



MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
TAM

SEPTEMBER 28, 2017
7:00 PM

MARIN COUNTY CIVIC CENTER, ROOM 330
3501 CIVIC CENTER DRIVE
SAN RAFAEL, CALIFORNIA

MEETING MINUTES

Members Present: Stephanie Moulton-Peters, Mill Valley City Council, TAM Chair
Judy Arnold, Marin County Board of Supervisors, TAM Vice Chair
Alice Fredericks, Tiburon Town Council
Beach Kuhl, Ross Town Council
Damon Connolly, Marin County Board of Supervisors
Diane Furst, Corte Madera Town Council
Dan Hillmer, Larkspur City Council
Eric Lucan, Novato City Council
Gary Phillips, San Rafael City Council
Katie Rice, Marin County Board of Supervisors
Dennis Rodoni, Marin County Board of Supervisors
Ray Withy, Sausalito City Council

Members Absent: James Campbell, Belvedere City Council
John Reed, Fairfax Town Council
Tom McInerney, San Anselmo Town Council
Kate Sears, Marin County Board of Supervisors

Staff Members Present Dianne Steinhauser, Executive Director
Bill Whitney, Deputy Executive Director
Dan Cherrier, Principal Project Delivery Manager
David Chan, Manager of Programming and Legislation
Derek McGill, Planning Manager
Li Zhang, Chief Financial Officer
Nick Nguyen, Principal Project Delivery Manager
Molly Graham, Public Outreach Coordinator
Scott McDonald, Senior Transportation Planner

1. Convene in Open Session

Chair Moulton-Peters called the meeting to order at 7:00 p.m.

2. Adjourn to Closed Session

Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation

There is significant exposure to litigation against the Agency pursuant to Government Code section 54956.9(d)(2)

Number of Cases: 1

The meeting was adjourned to Closed Session.

3. Reconvene in Open Session – Announcement

The Board reconvened at 7:50 p.m. and Chair Moulton-Peters reported that a Closed Session was held and direction given to Counsel, with nothing else to report.

4. Chair's Report (Discussion)

Chair Moulton-Peters indicated she had nothing to report except for the presentation of the Crossing Guard of the Year award.

Executive Director (ED) Dianne Steinhauser discussed the importance of the crossing guard program, with annual recognition of one outstanding guard. She deferred to Commissioner Fredericks to make the presentation.

Commissioner Fredericks introduced Thomas Holmes and reviewed his accomplishments over the past seven years at Reed Elementary School in Tiburon, and she expressed appreciation for his work on behalf of the community. She also acknowledged the role of All City Management Services (ACMS), which is responsible for the hiring and training of the guards. She commended the community and schools as well for their participation in the Safe Routes to Schools program.

Commissioner Fredericks presented Mr. Holmes a plaque in his honor, who expressed his gratitude for the opportunity to serve. He also noted that his wife was present tonight and acknowledged the importance of her support. He further commented on the love and joy he feels to be working with the children.

ED Steinhauser showed the Crossing Guard of the Year registry on which Mr. Holmes name would be added, displayed in TAM's offices.

5. Commissioner Matters Not on the Agenda (Discussion)

There were none.

6. Executive Director's Report (Discussion)

ED Dianne Steinhauser reviewed items in her written report, including recent events and accomplishments - initiation of SMART service, Get SMART 17 Lyft program, upcoming ribbon cutting for the TAM Junction bike lane project, information about TAM's annual audit, the successful open house on State Route 37 held the previous week, activity at the state level related to SB 1, and regional MTC Active Transportation Program funds recently awarded for a project in Corte Madera. Commissioner Furst provided additional information on the project in Corte Madera which is in the vicinity of Tamal Vista, Wornum and Nellen Drives and expressed appreciation, in particular, to TAM Programming Manager, David Chan.

a. Richmond – San Rafael Bridge Third Lane and Multi-Use Path Report

ED Steinhauser reviewed progress on the primary elements currently under construction – the retaining wall on the other side approaching Richmond, testing of the new electronic changeable message signs so commuters will know when the extra lane can be used, and rebuilding of the on-ramp from San Quentin/ Main Street to

accommodate traffic from Sir Francis Drake Blvd. She also discussed potential changes to the project schedule, with opening of the third lane eastbound at the very end of the year instead of the original date of November 1st.

b. Look Ahead Report

Referring to the distributed report, ED Steinhauser briefly discussed the purpose of the report and upcoming projects/activities for the next few months.

c. Status of Expenditure Plan Advisory Committee

ED Steinhauser concluded with information on work of the Committee in recent months, as well as anticipated material that will be covered over the rest of the year. She noted that staff intends to provide the Board with a thorough report at the end of November meeting.

