

MARIN COUNTY COUNCIL OF MAYORS AND COUNCILMEMBERS AGENDA

Wednesday, April 27, 2022

6:00pm

VIA VIDEOCONFERENCE ONLY

HOW TO PARTICPATE IN THE MCCMC MEETING VIA ZOOM WEBINAR:

Join the Zoom Webinar at 6:00pm on April 27, 2022 to participate LIVE:

<https://tinyurl.com/y9htrb2y> / password: MCCMC

The Zoom webinar ID is: 881 4999 1312

Please note that Zoom requires a name and email to join the webinar. The information will not be shared with any of the meeting hosts or participants. Download Zoom Webinar here: <https://zoom.us/download>

If you are joining via dial-in instead of computer/tablet/smartphone, you may dial in to listen to the meeting using: (669) 900-9128 or iPhone one-tap : +16699009128,,88149991312#

The Zoom webinar ID is: 881 4999 1312

To provide written public comment prior to or during the meeting, please send email to MCCMCSecretary@gmail.com (if intended to be read aloud as public comment, please state Public Comment in subject line)

To provide verbal public comment during the meeting, click the "Raise Hand" icon during the item for which you wish to provide comment, and staff will unmute and prompt you to talk at the designated time.

Full Agenda Packet available here: <http://www.mccmc.org>

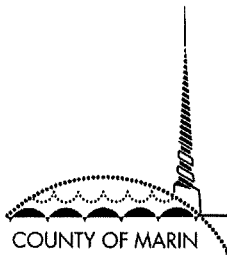
6:00 PM Welcome and Introductions

- 1. Call to Order:** MCCMC President Sashi McEntee
- 2. Public Comment** (Limit 3 minutes per person)
- 3. Welcome and Introduction of Guests:** President Sashi McEntee
- 4. Presentations:**
 - 4.a. Update from Mark Brown, Marin Wildfire Prevention Authority Executive Director, Regarding Outlook For Upcoming Fire Season
 - 4.b. PG&E Enhanced Vegetation Management Plan For Marin
Presentation provided by Mark van Gorder, PG&E Sr. Government and Public Affairs North Bay
- 5. Committee Reports (written reports only – to be published in agenda packet and posted on website, <http://www.mccmc.org/>)**
 - 5.a. Metropolitan Transportation Commission (MTC)
 - 5a. Written report from Supervisor Damon Connolly
 - 5.b. Association of Bay Area Governments
 - 5b. Written report from Pat Eklund, Novato

- 5.c. BCDC Report from North Bay representative on the San Francisco Bay Conservation and Development Commission (BCDC)
5c. Written report from Pat Eklund, Novato
- 5.d. Golden Gate Bridge, Highway & Transportation District
5d. Written report from Holli Thier, Tiburon (Written report not received at time of publication, agenda packet will be updated to include report once received)
- 5.e. MCCMC Legislative Committee
5.e. Written report• from Chair Alice Fredericks, Tiburon, and Vice Chair Barbara Coler, Fairfax
- 5.f. Sonoma-Marín Area Rail Transit District (SMART)
5f. Written report provided by Dan Hillmer, Larkspur
- 5.g. Transportation Authority of Marin
5.g. Written report provided by Alice Fredericks, Tiburon
- 5.h. MCCMC Climate Action Committee
5h. Written report not received at time of publication, agenda packet will be updated to include report once received
- 5.i. MCCMC Water Policy Ad Hoc Committee Report
5.i. Written report not received at time of publication, agenda packet will be updated to include report once received

6. Business Meeting

- 6.a. Report out from City Selection Committee Meeting Regarding the Following Items:
 - 1. Primary MCCMC Representative to the ABAG Executive Board, (Incumbent, Pat Eklund / Novato)
 - 2. Alternate MCCMC Representative to the ABAG Executive Board (Incumbent, Eli Hill, San Rafael)
 - 3. MCCMC Representative to the Marin County Local Agency Formation Commission (Incumbent, Barbara Coler, Fairfax)
- 6.b. Report out of Annual Mayors Select Committee Meeting
- 6.c. Review of Draft Agenda for the May 25, 2022 MCCMC Meeting
Attachment 6b: Draft agenda for May 25, 2022 meeting
- 6.d. Consideration and Possible Action to Approve the Draft Minutes of the March 23, 2022 MCCMC Meeting Held Via Zoom Webinar
Attachment 6c: Draft minutes, March 23, 2022 meeting
- 7. **ADJOURN: to the May 25, 2022 meeting, (likely virtual, to be determined)**
Deadline for Agenda Items – May 18, 2022 Please send to: MCCMCSecretary@gmail.com



BOARD OF SUPERVISORS

DAMON CONNOLLY

First District

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April 27, 2022

Via email smcentee@cityofmillvalley.org

Sashi McEntee, President

Marin County Council of Mayors and Councilmembers

Dear President McEntee:

The Metropolitan Transportation Commission (MTC) met this morning. Following is an update of topics of note on this morning's agenda and at recent Committee meetings. Please share this update with your membership.

Bay Area Infrastructure Financing Authority (BAIFA) Joint Powers Agreement

BAIFA was expanded to include all commissioners, and also allows BAIFA to implement tolling on State Route 37, subject to passage of Senate Bill 1050 (Dodd).

Senate Bill 942 (Newman) Free or Reduced Fare Transit Program

This bill will increase the flexibility of Low Carbon Transit Operations Program revenues. SB 942 would provide critically needed ongoing funding for transit operations like free and reduced fares, which in turn provide multiple benefits of expanding transit ridership, reducing tailpipe emissions and traffic, and offers an avenue for economic improvement to families have faced hardships during the pandemic. MTC supported, with amendments. I hope to see this idea move forward.

SB1 Competitive Programs Bay Area Nominations

We approved principles for the upcoming round of SB1 competitive programs. The big SB1 application from the North Bay will be for the SR37 Segment B (Sears Point to Mare Island) project, which should fare well under these proposed criteria especially for Solutions for Congested Corridors.

I-880 Express Lanes Toll Discount Program Pilot Update

Though not applicable to Marin, there is an interesting means-based pilot taking place on the I-880 Express Lanes. Transportation is the 3rd largest budget item for low-income households. A driver must show proof of household income at or below 200% of the Federal poverty level, and then receive up to 50% off.

Regional Growth Framework

At the April 8th Planning Committee, Regional Growth Framework Funding was on the agenda for discussion. MTC is outlining upcoming grants and priorities for funding. Of note, a Priority Sites Pilot would provide pre-development funding to

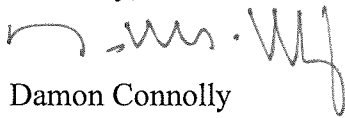
Sashi McEntee
April 27, 2022
Page 2

accelerate mall redevelopment or land development. MTC notes that generally speaking “there is limited relevant staff expertise and capacity, and coordination challenges with utilities, regulators, and external public agencies. Furthermore, fundamental change is needed to bridge the mismatch between housing demand, financial incentives facing landowners (public and private), and available financing and subsidies.” MTC/ABAG believe themselves to be positioned to support this effort with funding and technical assistance.

Of interest, the Northgate Mall redevelopment is in the pre-development phase, ahead of the regional discussion. MTC could consider using the pilot funds to support projects already underway, either through circulation planning or through additional policy and planning work to support these locations as catalyst sites. (For example, active transportation improvements to Merrydale Road to connect to SMART, and/or enhancing local bus connections to the mall). Transportation Authority of Marin (TAM) staff will be following up with MTC and the City of San Rafael.

As always, I welcome your input and questions.

Sincerely,



Damon Connolly

cc: Rebecca Vaughn mccmcsecretary@gmail.com

ABAG Report to MCCMC¹

April 2022

EXECUTIVE SUMMARY:

- 1) **HCD issued its New “Super NOFA” – Funding for Affordable Housing & Related Infrastructure:** The SuperNOFA streamlines the application process for four of HCD’s rental housing funding programs allowing for a coordinated single application and award process. Applications are due on June 28, 2022.
- 2) **ABAG General Assembly:** The General Assembly will be held on June 17, 2022 starting at 9:00 am. This is the annual meeting where the ABAG delegates vote on the ABAG Workplan and Budget.
- 3) **Regional Housing Technical Assistance Webinar for Elected Officials:** ABAG hosted a Webinar for Elected Officials in March 2022 that focused on communications and the range of technical, and outreach products available as jurisdictions update their Housing Elements. The webinar video and materials are available on the ABAG website.
- 4) **CA Department of Housing and Community (HCD) comments on the 6th Cycle Housing Elements:** ABAG has begun compiling HUD comments on the other jurisdictions’ Housing Elements to help jurisdictions in preparing their Housing Elements prior to submitting them for approval to HCD.
- 5) **HCD Issued Fact Sheet on SB 9:** On March 25, 2022, HCD issued a fact sheet on SB 9 for informational purposes only. However, it does reveal information of importance to jurisdictions.

