



MEETING OF THE  
TRANSPORTATION AUTHORITY OF MARIN  
FINANCE & POLICY EXECUTIVE COMMITTEE  
September 10, 2018  
3:30 p.m.

TAM CONFERENCE ROOM  
900 FIFTH AVENUE  
SAN RAFAEL, CALIFORNIA

**MEETING MINUTES**

Members Present: Judy Arnold, County of Marin Board of Supervisors, Committee Chair  
Beach Kuhl, Ross Town Council  
Damon Connolly, County of Marin Board of Supervisors

Members Absent: Alice Fredericks, Tiburon Town Council  
Gary Phillips, San Rafael City Council

Other Commissioners Present: Stephanie Moulton-Peters, Mill Valley City Council, TAM Chair

Staff Members Present: Dan Cherrier, Deputy Executive Director  
Bill Whitney, 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

Staff Members Absent: Dianne Steinhauser, Executive Director

*Committee Chair Judy Arnold called the meeting to order at 3:35 p.m.*

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

Chair Arnold did not give a report.

**2. Commissioner Comments (Discussion)**

Commissioner Moulton-Peters reminded everyone of the electric vehicle event scheduled for September 15 at the Bon Air Shopping Center in Greenbrae.

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

Deputy Executive Director (DED) Dan Cherrier provided the executive director's report. He referred the Committee to the sample project fact sheet provided at the meeting's outset for comment. He noted that once the content and

format was finalized staff would be presenting to the TAM Board a full set representing all ongoing projects. He reviewed the layout and information provided and asked that the Committee provide suggested edits to him or TAM's Public Outreach Coordinator, Molly Graham.

Commissioner Moulton-Peters thanked staff for their efforts and said that she liked the layout. She suggested, though, that a list of acronyms accompany the set of fact sheets each time they are updated.

Chief Financial Officer Li Zhang responded that once the basic layout was approved by the Committee, staff's plan is to include not only the projects directly managed by TAM but also fact sheets for those projects that are jointly managed by TAM and outside partners and those that are managed by other partners. She said that the final piece of the report would be a comprehensive acronym page.

DED Cherrier continued his report by announcing a couple of events scheduled for this month. The first one is the EV event mentioned by Commissioner Moulton-Peters earlier in the meeting and the second one is the "Getting to Paris without stopping in Washington" a local effort to discuss ways to meet global climate goals. Public Outreach Coordinator Molly Graham stated that TAM is a co-sponsor of both of these events.

DED Cherrier reported that staff just received the recorded Notice of Completion for the TAM Junction project in Mill Valley.

The Deputy Director finalized his report by referring the Committee to a number of informational pieces regarding the renewal of the ½-cent transportation sales tax that voters will consider in November. Ms. Graham added that this information will be placed on the TAM website.

Chair Arnold suggested delivering copies of the handouts to the local city/town halls for distribution.

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

Chair Arnold opened the floor to comments from the public and seeing none, closed this item.

#### **5. Approval of Meeting Minutes from June 11, 2018 (Action)**

Commissioner Kuhl moved to approve the minutes of June 11, 2018 and Commissioner Moulton-Peters seconded the motion. It was unanimously approved.

Agenda Item 7 was taken out of order.

#### **7. TAM Consultant Procurement Manual (Action)**

DED Cherrier presented this item which recommended the following action to the full TAM Board: Approval of the TAM Planning, Programs and Projects Consultant Procurement Manual shown in the staff report. Mr. Cherrier introduced James O'Brien, consultant for the procurement manual, who discussed the background of this item noting that it is a formalization of the Agency's procurement activities, consultant procurement in particular. Caltrans implemented their consultant procurement policy manual for any agency whose contracts are funded by

state or federal money. While it is staff's intention to adopt the Caltrans manual when using state or federal funding, a separate manual was developed in-house when other fund types are being used. Mr. O'Brien noted that The TAM Planning, Programs and Projects Consultant Procurement Manual establishes a small purchase threshold for contracts with a total contract value of less than \$150,000 to match the current state and federal thresholds. Further, he stated that procurement for contracts below the small purchase threshold can involve a less formal outreach and evaluation process than prescribed for contracts with higher values.

Commissioner Moulton-Peters asked if this manual will make it easier or more difficult to conduct business. Mr. O'Brien replied that the manual will provide for a uniform process for in-house procurement. More importantly, is that this manual will provide for uniform content which will lead to cost efficiencies in how outreach and the process, overall, is conducted. Mr. Cherrier added this manual formalizes what staff has been doing all along.

Chair Arnold received confirmation that this action has a timeliness to it since it must be forwarded to Caltrans in order to receive future funding.

Commissioner Moulton-Peters made a motion to recommend that the full TAM Board approval the TAM Planning, Programs and Projects Consultant Manual as presented which was seconded by Commissioner Kuhl. The motion carried unanimously.

Mr. Cherrier clarified that once the TAM Board approves the manual, staff will submit it to Caltrans for their approval who may provide some edits to it. If that is the case, Mr. Cherrier advised that if the changes are substantial the manual will be re-submitted to the TAM Board for approval.

