



TRANSPORTATION AUTHORITY OF MARIN BOARD OF COMMISSIONERS MEETING

FEBRUARY 23, 2023
6:00 P.M.

Zoom

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

Webinar ID: 881 5544 9529

Passcode: 389590

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As allowed by Assembly Bill 361, until further notice, the TAM Board will not be providing an in-person meeting location for the public to attend. The Board will meet via Zoom and members of the public are encouraged to participate remotely as described below. Note: this meeting will not be webcast on Granicus.

Belvedere
Nancy Kemnitzer

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Passcode: 389590

Corte Madera
Pat Ravasio

Fairfax
Chance Cutrano

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

Larkspur
Kevin Carroll

How to provide comment on agenda items:

Mill Valley
Urban Carmel

- Before the meeting: Please email your comments to jdoucette@tam.ca.gov, no later than 5:00 p.m. Wednesday, February 22, 2023, to facilitate timely distribution to Board members. Please include the agenda item number you are addressing and your name and address. Your comments will be forwarded to the TAM Board members and will be placed into the public record.

Novato
TBD

Ross
P. Beach Kuhl

- During the meeting: Your meeting-related comments may be sent to info@tam.ca.gov, and will be read (3 minutes limit per comment) when the specific agenda item is considered by the Board. Your comment will also become part of the public record.

San Anselmo
Brian Colbert

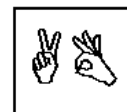
San Rafael
Kate Colin

- 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.

Sausalito
Melissa Blaustein

Tiburon
Alice Fredericks

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



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

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

AGENDA

1. Chair's Report (Discussion)
2. Commissioner Matters Not on the Agenda (Discussion)
3. Commissioner Reports (Discussion)
 - a. MTC Report – Commissioner Moulton-Peters
 - b. Marin Transit Report – Commissioner Rice
 - c. SMART Report – Commissioner Lucan
4. Executive Director's Report (Discussion)
5. 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.)
6. **CONSENT CALENDAR (Action) – Attachments**
 - a. Approve TAM Board Meeting Minutes January 26, 2023
 - b. Adopt TAM Resolution No. 2023-04 in Compliance with AB 361
 - c. Review of the Semi-Annual Project Status Report
 - d. Adoption of Amended Measure B Expenditure Plan
 - e. Programming Commitment for Cycle 5 Local Partnership Program Formula Funds
 - f. Contract Amendment with BKF Engineers to Complete Design and Support on the Richmond-San Rafael Bridge Approach Improvements
 - g. Allocate Measure AA Funds to Novato for the Novato Boulevard Segment 1 Rehabilitation Project
7. Accept Marin Transit's 2023-2028 Short Range Transit Plan (Action) – **Attachment**
8. Review and Approve the FY2021-22 COC/2022 TAM Annual Report (Action) – **Attachment**
9. Return to In-Person Meetings in Compliance with AB 2449 (Action) – **Attachment**
10. Presentation on the Project Development Process (Discussion) – **Attachment**



MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
BOARD OF COMMISSIONERS

JANUARY 26, 2023
6:00 PM

Virtual Meeting

MEETING MINUTES

Members Present: Alice Fredericks, Tiburon Town Council
Beach Kuhl, Ross Town Council
Brian Colbert, San Anselmo Town Council, TAM Vice-Chair
Chance Cutrano, Fairfax Town Council
Dennis Rodoni, Marin County Board of Supervisors
Eric Lucan, Marin County Board of Supervisors
Kate Colin, San Rafael City Council
Katie Rice, Marin County Board of Supervisors
Kevin Carroll, Larkspur City Council
Mary Sackett, Marin County Board of Supervisors
Melissa Blaustein, Sausalito City Council
Nancy Kemnitzer, Belvedere City Council
Pat Eklund, Novato City Council
Pat Ravasio, Corte Madera Town Council
Stephanie Moulton-Peters, Marin County Board of Supervisors, TAM Chair
Urban Carmel, Mill Valley City Council

Members Absent: None

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

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

Chair Moulton-Peters welcomed everyone to the meeting and Executive Director (ED) Anne Richman issued oaths of office to Kevin Carroll as the new Commissioner representing the City of Larkspur and Pat Ravasio as the new Commissioner representing the Town of Corte Madera.

Chair Moulton-Peters asked Executive Assistant/Clerk of the Board Jennifer Doucette to conduct a roll call to ensure a quorum. A quorum of the Board was confirmed and detailed information about how the public may participate was provided.

1. Adopt TAM Resolution No. 2023-02 in Compliance with AB 361 (Action)

Commissioner Rodoni moved to adopt TAM Resolution No. 2023-02 for compliance with AB 361, which was seconded by Commissioner Lucan. A roll call vote was conducted, and the motion passed unanimously.

2. Annual Selection of TAM Chair and Vice-Chair (Action)

On the matter of the annual selection of the TAM Chair and Vice-Chair, Commissioner Colin nominated and moved Vice-Chair Colbert for the position of Chair, and Commissioner Lucan for the position of Vice-Chair, which was seconded by Commissioner Carmel. A roll call vote was conducted, and the motion passed unanimously.

Chair Moulton-Peters congratulated Vice-Chair Colbert and transferred to him the duties of the Chair.

Chair Colbert thanked Commissioner Moulton-Peters for her service as the TAM Board Chair and expressed his gratitude for the time and support provided by ED Richman and TAM staff.

3. Chair's Report

Chair Colbert announced the appointment of Commissioner Stephanie Moulton-Peters to the State Route (SR) 37 Policy Committee and confirmed that Commissioner Lucan will continue as a SR 37 Policy Committee member in his new position as County Supervisor. He noted that there is still one vacancy for Marin, which will be filled at a later date.

Chair Colbert also announced that Commissioners Colin, Colbert, Lucan, and Carmel will serve on the Safe Routes to Schools (SR2S) Ad-Hoc Committee; and Commissioners Colbert, Cutrano, Lucan, and Rodoni will serve on the Alternative Fuels & Electric Vehicle (AFEV) Ad-Hoc Committee. Other ad-hoc committee membership updates may be announced in the coming months.

4. Commissioner Matters Not on the Agenda (Discussion)

Commissioner Carmel reported that the City of Mill Valley drafted an ordinance to address electric bike (e-bike) safety. Commissioner Carmel explained that the ordinance sets safety parameters for the usage of e-bikes and seeks to educate users; and commented that a countywide adoption of a similar ordinance would create consistent guidelines across neighboring jurisdictions.

5. Commissioner Reports (Discussion)

a. MTC Report – ED Richman

ED Richman will continue to provide the MTC report until a new appointment is made by the Marin County Board of Supervisors.

ED Richman reported that the Metropolitan Transportation Commission (MTC) nominating committee announced the nominations of current MTC Chair Alfredo Pedroza and current MTC Vice-Chair Nick Josefowitz for additional two-year terms in their respective roles. The vote will occur in February 2023 after the anticipated announcement of an interim or final successor to fill the role vacated by ED Therese McMillan upon her retirement at the end of January 2023.

ED Richman also reported that MTC sister agency the Bay Area Housing Finance Authority (BAHFA) was created in 2019 with the same governing board as MTC. BAHFA is preparing for the possibility of a regional housing bond for affordable housing and will develop an outreach plan to local elected officials this year and finalize the BAHFA Business Plan. MTC staff is also beginning preliminary work toward a future regional transportation ballot measure. This would likely not be proposed in the same election as the regional housing ballot measure – housing will be given priority over transportation. MTC staff proposed returning later this spring with information from a poll and proposed goals for a regional transportation ballot measure for discussion.

ED Richman further reported that MTC provided a list of Bay Area transportation earmarks that were incorporated into the final federal appropriations bill. The largest Bay Area earmark was \$10 million for Caltrain electrification. Two earmarks were identified for Marin-related agencies: \$1.8 million for the design of the Sonoma-Marin Area Rail Transit (SMART) extension to Healdsburg; and \$2 million for the MCE (formerly Marin Clean Energy) electric charger program expansion. MTC also approved funding agreements with the California Department of Transportation (Caltrans) and the Sonoma County Transportation Authority (SCTA) to advance the SR 37 Sears Point to Mare Island Improvement Project.

ED Richman reported that MTC approved the staff recommendations for Cycle 3 of the One Bay Area Grant (OBAG) county program, and the regional Active Transportation Program (ATP). These two programs totaled \$483 million for projects throughout the Bay Area, and almost \$20 million for Marin.

Lastly, ED Richman reported that MTC staff provided an overview of the Regional Network Manager Framework, a proposal to better integrate certain aspects of transit across multiple Bay Area transit operators. The proposal will focus on six key areas and would create a new MTC Committee structure to support and guide the work. The framework is expected to return to MTC for consideration of approval in February.

b. Marin Transit Report – Commissioner Rice

Commissioner Rice reported that Marin Transit (MT) ridership is at 85% of pre-pandemic levels, encompassing approximately 4,000 trips per day.

Commissioner Rice also reported that MT piloted three fare promotions over the past year-and-a-half and recently evaluated each of them to determine if they should be continued in the future. Based on the evaluation results, free fares for youth during the summer will be continued in 2023. This program allows youth ages 5 to 18 to ride MT buses for free for eight weeks during the summer by showing a student identification or proof of age. The intent is to encourage higher youth ridership during the summer when ridership tends to be lower. A second fare promotion offered three free monthly transit passes to families of low-income students. While the evaluation results indicate that the program may have attracted new riders, it did require significant staff time to administer. MT staff is exploring options for offering a similar promotion, including refinements to streamline program administration. Overall, the evaluation found that the fare programs had a larger impact on equity than ridership. MT staff will also conduct a comprehensive fare evaluation this year in anticipation of changes to the Clipper Card that will allow more options for fare types and discounts.

Lastly, Commissioner Rice reported that MT is considering changes to route alignments and schedules with the overall goal of improving service reliability. The planned changes would go into effect in June 2023. Due to labor shortages, the number of missed trips has increased over the past few months, and traffic volumes have returned to pre-COVID levels, further impacting on-time performance. Additionally, changes in the Golden Gate Transit regional bus service have created the need for improvements in local bus service. The proposed service changes are intended to address these issues. Further details on the service changes will be presented at the February 6 MT Board meeting.

c. SMART Report – Commissioner Lucan

Commissioner Lucan reported that the recent update on Regional Measure (RM) 3 was well received by SMART; and that Supervisor Mary Sackett and Larkspur Mayor Gabe Paulsen have been appointed to the SMART Board.

Commissioner Lucan also reported that ridership continues to approach pre-pandemic levels; and that the SMART Board approved a design contract for the Petaluma North station.

6. Executive Director's Report (Discussion)

ED Richman reported that the California Supreme Court's action to dismiss and remand the RM 3 legal challenge is anticipated to clear the way for funding for projects and programs receiving RM 3 funds; Marin Commutes has launched a New Year Commute Challenge; the SR 37 Planning and Environmental Linkages Study (PEL) is now available; and that Caltrans announced the 2023-2024 Sustainable Transportation Planning Grant Application Guide and Call for Applications.

ED Richman also reported that the Federal Highway Administration (FHWA) awarded \$400 million to the Golden Gate Bridge, Highway and Transportation District (District) for the Golden Gate Bridge seismic retrofit; and that the Departments of Energy, Transportation, Housing and Urban Development, and the Environmental Protection Agency have developed a U.S. National Blueprint for Transportation Decarbonization.

Lastly, ED Richman introduced TAM's new Associate Transportation Planner Mikaela Hiatt who will be supporting the Planning team in the areas of Sea Level Rise, Equity, and Alternative Fuels/EVs; and called attention to this month's Caltrans report.

Commissioner Sackett commented that she will be participating in the New Year Commute Challenge and encouraged all Commissioners to join her.

7. Open Time for Public Expression

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

Marin County Bicycle Coalition (MCBC) Policy and Planning Director Warren Wells welcomed the new Commissioners and congratulated TAM staff on the OBAG 3 and Regional ATP Cycle 6 recommendations. Mr. Wells commented that MCBC is in the process of developing an e-bike safety curriculum; and expressed concern that a prohibition on e-bike passengers may not be lawful. Lastly, Mr. Wells expressed concern about recent accidents involving bicyclists and automobiles and commented on the important role TAM plays in providing a safe transportation system throughout the County.

WTB-TAM Director of Planning Matthew Hartzell welcomed the new Commissioners and expressed support for the reprogramming of funds to Larkspur's Old Redwood Highway Multi-Use Pathway. Mr. Hartzell also commented that the southern segment of the North-South Greenway Gap Closure project may be eligible for a competitive grant program for Bay Trail projects that will be funded through RM 3.

8. CONSENT CALENDAR (Action)

- a. Approve TAM Board Meeting Minutes December 15, 2022
- b. Review and Accept the FY2022-23 Second Quarter Financial Report
- c. Funding Agreements with the California Department of Transportation and County of Marin for Marin City Flood Mitigation Projects

Commissioner Cutrano made the motion to approve the Consent Calendar, which was seconded by Commissioner Colin. Chair Colbert opened the item to public comment and hearing none, a roll call vote was conducted. Item 8a passed with 14 ayes and 2 abstentions: Commissioners Blaustein, Carmel, Colbert, Colin, Cutrano, Fredericks, Kemnitzer, Kuhl, Lucan, Moulton-Peters, Ravasio, Rice, Rodoni, and Sackett voted aye, and Commissioners Carroll and Eklund abstained. Items 8b and 8c passed unanimously.

9. Adoption of Amended Measure B Expenditure Plan

a. Public Hearing on the Draft Amended Measure B Expenditure Plan

Cool the Earth Board Chair Lawrie Mott commented that funds from Measure B Element 3.3 could be used by local jurisdictions as funding matches for state and federal funding programs for electric vehicle (EV) infrastructure.

b. Adoption of Amended Measure B Expenditure Plan (Action)

ED Richman presented this item, which recommends that the TAM Board reviews and adopts the Amended Measure B Expenditure Plan on the condition that no additional comments that require substantive changes come in between January 26 and January 29, the completion of the 45-day public comment.

ED Richman reported that the review process started in March 2022, with meetings at the TAM Board, the Funding, Programs & Legislation (FP&L) Executive Committee and the Citizens' Oversight Committee (COC), as well as public outreach and extensive discussions with local jurisdictions and MT. A detailed staff report was provided at the December 2022 Board meeting, including background on the Measure B Expenditure Plan, revenues, the review process and feedback received; and the Board approved opening a 45-day public review period. TAM received three comment letters, which have been sent to the Board and posted on the TAM website.

ED Richman provided background information for the Measure B Expenditure Plan; an overview of the current Expenditure Plan; and 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.

ED Richman also 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 a component of TAM's Equity Statement and Action Plan review and development process.

ED Richman further 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 adopted; and lastly, ED Richman outlined the Board action and next steps.

Commissioner Blaustein thanked ED Richman and TAM staff for the extensive time and effort provided throughout the review process and inquired about updates to the Board in lieu of shortening the 10-year review requirement.

In response to Commissioner Eklund, ED Richman explained that the sub-elements of Element 3 do not have a fixed percentage funding share. ED Richman also explained that in addition to the funds in Element 3.1, the Crossing Guard program also receives funds through Measure AA. ED Richman added that TAM staff is conducting the periodic review and analysis of crossing guard locations, which will be presented to the TAM Board in the spring.

In response to Commissioner Rice, ED Richman explained that the language in the Expenditure Plan specifies a review at least every 10 years, and that should significant events or changes occur, the TAM Board has the ability to review and amend the Plan more frequently.

ED Richman further explained that the recommendation to not set funding shares or carryover restrictions for the sub-elements of Element 3 through the Expenditure Plan process allows the Board the discretion to direct those funding amounts through the Budget or Strategic Plan processes. This recommendation allows for flexibility as the needs of each sub-element change over time.

Chair Colbert expressed support for a transportation workshop for the Board to assess TAM's role in the EV funding landscape.

In response to Commissioner Moulton-Peters, ED Richman explained that the annual revenue from Measure B is approximately \$2.3 million. Commissioner Moulton-Peters expressed support for maintaining flexibility within the Measure B Expenditure Plan.

Commissioner Cutrano commented that in addition to reviewing and directing funds in any given year through the budget process, the Board will also receive element/sub-element updates from TAM staff.

Commissioner Rodoni expressed concern about the process of adopting the Amended Measure B Expenditure Plan before the close of the public-comment period on January 29, 2023, and inquired if it would be appropriate to move this item to a future Board meeting.

ED Richman explained that it is the Board's discretion as to whether or not to take action this evening; and cautioned that moving this item to the spring will delay the start of the Strategic Plan process and the development of the list of projects covered in Element 1.1.

In response to Chair Colbert, ED Richman explained that TAM staff presented the proposed process and time line for the review of the Measure B Expenditure Plan to the TAM Board in March 2022; and held public meetings through the COC in May, June, July and October of 2023. TAM staff returned to the FP&L Executive Committee in November 2022, and the TAM Board in December 2022. Throughout the process, TAM staff worked with the Marin Public Works Association (MPWA) and transit staff; sent formal letters to all city and town managers and MT informing them of the opening of the public-comment period; conducted public outreach; and provided up-to-date information on the TAM website.

Commissioner Lucan inquired if it would be appropriate to move this item to the February consent calendar. ED Richman explained that it might be unusual for this item to be on consent but that perhaps it could be placed on the regular agenda with an abbreviated staff memo.

Commissioner Eklund expressed concern about taking an action before the close of the public-comment period and expressed support for moving this item to the February Board meeting.

In response to Commissioner Fredericks, ED Richman explained that the development of the Strategic Plan and potential project list for Element 1.1 will need to wait until the adoption of the Amended Measure B Expenditure Plan.

Chair Colbert expressed support for moving this item to the consent calendar in February.

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

Mr. Wells thanked TAM staff and expressed support for the proposed amendments.

Ms. Mott expressed support for the Board to wait until the close of the public-comment period before taking action.

Commissioner Colin expressed support for a conditional adoption of the Amended Measure B Expenditure Plan tonight, whereby public comments received after this meeting, but before the end of the public comment period that result in minor revisions will be incorporated into the final adopted Amended Measure B Expenditure Plan; and that TAM staff will return the Amended Measure B Expenditure Plan to the TAM Board for additional approvals if comments that require substantive changes are received before the end of the public comment period.

Commissioner Carroll expressed concern about taking action before the close of the public-comment period.

Commissioner Fredericks expressed support for a conditional adoption of the Amended Measure B Expenditure Plan tonight, as outlined by Commissioner Colin.

Commissioner Cutrano expressed support for a conditional adoption of the Amended Measure B Expenditure Plan tonight, as outlined by Commissioner Colin.

Commissioner Eklund moved to place this item on the consent calendar in February, unless substantive comments are received before the end of the public-comment period, whereby this item would become a regular agenda item for discussion and action, and accepted Commissioner Moulton-Peters' modification of the motion to authorize TAM staff to proceed with planning, which was seconded by Commissioner Rice. A roll call vote was conducted, and the motion passed unanimously.

10. Adopt the 2023 Legislative Platform (Action)

ED Richman introduced Legislation Consultant Gus Khouri of Khouri Consulting to present the proposed 2023 State Legislative Platform, which was reviewed by the FP&L Executive Committee at its January 9 meeting and referred to the TAM Board for approval.

Mr. Khouri reported on Governor Newsom's budget proposal for FY2023-24, which reflects a funding shortfall after historic surplus amounts in prior budget years. Mr. Khouri also reported that because the transportation sector mostly relies on revenue generated by the gas tax and vehicle registration fees, it is often insulated from general fund budget deficits.

Mr. Khouri reported on TAM's proposed 2023 State Legislative Platform, highlighting goals including acquiring state funding for TAM's priority projects; addressing mobility and meeting state climate change mandates; leveraging regional partnerships; enhancing multi-modal options; seeking efficiencies; and pursuing federal opportunities.

In response to Commissioner Lucan, Mr. Khouri indicated that SMART can be added as a named transit agency under section 4.2 of the 2023 State Legislative Platform.

In response to Commissioner Eklund, Mr. Khouri explained that after the adoption of the Legislative Platform, TAM staff will return to the Board as bills of interest are introduced throughout the Spring and into the Summer, to discuss and take action on positions, which would be the appropriate time to discuss Assembly Bill (AB) 99.

In response to Commissioner Ravasio's inquiry regarding a carbon tax, Mr. Khouri explained that there has been discussion within the Legislature of expanding the cap and trade program beyond 2030, and the possibility of using the 40% discretionary cap and trade revenue to augment programs such as the Active Transportation Program (ATP).