1) HCD issued its New “Super NOFA” – Funding for Affordable Housing & Related Infrastructure: The SuperNOFA streamlines the application process for four of HCD’s rental housing funding programs: the Multifamily Housing Program, the Infill Infrastructure Grant Program, the Veterans Housing and Homelessness Prevention Program, and the Jose Serna, Jr. Farmworker Housing Grant Program. Between these four programs, a total of \$650 million is available to applicants. This program allows for a coordinated single application and award process for applicants. Applications are due on June 28, 2022.

The following chart shows **targeted release dates** for draft guidelines, NOFAs, awards and NOFA application due dates:

California Department of Housing and Community Development

Notice of Funding Availability Calendar

Calendar Year 2022

** all NOFA amounts are presented in millions and are estimates subject to change based on the availability of funds at the time of NOFA issuance **

Estimated Funds Available by Quarter			\$1.9 Billion			\$557 Million			\$309+ Million			\$1.8 Billion		
			Jan 22	Feb 22	Mar 22	Apr 22	May 22	Jun 22	Jul 22	Aug 22	Sep 22	Oct 22	Nov 22	Dec 22
Greenhouse Gas Reduction Fund NOFA Amounts in Millions														
AHSC	Affordable Housing and Sustainable Communities Program		Awards									NOFA \$400		
AB 434 SuperNOFA Veterans and Affordable Housing Bond Act (Prop 1) and Building Jobs and Homes Act (SB2) NOFA Amounts in Millions														
MHP	Multifamily Housing Program				NOFA \$200									
VHP	Veterans Housing and Homeless Prevention Program				NOFA \$100									
Serna (MF)	Joe Serna Jr., Farmworker Housing Grant Program - Multifamily Projects				NOFA \$75									
IG (QIP only)	Infill Infrastructure Grant Program - Qualifying Infill Projects				NOFA \$300									
TOO	Transit Oriented Development Program													
** All Available Funds awarded **														

There are 31 different HCD funding programs which are described in detail on this link: [Programs: Active | California Department of Housing and Community Development](#). These programs include funding for: Multifamily, Single Family, Infrastructure, community Development, Planning Preservation, Rural, Homelessness, Climate Mitigation, etc.

¹ Marin County Council of Mayors and Councilmembers (MCCMC)

2) ABAG GENERAL ASSEMBLY: On April 21, 2022, the ABAG Executive Board approved a draft workplan and budget for 2022-23 for approval by the ABAG General Assembly on June 17, 2022 at 9:00 am.

The ABAG revenue budget is \$44.2 million, which is an overall projected increase of \$4.2 million in comparison to FY 2021-22. Summarized revenue details include:

Revenue	FY 2021-22 (millions)	FY 2022-23 (millions)
Administration	\$ 3.1	\$ 3.2
BayREN-Energy	23.9	26.0
SFEP	12.8	14.8
Bay Trail Non-Profit	0.2	0.2
Total	\$ 40.0	\$ 44.2

The increase is primarily due to grant funding from the California Public Utilities Commission (CPUC) for the BayREN program. The San Francisco Estuary Program (SFEP) received additional funding from the Bay Area Toll Authority (BATA) for contract services provided to complete the construction and plant establishment period for four storm water retrofit projects in various cities along San Pablo Avenue in the East Bay. There are several highlights to the ABAG budget, including:

- Pension prepayment for the Unfunded Accrued Liability (UAL) results in a savings of \$60,000
- ABAG has fully funded its Other Post-Employment Benefits (OPEB) liability. Therefore, ABAG has an OPEB asset
- ABAG receives full reimbursement from the California Employers' Retiree Benefit Trust (CERBT) for retiree medical expenses
- ABAG grant funded programs exceed \$100 million in life-to-date funding
- Nearly 90% of all grant funding goes directly to regional projects
- The \$24 million Regional Early Action Planning (REAP) grant awarded in FY 2019-20 still has a balance of \$20 million for programming in FY 2022-23.

The proposed budget includes a membership increase of about 6% to help cover increased costs and additional programs. Even with this increase, ABAG has a structural deficit and will still face issues with increasing costs, particularly pension obligations, which will have to be addressed as we work to improve long-term financial stability. Over the next year, the ABAG Finance Committee and Executive Board will explore options to bring to the 2023 General Assembly of ABAG. The proposed dues increase for the jurisdictions in Marin is as follows:

	ABAG Membership Dues			
	Estimated Population	Approved	Proposed	Difference
	2021	FY 2021-22	FY 2022-23	
County of Marin	257,774	\$ 35,314	\$ 37,389	\$ 2,075
Belvedere	2,066	1,294	1,370	76
Fairfax	7,498	2,459	2,603	144
Larkspur	12,194	3,593	3,804	211
Mill Valley	14,550	4,295	4,547	252
Novato	53,486	13,359	14,144	785
Ross	2,547	1,414	1,497	83
San Anselmo	12,689	3,796	4,019	223
San Rafael	59,016	14,750	15,617	867
Sausalito	7,355	2,439	2,582	143
Tiburon	9,456	3,116	3,299	183

3) Regional Housing Technical Assistance Webinar for Elected Officials: ABAG hosted a Webinar for Elected Officials on March 25th that focused on communications and the range of technical, and outreach products available as jurisdictions update their Housing Elements. The Webinar and accompanying materials are available at: [Webinar for Elected Officials: Learn About Available Assistance for Housing Element Updates | Association of Bay Area Governments \(ca.gov\)](#). Following is a direct link to the video: [RHTA Overview For Elected Officials March 2022.mp4 | Powered by Box](#).

4) Review of CA Department of Housing and Community (HCD) comments on the 6th Cycle Housing

Elements: ABAG has started compiling HUD comments on the other jurisdictions' Housing Elements and will be presenting their findings to the ABAG Housing Committee in May. Having a better understanding of HCD's concerns on Housing Elements submitted to date could help jurisdictions in preparing their Housing Elements for approval to HCD.

5) HCD Issues Fact Sheet on SB 9: On March 25, 2022, HCD issued a fact sheet on SB 9. Even though HCD provides a disclaimer that this fact sheet is for informational purposes only, it does reveal information of importance to jurisdictions. Following is a link to their fact sheet: [SB 9 Fact Sheet \(ca.gov\)](https://www.hcd.ca.gov/fact-sheet/sb-9).

As HCD's fact sheet on SB 9 states:

"This Fact Sheet is for informational purposes only and is not intended to implement or interpret SB 9. HCD does not have authority to enforce SB 9, although violations of SB 9 may concurrently violate other housing laws where HCD does have enforcement authority, including but not limited to the laws addressed in this document. As local jurisdictions implement SB 9, including adopting local ordinances, it is important to keep these and other housing laws in mind. The Attorney General may also take independent action to enforce SB 9"

UPCOMING MEETINGS²

- **April 28, 2022 --** ABAG San Francisco Bay Trail Board of Directors, 12:00 pm
- **May 11, 2022 --** MTC Bay Area Toll Authority Oversight Committee, 9:35 am
MTC Administration Committee, 9:40 am
MTC Programming and Allocation Committee, 9:45 am
MTC Policy Advisory Council, 1:35 pm
- **May 12, 2022 --** ABAG Housing Committee & BA Housing Finance Authority Committee, 1:00 pm
- **May 13, 2022 --** MTC Operations Committee, 9:35 am
Joint MTC Planning Committee and ABAG Administrative Committee, 9:40 am
Joint MTC ABAG Legislation Committee, 9:45 am
- **May 19, 2022 --** ABAG Finance Committee, 5:00 pm
ABAG ACFA Governing Board, 5:05 pm
ABAG Executive Board, 5:10 pm
- **May 20, 2022 --** Bay Area Regional Collaborative, 10:05 am
MTC Policy Advisory Council Equity and Access Subcommittee, 1:00 pm
- **May 23, 2022 --** MTC Policy Advisory Council Fare Coordination & Integration Subcommittee, 9:00 am
- **May 25, 2022 --** MTC Bay Area Infrastructure Financing Authority, 9:05 am
Metropolitan Transportation Commission, 9:35 am
MTC Bay Area Toll Authority, 9:40 am
Metropolitan Transportation Commission Workshop, 1:30 pm
- **May 26, 2022 --** Metropolitan Transportation Commission Workshop, 9:30 am

² All meetings are 'hybrid' which means that some Board/Committee members will be in person at 375 Beale Street, SF; and, others will be participating via Zoom, webcast and/or teleconference, unless noted otherwise. <https://mtc.legistar.com/> If you have questions, contact Pat Eklund, Councilmember, City of Novato at 415-883-9116 or via email at: pateklund@comcast.net.

Bay Conservation and Development CommissionReport to North Bay Cities¹

April 2022

EXECUTIVE SUMMARY:

- 1) **BCDC Adopts Revised Enforcement Procedures and Regulations:** On April 21, 2022, the Commission adopted revised enforcement procedures and regulations.
- 2) **State Agency Sea Level Rise Action Plan for California:** The Commission received a briefing on the principles and actions of the 17 different state agencies to address sea level rise in the State of California.
- 3) **BCDC briefed on proposed improvements for Highway 37:** CALTRANS and MTC briefed the Commission on the updated proposed interim and ultimate projects for Highway 37 between Highway 101 to Mare Island.

