

MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
TAM

July 26, 2018
7:00 PM

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



MEETING MINUTES

Members Present: Alice Fredericks, Tiburon Town Council
Brian Colbert, San Anselmo Town Council
Damon Connolly, Marin County Board of Supervisors
Dan Hillmer, Larkspur City Council
Dennis Rodoni, Marin County Board of Supervisors
Eric Lucan, Novato City Council
Gary Phillips, San Rafael City Council
James Andrews, Corte Madera Town Council (Alternate)
John Reed, Fairfax Town Council
Judy Arnold, Marin County Board of Supervisors, TAM Vice Chair
Kathrin Sears, Marin County Board of Supervisors
Katie Rice, Marin County Board of Supervisors
Ray Withy, Sausalito City Council

Members Absent: James Campbell, Belvedere City Council
P. Beach Kuhl, Ross Town Council
Stephanie Moulton-Peters, Mill Valley City Council, TAM Chair

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

Vice Chair Arnold called the meeting to order at 7:00 p.m.

1. Chair's Report (Discussion)

Vice Chair Arnold stated she did not have a report.

2. Commissioner Matters Not on the Agenda (Discussion)

There were none.

3. Executive Director's Report (Discussion)

ED Steinhauser announced that the full contingent of crossing guards will be deployed by the start of the school year in the last half of August. This is due to TAM assigning temporary funding to keep the program going through the Fall. She reminded everyone about the event SMART will hold on August 18 to celebrate its first year of service at the Hamilton Station and that TAM staff will have a booth there to talk about TAM's programs and projects and upcoming sales tax renewal.

She referred the membership to the Executive Director's Report included in the supplemental packet which described a summary of activity involving Highway 37 with more information would be available at a future meeting. She reported attending the first of a set of ongoing meetings between the California Air Resource Board and California Transportation Commission, exploring transportation's role in air quality and climate. She concluded her report by noting that a state legislative update included in the report as well as Active Transportation Program (ATP) applications from local jurisdictions are due Friday, July 27.

4. Commissioner Reports (Discussion)**a. Metropolitan Transportation Commission (MTC) Report**

Commissioner Connolly reported on the upcoming retirement of MTC Executive Director Steve Heminger effective February 2019. He reported on a lawsuit filed about RM3 by the Howard Jarvis Taxpayers Association which argues what constitutes a tax and a fee and the voter thresholds for each. The assumption is that the measure can proceed with implementation despite the litigation with the anticipation that funds will begin to be released in early 2019. He reviewed Proposition 6, which will be on the November ballot, to repeal SB1 - the gas tax. He commented that, at stake, is \$8 million per year for local street and road repair for Marin County cities and towns, and he said that it will be important to make a case to the public to relate it to Regional Measure 3 and the renewal of Measure A. ED Steinhauser noted that Item 6i on tonight's Consent Calendar is staff's recommendation to the Board to oppose Proposition 6.

b. Marin Transit Report

No report given.

c. SMART

Vice Chair Arnold announced SMART Fest on August 18 from 10:00 a.m. to 3:00 p.m. at the SMART Novato Hamilton Station in Novato and that more information is available at the SMART website.

5. Open Time for Public Expression

Cindy Winter reported on the recent resolution by the US Conference of Mayors endorsing human-centered mobility, bicycle and pedestrian infrastructure, and autonomous vehicle usage. She complimented the City of San Rafael's comprehensive bicycle/pedestrian master plan and TAM's bike share program. She commented on a July 21 *New York Times* article on AVs, and a July 23 article on Fiat Chrysler. She also spoke about Uber's role in transportation digitization and questioned who should control an integrated digitized transportation platform to ensure neutrality and serve the public good – a private company or the local transportation authority.

