) is expected to review and take an action on proposed amendments to the Measure B Expenditure Plan at its next meeting scheduled on Monday, October 24.

Lastly, ED Richman reported that as part of the Harbor Bridge Replacement Project, Caltrans is planning a full off-ramp closure of the Central San Rafael exit on northbound US 101 between October 10 and 14; and that TAM is currently recruiting for an Associate Transportation Planner.

4. Open time for public expression

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

5. Approval of Meeting Minutes from September 12, 2022 (Action)

Commissioner Connolly moved to approve the Minutes of the September 12, 2022 meeting, which was seconded by Commissioner Lucan. A roll call vote was conducted, and the motion passed unanimously.

6. Review of the Draft TAM Equity Statement and Action Plan (Action)

Director of Planning Derek McGill presented the staff report, which recommends that the AP&P Executive Committee reviews and refers the Draft TAM Equity Statement and Action Plan to the TAM Board for review and acceptance.

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 Los Ranchitos.

Chair Moulton-Peters commented that the Marin County Board of Supervisors have designated Marin City, the Canal Neighborhood, West Marin, and North Novato as underserved communities.

In response to Commissioner Lucan, Mr. McGill explained that pursuant to the regionally adopted definition by MTC, if a tract exceeds both threshold values for Low-Income and People of Color, or exceeds the threshold value for Low-Income, and also exceeds the threshold values for three or more variables, it is an EPC. Mr. McGill also explained that changes in the boundaries of census tracts may alter an area's designation as an EPC.

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, reviewing investments, planning for implementation, and regular progress reporting to the Board and the public.

In response to Commissioner Lucan, Mr. McGill also explained that the Draft Equity Statement connects to the EPCs through community outreach and engagement.

Commissioner Lucan commented that census tract data may not capture underserved communities in areas that have a mix of affordable and market-rate housing.

Chair Moulton-Peters commented that using the MTC EPC criteria may not capture the local needs of the County and that it may be beneficial to include community partners in the development of the Draft Equity Statement.

Mr. McGill explained that TAM is still in the preliminary process of developing the Equity Statement, including the possible development of an equity working group, if approved by the Board.

In response to Chair Moulton-Peters, Mr. McGill explained that the first three paragraphs of the document comprise the Equity Statement, including commitments, followed by the Action Plan to fulfill those commitments.

Chair Moulton-Peters expressed support of an Action Plan to develop the Equity Statement, and prioritizing community engagement and outreach in the process. Chair Moulton-Peters also expressed support of including more underserved communities throughout the County.

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 the Commissioners for further comment or discussion.

Both Chair Moulton-Peters and Commissioner Lucan commented that at this preliminary stage the document should be more of a “working plan” than a “statement”.

Mr. McGill stated that TAM staff will come back to the Board with a revised set of documents.

Commissioner Lucan moved to refer the Draft TAM Equity Statement and Action Plan with a redefined measure for identifying underserved communities to include, at a minimum, an alignment with the Board of Supervisors’ definition, and increase the level of community outreach and engagement in the development of the Equity Statement, to the TAM Board for approval, which was seconded by Commissioner Connolly. A roll call vote was conducted, and the motion passed unanimously.

Commissioner Carmel expressed support of Chair Moulton-Peters’ and Commissioner Lucan’s comments.

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

Mr. McGill presented this item for discussion; and introduced County of Marin Planner Chris Choo.

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 Commissioner Lucan, Mr. McGill explained that to date, no funds have been expended for the SLR Program; and ED Richman explained that the Measure AA funds went into effect in Spring 2019. Mr. McGill also explained that the scope of work is focused on concept development, including designs for specific locations.

Chair Moulton-Peters commented that a future presentation to the Board may want to first identify the vulnerable areas located within the County and highlight the conceptual designs to mitigate SLR in those areas. Chair Moulton-Peters also commented that SLR should be taken into account within the development of the Equity Statement.

Commissioner Connolly expressed his support of providing more project-specific information.

