



# FUNDING, PROGRAMS & LEGISLATION EXECUTIVE COMMITTEE MEETING

JANUARY 9, 2023

2:00 P.M.

### Zoom

<https://us02web.zoom.us/j/85390710355?pwd=c2lnSzVINXE2c2nhXUVZozU3kweIA0QT09>

Webinar ID: 853 9071 0355

Passcode: 571956

900 Fifth Avenue  
Suite 100  
San Rafael  
California 94901

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

[www.tam.ca.gov](http://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/85390710355?pwd=c2lnSzVINXE2c2nhXUVZozU3kweIA0QT09>

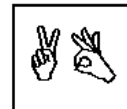
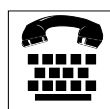
Webinar ID: 853 9071 0355

Passcode: 571956

**Teleconference:** Members of the public wishing to participate via teleconference, can do so by dialing in to the following number at 2:00 PM on the day of the meeting: **+1 669 900 6833**; Access Code: 853 9071 0355; Password: 571956

### How to provide comment on agenda items:

- Before the meeting: Please email your comments to [jdoucette@tam.ca.gov](mailto: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](mailto: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](mailto: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 November 14, 2022 (Action) – **Attachment**
6. Adopt the 2023 Legislative Platform (Action) – **Attachment**
7. De-Program and Re-Program Cycle 3 Local Partnership Program Formula Funds (Action) – **Attachment**
8. Marin-Sonoma Bike Share Program Request for Proposals (Discussion) – **Attachment**



MEETING OF THE  
TRANSPORTATION AUTHORITY OF MARIN  
FUNDING, PROGRAMS & LEGISLATION  
EXECUTIVE COMMITTEE

November 14, 2022  
2:00 PM

Virtual Meeting

**MEETING MINUTES**

Members Present: Beach Kuhl, Ross Town Council  
Brian Colbert, San Anselmo Town Council, Committee Chair  
Judy Arnold, County of Marin Board of Supervisors  
Susan Cleveland-Knowles, Sausalito City Council  
Katie Rice, County of Marin Board of Supervisors

Members Absent: None

Staff Members Present: Anne Richman, Executive Director  
Bill Whitney, Principal Project Delivery Manager  
Dan Cherrier, Director of Project Delivery  
David Chan, Director of Programming and Legislation  
Derek McGill, Director of Planning  
Grace Zhuang, Accounting and Payroll Specialist  
Jennifer Doucette, Executive Assistant/Clerk of the Board  
Li Zhang, Deputy Executive Director/Chief Financial Officer  
Molly Graham, Public Outreach Coordinator  
Scott McDonald, Principal Transportation Planner

*Chair Colbert called the meeting to order at 2:01 p.m.*

Chair Colbert 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 Funding, Programming and Legislation (FP&L) Executive Committee was confirmed and detailed information about how the public may participate was provided.

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

None.

**2. Commissioner Comments (Discussion)**

Chair Colbert recognized and thanked Commissioner Cleveland-Knowles, who will be leaving the Sausalito City Council at the end of the year, for her service on the FP&L Executive Committee.

**3. Executive Director's Report (Discussion)**

Executive Director (ED) Anne Richman reported that on November 7, TAM presented to the San Rafael City Council the findings from a Proof-of-Concept study of a proposed interchange on I-580 and an update of the 101-580 Multi-Modal and Local Access Improvement Project (formerly known as the US 101-580 Direct Connector Project). Key input included the importance of close coordination between the City of San Rafael and TAM; coordinated community engagement; and an eagerness to begin environmental studies to understand benefits and impacts.

ED Richman also reported that the Marin IJ covered the recent bicycle helmet give-away in Novato coordinated by the Safe Routes to Schools team and Novato Unified School District. Helmets were provided at-cost from Mike's Bikes, and donated to students from Lu Sutton, Lynwood and Loma Verde elementary schools.

ED Richman further reported that TAM and Marin Transit submitted a \$1.1M grant request for project development for the US 101 Part-Time Transit Lanes Project. The grant request was submitted to the Metropolitan Transportation Commission (MTC), through its Transit Performance Initiative Program, which seeks to fund lower cost improvements to transit speed and reliability. Award announcements are expected in January 2023.

ED Richman also reported that on October 27, the Golden Gate Bridge Highway and Transportation District (GGBHTD) released the Final Environmental Impact Report (EIR) for the San Rafael Transit Center Relocation Project. Following the 30-day Public Comment period, public meetings will be held on December 15 at the GGBHTD Transportation Committee Meeting, and on December 16 at the GGBHTD Board of Directors Meeting.

Lastly, ED Richman reported that statewide transportation sales tax measures received mixed results in the most recent election. San Francisco County approved a renewal of the existing measure; however, sales tax measures in the counties of Madera, Fresno and Sacramento failed.

In response to Chair Colbert, ED Richman noted that voters may be reluctant to approve new taxes in the current economic climate; and that the two-thirds majority vote required to pass such measures could be difficult to obtain in the presence of organized opposition.

In response to Commissioner Arnold, ED Richman explained that the Draft EIR for the State Route (SR) 37 Interim Project – Segment B was released in Winter 2021/Spring 2022 and is expected to be finalized in early 2023; and that the technical work for the Planning and Environmental Linkages (PEL) Study has been completed and the final report is anticipated to be complete by Spring 2023.

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

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

#### **6. Measure B Expenditure Plan Ten-Year Review and Recommended Amendments (Action)**

ED Richman presented this item, which recommends that the FP&L Executive Committee reviews the proposed amendments of the Measure B Expenditure Plan and refers them to the TAM Board for review and release for a 45-day public comment period.

ED Richman provided background information for the Measure B Expenditure Plan; an overview of the current Expenditure Plan; summary of Measure B investments over the past 10 years; steps and processes in policy and program development; and outlined the review timeline and process.

ED Richman also provided an overview of the Citizens' Oversight Committee's (COC's) role in the Measure B Expenditure Plan review, including feedback from the COC, current funding recipients and other stakeholders.

ED Richman further provided an outline of the recommended changes for Element 1.1 and Element 1.2, and the proposal of maintaining current funding share and eligibilities for Element 2 and Element 3.

In response to Commissioner Cleveland-Knowles, ED Richman explained that the recommendation is that projects in Element 1.1 should be focused on bicycle and pedestrian improvements; and that the 5-year approach could be considered a "pilot" with the jurisdictions.

In response to Commissioner Rice about funding under Element 1.2, ED Richman explained that because the funds are distributed annually by formula, local jurisdictions are not competing against one another for funding. ED Richman also explained that the carryover funds are often a result of a jurisdiction not using their allotted amount each year; and that carryover funds could be used for small projects or equipment that benefit multiple jurisdictions.

ED Richman provided an overview of the recommendation to add 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 (EPCs). Membership review would be part of TAM's Equity Statement and Action Plan review and development process.

ED Richman also provided an overview of the recommendation to address metrics and performance reporting during the Strategic Plan process, which will be developed once the Amended Expenditure Plan is finalized.

Lastly, ED Richman reported that both the Marin Public Works Association (MPWA) and the COC unanimously supported the staff proposal.

Commissioner Rice commented on the decreased number of registered vehicles as a potential positive outcome of mode shift; and inquired about electric vehicle (EV) funding through Element 3. In response to Commissioner Rice, ED Richman explained that the Expenditure Plan would allow for local match funding for projects that meet existing program parameters.

Commissioner Cleveland-Knowles encouraged the use of "active" language in the recommendation to address equity within the COC membership.

ED Richman explained that if this item moves forward, a red-lined version of the Expenditure Plan will be provided to the TAM Board in advance of the December 15 Board meeting.

Commissioner Kuhl expressed support of providing a more specific and detailed recommendation for the COC membership structure.

In response to Commissioner Colbert, ED Richman confirmed that the development of the Draft Equity Statement is occurring concurrently. Commissioner Colbert also commented that perhaps a review of the current COC membership should occur before adding additional seats to address equity concerns.

Commissioner Cleveland-Knowles suggested that future presentations regarding COC membership include a list of the current committee membership.

Chair Colbert asked if any members of the public wished to speak or had submitted a comment by e-mail, and hearing none asked if there were any additional comments from the Commissioners.

Commissioner Rice expressed support for the recommendations and the process, including the communication and positive relationship TAM has developed with MPWA.

Commissioner Cleveland-Knowles expressed support for the review process, including the evolution of Element 1.1 and the resulting support of both the COC and MPWA.

Chair Colbert expressed support for the review process and the effort by TAM staff to work with the COC and MPWA to develop the changes to Element 1.1.

Commissioner Cleveland-Knowles moved to refer the proposed amendments of the Measure B Expenditure Plan to the TAM Board for review and release for a 45-day public comment period, which was seconded by Commissioner Rice. A roll call vote was conducted, and the motion passed unanimously.

ED Richman thanked the COC, MPWA and the city/town managers for their time, engagement and support during the review process.

Chair Colbert recognized Commissioner Arnold, who will step down as the County Supervisor at the end of the year, for her service on the FP&L Executive Committee and expressed his privilege and honor to serve by her side.

Commissioner Arnold commented that the Marin County Board of Supervisors and the Novato City Council have sent letters of concern to the California Department of Transportation (Caltrans) and MTC regarding possible changes to SR 37.

*The meeting was adjourned at 3:00 p.m.*



**DATE:** January 9, 2023

**TO:** Transportation Authority of Marin  
Funding, Programs & Legislation Executive Committee

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

**SUBJECT:** Adopt the 2023 Legislative Platform (Action), Agenda Item No. 6

---

## RECOMMENDATION

The Funding, Programs & Legislation (FP&L) Executive Committee reviews the proposed 2023 Legislative Platform as shown in Attachment A and refer it to the TAM Board for approval.

## BACKGROUND

At the beginning of each year, with the support of Khouri Consulting, TAM's Legislation Consultant, staff develops, and the TAM Board adopts, a Legislative Platform to guide policy decisions and communicate TAM's goals and the County's transportation needs to the Legislature and other agencies, such as the Metropolitan Transportation Commission (MTC) and the Self-Help Counties Coalition (SHCC).

The platform is used to guide communications on critical legislation and policies that impact how TAM achieves its goals and funding needs during the year. Staff and Khouri Consulting will bring recommendations on pending legislation to the TAM Board for review during the Legislative Session.

To further Marin's transportation interests, TAM has historically worked in concert with other agencies and associations in developing a unified message. TAM's past legislative advocacy and successes have usually been accomplished by working collaboratively with the North Bay Counties, Bay Area County Transportation Agencies (BACTA), SHCC, Regional Transportation Planning Agencies (RTPAs), and MTC. TAM will continue this practice to seek partners with common interests in supporting or opposing pertinent legislation and policies in 2023.