1) BCDC Adopts Revised Enforcement Procedures and Regulations: On April 21, 2022, the Commission adopted revised enforcement procedures and regulations that had been under review since 2020. BCDC initiated the revised regulations after the Auditor of the State of California issued a report in May 2019 that criticized the Commission for neglecting “its responsibility to protect the San Francisco Bay and the Suisun Marsh. The commission has consistently struggled to perform key responsibilities related to enforcement and has therefore allowed ongoing harm to the Bay”.

Many of the changes removed the permissive language, established clear procedures and rules for any and all activities within the jurisdiction of the Commission. The revised regulations also clarified the enforcement goals, procedures and prioritization of cases; and, clarified definitions of significant harm and implemented a revised fee schedule. Clear written policies and procedures were developed for delineating violations, penalties and the Supplemental Environmental Projects. Following is the link for more information about BCDC’s enforcement program: [Enforcement - BCDC \(ca.gov\)](#)

- 2) State Agency Sea Level Rise Action Plan for California:** The Commission received a briefing on the principles and actions of the 17 different state agencies to address sea level rise in the State of California.



The action plan is based on 7 principles and over 80 individual actions with expected outcomes, lead agencies and supporting agencies, and timelines. The Plan identifies the need for coast wide sea

level rise adaptation planning, nature-based solutions, and funding mechanisms.

¹ Pat Eklund, Councilmember, City of Novato is the BCDC representative for the North Bay cities in Marin, Napa, Solano and Sonoma Counties. If you have questions, contact Pat Eklund at 415-883-9116 or via email at: pateklund@comcast.net.

The seven principles for aligned State action are: 1) Develop and utilize best available science; 2) Build coastal resiliency partnerships; 3) Improve coastal resilience communications; 4) Support local leadership and address local conditions; 5) Strengthen alignment around coastal resilience; 6) Implement and learn from coastal resilience projects; and, 7) Integrate and prioritize equity and social justice. Following is the link to the complete Plan: [Item-7 Exhibit-A SLR-Action-Plan-Final.pdf \(ca.gov\)](#)

3) BCDC briefing on Proposed Improvements for Highway 37: CALTRANS and MTC briefed the Commission on the updated proposed interim projects for Highway 37 between Sears Point to Mare Island and proposed flood reduction projects for Highway 37 between Highway 101 to State Route 121. The Commission also was presented with the proposed ultimate sea level rise adaptation project along with design alternatives for Highway 37. Following is the link to the presentation: [Resilient SR 37 corridor Phased implementation \(ca.gov\)](#)



Overview:

- Full range of alternatives between US 101 – SR 121
- Designed to sea level rise for year 2130 (per OPC 2018)
- Engineering requirements for bay mud to raise the roadway via:
 - Elevated causeway
 - Embankment/fill
- Assessed alternatives against 23 Criteria
- Gathered input from environmental technical specialists, stakeholder and resource agency input

Final Report is available at Resilient37.org
<https://scta.ca.gov/projects/highway37/#resources>



UPCOMING BCDC MEETINGS:

BCDC Commission meets at 1:00 pm on the following dates: May 5, 19; June 2 (all day Special Meeting – Howard Terminal); 16; June 30 (all day Special Meeting – Howard Terminal); July 7, 21; August 4, 18; September 1, 15; October 6, 20; November 3, 17; and December 1, 15, 2022.

BCDC Enforcement Committee meets at 9:30 am on the following dates: May 12, 25; June 9, 22; July 14, 27; August 11, 24; September 8, 21; October 13, 26; November 3, 16; and December 8, 21, 2022.

BCDC Design Review Board meets at 5:00 pm on the following dates: May 9; June 13; July 11; August 15; September 12; October 17; November 14; and, December 12, 2022.

Legislative Committee Report to MCCMC

April 25, 2020

Respectfully Submitted

Alice Fredericks, Councilmember, Town of Tiburon

LEGISLATIVE REPRESENTATIVES REPORTS

Melissa Apuya, District Director for Assemblymember Marc Levine reported on AB 1445 currently assigned for hearings at policy committees and the budget committee. The bill provides that regional planning bodies and HCD methodology that assign RHNA's are to consider evacuation route capacity, wildfire risk, sea level rise, and other impacts caused by climate change. The committee noted that consideration of these factors may result in increased density on other available sites. The bill will probably be taken up on the floor in June.

Summer Cassel, District Representative – Written Report from Senator Mike McGuire's Office
SB 884:

Senate Majority Leader Mike McGuire introduced a bill that will advance, undergrounding PG&E transmission and distribution lines in the most fire-prone zones.

The bill will provide a path to expedite undergrounding of 10,000 miles of PG&E utility lines in the highest fire risk zones, save ratepayers money, and hold PG&E accountable to their timelines. Currently, PG&E undergrounds less than 100 miles of their electrical lines annually.

Here's what the bill will do:

- Mandated performance metrics would be implemented by the California Public Utilities Commission on undergrounding projects, including timelines for completion, financial penalties for not hitting timelines, and the utility would have to prove safety protocols are met prior to receiving a rate of return.
- Develops a pathway to expedite undergrounding construction by establishing a shot clock for local government permit approval/denial to just 150 days.
- The legislation would save ratepayers money by forcing PG&E to first use available federal infrastructure funds to construct the undergrounding project before using ratepayer funds and it would mandate telecommunication companies underground their utilities in the same trench as the electrical undergrounding. This dig-once policy will help as a cost share and help make our state telecommunication system more resilient, especially in the highest risk zones.
- Guarantees a 270 day judicial review in California courts if an undergrounding project faces a California Environmental Quality Act Lawsuit.

Flooding in Southern Marin:

On April 7th, Senator McGuire organized a tour with representatives from Caltrans, Marin City community services district, and Sausalito to tour the areas of Marin City and Mill Valley that flood regularly. We are working with Caltrans on helping them implement short term solutions and solidify their long term plans.

EMMANUELS JONES REPORTS

Kyra Ross, MCCMC lobbyist from Emanuels Jones and Associates, highlighted bills the Legislative Committee currently has on its watch list (Attachment 2) and the bills the Committee should consider adding (Attachment 1) .

Affordable Housing Projects and Worker Benefits: Kyra reported that AB 2011 is embroiled in a political debate, with a split in labor support. The bill would require specified benefits including prevailing wage to workers on certain 100% affordable housing projects that are eligible for ministerial review.

Amendments to the Brown Act: Most bills proposing amendments to the Brown Act have not been assigned to their first committee hearing, according to Kyra. The bills deal with the issues of allowing electronic posting of material, not requiring locations of an agency member attending meetings remotely to be posted and accessible, dealing with disruptive meeting attendees. Open meeting Brown Act bills may be coordinated maybe this summer but remain on the Legislative Committee's Watch List for now.

Parking requirements for Housing Projects: Bills that limit the authority of local government to require parking for new housing projects are also in process. Some bills provide that the trigger for limiting requirements to provide parking is the location of the project relative to access to transit. The bills that narrow the definition of transit areas (characteristics of schedules, transit stops, transit corridors) are also under consideration, but, according to the lobbyists, unlikely to move forward. AB 2097 (Friedman) prohibits a local agency from imposing or enforcing minimum parking requirements on residential, commercial, or other development within one-half mile of a major transit stop or high frequency bus corridor. That bill is currently pending in the Assembly Local Government Committee. AB 1401 (Friedman, 2021) contained similar provisions to AB 2097 but did not apply to bus lines and exempted certain jurisdictions. That bill was held in the Senate Appropriations Committee.

David Jones of Emanuels Jones Associates answered inquiries about the current litigation filed on behalf of charter cities to challenge the usurpation of local control of land use by the current state housing laws and proposed legislation. He said there are beginnings of conversations among the general law cities in the state to file a similar challenge.

The budget process is ongoing in the legislature until the May revise. There are opportunities for members to request funding for constituents. June 15th is the deadline for passing the California state budget for 2022.

ACTION ITEMS:

The Legislative Committee voted to add the bills in Attachment 1 to the Watch list to be considered for action when the bills move through the process and are assigned to committees, with the exception of AB **2631**. The committee voted to place the AB 2631 on the action agenda for the current meeting.

AB 2631 – OPPOSE: The bill proposes to override existing law, the Government Claims Act, that establishes the liability and immunity of a public entity for its acts or omissions that cause harm to persons. This bill would provide that a public entity is liable for injury relating to the effects of that public entity's homelessness policies on another public entity. This bill contains other related provisions.

SB 932 – WATCH LIST: The Legislative Committee voted to put this bill back on the watch list, since it was just amended to apply only to the 9 largest counties in the state. The bill would require the circulation element of the general plan to include bicycle and pedestrian plans and traffic calming plans. It further would require a county or city to include in its modified circulation element a map of the high injury network within its boundaries and would further require a county or city to identify and prioritize safety improvements that may be implemented within 15 years that would address serious and injurious traffic collisions. The bill would create a new private right of action and legal liability if local government could not meet proposed arbitrary deadlines.