6. CONSENT CALENDAR (Action)

- a. Approve TAM Board Meeting Minutes June 28 and July 9, 2018
- b. Bike Share Program Cooperative Agreement Between Sonoma County Transportation Authority (SCTA) and TAM
- c. "GETSMART17" Lyft Pilot Program Update and Whistlestop Contract Amendment
- d. Review and Approval of TAM's Sales Tax Consultant Service Team Selection
- e. Measure B, Vehicle Registration Fee – Element 3.3 Alternative Fuel Promotion Program Short Term Expenditure Opportunities
- f. Congestion Management Plan and Monitoring Report Contract – Authorize Approval
- g. Amend the Accompanying Resolution to Conflict of Interest Section of the Administrative Code on Designated Positions Requiring Compliance with State Disclosure Requirements
- h. Authorize the Executive Director to Negotiate and Execute a Contract Amendment with BKF Engineers, Not to Exceed an Additional \$500,000, to Prepare Design Plans for the Highway 101 Marin Sonoma Narrows B1-Phase 2 and A4 Projects
- i. Oppose Proposition 6 in Repealing Senate Bill (SB) 1

Vice Chair Arnold opened and closed the Consent Calendar for public comment with no speakers coming forward.

Commissioner Lucan moved to approve the Consent Calendar, which Commissioner Fredericks seconded. The motion carried unanimously.

7. Accept the TAM Origin & Destination Final Report (Action)

ED Steinhauser introduced Planning Manager Derek McGill to present this item which recommended that the TAM Board Accept the TAM Origin & Destination Final Report. Note that the Draft Report was presented to the TAM Board in March 2017, and the final report was presented to the TAM Programming and Projects Executive Committee in July 2018, who accepted the report and referred it to the full Board.

Mr. McGill introduced Dr. Robert Eyler of the Marin Economic Forum and Kevin Johnson, of Fehr and Peers. Mr. McGill reviewed the background and purpose of the study to understand county-to-county and local travel patterns and support the development of the TAM Travel Demand Model (TAMDM). He explained the methodology of using Big Data collected from mobile phones, GPS devices, and automobiles, and the benefits and limitations of this methodology. He reviewed the data including what types of trips tend to occur, where they tend to start and end, trip-length trends, and total vehicle miles traveled (VMT) in Marin. He noted this data is from 2015 and inter-county travel has probably increased since then. He gave examples of data specific to the Richmond-San Rafael bridge. He reviewed the implications of the data for Marin County employment and noted challenges comparing resident-based worker data to vehicular trip data.

Dr. Eyler provided additional context on the employment data, including data from other sources and predictions about job growth in the future which forecasts that approximately 10,000 jobs will be added in Marin between today and 2025.

Commissioner Phillips asked about the implications of this data for TAM and its local jurisdictions. Mr. McGill stated the most relevant data are the trip lengths for each jurisdiction, the frequent origins and destinations, and the specific data about travelers on key highways and bridges. ED Steinhauser stated this will help to optimize and focus efforts on improving interchanges and understanding traffic demand, informs employer/employee support programs, particularly programs serving employees commuting from outside the County.

Commissioner Colbert noted there will likely be questions about how TAM is addressing the key traffic patterns revealed by these data, particularly as TAM moves forward with the Measure A renewal. ED Steinhauser stated some of the information in this report supports data TAM already had that was used to plan the use of RM3 funds.

She stated, as an example, these data raise the level of importance for good access to the Richmond-San Rafael bridge. It also highlights the need for mobility and quality-of-life solutions for commuters from outside the County.

Commissioner Andrews asked how specific the data was about where trips were beginning and ending and he cited an example of travelers from the Golden Gate Bridge to their final destination in San Francisco or the South Bay. Mr. Johnson stated for this study, the data outside the county was limited to larger zones, i.e. San Francisco County and San Mateo County but that more detailed information is available for travel within Marin County.

Commissioner Rice asked about the specificity of the data about traffic patterns within local jurisdictional corridors. She felt the data could be used to support programs targeting local traffic. Mr. McGill stated this dataset would not be specific enough for operations of traffic, but this type of data could be used more generally for local traffic corridors, although the data for lower density corridors would not be as applicable.

Vice Chair Arnold asked if Dr. Eyler's input could be included in the published report. ED Steinhauser stated it could be included as an appendix. The Board agreed by consensus to include it.

Vice Chair Arnold opened the Item for public comment.

David Schonbrunn, TRANSDEF, commented that ED Steinhauser mentioned this data supports ridesharing initiatives, but the Measure A renewal expenditure plan prioritizes solo driving by reducing the percentage of the sales tax that would be allocated to transportation demand management. He stated he would encourage the Board not to pursue a renewal of Measure A unless it developed a different plan focused on reducing VMT.