## DISCUSSION/ANALYSIS

During the height of the pandemic, State Legislators were dissuaded from introducing too many bills because hearings and public participation were limited. On October 17, 2022, Governor Gavin Newsom announced that the COVID-19 State of Emergency will end on February 28, 2023. It is uncertain if the ending of the State of Emergency will result in an increase in the introduction of bills. Staff and Khouri Consulting will be monitoring the introduction of all bills and policies relevant to TAM for 2023.

## Proposed 2023 Legislative Platform

Staff has developed the annual Legislative Platform to address ongoing and emerging transportation issues anticipated for 2023. The proposed 2023 Legislative Platform is included as Attachment A. A redlined version of the proposed 2023 Legislative Platform is included as Attachment B to show changes from the 2022 Platform. Attachment C is the adopted 2022 Legislative Platform.

The proposed 2023 Legislative Platform captures relevant ongoing policy elements that TAM adopted in prior years' platforms and adds potential new issues that staff anticipates being relevant in 2023. Staff and Khouri Consulting also reviewed MTC and the County of Marin's 2023 Legislation Programs to avoid unwarranted contradictory proposals.

The proposed 2023 Legislative Platform recognizes the importance of state funding and suggests diligent efforts to enhance funding opportunities for Marin's transportation projects/programs. In addition to state funding, new funding opportunities have emerged from the passage of the federal Infrastructure Investment and Jobs Act (IIJA). TAM will continue to monitor all proposals on the distribution of IIJA funds to maximize funding opportunities for projects/programs in Marin.

While transportation funding policies continue to remain a focal point, the proposed 2023 Legislative Platform addresses other key areas of interest to TAM, including, but not limited to, the following:

- support legislation and regional efforts to encourage the state to provide resources to transit agencies in dealing with the impacts from the pandemic, including decline in ridership;
- support legislation that mitigates climate change and promotes resilience;
- support legislation that encourages multi-modal transportation options that emphasize active transportation, zero emission vehicles, and public transit;
- support legislation that provides resources and incentives for electric vehicle usage and infrastructure; including support for transit operators transitioning bus, ferry, and rail fleets to zero emission vehicles;
- support legislation that allows transit buses to use highway shoulders where feasible; and
- support legislation that allows more opportunities and simplifies the existing rules for virtual public meetings after the end of the State of Emergency.

## 2023 Legislative Session

The 2023 Legislative Session is the first year of a two-year session. Any bill that is introduced in the first year that does not pass is eligible to continue through the legislative process in the second year without needing to be re-introduced.

The deadline to introduce legislative bills for the 2023 State Legislative Session is February 17, 2023. Staff and Khouri Consulting anticipate returning to the Board in March to highlight relevant bills for monitoring and taking positions consistent with the adopted 2023 Legislative Platform. Notable dates for the 2023 Legislative Session are shown in the below table.

Legislature reconvenes	January 4, 2023
Deadline for Governor to submit proposed FY2023-24 State Budget	January 10, 2023
Last day for bills to be introduced	February 17, 2023
Deadline to propose changes to State Budget, referred to as "May Revise"	May 14, 2023
Deadline for Legislature to pass State Budget	June 15, 2023
Last day for the Legislature to pass bills	September 14, 2023
Last day for the Governor to sign or veto bills	October 14, 2023
Statutes take effect, except emergency items that take effect upon signing	January 1, 2024



As noted in the above milestones, the Governor is required to submit a budget proposal to the Legislature by January 10, 2023. Khouri Consulting will provide a summary of the proposed FY2023-24 State Budget, particularly with issues involving transportation, at the January 26th TAM Board meeting.

### **FISCAL CONSIDERATION**

There are no immediate fiscal impacts with the adoption of the 2023 Legislative Platform.

### **NEXT STEPS**

Upon the TAM Board's approval, staff will communicate TAM's 2023 Legislative Platform to our partners, review proposed 2023 legislative bills, and present relevant legislative bills to the TAM Board for action.

### **ATTACHMENTS**

- Attachment A – Proposed 2023 Legislative Platform
- Attachment B – Proposed 2023 Legislative Platform redlined version
- Attachment C – Adopted 2022 Legislative Platform

THIS PAGE LEFT BLANK INTENTIONALLY

## ATTACHMENT A

**Proposed TAM 2023 Legislative Platform**

Issue and Background Information	Goals	Strategies
<p><b>I. Acquiring State Funding for TAM’s Priority Projects</b></p> <p>In 2017, the legislature enacted SB 1 (Beall), Chapter 5, statutes of 2017, which provides \$5.2 billion in annual revenues to fund traffic congestion relief, highway rehabilitation and safety, local streets and roads repair, and multi-modal options through investments into public transportation, commuter and intercity rail, and bicycle and pedestrian programs. Applications were due to the California Transportation Commission(CTC) in December of 2022 for the SB 1 Cycle 3 competitive programs. Program adoption is scheduled for June 2023. The CTC adopted \$1.35 billion in funding for Cycle 6 of the Active Transportation Program in December. Of that amount, \$1.049 billion was one-time money approved in the FY2022-23 State Budget (AB 180).</p> <p>On November 15, 2021, President Biden signed the Infrastructure Investment and Jobs Act of 2021 (IIJA P.I. 117-58), which provides \$1.2 trillion in investments through 2026 for federal-aid highways, transit, highway safety, among other items. California is estimated to receive a guaranteed formulaic distribution of \$40 billion over the next five years. Discussion continues regarding the distribution of funding.</p> <p>On September 23, 2020, Governor Newsom issued Executive Order N-76-20, which prohibits the sale of gasoline-powered passenger vehicles by 2035 and promotes zero-emission vehicles for future mobility needs. Given that transportation is predominantly funded through the gas tax, a successor funding mechanism will eventually be needed.</p>	<p>A. Aggressively pursue funds through the State Budget, California Transportation Commission allocation process or any other state sources.</p> <p>B. Ensure predictability and stability of transportation revenue should the state move away from diesel or gasoline powered vehicles and the gas tax.</p>	<p><b>1. TAM will remain diligent in competing for additional state funds, including California’s share of federal funds, to support countywide priorities, with an emphasis on addressing safety, congestion, and mobility on State Route 37 and the 580/101 connector, as well as rehabilitating roads and bridges, such as the Richmond-San Rafael Bridge and Bellam Boulevard Off-Ramp Project. This includes supporting efforts to increase the appropriation authority/programming capacity for the SB 1 competitive programs.</b></p> <p><b>2. TAM supports a revenue-neutral conversion from the gas tax to a source that ensures equity in revenue collection that does not disadvantage those that must drive further to job centers.</b></p> <p><b>3. In partnership with local transit operators and jurisdictions, TAM will monitor and support appropriate efforts to encourage and provide resources for transportation to maintain a state of good repair, implement operational improvements, enhance connections to transit, advance equitable mobility, and enhance the safety and extent of the bicycle and pedestrian networks.</b></p> <p><b>4. TAM supports a streamlined application process for state funds so that the process does not disadvantage smaller agencies with scarce resources to limit or avoid entirely the need to retain costly consultants in preparing applications.</b></p>
<p><b>II. Addressing Mobility and Meeting State Climate Change Mandates</b></p> <p>The CTC, California Air Resources Board, and California Department of Housing and Community Development are</p>	<p>A. Monitor activities regarding greenhouse gas emission reduction, local land use development patterns</p>	<p><b>1. TAM will support efforts to secure resources to expand infrastructure and incentives, such as rebates and tax credits particularly for low-income individuals and families, for electric vehicle conversion by minimizing concerns over range, cost, and infrastructure. An evaluation of the cost of increased usage of</b></p>

Issue and Background Information	Goals	Strategies
<p>required to convene twice a year to coordinate transportation policies, with a focus on reducing vehicle miles traveled and greenhouse gas emissions. Concurrently, the legislature continues to work on providing resources to develop additional affordable housing and assess job creation opportunities to help mitigate vehicle miles traveled to reduce greenhouse gas emissions.</p> <p>On September 20, 2019, Governor Newsom issued Executive Order N-19-19, directing the California State Transportation Agency to leverage \$5 billion in state funding to encourage mode shift with an emphasis on reducing greenhouse gases and vehicles miles traveled. Regional transportation planning agencies face greater challenges in addressing mobility and congestion management while accounting for local land use planning and complying with state mandates to reduce greenhouse gas emissions and vehicle miles traveled.</p> <p>Given the unique geography of Marin County, local land use development patterns, and the regional travel patterns, opportunities for reducing vehicle miles traveled can be challenging. The prospects for reducing greenhouse gas emissions can also be realized through investments made to improve the availability of charging station infrastructure and availability of converting from gas-powered to electric passenger vehicles, where feasible.</p>	<p>and the impact on vehicle miles traveled.</p> <p>B. Support state funding to expand infrastructure and incentives for conversion to electric vehicles to reduce greenhouse gas emissions.</p> <p>C. Support climate resilience policies and funding opportunities.</p>	<p>electricity, as well as availability should be considered.</p> <p><b>2. TAM will work with the Self-Help Counties Coalition, the California Association of Councils of Governments, and other partners, to develop additional revenue sources at the state, regional and local level to support the planning required by SB 375, and making transit-oriented development more viable, where feasible. This includes supporting MTC’s efforts to advocate for SB 375 reform to incentivize near-term, real-world progress on GHG emission reduction over the current approach, which places too great an emphasis on long-term modeling, and seek changes to provide greater alignment, rather than competition between regional and state GHG reduction strategies.</b></p> <p><b>3. TAM will monitor upcoming funding opportunities for land use and transportation planning integration to support and advocate for Marin PDA’s and major transit stops to integrate housing and transportation to reduce VMT.</b></p> <p><b>4. TAM will monitor upcoming funding opportunities and programs for zero emission vehicles, including charging infrastructure. This includes working with local jurisdictions to support climate action plan goals and mobility goals, including MTC’s effort to seek up to \$1.25 billion for zero-emission vehicle investments in the FY2023-24 budget, consistent with the level identified in AB 211 (2022), part of the multiyear climate commitment in the FY2022-23 budget. Ensure zero-emission transit vehicles and infrastructure are eligible uses of the public transit funds, including supporting funds to help transit operators transition bus, ferry, and rail fleets to zero emission vehicles.</b></p> <p><b>5. TAM will continue to seek to modify the definition of disadvantaged communities so that resources can be used in underprivileged communities within the County but also provide a regional benefit.</b></p> <p><b>6. TAM will continue to work with organizations such as the California League of Cities, California State Association of</b></p>