Chair Colbert asked if any members of the public wished to speak or had sent an e-comment, and hearing none, asked for further Commissioner comments.

Commissioner Cutrano expressed support for the inclusion of language in the platform to monitor upcoming funding opportunities for land use and transportation planning integration.

Commissioner Fredericks moved to adopt the 2023 State Legislative Platform, with the addition of SMART as a named agency in section 4.2, which was seconded by Commissioner Lucan. A roll call vote was conducted, and the motion passed unanimously.

11. De-Program and Re-Program Cycle 3 Local Partnership Program Formula Funds (Action)

Director of Legislation and Programming David Chan presented this item, which recommends that the TAM Board reviews and approves deprogramming \$1.756 million in Local Partnership Program (LPP) Formula funds from the Bellam Boulevard Off-Ramp Project and reprogramming \$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.

Mr. Chan provided an overview of the Senate Bill (SB) 1 LPP funding, including background and prior programming action. Mr. Chan also reported on the current proposal to reprogram funds, including project consideration and funding details for the Bellam Boulevard Off-Ramp Project, Larkspur's Old Redwood Highway Multi-Use Pathway, and San Rafael's Grand Avenue Class IV Cycle Track Project.

Mr. Chan further reported that the FP&L Executive Committee reviewed the recommendations for LPP funding at its January 9 meeting, supported staff's recommendations, and voted unanimously to refer the item to the TAM Board for approval.

Lastly, Mr. Chan reported that TAM staff will provide an update on the entirety of the North-South Greenway Gap Closure Project in Spring 2023; and outlined the next steps upon approval from the TAM Board.

In response to Commissioner Carroll, City of Larkspur Public Works Director Julian Skinner explained that the Old Redwood Highway Multi-Use Pathway is the second and final phase of the northern segment of the North-South Greenway, and that the planning and public outreach process occurred approximately 5-7 years ago. Mr. Skinner also explained that the construction of the final phase of the northern segment could not be started until the first phase of the segment over the Corte Madera Creek was completed, which recently occurred. Mr. Skinner further explained that the scope of work for the Old Redwood Highway Multi-Use Pathway project was finalized when the federal funds were awarded.

Commissioner Carroll commented on the importance of community public outreach.

Chair Colbert asked if any members of the public wished to speak or had submitted a comment by e-mail, and hearing none, asked for further Commissioner comments.

Commissioner Colin expressed her support for the reprogramming of funds in order to keep transportation funding within the County and keep project timelines on track.

Commissioner Carmel moved to approve the deprogramming of \$1.756 million LPP Formula funds from the Bellam Boulevard Off-Ramp Project and the reprogramming \$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, which was seconded by Commissioner Colin. A roll call vote was conducted, and the motion passed unanimously.

12. MTC's Funding Recommendations for OBAG & ATP Projects (Discussion)

ED Richman reported that at its January 25 meeting, MTC unanimously approved the One Bay Area Grant Cycle 3 (OBAG 3) and Regional ATP Cycle 6 recommendations, which combined, total approximately \$20 million in funding to 11 projects throughout Marin County.

ED Richman also reported that the City of San Rafael's Southeast (SE) San Rafael/Canal Area Priority Development Area (PDA) Study was the top-ranked OBAG project in the region; and that the SE San Rafael/Canal Area PDA Study, Marin Transit's Transit Corridor Improvements, and North San Rafael/Northgate Area PDA Study were among the top 10 ranked in the region.

Lastly, ED Richman reported that TAM staff will continue to work with partners to seek funding for priority projects.

Chair Colbert asked if any members of the public wished to speak or had submitted a comment by e-mail, and hearing none, asked for further Commissioner comments.

Commissioner Colin thanked staff for the excellent work and engagement with the departments of public works throughout the application process; and commented that these studies and projects will directly benefit underserved communities.

Chair Colbert commended staff for the great work that serves as a tangible advancement towards equity.

The meeting was adjourned at 8:09 p.m.

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DATE: February 23, 2023

TO: Transportation Authority of Marin Board of Commissioners

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

SUBJECT: Adopt TAM Resolution No. 2023-04 in Compliance with AB 361 (Action), Agenda Item No. 6b

RECOMMENDATION

The Board adopts TAM Resolution No. 2023-04 as shown in Attachment A and allows all TAM public meetings subject to the Ralph M. Brown Act to be conducted remotely in compliance with Assembly Bill (AB) 361 and Government Code Section 54953(e)(2), until the State of Emergency order expires, in order to ensure the health and safety of the public while providing access to public meetings.

BACKGROUND

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

DISCUSSION

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

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

While the state proclamation of emergency remains in place, TAM Resolution No. 2023-04 would provide TAM with the option to use video and/or teleconferencing for all public meetings held by the Board, Executive Committees, and Citizens' Oversight Committee (COC) until the expiration of the State of Emergency, anticipated on February 28, 2023, or 30 days from the date of approval of TAM Resolution No. 2023-04, which is March 25, 2023, whichever occurs sooner.

FISCAL IMPACTS

There are no direct fiscal impacts with the adoption of TAM Resolution No. 2023-04.

NEXT STEPS

Given the anticipated expiration of the State of Emergency effective February 28, 2023, staff expects to transition back to in-person or hybrid meetings in accordance with that date and will keep the Board and public apprised of the implementation plan (see item 9 on this agenda).

ATTACHMENTS

Attachment A – TAM Resolution No. 2023-04

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

TAM RESOLUTION NO. 2023-04**RESOLUTION OF THE TRANSPORTATION AUTHORITY OF MARIN (TAM) MAKING FINDINGS THAT THE PROCLAIMED STATE OF EMERGENCY CONTINUES TO IMPACT THE ABILITY TO MEET SAFELY IN PERSON AND DECLARING THAT TAM WILL CONTINUE TO MEET REMOTELY IN ORDER TO ENSURE THE HEALTH AND SAFETY OF THE PUBLIC**

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

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

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, THE TAM BOARD RESOLVES AS FOLLOWS:

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

REGULARLY PASSED AND ADOPTED this 23rd day of February 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Brian Colbert, Chair
Transportation Authority of Marin

ATTEST:

Jennifer Doucette
Clerk of the Board



DEPARTMENT OF
HEALTH AND HUMAN SERVICES

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



Benita McLarin, FACHE
DIRECTOR

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San Rafael, CA 94903
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415 473 3344 TTY
www.marincounty.org/hhs

September 22, 2021

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

Re: Public Meetings/Social Distancing

Dear President Rodoni:

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

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

Respectfully,

Benita McLarin
Director, Health & Human Services

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

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DATE: February 23, 2023

TO: Transportation Authority of Marin Board of Commissioners

FROM: Anne Richman, Executive Director *Anne Richman*
Project Delivery Team

SUBJECT: Review of the Semi-Annual Project Status Report (Action), Agenda Item No. 6c

RECOMMENDATION

The Board reviews and accepts the February 2023 TAM Semi-Annual Project Status Report.

At its February 13, 2023 meeting, the Administration, Projects and Planning (AP&P) Executive Committee reviewed the Semi-Annual Project Status Report (covering September 2022 through January 2023) and voted unanimously to refer it to the Board for acceptance.

BACKGROUND

In order to provide up to date funding and expenditure information that can help the Board and the general public understand the overall status of the suite of projects that TAM manages, these project updates are presented approximately every six months. The intent of these updates is to provide the Board with a broad overview of projects directly managed by TAM, and to update and identify potential issues that may require future Board actions. As projects progress, they will require specific Board deliberations and actions, such as consultant contract amendments or acceptance of work products.

DISCUSSION/ANALYSIS

Project Status Report Highlights:

The Project Status Report covers key on-going projects that are active and those that are in the active planning phase.

Active Projects covers all projects that are in environmental, design or construction phases. These projects are well defined and, in most cases, fully funded. This report includes four active projects: (1) US 101 Marin-Sonoma Narrows – B7 and B8; (2) North-South Greenway Gap Closure Project – North Segment; (3) Improve Bellam Boulevard off-ramp from Northbound US 101; and (4) State Route 37.

Planning Projects covers emerging high-priority projects for which TAM is studying various options. These projects most likely will become active projects in the foreseeable future. The report includes three projects in the planning phase: (1) US 101/I-580 Multimodal and Local Access Improvement, (2) Studies of twelve Highway 101 Interchanges and Approaching Roadways, and (3) the US 101 Part-Time Transit Lane, which was recently included in an MTC staff recommendation for \$1.25M in funding for project development. One emerging and evolving Project concerning Marin City flooding was also mentioned during the Executive Committee presentation and came before the Board in January 2023. This project will be added to future Project Status Reports.

Of particular interest as it relates to project delivery is the latest news on Regional Measure 3 (RM3) funding. RM3 was passed by Bay Area voters in June 2018 authorizing incremental increases to Bay Area bridge tolls to fund significant transportation improvements and help solve some of the Bay Area's growing congestion problems. The measure is expected to generate up to \$4.45 billion to fund major transportation projects in the toll bridge corridors.

Funds from the toll increases are being placed into an escrow account managed by an independent trustee until a lawsuit brought against the increase is resolved. On January 25, 2023, the California Supreme Court dismissed and remanded the lawsuit to the appellate court. Agencies remain optimistic that the funds, currently held in escrow, will be permitted to flow to priority transportation projects supported by Bay Area voters. Marin-related projects and programs in RM3 include the following:

- Marin-Sonoma Narrows – \$120M
- US 101 to I-580 Multimodal and Local Access Improvement Project – \$135M (\$210M for overall Richmond-San Rafael Bridge approaches)
- State Route 37 Improvements – \$100M
- Downtown San Rafael Bettini Transit Center Relocation – \$30M
- SMART Windsor & Healdsburg Extension – \$40M
- North Bay Transit Access – \$100M
- SF Bay Trail/Safe Routes to Transit – \$150M

FISCAL IMPACTS

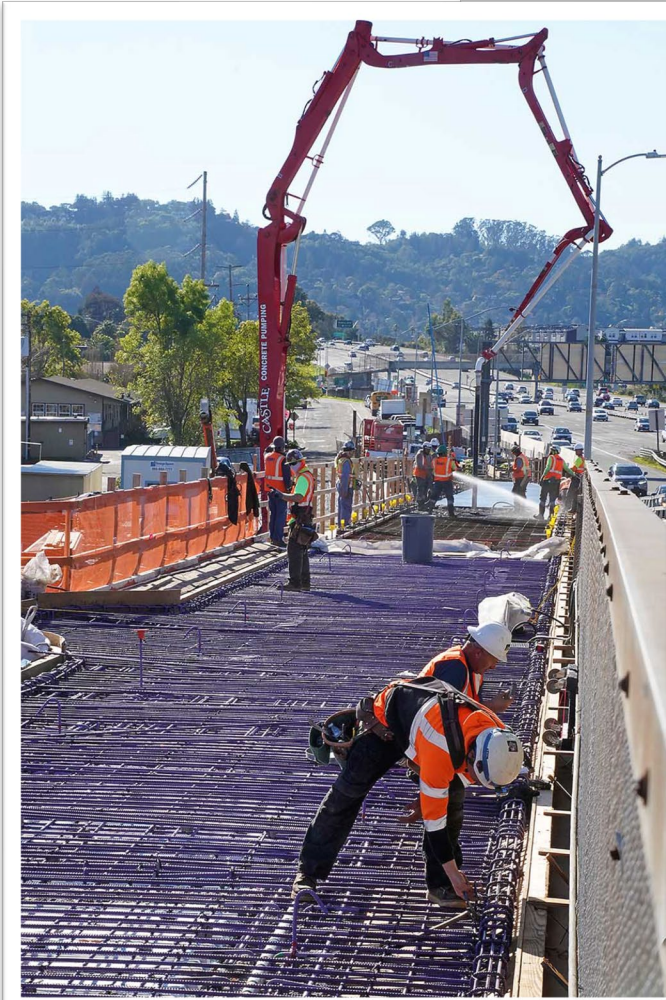
Not applicable.

NEXT STEPS

The next Project Status Report update will be provided in mid-2023.

ATTACHMENTS

Attachment A – February 2023 TAM Project Status Report



Transportation Authority of Marin

Project Status Report

February 2023

Project Status Report**February 2023****ON-GOING PROJECTS**

A. PROJECTS – ACTIVE

US 101 Marin-Sonoma Narrows Overview	1
US 101 Marin-Sonoma Narrows – B7 and B8	2
North-South Greenway Gap Closure Project – Northern Segment.....	4
North-South Greenway Gap Closure Project – Southern Segment.....	6
Improve Bellam Boulevard Off-Ramp from Northbound US 101	8

B. PROJECTS - PLANNING PHASE

US 101/I-580 Multimodal and Local Access Improvements	10
State Route 37	12
Studies for Twelve Highway 101 Interchanges and Approaching Roadway.....	14
Marin County US 101 Part-Time Transit Lane Study.....	16
Alternative Fuels Program.....	18

C. OTHER

Project Phase Definitions.....	20
Acronyms and Abbreviations.....	21

Project Status Report - Active

February 2023

Project: US 101 Marin-Sonoma Narrows Overview

Partners Caltrans, Sonoma County Transportation Authority and Transportation Authority of Marin
Jurisdiction(s) Novato, Petaluma

Scope

Widening of approximately 17 miles of US 101 from four to six lanes by adding HOV lanes in each direction; improving public transit and access to SMART rail network; installing continuous Class I and Class II bikeways between Novato and Petaluma; and constructing new interchanges and frontage roads to remove unsafe access from private properties and local roads.

Project will be completed through a series of phases based on operational priority and funding availability. As of the first quarter of 2023, all mainline HOV segments between Petaluma and Novato have been built or are under construction.

Status

- The final MSN HOV lane project in Marin County (MSN B7) commenced construction in July 2022.
- The HOV lane project through the City of Petaluma in (MSN C2) is nearing completion. It is the final mainline project in Sonoma County.
- Various non-mainline projects are still outstanding and will require funding.

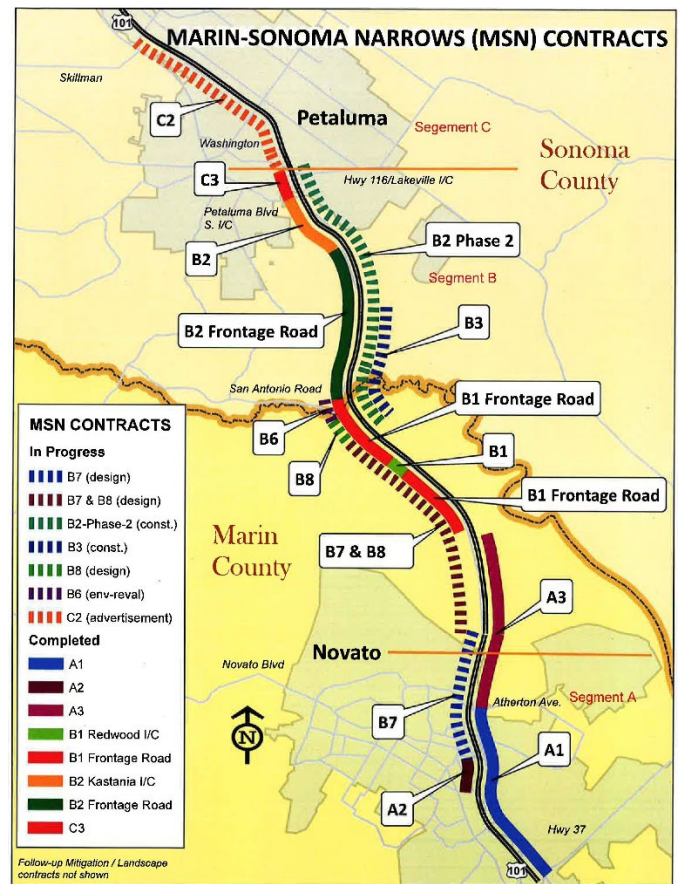
Issues/Areas of Concern

The MSN B7 project is fully funded with assistance from SB1 SCCP and MTC federal discretionary fund sources. The accompanying MSN B8 utility relocation project will likely encounter ROW acquisition challenges that will delay the project. Minor vegetation restoration projects and a local San Antonio Road bridge reconstruction project (MSN B6) still remain as part of the overall MSN corridor work.

MARIN-SONOMA NARROWS STATISTICS

Project length.....17 miles
 Avg. daily traffic – 2017.....153,000 vehicles
 Avg. daily truck traffic – 2013.....6,200 trucks
 Marin/Sonoma total populations.....258,000/495,000
 Vehicle hours of delay (at less than 35 mph).....978,400
 Funds programmed for MSN.....~\$720,819,000

Funds needed to complete MSN.....~ \$29,500,000



Major Phase Status

A1	Completed
A2	Completed
A3	Completed
B1 Phase I	Completed
B7 (Formerly B1-Phase II; See Fact Sheet)	In Progress
B2 Phase I	Completed
B2 Phase II	Completed
B3	Completed
B8 (Formerly A4 & B5; See Fact Sheet)	In Progress
B6	In Progress
C1	Completed
C2	In Progress
C3	Completed

Project Status Report - Active**February 2023****Project: US 101 Marin-Sonoma Narrows – B7 and B8****Partners** Caltrans, Sonoma County Transportation Authority and Transportation Authority of Marin**Jurisdiction(s)** Novato**Scope**

Construct a southbound HOV lane from 0.3 mile south of the Marin/Sonoma County line to just south of Franklin Avenue Overhead, and a northbound HOV lane from 1.7 miles north of Atherton Avenue Overcrossing to 0.3 mile south of the Marin/Sonoma County line, improving mobility for public transit and access to SMART rail system. Project includes bridge widening, interchange modifications, completing all HOV lanes in the NB and SB directions, standardizing shoulders, Class 2 bike lane construction and correcting the roadway alignment and vertical profiles, along with relocating remaining utilities.

Status

The project design is being funded with local, state and federal funds, with the HOV Lane design (MSN B7) completed in December 2020. Competitive SB1 Solutions for Congested Corridor Program (SCCP) funding was awarded to the B7 project, and MTC federal discretionary funds were approved in May 2021 to complete the full construction funding plan for B7 project. Construction started in July 2022. The MSN B8 design is on-going and will relocate major utility lines outside the Caltrans ROW and make improvements to a local county road.

Issues/Areas of Concern

- The project is an aggregate of three MSN projects, formerly called the B1 Phase 2, A4 and B5 projects. Due to the lengthy process with right-of-way (ROW) acquisition, the project was split into two concurrent paths: (1) design and construction of the HOV lanes (MSN B7) and (2) ROW acquisition and utility relocation (MSN B8).
- As construction for the MSN B7 enters its first winter, construction challenges and minor delays due to rains and sub-surface work must be managed effectively.
- The B8 project will face significant challenges with ROW acquisition and delay since some of the ROW needed is now occupied by a solar panel farm.

Updates from Previous Report

- B7 (HOV Lanes) is seven months into construction with some delays from heavy winter storms.
- Design support during construction will be augmented as construction progresses.

- MSN executive steering committee (ESC) was held in January to discuss the B8 utility relocation challenges.
- The validity of RM3 was upheld by the State Supreme Court in January 2023 with the case being remanded to the Appeals Court.

**Schedule**

Planning	N/A
Environmental Clearance	2009
Design	2019-2020
Right of Way and Utilities	2018-2023
Construction	2022-2025

Estimated Cost by Project Phase

Planning	N/A
Environmental Clearance	N/A
Design	\$8,300,000
Right of Way and Utilities	11,100,000
Construction	123,100,000
TOTAL	\$142,500,000

Funding by Source

STIP Right of Way Excess Fund	\$4,550,000
SB1-LPP	500,000
Measure AA Sales Tax	6,905,000
STP	2,000,000
SB1-SCCP	40,118,000
RM3, MTC Fed Discretionary & Other	88,427,000
TOTAL	\$142,500,000

Project Status Report - Active

February 2023

Project: US 101 Marin- Sonoma Narrows – B7 and B8

Contracts and Agreements Managed by TAM

Contract or Agreement No.	Amend No.	Open/ Closed	Agency/Consultant	Description	Appropriated Amount	Funding Source	Billed to Date	Percent Billed
C-FY18-12	7	Open	BKF Engineers	Design and Support Engineering Services and Construction Support	\$8,215,256	STIP ROW Fund & STP	\$7,626,787	93%
				TOTAL	\$8,215,256		\$7,626,787	93%

Project Status Report - Active

February 2023

Project: North-South Greenway Gap Closure Project – Northern Segment

Partners TAM, MTC, Caltrans and the City of Larkspur

Jurisdiction(s) Caltrans and the City of Larkspur

Scope

The Northern Segment of the North-South Greenway Gap Closure Project will close a key gap in the local and regional non-motorized transportation network between the Central Marin Ferry Connector bridge over Sir Francis Drake Boulevard and the pedestrian overcrossing of US 101 on Old Redwood Highway.

