



MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
CITIZENS' OVERSIGHT COMMITTEE

May 21, 2018

5:00 p.m.

TAM Conference Room
900 Fifth Avenue, Suite 100
San Rafael, CA 94901

MEETING MINUTES

Members Present: V-Anne Chernock, Northern Marin Planning Area
Paul Roye, Ross Valley Planning Area
Bob Burton, Southern Marin Planning Area
Scott Tye, West Marin Planning Area
Vince O'Brien, Bicyclists & Pedestrians Groups
Kate Powers, Environmental Organizations
Kevin Hagerty, League of Women Voters
Allan Bortel, Marin County Paratransit Coordinating Council
Paul Premo, Taxpayer Group

Alternates Present Jeffrey Olson, Central Marin Planning Area

Staff Members Present: Dianne Steinhauser, TAM Executive Director
Li Zhang, Chief Financial Officer
David Chan, Manager of Programing and Legislation
Dan Cherrier, Principal Project Delivery Manager
Molly Graham, Public Outreach Coordinator
Grace Zhuang, Accounting and Administration Specialist
Helga Cotter, Senior Accountant

Chairperson V-Anne Chernock called the Citizens' Oversight Committee meeting to order at 5:05 p.m.

1. Introductions and Welcome

Chief Financial Officer Li Zhang introduced TAM's newest staff addition, Senior Accountant Helga Cotter.

2. Review and Approval of April 16, 2018 Meeting Minutes (Action)

Member Bob Burton noted that the motion to approve the March 19, 2018 meeting minutes had not been included in the April 16 minutes, and staff agreed to add the motion according to the meeting recording.

Member Burton made the following additional amendments to the April 16, 2018 meeting minutes:

Page 3, paragraph 6, "...Priority should be given to public schools and that no crossing guards should be provided at intersections near private schools if there is not sufficient funding." Amended to: "...Priority should be given to public schools and that no crossing guards should be provided at intersections near private schools if there is not sufficient funding, especially religious private schools because of the separation of church and state";

Page 4, paragraph 8, "Member Burton said the electric grid is tenuous and could not support large numbers of EV's", amended to: "Member Burton said the electric grid is tenuous and might not be able to support large numbers of EVs";

Page 4, paragraph 10, "Chairperson Chernock said it would be helpful to know their organizations' position", amended to: "Chairperson Chernock said it would be helpful to know their organization's position.

Member Paul Premo made the following corrections to the minutes;

"DS Steinhauser" amended to "ED Steinhauser"; "EV's" amended to "EVs" where appropriate.

Page 3, final paragraph: "...which allow have public access such as shopping malls", amended to: "...which allow public access such as shopping malls".

Member Kevin Hagerty moved to approve the April 16, 2018 meeting minutes as amended, and Member Burton seconded the motion. The minutes were approved unanimously.

3. TAM Staff Report (Information)

a) Measure A Sales Tax Renewal Efforts and Update

Executive Director (ED) Dianne Steinhauser expressed her appreciation of Chairperson Chernock's hard work and strong leadership on behalf of the Committee members and TAM staff, who is moving out of Marin and will not be able to serve on the COC after this meeting.

Following a short discussion on traffic problems and potential improvements on Hwy 37, ED Steinhauser discussed the two major changes made to the final Expenditure Plan (EP) approved by the TAM Board on April 26, 2018. She noted the decrease of the 7-10-year review period to consider amendments to a 6-year review cycle. The amendment process would not need voter approval but would require public outreach and input from the local jurisdictions. Support for an amendment would be required from 2/3 of the Board of Commissioners, from 50+% of the cities or towns representing 50+% of the incorporated population and a majority vote of the Board of Supervisors

ED Steinhauser discussed funding interests that emerged during discussions with the town and city councils, including investment in new technology, EV infrastructure, and sea level rise. She confirmed that amendments could be made under the current tax level, but that any future decision to increase the tax level would need voter approval.

In response to a question from Member Allan Bortel, ED Steinhauser explained that language has been included to fulfill obligations for long term project/program and financing commitments, for the entirety of the plan, since changes might be made every 6 years.