Chair Moulton-Peters expressed appreciation for the detailed report and all that is being accomplished, as well as the outreach to the community.

There was no public comment on the Executive Director Report.

7. Commissioner Reports (Discussion)

a. Metropolitan Transportation Commission (MTC) Report

Commissioner Connolly provided information on Senate Bill 595, also known as Regional Measure 3 (RM3), a proposed toll increase for Bay Area bridges, the anticipated process and timeline, voter approval needed, and potential Marin area projects that have requested funding.

b. Marin Transit Report

Commissioner Rice reported on the new Redwood & Grant transit facility in downtown Novato, commending all involved in bringing it to completion. She also discussed Marin Transit's participation with the Expenditure Plan Committee and the information Marin Transit shared regarding ridership, expansion, and transit activity covered by Measure A.

c. SMART

Vice Chair Arnold commented on SMART's initial success and the increasing number of commuters who use the train (standing room only at times). She reviewed questions asked regarding SMART service and compared the predictive responses with actual statistics.

8. Open Time for Public Expression

Cindy Winter discussed progress being made towards the development of autonomous vehicles (AV) in the years since she first heard of them in December of 2015, especially in the Bay Area. She commented on guidelines issued by the US government, rapid expected growth of the industry, and the development of necessary computer software.

Barry Taranto noted that Golden Gate Transit makes copies of its transit schedules available at the Marin libraries, and he expressed hope that SMART would do likewise so riders can easily access the information. As a cab driver in San Francisco, he expressed concern about the company that TAM is working with to provide short trips to/from the stations because there is no mandatory drug testing for the drivers and most of them are not part of the community they serve. He also commented on the need for affordable, workforce housing and senior housing in the Northgate Mall area. He discussed various smartphone apps that can give real-time bus status information, which would be helpful to bus riders. Lastly, Mr. Taranto expressed concern about the need for a taxi stand at the Golden Gate Bridge, given the heavy demand for taxi services there.

9. CONSENT CALENDAR (Action)

- a. Approve TAM Board Minutes of August 24, 2017
- b. Approve the Programming of 2018 State Transportation Improvement Program (STIP) Funds
- c. Project Budget and Contract Budget Increases for CSW / Stuber Stroeh for the TAM Junction Project

There was no public comment on the Consent Calendar.

Vice Chair Arnold moved to approve the Consent Calendar. Commissioner Lucan seconded the motion, which was approved unanimously.

10. State Legislative Update (Discussion)

ED Steinhauser introduced Gus Khouri of Khouri Consulting to present the staff report.

Mr. Khouri commented on three bills. He noted that: SB 595 is currently on the Governor's desk, with a deadline of October 15th for signature; he reviewed some of the expected funding that will result. Secondly, he discussed the extension of cap-and-trade, AB 398, and potential funding impacts. He also discussed the effects of SB 1 and how it will impact TAM's allocations for local streets and roads, as well as maintain funding for long-term projects such as the Marin Sonoma Narrows (MSN) project.

Chair Moulton-Peters thanked Mr. Khouri for his report and for staying on top of these major bills.

11. Adopt a new Resolution of Intention for TAM to Enter into a Contract with CalPERS for Retirement Benefits (Action)

Consultant Terry Matsumoto presented the staff report which recommended that the TAM Board adopt a new Resolution of Intention for TAM to enter into a contract with CalPERS for retirement benefits. The TAM Board adopted a previous Resolution of Intention, which has been updated with a new actuarial covering previously omitted staff, and a new contract cost as a result. Mr. Matsumoto discussed cost estimates TAM will incur relative to employee benefits when it becomes a PERS Agency. He discussed changes to the asset valuations for the organization and how that affects the impacts of the change. He recommended that the Board approve the Resolution of Intention, and he reviewed the next steps in the process including a PERS employee election, a reallocation agreement between TAM, CalPERS and Local Government Services, and the adoption of a final resolution to contract with PERS which would transition TAM staff from LGS employment to TAM employment

Commissioner Lucan moved to approve the adoption of a new Resolution of Intention for TAM to enter into a contract with CalPERS for retirement benefits, and Vice Chair Arnold seconded the motion. It was unanimously approved.

12. **MTC Proposed Conditions on State Transportation Improvement Program (STIP) Funds** (Action)

ED Steinhauser introduced the item seeking input from the TAM Board on MTC's proposal to impose housing requirements on the use of STIP funds by CMAs. She discussed the proposal from MTC related to the STIP funds, noting there is a supplemental report in the packet on the dais, and she confirmed that the other three North Bay counties are coordinating on this effort.