Status

- The new multi-use path over Corte Madera Creek is now open for public use (Phase 1 Caltrans segment).
- Final design is nearing completion for the portion of the project on Old Redwood Highway (Phase 2 City Segment).
- Obtaining Caltrans permits and funding approval.
- Construction scheduled for Summer 2023.

Issues/Areas of Concern

Staff has determined the path on Old Redwood Highway continuing south to the pedestrian overcrossing has a funding shortfall in the construction phase. The TAM Board approved use of state funds (LPP) to augment the funding plan. A request will be made to the California Transportation Commission to approve the LPP funds at an upcoming meeting.

Updates from Previous Report

- Financial expenditure information updated.
- Final close-out procedures for construction of the bridge/pathway crossing Corte Madera Creek continues.
- Added \$188,113 TDA for design and construction.
- Adding \$1.1M LPP formula funds, pending approval from the CTC.



Schedule

Planning	Complete
Environmental Clearance	Complete
Design	In Progress
Right of Way and Utilities	Complete
Construction	2021-2023

Estimated Cost by Project Phase

Planning	-
Environmental Clearance	\$1,800,000
Design	\$3,400,000
Right of Way and Utilities	-
Construction	\$15,4905,812
TOTAL	\$20,690,812

Funding by Source

RM2	\$15,000,000
CMAQ (Old Redwood Highway)	\$1,120,000
Measure A Interest Funds	\$1,225,000
SB1 LPP Incentive	\$1,500,000
LPP Formula	\$1,100,000
TDA	\$462,175
BAAQMD TFCA	\$283,637
TOTAL	\$20,690,812

Project Status Report - Active

February 2023

Project: North-South Greenway Gap Closure Project – Northern Segment

Contracts and Agreements Managed by TAM

Contract or Agreement No.	Amend No.	Open/ Closed	Agency/Consultant	Description	Appropriated Amount	Funding Source	Billed to Date	Percent Billed
C-FY15-08	9	Open	Moffatt & Nichol	Environmental, Plans, Specifications and Estimates, Construction Administration (PAED, PS&E) (CON Support)	\$4,550,000	RM2, Measure AA	\$3,986,253.75	90%
Cooperative Agreement with Caltrans	1	Open	Caltrans	Construction and Construction Support	\$13,200,233	RM2 TDA TFCA SB1 LPP	\$13,059,429	98%
				TOTAL	\$17,650,233		\$17,045,682.75	97%

Project Status Report - Active**February 2023****Project: North-South Greenway Gap Closure Project – Southern Segment (Larkspur & Corte Madera Segment)****Partners** MTC, SMART, the City of Larkspur and the Town of Corte Madera**Jurisdiction(s)** Larkspur, Corte Madera**Scope**

The Southern Segment of the North-South Greenway Gap Closure Project will close a key gap in the local and regional non-motorized transportation network between the southern terminus of the Northern Segment through a private easement (not yet secured) then along the Sonoma Marin Area Rail Transit (SMART) right-of-way south to Wornum Drive to connect to existing multi-use paths. The Gap Closure Project is being delivered in two segments, the Northern Segment and the Southern Segment. (Southern Segment shown in the adjacent graphic as red alignment.)

Status

- The use of the SMART right-of-way has been secured.
- The County of Marin Department of Public Works previously agreed to be the implementing agency for the initial alternative's alignment analysis phase. This work has been put on hold. TAM is the project sponsor.

Issues/Areas of Concern

- The Southern Segment requires acquisition of private right-of-way by means of easement.
- A MOU will be required between partners to identify roles and responsibilities.
- Project development has been suspended pending identification of future funding.

Updates from Previous Report

- No updates to report

**Schedule**

Planning	TBD
Environmental Clearance	TBD
Design	TBD
Right of Way and Utilities	TBD
Construction	TBD

Estimated Cost by Project Phase

Planning	\$500,000
Environmental Clearance	TBD
Design	TBD
Right of Way and Utilities	850,000
Construction	TBD
TOTAL	\$1,350,000

Funding by Source

RM2	\$1,350,000
TOTAL	\$1,350,000

Project Status Report – Active**February 2023****Project: North-South Greenway Gap Closure Project – Southern Segment****Contracts and Agreements Managed by TAM**

Contract or Agreement No.	Amend No.	Open/Closed	Agency/Consultant	Description	Appropriated Amount	Funding Source	Billed to Date	Percent Billed
A-FY14-22		Open	Marin County, Dept of Public Works	Project Management	\$1,350,000*	RM2	\$446,015	33%
A-FY14-21		Closed	SMART	Boundary Survey and Title Research	\$75,000	RM2	\$52,652	100%
A-FY18-18		Closed	SMART	Right-of-Way	\$850,000	RM2	\$850,000	100%
				TOTAL	\$2,275,000		\$1,348,667	59%

*A portion of this allocation re-directed to another project.

Project Status Report - Active**February 2023****Project: Improve Bellam Boulevard Off-Ramp from Northbound US 101****Partners** Caltrans, Transportation Authority of Marin, and City of San Rafael**Jurisdiction(s)** Caltrans and City of San Rafael**Scope**

Improve the Bellam Boulevard off-ramp from US 101 by creating additional storage. Traffic making a left turn at Bellam will be directed to the left lane, while traffic heading to I-580 or turning right on Bellam will stay in the right lane. Lane stripping will be modified near Bellam to reduce the lane changes required to make a right on Bellam if exiting from eastbound I-580.

The off-ramps are the only freeway access to the economically disadvantaged Canal Area.

Status

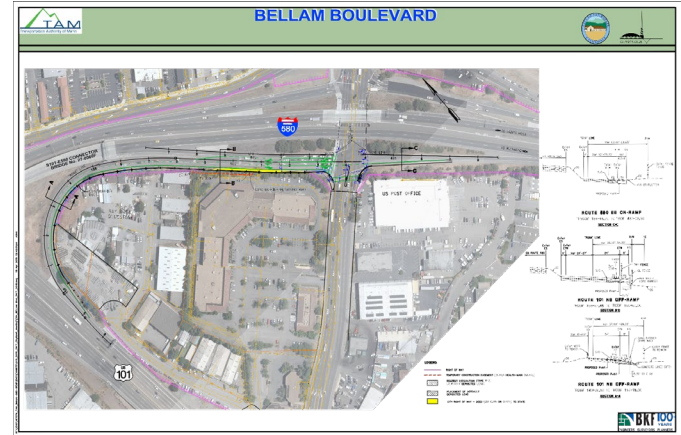
The CEQA document was recorded on August 15, 2018. Design approval from Caltrans is expected in Summer 2023. The Right of Way Agreement will be negotiated immediately following approval. The County of Marin has indicated that due to staffing shortages they may not be able to manage the construction. The Project has required a redesign and is short of funds to complete.

Issues/Area of Concern

The design changes along with the transfer of funds from this project to the Sir Francis Drake Flyover have left a funding shortfall of approximately \$3 to \$3.5 million. The Right of Way agreement with Marin Square has expired and will require new negotiations. Tree removal must occur during August to January.

Updates from Previous Report

TAM is seeking federal funds from the RAISE Program. Should these funds become available, the schedule and cost will need to be adjusted to meet federal funding requirements. The current funding reflects the recent approval of the TAM Board to shift current LPP funds to other Projects and to utilize LPP funds from the next cycle.

**Schedule**

Planning	Complete
Environmental Clearance	Complete
Design	Summer 2023
Right of Way and Utilities	Fall 2023
Construction (pending funding)	Begin Aug 2024

Estimated Cost by Project Phase

Planning	\$30,000
Environmental Clearance	90,000
Design	1,250,000
Right of Way and Utilities	700,000
Construction	6,100,000
TOTAL	\$8,170,000

Funding By Source

Measure A and AA Sales Tax	\$4,025,000
Local Partnership Program	1,164,000
TOTAL	\$5,189,000

Project Status Report – Active**February 2023****Project: Improve Bellam Boulevard Off-Ramp from Northbound US 101****Contracts and Agreements Managed by TAM**

Contract or Agreement No.	Amend No.	Open/ Closed	Agency/Consultant	Description	Appropriated Amount	Funding Source	Billed to Date	Percent Billed
C-FY17-02	3	Open	BKF Engineers	Complete design services including environmental.	\$1,176,325	Measure A/AA Sales Tax	\$961,432	82%
A-FY19-17		Closed	County of Marin	Agreement to manage construction including construction management*	\$63,888*	Measure A Sales Tax	\$63,888	100%
				TOTAL	\$1,240,213		\$982,820	79%

*This agreement has expired.

Project Status Report – Planning

February 2023

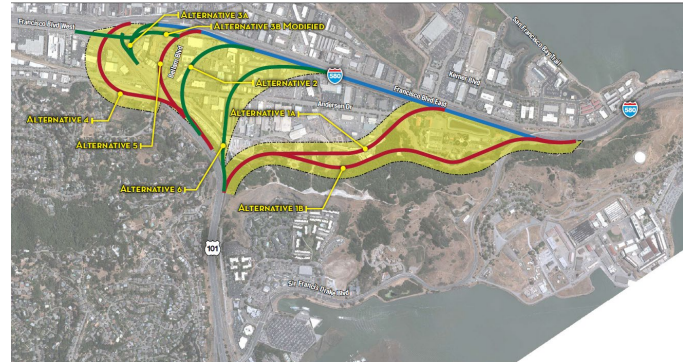
Project: US 101/I-580 Multimodal and Local Access Improvements

Partners Caltrans, Metropolitan Transportation Commission, Transportation Authority of Marin, City of San Rafael and City of Larkspur

Jurisdiction(s) Caltrans and City of San Rafael

Scope

Improve access from northbound US 101 to eastbound I-580 accessing the Richmond-San Rafael Bridge for travel eastbound toward Contra Costa County. Improve local circulation on Sir Francis Drake and Bellam Boulevards. The eastbound approach to the RSR Bridge is one of only two toll bridges in the Bay Area accessed by low speed local roads with traffic signals resulting in traffic delays on local roads and US 101.



Status

The draft Project Study Report (PSR) has been submitted to Caltrans and the first round of comments received.

Issues/Area of Concern

- Significant comments from Caltrans regarding: ramp metering, sea level rise, VMT, and design exceptions.
- Additional funding likely needed for construction.
- RM3 funds still in litigation, however, the CA Supreme Court just returned the case to the lower court.

Updates from Previous Report

- Numerous meetings with Caltrans to discuss PSR comments.
- Resolution of many major PSR comments has been deferred to the environmental stage.
- Meetings to coordinate outreach efforts with San Rafael.

Schedule

Planning	2020
Environmental Clearance	2026
Design	2028
Right of Way and Utilities	2030
Construction	2032

Estimated Cost by Project Phase

Planning	\$1,750,000
Environmental Clearance	3,500,000
Design	9,000,000
Right of Way and Utilities	8-30 M
Construction (depends on alternative)	170-270 M
TOTAL	\$192-315 M

Funding by Source

RM3	\$135,000,000
Measure A Sales Tax	100,000
Measure AA Sales Tax	16,900,000
TOTAL	\$151,600,000

Project Status Report – Active**February 2023****Project: US 101/I-580 Multimodal and Local Access Improvement Project****Contracts and Agreements Managed by TAM**

Contract or Agreement No.	Amend No.	Open/ Closed	Agency/Consultant	Description	Appropriated Amount	Funding Source	Billed to Date	Percent Billed
C-FY12-09	1	Closed	CSW/Stuber-Stroeh Engineering Group (Task Order 32)	Develop Alternatives, Cost Estimates, Graphic Rendering, Environmental Evaluation	\$102,000	Measure A Sales Tax	\$102,000	100%
C-FY20-01	1	Open	Kimley-Horn & Associates, Inc.	Project Approval and Environmental Document (PAED)	\$6,500,000	Measure AA Sales Tax	\$2,543,000	39%
C-FY20-02		Open	Fremier Enterprises Inc.	Project Management	\$400,000	Measure AA Sales Tax	\$214,247	54%
				TOTAL	\$7,002,000		\$2,859,247	41%

Project Status Report – Planning & Active

February 2023

Project: State Route 37

Partners Caltrans, Metropolitan Transportation Commission, and Transportation Authorities of Marin, Sonoma, Napa and Solano Counties

Jurisdiction(s) Marin County

Scope

State Route 37 is a key transportation corridor stretching from US 101 in Marin County to Interstate 80 in Solano County. Evaluation of the corridor has been assigned to a policy committee comprised of transportation authorities from Marin, Sonoma, Solano and Napa counties to address sea level rise, traffic congestion, transit options and recreational activities.

Status

MTC funded and completed a Corridor Plan in June 2018, prioritizing congestion relief in Segment B in Solano and Sonoma Counties. Segment A consists of Marin and portions of Sonoma County. Segment C is located in Solano County.

There are currently three key concurrent projects on the corridor: (1) Segment B interim improvements to relieve congestion led by MTC, (2) Segment A flood reduction project led by Caltrans and (3) Corridor-wide Planning-Environmental Linkage (PEL) study also led by Caltrans.

Issues/Area of Concern

A segment of the four-lane freeway, between US 101 and Atherton Avenue in Novato, had been closed due to the flooding of Novato Creek in January and February 2017, in February 2019, and recently in January 2023. Heavy congestion occurs in Segment B, where there is one lane in each direction. Since the corridor is 21-miles long, spanning four counties, the solutions to making the corridor resilient and reliable are complex and very costly.

Updates from Previous Report

The Caltrans' on-going environmental clearance (PA/ED) effort of interim projects in Segment A was revised at a second scoping meeting in December 2022 to modify the project limits and design horizon to year 2100. This Segment A1 (Marin County) PA/ED is anticipated to be completed by the third quarter of 2023. New state funding (\$20 million) was allocated to begin design work when ready.

MTC and Caltrans are planning to certify the final environmental document (FED) for the Sears Point to Mare Island project in Segment B during the first quarter of 2023

in coordination with a partnership agreement to be executed with regulatory agencies. Construction funding is being developed with start of construction sometime in 2024.

Caltrans has completed and published the corridor-wide PEL study which documents the preliminary consultation process with the regulatory agencies of all key issues present in the corridor to streamline future environmental clearance of the ultimate project.



Schedule – Segment A1

Planning	2018
Environmental Clearance	2023
Design	TBD
Right of Way and Utilities	TBD
Construction	TBD

Estimated Cost by Project Phase – Segment A1

Planning	TBD
Environmental	\$10,000,000
Design	\$20,000,000
Right of Way and Utilities	TBD
Construction	TBD
TOTAL	TBD

Funding by Source – Segment A1

City/County	
Caltrans SHOPP	\$10,000,000
State Earmark	\$20,000,000
TOTAL	\$30,000,000

Project Status Report – Planning & Active**February 2023****Project: State Route 37****Contracts and Agreements Managed by TAM**

Contract or Agreement No.	Amend No.	Open/Closed	Agency/Consultant	Description	Appropriated Amount	Funding Source	Billed to Date	Percent Billed
A-FY16-10		Closed	Solano Transportation Authority	Design Alternatives	\$40,000	City/County	\$40,000	100%
C-FY17-16	1	Closed	CSW/Stuber-Stroeh Engineering Group (Task Order 11)	Segment A - Improvement Concept Study	\$88,000	City/County	\$85,922	97%
A-FY19-10		Closed	NVTA, STA, SCTA and TAM	SR37 Travel Behavior Feasibility Study	\$11,765	City/County	\$11,765	100%
A-FY19-07		Closed	County of Marin	SR37 Adaptation Study	\$30,000	City/County	\$30,000	100%
				TOTAL	\$169,765		\$167,687	98%

Project Status Report – Planning

February 2023

Project: Studies for Twelve Highway 101 Interchanges and Approaching Roadways

Partners Caltrans, Marin County, Marin's Cities, Marin Transit, Golden Gate Transit

Jurisdiction(s) Marin County and Caltrans

Scope

The Measure AA Expenditure Plan includes a category that provides funding for studies of interchanges on Highway 101. The Studies will be used to develop multi-modal improvement concepts to Highway 101 interchanges and highway access routes to reduce congestion, improve connectivity, and improve local traffic operations.

The transportation sales tax funding will be used as "seed money" to prepare studies and reports that can support application for regional, state, and federal grants.

Status

The studies have been developed to outline existing conditions, define constraints, and present opportunities for potential improvements to the interchanges and local roadways.

An implementation plan was prepared based on the interchange studies and results from the prioritization plan. The approved recommendation was to advance three interchange locations to the next phase of project development using Caltrans procedures. The following interchanges will advance to the next phase of project development:

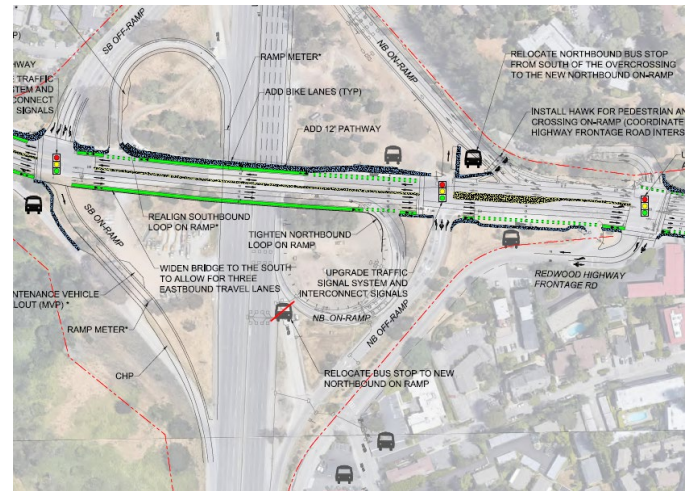
- East Blithedale/Tiburon Blvd (SR 131)
- Manual T. Freitas Parkway/Civic Center Drive
- Alameda Del Prado/Nave Drive

Issues/Area of Concern

None.

Updates from Previous Report

Work commenced on the preparation of the Project Initiation Document (PID). A kick-off meeting was held with TAM and Caltrans staff to define scope and schedule.



Schedule

Planning	2020-2022
Environmental Clearance	TBD
Design	TBD
Right of Way and Utilities	TBD
Construction	TBD

Estimated Cost by Project Phase

Planning	\$4,431,000
Environmental	TBD
Design	TBD
Right of Way and Utilities	TBD
Construction	TBD
TOTAL	\$4,431,000

Funding by Source

Measure AA Sales Tax	\$4,431,000
TOTAL	\$4,431,000

Project Status Report – Planning

February 2023

Project: **Studies for Twelve US 101 Interchanges and Approaching Roadways**

Contracts and Agreements Managed by TAM

Contract or Agreement No.	Amend No.	Open/ Closed	Agency/Consultant	Description	Appropriated Amount	Funding Source	Billed to Date	Percent Billed
C-FY20-09		Open	HNTB Corporation	Professional Engineering Services	\$4,431,000	Measure AA Sales Tax	\$1,844,362	42%
				TOTAL	\$4,431,000		\$1,844,362	42%

Project Status Report – Planning

February 2023

Project:	Marin County US 101 Part-Time Transit Lane Study
Partners	Caltrans, Marin County, Marin's Cities, Marin Transit, Golden Gate Transit
Jurisdiction(s)	Marin County and Caltrans

Scope

This project would provide part-time bus operations on the shoulder of southbound US 101 in Marin County between Novato and San Rafael. Bus on Shoulder, or Part-Time Transit Lane, is a proven concept to improve transit reliability and speed according to FHWA guidance, and a TAM feasibility study identified benefits to both Golden Gate Transit and Marin Transit Services. The conceptual design would allow for the operation of Transit buses in existing auxiliary lanes, on/off ramps, and shoulder lane with minor modifications to the striping and lane widths on the highway.

Status

TAM has completed a feasibility study and concept design, cost estimates and operational plans for the project among other items in October 2021. TAM is seeking funding for future phases.

Issues/Area of Concern

Performance measurements would be required for any pilot project, these would include safety measures, CHP enforcement, and other concerns raised during the feasibility study. Potential legislation is also being sought to clarify vehicle code and enforcement concerns.

Updates from Previous Report

The Feasibility study has been completed. Staff have recently been notified of an award of \$1.25M in funding for project development, and are applying for the remainder of design and construction costs from state grants.