ED Steinhauser discussed other changes that were made to the EP by the TAM Board, adding a goal to reduce greenhouse gas emissions in response to interest shown at town and council meetings. She also noted that provisions were made for an annual strategic plan, rather than a biannual strategic plan, for reasons that included ensuring funding objectives are being met. In response to Member Hagerty's comment of the potential staff cost increase required by the annual effort, ED Steinhauser confirmed that the current staff level will be able to absorb the additional effort required of an annual strategic plan. She noted that, if the ballot is successful, the new EP would go into effect April 2019.

In response to a question from the Committee about the impact on the crossing guard program if the renewal fails in November, Principal Project Manager Dan Cherrier confirmed that the current service

level of the crossing guard program could be funded through the first quarter of 2019 with rollover funds, which he said the Board will need to approve.

ED Steinhauser continued discussions on the EP. She noted that eligibilities of several categories were expanded to include electric vehicle (EV) infrastructure to gain support from EV advocates. The TAM Board also approved the use of carry over funds from the Vehicle Registration Fee (VRF) alternative fuel element to increase the funding level for EV's and EV infrastructure over the next 3 years. ED Steinhauser confirmed that advocates supported the changes. Member Burton asked and ED Steinhauser confirmed that all alternative fuel vehicles will be eligible for those funds.

ED Steinhauser discussed the Board's decision to expand local streets and roads to include alternative fuel categories, improvements to address sea level rise and flooding, and investment opportunities to address congestion on local streets and roads, such as transit services. She also discussed the major negative impact if SB 1 is repealed on the November ballot. Member Hagerty discussed the importance of ensuring the electorate understand how local taxes are spent and the negative effects caused by repealing SB 1.

Chairperson Chernock confirmed that the Women's League of Voters have provided written support for a continuation of the sale tax measure. Comments were made on outreach efforts, and ED Steinhauser informed the Committee that staff will be presenting to all community/advocacy groups. She also confirmed that the Board has approved funds to hire a public outreach company to assist with the tax renewal process. Member Kate Powers commented that a short 2-3 minutes video can be a very effective outreach tool. Member Scott Tye also commented on the importance of getting the public outreach support timely.

ED Steinhauser reported that the CTC approved SB 1 funding for the Marin Sonoma Narrows widening project, and she discussed the importance of entering into contracts in relation to SB 1 funding. ED Steinhauser also reported on the Richmond-San Rafael Bridge, noting that discussions continue about whether to make the upper bridge shoulder a bike and travel lane, and she confirmed the opening of the eastbound third lane has greatly benefited traffic.

3. 2018 Strategic Plan Update (SPU) of the Measure A Transportation Sales Tax Program (Discussion)

Member Tye noted that the glossary of the Strategic Plan (SP) does not reference climate change or sea level rise and asked those to be included in the future.

David Chan, Manager of Programing and Legislation, presented the staff report. Mr. Chan explained that the Measure A Transportation Sales Tax Program (Strategic Plan) was developed shortly after implementation of Measure A in 2004, and that its purpose is to determine how funds are distributed to city agencies. He noted that the plan needs to be updated biannually, although TAM updates the revenue and expenditure sections on an annual basis so that agencies, particularly Marin Transit, know how much funding is available. Mr. Chan explained that a new Strategic Plan will be necessary if the proposed expenditure plan is implemented.

Mr. Chan discussed revenue, noting that \$26M was collected in FY2016-17, and that the estimated revenue for FY2018-19 is \$27 million. He noted that revenue has steadily increased since FY2009-10 and that revenues of \$496 million are predicted over the lifetime of Measure A. Mr. Chan discussed borrowed funds from MTC that were repaid, noting that further funds should not need to be borrowed until 2022, noting that the amount should not exceed \$7 million.

Mr. Chan discussed four major road projects that are currently in pre-construction, including a project along east Sir Francis Drake Blvd from Hwy 101 to the border of Ross. He noted that construction for all four projects is at least 2 years away.