Jean Severinghaus stated the data on the Richmond-San Rafael bridge suggests the opportunity for ferry service to and from San Rafael to Oakland.

Seeing no further speakers, Vice Chair Arnold closed public comment on the Item.

The Board directed staff to add in the economic information from Dr. Eyler and bring an amended report back to the Board in September.

8. Deprogram Measure A Interest Funds from San Rafael's Multi-Use Path (MUP) and Program Federal STP/CMAQ Funds to San Rafael's Grand Avenue Bridge Project (Action)

David Chan, Programming Manager, presented this item which recommended that the TAM Board authorize the: 1) deprogramming \$763,000 in Measure A interest funds from San Rafael's Multi-Use Path along Francisco Blvd. West and substitute a different funding source; and 2) programming \$763,000 in federal STP/CMAQ funds to San Rafael's Grand Avenue Bridge Project, which then frees up local San Rafael funds to go back into the San Rafael Multi-use Path.

Mr. Chan explained the background of this project and its funding shortfall in Phase I, prior TAM Board action, and staff findings indicating the need for an alternative funding solution. He explained that programming federal funds through MTC to the Grand Avenue Bridge Project will free up local funds for the MUP project. He added funds will also be reallocated from Phase II to finish Phase I. Mr. Chan noted that staff is assisting San Rafael staff in developing an application for ATP funds for Phase II. He stated that if the Board approves this action, staff will bring recommended programming for the deprogrammed Measure A funds for consideration in the near future. ED Steinhauser thanked the board of the Metropolitan Transportation Commission (MTC) for making these federal funds available for this project.

Commissioner Phillips conveyed the approval of the San Rafael City Council for this action.

Vice Chair Arnold opened and closed the Item for public comment with no speakers coming forward.

Commissioner Phillips moved to deprogram \$763,000 in Measure A Interest Funds from San Rafael's Multi-Use Path (MUP) and program \$763,000 in Federal STP/CMAQ Funds to San Rafael's Grand Avenue Bridge Project, which Commissioner Rice seconded. The motion carried unanimously.

9. Adopt the Programming of 2018 TFCA and TDA Article 3 Funds (Action)

ED Steinhauser introduced Scott McDonald, Senior Transportation Planner. Mr. McDonald presented this item which recommended that the TAM Board adopt programming priorities as recommended in the staff report for the 2018 Multi-Fund Call for Projects with Transportation Fund for Clean Air (TFCA) and Transportation Development Act (TDA) Article 3 funds.

He reviewed the funds available, \$360,000 from the TFCA and \$340,000 from TDA Article 3, and provided details on the projects for which various jurisdictions had submitted applications. He summarized the recommendations by the Review Panel, Marin Public Works Association, TAM's Bicycle Pedestrian Advisory Committee, and TAM staff with the final recommendation for the Board to consider as:

- 1) \$360,000 - Sausalito Gate 6 Project
- 2) \$100,000 - Marin County's SFD/Ash Improvement Project
- 3) \$180,000 - San Rafael's Multi-Use Path Project
- 4) \$ 60,000 - San Rafael City Schools Electric Charging Station Project

Vice Chair Arnold opened and closed the Item for public comment with no speakers coming forward.

Commissioner Rice thanked Mr. McDonald for his great work.

Commissioner Rice moved to adopt the recommended programming of 2018 TFCA and TDA Article 3 Funds, which Commissioner Fredericks seconded. The motion carried unanimously.

10. Response to Marin County Civil Grand Jury Report on Yellow School Bus (Action)

ED Steinhauser presented this item which recommended that the TAM Board consider the response to the Marin County Civil Grand Jury Report entitled "Yellow School Bus for Traffic Congestion Relief" and authorize the Executive Director to forward the response to the Marin County Superior Court and the Marin County Grand Jury.

Vice Arnold asked if there were questions from the Board on the Grand Jury report. There were none.

ED Steinhauser noted that the response staff prepared for the Board's consideration was included in the supplemental packet of information made available prior to the start of this meeting.

Commissioner Connolly felt that the response to the recommendation of a coordinated school bus program was limited, focusing mainly on the instability of funding. He stated TAM does have opportunities to improve coordination and noted that the establishment of a program may lead to further opportunities for funding.