Issue and Background Information	Goals	Strategies
		<p><b>Counties, and Self-Help Counties Coalition, among others, to pursue funding from Cap-and-Trade revenues or other means to help comply with the statewide mandate to reduce GHG emissions. This includes supporting operational improvements such as telecommuting, vanpools, shipping more freight via rail, and promoting opportunities to generate revenue for providing multi-modal options, including bus and ferry service. TAM will also work with these groups to understand the impact of any new requirements on local, voter-approved transportation measures.</b></p> <p><b>7. TAM will support efforts to extend the Cap-and-Trade program beyond 2030 and efforts to mitigate climate change and support adaptation to climate-related impacts, including wildfire risk and infrastructure that would assist in adaptation to sea-level rise, such as wetlands restoration, levee construction or other resilience measures to mitigate against threats to the local transportation network, particularly major arterials, or evacuation routes.</b></p>
<p><b>III. Leveraging Regional Partnerships</b></p> <p>Even with the availability of state resources, regional coordination and funding is needed to expedite project delivery to improve air quality, mobility and maintain system integrity. TAM will educate our delegation and state funding partners, such as the California State Transportation Agency, CTC, Caltrans, and the Newsom Administration, about the Bay Area’s transportation network and mobility needs.</p>	<p>A. Coordinate with MTC and Bay Area County Transportation Agencies to protect and acquire resources to address transportation infrastructure and mobility needs.</p>	<p><b>1. TAM will coordinate with MTC to position Marin projects for competitive state and federal grant funding opportunities.</b></p> <p><b>2. MTC intends on collaborating with Caltrans and the four North Bay Counties (Marin, Napa, Solano, Sonoma) to seek approval for tolls on State Route 37 to help fund congestion relief and sea level rise/flood prevention projects on the route. TAM will work with stakeholders to ensure that the potential legislation supports Marin’s priorities of addressing segments within the County.</b></p> <p><b>3. TAM will support the California Transit Association’s (CTA’s) effort to pursue statewide legislation to allow for transit buses to use shoulders along routes such as Highway 101.</b></p> <p><b>4. TAM will advocate for the expansion of cost-savings provisions for MTC and the Bay Area Toll Authority (BATA) that were incorporated into the FY2020-21 State Budget with respect to local agencies to reduce BATA administrative costs and free up funding for key bridge maintenance and increased capacity to support counties with bridge toll revenues.</b></p>

Issue and Background Information	Goals	Strategies
<p><b>IV. Enhancing Multi-Modal Options</b></p> <p>The COVID-19 pandemic and the shift to working from home has exacerbated transit ridership challenges. AB 149 (Committee on Budget), Chapter 81, Statutes of 2021, provides statutory relief in meeting farebox recovery requirements for receiving State Transit Assistance (STA), Low Carbon Transit Operations Program (LCTOP), and State of Good Repair funds, through fiscal year 22-23. It suspends Transportation Development Act (TDA) and STA penalties for this duration. The bill also adds a list of new exemptions from the farebox recovery calculation, including on-demand service and micro transit service beyond fixed-route service, costs for security, ticketing services, pensions, planning for improvements in transit operations, integration with other operators and agencies, transitioning to zero-emission operations, and for compliance with state and federal mandates. Legislation will be needed to extend relief for transit operators to maintain and expand existing services.</p> <p>The recent cycles of the State’s Active Transportation Program (ATP) have left many viable applications unfunded due to the lack of funds. Cycle 6 provided one-time funding of \$1.3 billion. In addressing climate changes, broad based support for more funding for active transportation and safety improvements on existing roadways (i.e., “complete streets”) have been advocated by various organizations.</p>	<p>A. Support potential changes to the Transportation Development Act to assist local public transportation with funding eligibility.</p> <p>B. Seek funding to maintain transit operations.</p> <p>C. Pursue opportunities to expand active transportation network and improve bicycle and pedestrian safety.</p>	<p><b>1. TAM will support legislation that creates flexibility for public transportation funding programs to maintain service. This includes supporting an on-going funding augmentation for transit operations.</b></p> <p><b>2. TAM will support efforts by Marin Transit and Golden Gate Bridge, Highway and Transportation District to acquire funds from Cap and Trade and Transit and Intercity Rail Capital Program for operations and capital needs for bus, rail and bicycle and pedestrian programs, ferries, and transit hubs, such as the San Rafael Transit Center and Bus on Shoulder Project.</b></p> <p><b>3. TAM will also continue to advocate for a permanent augmentation to the Active Transportation Program, and any other funding made available to enhance bicycle and pedestrian safety and infrastructure to encourage mode shift, which includes use of e-bikes, as well as support to implement Vision Zero to eliminate fatalities. TAM will actively pursue funds for non-motorized transportation applications that were not funded by ATP or OBAG 3.</b></p> <p><b>4. TAM supports recommendations made by the Blue-Ribbon Transit Recovery Task Force and will assist local transit agencies in seeking funding opportunities to implement those recommendations applicable to Marin.</b></p> <p><b>5. TAM will participate in a regional effort to pursue a unified statewide advocacy strategy for new ongoing (multi-year) state funding to address transit operators’ fiscal impacts from the pandemic, as well as other improvements needed to attract riders back to transit.</b></p>

Issue and Background Information	Goals	Strategies
<p><b>V. Seeking Efficiencies</b></p>	<p>A. Support efforts to streamline and expedite project delivery.</p> <p>B. Support flexibility for local agencies to conduct virtual public meetings.</p>	<p><b>1. TAM will support efforts to streamline the permitting process, delivery methods or additional administrative steps necessary to deliver projects in a timely and cost-effective manner.</b></p> <p><b>2. TAM will monitor and engage in legislation, in coordination with other local agency associations and regional agencies, related to modifying AB 2449 (Rubio), which updates the Ralph M. Brown Act (Brown Act) to incorporate some of the increased flexibility in relation to remote participation in meetings without a declared State of Emergency. AB 2449 limits virtual participation for no more than 20% of a local agency’s board meetings and requires a quorum to meet in a singular physical location within the jurisdiction of a board. TAM will advocate for language that allows board members to participate remotely more frequently, as long as the public is afforded the same opportunity.</b></p>
<p><b>VI. Pursuing Federal Opportunities</b></p> <p>The Fixing America’s Surface Transportation (FAST) Act was enacted in 2015 and authorized federal surface transportation programs for highways, highway safety and transit. It expired September 30, 2020; however, a one-year extension was approved to provide certainty to states and local governments under the strain of the COVID-19 pandemic.</p> <p>In 2019, the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule proposed to amend existing Corporate Average Fuel Economy (CAFE) and tailpipe carbon dioxide emissions standards for passenger cars and light trucks and to establish new standards covering model years 2021 through 2026. The Trump Administration threatened to revoke California’s Clean Air Act waiver, devising its own emissions standards.</p> <p>On November 15, 2021, President Biden signed the Infrastructure Investment and Jobs Act of 2021 (IIJA P.L. 117-58), which provides \$1.2 trillion in investments through 2026 for federal-aid highways, transit, highway safety, among other items. California is estimated to receive a guaranteed formulaic distribution of funding over the next five years as</p>	<p>A. Seek federal funding to support priority projects/programs at TAM and for our partner agencies.</p> <p>B. Support climate resilience policies.</p>	<p><b>1. TAM will work with our regional and national partners to implement the IIJA to achieve goals related to infrastructure condition, safety, mobility, and air quality. TAM will monitor funds from IIJA that are distributed to the Bay Area in an equitable manner to CTAs and transit agencies. TAM will also seek new resources to support climate adaptation and the deployment of new transportation technology to address the Bay Area’s mobility challenges.</b></p> <p><b>2. TAM also supports examining revenue solutions for the Highway Trust Fund that keeps up with inflation.</b></p> <p><b>3. TAM will continue to advocate that federal transportation programs fund and advance the following priorities:</b></p> <p><b>a. Highway 101 Multi-Modal Corridor Projects.</b> TAM will <u>support</u> the Sonoma Marin Area Rail Transit’s (SMART’s) efforts to seek or maintain funding for its project, including extension north to Cloverdale, completion of the multi-use pathway, and potential extension east to the Capital Corridor near Interstate 80. <u>Support</u> efforts to construct a new Bettini San Rafael Transit Center to ensure safe and efficient multimodal operations for SMART, bus operations, pedestrians, and motor vehicles. <u>Support</u> other emerging multi-modal</p>

Issue and Background Information	Goals	Strategies
<p>follows: \$25.3 billion for federal-aid highways (60/40 split between state and local agencies); \$9.45 billion to improve public transportation; \$4.2 billion for bridge repair and seismic retrofits; and \$384 million for expanding the electric vehicle charging network.</p>		<p>improvements along the corridor.</p> <p><b>b. Nonmotorized Transportation/ATP.</b> <u>Seek</u> funds dedicated to nonmotorized transportation projects and programs, including Safe Routes to Schools.</p> <p><b>c. State Highway 37.</b> <u>Support</u> funding for sea level rise adaptation/resilience projects for the State Route 37 Project including Segment A in Marin County.</p> <p><b>d. Transit Funding.</b> <u>Support</u> maintaining or increasing funding for transit operations and capital programs, including immediate pandemic-related relief funding.</p> <p><b>4. TAM will advocate for mitigating climate change and will support adaptation to protect transportation infrastructure from climate-related impacts, including wildfire risk and sea-level rise.</b></p> <p><b>5. TAM will monitor litigation and any potential actions pertaining to SAFE rule enactment and compliance.</b></p> <p><b>6. TAM will support an extension of federal tax credits for zero emission vehicles. Federal law provides a credit for qualified plug-in electric drive motor vehicles including passenger vehicles and light trucks.</b></p> <p><b>7. While the United States District Court granted a Stay Order to allow transit funds to continue to flow to California and prevents the Department of Labor from using PEPRA to slow or stop the execution of FTA grants to transit agencies, TAM supports a permanent resolution that does not compel rescission of grant funds to ensure predictability for transit agencies.</b></p>