Schedule

Planning	2021
Environmental Clearance	TBD
Design	TBD
Right of Way and Utilities	TBD
Construction	TBD

Estimated Cost by Project Phase

Planning	\$350,000
Environmental	\$1,600,000
Design	\$1,700,000
Right of Way and Utilities	TBD
Construction	\$6,200,000
TOTAL (FY \$2019)	\$9,850,000

Funding by Source

Caltrans Planning Grant	\$350,000
TOTAL	\$350,000

Project Status Report – Planning

February 2023

Project: Marin County US 101 Part-Time Transit Lane Study

Contracts and Agreements Managed by TAM

Contract or Agreement No.	Amend No.	Open/ Closed	Agency/Consultant	Description	Appropriated Amount	Funding Source	Billed to Date	Percent Billed
C-FY20-07		Closed	Kimley-Horn and Associates, Inc.	Planning Services	\$308,000	Caltrans Grant	\$308,000	100%
				TOTAL	\$308,000		\$308,000	100%

Project Status Report – Planning

February 2023

Project:	Alternative Fuels Program
Partners	Public Agencies
Jurisdiction(s)	Marin County

Scope

The Alternative Fuels Program supports the development of alternative fuels infrastructure (such as electric vehicle charging stations) and public agency fleet replacement needs. The program also supports technical assistance, education and outreach of the benefits of alternative fuel vehicles.

Status

Ongoing. Delivery of EV fleet vehicles and EV charging stations are underway. Staff have been working with Marin Climate and Energy Partnership to develop a county-wide EV Acceleration Strategy, the draft of which was released in August and is expected to be finalized in Spring 2023.

Issues/Area of Concern

None at this time.

Updates from Previous Report

Work is underway in delivering various components of the Alternative Fuels Program.

In September 2021, funding was provided to all local jurisdictions to support various EV outreach programs, which were completed throughout FY2021-22. TAM program outreach in 2023 will focus on targeted webinars and an EV Fleet Expo. Staff is currently working on expanding charging and fleet opportunities throughout the county and coordinating upcoming regional, state and federal funding opportunities.



Project Status Report – Planning**February 2023****Project: Alternative Fuels Program****Contracts and Agreements Managed by TAM**

Contract or Agreement No.	Amend No.	Open/ Closed	Agency/Consultant	Description	Appropriated Amount	Funding Source	Billed to Date	Percent Billed
N/A		Open	Novato, Central Marin Police Authority, Tiburon	EV Fleet Rebate Program	N/A*	Measure B VRF	\$7,000	N/A
N/A		Open	Novato, San Rafael, Central Marin Police Authority, Tiburon	EV Charging Station Rebate Program	N/A*	Measure B VRF	\$36,000	N/A
C-FY22-03		Open	Reach Strategies	Outreach and Technical Assistance	\$300,000	Measure B VRF	\$155,150	52%
Various		Closed	Marin Jurisdictions	Local Outreach support	\$54,000	Measure B VRF	\$35,960	67%
A-FY21-27		Open	MGSA	MCEP Countywide EV readiness Strategy	\$54,000	Measure B VRF	\$26,975	50%
				TOTAL	N/A		N/A	

*TAM's Alternative Fuels Program budget is flexible between program elements and does not assign a budget to specific program elements.

Project Status Report

February 2023

PROJECT PHASE DEFINITIONS

Planning – Complete project studies to define general project parameters.

Environmental Clearance – Completion of and approval of environmental studies and/or reports. Environmental analysis assesses the potential impacts a project may have on the natural and/or built environment.

Design – Engineer and design project leading to the preparation of plans, specifications and construction estimates. Resource agency permits are obtained in the final design stage in preparation to advertise the project for construction bidding.

Right of Way and Utilities – Establish cost and obtain ownership/passage through a given area for the benefit of project completion. Establish utilities needed for the project and relocation if necessary. Right-of-way certification required if using federal funds or if the project is on state highway system.

Construction – Includes actual construction, construction management and construction related design. Actual construction close-out duration may go for years after scheduled completion date shown.

Project Management – Project or construction management and oversight support of projects to carry out elements of construction. Project management is provided by in-house agency staff and consultants. Typically includes construction materials testing for contract compliance.

Project Status Report**February 2023****ACRONYMS AND ABBREVIATIONS**

ABAG	Association of Bay Area Governments
ATP	Active Transportation Program
BAIFA	Bay Area Infrastructure Financing Authority
BAAQMD	Bay Area Air Quality Management District
Caltrans	California Department of Transportation
CEQA	California Environmental Quality Act
CMAQ	Congestion Mitigation and Air Quality Improvement Program
CMP	Congestion Management Program
CO-OP	Cooperative Agreement
CTC	California Transportation Commission
DPW	Department of Public Works
EEMP	Environmental Enhancement and Mitigation
EIR	Environmental Impact Report
EIS	Environmental Impact Study
ENV MITG	Environmental Mitigation
EV	Electric Vehicles
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GGT	Golden Gate Transit
GGBHTD	Golden Gate Bridge Highway and Transportation District
HOT Lane	High Occupancy Toll Lane
HOV Lane	High Occupancy Vehicle Lane
ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
LOS	Level of Service
MCBC	Marin County Bicycle Coalition
MPO	Metropolitan Planning Organization
MPWA	Marin Public Works Association
MT	Marin Transit
MTC	Metropolitan Transportation Commission

Project Status Report**February 2023****ACRONYMS AND ABBREVIATIONS**

MTS	Metropolitan Transportation System
NEPA	National Environmental Policy Act
NOP	Notice of Preparation
NTTP	Non-motorized Transportation Pilot Program
OBAG	One Bay Area Grant
PA&ED	Project Approval & Environmental Document
PCA	Priority Conservation Area
PCI	Pavement Condition Index
PDA	Priority Development Area
PS&E	Plans, Specifications and Engineers Estimates
PSR	Project Study Report
PTTL	Part Time Transit Lane
RHNA	Regional Housing Needs Allocation
RM 2	Regional Measure 2
RM3	Regional Measure 3
ROW	Right of Way
ROW CAP	Right of Way Capital
RTIP	Regional Transportation Improvement Plan
RTP	Regional Transportation Plan
SCS	Sustainable Communities Strategy
SLPP	State Local Partnership Program
SMART	Sonoma Marin Area Rail Transit
SR2S	Safe Routes to School
STA	State Transit Assistance; also, Solano Transportation Authority
STIP	State Transportation Improvement Program
STIP-IIP	Interregional Transportation Improvement Program
STIP-RIP	Regional Transportation Improvement Program
STP	Surface Transportation Program
TBD	To Be Determined
TCRP	Traffic Congestion Relief Program
TEA-21	Transportation Equity Act for the 21 st Century
TIP	Federal Transportation Improvement Program
VRF	Vehicle Registration Fee



DATE: February 23, 2023

TO: Transportation Authority of Marin Board of Commissioners

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

SUBJECT: Adoption of Amended Measure B Expenditure Plan (Action), Agenda Item No. 6d

RECOMMENDATION

The TAM Board reviews and adopts the Amended Measure B Expenditure Plan shown as Attachment A.

Public comments received were presented to the TAM Board at its January 26, 2023 meeting, and no additional public comments were submitted to TAM staff subsequently during the remainder of the 45-day public comment period completed on January 29, 2023. Per the Board's direction at the January 26 meeting, this item is being placed on the Consent Agenda since no additional comments were received and no changes were made to the draft Amended Expenditure Plan since the January Board meeting date.

BACKGROUND

After extensive review and thorough consideration of various options via productive discussions with the TAM Citizens' Oversight Committee (COC) and various stakeholder groups, including the Marin Public Works Association (MPWA), the Amended Measure B Expenditure Plan was presented to the TAM Board for the release of a 45-day public comment period on December 15, 2022. On January 26, 2023, the TAM Board conducted a public hearing and discussed the public comments received. The TAM Board directed staff to present the Amended Measure B Expenditure Plan to the TAM Board for adoption in February 2023 following the completion of the public comment period.

DISCUSSION/ANALYSIS

As presented in December 2022 and January 2023, modest changes to the 2010 Measure B Expenditure Plan are provided through the Amended Measure B Expenditure Plan reflected under Element 1 below. No changes are proposed for Elements 2 or 3.

Element 1.1 Summary of Changes

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

Element 1.2 Summary of Changes

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

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

Language to Allow Future COC Membership Change

The current 12-member COC membership structure was originally established in the 2004 Measure A Transportation Sales Tax Expenditure Plan. To make sure the COC membership structure can be reviewed and changed timely to reflect the evolving needs of various communities, especially those who are underserved, staff recommends amending language in the Measure B Expenditure Plan to allow the Board the authority to review and adjust the COC membership structure when necessary. More specifically, TAM's Equity Statement and Action Plan are under review and development. As part of this process, staff plans to ask the COC to provide input and make any recommendations to the TAM Board regarding 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 in Marin.

FISCAL CONSIDERATION

There are no immediate fiscal impacts associated with the review and adoption of the Amended Measure B Expenditure Plan. After the Amended Measure B Expenditure Plan is adopted, a Measure B Strategic Plan will be developed to address all fiscal impacts. Approved amendments will go into effect on July 1, 2023.

NEXT STEPS

The Adopted Measure B Expenditure Plan will be posted on TAM's website and communicated to local agencies and stakeholders.

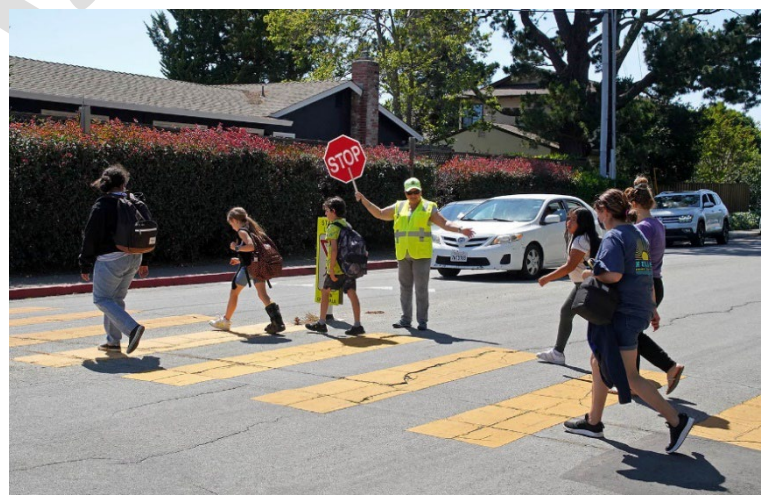
ATTACHMENTS

Attachment A – Draft Amended Measure B Expenditure Plan

DRAFT



MARIN COUNTY VEHICLE REGISTRATION FEE EXPENDITURE PLAN



Original Approved August 2010

Amended February 2023

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Acknowledgements

The Transportation Authority of Marin (TAM) staff would like to thank the TAM Board of Commissioners and the Citizens' Oversight Committee (COC) members for their contributions, assistance, and advice in developing the amended Expenditure Plan for Marin County's \$10 Vehicle Registration Fee (VRF).

Board of Commissioners:

Brian Colbert, *Chair, Town of San Anselmo*
Eric Lucan, *Vice-Chair, County of Marin District 5 Supervisor*
Nancy Kemnitzer, *City of Belvedere*
Pat Ravasio, *Town of Corte Madera*
Chance Cutrano, *Town of Fairfax*
Kevin Carroll, *City of Larkspur*
Urban Carmel, *City of Mill Valley*
Vacant, *City of Novato*
P. Beach Kuhl, *Town of Ross*
Kate Colin, *City of San Rafael*
Melissa Blaustein, *City of Sausalito*
Alice Fredericks, *Town of Tiburon*
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Katie Rice, *County of Marin District 2 Supervisor*
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TAM COC

Peter Pelham, *Chairperson, Major Marin Employers*
Kevin Hagerty, *Vice-Chair, League of Women Voters of Marin County*
Jeffrey Olson, *Central Marin Planning Area*
Charley Vogt, *Northern Marin Planning Area*
Paul Royce, *Ross Valley Planning Area*
Debbie Alley, *Southern Marin Planning Area*
Scott Tye, *West Marin Planning Area*
Vince O'Brien, *Bicyclist and Pedestrian Groups*
Allan Bortel, *Marin County Paratransit Coordinating Council*
Kate Powers, *Environmental Organizations*
Zack Macdonald, *School Districts*
Kingston Cole, *Taxpayer Group*

Marin County Vehicle Registration Fee Expenditure PlanTRANSPORTATION AUTHORITY OF MARIN

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Introduction

What is a VRF and How Does it Work?

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

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

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

What is the Purpose of this Plan?

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

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

Marin County Vehicle Registration Fee Expenditure Plan

TRANSPORTATION AUTHORITY OF MARIN

The Plan has the following specific conditions:

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

What are the Goals of the Marin County VRF?

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

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

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

Marin County Vehicle Registration Fee Expenditure Plan

TRANSPORTATION AUTHORITY OF MARIN

How Much Revenue Will this Plan Generate?

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

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

Plan Development

This Amended Expenditure Plan is the result of an extensive public engagement process that included numerous meetings with local governmental agencies, stakeholder organizations and the COC.

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

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

Marin County Vehicle Registration Fee Expenditure Plan

TRANSPORTATION AUTHORITY OF MARIN

Plan Summary

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

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

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

Figure 1 Summary of Expenditure Plan

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

Marin County Vehicle Registration Fee Expenditure Plan

TRANSPORTATION AUTHORITY OF MARIN

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

Marin County Vehicle Registration Fee Expenditure Plan

TRANSPORTATION AUTHORITY OF MARIN

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

Marin County Vehicle Registration Fee Expenditure Plan

TRANSPORTATION AUTHORITY OF MARIN

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

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

Marin County Vehicle Registration Fee Expenditure Plan

TRANSPORTATION AUTHORITY OF MARIN

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

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

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

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

Figure 2 Estimated 5-Year Revenue by Jurisdiction

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

Marin County Vehicle Registration Fee Expenditure Plan

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

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

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

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

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

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

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

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

Marin County Vehicle Registration Fee Expenditure Plan

TRANSPORTATION AUTHORITY OF MARIN

Element 2 – Improve Transit for Seniors and Persons with Disabilities

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

Summary of expenditure element:

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

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

Marin County Vehicle Registration Fee Expenditure Plan

TRANSPORTATION AUTHORITY OF MARIN

Element 3 – Reduce Congestion and Pollution

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

Summary of expenditure element:

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

Marin County Vehicle Registration Fee Expenditure Plan

TRANSPORTATION AUTHORITY OF MARIN

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

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

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

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

Marin County Vehicle Registration Fee Expenditure Plan

TRANSPORTATION AUTHORITY OF MARIN

Required Findings

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

Benefits and Relationship of Fee to the Fee Payer

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

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

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

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

Marin County Vehicle Registration Fee Expenditure Plan

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Consistency with the Regional Transportation Plan

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

Compliance with California Environmental Quality Act

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

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

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

Annual Budget and Reporting

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

Marin County Vehicle Registration Fee Expenditure Plan

TRANSPORTATION AUTHORITY OF MARIN

Use of Proceeds

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

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

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

Duration of Fee

The Fee will be imposed annually unless repealed. The spending priorities outlined in this Plan will be reviewed and the Plan will be amended and republished as necessary at least every 10 years.

Severability

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

Amendments to the Plan

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

Marin County Vehicle Registration Fee Expenditure Plan

TRANSPORTATION AUTHORITY OF MARIN

Option to Bond

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

Citizens' Oversight Committee

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

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

To accurately represent the voices of the communities in Marin, especially to timely address the needs and voices of the Equity Priority Communities (EPCs), the TAM Board has the authority to review and amend the COC membership structure when necessary.

Implementation

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

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

Marin County Vehicle Registration Fee Expenditure Plan

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4. Actual revenues may be higher or lower than expected in this Plan due to changes in receipts and/or changes in the number of vehicles registered in Marin County. Because the Plan is based on percentage distributions, dollar values in this Plan are estimates only. Actual revenues will be programmed over the life of the Plan based on the percentage distributions identified in the Plan. Distribution of bicycle/pedestrian pathway maintenance funds will be revised when a new pathway becomes eligible.
5. TAM will prepare and adopt a Measure B Strategic Plan, which will identify the priorities for projects, annual funding available for each element, and timing of allocations. The Measure B Strategic Plan reconciles the timing of expected revenues with the schedule for when those revenues are needed in order for sponsors to deliver projects and services. The Measure B Strategic Plan will also include implementation guidelines for recipients to comply with requirements, including metrics and reporting. The Measure B Strategic Plan and subsequent updates must be approved by the TAM Board, following a noticed public hearing on the draft Measure B Strategic Plan and a 45-day public comment period. The Measure B Strategic Plan will be updated every other year as needed.
6. Funds may be accumulated by TAM over a period of time to pay for larger and longer-term programs or projects. The TAM Board has the discretion to use the interest revenue generated by the fee proceeds to fund any transportation project or program that is described in the Plan.
7. If applicable, projects funded with the proceeds of the VRF will be required to complete appropriate CEQA clearance and other necessary environmental review, completed under the sole responsibility of the recipient of the funds.
8. New cities, towns or other entities that come into existence in Marin County after this Fee is authorized by voters could be considered as eligible recipients of funds through a Plan amendment.



DATE: February 23, 2023

TO: Transportation Authority of Marin Board of Commissioners

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

SUBJECT: Programming Commitment for Cycle 5 Local Partnership Program Formula Funds (Action), Agenda Item No. 6e

RECOMMENDATION

The Board programs approximately \$1.1 million in Cycle 5 Local Partnership Program (LPP) Formula funds to Corte Madera for the Tamalpais Overcrossing Project.

On February 13, 2023, the Funding, Programs & Legislation (FP&L) Executive Committee reviewed staff's recommendation and voted unanimously to refer the programming of the \$1.1 million LPP Formula funds to Corte Madera for the Tamalpais Overcrossing Project to the Board for approval.

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 (VRF). Whereas the towns, cities, and County receive annual Local Street and Road (LSR) funding from SB1, TAM receives LPP Formula funds from SB1.

TAM received \$1.756 million in Cycle 3 LPP Formula funds that can be programmed in FY2020-21, FY2021-22, and FY2022-23. On January 26, 2023, the TAM Board programmed Cycle 3 LPP Formula funds in the amounts of \$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.

Also on January 26, 2023, the TAM Board authorized a commitment to program \$1.164 million in Cycle 4 LPP Formula funds to defray a funding shortfall for the construction phase of the Bellam Boulevard Off-Ramp Project. Cycle 4 LPP Formula funds can be programmed in FY2023-24 and FY2024-25.

Cycle 5 LPP guidelines are anticipated to be released in early 2025. The anticipated amount available from Cycle 5 LPP Formula funds for TAM to program is approximately \$1.1 million. The funds can be programmed in FY2025-26 and FY2026-27 and must be applied to projects that can exhibit a one-to-one match of non-CTC approved funds.

DISCUSSION/ANALYSIS

Staff is proposing to commit the programming of all available Cycle 5 LPP Formula funds to Corte Madera for the Tamalpais Drive Overcrossing Project, which is a countywide significant project. It is expected that \$1.1 million will be available from this source. This commitment is recommended because the relatively small amount of local funds will leverage over \$40 million in investments from Caltrans and the Town of Corte Madera in order to deliver a significant project for Marin. The commitment is proposed to be subject to certain conditions as discussed later in this report.

Tamalpais Drive Overcrossing Project

The California Department of Transportation (Caltrans) prepared the Initial Study for the Tamalpais Drive Overcrossing Project. The Project features seven alternatives (including a no-build alternative) to construct an Americans with Disabilities Act (ADA) compliant structure across U.S. 101 at the Tamalpais Drive Overcrossing. The Project also includes seismic structural improvements.

Corte Madera passed a resolution to support an alternative that is referred to as Design Option 4B. Design Option 4B proposes to remove the two existing pedestrian spiral walkway ramps and construct two new pedestrian ramps. ADA improvements also include bridge widening (for bicycle and pedestrian improvement access) and a new pedestrian/bike sidewalk at the southwest intersection on Tamalpais Drive to Casa Buena Drive. Proposed work at the Southbound (SB) US 101 off-ramp intersection includes ramp widening for a new bus stop and bus pullout. This option will reconfigure the Northbound (NB) and SB 101 on-ramps, and NB and SB 101 loop-ramps to signalized intersections.

Attachment A is a schematic on Design Option 4B. The legend on the schematic may be difficult to read. Greater details on Design Option 4B and the other alternatives can be found at the website linked below.