ED Steinhauser stated that TAM has been participating on an ad hoc committee of Marin Transit's to consider the best way to move forward with the recommendations of MT's countywide school transportation study which was completed in 2015. She stated she would not recommend that TAM become the coordinator of this service, since Marin Transit has taken it on. She stated that the response leaves open the possibility of TAM providing an advisory role to such a program, to increase community involvement and attract additional funding. She added that staff worked very closely with Marin Transit on the response.

Vice Chair Arnold felt that TAM should encourage Marin Transit to move forward on this and offer assistance with available funding and staff work.

Commissioner Rice stated that, regardless of the passage of the Measure A renewal, there would be opportunities for more coordination, more efficiencies, and additional funding sources.

Commissioner Sears suggested adding the language, "TAM is committed to identifying all possible sources of funding that could support the development of a robust coordinated program."

Commissioner Fredericks supported this addition and the structure of a committee in which TAM was involved and asked that it be included in the response to the Grand Jury.

Commissioner Colbert supported Commissioner Sears' solution.

Commissioner Andrews stated that it should not be the purview of local jurisdictions to provide school bus service, and that the Marin County Office of Education should work with Marin Transit on this.

Commissioner Rice added that the conversations about school transportation here and at Marin Transit have been driven by local citizens and elected representatives expressing concerns about congestion relief, which is why TAM is involved, but she felt Marin Transit was better equipped with the expertise to take the lead on this effort.

Vice Chair Arnold opened the Item for public comment.

Mr. Schonbrunn stated that local jurisdictions took on the responsibility for providing school bus service due to Proposition 13. He added that school bus service could have been the marquee project of the Measure A renewal, but instead it focuses on highway projects that will increase VMT. He stated that the completion of the Marin Sonoma Narrows project will worsen congestion in central Marin.

Seeing no further speakers, Vice Chair Arnold closed public comment on the Item.

ED Steinhauser clarified the funding designated in the sales tax renewal for the Marin Sonoma Narrows project was limited to one percent and two percent for the Highway 580-101 connector, noting these two projects account for less money than is allocated to school bus transportation in the sales tax renewal expenditure plan.

Commissioner Rice moved to approve the response to the Marin County Civil Grand Jury Report on Yellow School Bus with the amendments as noted, which Commissioner Fredericks seconded. The motion carried unanimously.

11. Second Reading of Ordinance 2018-01 adopting a New Transportation Sales Tax Expenditure Plan and Renewing and Extending the current Measure A Transportation Sales Tax (Action)

ED Steinhauser presented this item which recommended that the TAM Board:

1. Adopt the clarifying amendments added to the above-named Ordinance 2018-01, as shown in redlined Attachment A, since the First Reading on June 28, 2018, confirming these amendments are not material;
2. Conduct Second Reading of Ordinance 2018-02, also known as the Merit Hearing;
3. Approve Ordinance 2018-01, as amended, to:
 - a) adopt a new Marin County Transportation Sales Tax Renewal Expenditure Plan for the next 30 years, including ballot language; and
 - b) authorize the issuance of limited tax bonds to finance transportation improvements of the plan and setting an annual appropriations limit of \$70 million; and

4. Request the Marin County Board of Supervisors to place the measure on the November 6th, 2018 ballot to renew and extend the current one-half of one percent retail transactions and use tax collection for the next 30 years, effective April 1st, 2019.

ED Steinhauser reported that she was advised by County Counsel to take several steps in order and separately.

1) The first recommendation was that the Board adopt the clarifying amendments added to the above-named Ordinance 2018-01, as shown in redlined Attachment A, since the First Reading on June 28, 2018 and she confirmed that these amendments are not material.

Vice Chair Arnold opened the amendments for public comment.

Mr. Schonbrunn commented on the extraordinary challenge of providing oversight to TAM's work in the era of climate change. He commented on the need to decrease solo driving in order to meet the goal of decreasing VMT and greenhouse gas emissions. He stated the subtext of this expenditure plan is that local government has no responsibility to address climate change. He urged the Board not to approve the Ordinance and to stand up for future generations so they do not have to experience the further destruction of this planet. He stated he would oppose the Measure and force the Board to start over with a new set of priorities focused toward the future.