## ATTACHMENT B

## Proposed TAM 2023~~2~~ Legislative Platform

Issue and Background Information	Goals	Strategies
<p><b>I. Acquiring State Funding for TAM's Priority Projects</b></p> <p>In 2017, the legislature enacted SB 1 (Beall), Chapter 5, statutes of 2017, which provides \$5.2 billion in annual revenues to fund traffic congestion relief, highway rehabilitation and safety, local streets and roads repair, and multi-modal options through investments into public transportation, commuter and intercity rail, and bicycle and pedestrian programs. <del>In 2020, TAM was successful in acquiring \$40 million for the completion of the Marin-Sonoma Narrows. Applications were due to the California Transportation Commission (CTC) in December of 2022 with adopt guidelines in the Fall of 2022, with applications being due in the Winter for the SB 1 Cycle 3 competitive programs. Program adoption is scheduled for June 2023. The CTC adopted \$1.35 billion in funding for Cycle 6 of the Active Transportation Program in December. Of that amount, \$1.049 billion was one-time money approved in the FY 2022-23 State Budget (AB 180). Additionally, the State General Fund is projected to have a \$31.2 billion surplus for FY 22-23. There is also a \$4.5 billion carryover of resources from FY 21-22.</del></p> <p><u>On November 15, 2021, President Biden signed the Infrastructure Investment and Jobs Act of 2021 (IIJA P.L. 117-58), which provides \$1.2 trillion in investments through 2026 for federal-aid highways, transit, highway safety, among other items. California is estimated to receive a guaranteed formulaic distribution of \$40 billion over the next five years as follows: \$25.3 billion for federal aid highways (60/40 split between state and local agencies); \$9.45 billion to improve public transportation; \$4.2 billion for bridge repair and seismic retrofits; and \$384 million for expanding the electric vehicle charging network. Discussion continues regarding the distribution of funding.</u></p>	<p>A. Aggressively pursue funds through the State Budget, California Transportation Commission allocation process or any other state sources.</p> <p>B. Ensure predictability and stability of transportation revenue should the state move away from diesel or gasoline powered vehicles and the gas tax.</p>	<p><b>1. TAM will remain diligent in competing for additional state funds, including California's share of federal funds <del>that need to be implemented, for to support</del> countywide priorities, with an emphasis on addressing safety, congestion, and mobility on State Route 37 and the 580/101 connector, as well as rehabilitating roads and bridges, such as the Richmond-San Rafael Bridge <u>and Bellam Boulevard Off-Ramp Project</u>. This includes supporting efforts to increase the appropriation authority/programming capacity for the SB 1 competitive programs.</b></p> <p><b>2. TAM supports a revenue-neutral conversion from the gas tax to a source that ensures equity in revenue collection that does not disadvantage those that must drive further to job centers.</b></p> <p><b>3. In partnership with local transit operators and jurisdictions, TAM will monitor and support appropriate efforts to encourage and provide resources for <u>"seamless" transportation to maintain a state of good repair, implement operational improvements, enhance connections to transit, advance equitable mobility, and enhance the safety and extent of the bicycle and pedestrian networks.</u></b></p> <p><del><b>4. Participate in a unified Bay Area strategy to advocate for equitable shares of the surplus funds for Northern California and protects the interests of smaller counties and smaller transit agencies. Advocate that the majority of the surplus funds be used to augment existing funding sources, such as STA, ATP, STIP, and other sources with established distribution formulas or statewide competitive structure and oppose using the STIP as the mechanism for distributing public transit funding, particularly when STA distribution mechanism is readily available. Moreover, funds distributed through STIP would require additional steps through the California Transportation Commission (CTC) that is avoided by STA that provides funding directly to transit agencies based readily accepted transit formula.</b></del></p> <p><b>45. TAM supports a streamlined application process for state funds</b></p>

Issue and Background Information	Goals	Strategies
<p>On September 23, 2020, Governor Newsom issued Executive Order N-76-20, which prohibits the sale of gasoline-powered passenger vehicles by 2035 and promotes zero-emission vehicles for future mobility needs. Given that transportation is predominantly funded through the gas tax, a successor funding mechanism will eventually be needed.</p>		<p><b>so that the process does not disadvantage smaller agencies with scarce resources to limit or avoid entirely the need to retain costly consultants in preparing applications.</b></p>
<p><b>II. Addressing Mobility and Meeting State Climate Change Mandates</b></p> <p>The <del>California Transportation Commission</del>CTC, California Air Resources Board, and California Department of Housing and Community Development are required to convene twice a year to coordinate transportation policies, with a focus on reducing vehicle miles traveled and greenhouse gas emissions. Concurrently, the legislature continues to work on providing resources to develop additional affordable housing and assess job creation opportunities to help mitigate vehicle miles traveled to reduce greenhouse gas emissions.</p> <p>On September 20, 2019, Governor Newsom issued Executive Order N-19-19, directing the California State Transportation Agency to leverage \$5 billion in state funding to encourage mode shift with an emphasis on reducing greenhouse gases and vehicles miles traveled. Regional transportation planning agencies face greater challenges in addressing mobility and congestion management while accounting for local land use planning and complying with state mandates to reduce greenhouse gas emissions and vehicle miles traveled.</p> <p>Given the unique geography of Marin County, local land use development patterns, and the regional travel patterns, opportunities for reducing vehicle miles traveled can be challenging. The prospects for reducing greenhouse gas emissions can also be realized through investments made to improve the availability of charging station infrastructure and availability of converting from gas-powered to electric passenger vehicles, where feasible.</p>	<p>A. Monitor activities regarding greenhouse gas emission reduction, local land use development patterns and the impact on vehicle miles traveled.</p> <p>B. Support state funding to expand infrastructure and incentives for conversion to electric vehicles to reduce greenhouse gas emissions.</p> <p>C. Support climate resilience policies and funding opportunities.</p>	<p><b>1. TAM will support efforts to secure resources to expand infrastructure and incentives, such as rebates and tax credits particularly for low-income individuals and families, for electric vehicle conversion by minimizing concerns over range, cost, and infrastructure. An evaluation of the cost of increased usage of electricity, as well as availability should be considered.</b></p> <p><b>2. TAM will work with the Self-Help Counties Coalition, the California Association of Councils of Governments, and other partners, to develop additional revenue sources at the state, regional and local level to support the planning required by SB 375, and making transit-oriented development more viable, where feasible. <u>This includes supporting MTC’s efforts to advocate for SB 375 reform to incentivize near-term, real-world progress on GHG emission reduction over the current approach, which places too great an emphasis on long-term modeling, and seek changes to provide greater alignment, rather than competition between regional and state GHG reduction strategies.</u></b></p> <p><b>3. TAM will monitor upcoming funding opportunities for land use and transportation planning integration to support and advocate for Marin PDA’s and major transit stops to integrate housing and transportation to reduce VMT.</b></p> <p><b>4. TAM will monitor upcoming funding opportunities and programs for zero emission vehicles, including charging infrastructure. This includes working with local jurisdictions to support climate action plan goals and mobility goals, <u>including MTC’s effort to seek up to \$1.25 billion for zero-emission vehicle investments in the FY 2023-24 budget, consistent with the level identified in AB 211 (2022), part of the multiyear climate</u></b></p>

Issue and Background Information	Goals	Strategies
		<p><u>commitment in the FY 2022-23 budget. Ensure zero-emission transit vehicles and infrastructure are eligible uses of the public transit funds, including supporting funds to help transit operators transition bus, ferry, and rail fleets to zero emission vehicles.</u></p> <p>5. TAM will <del>also</del> <u>continue to seek</u> to modify the definition of disadvantaged communities so that resources can be used in underprivileged communities within the <u>C</u>ounty but also provide a regional benefit.</p> <p>6. TAM will <u>continue</u> <del>also to</del> work with organizations such as the California League of Cities, California State Association of Counties, and Self-Help Counties Coalition, among others, to pursue funding from Cap-and-Trade revenues or other means to help comply with the statewide mandate to reduce <u>GHG</u> <del>greenhouse gas</del> emissions. This includes supporting operational improvements such as telecommuting, vanpools, shipping more freight via rail, and promoting opportunities to generate revenue for providing multi-modal options, including bus and ferry service. TAM will also work with these groups to understand the impact of any new requirements on local, voter-approved transportation measures.</p> <p>7. TAM will support <u>efforts to extend the Cap-and-Trade program beyond 2030 and efforts to mitigate climate change and support adaptation to climate-related impacts, including wildfire risk and infrastructure that would assist in adaptation to sea-level rise, such as wetlands restoration, levee construction or other resilience measures to mitigate against threats to the local transportation network, particularly major arterials, or evacuation routes.</u></p>
<p><b>III. Leveraging Regional Partnerships</b></p> <p>Even with the availability of state resources, regional coordination and funding is needed to expedite project delivery to improve air quality, mobility and maintain system integrity. TAM will educate our delegation and state funding partners, such as the California State Transportation Agency,</p>	<p>A. Coordinate with MTC and Bay Area <u>Congestion Management</u> <u>County Transportation</u> Agencies to protect and acquire resources to</p>	<p>1. TAM will coordinate with MTC to position Marin projects for <u>competitive state and federal grant funding opportunities</u> <del>from new federal infrastructure or stimulus bills that may be proposed.</del></p> <p>2. <del>TAM will monitor conversations and legislation regarding the potential development of a regional ballot measure to address congestion and mobility options in the Bay Area (similar to prior</del></p>

Issue and Background Information	Goals	Strategies
<p>California Transportation Commission CTC, Caltrans, and the Newsom Administration, about the Bay Area’s transportation network and mobility needs.</p>	<p>address transportation infrastructure and mobility needs.</p>	<p><del>“FASTER” effort). TAM will collaborate with stakeholders to ensure that county priorities are reflected in a prospective expenditure plan should a proposal move forward. If the regional transportation measure is connected to a regional housing measure, TAM will advocate for a “return to source” formula for the transportation funds to avoid being disadvantaged to Marin. Without a county guarantee based on an acceptable formula, larger counties tend to dominate in housing discussions with density, development, transit linkage, and other criteria that smaller counties cannot compete with.</del></p> <p><del>23. MTC intends on collaborating with Caltrans and the four North Bay Counties (Marin, Napa, Solano, Sonoma) to seek legislation approval for to authorize tolls on State Route 37 to help fund congestion relief and sea level rise/flood prevention projects on the route. TAM will work with stakeholders to ensure that the potential legislation supports Marin’s priorities of addressing segments within the County. TAM supports the using BAIFA as the tolling authority but the BAIFA commissioner membership would need to expand beyond counties with express lanes.</del></p> <p><del>34. TAM will support the California Transit Association’s (CTA’s) effort to pursue statewide legislation to allow for transit buses to use shoulders along routes such as Highway 101.</del></p> <p><del>45. TAM will advocate for the expansion of cost-savings provisions for MTC and the Bay Area Toll Authority (BATA) that were incorporated into the FY 2020-21 State Budget with respect to local agencies to reduce BATA administrative costs and free up funding for key bridge maintenance and increased capacity to support counties with bridge toll revenues.</del></p>
<p><b>IV. Enhancing Multi-Modal Options</b></p> <p>The Transportation Development Act dedicates a statewide ¼-cent sales tax for each county for local transportation purposes. That 1/4 cent sales tax, known as the Local Transportation Fund, generates over \$1.7 billion annually, primarily for public transit. Some operators statewide have</p>	<p>A. Support potential changes to the Transportation Development Act to assist local public transportation with funding eligibility.</p>	<p><b>1. TAM will support legislation that creates flexibility for public transportation funding programs within the Transportation Development Act to allow public transportation systems access to locally generated revenues to maintain existing service. This includes supporting an on-going funding augmentation for transit operations.</b></p>