Project Status

Caltrans has released the environmental document for public review and comment and is scheduled to adopt the preferred alternative in late February/early March 2023. In order to adopt the preferred alternative, the project must show a full funding plan or at a minimum have an understanding that partners will seek additional funds to close any funding shortfall while the project is under design. Caltrans has programmed funding for an alternative that meets the Purpose and Need Statement for the project, but it is less than the cost of Design Option 4B selected by the community.

Details on the Project's Initial Study Report, project alternatives, and Caltrans' website on the Tamalpais Drive Overcrossing Project may be found on Corte Madera's website linked here:

<https://www.townofcortemadera.org/1101/CalTrans-US-101-Tamalpais-Drive-Overcrossing>

Design Option 4B Cost and Funding Plan

The total estimated cost for Design Option 4B is \$43.96 million. Currently, Caltrans has programmed and made additional funding commitments in the amount of \$38.66 million to the project. Corte Madera plans to contribute \$3 million to Design Option 4B for a total of \$41.66 million available. Of the \$3 million committed by Corte Madera, \$500,000 is specifically designated for aesthetic improvements (landscaping, lighting, etc.).

Even with this local contribution, Design Option 4B is still facing a \$2.3 million deficit. Upon TAM Board approval of the programming commitment of Cycle 5 LPP Formula funds, the deficit will be reduced to approximately \$1.2 million. Also, in the Fall of 2022, Corte Madera applied for \$13.28 million for this project from the federal Bridge Improvement Program (BIP), a competitive funding program of the Infrastructure, Investment and Jobs Act (IIJA). As of the writing of this memo, grant award selections have yet to be announced for the program. Corte Madera and TAM will continue to actively look for funding opportunities.

Shortfall Scenario

Caltrans has indicated it is unable to secure additional funds to contribute to the remaining shortfall. If additional funds cannot be secured, Caltrans will need to consider another alternative, other than Design Option 4B. It is also possible that during the design phase, value engineering or other cost cutting steps could be considered. If this option is chosen, then it is still possible for Caltrans to proceed with the environmental phase and select Design Option 4B as the preferred alternative. The risk is that if Design Option 4B is selected, Caltrans may defer to local agencies to fill the funding gap.

The table below summarizes the current Funding Plan for Design Option 4B.

Project Funding Plan (in millions)	
Cost – Design Option 4B	\$43.96
Funding	
Caltrans SHOPP	\$26.20
Other Caltrans Funds	\$12.46
Caltrans Funds	\$38.66
Town of Corte Madera	\$ 3.00
Current Available	\$41.66
Proposed TAM LPP Formula Funds	\$ 1.10
Subtotal	\$42.76
Remaining Shortfall	\$ 1.20

Funding Conditions

As shown in the table above, the project is still experiencing a shortfall even with TAM's Cycle 5 LPP Formula funds. Caltrans, Corte Madera, and/or TAM will continue to look for funding opportunities to close the funding gap. If the partners are successful in securing more funds than the remaining shortfall, including the pending federal BIP award, or if Caltrans opts to deliver a lower-cost design option and the funds indicated in the table above are not all needed, TAM's Cycle 5 LPP Formula funds will be the first to be deprogrammed from the project and returned to TAM. Corte Madera will make no claims for the unused Cycle 5 LPP Formula funds to be programmed to other Corte Madera projects.

Additionally, Caltrans is engaging in discussions with Marin Transit and Golden Gate Transit about the bus facilities in the proposed project design. TAM staff is supportive of the consideration of transit and encourages continuing discussion and resolution.

FISCAL CONSIDERATION

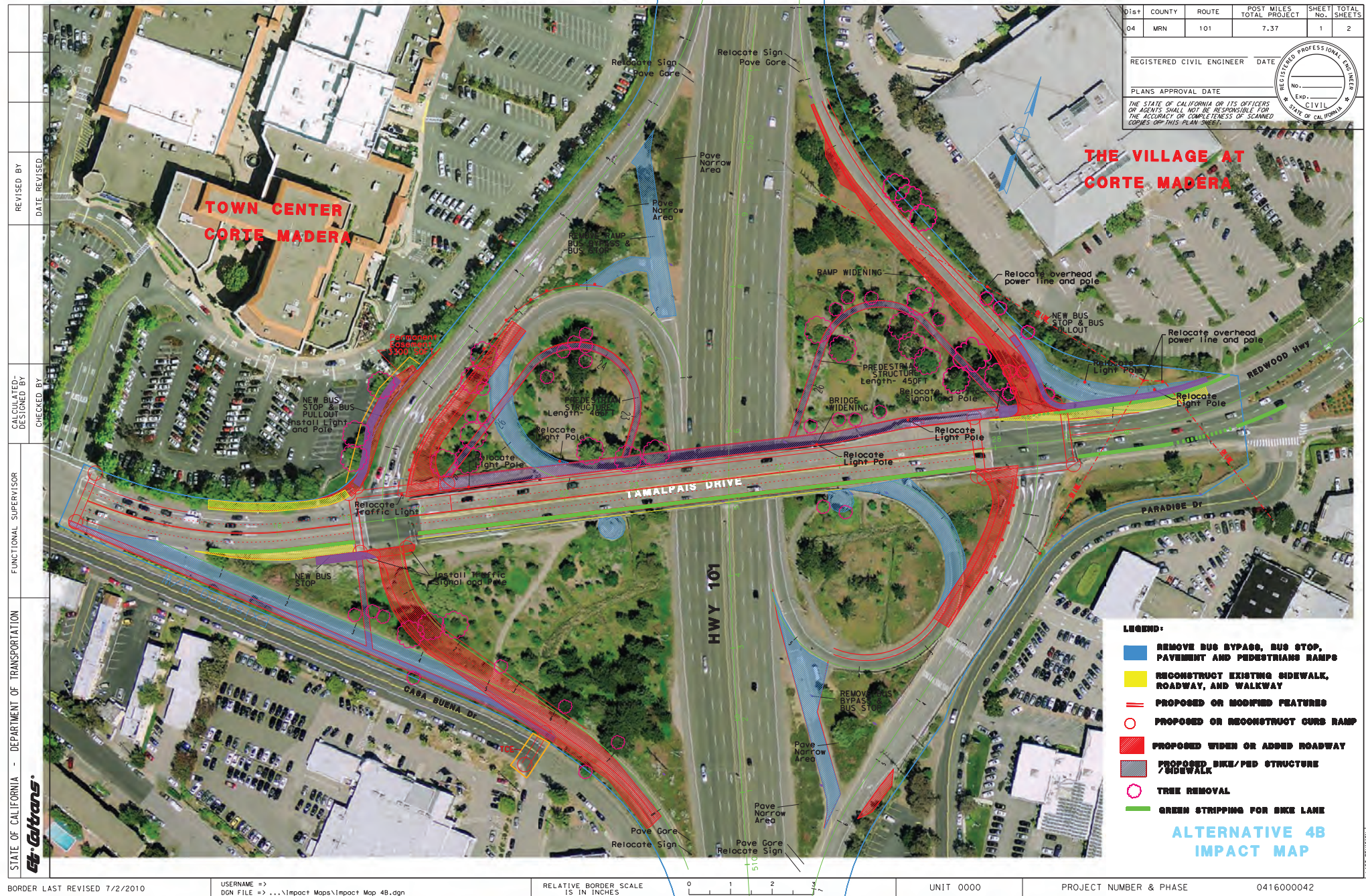
Once available from the CTC, LLP Formula funds will be programmed directly to Corte Madera and will have no direct impacts to TAM's Annual Budget.

NEXT STEPS

At the appropriate time, TAM will develop a programming and allocation request to be submitted to the CTC for the Cycle 5 LPP Formula funds, if needed. If the funds are not needed, staff will return to the TAM Board for options to program the available funds to other projects.

ATTACHMENT

Attachment A – Design Option 4B Drawing



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DATE: February 23, 2023

TO: Transportation Authority of Marin Board of Commissioners

FROM: Anne Richman, Executive Director *Anne Richman*
Dan Cherrier, Director of Project Delivery

SUBJECT: Contract Amendment with BKF Engineers to Complete Design and Support on the Richmond-San Rafael Bridge Approach Improvements (Action), Agenda Item No. 6f

RECOMMENDATION

Staff is recommending that the Board authorizes the Executive Director to execute the fourth amendment to Contract C-FY17-02 with BKF Engineers, to extend the contract time for the design and support of the Richmond-San Rafael Bridge Approach Improvement Projects to December 31, 2025.

BACKGROUND

TAM has been working closely with the California Department of Transportation (Caltrans), the City of San Rafael and the City of Larkspur to advance improvements to the approaches to the Richmond-San Rafael Bridge. The Board approved funding for three independent projects to improve access to the Bridge: (1) vehicular access improvements at the Highway 101 off-ramp to Bellam Blvd., (2) vehicular, bicycle and pedestrian access improvements along East Sir Francis Drake Blvd (SFD), and (3) bicycle access improvements on the I-580 Overcrossing to Westbound Sir Francis Drake Blvd. While the design work continues for the Bellam Blvd. project, the improvements along SFD and the Sir Francis Drake Blvd. Overcrossing have been completed and are providing travel benefits for both eastbound and westbound users.

The East Sir Francis Drake Project improvements have provided a notable relief to the congestion compared to the pre-project conditions. The Class IV bikeway on the I-580 overcrossing to SFD has allowed bicycle connectivity to the new multi-use path on the Richmond-San Rafael Bridge for users of the Class II facility on Anderson Drive without the necessity to cross Sir Francis Drake Blvd.

The scope of the Bellam Blvd. Improvement Project involves improving safety on Northbound Highway 101 by allowing for additional storage on the off-ramp and reducing the stopped traffic in the right lane of Highway 101. Other improvements include adding a second lane to the off-ramp to separate Highway 101 traffic turning left at Bellam Blvd. from traffic going straight across the ramp or turning right; adding a second right-turn lane to help with traffic merging from the I-580 off-ramp; reconfiguring the crosswalk across Bellam Blvd.; and making improvements to the eastbound I-580 on-ramp.

DISCUSSION

The Bellam Blvd. project is experiencing ongoing issues that require additional time and funding. However, the Project has been environmentally cleared, design is near completion, and right of way acquisition should begin shortly. Construction is expected to begin in mid-2024 pending funding availability. Extending the contract with the design team, BKF, will allow for final Caltrans approval and design support during construction. No additional funds are being requested, it is anticipated that the work can be completed within the available contract budget.

FISCAL IMPACTS

The Bellam Blvd. Project currently has a \$3 to \$3.5 million shortfall. Both of the other two projects required additional funds and money was transferred from the Bellam Blvd. Project to allow both to proceed to construction. TAM staff is exploring several options to allow for a full funding plan including pursuing federal funds under the current Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Program. Results of the TAM application for RAISE funding will be announced later this year.

NEXT STEPS

Upon approval by the TAM Board, the Executive Director will negotiate the agreement to extend the contract duration with BKF. Staff will also continue with project development activities including completing the design and obtaining Caltrans approval for the Bellam Blvd Project, entering into right of way agreements, and determining the final funding plan.

ATTACHMENTS

None.



DATE: February 23, 2023

TO: Transportation Authority of Marin Board of Commissioners

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

SUBJECT: Allocate Measure AA Funds to Novato for the Novato Boulevard Segment 1 Rehabilitation Project (Action), Agenda Item No. 6g

RECOMMENDATION

The Board approves the allocation of \$250,000 in Measure AA (Transportation Sales Tax) funds to Novato to complete the Right-of-Way (ROW) phase for the Novato Boulevard Segment 1 Rehabilitation Project.

BACKGROUND

The Measure AA Expenditure Plan provides funds for the remaining Major Road projects from the Measure A Expenditure Plan. Major Road projects were described as the most heavily traveled and regionally significant. A list of eligible roads was adopted with the Measure A Expenditure Plan. A detailed prioritization process engaged in by local stakeholders and all of our local jurisdictions in 2006 established Novato Boulevard as the first prioritized project in the North Planning Area. The Novato Boulevard Segment 1 Rehabilitation Project is the remaining project with funds committed by Measure AA in the North Planning Area.

DISCUSSION/ANALYSIS

The Novato Boulevard Segment 1 Rehabilitation Project is designed to provide operational, bicycle, and pedestrian improvements to Novato Boulevard between Diablo Avenue and Grant Avenue. Improvements include:

- two through-travel lanes (one in each direction) and a center-turn lane between Diablo Avenue and Boulevard Terrace;
- three through-travel lanes (two westbound and one eastbound) and a center-turn lane between Boulevard Terrace and Grant Avenue;
- new and reconstructed sidewalks/curbs/gutters;
- new bicycle lanes;
- reconstructed driveways;
- landscaping and water quality enhancement areas; and
- new traffic signals.

TAM previously allocated funds for the environmental and design phases of the project.

Details on the Novato Boulevard Segment 1 Rehabilitation Project may be found on the link: <https://www.novato.org/government/public-works/public-works-projects/novato-boulevard-improvements?locale=en>.

Measure AA Allocation Request

Acquisitions of portions of land along Novato Boulevard would be necessary in order to construct the proposed project. Novato is requesting \$250,000 in Measure AA funds to complete the Right-of-Way (ROW) phase of the project, with \$50,000 in local funds to complete the funding needs for the phase. The Novato City Council has authorized City staff to proceed with the ROW process on February 14, 2023 upon approval of Measure AA funds.

Novato anticipates completing the ROW phase by December 2023. The construction phase of the project is anticipated to commence in the Summer of 2024. Upon approval of Measure AA allocation for the ROW phase, approximately \$10.4 million in Measure AA funds remains for the construction phase. When the ROW phase is complete, Novato will request the final allocation of Measure AA funds for the construction phase.

FISCAL CONSIDERATION

Upon approval, the approved allocation will be reflected in the Measure AA Strategic Plan and TAM's budget.

NEXT STEPS

Upon approval, a funding agreement will be issued to Novato for \$250,000 in Measure AA funds for the ROW phase of the Novato Boulevard Segment 1 Rehabilitation Project.

ATTACHMENT

Attachment A – Allocation Request Form

Attachment A

Transportation Authority of Marin Measure AA – Transportation Sales Tax Allocation Request Form

Fiscal Year of Allocation: 2022-23

Expenditure Plan: Strategy 3: Sub-strategy 3.1 – Major Roads and Related Infrastructure

Project Name: Novato Boulevard Segment 1 – Diablo Avenue to Grant Avenue

Implementing Agency: City of Novato

Project Purpose and Need: To provide operational improvements, bicycle lanes, and pedestrian facilities to Novato Blvd. between Diablo Avenue and Grant Avenue.

Scope of Work: This last phase of improvements to Novato Boulevard proposes to provide two through travel lanes (one in each direction) and a center-turn lane between Diablo Avenue and Boulevard Terrace, and three through-travel lanes (two westbound and one eastbound) and a center-turn lane between Boulevard Terrace and Grant Avenue. The project would also include other improvements such as new and reconstructed sidewalk/curb/gutter, new bicycle lanes, reconstructed driveways, landscaping and water quality enhancement areas, and new traffic signals. In addition to the proposed roadway improvements, the project would include undergrounding of utilities and upgrades to existing sewer and water lines. Acquisitions of portions of land along Novato Boulevard would be necessary in order to construct the proposed project. Land acquisitions would be required on the frontage of seven parcels, all of which would be between Cypress Avenue and Diablo Avenue.

Background: The Novato Boulevard Segment 1 Improvement project was initiated in the city's Capital Improvement Program in Fiscal Year 2000/01 budget and has been in the planning and environmental documentation phases for approximately ten years. The project was included in the voter approved Measure A Transportation Sales Tax list of projects anticipated to receive funding and as Northern Marin's first funding priority for regionally significant roads. The Project Study Report from 2006 recommended a four-lane alternative (two through-lanes in each direction with a raised center median and center-turn lanes at intersections) plus bicycle and pedestrian facilities.

In 2017 a project development team was assembled to advance the project while minimizing temporary and permanent impacts to the community and natural environment. Traffic data was collected and analyzed from Novato Boulevard and every side street from Diablo to Grant, corridor collision data was reviewed, and several public workshops were held to solicit public comment on the project. As the result of these efforts, a new three-lane layout (one through-lane in each direction and a continuous center-turn lane) that meets the project purpose and need was developed. The Novato City Council on June 12, 2018 unanimously adopted the three-lane layout as the preferred alternative and directed staff to update and finalize the Environmental Impact Report accordingly.

Computerized traffic models were prepared for the three-lane layout and programmed for an anticipated 23% increased traffic volumes in the year 2043 (20 years after the project is likely to be completed). The traffic models show that the three-lane configuration would serve future peak-hour commute traffic at an improved level of service over existing peak-hour traffic

conditions today. This is largely due to the continuous center-turn lane and additional westbound through travel lane beginning at Boulevard Terrace. While the previous four-lane configuration provided a slightly better level of service, the new three-lane configuration still meets the requirements of the Novato General Plan and TAM's Congestion Management Plan and the level of service proposed is consistent with project development standards in the Bay Area.

Because the total width of the three-lane preferred alternative is approximately 24' narrower than the previous four-lane layout, it is anticipated that environmental and community impacts will be minimized. For example, the three-lane project will need to remove about half as many trees as the previous layout, the proposed roadway widening will no longer encroach on the banks of Novato Creek, and the project will require approximately 20 fewer property acquisitions.

Tentative Project Delivery Schedule:

PROJECT PHASE	START	FINISH
Environmental Document		EIR Certified May 10, 2022
Plans, Specs, & Estimate	October 2019	Jan 2023
Right-of-Way	February 2023	Dec 2024
Advertise & Award	March 2024	June 2024
Construction	July 2024	Dec 2025

Scope of Work for this Allocation Request: With the Environmental Impact Report certified in May of 2022, the City has determined that the project requires right of way acquisition from six parcels. The cost of the right of way consultation, appraisals and property acquisition is estimated to be \$300,000.

This allocation request for TAM Measure A Major Streets and Roads is in the amount of \$250,000 to support the right-of-way acquisition process for the Novato Boulevard Segment 1 – Diablo Avenue to Grant Avenue project. The City of Novato has programmed \$50,000 of Public Funds in Fiscal Year 2023/24 as matching dollars for this next phase of the project.

Measure A/AA Programmed Amount Available: \$13.315 million approximately (includes \$53,631 in Measure A reserve funds).

Previous Measure A/AA Allocated Amount: \$401,085 for preliminary engineering and \$1 million for design and right-of-way acquisitions.

Current Measure A/AA Requested Amount: \$250,000

Other Funds to Match Current Request of Measure A/AA Funds: \$50,000 in local funds.

Maximum Reimbursement Schedule: 100% available for reimbursement in FY 2022-23.



DATE: February 23, 2023

TO: Transportation Authority of Marin Board of Commissioners

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

SUBJECT: Accept Marin Transit's 2023-2028 Short Range Transit Plan (Action), Agenda Item No. 7

RECOMMENDATION

The Board accepts Marin Transit's 2023-2028 Short Range Transit Plan (SRTP), and directs staff to incorporate it into the Measure AA Strategic Plan.

BACKGROUND

The SRTP is a 10-year vision of the capital and operating needs of a transit agency, required by the Metropolitan Transportation Commission (MTC), under guidance from the Federal Transit Administration (FTA). Each transit agency in the Bay Area is required to prepare and update a SRTP periodically to identify transit needs and priorities.

Both the Measure A and Measure AA Expenditure Plan require Marin Transit to prepare an SRTP periodically, or as directed by MTC, through a planning process that includes extensive public input from all areas of the county. The Measures also require that the TAM Board accept the Marin Transit SRTP.

Marin Transit's first SRTP was prepared and approved by the Marin Transit Board in March 2006 and accepted by the TAM Board as part of the Measure A Strategic Plan development in 2006. Subsequent SRTPs were incorporated into the Measure A Strategic Plan in 2009, 2012, 2015, and 2017. The last SRTP was adopted by the Marin Transit Board in 2020.

It takes considerable effort to update the SRTP. After the last SRTP update, Marin Transit indicated that it will streamline every other SRTP update starting with the 2023-2028 SRTP to focus on operating, capital, and financial plan in a series of tables and less emphasis on text descriptions on the existing system. Marin Transit refers to the streamlined SRTP as a "mini SRTP" because it focuses on financial and service planning within a five-year period instead of the ten-year period of the full version SRTP.

The 2023-2028 SRTP is considered a mini SRTP. The next SRTP will be a full version SRTP.