In response to Member Premos's question, Mr. Chan discussed the East Blithedale project and the current status. He explained that the City of Mill Valley should be submitting a request to the TAM Board to use \$1.8 million of the remaining funds from the Miller Avenue project to perform a feasibility study, but that no further Measure A funds would be made available.

Member Powers discussed the potential project component that can be added to the Third Street project in San Rafael that is supported by the bicycle community and was wondering if Measure A funds can be allocated to the component. In response, Mr. Chan explained that Measure A funds cannot be spent on projects that are not defined in the expenditure plan. However, he said that the major roads category allows project components that are beyond the description in the expenditure plan as long as other funds are being used for those components. Member Burton noted that the project received funds from the Flood Control Board.

Mr. Chan also explained that allocation of reserve funds from Measure A which are documented in the Strategic Plan. He said that Marin Transit needed fund for its Novato Transit project and as part of the process, the TAM Board apportioned a total of \$1.9 million funds to the three strategies, with the exception of the Strategy 2.

In response to Member Hagerty, Ms. Zhang confirmed that 5% will be reserved for the agencies under the new expenditure plan. Ms. Zhang also explained the various reserve mechanism that TAM and the project sponsor have in place in case of a funding emergency. Member Power asked how the reserve can be spent. Ms. Zhang confirmed that the reserve was set aside proportionally and will go back to the category in the same way.

Chairperson Chernock confirmed that sea level rise has been included in the local streets and roads category and would, therefore, be eligible for funding under the new expenditure plan. Ms. Zhang noted that the reserve funds under the current plan would need to be released back to each strategy proportionally.

In response to Member Powers, Ms. Zhang said that the new expenditure plan, with the 6-year review process, TAM will have the ability to address the needs identified in the vision plan more timely if desired. However, that flexibility is not available under the current expenditure plan.

Mr. Chan discussed how annual debt reserve fund of \$2.35 million over the life of Measure A is spent, noting that it was used for the completed East Sir Francis Drake Blvd and also will be used for the Bellam Blvd project.

In response to Member Premo, Ms. Zhang clarified the debt reserve fund and the reasons it was not necessary to use the funds for the Hwy 101 Gap Closure project or major roads projects. She confirmed the accumulated funds are committed.

Mr. Chan discussed the strategies under the new Strategic Plan, noting that little change is anticipated. He discussed a commitment to distribute \$4 million of funds from Strategy 2/Debt Reserve amongst the 4 major road projects, the annual fund allocation to local streets and roads in all the cities, and a new five-year contract for Safe Routes to Schools that will be presented to the TAM Board at their meeting in June, in addition to the new 5-year crossing guards contract. Mr. Chan went on to discuss the fourth cycle of Safe Pathways funding next summer, which is anticipated to be approximately \$3 million.

Mr. Chan noted that the Strategic Plan has been released for public comment and is available on TAM's website. He said he is anticipating that the Board will adopt the plan at their meeting on June 28, 2018, when public comment will be reported.

In response to Member Powers, Mr. Cherrier confirmed that additional 9 crossing guards would be funded from Measure B, making a total of 58 crossing guards, until the end of the current sales tax measure in

2024, without the renewal of the sales tax in November, which will make more funding available for the crossing guard program. Mr. Cherrier confirmed that the costs for a new 5-year crossing guard contract are not anticipated to change much compared to current cost.

Member Tye discussed the guiding principles of the Strategic Plan with Public Outreach Coordinator Molly Graham. Ms. Graham explained that the majority of the Strategic Plan is dedicated to non-automotive issues and that environmental principles are included in the strategies.

The Committee recessed for ten minutes for a dinner break and reconvened with all members present as indicated.

4. Review of the Draft TAM FY2018-19 Annual Budget

Ms. Zhang presented the staff report. Ms. Zhang explained that the draft budget has been presented to the Board and has been released for public comment. The TAM Board is expected to adopt the final budget at the June 28, 2018 meeting. Ms. Zhang discussed the reports and attachments provided to the committee members, noting that total revenue expected in FY2018-19 is close to \$40 million.

Ms. Zhang discussed the sources of income, including \$30 million from Measures A and B. She noted that TAM collects approximately \$2.4 million from Measure B and that the 2017 vehicle registration data indicates a decrease in revenue.

