



DATE: March 25, 2021

TO: Transportation Authority of Marin Board of Commissioners

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

SUBJECT: Program Senate Bill (SB) 1 Local Partnership Program (LPP) Incentive Funds (Action),
Agenda Item No. 8

RECOMMENDATION

The TAM Board authorizes the Executive Director to request the California Transportation Commission (CTC) to program and allocate \$3.5 million in Local Partnership Program (LPP) Incentive Funds to the Marin Sonoma Narrows (MSN) project.

BACKGROUND

Senate Bill (SB) 1 created the LPP Formulaic Program to reward counties, cities, districts, and regional transportation agencies in which voters have approved fees or taxes solely dedicated to transportation improvements. Within the LPP Formulaic Program, the CTC set aside up to \$5 million in LPP Incentive Funds to a jurisdiction that receives voter approval of a new or renewed tax measure dedicated for transportation purposes.

When Measure AA was passed by Marin voters in November 2018, TAM became eligible for the LPP Incentive Funds. In March 2019, the CTC programmed \$5 million to TAM for specific transportation project(s) to be determined at a later date.

In September 2020, the TAM Board authorized the programming of \$1.5 million in LPP Incentive Funds to the North South Greenway Project. In October 2020, the CTC approved the programming and allocation of \$1.5 million in LPP Incentive Funds to the North South Greenway Project, leaving \$3.5 million available for future programming that needs to be allocated by June 2021. The remaining available LPP Incentive Funds of \$3.5 million would be deprogrammed from TAM if the funds are not programmed and allocated to a project by June 2021.

DISCUSSION

When finished, the MSN Project will widen 17 miles of Highway 101 from four to six lanes by adding one high occupancy vehicle (HOV) lane in each direction between Novato in Marin County and Petaluma in Sonoma County. In addition to the carpool lanes, new interchanges and frontage roads are being built to remove unsafe access from private properties and local roads. The project also includes continuous Class I and Class II bikeways between Novato and Petaluma.

The MSN Project has been completed through a series of phases based on operational priority and funding availability. Between Sonoma and Marin Counties, all HOV lane segments are either underway or completed except for a segment in north Novato, called the MSN B7. Accompanying this project is a necessary utility relocation project called the MSN B8.

The B7 project design was completed in December 2020 and is ready for construction. Completion of the final remaining six-mile gap of HOV lanes for the entire MSN corridor will result in over 50 miles of continuous HOV lanes north of the Golden Gate Bridge through Marin and Sonoma Counties. A total of \$40 million from the competitive SB1 Solutions for Congested Corridors Program (SCCP) were awarded to the project in December 2020. The remaining project funding is dependent on Regional Measure 3 (RM3), which is currently under litigation being considered by State Supreme Court. While the B7 construction schedule remains on-hold until further notice, staff is proceeding to complete the MSN B8 utility relocation design.

Staff is proposing to request the CTC to program and allocate the remaining \$3.5 million of the LPP Incentive Funds to the MSN Project. If approved by the TAM Board, staff will submit a programming and allocation request to be placed on CTC agenda no later the June 23, 2021 meeting.

Infusion of \$3.5 million in LPP Incentive Funds will help keep the MSN B7 & B8 effort moving forward since RM3 funds are not currently available. MTC has approved TAM's Letter of No Prejudice (LONP) request for the MSN Project and these LPP Incentive Funds were identified in the LONP request as a source to cover expenses that but for the lawsuit would otherwise be covered by RM3 funds.

Additionally, due to the hold on RM3 funds, two other potential sources of funding for the B7 project are being considered in order to advance the project to construction. First, MTC is considering whether they can provide federal discretionary funds to several construction projects that were also awarded SB1 competitive funds, including MSN B7. MTC may take up this funding consideration as soon as April. Should these funds be made available, MTC is likely to require TAM to provide available local funds, such as LPP, in order to partly offset the MTC commitment. Second, TAM is applying for federal grant funds for B7 through the US Department of Transportation's FY2020-21 Infrastructure for Rebuilding America (INFRA) discretionary grant program. The LPP Incentive Funds could also be used as a local match for INFRA funds should they be awarded. Staff is working closely with the project partners MTC and Caltrans on both of these funding efforts.