DISCUSSION/ANALYSIS

Marin Transit's 2023-2028 SRTP summarizes pre-pandemic service operations, operations during the pandemic, and planned operations from FY2023-24 to FY2027-28. As required by MTC for this update, the SRTP includes three fiscally constrained scenarios, referenced as Scenarios 1-3, with high-level service planning in response to these revenue scenarios.

Marin Transit included a Scenario 0 to represent a 10-year financial model as of June 30, 2022 that includes the new paratransit contract, the adopted FY2022-23 Budget, and projections for cost increases associated with new fixed route contracts.

Conceptually, the four scenarios represent:

- Scenario 0: The continuation of current trends. Revenue stays at current levels, and fixed-route ridership reaches pre-COVID levels in FY2023-24. Marin Transit can continue to operate at current service levels and accommodate expected increases in paratransit demand.
- Scenario 1: Revenue drops to pre-COVID levels. Due to cost escalations since 2019, this would force a severe cut in service (45% of fixed-route service). It is unclear to what extent the service cuts in this scenario would affect ridership. Marin Transit estimates that 50% of the riders on cut services would ride at alternate times, while the other 50% would stop using transit. Ridership in this scenario is estimated at 80% of pre-COVID.
- Scenario 2: Revenue drops to pre-COVID levels except for fare revenue, which drops to 80% of pre-COVID levels. Financially, this is nearly identical to Scenario 1 since fares make up only 13% of Marin Transit's budget. Marin Transit assumes the same service cuts (and ridership effects) as Scenario 1.
- Scenario 3: All revenue streams drop to 85% of Scenario 1 (pre-COVID). This would force a 60% cut in fixed-route service, with ridership effects of that service reduction being estimated in the same way as Scenarios 1 and 2. Ridership in this scenario is estimated at 73% of pre-COVID.

In all scenarios, Marin Transit projects demand response ridership (and costs) to continue to rise towards pre-COVID levels, reaching pre-COVID levels by FY2024-25.

The Marin Transit Board adopted the 2023-2028 SRTP at its December 5, 2022 meeting. Attachment A is the transmittal letter with a summary of the 2023-2028 SRTP. The entire document can be downloaded from the following link: [Marin Transit 2023-2028 Short Range Transit Plan](#).

Marin Transit staff will be at the February 23, 2023 TAM Board meeting to present a brief overview of the 2023-2028 SRTP. In addition to the SRTP, Marin Transit staff will provide an overview on the state of Marin Transit that includes discussions on ridership, proposed service changes, planning and projects in development for 2023, and updates on fare policies.

FISCAL CONSIDERATION

Accepting Marin Transit's 2023-2038 SRTP will have no direct fiscal impacts to TAM's Annual Budget.

NEXT STEPS

Include Marin Transit's 2023-2038 SRTP as an appendix in the development of the Measure AA Strategic Plan that is scheduled for consideration in June 2023.

ATTACHMENT

Attachment A – Marin Transit 2023-2028 Short Range Transit Plan Transmittal Letter and Summary
Attachment B – Marin Transit PowerPoint Presentation



711 grand ave, #110
san rafael, ca 94901

ph: 415.226.0855
fax: 415.226.0856
marintransit.org

December 5, 2022

Honorable Board of Directors
Marin County Transit District
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Marin Transit FY 2023-2028 Short Range Transit Plan

board of directors

Dear Board Members:

stephanie moulton-peters
president
supervisor district 3

RECOMMENDATION: Adopt updated FY 2023-2028 Short Range Transit Plan.

katie rice
vice president
supervisor district 2

BACKGROUND: The Short Range Transit Plan (S RTP) provides Marin Transit with a framework for service and capital planning over a ten-year period. The S RTP must be updated every two years to satisfy requirements of the Measure AA transportation sales tax expenditure plan and the Metropolitan Transportation Commission (MTC) requirement in order to remain eligible for federal funding. Marin Transit's last S RTP was adopted in February 2020. This update is a "mini-S RTP" and follows a narrow scope developed by MTC to focus on financial and service planning within a five-year period. Marin Transit plans to do another full S RTP update in 2024.

eric lucan
2nd vice president
city of novato

Previously adopted Marin Transit S RTPs can be viewed at <https://marintransit.org/short-range-transit-plan>. Upon adoption, this S RTP will also be posted to this page.

judy arnold
director
supervisor district 5

SUMMARY: This S RTP follows guidelines provided by MTC, and summarizes service operations before the pandemic, during the pandemic, and planned operations from FY 2024 through FY 2028. MTC reviewed a draft of this S RTP and Marin Transit staff has addressed their comments.

kate colin
director
city of san rafael

damon connolly
director
supervisor district 1

MTC defined three fiscally constrained scenarios as part of its guidelines for this S RTP, referenced as Scenarios 1-3. As requested by MTC, Marin Transit did high-level service planning in response to these revenue scenarios. However, staff recognized that the projected revenues in all three scenarios are much lower than the District's current and projected revenues. Therefore, staff prepared a Scenario 0 to illustrate what staff realistically expect the next five years to look like for Marin Transit. This scenario represents Marin Transit's 10-year financial model as of June 30, 2022. It includes the new paratransit contract, the adopted FY 2023 Budget, and projections for cost increases associated with new fixed route

dennis rodoni
director
supervisor district 4

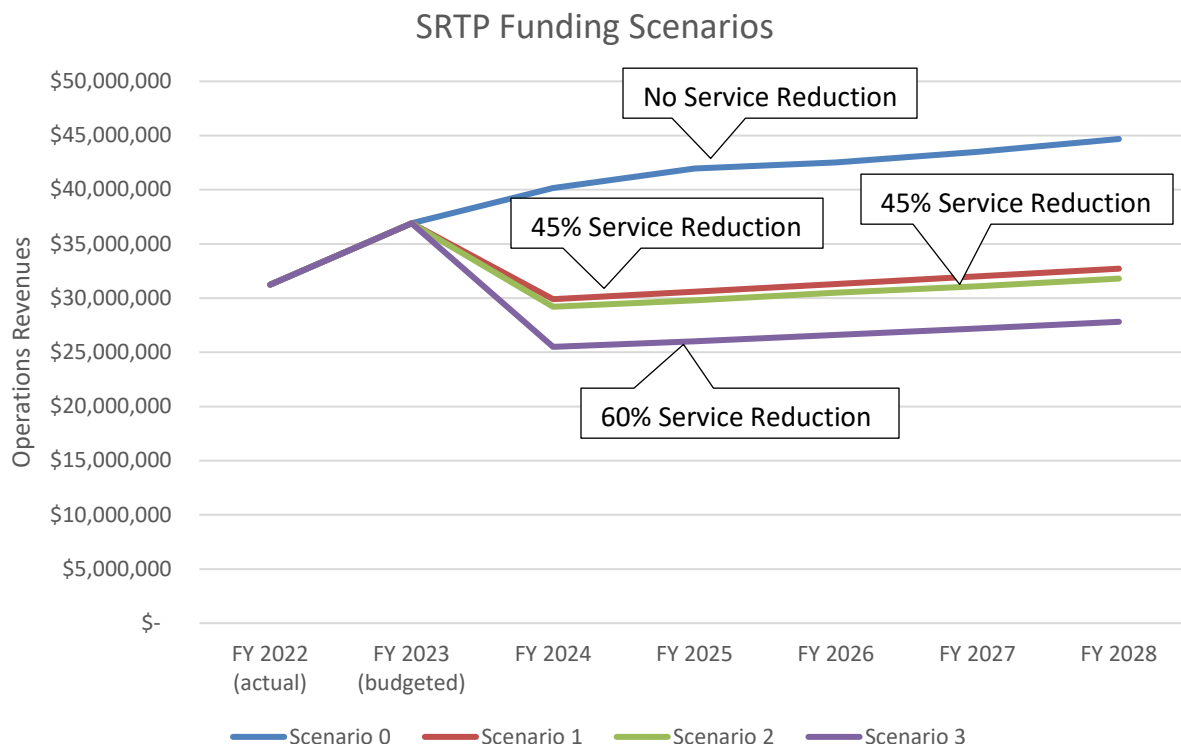
brian colbert
alternate
town of san anselmo

contracts. Scenario 0 illustrates that with current revenue projections, Marin Transit can continue to operate at current service levels and accommodate expected increases in paratransit demand.

Conceptually, the four scenarios represent:

- **Scenario 0:** The continuation of current trends. Revenue stays at current levels, and fixed-route ridership reaches pre-COVID levels in FY 2024.
- **Scenario 1:** Revenue drops to pre-COVID levels. Due to cost escalations since 2019, this would force a severe cut in service (45% of fixed-route service). It is unclear to what extent the service cuts in this scenario would affect ridership. District staff estimate that 50% of the riders on cut services would ride at alternate times, while the other 50% would stop using transit. Ridership in this scenario is estimated at 80% of pre-COVID.
- **Scenario 2:** Revenue drops to pre-COVID levels except for fare revenue, which drops to 80% of pre-COVID levels. Financially, this is nearly identical to Scenario 1, since fares make up only 13% of the District budget. District staff assumed the same service cuts (and ridership effects) as Scenario 1.
- **Scenario 3:** All revenue streams drop to 85% of Scenario 1 (pre-COVID). This would force a 60% cut in fixed-route service, with ridership effects of that service reduction being estimated in the same way as Scenarios 1 and 2. Ridership in this scenario is estimated at 73% of pre-COVID.

In all scenarios, Marin Transit projects demand response ridership (and costs) to continue to rise towards pre-COVID levels, reaching pre-COVID levels by FY 2025.



The SRTP is a planning document intended to illustrate the future direction of the District. Staff prepared the scenarios in accordance with MTC's SRTP guidelines; however, the three required scenarios do not match MCTD's financial projections or service planning expectations. As staff presented in the annual budget, Marin Transit's near-term financial picture is stable but there are uncertainties with future labor costs, fuel costs, and capital costs resulting from the pandemic and the recent economic downturn. These costs become increasingly difficult to predict the further we forecast into the future.

There are no specific recommendations in the plan; the service planning that took place in the preparation of MTC's financial scenarios was high level, and any future service changes will be thoroughly discussed with the Board and the public before adoption. Board adoption of the SRTP indicates acceptance of District goals and targets for service and financial planning.

FISCAL IMPACT: There is no fiscal impact associated with this item.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Cath", with a long horizontal flourish extending to the right.

Cathleen Sullivan
Director of Planning

Attachments:

Attachment A: Final Marin Transit Short Range Transit Plan for FY 2023–2028

Attachment B: MCTD Revenue and Service Projections

Attachment C: MTC Guidelines for the Short Range Transit Plan

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Marin Transit SRTP & Update

TAM BOARD



February 23, 2023

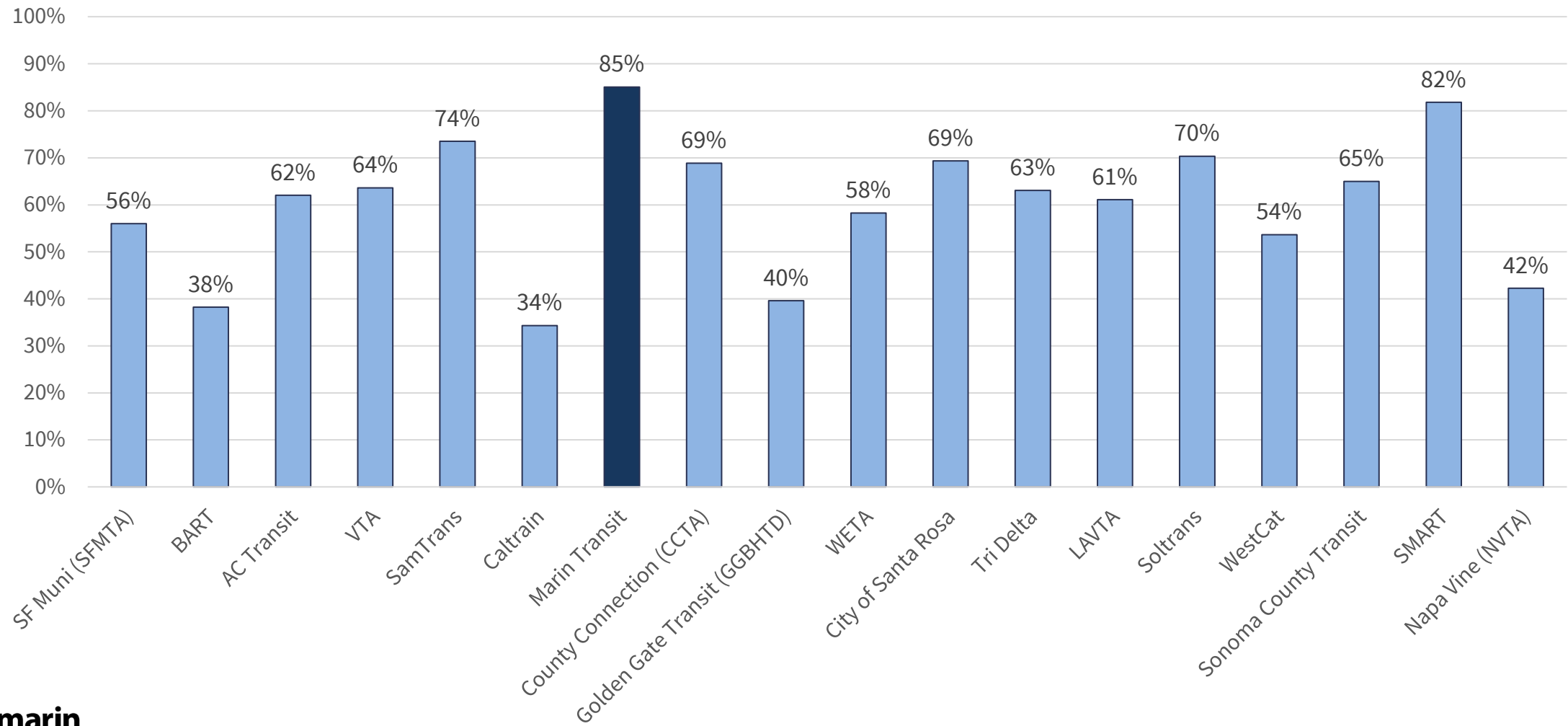
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Agenda

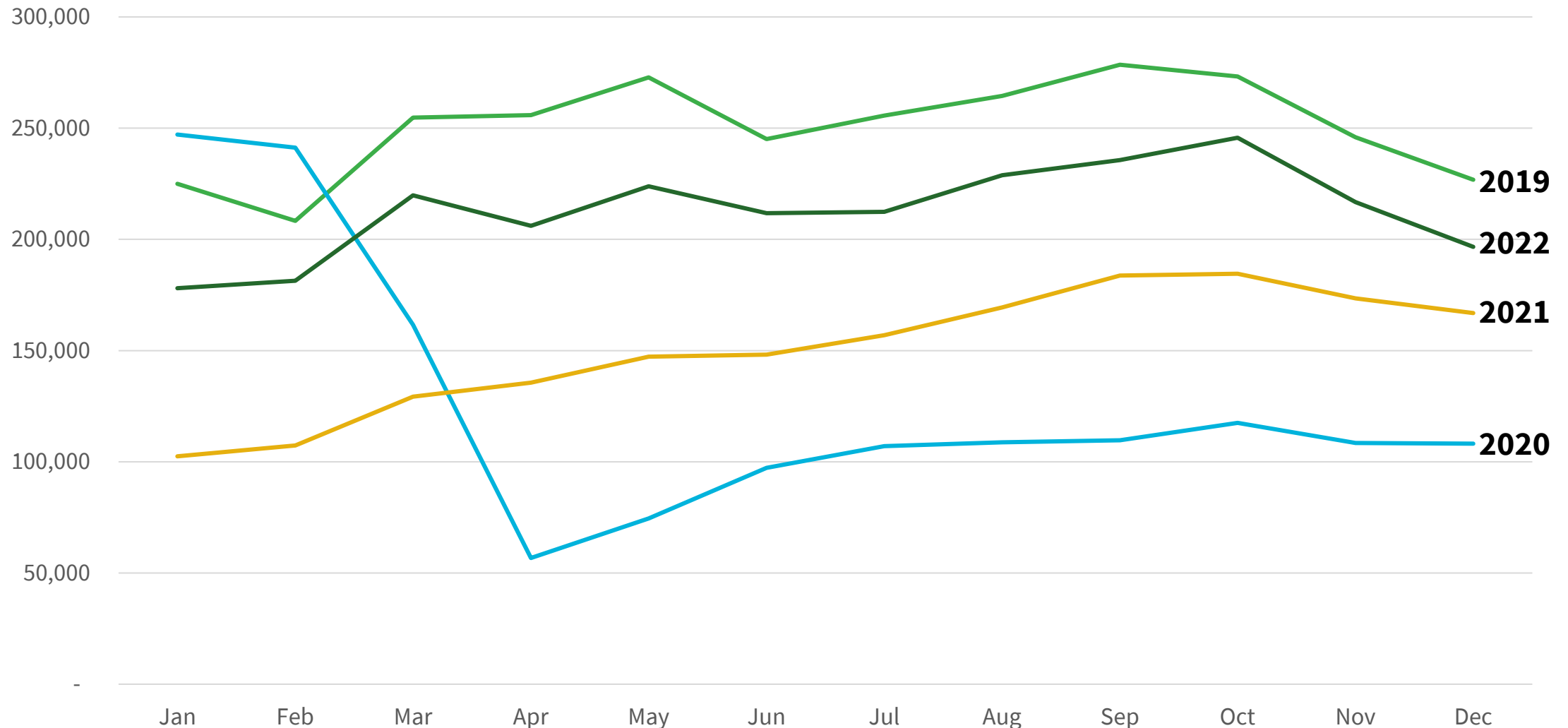
- 01** Ridership Update
- 02** 2022 Short Range Transit Plan (S RTP)
- 03** 2023 Service Change Proposal
- 04** 2023 Planning & Project Development
- 05** Fare Policy Updates & Activities

Ridership Update

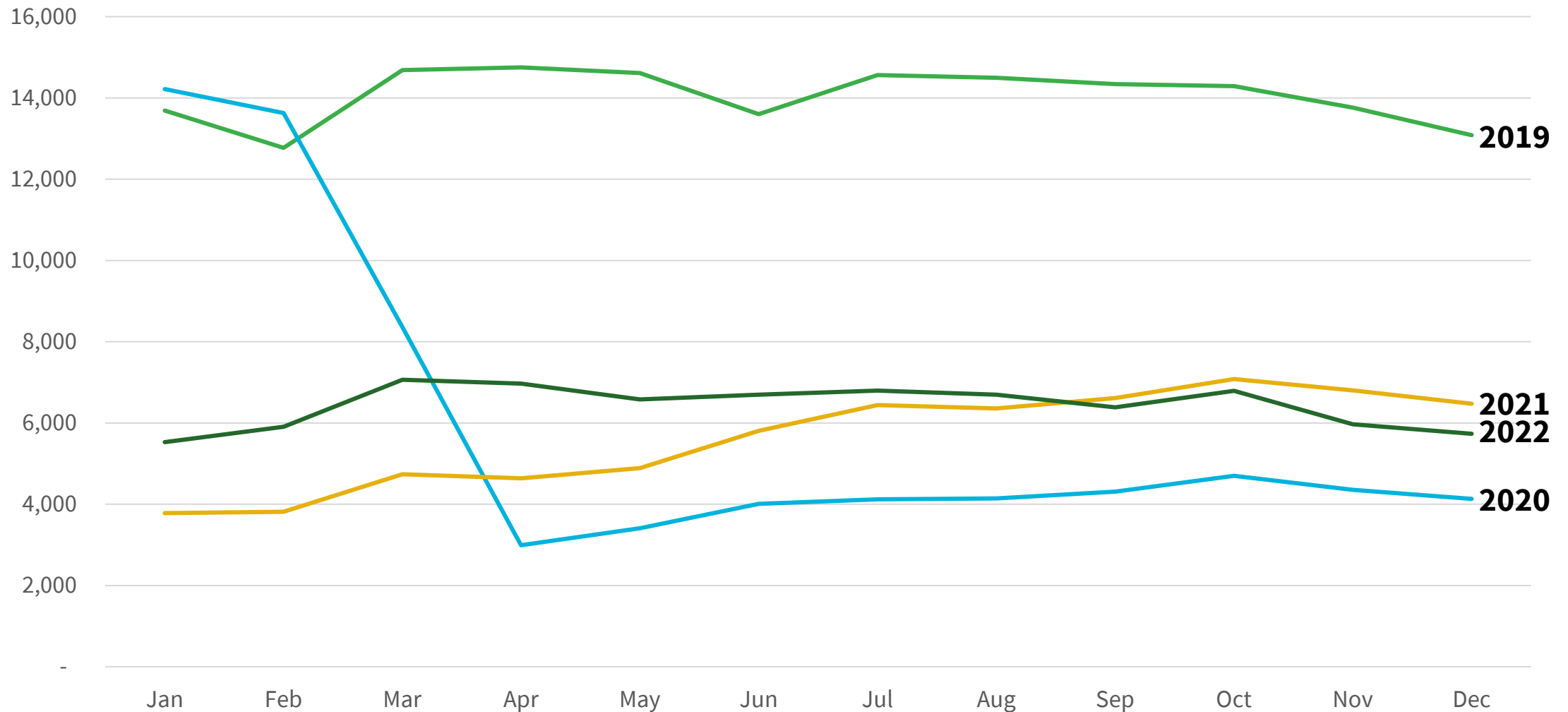
% Pre-COVID Ridership (Nov 2019 vs. Nov 2022)



