

## CITY OF SAN RAFAEL RESPONSE TO GRAND JURY REPORT FINDINGS AND RECOMMENDATIONS

REPORT TITLE: Yellow School Bus for Traffic Congestion Relief

REPORT DATE: June 1, 2018

PUBLIC RELEASE DATE: June 8, 2018

RESPONSE BY: Mayor Gary Phillips and City of San Rafael

### GRAND JURY FINDINGS

F1. Traffic congestion is consistently cited as the number one problem in the County and school-related traffic is a significant contributor.

F2. School buses have been shown to reduce traffic congestion.

F3. There are school districts with no bus service and others with varying levels of service. The lack of coordination results in inefficiencies.

F4. Current school bus funding includes bus pass sales and various municipality and county contributions. The municipal and county contributions are temporary and inconsistent.

F5. There is demand to establish and/or expand YSB programs in the County.

F6. Securing dedicated YSB bus parking and a maintenance facility is essential for expansion of a countywide YSB program.

F7. The YSB programs in Marin face many challenges, including dependable funding sources, bus drivers and coordinated school bell times.

F8. Marin Transit is the appropriate entity to efficiently manage a coordinated YSB program.

### Response to Findings

- We agree with Findings F1, F2, F4, F5, F6, F7
- We partially disagree with Findings F3 and F8

F3 Explanation: While we agree that there are school districts with no bus service and others with varying levels of service, the lack of coordination does not always result in inefficiencies. Some school districts may operate independently and very efficiently without coordination with other districts. Therefore, the finding should be that the lack of coordination may result in inefficiencies.

F8 Explanation: Marin Transit is one potential entity to manage a coordinated yellow school bus program for the County. However, there are other models for governance and management of a

with the potential to perform some or all vehicle maintenance. These needs must be considered as a part of the responses to the specific recommendations below.

Responses to Individual Recommendations

R2. The City disagrees with the timeframe of this recommendation. When Marin Transit identifies parcels that might serve the purpose of bus parking and maintenance, the City of San Rafael will work with Marin Transit to secure those facilities. However, light industrial land is in high demand and the availability of large parcels for this purpose are rare and expensive. It may not be reasonable to assume that a parcel either within the City of San Rafael, or in the larger County will be identified and secured in 2018.

R4. The City agrees with this recommendation. The City of San Rafael will participate to determine an equitable cost sharing arrangement for taxes lost due to the acquisition of a new bus parking and maintenance facility within the County.

R7. The City agrees with this recommendation. The City of San Rafael will actively participate in the YSB committee providing guidance to Marin Transit on YSB issues, such as cost allocations, bell times, and routes.

R8. The City agrees with this recommendation. The City of San Rafael will actively participate in the YSB committee in order to work toward the establishment of a coordinated YSB for K-8 program for the urbanized areas of Marin with the goal of beginning the coordinated program by the 2019-2020 school year.

R10. The City will not implement this recommendation at this time. The City of San Rafael does not have a source of funds available to support YBS in the urbanized corridor of Marin County. Should funding become available through other sources that San Rafael has influence over, the City will make financial support of all YSB programs a part of each years' budgeting process.

Date: 8/27/18

Signed:   
Gary O. Phillips, Mayor

Attest:   
Lindsay Lara, City Clerk

Number of Pages Attached: 0



**SAN RAFAEL**  
THE CITY WITH A MISSION

Agenda Item No: 6.d

Meeting Date: August 20, 2018

**SAN RAFAEL CITY COUNCIL AGENDA REPORT**

Department: Public Works

Prepared by: Bill Guerin, Director

City Manager Approval:

A handwritten signature in black ink, appearing to be 'AS'.

**TOPIC: GRAND JURY REPORT ON YELLOW SCHOOL BUS SERVICE FOR TRAFFIC RELIEF**

**SUBJECT: RESOLUTION APPROVING AND AUTHORIZING THE CITY COUNCIL TO EXECUTE THE CITY OF SAN RAFAEL RESPONSE TO THE 2017-2018 MARIN COUNTY CIVIL GRAND JURY REPORT ENTITLED "YELLOW SCHOOL BUS SERVICE FOR TRAFFIC CONGESTION RELIEF"**

**RECOMMENDATION:** Staff recommends that the City Council adopt the attached resolution approving the proposed response to the Grand Jury report.