Projects funded with LPP funds require at least a one-to-one match of local, federal, or non-CTC approved state funds. The MSN Project has sufficient matching funds to meet this requirement.

FISCAL IMPACTS

Upon approval from the CTC, the LPP Incentive Funds of \$3.5 million will be included in TAM's FY 21/22 Budget for the right-of-way and construction phases of the MSN Project.

NEXT STEPS

Upon approval by the TAM Board, staff will prepare a programming and allocation request to be submitted to CTC for an upcoming meeting no later than June 23, 2021. Once funds are programmed and allocated to the MSN Project, staff will amend the Co-op agreement with Caltrans to include the approved funds.

ATTACHMENT

Attachment A: MSN Project Status Report February 2021
Attachment B: PowerPoint Presentation

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Project Status Report - Active

February 2021

Project: US 101 Marin-Sonoma Narrows Overview

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

Scope

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

Project will be completed through a series of phases based on operational priority and funding availability.

Status

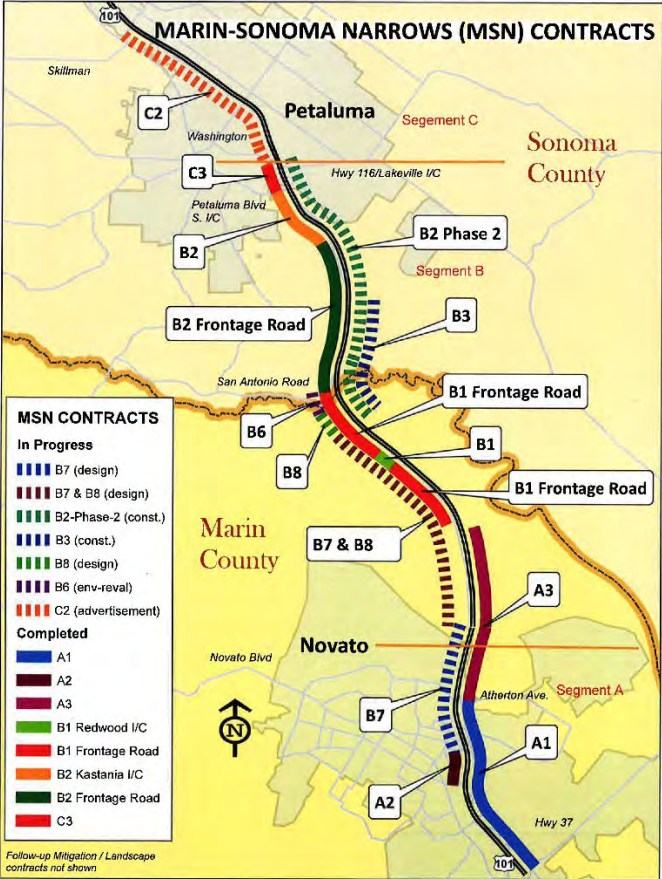
- Design is complete for the HOV lanes between North Novato to Olompali. (MSN B7)
- Construction is complete for the Highway 101 San Antonio Creek bridge and curve correction (Segment B3), spanning three miles at the Marin/Sonoma County line.
- All remaining HOV Sonoma County segments are either underway or completed.

Issues/Areas of Concern

Additional funding is needed to complete the remaining segments in Marin, and allocated RM3 funds are still in court litigation.