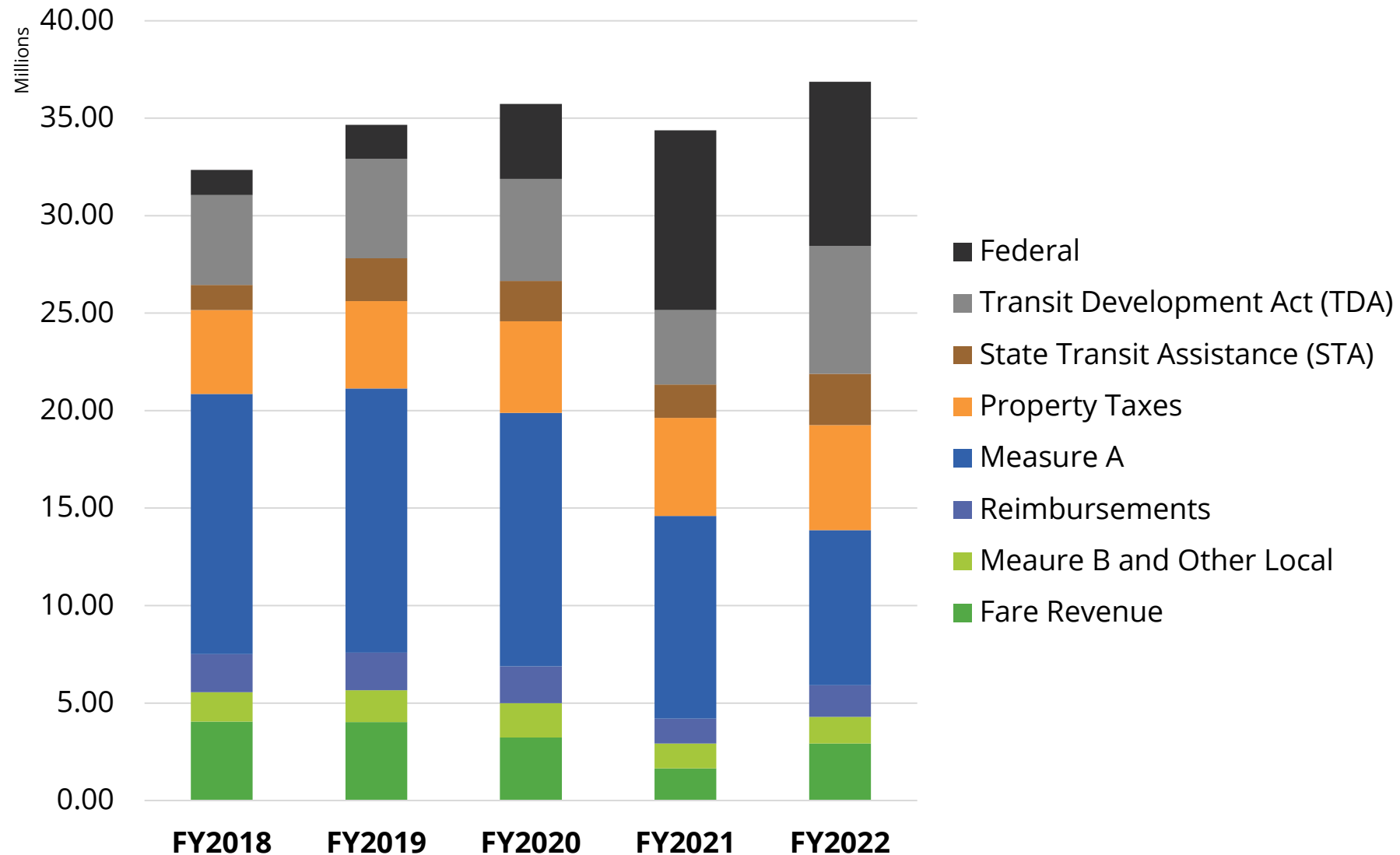
Marin Transit Fixed Route Ridership (2019-2022)



Marin Transit Demand Response Ridership (2019 -2022)



Marin Transit Operations Revenue



Marin Transit 2022 Short Range Transit Plan

Background

- The Short Range Transit Plan (SRTP) must be updated every 2 years
- Previous SRTP approved in 2020
- This update is a “mini” SRTP
 - As a “mini” SRTP, this update only looks 5 years into the future (FY 2023-2028)
 - This SRTP only looks at financial planning, not capital planning

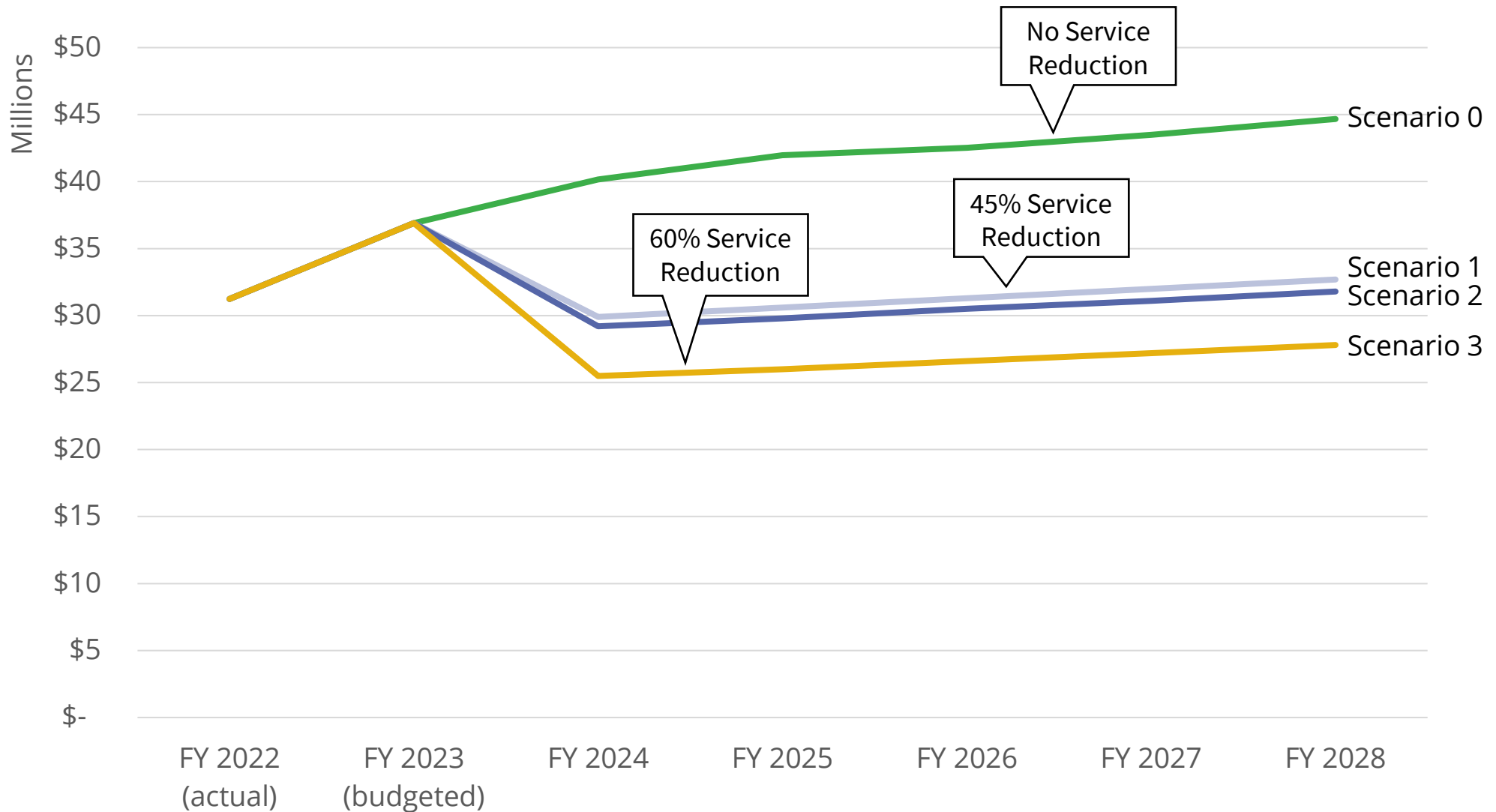
Financial & Service Planning Scenarios

- **MTC Scenario 1:** Revenue drops to pre-COVID levels
- **MTC Scenario 2:** Revenue drops to pre-COVID levels and fare revenue drops further to 80% of pre-COVID levels
- **MTC Scenario 3:** Revenue drops to 85% of pre-COVID levels

Marin Transit added:

- **Scenario 0:** Revenue matches projections approved in the FY 2023 budget

S RTP Financial Projections by Scenario



SRTP Takeaways for Marin Transit

- Marin Transit's near-term financial picture is stable; staff do not anticipate major service cuts in the next 5 years
- There are uncertainties which are difficult to predict
- The SRTP is a high-level planning document; service changes are discussed with Board
- More comprehensive SRTP update in 2024 will more accurately capture the future direction of the District

Bay Area Transit Operators and The Fiscal Cliff

- MTC's 2022 SRTP Scenario Planning Exercise helped identify when transit agencies would face deficits and how large the deficits would be.
- Key Findings:
 - Transit operators reliant on fares, parking revenues, and tolls are facing the most acute financial challenges.
 - \$2.5 - \$3.3 Billion cumulative deficit projected for all operators over the next 5 years.
 - Operators primarily serving riders without access to other modes of transportation have seen the most robust recovery
 - The fiscal cliff is not the only challenge; many operators face labor shortages that are preventing service restoration.

Summary of Opportunities & Challenges

- Strong fixed route ridership trends: ~90% pre-COVID conditions
- Decreasing reliability
 - Traffic
 - Driver Shortages
- Service contracts expiring June 2023
 - Lack of operations and maintenance facility
 - Cost increases
- Fleet electrification and required infrastructure
- Siting additional O&M facilities



2023 Service Change Proposal

- Changes align service with current ridership demands and improve service reliability
- Most riders will still be able to make the same trips they do today, some may have to adjust which routes they take, the time of their travel, or make transfers to reach their destination.
- Considered “major service change” per MCTD service change policy
 - Includes 12 of the 24 fixed route services
 - Estimated decrease of 2.8% of all fixed route service (revenue hours)
 - Estimated decrease of 7.5% of peak vehicle pullouts (# of vehicle used)

Next Steps for 2023 Service Changes

■ Outreach and Education

■ Digital

- www.marintransit.org/2023servicechanges
- Social Media + email distribution
- Online videos

■ Print

- In-vehicle notices
- Bus stops notices


■ In person

- Staff “in the field”
- Stakeholder meetings

■ Public Hearing : **March 6, 2023**

■ Adopt Changes: **April 3, 2023**

■ Implement Changes: **June 11, 2023**



Proposed Service Changes

These changes would align our service with current ridership demands and improve service reliability. Marin Transit wants to hear from you. Your feedback is important to ensure that our services meet the needs of our community.

Cambios propuestos en el servicio

Estos cambios alinearían nuestro servicio con las demandas actuales de los pasajeros y mejorarían la confiabilidad del servicio. Marin Transit desea escuchar de usted. Sus comentarios son importantes para asegurar que nuestros servicios satisfagan las necesidades de nuestra comunidad.


Review Changes & Provide Comment in February
Infórmese y comente en febrero
www.marintransit.org/2023servicechanges

Routes Impacted *Rutas afectadas*


22	23	23X	29	35	49
71	219	251	257	645	651

Effective Date for Proposed Changes
Fecha de efectividad para los cambios propuestos
 June 11, 2023 11 de junio de 2023


Public Hearing *Audiencia Pública*





Monday, March 6, 2023 - 10:00 AM
lunes, 6 de marzo de 2023 - 10:00 AM



Marin County Civic Center
 3501 Civic Center Drive, Room/Sala 330
 San Rafael, CA



<https://www.zoom.us/j/87972683373>

2023 Planning and Project Development

- Transit Priority Corridors grant (OBAG)
- Title VI Program Update
- Exploring how to best serve growing population of older adults
- Regional transit coordination
 - Transit Transformation Action Plan
 - Regional Network Management
- Countywide Transportation Plan
- San Rafael Transit Center design



Electric Bus Maintenance Facility and Yard

Goals

- Meet fleet electrification requirements
- Increase competition for future service operation contracts
- Reduce long term risks

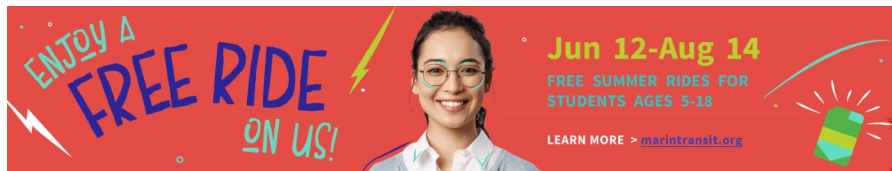
Needs

- Electric charging and parking for 40 larger buses
- 3 – 5 bus bay maintenance facility
- Employee parking
- 4 – 5 acre site
- Good access to US-101



Fare Policy Updates and Activities

- Tested three free fare promotions in 2021-2022 for youth, seniors/ADA, and low-income families
 - They generally had a larger equity impact than ridership impact
- Regional Fare Coordination – standardize transfer discounts between operators



In 2023, we will:

- Conduct Fare Collection Study to prepare for Clipper 2.0
- Integrate regional fare coordination recommendations
- Offer free rides for youth again during summer 2023
- Improve promotion of existing discount programs; partner with CBOs and HSAs
- Determine best options for another low-income fare promotion

Questions?

Nancy Whelan

nwhelan@marintransit.org

(415) 226-0864

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DATE: February 23, 2023

TO: Transportation Authority of Marin Board of Commissioners

FROM: Anne Richman, Executive Director *Anne Richman*
Li Zhang, Deputy Executive Director/Chief Financial Officer
Molly Graham, Public Outreach Coordinator

SUBJECT: Review and Approve the FY2021-22 COC/2022 TAM Annual Report (Action),
Agenda Item No. 8

RECOMMENDATION

The Board reviews and approves the combined FY2021-22 Citizens' Oversight Committee (COC)/2022 TAM Annual Report and directs staff to finalize the report based on input from both the COC and the Board and make it available to the public in March 2023.

The COC will review the combined FY2021-22 COC/2022 TAM Annual Report at its February 21, 2023 meeting. COC Chair Peter Pelham is expected to attend the TAM Board meeting to introduce the Annual Report and comment on any significant items from the COC review.

BACKGROUND

The Annual Report provides an overview of TAM's progress to deliver transportation projects and programs and it provides documentation that the Measure A/AA ½-Cent Transportation Sales Tax funds and the Measure B \$10 Vehicle Registration Fee funds are being spent in accordance with the voter-approved Expenditure Plans. The Annual Report also provides a status update of high priority transportation programs, projects and planning efforts that are paid for with regional, state and federal funds. The annual report is prepared in fulfillment of statutory and Expenditure Plan requirements.

DISCUSSION/ANALYSIS

The Annual Report provides a comprehensive overview of TAM's progress to deliver priority transportation projects, programs and planning initiatives in Marin County. The FY2021-22 COC/2022 TAM Annual Report highlights the key accomplishments achieved this year and contains a map of key capital improvement projects.

The following sections are presented in the FY2021-22 COC/2022 TAM Annual Report:

Letter from the TAM Board Chairperson
About the Transportation Authority of Marin
Message from the COC Chairperson
2022 Key Updates and Highlights
Funding
Projects
Programs

Planning and Coordination
Transit
Community Engagement
Featured COC Member of the Year
(Member Nancy Okada)
Financial Picture
Key Capital Improvement Projects Map

Staff would like to thank the COC Annual Report Subcommittee members for their invaluable review and input to create this draft report: Allan Bortel, Kay Noguchi, Kevin Hagerty and Kingston Cole. Staff would like to give additional thanks to Kay Noguchi for continuing to provide her dedicated proofreading support.

Distribution Plan

Below are the key distribution contacts for the Annual Report. We encourage the TAM Board and COC members to provide additional contacts to ensure a comprehensive and growing distribution list.

The Annual Report will be available on TAM's website and electronically distributed through the TAM Traveler and various social media tools, including Facebook, Twitter, and LinkedIn.

Hard Copies of the Report will be distributed through various methods or groups including:

- Libraries/Cities/Towns/County Civic Center
- TAM committees
- Local jurisdictions and various professional groups such as Marin Public Works Association
- School Districts
- Chambers of Commerce
- Transportation partner agencies in the County and in the region such as other congestion management agencies and transit operators
- Related agencies and advocacy groups such as Marin County Health & Human Services, Paratransit Coordinating Council, the Marin Center for Independent Living, Marin Conservation League and the Marin County Bicycle Coalition
- Public meetings and events

FISCAL CONSIDERATION

The budget amount needed for production of the report is included in the FY2022-23 TAM Annual Budget.

NEXT STEPS

With the approval of the TAM Board, staff will finalize the report with the input from both the COC and the Board and release it in March to interested groups, local agencies, advocacy organizations and Marin residents per the distribution plan.

ATTACHMENT

[Draft FY2021-22 COC/2022 TAM Annual Report](#) *(Please click hyperlink for the DRAFT Annual Report)*



DATE: February 23, 2023

TO: Transportation Authority of Marin Board of Commissioners

FROM: Anne Richman, Executive Director *Anne Richman*

SUBJECT: Return to In-Person Meetings in Compliance with AB 2449 (Action), Agenda Item No. 9

RECOMMENDATION

The Board approves staff's recommendation to return to in person meetings for the TAM Executive Committees, and the Board of Commissioners starting in March 2023 in accordance with the provisions of Assembly Bill (AB) 2449, with options for remote public participation.

BACKGROUND

Prior to the Covid-19 pandemic, TAM conducted all public meetings, subject to the Ralph M. Brown Act (Brown Act), in-person. The Executive Committee meetings were held in the TAM conference room, and the Board of Commissioners meetings were held in the Board of Supervisors Chambers at the Marin County Civic Center. Pursuant to the legislation outlined below, since April 2020, the Executive Committee and Board of Commissioners meetings have been held virtually via Zoom.

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

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

On September 13, 2022, Governor Gavin Newsom signed into law AB 2449, which provides a remote participation option for members of a legislative body of a local agency under specific and limited circumstances when no state of emergency is in effect, through January 1, 2026.

On October 17, 2022, Governor Newsom announced that the COVID-19 State of Emergency will end on February 28, 2023, thereby nullifying the conditions of AB 361, and allowing legislative bodies to conduct meetings in accordance with the rules of AB 2449.

DISCUSSION

In general, once the State of Emergency ends, TAM Board members must be physically present in the same location for a meeting of the Executive Committees or the Board of Commissioners, however, certain exceptions are allowed.

Longstanding Teleconference Provision of the Ralph M. Brown Act

A Board member may attend meetings by teleconference in accordance with the Brown Act. The longstanding teleconference provision, which requires public access to all teleconference locations, including a Board member's home, is generally not well suited for remote attendance by members, especially those who want to attend meetings from their home.

The requirements for teleconferencing under this option are as follows:

- Meeting agenda must be posted at each teleconference location.
- Meeting agenda must identify each teleconference location.
- Each teleconference location must be accessible to the public.
- Members of the public must have an opportunity at each teleconference location to directly address members of the Board.
- A quorum of the members of the Board must participate in the meeting from teleconference locations within the jurisdiction.
- All votes taken must be by roll call.
- The technology used for the teleconference may be audio only, or both audio and visual.

Pursuant to the above, if a Board member were to attend the meeting from their home, the home address would have to be published on the agenda, the home would have to be accessible to disabled persons, and the public would be entitled to enter the home to observe the member at the meeting and offer public comment from that location.