SB 1067 – OPPOSE: - This bill would prohibit a city, county, or city and county from imposing any minimum automobile parking requirement on a housing development project that is located within 1/2 mile of public transit, as defined, and that either (1) dedicates 25% of the total units to very low, low-, and moderate-income households, students, the elderly, or persons with disabilities or (2) the developer demonstrates that the development would not have a negative impact on the city's, county's, or city and county's ability to meet specified housing needs and would not have a negative impact on existing residential or commercial parking within 1/2 mile of the project, unless the city, county, or city and county makes specified findings (such as deficiencies in the developers analysis).

CALENDAR of UPCOMING EVENTS

Upcoming MCCMC Legislative Committee Meetings: 5/23/22

Upcoming MCCMC Meetings: 5/25/22

League Annual Conference in Sato 9/22-9/24/22

North Bay Division at conference 9/23

North Bay Division meeting on Zoom 7/14/22

Attachment 1

Bills Added to MCCMC Legislative Committee Watch List

April 25, 2022

1. AB 1445 - regional planning bodies and HCD methodology that assign RHNA are to consider evacuation route capacity, wildfire risk, sea level rise, and other impacts caused by climate change. The result of consideration of these factors may result in increased density on available sites.
2. AB 2011 -The bill applies to approval applications for housing projects that meet the criteria for streamlined ministerial approval. The bill would make those projects within office, retail, or, parking zone, and that also meet a specified affordability, site criteria and objective develop standards a use by right (no CEQA analysis required), The bill also would require certain labor standards be met for construction workers, including prevailing wage.

MCCMC Legislative Committee Watch List as of March 2022 (Attachment 2)

1. AB 1685: Parking citation processing agencies can ask DMV to put a registration hold on vehicle with parking citations. This bill requires that a payment plan be offered to qualified indigent persons. This bill requires forgiveness of \$1500 for qualified homeless folks. Issue: Concern about the ability to enforce parking restrictions.
2. AB 1733 – remote meetings -Among other provisions, the bill would prohibit the notice and agenda from disclosing any information regarding any remote location from which a member is participating, and require members attending a meeting from a remote location to disclose whether any other individuals 18 years of age or older are present in the room, as specified.
3. AB 1944 - remote meetings- The bill would prohibit the notice and agenda from disclosing any information regarding any remote location from which a member is participating, and require members attending a meeting from a remote location to disclose whether any other individuals 18 years of age or older are present in the room, as specified.
4. AB 2449 - Hybrid Meetings - This bill would authorize a local agency to use teleconferencing without complying with certain specified teleconferencing requirements if at least a quorum of the members of the legislative body participates in person from a singular location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. The bill would impose prescribed requirements for this exception relating to notice, agendas, the means and manner of access, and procedures for disruptions. This bill contains other related provisions and other existing laws.
5. SB 1050 - This bill would create the SR-37 Toll Authority as a public instrumentality of the state, The bill would create an authority to operate and maintain the tolling infrastructure. The bill would authorize the authority to issue bonds payable from the revenues derived from those tolls. The bill would require that the authority's toll schedule provide a discount to qualifying high-occupancy vehicles and to low-income drivers who reside in the Counties of Marin, Napa, Solano, or Sonoma. NOTE: TAM supports the bill and advocates for use of these funds for segment A projects in Marin - Highway 121 to Highway 101 and the interchange of SR 37 and Highway 101.
6. AB 1100 - This bill would authorize the presiding member of the legislative body conducting a meeting to remove an individual for disrupting the meeting. The bill would define "disrupting" for this purpose. By establishing new requirements for local legislative bodies, this bill would impose a state-mandated program. This bill contains other related provisions and other existing laws.

7. SB 1466 – The bill would establish in state government the Affordable Housing and Community Development Investment Program. It authorizes various agencies of local government to apply for funding in that program. A state created committee administering the program would have authority to approve or deny plans for projects with respect to certain criteria in the bill.

REVISED SUBMITTAL

MCCMC Legislative Committee (March 28, 2022) – Submitted by Barbara Coler, Vice Chair

Senator McGuire attended - primary topics: CA Economy \$55B surplus thus hitting the Gann Spending Limit cap. The Legislature will take up providing direct checks based on income (~\$5-6B cost) rather than Governor's proposal for all to get \$400-\$800 checks remainder above limit is ~\$5-6B for infrastructure (Senator would like it to be targeted for cities/counties). Other: Highway 37 needs revenue stream to install permanent fix BTW Hwy 101 and Lakeville Hwy (funding for engineering feasibility \$20M, fix est. cost \$100M); Senate will be advancing significant climate change program in the next month – 4 pillars – greening the energy grid, fossil fuels transition, workforce green energy jobs, climate adaptation. The Senator is working on having PGE underground lines without charging ratepayers (anticipated legislation rather than CPUC); legislation in process to make fire crews permanent for CalFire contract counties (i.e., Marin) and expanding for additional crews; working to ensure funding for homelessness targeted for San Rafael, Novato and Sausalito. Broadband – CPUC has some “last mile” broadband funding available.

The Senator will work with the Chair and Nancy Hall Bennett of CalCities to set up an MCCMC discussion session on RHNA allocations, ADUs and SB 9 (ABAG recently released guidance on SB 9). TBD date.

Urgency Eviction Moratorium bill through June 30, 2022 (AB 2170) was signed into law (to take effect immediately by Acting Governor Eleni Kounalakis on March 31 – only for people in the queue for rental assistance \$\$ (~120,000 are in the queue) & prohibits locals from enacting their own eviction moratoriums.

The Committee voted to take action on three bills - send Oppose letters: AB 897 – allows ADUs to go from 1 to 2 story ministerially; AB 2097 –“rerun” of AB 1401 from last year – eliminates parking for certain housing; send a Support letter on AB 2647 (Levine) which makes a change to the Brown Act to allow posting documents only electronically within 72 hours and be in compliance with the Act. Other bills of interest for *watch* position at this time: AB 2449 & AB 1944 to continue to allow teleconferencing for jurisdictions under revised Brown Act rules (also *watching* several other bills as they will change over time).

MCCMC LEGISLATIVE COMMITTEE SCOPE OF ADVOCACY: *Fiscal Protection: protect city revenues from state Local Control: support legislation that enhances local control of resources to provide services while supporting regional co-operation. Oppose unfunded mandates and preemption of local authority and control of land use Transportation Investment: promote stable transportation finance structure for state and local government. Multimodal, enhancing livable communities Housing/Land use: protect local government land use authority. Oppose punitive housing legislation, and legislation that restricts or reduces local discretion on land use decisions. Other legislation can be recommended to MCCMC at a regular meeting.*

Committee Report 5f:

Sonoma-Marín Area Rail Transit District

The MCCMC Representative to SMART, Dan Hillmer, Larkspur, has provided the attached SMART General Manager's report, dated April 20, 2022, for your review.



Rebecca Vaughn <mccmcsecretary@gmail.com>

Fwd: FW: Summary of the April 20, 2022, SMART Board of Directors Meeting

Daniel Hillmer <dhillmer@gmail.com>

Wed, Apr 27, 2022 at 9:34 AM

To: Rebecca Vaughn <MCCMCSecretary@gmail.com>

Hi:

Sorry for late info (just got it yesterday) this is supplemental to SMART report for tonight . I can read it during mtg if helpful.

Dan

----- Forwarded message -----

From: **Eddy Cumins** <ecumins@sonomamarintrain.org>

Date: Tue, Apr 26, 2022, 4:53 PM

Subject: FW: Summary of the April 20, 2022, SMART Board of Directors Meeting

To: Barbara Pahre <bpahreggb@gmail.com>, Chris Rogers <crogers@srcity.org>, Damon Connolly <dconnolly@marincounty.org>, Dan Hillmer <dhillmer@cityoflarkspur.org> <dhillmer@cityoflarkspur.org>, Daniel Hillmer <dhillmer@gmail.com>, David Rabbitt <David.Rabbitt@sonoma-county.org>, Debora Fudge <dlfudge@comcast.net>, Eric Lucan <elucan@novato.org>, Judy Arnold <jarnold@marincounty.org>, Kate Colin <kate.colin@cityofsanrafael.org>, Melanie Bagby <mbagby@ci.cloverdale.ca.us>, Patti Garbarino <patty.garbarino@marinsanitary.com>, Chris Coursey <Chris.coursey@sonoma-county.org>

SMART Board of Directors,

Below is a short summary of last week's Board Meeting.

Have a great day!

Eddy

From: Matt Stevens <mstevens@sonomamarintrain.org>
Sent: Tuesday, April 26, 2022 4:04 PM**To:** SMART Internal <SMARTInternal@sonomamarintrain.org>**Subject:** Summary of the April 20, 2022, SMART Board of Directors Meeting

SMART Family –

Please see below a summary of the April 20, 2022, SMART Board of Directors meeting. For more details, I encourage everyone to visit our website and view the presentations that are made in support of specific agenda items: [Board Meeting Instructions and Materials](#).

Thanks, Matt

Eddy's GM Report including recent news and happenings (Agenda Item #4)

- Eddy updated the Board of Directors on the April 18, 2022, lifting of the mask mandate on U.S. transit systems issued by the Center for Disease Control and Prevention (CDC) and the Transit Security Administration (TSA).