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

The meeting was adjourned at 4:33 p.m.

DRAFT



DATE: January 9, 2023

TO: Transportation Authority of Marin (TAM)
Administration, Projects and Planning Executive Committee

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

SUBJECT: Funding Agreements with Caltrans and County of Marin for Marin City Flood Mitigation Projects (Action), Agenda Item No. 6

RECOMMENDATION

Staff recommends that the Administration, Projects and Planning (AP&P) Executive Committee reviews the following proposed actions and refers them to the TAM Board for approval:

1. Request to adopt a resolution authorizing the Executive Director to negotiate and enter into a cooperative agreement, fund transfer agreement, funding agreement and necessary amendments with the California Department of Transportation (Caltrans) and the County of Marin to secure \$10 million in earmarked state general funds and distribute funds to Marin City flood mitigation projects, and
2. Amend the TAM FY2022-23 Annual Budget to reflect the expected revenue distribution of \$10 million and the expected current fiscal year expenditure amount of \$3 million.

BACKGROUND

The Marin City area of unincorporated Marin County has experienced tidal, seasonal and storm-related flooding over the past decades. However, recent flooding events have been exacerbated by sea-level rise resulting in more intense flooding and cutting off access to and from parts of southern Marin County and Marin City areas, in addition to creating road hazards along the adjacent US-101 highway.

Identified as a priority in the 2015 Community Based Transportation Plan (CBTP) for Marin City, a flood mitigation study was embarked upon by the County of Marin Department of Public Works (DPW) with a \$211,000 funding contribution from TAM. The scope of the work grew to encompass the development of solutions and the study was completed in 2017. Buoyed by the findings of the study and urgency to implement fixes for the community, DPW applied for Federal Emergency Management Agency (FEMA) grant funding to design and construct a suite of projects to relieve flooding in the area and was awarded \$4 million in 2020. An additional request by DPW to increase the award to \$10 million to complete more projects is currently being evaluated by FEMA.

Ongoing efforts to secure state and local funds to accomplish more work has resulted in a \$10 million state general fund earmark from Senator Mike McGuire, and TAM was named as the agency to administer and distribute the earmark. If DPW is successful in increasing its FEMA grant funding to the requested amount, a total of \$20 million would be available to invest in resolving flooding issues along US-101 from the Richardson Bridge to Marin City.

DISCUSSION/ANALYSIS

As a result of the funding influx, an agency partnership consisting of TAM, Caltrans and the County of Marin has been formed to review the suite of improvement projects developed by DPW and Caltrans, assign roles and responsibilities, and allocate funds. The Marin City Community Services District (CSD) is a community partner within this coordinated effort and has been active in defining problems and vetting the solutions. TAM has the primary role of administering the state general fund earmark and collectively vetting the projects with the other partners.

Five separate projects (AA, A, B, C and D) have been identified to directly help mitigate flooding in the Marin City area with the following allocation preliminarily anticipated for the federal FEMA and state earmark funds, totaling close to \$17 million (see table below). Other local funds will supplement the total project costs.

Project	FEMA	State Earmark
AA – Temporary Pumping	-	\$1.2 Million (Capital + Operation & Maintenance)
A – Permanent Pump and Upsize Storm Drain from Donahue to Pond	\$8.5 Million (Capital + Support)	-
B – Permanent Floodwall	\$1.5 Million (Capital + Support)	-
C – Dredge Marin City Pond	-	\$2.5 Million (Capital + Support)
D – Secondary Culvert Across US-101	-	\$3 Million (Environment Approval)
Total	\$10 Million	\$6.7 Million

Under the current partnership proposal, DPW-FEMA funds would be allocated to projects A and B for a total of \$10 million and the state earmark funds would be allocated to projects AA, C and D for a total of \$6.7 million. The above allocation table may evolve as the projects are further refined. The remainder of the state earmark funds will be reserved for additional Caltrans improvement work and planning within the general vicinity, including the Manzanita Park and Ride parking lot, as well as a reservation of \$500,000 for TAM project coordination and grant management over the duration of this multi-year effort.