Issue and Background Information	Goals	Strategies
<p><del>had difficulty in meeting the farebox recovery ratio requirements (20% for urban operators) that are necessary to qualify to use funds for operational purposes.</del> The COVID-19 pandemic and the shift to working from home has exacerbated <u>transit ridership</u> challenges. AB 149 (Committee on Budget), Chapter 81, Statutes of 2021, provides statutory relief in meeting farebox recovery requirements for receiving State Transit Assistance (STA), Low Carbon Transit Operations Program (LCTOP), and State of Good Repair funds, through fiscal year 22-23. It suspends Transportation Development Act (TDA) and STA penalties for this duration. The bill also adds a list of new exemptions from the farebox recovery calculation, including on-demand service and micro transit service beyond fixed-route service, costs for security, ticketing services, pensions, planning for improvements in transit operations, integration with other operators and agencies, transitioning to zero-emission operations, and for compliance with state and federal mandates. <u>Legislation will be needed to extend relief for transit operators to maintain and expand existing services.</u></p> <p>The recent cycles of the State’s Active Transportation Program (ATP) have left many viable applications unfunded due to the lack of funds. <u>Cycle 6 provided one-time funding of \$1.3 billion.</u> In addressing climate changes, broad based support for more funding for active transportation and safety improvements on existing roadways (i.e., “complete streets”) have been advocated by various organizations.</p>	<p>B. Seek funding to maintain transit operations.</p> <p>C. Pursue opportunities to expand active transportation network and improve bicycle and pedestrian safety.</p>	<p><b>2. TAM will support efforts by Marin Transit and Golden Gate Bridge, Highway and Transportation District to acquire funds from Cap and Trade and Transit and Intercity Rail Capital Program for operations and capital needs for bus, rail and bicycle and pedestrian programs, ferries, and transit hubs, such as the San Rafael Transit Center and <u>Bus on Shoulder Project.</u></b></p> <p><del><b>3. In partnership with the region’s transit operators and the CTA, support efforts to seek state and federal assistance to provide emergency transit operating funding to prevent mass layoffs and major reductions in transit service.</b></del></p> <p><b><u>34. TAM will also continue to pursue advocate for a permanent augmentation to revenue made available through the Active Transportation Programs, and any other funding made available to enhance bicycle and pedestrian safety and infrastructure to encourage mode shift, which includes use of e-bikes, as well as support to implement Vision Zero to eliminate fatalities. TAM will actively pursue funds for non-motorized transportation applications that were not funded by ATP or OBAG 3. TAM also advocates the priority to fund the backlog of high scoring applications from previous cycles with additional funding before funding new applications.</u></b></p> <p><del><b>45. TAM will monitor legislation emerging from supports recommendations made by the Blue-Ribbon Transit Recovery Task Force and will assist local transit agencies in seeking funding opportunities to implement those recommendations applicable to Marin.</b></del></p> <p><b><u>5. TAM will participate in a regional effort to pursue a unified statewide advocacy strategy for new ongoing (multi-year) state funding to address transit operators’ fiscal impacts from the pandemic, as well as other improvements needed to attract riders back to transit.</u></b></p>

Issue and Background Information	Goals	Strategies
<p><b>V. Seeking Efficiencies</b></p>	<p>A. Support efforts to streamline and expedite project delivery</p> <p>B. Support flexibility for local agencies to conduct virtual public meetings</p>	<p>1. TAM will support efforts to streamline the permitting process, delivery methods or additional administrative steps necessary to deliver projects in a timely and cost-effective manner.</p> <p>2. TAM will monitor and engage in legislation, in coordination with other local agency associations and regional agencies, related to <u>modifying AB 2449361 (RubioRivas), which updates the Ralph M. Brown Act (Brown Act) to incorporate some of the increased flexibility in relation to remote participation in meetings without a declared Sstate of Eemergency. AB 2449-however limits virtual participation for no more than 20% of a local agency’s board meetings and require a quorum to meet in a singular physical location within the jurisdiction of a board. TAM will advocate for language that allows board members to participate remotely more frequently, as long as the public afforded the same opportunity.</u>The intent of further amending statute is to allow for flexibility to continue meeting remotely through the duration of a declared state of emergency, rather than renewing the ability to meet virtually every 30 days, as is currently required.</p>
<p><b>VI. Pursuing Federal Opportunities</b></p> <p>The Fixing America’s Surface Transportation (FAST) Act was enacted in 2015 and authorized federal surface transportation programs for highways, highway safety and transit. It expired September 30, 2020; however, a one-year extension was approved to provide certainty to states and local governments under the strain of the COVID-19 pandemic.</p> <p>In 2019, the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule proposed to amend existing Corporate Average Fuel Economy (CAFE) and tailpipe carbon dioxide emissions standards for passenger cars and light trucks and to establish new standards covering model years 2021 through 2026. The Trump Administration threatened to revoke California’s Clean Air Act waiver, devising its own emissions standards.</p> <p>On November 15, 2021, President Biden signed the</p>	<p>A. Support federal efforts to approve stimulus funding for <u>multi-modal priority projects, and continuation/reauthorization of traditional federal transportation programs</u>Seek federal <u>funding to support priority projects/programs at TAM and for our partner agencies.</u></p> <p>B. Support climate resilience policies</p>	<p>1. TAM will work with our regional and national partners to implement the IIJA, <del>and support a long-term, fully funded transportation authorization that supports states and regions in to achieving national goals related to infrastructure condition, safety, mobility, and air quality. Ensure that the next authorization bill retains discretion for MTC to invest funds in ways that further our region’s goals to improve equity, respond to a changing climate, and advance multi-modal options.</del>TAM will monitor funds from IIJA <del>to the Bay Area that</del> are distributed <u>to the Bay Area in an equitable manner</u> to CTAs and transit agencies. TAM <u>will</u> also seek new resources to support climate adaptation and the deployment of new transportation technology to address the Bay Area’s mobility challenges.</p> <p>2. TAM also supports examining revenue solutions for the Highway Trust Fund that keeps up with inflation.</p> <p>3. TAM will continue to advocate that federal transportation</p>

Issue and Background Information	Goals	Strategies
<p>Infrastructure Investment and Jobs Act of 2021 (IIJA P.I. 117-58), which provides \$1.2 trillion in investments through 2026 for federal-aid highways, transit, highway safety, among other items. California is estimated to receive a guaranteed formulaic distribution of funding over the next five years as follows: \$25.3 billion for federal-aid highways (60/40 split between state and local agencies); \$9.45 billion to improve public transportation; \$4.2 billion for bridge repair and seismic retrofits; and \$384 million for expanding the electric vehicle charging network. <del>Legislation will be introduced to distribute funding.</del></p>		<p><b>programs fund and advance the following priorities:</b></p> <p><b>a. Highway 101 Multi-Modal Corridor Projects.</b> TAM will <u>support</u> the Sonoma Marin Area Rail Transit’s (SMART’s) efforts to seek or maintain funding for its project, including extension north to Cloverdale, <u>completion of the multi-use pathway</u>, and potential extension east to the Capital Corridor near Interstate 80. <u>Support</u> efforts to construct a new Bettini San Rafael Transit Center to ensure safe and efficient multimodal operations for SMART, bus operations, pedestrians, and motor vehicles. Support other emerging multi-modal improvements along the corridor.</p> <p><b>b. Nonmotorized Transportation/<del>AT</del><u>P</u>etive Transportation Program.</b> <u>Seek</u> funds dedicated to nonmotorized transportation projects and programs, including Safe Routes to Schools.</p> <p><b>c. State Highway 37.</b> <u>Support</u> funding for sea level rise adaptation/resilience projects for the State Route 37 Project including Segment A in Marin County.</p> <p><b>d. Transit Funding.</b> <u>Support</u> maintaining or increasing funding for transit operations and capital programs, including immediate pandemic-related relief funding.</p> <p><b>4. TAM will advocate for mitigating climate change and will support adaptation to protect transportation infrastructure from climate-related impacts, including wildfire risk and sea-level rise.</b></p> <p><b>5. TAM will monitor litigation and any potential actions pertaining to SAFE rule enactment and compliance.</b></p> <p><b>6. TAM will support an extension of federal tax credits for zero emission vehicles. Federal law provides a credit for qualified plug-in electric drive motor vehicles including passenger vehicles and light trucks. <del>Congress is currently considering a \$12,500 zero-emission vehicle tax credit.</del></b></p> <p><b>7. While the United States District Court granted a Stay Order to</b></p>

Issue and Background Information	Goals	Strategies
		<b>allow transit funds to continue to flow to California and prevents the Department of Labor from using PEPRRA to slow or stop the execution of FTA grants to transit agencies, TAM supports a permanent resolution that does not compel rescission of grant funds to ensure predictability for transit agencies.</b>



## TAM 2022 Legislative Platform

(Adopted January 27, 2022)