- Eddy updated the Board of Directors on the Planning for the Future listening sessions and survey:
 - Completed Listening Sessions:
 - Ridership Listening Session on April 6
 - 45 members of the public attended
 - 461 survey responses
 - Pathways Listening Session on April 13
 - 60 members of the public attended
 - 167 survey responses
 - Remaining Listening Sessions:
 - Extensions Listening Session on April 20
 - Freight Listening Session on April 27
- Eddy updated the Board of Directors on Ridership
 - Comparing FY 2020, FY 2021, and FY 2022, in March, SMART has exceeded FY 20 ridership
 - In March 2022, SMART carried 35,291 passengers and averaged 1,388 daily riders, which is the highest ridership since COVID began
 - In April average daily ridership increased to 1,443
 - If we compare February to January 2022, ridership was up 21%, in March ridership grew 18% and in April it grew another 4%
 - Comparing April to January ridership grew 48%
 - Eddy then shared survey data from Bay Area Council on return to work:
 - 56% of employers are now bringing back non-essential workers
 - 70% of employers said they would be getting back to “normal” by this coming summer
 - When employers were asked “when the pandemic is behind us, how many days per week the typical employee with return to work in the workplace?”
 - 43% of employers anticipated employees will be working the office 3 days per week rather than a traditional 5 days per week
 - Employers anticipated 62-63 % of employees will work Tuesday through Thursday
 - The percentage of employees who will work on Mondays has dropped to 50%
 - The percentage of employees who will work on Fridays dropped even more to 40%
 - Only 42% of employees are expected to work a traditional 9-5 work hours pattern in the future
 - Eddy summed up:
 - Looking at SMART’s ridership, Monday’s have been lower, but Friday ridership is performing well
 - As we think through this, we should be looking at:
 - Adding service to meet demand
 - Being flexible and adjusting our schedule according to demand
 - Focusing on system improvements like transit connections, first and last mile solutions, and ease of use of the system
 - Targeting non-commuter markets (recreation and tourism)
 - Eddy stated that in the FY 2023 budget, SMART is assuming 594,000 riders
 - This is optimistic and will require an average of 49,000 riders per month (17% below FY 2019 peak ridership of 716,847)
 - To support this challenging goal, SMART is adding Sunday service and will be adding 10 additional weekday trips in June
- Eddy provided an update on the San Rafael Crossing Initiative
 - We have made significant progress:
 - Average down gate wait time has dropped from an average of 3 minutes to an average of 1 minute and 43 seconds, resulting in a savings of 1 minute and 13 seconds
 - We are within our target range, but we are continuing to make adjustments and hope to achieve our ultimate goal of a wait time of 1 minute and 30 seconds
 - Eddy shared the PDCA (Plan, Do, Check, Act) continuous improvement model as an example of the process improvement work being done to improve San Rafael crossing gate down times

Consent Calendar (Agenda Item #6)

This month’s Consent Calendar included the following items:

- Accept Monthly Ridership Report – March 2022
- Approval of Old Town Glass Novato Lease Renewal with 90-Day Notice of Termination Provision

Regular Calendar

Agenda Item #7 – Approve a Resolution to revise Appendix B to Fiscal Year 2021-2022 Budget; reclassify the Senior Administrative Analyst to Budget and Grants Analyst; and adjust the pay scale authority related to the reclassification changes – presented by Heather McKillop

Chief Financial Officer, Heather McKillop asked the Board to approve a change in title and a change in the pay ranges for two positions – the Fiscal Manager and the Accounting Supervisor. Heather reviewed the position and determined that a change in duties and salary range was required. This position will now assist with budget preparation, grants administration, and contract administration. Heather requested that the title also be changed to Budget and Grants Analyst. There is no change to existing authorized headcount.

Agenda Item #8 – Approve a Resolution to Amendment Fiscal Year 2021-2022 Freight Budget in an amount of request is \$304,428 – presented by Heather McKillop

On March 1, 2022, SMART took over freight operations from the Northwestern Pacific Railroad after inspecting vehicles and equipment. It was determined that SMART needed to make some immediate repairs to Locomotive 2009, a dump truck, and a backhoe. The repairs have been estimated to cost \$133,944. SMART already had \$30,000 budgeted which can be applied towards these costs, therefore the request was for \$103,944. Heather also asked for \$100,484 for repair construction design work for the Black Point Bridge and \$75,000 for repair construction design work for Brazos Branch Bridges. The Black Point Bridge will be ready for construction in the fall of 2022. SMART would like to start designing the Brazos Branch bridge projects so that we can proceed with construction in Fiscal Year 2023.

Agenda Item #9 – Fiscal Year 2022-23 Budget Overview Presentation – presented by Heather McKillop

The draft Budget will be presented at the May 18, 2022, Board of Directors meeting with Budget adoption scheduled at the June 15, 2022, Board of Directors meeting. The Budget will be available for public review and comment between May 13 and June 3, 2022.

Agenda Item #10 – Approve a Recognition Resolution of Farhad Mansourian for his Service as SMART's General Manager – presented by Chair Rabbitt

SMART staff is recommending the adoption of Resolution No. 2022-15 which formally recognizes former General Manager Farhad Mansourian for his exemplary service, dedication, and contribution to SMART.

Agenda Item #11 – Next Regular Meeting of the Board of Directors, May 4, 2022 – 1:30 PM

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Matt Stevens | Manager
Communications & Marketing
Main: 707-794-3330 | Direct: 707-794-3074

SMART | Sonoma-Marín Area Rail Transit

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2 attachments

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General Manager's Report April 20, 2022



General Manager's Report

Updates

- Mask Mandate
- Listening Session
- Ridership
- San Rafael Crossing

Questions



2

Mask Mandate

TSA Message (April 18, 2022)

- Due to today's court ruling, the Center for Disease Control and Prevention's (CDC) January 29, 2021 Order requiring masks on public transportation conveyances and at public transportation hubs is no longer in effect. Effective immediately, TSA will not enforce its mask-related security directives. TSA also is withdrawing SD 1582/84-21-01E that was issued on April 15, 2022 and scheduled to take effect on April 19, 2022. The CDC continues to recommend that people wear masks in indoor public transportation settings. TSA's withdrawal of its directive does not preclude a transportation operator from imposing its own face mask requirement

CAL OSHA still requires masks for employees on Public Transportation.

SMART Action – Masks recommended for passengers and required for employees.



3

Listening Sessions

Completed

- Ridership (April 6th)
 - 45 participants (excluding SMART Staff)
 - 461 survey responses
- Pathways (April 13th)
 - 60 participants (excluding SMART Staff)
 - 167 survey responses

Upcoming

- Extensions (April 20th)
 - 165 surveys
- Freight (April 27th)
 - 50 survey responses



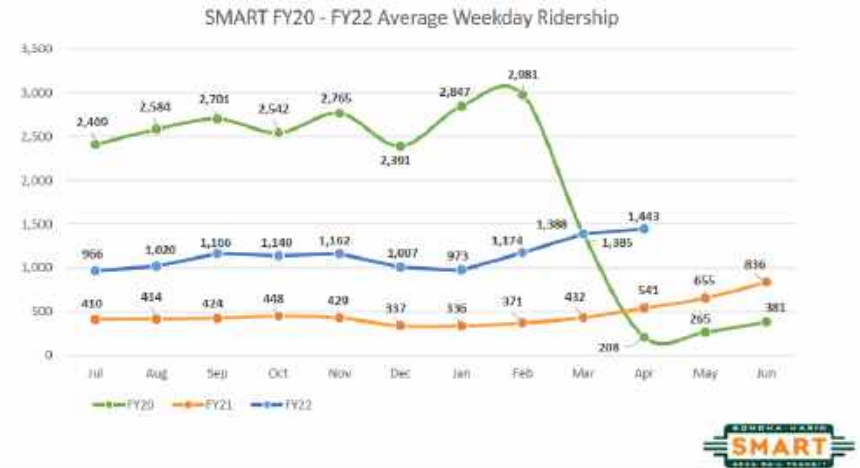
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Ridership Update



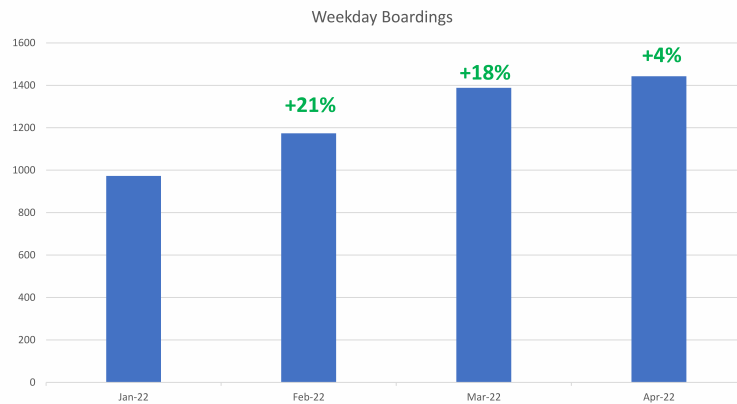
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Ridership Update



6

Ridership Update



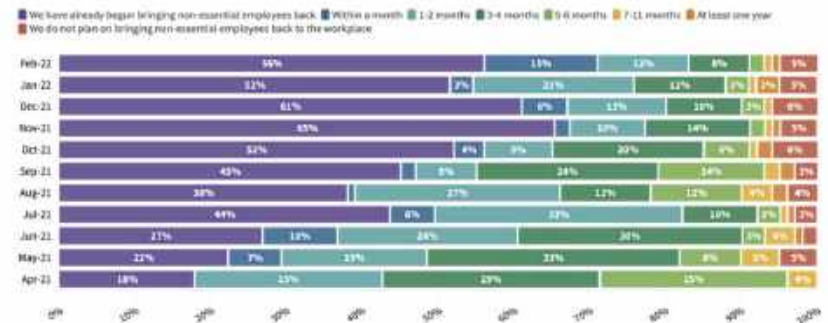
MTD April vs. January – Ridership up 48%!