**BACKGROUND:**

The 2017-2018 Marin County Civil Grand Jury has issued its report, dated June 1, 2018 entitled "Yellow School Bus for Traffic Congestion Relief."

The Grand Jury has requested that the governing bodies including Marin County, Transportation Authority of Marin, Marin Transit District, various school districts, and municipalities, including the City of San Rafael, respond to recommendations contained within the report. The City of San Rafael is asked to respond to Recommendations R2, R4, R7, R8 and R10. The Grand Jury's findings and recommendations are set out on page 11 and 12 of the 13-page report (Attachment 1).

**ANALYSIS:**

The City is required to respond to the Grand Jury Report. Penal Code section 933 states in part:

"No later than 90 days after the Grand Jury submits a final report...the governing body of the public agency shall comment to the presiding Judge of the Superior Court on the findings and recommendations contained in the report."

To comply with this statute, the City's response to the Grand Jury report must be approved by Resolution of the City Council and submitted to the Presiding Judge of the Marin County Superior Court and the Foreperson of the Grand Jury by September 1, 2018. A proposed resolution is attached that would approve the City's response to the Grand Jury (Attachment 2).

The Grand Jury found that:

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**FOR CITY CLERK ONLY**

**Council Meeting: 08-20-2018**

**Disposition: Resolution No. 14562**

**SAN RAFAEL CITY COUNCIL AGENDA REPORT / Page: 3**

Staff partially agrees with Recommendation R2. Staff recommends that San Rafael work with Marin Transit and others to identify a bus parking and maintenance facility, but staff does not believe that the timeframe to acquire the facility by the end of 2018 is a realistic goal.

Staff does not agree with Recommendation R10. Funding for this consolidated Yellow School Bus program must be identified from sources other than the City of San Rafael. Should funding become available through other sources that San Rafael has influence over, the City indicates that it will make financial support of all YSB programs a part of each years' budgeting process.

The proposed resolution with attached response incorporates these responses.

**FISCAL IMPACT:** There is no fiscal impact associated with this item.

**OPTIONS:**

The City Council has the following options to consider relating to this item:

1. Adopt the resolution as presented. The Grand Jury response would be submitted as presented.
2. Adopt the resolution with modifications. The City Council may make changes to the resolution and corresponding Grand Jury response during the City Council meeting.

**RECOMMENDATION:**

Staff recommends that the City Council adopt a resolution approving the proposed response to the Grand Jury report.

**ATTACHMENTS:**

1. Grand Jury report entitled "Yellow School Bus for Traffic Congestion Relief"
2. Resolution
3. Exhibit to resolution: Response to Grand Jury Report

**RESOLUTION NO. 14562**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL  
APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE CITY'S  
RESPONSE TO THE JUNE 1, 2018 MARIN COUNTY GRAND JURY REPORT  
ENTITLED "YELLOW SCHOOL BUS FOR TRAFFIC CONGESTION RELIEF"**

**WHEREAS**, pursuant to Penal Code section 933, a public agency which receives a Grand Jury Report addressing aspects of the public agency's operations must, within ninety (90) days, provide a written response to the Presiding Judge of the Superior Court with a copy to the Foreperson of the Grand Jury, responding to the Report's findings and recommendations; and

**WHEREAS**, Penal Code section 933 specifically requires that the "governing body" of the public agency provide said response and, in order to lawfully comply, the governing body must consider and adopt the response at a noticed public meeting pursuant to the Brown Act; and

**WHEREAS**, the City Council of the City of San Rafael has received and reviewed the Marin County Grand Jury Report, dated June 1, 2018, entitled "Yellow School Bus For Traffic Congestion Relief", and has agendized it at this meeting for a response.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of San Rafael hereby:

1. Approves and authorizes the Mayor to execute the City's response to the Marin County Grand Jury's June 1, 2018 report, entitled "Yellow School Bus For Traffic Congestion Relief", copy of which response is attached hereto and incorporated herein by reference.
2. Directs the City Clerk to forward the City's response forthwith to the Presiding Judge of the Marin County Superior Court and to the Foreperson of the Marin County Grand Jury.

I, Lindsay Lara, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the San Rafael City Council held on the 20th day of August 2018, by the following vote to wit:

**AYES: COUNCILMEMBERS: Bushey, Colin, Gamblin, McCullough & Mayor Phillips**

**NOES: COUNCILMEMBERS: None**

**ABSENT: COUNCILMEMBERS: None**



LINDSAY LARA, City Clerk