Issue and Background Information	Goals	Strategies
<p><b>I. Acquiring State Funding for TAM’s Priority Projects</b></p> <p>In 2017, the legislature enacted SB 1 (Beall), Chapter 5, Statutes of 2017, which provides \$5.2 billion in annual revenues to fund traffic congestion relief, highway rehabilitation and safety, local streets and roads repair, and multi-modal options through investments into public transportation, commuter and intercity rail, and bicycle and pedestrian programs.</p> <p>In 2020, TAM was successful in acquiring \$40 million for the completion of the Marin-Sonoma Narrows. The California Transportation Commission (CTC) will adopt guidelines in the Summer of 2022, with applications being due in the Winter of 2022 for the SB 1 Cycle 3 competitive programs. Additionally, the State General Fund is projected to have a \$31.2 billion surplus for FY 22-23. There is also a \$4.5 billion carryover of resources from FY 21-22.</p> <p>On September 23, 2020, Governor Newsom issued Executive Order N-76-20, which prohibits the sale of gasoline-powered passenger vehicles by 2035, promotes zero-emission vehicles for future mobility needs. Given that transportation is predominantly funded through the gas tax, a successor funding mechanism will eventually be needed.</p>	<p>A. Aggressively pursue funds through the State Budget, CTC allocation process or any other state sources.</p> <p>B. Ensure predictability and stability of transportation revenue should the State move away from diesel or gasoline powered vehicles and gas tax as the primary source.</p>	<p><b>1. TAM will remain diligent in competing for additional state funds, including California’s share of federal funds, for countywide priorities, with an emphasis on addressing safety, congestion, and mobility, improvements on State Route 37 and the 101/580 connector, as well as rehabilitating roads and bridges, such as the Richmond-San Rafael Bridge. This includes supporting efforts to increase the appropriation authority/programming capacity for the SB 1 competitive programs.</b></p> <p><b>2. TAM supports a revenue-neutral conversion from the gas tax to a source that ensures equity in revenue collection that does not disadvantage those who must drive further to job centers.</b></p> <p><b>3. TAM will monitor and support appropriate efforts to encourage and provide resources for “seamless” transportation that enhances connections to transit, advances equitable mobility, and enhances the safety and extent of the bicycle and pedestrian networks.</b></p> <p><b>4. TAM will participate in a unified Bay Area strategy to advocate for equitable shares of the surplus funds for Northern California and protect the interests of smaller counties and smaller transit agencies. Advocate that the majority of the surplus funds be used to augment existing funding sources, such as State Transit Assistance (STA), Active Transportation Program (ATP), State Transportation Improvement Program (STIP), and other sources with established distribution formula or statewide competitive structure. Oppose using the STIP as the mechanism for distributing public transit funding, particularly when STA distribution mechanism is readily available. Moreover, funds distributed through STIP would require additional steps through the CTC that is avoided by STA.</b></p> <p><b>5. TAM supports a streamlined application process for state funds so that the process does not disadvantage smaller agencies with scarce resources to limit or avoid entirely the need to retain consultants in preparing applications.</b></p>

Issue and Background Information	Goals	Strategies
<p><b>II. Addressing Mobility and Meeting State Climate Change Mandates</b></p> <p>The CTC, California Air Resources Board (CARB), and California Department of Housing and Community Development (HCD) are required to convene twice a year to coordinate transportation policies, with a focus on reducing vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions. Concurrently, the legislature continues to work on providing resources to develop additional affordable housing and assess job creation opportunities to help mitigate VMT to reduce GHG emissions.</p> <p>On September 20, 2019, Governor Newsom issued Executive Order N-19-19, directing the California State Transportation Agency (CalSTA) to leverage \$5 billion in state funding to encourage mode shift with an emphasis on reducing GHG and VMT. Regional transportation planning agencies face greater challenges in addressing mobility and congestion management while accounting for local land use planning and complying with state mandates to reduce GHG emissions and VMT.</p> <p>Given the unique geography of Marin County, local land use development patterns, and the regional travel patterns, opportunities for reducing vehicle miles traveled can be challenging. The prospects for reducing GHG emissions can be realized through investments made to improve the availability of charging station infrastructure and the conversion from gas-powered to electric vehicles, where feasible.</p>	<p>A. Monitor activities regarding GHG emission reduction, local land use development patterns and the impact on VMT.</p> <p>B. Support state funding to expand infrastructure and incentives for conversion to electric vehicles to reduce GHG emissions.</p> <p>C. Support climate resilience policies and funding opportunities.</p>	<p><b>1. TAM will support efforts to secure resources to expand infrastructure and incentives, such as rebates and tax credits particularly for low-income individuals and families, for electric vehicle conversion by minimizing concerns over range, cost, and infrastructure. An evaluation of the cost of increased usage of electricity, as well as availability should be considered.</b></p> <p><b>2. TAM will work with the Self-Help Counties Coalition (SHCC), the California Association of Councils of Governments (CALCOG), and other partners, to develop additional revenue sources at the state, regional and local level to support the planning required by SB 375, and making transit-oriented development more viable, where feasible for Marin Priority Development Areas (PDAs) and major transit stops.</b></p> <p><b>3. TAM will monitor upcoming funding opportunities and programs for zero emission vehicles, including charging infrastructure. This includes working with local jurisdictions to support climate action plan goals and mobility goals.</b></p> <p><b>4. TAM will seek to modify the definition of disadvantaged communities so that resources can be used in underprivileged communities within the county but also provide a regional benefit.</b></p> <p><b>5. TAM will work with organizations such as the California League of Cities (CLC), California State Association of Counties (CSAC), and SHCC, among others, to pursue funding from Cap-and-Trade revenues or other means to help comply with the statewide mandate to reduce GHG emissions. This includes supporting operational improvements such as telecommuting, vanpools, shipping more freight via rail, and promoting opportunities to generate revenue for providing multi-modal options, including bus and ferry service. TAM will also work with these groups to understand the impact of any new requirements on local, voter-approved transportation measures.</b></p>

Issue and Background Information	Goals	Strategies
		<p><b>6. TAM will support efforts to mitigate climate change and support adaptation to climate-related impacts, including wildfire risk and infrastructure that would assist in adaptation to sea level rise, such as wetlands restoration, levee construction or other resilience measures to mitigate against threats to the local transportation network, particularly major arterials, or evacuation routes.</b></p>
<p><b>III. Leveraging Regional Partnerships</b></p> <p>Even with the availability of state resources, regional coordination and funding is needed to expedite project delivery to improve air quality, mobility and maintain system integrity. TAM will educate our delegation and state funding partners, such as the CalSTA, CTC, Caltrans, and the Newsom Administration, about the Bay Area’s transportation network and mobility needs.</p>	<p>A. Coordinate with the Metropolitan Transportation Commission (MTC) and other Bay Area County Transportation Agencies (BACTA) to protect and acquire resources to address transportation infrastructure and mobility needs.</p>	<p><b>1. TAM will coordinate with MTC to position Marin projects/programs for funding from the new Infrastructure Investment and Jobs Act (IIJA) and other potential new bills.</b></p> <p><b>2. TAM will monitor conversations and legislation regarding the potential development of a regional ballot measure to address congestion and mobility options in the Bay Area (similar to prior “FASTER” effort). TAM will collaborate with stakeholders to ensure that county priorities are reflected in a prospective expenditure plan should a proposal move forward. If the regional transportation measure is connected to a regional housing measure, TAM will advocate for a “return to source” formula for the transportation funds. Without a county guarantee based on an acceptable formula, larger counties tend to dominate in housing discussions with density, development, transit linkage, and other criteria that smaller countries cannot compete with.</b></p> <p><b>3. MTC intends on collaborating with Caltrans and the four North Bay Counties (Marin, Napa, Solano, Sonoma) to seek legislation to authorize tolls on State Route 37 to help fund congestion relief and sea level rise/flood prevention projects on the route. TAM will work with stakeholders to ensure that the potential legislation supports Marin’s priorities of addressing segments within the county. TAM supports using the Bay Area Infrastructure Financing Authority (BAIFA) as the tolling authority, but the BAIFA commissioner membership would need to expand beyond counties with express lanes.</b></p> <p><b>4. TAM will support the California Transit Association’s (CTA’s) effort to pursue statewide legislation to allow for transit buses to use shoulders along routes such as Highway 101.</b></p>

Issue and Background Information	Goals	Strategies
		<p><b>5. TAM will advocate for the expansion of cost-savings provisions for MTC and the Bay Area Toll Authority (BATA) that were incorporated into the FY 2020-21 State Budget with respect to local agencies to reduce BATA administrative costs and free up funding for key bridge maintenance and increased capacity to support counties with bridge toll revenues.</b></p>
<p><b>IV. Enhancing Multi-Modal Options</b></p> <p>The Transportation Development Act (TDA) dedicates a statewide ¼-cent sales tax for each county for local transportation purposes. That ¼-cent sales tax, known as the Local Transportation Fund (LTF), generates over \$1.7 billion annually, primarily for public transit. Some operators statewide have had difficulty in meeting the farebox recovery ratio requirements (20% for urban operators) that are necessary to qualify to use funds for operational purposes. The COVID-19 pandemic and the shift to remote work have exacerbated ridership challenges. AB 149 (Committee on Budget), Chapter 81, Statutes of 2021, provides statutory relief in meeting farebox recovery requirements for receiving STA, Low Carbon Transit Operations Program (LCTOP), and State of Good Repair funds, through FY 22-23. It suspends TDA and STA penalties for this duration. The bill also adds a list of new exemptions from the farebox recovery calculation. However, transit agencies are facing ongoing funding challenges, particularly with funding for operations and maintenance.</p> <p>The recent cycles of the State’s ATP have left many viable applications unfunded due to the lack of funds. In addressing climate changes, broad based support for more funding for active transportation and safety improvements on existing roadways (i.e., “complete streets”) have been advocated by various organizations.</p>	<p>A. Support potential changes to TDA to assist local public transportation with funding eligibility.</p> <p>B. Seek funding to maintain transit operations.</p> <p>C. Pursue opportunities to expand active transportation network and improve bicycle and pedestrian safety.</p>	<p><b>1. TAM will support legislation that creates flexibility within TDA to allow public transportation systems access to locally generated revenues to maintain existing service.</b></p> <p><b>2. TAM will support efforts by Marin Transit, Golden Gate Bridge, Highway and Transportation District (GGBHTD), and SMART to acquire funds from Cap-and-Trade and Transit and Intercity Rail Capital Program (TIRCP) for operations and capital needs for bus, rail and bicycle and pedestrian programs, ferries, and transit hubs, such as the new San Rafael Transit Center.</b></p> <p><b>3. In partnership with the region’s transit operators and the CTA, support efforts to seek state and federal assistance to provide emergency transit operating funding to prevent mass layoffs and major reductions in transit service.</b></p> <p><b>4. TAM will continue to pursue revenue made available through ATP, and any other funding made available to enhance bicycle and pedestrian safety and infrastructure to encourage mode shift, which includes use of e-bikes, as well as support to implement Vision Zero to eliminate fatalities. TAM will advocate the priority to fund the backlog of high-scoring applications from the previous cycle with additional funding while balancing the need to fund high-priority new applications.</b></p> <p><b>5. TAM will monitor legislation emerging from recommendations made by MTC’s Blue-Ribbon Transit Recovery Task Force and assist local transit agencies in seeking funding opportunities to implement those recommendations applicable to Marin.</b></p>