TAM will need to negotiate and enter into a cooperative agreement and a fund transfer agreement with Caltrans, and a funding agreement with the County of Marin, plus necessary amendments, to secure earmarked state general funds and distribute the funds accordingly. Staff requests that the TAM Board authorizes the Executive Director to do so and to also increase the total expenditure of the FY2022-23 Annual Budget by \$3 million to cover potential project expenditures in the current fiscal year. Future year expenditures will be addressed in those annual budgets.

With the anticipation that a fund transfer agreement can be executed with the state by the spring of this year and the disbursement of the \$10 million in earmark funds will follow shortly, staff also requests the TAM Board to increase the total revenue for the FY2022-23 Annual Budget by \$10 million to reflect the advance payment.

FISCAL CONSIDERATION

The project effort that is likely attainable within the remainder of FY2022-23 is estimated to cost \$3 million. These funds will be available once TAM secures the \$10 million fund disbursement from the state with the execution of a fund transfer agreement. The TAM FY2022-23 Annual Budget will be amended to reflect the expected revenue distribution of \$10 million and the expected expenditure amount of \$3 million.

NEXT STEPS

Staff will negotiate and enter into a cooperative agreement, fund transfer agreement, and funding agreement with Caltrans and the County of Marin to secure earmarked state general funds and distribute the funds. Staff will also continue the partnership effort to monitor and advance the projects.

ATTACHMENTS

Attachment A – Resolution Authorizing TAM to Enter into a Cooperative Agreement, Fund Transfer Agreement, and Funding Agreement

THIS PAGE LEFT BLANK INTENTIONALLY

TAM RESOLUTION NO. 2023-01

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TRANSPORTATION AUTHORITY OF MARIN AUTHORIZING THE TRANSPORTATION AUTHORITY OF MARIN TO ENTER INTO A COOPERATIVE AGREEMENT, FUND TRANSFER AGREEMENT, AND FUNDING AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE COUNTY OF MARIN ASSOCIATED WITH SOUTHERN MARIN AND MARIN CITY FLOOD MITIGATION PROJECTS

WHEREAS, The Transportation Authority of Marin (TAM) has been a partner with the California Department of Transportation (Caltrans) and the County of Marin (Partners) to implement regional highway and transportation improvement projects in Marin County; and,

WHEREAS, TAM has been designated to receive a \$10 million state general fund earmark to administer and distribute to Partners to implement southern Marin and Marin City flood mitigation projects; and

WHEREAS, TAM must enter into a Fund Transfer Agreement with Caltrans to secure the state general fund earmark; and,

WHEREAS, Partners are authorized to enter into a Cooperative Agreement for improvements to the state highway system (SHS) per the California Streets and Highways Code sections 114 and 130; and,

WHEREAS, Southern Marin and Marin City flood mitigation projects will be conducted by Caltrans and the County of Marin; and,

WHEREAS, In order for TAM to participate in the implementation of work on the state highway system or county roads, the Partners must enter into a Cooperative Agreement and Funding Agreement to define the work and establish the responsibilities and financial contributions of each partner; and,

WHEREAS, TAM staff will negotiate a Fund Transfer Agreement, Cooperative Agreement and Funding Agreement with fair terms to all parties that protects the interests of TAM; and,

WHEREAS, County Counsel will review the agreements and note any issue of concern; now, therefore, be it

RESOLVED, That the Executive Director is hereby authorized to negotiate and enter into a Cooperative Agreement, Fund Transfer Agreement, Funding Agreement and necessary amendments with Caltrans and the County of Marin to implement southern Marin and Marin City flood mitigation projects.

PASSED AND ADOPTED at a regular meeting of the Transportation Authority of Marin held on the 26th day of January, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Stephanie Moulton-Peters, Chair
Transportation Authority of Marin

ATTEST:

Jennifer Doucette
Clerk of the Board