Remote Attendance for Just Cause or Emergency Circumstances Under AB 2449

AB 2449 allows the legislative body of a local agency to use teleconferencing without complying with the traditional Brown Act teleconferencing rules or the modified AB 361 rules in certain circumstances. However, this is limited to two situations, both of which are significantly circumscribed by regulation: "just cause" and "emergency circumstances."

AB 2449 defines "just cause" exclusively to mean one of the following:

- A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, or spouse, as those terms are defined in California Government Code Section 12945.2, or domestic partner, that requires the Board member to remotely attend the meeting.
- A contagious illness that prevents the Board member from attending the meeting in person.
- A need related to a physical or mental disability as defined in California Government Code Sections 12926 and 12926.1, the state disability law, if not otherwise accommodated under federal disability law.
- Travel while on official business of the Board or of another state or local agency.

To teleconference on the basis of "just cause," these requirements apply:

- The member must notify the Board as soon as possible, including at the start of a meeting, of their need to attend the meeting remotely, including a general description of the circumstances relating to the need.
- The member may use this option no more than two meetings per calendar year.

AB 2449 defines "emergency circumstances," exclusively to mean "a physical or family medical emergency that prevents a member from attending in person." (Cal. Gov. Code§ 549530)(1).)

To teleconference on the basis of "emergency circumstances," these requirements apply:

- As soon as possible, the member must request approval of the Board, and must make a separate request for each meeting in which remote attendance is sought.
- The member must provide to the Board a general description of the circumstances relating to the need to attend the meeting remotely; the description generally need not exceed 20 words and the Board may not require the member to disclose any medical diagnosis or disability, or any personal medical information that is exempt under existing law.
- The Board must approve the request and should approve it at the earliest opportunity; if the request does not allow sufficient time to place this proposed action on the meeting agenda, the policy body may take action at the beginning of the meeting.

In addition to the requirements outlined above, the following requirements apply regardless of whether the Board member's remote attendance is based on "just cause" or "emergency circumstances":

- A Board member may not attend meetings remotely for more than three consecutive months or more than 20% of the policy body's meetings during the calendar year (or more than two meetings during the calendar year if the policy body meets fewer than 10 times per calendar year).
- The Board member must disclose at the meeting, before any action is taken, whether any other individual 18 years of age or older is in the room at the remote location with the member, and the general nature of the member's relationship with any such individual.
- The Board member must attend the meeting through both audio and visual technology.
- At least a quorum of the Board must attend the meeting in person from a single physical location clearly identified on the agenda; the location must be open to the public and situated within the jurisdiction.

In preparation for returning to in-person meetings, at its March 24, 2022 meeting, the TAM Board approved a contract with the Community Media Center of Marin (CMCM), also known as MarinTV, to provide audio and visual services at the Board of Supervisors Chambers for the monthly Board of Commissioners meetings. Over the past year, TAM staff has conducted multiple practice sessions in the Board Chambers with CMCM to test the new hybrid meeting format, which provides a live webcasting of the meeting to continually allow the public to attend the meetings virtually.

FISCAL IMPACTS

Costs related to technical support and recording for the in-person Board meetings are included in the FY2022-23 TAM Annual Budget.

NEXT STEPS

Effective March 1, 2023, TAM will conduct all public meetings, subject to the Ralph M. Brown Act (Brown Act), in-person under the rules of AB 2449. Executive Committee meetings will return to the TAM conference room, located at 900 Fifth Avenue, Suite 100, San Rafael, and the Board of Commissioners meetings will return to the Board of Supervisors Chambers located in room 330 at the Marin County Civic Center. Executive Committee and Board of Commissioner meetings will be held in-person with an option for the public to participate in-person or remotely, and to allow, if there is a need, members of the Board to participate in-person or remotely under AB 2449.

ATTACHMENTS

None.

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DATE: February 23, 2023

TO: Transportation Authority of Marin Board of Commissioners

FROM: Anne Richman, Executive Director *Anne Richman*
Project Delivery Team

SUBJECT: Presentation on the Project Development Process (Discussion), Agenda Item No. 10

RECOMMENDATION

For discussion only.

BACKGROUND

Staff would like to provide a high-level overview of the typical process to develop a capital improvement project in the public sector and provide a few examples of projects that TAM has sponsored and/or acted as the lead agency for the project.

DISCUSSION/ANALYSIS

TAM has been a sponsor on many projects over the years throughout all phases of a project's development process. TAM also works closely with our partner agencies such as the California Department of Transportation (Caltrans), the County, and cities and towns to advance capital improvement projects through the development process.

There are variations in the approach of project development, but they generally follow five major phases regardless of what agency is leading the project:

1. Planning and/or Feasibility Studies
2. Project Approval & Environmental Document (PA/ED)
3. Right-of-Way
4. Final Design
5. Construction

Caltrans has refined the process over many decades and assembled the Project Development Procedures Manual that defines steps that are taken when working on a State Highway Facility. It is a good guiding document to refer to as a project advances through the phases of development.

The attached presentation provides more information about each phase as well as examples to help illustrate the steps.

FISCAL IMPACTS

Not applicable.

NEXT STEPS

Not applicable.

ATTACHMENTS

Attachment A – PowerPoint Presentation



Item 10 - Attachment A

Project Development Process

Transportation Authority of Marin

Dan Cherrier, Director of Project Delivery
Nick Nguyen, Principal Project Delivery Manager
Bill Whitney, Principal Project Delivery Manager

February 23, 2023

Public Works Project Types

1. Routine Maintenance

- Pothole Maintenance
- Minor Drainage Issues
- Restriping
- Minor Safety Issues
- Minor Repair to Buildings and Facilities
- Park and Landscape Maintenance

2. Capital Projects

- Roadway Paving Projects
- Drainage Projects
- Traffic Signal Upgrade
- Accessibility
- Sidewalks
- Bike Paths
- Park Upgrades



Major Phases for Capital Improvement Projects

Planning and/or Feasibility Studies

Project Approval & Environmental Document (PA/ED)

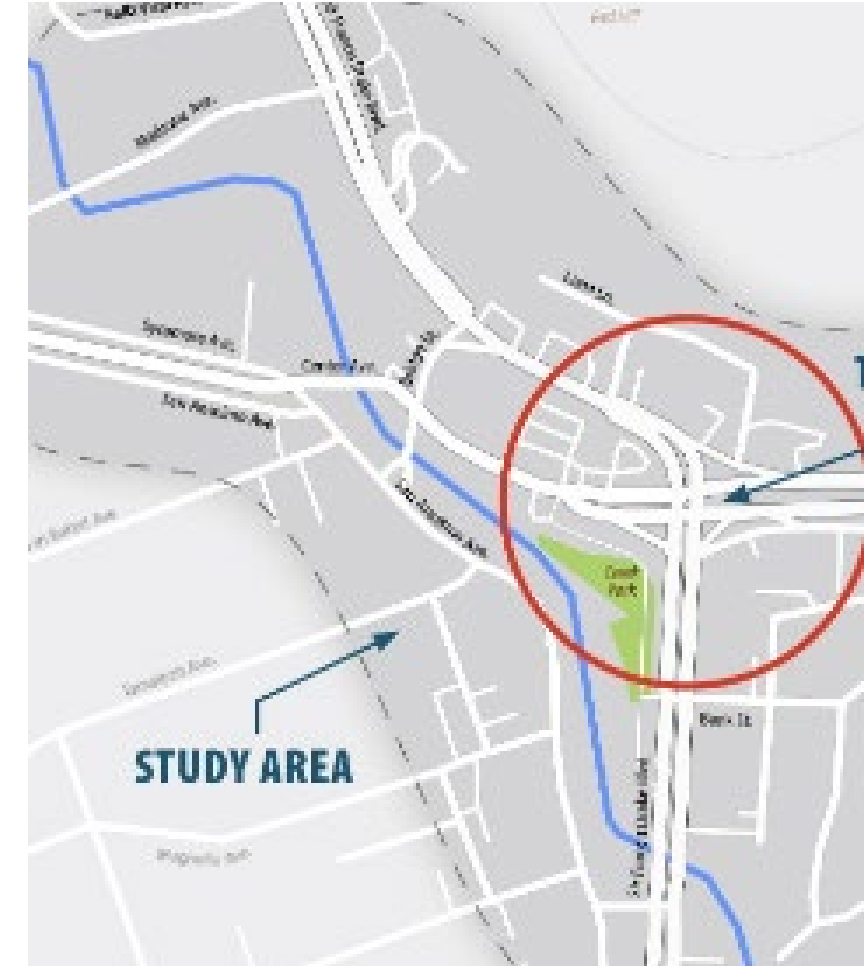
Right-of-Way

Final Design

Construction

1. Planning and/or Feasibility Studies

- Often done for big projects but not always necessary
- Feasibility study assesses the potential for success of the proposed plan or project by defining expected costs and benefits.
- Feasibility studies are often used to develop an improvement concept and to gain stakeholder support.
- Caltrans uses a Project Initiation Document (PID) to provide this information.
- Feasibility studies can be used as a basis to secure funding to advance to the next phase.



1. Planning and/or Feasibility Studies (cont.)

Case Study/Examples

2004 Central Marin Ferry Connection Project Study – Multiple Stakeholders

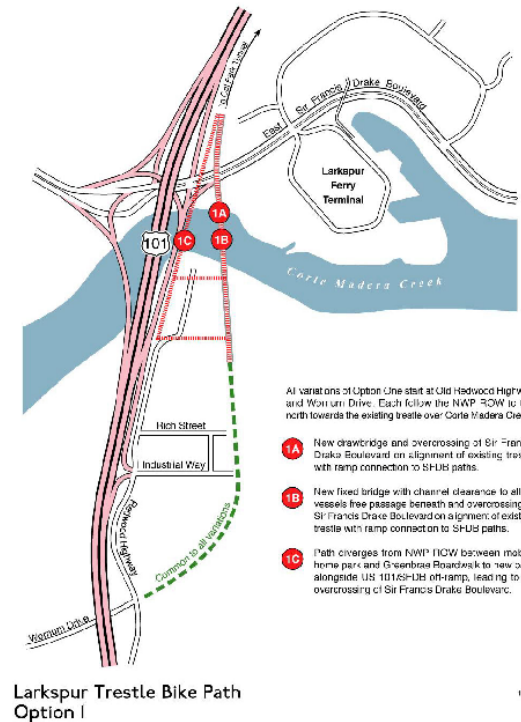
FINAL CENTRAL MARIN FERRY CONNECTION PROJECT



Prepared For
City of Larkspur

Prepared By
Alta Planning + Design, Inc.

April 2004



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2. Project Approval/Environmental Document (cont.)

- Begin with Initial Study to determine level of clearance needed; depends on many factors such as the natural environment, the built environment, or community impacts.
- The required CEQA review process can result in three different determination/document types:

An Exemption

Initial Study with Negative Declaration or Mitigated Negative Declaration

An Environmental Impact Report (EIR)

2. Project Approval/Environmental Document (cont.)

- CEQA documents can be approved by local agencies or Caltrans. Approval of NEPA documents is typically delegated to Caltrans.
- Caltrans has an additional step in their approval process: a companion document called the Project Report. This and other requirements are outlined in the Project Development Procedures Manual.
- Following approval of the environmental document a project is deemed “Approved” and can proceed into final design.
- Typically, project funding must be identified during this phase.
- Complicated projects and projects with sensitive resources nearby can take multiple years to develop.

2. Project Approval/Environmental Document (cont.)

- Resource Agency Permits are issued at this stage. Permitting conditions can be a means to reduce a potential project impact or provide a mitigation.
- Permitting conditions can substantially increase the cost of a project depending on the proximity to sensitive resources.
- Agencies that permitted and approved recent TAM sponsored projects include:
 - US Army Corps of Engineers
 - US Coast Guard
 - US Fish & Wildlife
 - National Marine Fishery Service
 - CA Department of Fish & Wildlife
 - Regional Water Quality Control Board
 - SF Bay Conservation and Development Commission



2. Project Approval/Environmental Document (cont.)

Case Study/Examples

Central Marin Ferry Connector – Environmental Approval & Permits

a draft Initial Study/ Mitigated Negative Declaration for the Central Marin Ferry Connection Multi-Use Pathway Phase 1 Project.

WHEREAS, the Transportation Authority of Marin accepted comments from public agencies, local organization and private parties during the 30 day comment period ending on July 2, 2010. Comments were reviewed and analyzed in compliance with the requirements of CEQA. A response to comments has been prepared after a thorough analysis and consideration of the Initial Study, Mitigation Measure, Technical Studies, and CEQA requirements. The comments and responses have been incorporated in to the final IS/MIND

NOW, THEREFORE BE IT RESOLVED that the TAM Board of Commissioners hereby makes the following findings:

1. That the initial public review period on the Mitigated Negative Declaration was given as required by law in accordance with the CEQA guidelines
2. All individuals, groups, and agencies desiring to comment on the Mitigated Negative Declaration were given opportunity to offer comments
3. The Mitigated Negative Declaration of Environmental Impact for the project consists of the Mitigated Negative Declaration, Initial Study, responses to comments and all supporting documentation incorporated by reference
4. That the Mitigated Negative Declaration of Environmental Impact was completed in compliance with the intent and requirements of CEQA and the State CEQA Guidelines

THEREFORE BE IT RESOLVED that the TAM Board of Commissioners hereby adopts the Mitigated Negative Declaration of Environmental Impact for the Central Marin Ferry Connection Multi-Use Pathway Phase 1 Project as an adequate and complete environmental document for purposes of approving the project and declares that the Mitigated Negative Declaration has been completed and considered in conjunction with CEQA, and the State CEQA guidelines.

PASSED AND ADOPTED at a regular meeting of the Transportation Authority of Marin held on the 23rd day of September 2010, by the following vote:

AYES: Commissioners: Adams, Arnold, Boro, Donnell, Fredericks, Furst, Kellner, Kinsey, Lundstrom, Martin (Alternate)

NOES: Commissioners: Greene

ABSENT: Commissioners: Brown, Hunter, McGlashan, Moulton-Peters, Pfeifer, Tremaine

ATTEST:

Dianne Steinhauser
Dianne Steinhauser
Executive Director

Steve Kinsey
Steve Kinsey, Chair
Transportation Authority of Marin

Page 2 of 2



Central Marin Ferry Connection Project Update

Starting January 23, 2015, the Central Marin Ferry Connection Project will stop work in the marsh and Corte Madera creek areas for the start of the California Clapper Rail breeding / nesting season.

The California Clapper Rail is designated a high priority endangered species by law. We extend them the most protection that we can to make sure that projects like the Central Marin Ferry Connection do not harm or even stress any individual birds. The quiet time is a precaution we take to allow a biologist to look for any Clapper Rails that might want to nest here this year.



Work will resume in mid-March, 2015 until completion fall 2015 - IF no endangered birds or nests are threatened by the resumption of work. The quiet time from January 23 to mid-March is to allow the individual birds the choice of where to nest.

More information available at www.marinferryconnection.com

3. Right-of-Way Certification

- Caltrans requires a project to complete a Right-of-Way procedure to confirm the project has demonstrated it possesses all rights to proceed to construction.
- Right-of-Way certification is required when:
 - A local agency requests an Encroachment Permit to construct a portion of a local agency project on the State Highway System, or
 - A local agency sponsors a project within their jurisdiction and is using federal funds.



3. Right-of-Way Certification (cont.)

Case Study/Example

- Construction of the Multi-use Path on Old Redwood Highway
- During the Right-of-Way Certification, Caltrans researched ownership of the roadway and discovered an unusual condition. The County of Marin has ownership in a very small land-locked portion of the roadway.
- In order to certify the project has rights to proceed to construction, the County needed to issue the project an encroachment permit to allow the project to be built on a portion of their parcel.



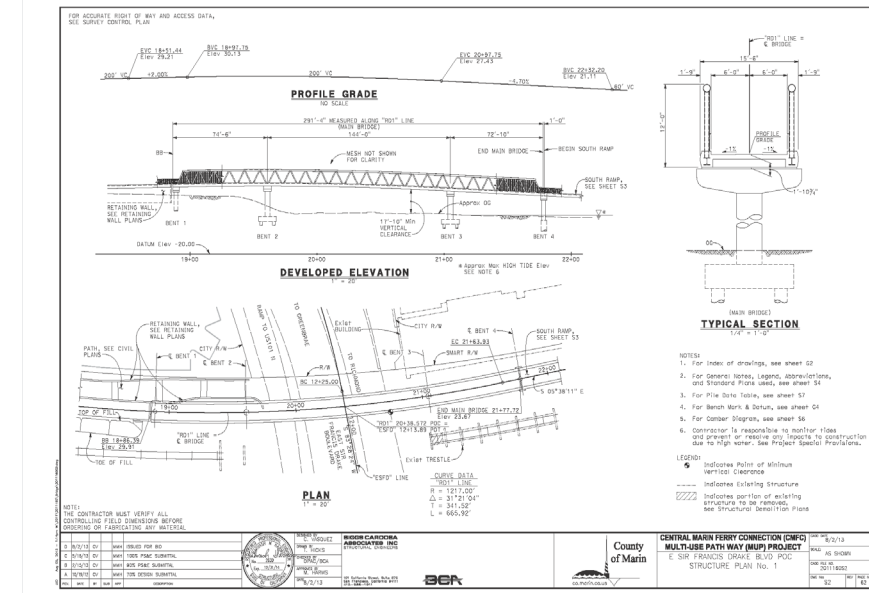
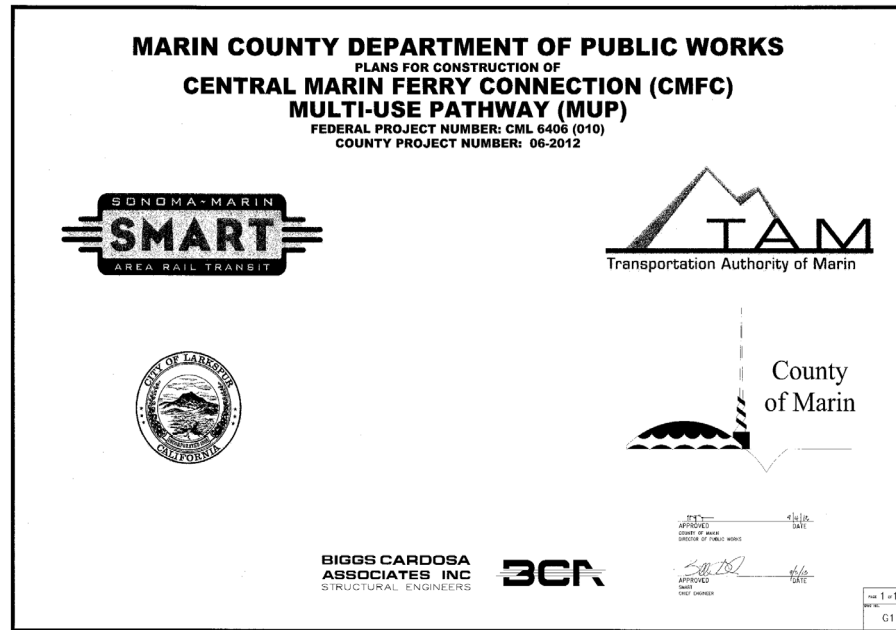
4. Final Design

- Engineers use technical studies as a foundation of the design – geotechnical investigation, seismic conditions, hydrologic parameters, etc.
- Advance design to 60%, 90% and 100% completion.
- Large public works projects often have an Architect on the team to promote aesthetics.
- Conducting outreach early is critical to involve other agencies and interest groups to solicit input. Input provided during late stages of design is difficult and costly to accommodate.
- Governing body certifies and approves the project.
- Solicit construction bids from qualified contractors, award contract to the lowest responsible bidder.
- Caltrans follows a slightly modified process defined in the Project Development Procedures Manual requiring multiple levels of approval including Headquarters in Sacramento.

4. Final Design (cont.)

Case Study/Examples

Central Marin Ferry Connection Project



5. Construction

- Set up management team to administer the contract.
 - Inspection
 - Quality Control
 - Contract Change Orders
 - Design Services during Construction
- Ensure contractor builds the project in accordance with plans and specifications.
- Partner with contractor to produce a high-quality public works project.
- Monitor construction costs, budgets and schedule.



5. Construction (cont.)

**CENTRAL MARIN FERRY CONNECTION MULTI-USE PATHWAY
GROUNDBREAKING CEREMONY – APRIL 28, 2014**



Completion



Thank you!