Issue and Background Information	Goals	Strategies
<p><b>V. Seeking Efficiencies</b></p>	<p>A. Support efforts to streamline and expedite project delivery.</p> <p>B. Support flexibility for local agencies to conduct virtual public meetings.</p>	<p><b>1. TAM will support efforts to streamline the permitting process, delivery methods or administrative steps necessary to deliver projects in a timely and cost-effective manner.</b></p> <p><b>2. TAM will monitor and engage in legislation, in coordination with other local agency associations and regional agencies, related to modifying AB 361 (Rivas), which updates the Ralph M. Brown Act (Brown Act) to incorporate some of the increased flexibility in relation to remote participation in public meetings. The intent of further amending the statute is to allow for flexibility to continue meeting remotely through the duration of a declared state of emergency, rather than renewing the ability to meet virtually every 30 days, as is currently required.</b></p>
<p><b>VI. Pursuing Federal Opportunities</b></p> <p>The Fixing America’s Surface Transportation (FAST) Act was enacted in 2015 and authorized federal surface transportation programs for highways, highway safety and transit. It expired September 30, 2020; however, a one-year extension was approved to provide certainty to states and local governments under the strain of the COVID-19 pandemic.</p> <p>On November 15, 2021, President Biden signed IIJA, which provides \$1.2 trillion in investments through 2026 for federal-aid highways, transit, and highway safety, among other items. California is estimated to receive a guaranteed formulaic distribution of funding over the next five years as follows: \$25.3 billion for federal-aid highways (60/40 split between state and local agencies); \$9.45 billion to improve public transportation; \$4.2 billion for bridge repair and seismic retrofits; and \$384 million for expanding the electric vehicle charging network. Legislation may need to be introduced to distribute the IIJA funding.</p>	<p>A. Support federal efforts to approve stimulus funding for multi-modal priority projects, and annual appropriations for the authorized federal transportation programs.</p> <p>B. Support climate resilience policies.</p>	<p><b>1. TAM will work with our regional and national partners to implement IIJA. TAM will monitor and ensure funds from IIJA to the Bay Area are distributed equitably to CTAs and transit agencies. As competitive programs develop, TAM will evaluate and apply for funds as appropriate.</b></p> <p><b>2. TAM also supports examining revenue solutions for the Highway Trust Fund that keep up with inflation.</b></p> <p><b>3. TAM will continue to advocate that federal transportation programs fund and advance the following priorities:</b></p> <p><b>a. Highway 101 Multi-Modal Corridor Projects.</b> TAM will support the Sonoma Marin Area Rail Transit’s (SMART’s) efforts to seek or maintain funding for its system, including extension north to Cloverdale, and potential extension east to the Capital Corridor near Interstate 80. Support efforts to construct a new San Rafael Transit Center to ensure safe and efficient multimodal operations for SMART, bus operations, pedestrians, and motor vehicles. Support other emerging multi-modal improvements along the corridor.</p> <p><b>b. Nonmotorized Transportation/ATP.</b> Seek funds dedicated to nonmotorized transportation projects and programs, including Safe Routes to Schools.</p>

Issue and Background Information	Goals	Strategies
		<p><b>c. State Highway 37.</b> Support funding for sea level rise adaptation/resilience projects for the State Route 37 Project including Segment A in Marin County.</p> <p><b>d. Transit Funding.</b> Support maintaining or increasing funding for transit operations and capital programs, including immediate pandemic-related relief funding.</p> <p><b>4. TAM will advocate for mitigating climate change and will support adaptation to protect transportation infrastructure from climate-related impacts, including wildfire risk and sea level rise at the federal level.</b></p> <p><b>5. TAM will support an extension of federal tax credits for zero emission vehicles. Federal law provides a credit for qualified plug-in electric drive motor vehicles including passenger vehicles and light trucks. Congress is currently considering a \$12,500 zero-emission vehicle tax credit.</b></p> <p><b>6. While the United States District Court granted a Stay Order to allow transit funds to continue to flow to California and prevents the Department of Labor from using PEPPRA to slow or stop the execution of FTA grants to transit agencies, TAM supports a permanent resolution that does not compel rescission of grant funds to ensure predictability for transit agencies.</b></p>



**DATE:** January 9, 2023

**TO:** Transportation Authority of Marin  
Funding, Programs & Legislation Executive Committee

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

**SUBJECT:** De-Program and Re-Program Cycle 3 Local Partnership Program Formula Funds (Action), Agenda Item No. 7

---

## RECOMMENDATION

The Funding, Programs & Legislation (FP&L) Executive Committee reviews and recommends deprogramming \$1.756 million in Local Partnership Program (LPP) Formula funds from the Bellam Boulevard Off-Ramp Project and re-programming \$1.1 million to Larkspur's Old Redwood Highway Multi-Use Pathway and \$656,000 to San Rafael's Grand Avenue Class IV Cycle Track Project in order to meet state program requirements and deadlines.

## BACKGROUND

LPP is one of the transportation funding programs created by the Road Repair and Accountability Act of 2017, Senate Bill 1 (SB1). LPP rewards counties, cities, districts, and regional transportation agencies with voter-approved fees or taxes solely dedicated to transportation improvements. LPP is divided into two programs of funding – a Formulaic Program in which a specific amount of funding is set aside by formula for eligible recipients, and a Competitive Program whereby agencies compete for statewide funds. Both Programs of LPP are administered by the California Transportation Commission (CTC). Only the Formulaic Program will be discussed for the purpose of this memo.

TAM is an eligible recipient of the SB1 LPP Formula funds because of the voter approved Measure A/AA Transportation Sales Tax and \$10 Measure B Vehicle Registration Fee. Whereas, the towns, cities, and County receive annual Local Street and Road (LSR) funding from SB1, TAM receives LPP Formula funds from SB1.

LPP Cycle 3 includes Formula funds that can be programmed in FY2020-21, FY2021-22, and FY2022-23. TAM received \$1.756 million in LPP Formula funds in Cycle 3. The funds must be programmed and allocated by the CTC no later than June 30, 2023. The funds must also be applied to projects that can exhibit a one-to-one match of non-CTC approved funds.

It should be noted that while Cycle 3 included three fiscal years of funding, moving forward, each cycle will include only two fiscal years of funding.

## DISCUSSION/ANALYSIS

On May 28, 2020, the TAM Board approved the programming of \$1.756 million in LPP Formula funds to the Bellam Boulevard Off-Ramp Project. However, staff delayed submitting the request for the CTC to program and allocate the funds due to a requirement that sponsors must enter into a construction contract six months after CTC approval. Staff determined it would be prudent to postpone seeking the programming and allocation until the Bellam Boulevard Off-Ramp Project can be certified by the California Department of Transportation (Caltrans) for construction, which is still pending.

As the June 30, 2023 deadline approaches, it has become clear that the Bellam Boulevard Off-Ramp Project will not be able to meet the six-month construction contract requirement because of the following:

- longer than expected Caltrans review;
- unexpected site conditions requiring redesigning effort;
- change in construction contract administrator;
- Measure AA funds originally programmed to Bellam Boulevard Off-Ramp were redirected to the Sir Francis Drake widening Project and the I-580/Sir Francis Drake Flyover bike path; and
- rising construction cost estimates are creating a funding shortfall preventing the project to proceed to construction.

Therefore, rather than risk losing the LPP Formula funds due to missing the state's deadlines, staff is recommending the TAM Board approve the deprogramming of the \$1.756 million from the Bellam Boulevard Off Ramp Project and reprogram the funds to two eligible projects: \$1.1 million to Larkspur's Old Redwood Highway Multi-Use Pathway, and \$656,000 to San Rafael's Grand Avenue Class IV Cycle Track Project.

The challenges of reprogramming LPP Formula funds near expiration are:

- all pre-construction phases are complete or substantially complete;
- expiring LLP Formula funds can only be programmed to the construction phase;
- project can reasonably enter into a construction contract six months after CTC approval; and
- sponsor has the requisite one-to-one match of non-CTC approved funds.

Staff evaluated projects known to be in the construction phase that can reasonably meet LPP requirements, including projects that were submitted to other funding sources, such as the One Bay Area Grant (OBAG) Cycle 3, Active Transportation Program (ATP), and other SB1 programs.

In consultation with sponsors, staff has determined that Larkspur's Old Redwood Highway Multi-Use Pathway and San Rafael's Grand Avenue Class IV Cycle Track Project can reasonably comply with all LPP requirements.

### Larkspur's Old Redwood Highway Multi-Use Pathway

The North/South Greenway Gap Closure Project in Central Marin (Northern Segment) is being implemented in two segments. The segment that entails the Pathway over Corte Madera Creek was recently completed and opened for public use. The remaining segment is Larkspur's Old Redwood Highway Multi-Use Pathway that continues from the Pathway over Corte Madera Creek to the Pedestrian Overcrossing (POC).



Design for the Old Redwood Highway Multi-Use Pathway is near completion. The total cost of the project is estimated at \$3.1 million with the construction phase of the project estimated at \$2.35 million. This project has secured \$1.25 million from various sources for the construction phase. The programming of \$1.1 million in LPP Formula funds will close the funding gap and allow the project to commence with construction.

#### San Rafael's Grand Avenue Class IV Cycle Track Project

The Grand Avenue Class IV Cycle Track Project implements a two-way protected bikeway (Class IV) and new sidewalk on the east side of Grand Avenue from Second Street to Fourth Street in San Rafael. It is a critical trail extension project on the San Francisco Bay Trail. This project would provide a safer and separated bicycle connection for residents and visitors of East San Rafael to the downtown business district and the San Rafael Transit Center. The project will be ready to start construction in early Fall 2023.

San Rafael is in the process of conducting value engineering to close the gap between the Grand Avenue Class IV Cycle Track Project engineering estimate and available construction funding. The construction phase of the Grand Avenue Class IV Cycle Track Project is funded based on an engineering estimate of \$1,200,000 but costs are expected to be higher.

Staff is proposing to program \$656,000 in LPP Formula funds to San Rafael's Grand Avenue Class IV Cycle Track Project in exchange for \$575,000 in Measure AA funds that are currently programmed to the project. San Rafael would commit the \$575,000 in Measure AA funds to the surface components of the Bellam Boulevard Off Ramp Project. The surface components of the Bellam Boulevard Off Ramp Project are located in San Rafael so the Measure AA funds would remain with San Rafael.

#### Bellam Boulevard Off Ramp Project

As reported above, the construction phase of the Bellam Boulevard Off Ramp Project is not fully funded and the deprogramming of Cycle 3 LPP Formula funds will leave the project with a larger funding shortfall.