Kate Powers, a member of the TAM Expenditure Plan Advisory Committee, expressed support for the Measure, but agreed there is feedback from environmental groups that the expenditure plan does not go far enough to reduce greenhouse gas emissions. She understood that the priority was to craft an expenditure plan with broad community support, and said that she supports the recommendation for the Board to adopt the ordinance but urged the Board to use the amendment process to be responsive to changing needs and opportunities and to engagement from community activists.

Seeing no further speakers, Vice Chair Arnold closed public comment on the amendments.

Vice Chair Arnold noted that TAM is not the only agency responsible for reducing greenhouse gases and traffic congestion. She noted some of the organizations and initiatives TAM works with and stated Marin County is known for its environmental priorities. She agreed that everyone on the Board is concerned about single-occupancy vehicles and congestion.

Commissioner Lucan moved to adopt the clarifying amendments added to Ordinance 2018-01 and confirming the amendments are not material, which Commissioner Fredericks seconded. The motion carried unanimously.

2) ED Steinhauser conducted the Second Reading of Ordinance 2018-02, also known as the Merit Hearing.

Vice Chair Arnold opened the Ordinance for public comment.

Mr. Schonbrunn stated Marin County is known for its environmental values, but it is also known for having some of the most extreme greenhouse gas emissions per capita in the United States. He added that VMT per capita is increasing in the County while other counties are decreasing VMT per capita.

Seeing no further speakers, Vice Chair Arnold closed public comment on the Ordinance.

3) Commissioner Fredericks moved to approve Ordinance 2018-01 as amended adopting a new Marin County Transportation Sales Tax Renewal Expenditure Plan for the next 30 years, renewing and extending the current one-half of one percent retail transactions and use tax collection for the next 30 years, authorizing the issuance of limited tax bonds to finance transportation improvements of the plan, and setting an annual appropriations limit of \$70 million, which Commissioner Lucan seconded. The motion carried unanimously.

4) Commissioner Fredericks moved to request the Marin County Board of Supervisors to place the sales tax measure so described on the November 2018 Ballot in Marin County, which Commissioner Rice seconded. The motion carried unanimously.

12. Adopt finding of CEQA Exemption on Adopted Ordinance 2018-01 with the Attached Final Sales Tax Renewal Expenditure Plan and Authorize Filing/Posting of Notice of Exemption (Action)

ED Steinhauser presented this item and began her presentation by noting that there is a correction to the recommendation for this item. She stated that the action before the Board was to adopt a finding of CEQA Exemption on Adopted Ordinance 2018-01 with the Attached Final Sales Tax Renewal Expenditure Plan and Authorize Filing/Posting of Notice of Exemption under CEQA.

She noted that the Board had adopted a finding of CEQA Exemption on the expenditure plan in the last meeting, and counsel has advised a second Notice of Exemption on the Ordinance as well.

Vice Chair Arnold opened the Item for public comment.

Mr. Schonbrunn questioned the lack of an Environmental Impact Report and stated he felt a finding of CEQA exemption demonstrated a lack of commitment to environmental values. He stated that the Ordinance will have environmental consequences and noted he provided a letter to the Board at the last meeting demonstrating this.

Seeing no further speakers, Vice Chair Arnold closed public comment on the Ordinance.

Commissioner Rice requested an explanation of the significance of a CEQA exemption to this Ordinance. ED Steinhauser stated the action to adopt the Ordinance with the expenditure plan does not qualify it as a project as the plan does not allow for any specific improvements or result in direct physical changes. Per CEQA guidelines there is no possibility the plan itself will have a significant effect. She added that the Ordinance states clearly that any projects or programs must go through a CEQA process in order to be eligible for funds.

Commissioner Lucan moved to adopt a finding of CEQA exemption on adopted Ordinance 2018-01 with the Attached Final Sales Tax Renewal Expenditure Plan and Authorize Filing/Posting of Notice of Exemption, which Commissioner Fredericks seconded. The motion carried unanimously.

13. Caltrans Report (Discussion)

ED Steinhauser announced the Caltrans report is in the agenda packet and commented on several projects approved in the first year of SB1. She noted that this level of activity could not continue if SB1 is repealed.

Commissioner Withy moved to adjourn the meeting, which Commissioner Rice seconded. The motion carried unanimously.

The meeting was adjourned at 8:35 p.m.