Ms. Zhang provided an overview of funding from sources other than sales tax and VRF, including federal and state sources. She explained that MTC provide federal funds of approximately \$800,000 through CMAQ STP funds, and approximately \$1-2 million through OBAG. Ms. Zhang also discussed sources of State funding, including funds from State Transportation Improvement Program and SB1, noting that SB1 funds should provide \$500,000 per annum out of local partnership programs. She noted that TDA funds provide \$200,000 - \$300,000 for bicycle and pedestrian programs.

Ms. Zhang also discussed the Transportation Fund for Clean Air (TFCA) from the Bay Area Air Quality District and the CMA Fee Contributions to TAM from each of the local jurisdictions in Marin, noting that the latter has been temporarily boosted by 30% for five years.

Ms. Zhang noted that the two major RM2 funding projects for the upcoming year would be the North-South Greenway project and the multi-use path in San Rafael. She noted that total expenditure for FY2018-19 will be approximately \$46 million.

Ms. Zhang went on to briefly discuss the administration category, and she confirmed the savings from the LGS/RGS separation cover the cost for the new senior accountant position. Ms. Zhang also provided information on the proposed cost of living adjustment for staff, noting that 3% was proposed and approved in FY2017-18.

Ms. Zhang discussed the professional service category, which includes expenditure on the Marin-Sonoma Narrows projects for the Richmond-San Rafael approaches and a study for the Hwy 101-Hwy 580 Connector in an effort to compete for RM3 funds.

Ms. Zhang discussed expenditure of Measure A funds, noting that less will be spent in the forthcoming year due to projects being in the pre-construction phase. Under Measure B, Ms. Zhang noted that more funds will be spent due to increased program demand at Marin Transit, additional funding for EV and crossing guard programs.

Ms. Zhang discussed increased spending under the interagency category that related to major road projects, including the San Rafael multi use path. She also noted that reimbursement requests are expected

in the forthcoming year for two bike projects in Novato and Corte Madera, for which \$360,000 of TFCA funds would be used.

Ms. Zhang noted that under the Admin and Finance categories, TAM is in contract with CalPERS, and she discussed how medical and pension liabilities will be addressed in relation to a payout from LGS upon separation. She confirmed there will be a salary compensation study and the production of a Comprehensive Annual Financial Report (CAFR) relating to the current year's audit cycle. Ms. Zhang also noted that there will be focus this coming year on outreach efforts relating to the Measure A ballot.

Ms. Zhang discussed items under the project delivery category, including SR37 and ramp metering projects. She noted that the Strategic Plan will be reassessed depending on the success of the ballot measure and the upcoming need to review the Measure B expenditure plan.

In response to Member Tye's question, Mr. Cherrier discussed the reasons a pilot study has not occurred relating to the HOV lane on Hwy 101, including the need to complete construction on the Marin Sonoma Narrows.

In response to Member Vince O'Brien's question, Ms. Zhang explained that funds from the Measures are used as leverage for state and federal funding, such as RM3, and she discussed the importance of having matching funds for local programs.

Member Premo and Ms. Zhang discussed the future compensation study and COLA. Ms. Zhang noted that the study does not necessarily result in pay raises for staff.

In response to Member Powers's question, Ms. Zhang confirmed she provided an overview of TAM's budget and that the full report on funding will be posted on the website and could be emailed to the Committee.

In response to Member Premo's question, Ms. Zhang confirmed that the 45-day public notice period for comment on the strategic plan will be posted on TAM's website and a notice will be published in the Marin Independent Journal 14 days before the Board takes action.

5. Committee Member Hot Items Report (Information)

Ms. Zhang confirmed that Vice-Chairperson Peter Pelham will be the acting Chairperson and the election of the new chairperson and vice-chairperson will take place at the next meeting.

6. Discussion of Next Meeting Date and Recommended Items for the Agenda

The next meeting was tentatively set for July 16, 2018.

7. Open Time for Public Input

As no members of the public wished to speak, the meeting was adjourned at 7:00 p.m.