Staff proposes to defray some of the shortfall by programming LPP Formula funds from Cycle 4 to the Bellam Boulevard Off Ramp Project. TAM is scheduled to receive \$1.164 million in LPP Formula funds from Cycle 4 and the funds can be programmed in FY2023-24 and FY2024-25. The later programming dates will allow the Bellam Boulevard Off Ramp Project to resolve some of the issues that had caused the delay and pursue additional funds to complete the construction phase.

Furthermore, San Rafael would commit \$575,000 in Measure AA funds to the Bellam project based on a funding exchange noted above. The total from the Cycle 4 LPP funds and San Rafael's commitment of Measure AA funds amount to \$1.739 million, which would make the Bellam project nearly whole from the deprogramming of \$1.756 million in Cycle 3 LPP funds.

### **FISCAL CONSIDERATION**

Cycle 3 LLP Formula funds for the Bellam Boulevard Off-Ramp Project will be removed from TAM's Annual Budget. LLP Formula funds will be programmed directly to Larkspur and San Rafael and will have no direct impacts to TAM's Annual Budget.

**NEXT STEPS**

Staff will work with Larkspur and San Rafael to develop LPP Formula funding applications for submittal to CTC for approval. Staff will also work with San Rafael to memorialize San Rafael's commitment to program \$575,000 in Measure AA funds for the Bellam Boulevard Off-Ramp Project. Staff will continue to work with Caltrans to advance the Bellam project, and when the LPP Cycle 4 Formula funds become available and when the Bellam project is ready, staff will prepare the necessary CTC programming requests.

**ATTACHMENT**

None.



**DATE:** January 9, 2023

**TO:** Transportation Authority of Marin  
Funding, Programs & Legislation Executive Committee

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

**SUBJECT:** Marin-Sonoma Bike Share Program Request for Proposals (Discussion), Agenda Item No. 8

---

## RECOMMENDATION

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

## BACKGROUND

In July 2018, TAM and the Sonoma County Transportation Authority (SCTA) signed a cooperative agreement for joint implementation of a Bike Share Pilot Program after receiving an \$826,000 grant award from the Metropolitan Transportation Commission (MTC). The funding is to provide bike share service with the Sonoma Marin Area Rail Transit (SMART) corridor in Sonoma and Marin counties, with SCTA being the lead fiscal agent.

In February 2020, SCTA approved a contract with Bolt Mobility (formerly Gotcha Mobility) to plan, launch, and operate a three-year, 300 e-bike share pilot program. Despite considerable work toward launching the program with help from a Bike Share Working Group (including members from TAM, SCTA, MTC, SMART, Golden Gate Bridge Highway & Transportation District (GGBHTD), Santa Rosa, Rohnert Park, Cotati, Petaluma, Novato, San Rafael, and Larkspur), in June 2022, Bolt Mobility ceased communications with TAM and all other agencies involved in the program due to financial challenges while discontinuing its operations. The Marin-Sonoma Bike Share Pilot Program was due to launch within months of this unexpected change.

In August 2022, a letter was sent to formally terminate the contract with Bolt Mobility, which TAM staff discussed in further detail at the September 2022 TAM Board Meeting, along with a sixty-day cure period. In mid-October 2022, by way of no response from Bolt Mobility, the cure terms were not met, effectively terminating the contract. Given that no funding from the grant had been spent to date, the entire grant is still available to develop and launch a program.

Over the past few months TAM and SCTA staff held meetings with the Bike Share Working Group to explore options as next steps based on the termination of the agreement with Bolt Mobility. Throughout these discussions, the Working Group expressed a continued desire for TAM and SCTA to pursue bike share for the purpose described in the grant for providing first/last mile connections at SMART and other transit locations.

## **DISCUSSION/ANALYSIS**

In September 2022, TAM staff presented to the Board regarding challenges with respect to the state of the overall micromobility industry. Like all forms of transit and transportation, the Covid-19 pandemic had a huge initial impact on micromobility trips and micromobility companies with some going out of business or scaling back service. In 2021, however, a marked recovery started with some systems showing increased levels of use in areas while return to work and transit use picked up. While longer-term impacts on the companies willing and able to operate in the industry are not entirely clear, in recent months, several bike share vendor representatives have reached out to TAM and SCTA to express an interest in pursuing contract opportunities to establish and deliver the bike share program now that Bolt Mobility is no longer operating.

TAM and SCTA convened the Bike Share Working Group multiple times to explore whether other possible approaches to achieving some of the goals associated with the planned bike share program might be a suitable alternative to the bike share system plan, presuming that MTC would be willing to adjust the grant agreement to allow a similar but different use to promote bike use, encouraging mode shift and multimodal transportation.

The Bike Share Working Group evaluated bike share and alternatives to the bike share program which might be deemed eligible by MTC, including consumer E-bike Incentives, E-bike Library (bike loans for people considering purchasing e-bikes), Community Bike Rental Program (not focused on transit connections), or Scooter Share (with only scooters rather than bikes). After considering these various options, the working group expressed strongest support for maintaining the focus of funding on the long-planned bike share system while building on the work and opportunities the working group had developed based on key locations along the SMART corridor. Furthermore, there was a continued desire for bringing bike share to the SMART corridor to facilitate needed first/last mile connections, to support multiple jurisdictions, and leverage existing knowledge of site opportunities to provide an efficient timeframe for implementation. The working group expressed openness to scooters as a supplement to bike share but discouraged pursuing scooter share exclusively as not to limit access for those that may prefer bikes rather than scooters.

Based on these discussions, the continued availability of the MTC grant, and what appears to be some stabilizing in the industry, staff recommends issuing a request for proposals to procure a contractor to implement the bike share program.

## **FISCAL CONSIDERATION**

The grant funding for the program comes from MTC with an in-kind staff time contribution from SCTA and TAM for the local match. No funding from the grant has been spent to date.

## **NEXT STEPS**

TAM staff plans to work closely with SCTA, MTC, and local agency partners to collaborate on the procurement process with the release of the upcoming Bike Share Program Request for Proposals. Staff would return to the Board for approval of contracts or agreements that result from the procurement process.

## **ATTACHMENTS**

Attachment A – Bike Share Program Presentation



Item 8 - Attachment A

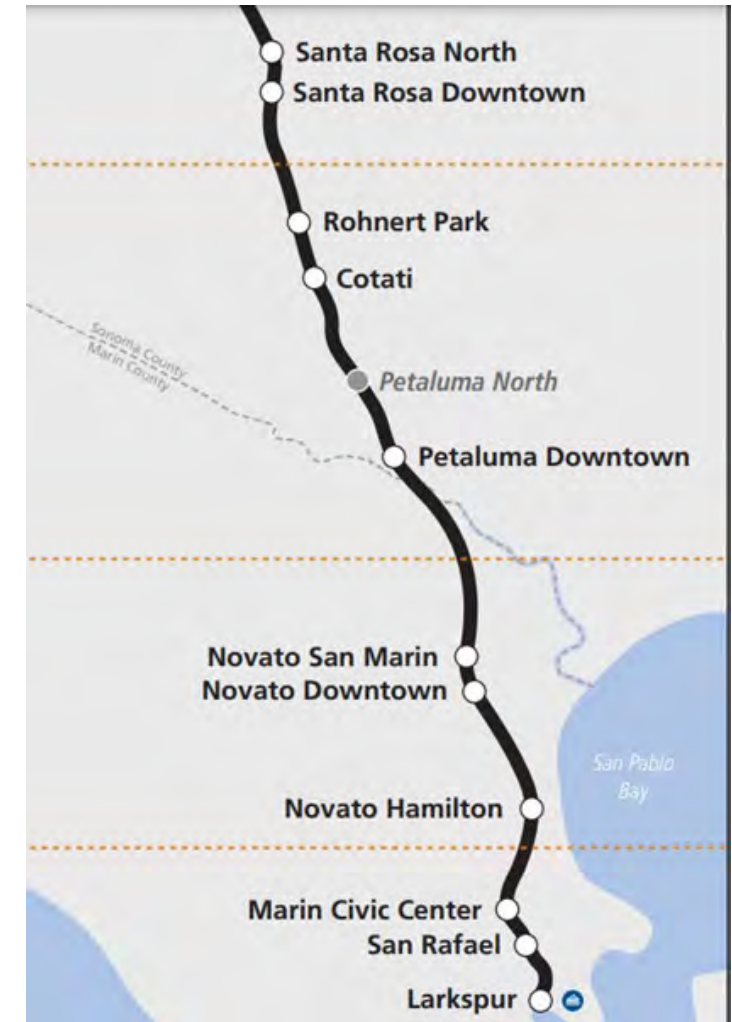
# Bike Share Pilot Program Request for Proposals - Process Update

Transportation Authority of Marin  
Funding, Programs & Legislation Executive Committee

January 9, 2023

# Program Overview

- Grant from MTC with \$826,000 for a bike share program connecting to SMART in Marin and Sonoma counties
- Joint Program with TAM and Sonoma (SCTA) oversight – with SCTA as funding/contract administrator for grant
- Bike Share Working Group with TAM, SCTA, MTC, SMART, Golden Gate Bridge Highway and Transportation District, Santa Rosa, Rohnert Park, Cotati, Petaluma, Novato, San Rafael, Larkspur
- Former contract with Bolt Mobility – terminated October 2022
- No funding from the grant has been spent to date



# Activity Since July 2022

- Bolt Mobility issued a statement about ceasing operations in August
- SCTA issued notice to Bolt Mobility to terminate the contract for cause with 60-day cure period in August, with no response by October thus terminating the contact
- Vendors interested in operating the program have contacted SCTA/TAM
- SCTA/TAM held discussions with MTC and the Bike Share Working Group to explore options for use of grant funding
- Bike Share Working Group expressed support for an RFP to continue pursuing a bike share program focused on transit connections along the SMART corridor

# Alternatives Considered by the Bike Share Working Group

- Following the termination of Bolt Mobility's contract, the Bike Share Working Group evaluated these alternatives:
  - E-bike Library - bike loans for people considering purchasing e-bikes
  - Community Bike Rental Program - not focused on transit connections
  - Scooter Share Program - similar to bike share but using only scooters rather than bikes
  - Consumer E-bike Incentives
- The Bike Share Working Group recommended SCTA/TAM rebid the bike share program maintaining a focus on first/last mile connections, supporting multiple jurisdictions, and leveraging existing knowledge of site opportunities
- MTC as grantor is supportive of this course of action



# Next Steps

---

- Issue Request for Proposals
- Evaluate Proposals
- Establish Bike Share Program Vendor Contract
- Implement Program

# Questions and Feedback

---

Thank you!