7

Ridership Update

What is your best guess at when you will start bringing non-essential employees back to the workplace?



- 56% of employers report already bringing back non-essential workers
- 70% of employers predict “new normal” operations by summer

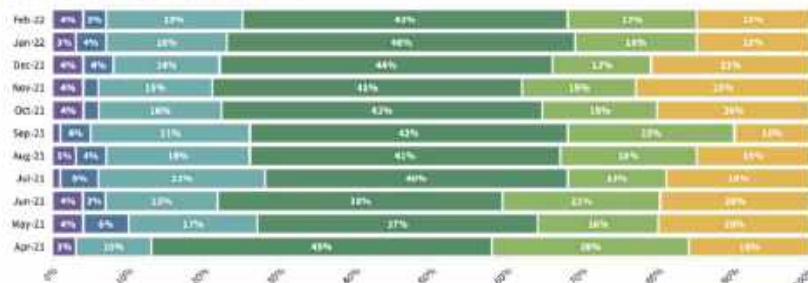


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Ridership Update

Once the pandemic is behind us, how many days per week do you expect your typical employee will come to the workplace?

0 days 1 day 2 days 3 days 4 days 5 or more days



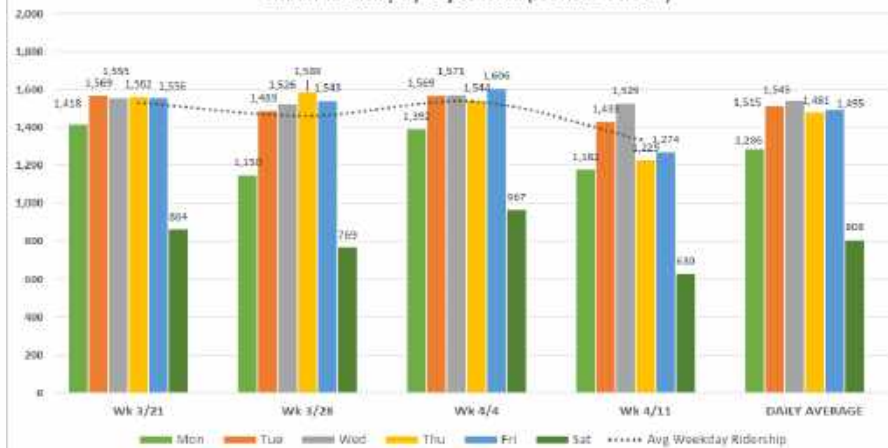
- 43% of employers anticipate workers coming to the office 3-days per week
- Employers reporting 62-63% of workforce will work Tuesday-Thursday schedule
- Percentage of workers expected to work in-office on Mondays has dipped below 50%
- Fridays have remained the least popular in-office workdays at 40%
- Only 42% of employees are expected to work traditional 9 to 5 schedule



9

Ridership Update

SMART Ridership by Day of Week (Previous 4 weeks)



10

Ridership Update

Challenges

- Traffic volume at 80% of pre-pandemic
- SMART's March ridership 51% of pre-pandemic

Post-pandemic keys to success

- Add service to meet demand
- Flexibility
- Focus on system improvements
 - Connections (first & last mile)
 - Ease of use
- Target non-commuter markets



11

Ridership Update

FY 2023 budgeted ridership = 594,000

- Optimistic and challenging
 - Requires average 49,500 riders per month
 - 40% above March 2022
 - Only 17% below FY 2019 (716,847)

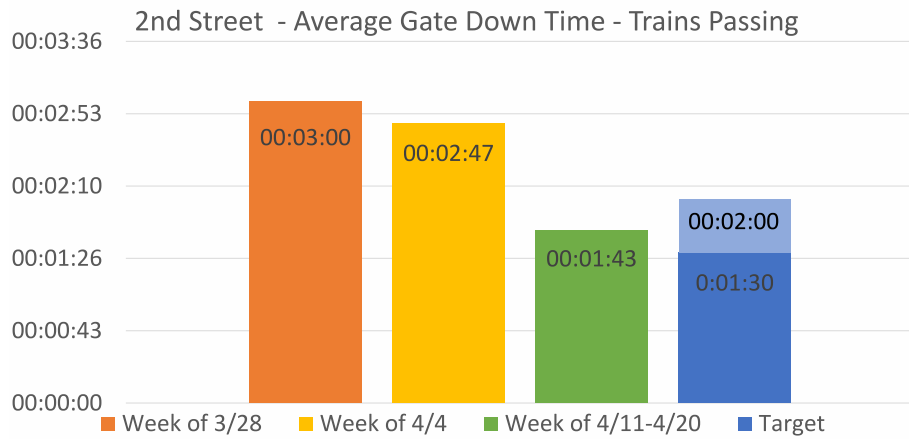
Service Additions

- Add Sunday service (May 1, 2022)
- Add 10 additional weekday trips (June 2022)



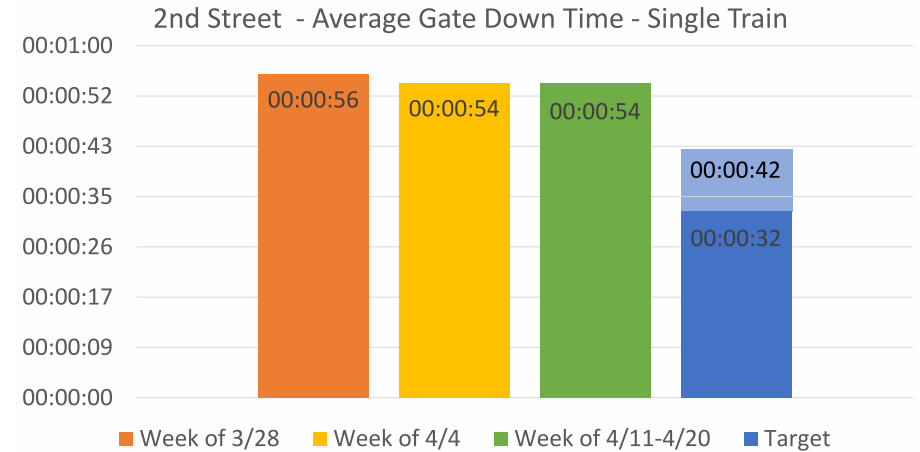
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San Rafael Crossing Update



13

San Rafael Crossing Update



14

Continuous Improvement PDCA Model



15

Questions?



16

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CustomerService@SonomaMarinTrain.org

(707) 794- 3330



Transportation Authority of Marin (TAM) Report to MCCMC. April 27, 2022
Respectfully submitted
Alice Fredericks, Councilmember, Town of Tiburon

The following TAM report includes, as indicated, issues to be addressed at the TAM Commission meeting on April 28, 2022 which takes place after the current MCCMC meeting.

TAM's Crossing Guard Program: Location Scoring Criteria.

On April 28th, the Transportation Authority of Marin (TAM) will consider recommendations of the Funding Programs and Legislation Executive Committee to change TAM's Crossing Guard Program scoring process and criteria. The recommendation include:

- 1) Creation of a separate scoring criterion for pedestrian/bicycle accident history with zero points for no documented accident history and one point for a documented accident history of conflicts between vehicles and pedestrians/bicyclists.
- 2) Change to the lower limit of the age range for "school-aged" pedestrian or bicyclist used for scoring from kindergarten to transitional kindergarten at locations that serve schools with a transitional kindergarten program.
- 3) Use of the highest regular posted speed limit, usually 25MPH in residential areas, along any approach to a location for scoring rather than a school-hours speed limit posted for "when children are present."

Crossing guard locations are chosen to comply with the Measure AA Transportation Sales Tax Expenditure Plan criteria and are reevaluated periodically. Criteria can be found in TAM's April 28 agenda Item 7D, attachment C pg 51 of 85. A committee of cities and county Public Works staff, Marin County Office of Education, (MCOE) and community members evaluated the program and recommended changes to the criteria. Currently, 161 locations have been identified as meeting the criteria for crossing guards, and 102 funded thru the Tam's Measure AA and Measure B. The changes as recommended by TAM's Funding Programs and Legislation Executive Committee will be considered for approval at TAM's April 28th meeting

Proposal to Opt Out of the Congestion Management Plan :

Addressing the issue of creating the roadway use metrics most useful to cities and the county, the TAM Commission will consider the Administration Projects and Planning Executive Committee's recommendation to initiate the Opt Out Process of the Congestion Management Program (CMP) and develop a county wide transportation program while continuing to maintain Tam's Travel Demand model for use by TAM and public agencies.