MARIN-SONOMA NARROWS STATISTICS

Project length.....	17 miles
Avg. daily traffic – 2017.....	153,000 vehicles
Avg. daily truck traffic – 2013.....	6,200 trucks
Marin County / Sonoma County total populations.....	258,000/495,000
Vehicle hours of delay (at less than 35 mph).....	978,400
Funds programmed for MSN.....	~\$632,600,000
Funds needed to complete MSN.....	~ \$110,000,000



Phase Status

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

Project Status Report - Active

February 2021

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

Partners Caltrans, Sonoma County Transportation Authority and Transportation Authority of Marin

Jurisdiction(s) Novato

Scope

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

Status

Working with engineering consultant and Caltrans to design the project. The project design is currently fully funded with local and federal funds, with HOV Lane design completed in December 2020. Competitive SB1 Solutions for Congested Corridor Program (SCCP) funding was applied for and approved. On hold for remaining construction funds.

Issues/Areas of Concern

- The project is an aggregate of three MSN projects, formerly called the B1 Phase II, A4 and B5 projects. Due to desire to complete the design plan by December 2019 and the potential lengthy process with right-of-way (ROW) acquisition, the project will be split into two concurrent paths: (1) design and construction of the HOV lanes (MSN B7) and (2) ROW acquisition and utility relocation (MSN B8).
- Approximately \$132 million is needed to complete construction.

Updates from Previous Report

- B7 (HOV Lanes) design completed in December 2020.
- MSN B8 utility relocation design is on-going.
- SB1 SCCP funds were awarded in December 2020.
- RM3 litigation elevated to the State Supreme Court.
- Schedules will remain on-hold until further notice.



Schedule

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

Estimated Cost by Project Phase

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

Funding by Source

STIP Right of Way Excess Fund	\$4,550,000
SB1-LPP	500,000
Measure AA Sales Tax	2,800,000
STP	2,000,000
SB1	40,100,000
RM3 & Other	92,550,000
TOTAL	\$142,500,000



Programming Local Partnership Program (LPP) Incentive Funds to the MSN Project

TAM Board Meeting
March 25, 2021

Background

- SB 1 created the LPP Formulaic Program to reward counties, cities, districts, and regional transportation agencies in which voters have approved fees or taxes solely dedicated to transportation improvements
- Within the LPP Formulaic Program, the CTC set aside up to \$5 million in LPP Incentive Funds to a jurisdiction that receives voter approval of a new or renewed tax measure
- TAM became eligible for \$5 million in LPP Incentive Funds when Measure AA passed in November 2018

Prior Programming

- The TAM Board authorized the programming of \$1.5 million in LPP Incentive Funds to the North South Greenway Project in September 2020
- The CTC approved the programming and allocation of \$1.5 million in LPP Incentive Funds to the North South Greenway Project in October 2020, leaving \$3.5 million available for future programming that needs to be programmed and allocated by June 2021
- Otherwise, the funds would be deprogrammed from TAM

Programming and Allocation Request

- Staff is proposing to request the CTC to program and allocate the remaining \$3.5 million of the LPP Incentive Funds to the MSN Project
- If approved by the TAM Board, staff will submit a programming and allocation request to be placed on CTC agenda no later the June 23, 2021 meeting

MSN Project

- The B7 Phase of the MSN Project is a segment of the HOV lanes between North Novato to Olompali
- Design for the B7 Phase was completed in December 2020 and is ready for construction
- Completion of the final remaining six-mile gap of HOV lanes for the entire MSN corridor will result in over 50 miles of continuous HOV lanes

MSN Funding Plan

- Infusion of \$3.5 million in LPP Incentive Funds will help keep the MSN Project moving forward since RM3 funds are not currently available
- MTC has previously approved an LONP request for the MSN Project and these LPP Incentive Funds were identified in the LONP request as a source to cover expenses that but for the lawsuit would otherwise be covered by RM3 funds

MSN Funding Plan, Cont

- MTC is also considering providing federal discretionary funds to advance MSN B7 construction and may take up this funding consideration as soon as April
- TAM has applied for a federal grant called the Infrastructure for Rebuilding America (INFRA) program, in which the LPP Incentive Funds could also be used as a local match if awarded

Next Steps

- Upon approval by the TAM Board, staff will prepare a programming and allocation request to be submitted to CTC
- Once funds are programmed and allocated to the MSN Project, staff will amend the Co-op agreement with Caltrans to include the approved funds



Questions

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