David Chan, Manager of Program and Legislation, presented the staff report, including a review of the STIP program, how the funds can be used, categories of the funds, TAM's STIP share, how MTC is proposing to add a housing production requirement on the program and the effect on TAM's eligibility for STIP funding, an explanation of the state-mandated Regional Housing Need Allocation (RHNA), a comparison of past RHNA performance by jurisdiction (TAM member agencies), and potential funding impacts. He added that MTC may be presenting it to the MTC Commission on October 25, 2017.

ED Steinhauser discussed MTC's goal in making this proposal, noting that RHNA numbers have not always been met in all of the TAM member jurisdictions, but that the years when that was the case were years when the economy was not strong. She also noted that TAM's past STIP funds have generally been used on projects that are multi-jurisdictional, which is a trend likely to continue. She reviewed the staff recommendation for TAM's response to the proposal, as well as input from the other north bay counties.

Commissioner Connolly indicated that he was very supportive of the TAM principles outlined by ED Steinhauser and shares the same concerns as presented by staff. He also noted that he did not hear of the MTC proposal from MTC, which has not yet been heard by the MTC Board or any Committee; rather, ED Steinhauser brought it to his attention. He confirmed that representatives of other North Bay CMA's agreed with the issues mentioned by staff. Additionally, he indicated he has learned that the plan was going through the MTC Committee to House the Bay Area (CASA), and the idea has been met with concern there as well. He acknowledged the housing needs issues and supports efforts to provide greater access to affordable housing opportunities; he also agrees there are transportation issues at the local levels that need local control to solve.

Vice Chair Arnold recommended that TAM send a strong letter of non-support, expressing that this is not the way to solve the affordable housing issue, especially since TAM has no authority over housing projects. In fact, she agreed that traffic issues in many local jurisdictions could be put at risk by the actions of one agency under this program. Commissioner Connolly agreed, commenting on the dangerous precedent that could be set, resulting in future transportation funding being limited because of housing requirements.

Commissioner Phillips stated he had discussed this matter with his staff, and he indicated that San Rafael agrees with the principles identified by staff, as well as the statement that TAM does not have authority to dictate housing requirements.

Commissioner Fredericks agreed with the previous speakers. She expressed it seems that state legislators want to support affordable housing policies without enacting legislation that would help local jurisdictions overcome many of the constraints over which they have no control. ~~the necessary programs/requirements themselves.~~ As staff pointed out, she agreed TAM has no control over the housing market, developers or property owners even when trying to encourage affordable housing.

Commissioner Rodoni echoed Commissioner Connolly's comments that he had not received information directly from MTC even though he is an ABAG representative. He agreed a letter of nonsupport should be sent soon to MTC and ABAG (the Association of Bay Area Governments) and should cite the principles and concerns mentioned by staff.

Commissioner Rice was in agreement as well, and she added that in order to provide affordable housing, an adequate transportation infrastructure is needed.

Commissioner Rice moved that a letter of nonsupport for the MTC proposed conditions on STIP funds, citing the principles and concerns raised by staff and/or Commissioners.

Chair Moulton-Peters opened public comment on the item.

Barry Taranto expressed concern that Marin not become or appear to be "elitist" in terms of the type of housing it is willing to provide, and they should consider more workforce housing or senior housing. He agreed that transportation funding should not be tied to housing requirements.

Chair Moulton-Peters agreed, and she deferred to Commissioner Fredericks who commented on some of the discussions among the MCCMC Legislative Committee regarding the constraints that affect the number of new units that are feasible for the county. She agreed it is important to acknowledge the affordable housing issues, and she noted the Committee is working on information to provide to the state representatives to clarify the issues here.

Seeing no further speakers, Chair Moulton-Peters closed public comment on the item.

Commissioner Connolly indicated his willingness to work with staff in drafting the letter and directing it to the appropriate department. ED Steinhauser reiterated time constraints, given that MTC would like to finalize the STIP provisions at its October meeting.

At the request of Chair Moulton-Peters, Mr. Khouri quickly commented on proposed amounts in the state budget to be allocated to affordable housing and transit-oriented development to reduce greenhouse gases.

Commissioner Rice suggested talking to the other North Bay Counties to see if a joint letter would be appropriate. ED Steinhauser commented that there may be minor adjustments to the letter after that discussion. Commissioner Connolly agreed that coordinating with the other counties would be good.

Commissioner Arnold seconded the amended motion, and it was unanimously approved.

13. **Caltrans Report** (Discussion)

ED Steinhauser noted that Caltrans has much information to share regarding SB 1 funding, and she indicated it would be good to have Caltrans staff come before the Board in October or November.

The meeting was adjourned at 9:07 p.m.