## **6. State Legislative Bills (Discussion) (Discussion)**

David Chan introduced Gus Khouri, TAM's legislative consultant who presented this informational item.

Mr. Khouri noted that he was requested to focus his discussion on two bills, in particular, AB1184 and SB1376.

Regarding AB1184 which authorizes the City/County of San Francisco to impose a tax on each ride provided by transportation network companies (TNCs), such as Uber and Lyft, up to 3.25% on a single ride or 1.5% on a shared ride. These companies provide approximately 100,000 trips which equates to 26% of trips into downtown San Francisco per day. There is a direct correlation on the impact of public transit systems with the decrease in ridership. Mr. Khouri reported on a related bill, SB1376, which requires the CPUC to assess a minimum of \$0.05 fee per ride on TNCs to fund accessible services. The fees collected would be pooled to contract out with the industry for more accessible vehicles. He noted that both bills are awaiting the Governor's signature.

Mr. Chan provided context as to the revenue that could be collected in Marin based on these two bills. Based on an estimated \$15.00/trip with, conservatively, two-thirds of the trips as single fares and one-third as shared rides, Marin County would generate \$72,500 annually based on 500 trips per day vs San Francisco at \$14.5 million annually based on 100,000 trips per day less an administrative fee charged by the state.

Responding to Commissioner Moulton-Peters question regarding why one bill charges a fixed fee at \$0.05 while the other charges a percentage of the cost of the ride, Mr. Khouri suggested that the idea of the percentage-based fee for AB1184 originated from the County supervisors as it could potentially provide more revenue than a flat rate. Whereas SB1376 is a statewide bill which will generate a sizeable amount of revenue.

In response to a question from Commissioner Kuhl regarding the number of trips of this type that occur in Marin, Mr. Chan stated that the TNC's hold this information as proprietary and would not release them but they will if the PUC compels them to release this information for taxation purposes. He added that most of the estimates he presented were based on studies.

Mr. Khouri commented that these two bills could have an additional impact on funds that local jurisdictions may receive since lower transit ridership could result in less funding received via SB1, *the Road Repair and Accountability Act of 2017*. He noted that state-transit assistance, the sole flexible source of funding for operations and capital funds nearly doubled with the passage of SB1. However, the increase in funding is contingent on a stringent requirement that operators must meet farebox recovery ratios with funding reduced if that doesn't occur. Additionally, penalties may be levied should the operator not fulfill this requirement over a two-year period.

Regarding Proposition 6, the ballot measure proposes to repeal SB1, the campaign's focus argues that the money will be siphoned off for purposes other than road repair, which is not possible due to Proposition 69, which passed in June and prohibits the legislature from using these funds for general non-transportation purposes. He reminded the group of a fact sheet he distributed in a previous meeting which estimated that SB1 will cost the average driver approximately \$0.27/vehicle/day and he added that this small tax will allow for the delivery of many projects which costs hundreds of millions of dollars.

Commissioner Moulton-Peters asked if curb space is being regulated relative to usage by the TNC's such as Uber and Lyft. Mr. Khouri said that he has not seen any bills for that but that there was proposed legislation which would allow someone with a disabled placard to use an electric vehicle charging station parking spots which was not pursued.

In response to a question from the Chair regarding the number of seats opening up in the State's Legislature, Mr. Khouri said he would provide a report on the turnover at an upcoming TAM meeting.

Chair Arnold opened the item to comments from the public and seeing none, she thanked Mr. Khouri for this report.

#### **8. Concurrence with MTC on Programming Federal CMAQ Funds (Action)**

Mr. Chan presented this item which asked the Committee to recommend that the TAM Board concur with MTC on the programming of \$4.5 million in Federal Congestion Mitigation Air Quality (CMAQ) funds as presented in the staff report.

Chair Arnold asked staff how they became aware of this new money which came to light as the result of Caltrans settle the CMAQ funds account for the Hwy 101 Gap Closure Project. Mr. Chan stated that it was discovered on a report that Caltrans sends out periodically.

Commissioner Moulton-Peters asked Mr. Chan to review the funding swaps he had described earlier in his presentation. He explained that the Novato Downtown SMART station project and the San Rafael multi-use path project are not eligible to use federal funds. The two jurisdictions proposed the FY 19/20 Annual Street Rehabilitation and Grand Avenue Bridge Projects, respectively, to accept the federal funds and then move existing local funds from these projects to the Novato Downtown SMART Station and San Rafael Multi-Use Path.

Chair Arnold opened the item to comments from the public and seeing none, closed the item.

Commissioner Moulton-Peters made a motion to recommend that the TAM Board concur with MTC on the programming of \$4.5 million in Federal Congestion Mitigation Air Quality (CMAQ) funds as presented in the staff report which was seconded by Commissioner Connolly. The motion passed unanimously.

*The meeting was adjourned at 4:40 p.m.*

Approved October 8, 2018