The intent of the CMP was to tie the appropriation of new gas tax revenues to congestion reduction efforts by improving land use/transportation coordination. The CMP no longer is useful in characterizing roadway use relevant to current policies and legislation. The CMP focused on performance standards of roadways, addressing LOS (level of service at intersections) and congestion, while state policy and current legislation focuses on minimizing vehicle travel to benefit environmental impacts and climate change. Further, subsequent changes in requirements for CEQA excluded LOS from that analysis, making the CMP analysis based on LOS a redundant one in CEQA process.

With MTC guidance, Marin Public Works Association indicated agreement to initiate an opt out from CMP process. A majority of Marin jurisdictions representing a majority of the population of Marin would have to Opt-Out of the CMP for the action to be effected.

If TAM Commission approves the proposal April 28, TAM staff will begin development and refinement of our travel model to support traffic and VMT analysis. This tool provides value to TAM, local jurisdictions and transit agency partners in planning and addressing mobility needs in the county.

FY2021-22 Third Quarter Financial Report

TAM commissions are asked to accept the FY 2021-22 Third Quarter Financial Report

Revenues - As of March 31, 2022, the total 1/2-Cent Transportation Sales Tax cash disbursements received from the California Department of Tax and Fee Administration (CDTFA) for the nine-month period from July 2021 to March 2022 was \$26.26 million, which is 18.87% more than the total disbursements for the same period of FY2020-21.

Expenditure Highlights - Total expenditures through the third quarter of the year are about \$12.58 million. Please note all expenditures are reported on a cash basis and there are delays due to time needed for partner agencies, consultants, and suppliers to prepare and submit payment requests for work conducted through the third quarter of the fiscal year. Quarterly reports do not necessarily reflect revenue to expense balances.

Appointments to the Citizen's Oversight Committee

The Commission will consider the appointment of Mr. Kingston Cole, currently serving as alternate for the Taxpayer Group, to the member seat of the Taxpayer Group on the Citizen's Oversight Committee (COC). The COC is an independent group of private citizens who have no economic interest in TAM's projects. The COC oversees the Measure A/AA Transportation Sales Tax and the Measure B \$10 Vehicle Registration Fee revenue and expenditure activities. The oversight is required by the voter approved Expenditure Plan for the respective measures. Each organization and planning area represented on the COC (as shown in the TAM Citizens' Oversight Committee Membership – 2022 Table (Agenda Item 7b, pg 14 of 85)) nominates its representative, with final appointment by the TAM Board.

Mr. Cole has over 30 years of experience in the telecom industry as a consultant to many major transit and transportation agencies. He is a past trustee of the National Maritime Association, current president of his neighborhood association and the Director of the COST Board. Mr. Cole's extensive professional experience allows him to assist the COC to continually ensure TAM meets and maintains its fiscal compliance and integrity.

Project Reports:

North South Greenway: On March 16, TAM led a tour of the soon to be opened multi-use path over Corte Madera Creek in Larkspur project, joined by TAM commissioners, Caltrans, the contractor, and TAM design engineers. This project is a continuing effort to close key gaps in the non-motorized transportation network. A portion of the path will soon be opened to the public, the remainder in early Summer 2022.

In October 2021, Mill Valley completed the Camino Alto Bicycle Pedestrian Improvement Project to install bicycle and pedestrian improvements at various locations along Camino Alto between Miller Avenue and East Blithedale Avenue. TAM contributed \$350,000 in Measure A funds of the \$541,000 project costs to Mill Valley from Cycle 3 of the Safe Pathway Program in FY 15/16.

The East Blithedale Project, which is partly funded by TAM sales tax revenues, will rehabilitate aging pavement, install new bike lanes, upgrade existing traffic signals, and improve access to schools, businesses and residential areas. During the project, the City of Mill Valley is committed to communicating with the public in a timely, cohesive, and proactive manner so that people are well informed and able to access the information. To learn about project updates, sign up for the East Blithedale Project e-Newsletter, <https://bit.ly/E-Blithedale-Sign-up>.

**MARIN COUNTY COUNCIL OF MAYORS AND COUNCILMEMBERS
DRAFT AGENDA**

Wednesday, May 25, 2022

Start time: 6:00pm possible in-person meeting or via Zoom webinar if needed (Start time tentative)

- 1. Call to Order**
- 2. Public Comment** (Limit 3 minutes per person)
- 3. Welcome and Introduction of Guests**
- 4. Presentation:** To be determined
- 5. Tentative Committee Reports** (if held via webinar, written reports requested)
 - 5.a. Metropolitan Transportation Commission – Supervisor Connolly
 - 5.b. Association of Bay Area Governments
 - 5.c. BCDC / Report from North Bay representative on the San Francisco Bay Conservation and Development Commission
 - 5.d. Homeless Committee
 - 5.e. Marin County Disaster Council Citizen Corps
 - 5.f. Marin Transit
 - 5.g. Sonoma/Marin Area Rail Transit Commission
 - 5.h. Golden Gate Bridge & Highway Transportation District
 - 5.i. Transportation Authority of Marin
 - 5.j. MCCMC Legislative Committee
 - 5.k. Local Agency Formation Commission
 - 5.l. Climate Action Committee
 - 5.m. MCCMC Economic Recovery Committee
 - 5.n. MCCMC Water Policy Ad Hoc Committee

6. Business Meeting

- 6.a. Nominations for Executive Committee – MCCMC President and Vice President for 2022-23 Term:
 - 1: Nominations for MCCMC President for 2022-23
 - 2: Nominations for MCCMC Vice President for 2022-23
- 6.b. Review of Draft Agenda for the June 22, 2022 MCCMC Meeting
- 6.c. Consideration and Possible Action to Approve the Draft Minutes of the April 27, 2022 MCCMC Meeting Held Via Zoom Webinar

8:30 PM ADJOURN: to the June 22, 2022 meeting

Deadline for Agenda Items – June 15, 2022 Please send to:
MCCMCSecretary@gmail.com

**MARIN COUNTY COUNCIL OF MAYORS AND COUNCILMEMBERS
DRAFT MINUTES**

**Wednesday, March 23, 2022
VIA VIDEOCONFERENCE
6:00pm**

Members Present

Belvedere: Councilmember Campbell
Corte Madera: Mayor Casissa; Councilmember Beckman
Fairfax: Mayor Hellman; Vice Mayor Cutrano; Councilmembers Ackerman, Goddard
Larkspur: Councilmember Way
Mill Valley: Councilmembers Carmel, McEntee
Novato: Mayor Lucan; Councilmembers Athas, Eklund, Milberg
Ross: Mayor Robbins; Vice Mayor Kuhl; Councilmembers, Kircher, McMillan
San Anselmo: Councilmember Colbert
San Rafael: Mayor Colin
Sausalito: Vice Mayor Blaustein
Tiburon: Councilmember Thier

Ex Officio: Fairfax Town Manager Heather Abrams; Ross Town Manager Christa Johnson; San Rafael City Manager Jim Schutz; MCCMC Secretary Rebecca Vaughn

Guests were: District Attorney Lori Frugoli; Nancy Hall Bennett, Cal Cities North Bay Division; Mark Van Gorder, PG&E

Call to Order

President Sashi McEntee called the meeting to order at 6:03p.m., and welcomed everyone to the meeting of the Marin County Council of Mayors and Councilmembers via webinar, for March 23, 2022.

A roll call of the Marin towns/cities was taken. There was a quorum of the 11 Marin cities/towns present, with representatives from each of the 11 cities/towns in attendance.

President McEntee then called for Public Comment.

3. Public Comment:

1. Mayor Stephanie Hellman, Fairfax – Announced that she, Mayor Kate Colin, and District Attorney Lori Frugoli are working on this year's gun buyback event, and she will be sending an email letter request for funding, somewhere in the neighborhood of between \$1,000 and \$5,000 from each jurisdiction. The request will be sent in the next day or two.

She also acknowledge the event that took place earlier in the day at Rodef Shalom. Many of us were there and it was powerful and moving. She thanked everyone for being there and also reminded everyone of the public comment from NOAH at last month's meeting, requesting support for AB-2282.

2. Carleen Cullen, Cool the Earth – She stated that she is the founder and the executive director of Cool the Earth, and spoke about a Marin County campaign that's running in March and April, called Ride and Drive Clean Marin. The focus of the campaign is to raise awareness and educate about the benefits of getting out of your gas car, whether that's driving an EV or an e-

6.d.

bike. Those are particularly the two e-mobility things being promoted, as well as, of course, other transportation options that are non-polluting. Last weekend, the campaign kicked off with about 15 different electric vehicles of all sorts. We drove around from Sausalito through Larkspur and Mill Valley and up to Novato with big banners on our car talking about the benefits of going electric. We also had with us the new Kia EV6, which can use your lithium ion battery, that really large battery to your vehicle, to power your refrigerator and other appliances. It's a breakthrough technology that's available now on Hyundai and Kia, and is really on the way towards replacing gas generators entirely.

Cool the Earth is also hosting five webinars. Several have already been held, and the upcoming ones are how to charge if you live in an apartment or a condo, and also a bilingual financial workshop talking about the various incentives that are available for folks of all sorts, but also in our low income communities.

She then spoke about the three big events coming up in April, which are EV and e-bike shows, one in San Rafael at the Civic Center, one in Mill Valley, and one in Novato, and encouraged everyone to attend.

Hearing no additional public comment, President McEntee introduced the presentation.

4. Presentations:

4.a. The role of the Northern California Regional Intelligence Center (NCRIC) & High Intensity Drug Trafficking Area (HIDTA) in Protecting Public Safety and Privacy, Civil Rights, & Civil Liberties

Executive Director Mike Sena provided an overview of the programs that he leads and the regional, state, and national threat and Information Sharing Environment (ISE). Director Sena discussed how the NCRIC and HIDTA work to mitigate threats, identify vulnerabilities, and address the risks from organized criminal groups and violent criminals.

He explained that the High Intensity Drug Trafficking Area (HIDTA) program was established in 1988 with the Anti-Drug Abuse Act. It's a federally funded program that operates throughout the country. There are 33 HIDTA areas, each one has a responsibility to help support, coordinate efforts to reduce the impact, harmful impacts of illicit narcotics trafficking and the organizations that really are preying on communities.

As part of that effort, they have over 20,000 taskforce officers, the largest federal state local tribal full-time task force program in the country. He covers an area of 13 counties from Monterey up to Humboldt. Within each of those counties, they have taskforces that are operated through the support of the HIDTA program. They provide technical assistance, training, and resources to help those taskforces do their jobs, to help communities be safer from those groups that are trafficking fentanyl throughout our region as well as methamphetamine and cocaine, and all the violent crime associated with that. Their goal is to provide the resources, through money and through information sharing, the collection of information on these groups, and help provide strategies and develop strategies to address some of the worst threats that we have in our area that are engaged in the illicit drug trades.

1 He also spoke about the Northern California Regional Intelligence Center, one of 80 centers
2 throughout the country which was designed and built after September 11th with the goal of
3 being able to identify threats and strategies to mitigate those threats before we have the
4 impact that we saw on September 11th. Everything from mass casualty shootings to the
5 regular crime that's happening in communities. Everything that they are dealing with that is
6 organized in nature or those individuals that may be plotting and planning mass casualty
7 attacks. Also a part of their core effort is protecting the privacy of civil rights and civil liberties,
8 and focusing their efforts on those individuals that they believe are engaged in activities that
9 are going to be extremely harmful to the communities that they serve.

10
11 He also spoke about:

- 12 • Training over 6,000 public safety personnel and critical infrastructure partners,
13 regarding what to look for in behaviors and activities that have been precursors for
14 terrorist attacks and other criminal activity that could be prevented. They train people
15 on identifying suspicious behavior, and provide them with a mechanism to report that
16 information back to NCRIC.
- 17 • The formation of a Western region crime gun intelligence working group that has now
18 expanded to Nevada, California, and Arizona, where they are focusing the efforts of
19 those groups to better use information sharing, to better use criminal intelligence to be
20 able to identify those individuals that are trafficking weapons
- 21 • Providing access to technology and information that officers don't have. Part of their
22 role is to try to connect the 8,000 law enforcement agencies in America, and almost
23 800,000 law enforcement officers, so that way they have basically a clearinghouse
24 where people can go to for everything from information sharing to de-conflicting
25 investigations and cases, where people may be looking at the same subjects of an
26 investigation, the same type of crimes.
- 27 • Responding to mass casualty events, and make sure that information is being
28 seamlessly shared to ensure that they are as effective as possible in the response, and
29 that they take away as much as they can and the lessons they can learn about what led
30 to that event to train people to prevent future events that are similar to that.

31
32 Following the presentation and Q&A, President McEntee announced that written committee
33 reports were included in the agenda packet, and then continued with the remainder of the
34 meeting.

35
36
37 5. **Committee Reports:** All Committee reports were submitted in writing and are available in the
38 [agenda packet on the MCCMC website](#). President McEntee thanked those who submitted
39 written reports and encouraged the membership to review the reports.

40
41 5.a. Metropolitan Transportation Commission (MTC)
42 5a. Written report from Supervisor Damon Connolly

43
44 5.b. Association of Bay Area Governments
45 5b. Written report from Pat Eklund, Novato

46
47 Councilmember Eklund also highlighted two time-sensitive items in her report: (1) The
48 California State Auditor completed the emergency audit that they did on the California
49 Housing and HCD on the RHNA. It identified their findings and next actions. (2) She also

6.d.

announced that ABAG has a webinar for elected officials on Friday, March 25th, on housing. It will be taped and posted up on the ABAG website for those who cannot attend.

5.c. BCDC Report from North Bay representative on the San Francisco Bay Conservation and Development Commission (BCDC)

5c. Written report from Pat Eklund, Novato

5.d. Golden Gate Bridge, Highway & Transportation District

5d. Written report from Holli Thier, Tiburon

5.e. ~~Marin Local Agency Formation Commission (LAFCo)~~ No report

5.f. Sonoma-Marín Area Rail Transit District (SMART)

5f. Written report provided by Dan Hillmer, Larkspur

5.g. ~~MCCMC Homelessness Committee Report~~ No report

5.h. ~~MCCMC Climate Action Committee~~ No report

5.i. ~~MCCMC Water Policy Ad Hoc Committee Report~~ No report

5.j. Disaster Citizen and Council Corps (DC3)

5.j. Written report from Catherine Way, Larkspur

6. BUSINESS MEETING

6.a. Announcement of Upcoming Expiration of Terms of the MCCMC Representative and Alternate Representative to Association of Bay Area Governments (ABAG) Executive Board

1. Primary MCCMC Representative to the ABAG Executive Board

(Incumbent, Pat Eklund / Novato has indicated interest in reappointment and has submitted a letter of interest)

2. Alternate MCCMC Representative to the ABAG Executive Board

(Incumbent, Eli Hill, San Rafael has indicated interest in reappointment and has submitted a letter of interest)

President McEntee announced that there are two seats with expiring terms: Representative and Alternate Representative to the ABAG Executive Board, for two-year terms which run from July 1, 2020 through June 30, 2022. Current incumbents, Pat Eklund, Novato, and Eli Hill, San Rafael, respectively, have indicated interest in re-appointment and have submitted letters of interest, which were included in the agenda packet as Attachment 6a. Any additional letters of interest can be sent to the MCCMC Executive Board and Secretary as indicated, and appointments to new two-year terms commencing July 1, 2022 and expiring June 30, 2024, will be considered by the City Selection Committee at its next meeting, which will be convened immediately preceding the April 27, 2022 MCCMC meeting.

6.b. Announcement of Upcoming Expiration of Term of One MCCMC Representative to the Marin County Local Agency Formation Commission (LAFCo)

6.d.

- 1
2 1. MCCMC Representative to the Marin County Local Agency Formation Commission (Marin
3 LAFCo)
4 (Incumbent, Barbara Coler, Fairfax has indicated interest in reappointment and has
5 submitted a letter of interest)
6

7 President McEntee announced that there is one seat with an expiring term: to the Marin County Local
8 Agency Formation Commission (Marin LAFCo), for a four-year term which runs through May 22,
9 2022. Current incumbent, Barbara Coler, Fairfax, has indicated interest in re-appointment and has
10 submitted a letter of interest, which was included in the agenda packet as Attachment 6b. Any
11 additional letters of interest can be sent to the MCCMC Executive Board and Secretary as indicated,
12 and appointment to a new four-year term, commencing May 23, 2022 and expiring May 22, 2026, will
13 be considered by the City Selection Committee at its next meeting, which will be convened
14 immediately preceding the April 27, 2022 MCCMC meeting.
15
16

- 17 6.c. Review of Draft Agenda for April 27, 2022 MCCMC Meeting (In Person or Zoom, TBD)
18 Attachment 6a: Draft agenda for April 27, 2022 MCCMC Meeting
19

20 There were no comments on the draft agenda. It was noted that both the annual meeting of the
21 Mayors Select Committee, and a meeting of the City Selection Committee, will be scheduled to take
22 place prior to the start of the MCCMC regular meeting.
23

- 24 6.d. Consideration and Possible Approval of Draft Minutes of the February 23, 2022 MCCMC
25 Meeting
26 Attachment 6c: Draft minutes of the February 23, 2022 MCCMC virtual meeting
27

28 There was a motion and second (Eklund / Casissa) to approve the minutes of the February 23, 2022.
29 The motion was approved by roll call vote of the cities/towns present, 11-0.
30

31 **Adjournment**

32

33 The meeting was adjourned at 6:51pm to the next regular meeting scheduled for April 27, 2022 at
34 6:00pm to be held via Zoom videoconference.