



MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
CITIZENS' OVERSIGHT COMMITTEE

May 18, 2020

5:00 p.m.

Virtual Meeting

Zoom link:

<https://us02web.zoom.us/j/83852794894?pwd=K1cwVVo3UmJwL0pkVDZFSXRJc1tvQT09>

Webinar ID: 838 5279 4894

Password: 332695

MEETING MINUTES

Members Present:

Peter Pelham, Major Marin Employers (Chairperson)
Joy Dahlgren, Central Marin Planning Area
Charley Vogt, Northern Marin Planning Area
Paul Roye, Ross Valley Planning Area
Vince O'Brien, Bicyclists and Pedestrians Group
Kate Powers, Environmental Organizations
Kevin Hagerty, League of Women Voters
Allan Bortel, Marin County Paratransit Coordinating Council
Zack Macdonald, School Districts
Paul Premo, Taxpayer Group

Alternates Present:

Jayni Allsep, Southern Marin Planning Area
Kingston Cole, Taxpayer Groups
Jeffrey Olson, Central Marin Planning Area
Veda Florez, Northern Marin Planning Area
Kay Noguchi, League of Women Voters
Nancy Okada, Environmental Organizations

Staff Members Present:

Anne Richman, Executive Director
Li Zhang, Deputy Executive Director/Chief Financial Officer
Dan Cherrier, Principal Project Delivery Manager
Derek McGill, Planning Manager
Helga Cotter, Senior Accountant
Denise Merleno, Executive Assistant

Chairperson Peter Pelham called the Citizens' Oversight Committee meeting to order at 5:00 p.m.

1. Introductions and Welcome

Chairperson Peter Pelham asked Senior Accountant Helga Cotter to conduct the roll call. Ms. Cotter did so and confirmed that a quorum was present.

2. Open Time for Public Expression

Ms. Cotter confirmed that no public comments had been received.

3. Review and Approval of March 16, 2020 Meeting Minutes (Action)

Member Paul Premo moved to approve the March 16, 2020 Meeting Minutes. Member Kate Powers seconded the motion and the Minutes were approved, with Member Joy Dahlgren and Alternate Jayni Allsep abstaining.

Li Zhang, Deputy Executive Director/Chief Financial Officer stated that staff would incorporate amendments to the minutes that were submitted by Member Paul Premo.

4. TAM Staff Report (Information)

Executive Director (ED) Anne Richman presented the staff report and discussed the impacts of the Shelter in Place Order on the agency and its projects and programs.

ED Richman thanked all the community workers, partner agencies, the Board and COC, staff and their families for their support, noting that staff has been working remotely since March 16, 2020. She stated that virtual meetings have helped to keep the agency and its projects and programs functioning.

ED Richman reported that some meetings have had to be cancelled, rescheduled or modified while delays have been experienced with some capital projects. However, she noted that other projects have been expedited to take advantage of low traffic conditions.

ED Richman stated that impacted programs include GET2SMART because Lyft's multi-passenger type rides (when riders are not from the same household) are prohibited (although the service can still be used), while the Spring campaign to promote commute strategies for the Marin Commutes Program has been postponed. She confirmed the crossing guards are not on regular duty because schools are closed and she confirmed that the FASTER (Freedom, Affordability, Speed, Transparency, Equity, Reliability) Measure, which had been proposed for the November 2020 ballot, has been suspended.

ED Richman reported on the Coronavirus Aid, Relief & Economic Security Act (CARES), which provided \$1.3 billion to Bay Area transit agencies. She noted that Marin Transit is expected to receive approximately \$5 million, SMART is expected to receive \$10 million and Golden Gate Bridge Highway & Transportation District (GGBHTD) is expected to receive approximately \$30 million.

ED Richman discussed her participation in the Transportation Task Force of Marin Recovers, a group of industry advisors to the Marin County Health Department, who provide advice on safe reopening. A website has been developed which provides updated information on resources and best practices with input from public agencies and private partners.

ED Richman discussed the use of cell phone data to provide traffic patterns, noting that Marin County has reduced traffic trips by 80% - 90%.

ED Richman reported that 5 MTC Commissioners from North Bay Counties (including Commissioner Connolly) have submitted correspondence to State and Federal Legislators seeking support for transportation improvements through future stimulus bills. The aim is to expedite projects and help the economy.

ED Richman reported that the staff at Safe Routes to School continue to offer remote support and activities, including safety classes and art and poetry contests, to students and families online. Additionally, staff is planning for the new school year, either for the classroom or online. ED Richman noted that information is also available on the TAM website.

ED Richman reported that the County of Marin completed the installation of 22 charging heads at the Los Gamos campus with \$60,000 of funding from TAM and that the Novato Police Department have acquired 3 electric vehicle (EV) bikes with \$3,000 of funds from TAM's rebate program.

ED Richman provided an update on major capital projects. She stated she was happy to report that the Northern Segment of the North-South Greenway Project over Corte Madera Creek was ready to go out to bid. She also reported on the Northbound US-101 to Eastbound I-580 Direct Connector Project. She stated that a Stakeholder Working Group should be ready to meet remotely via Zoom in late June/early July. She also reported that the Sir Francis Drake Boulevard Rehabilitation Project is moving ahead and that the Board of Supervisors approved the construction contract at its May 12, 2020 meeting, with TAM contributing \$12 million from the Major Roads fund.

ED Richman announced that MTC and Caltrans will nominate the Marin Sonoma Narrows (MSN) B7 project for \$40 million funding from the State's Senate Bill 1 (SB1) Solutions for Congested Corridors Program, which she noted is competitive and therefore funding is not guaranteed. She stated that the California Transportation Commission (CTC) has extended funding applications for competitive funding programs related to SB1 beyond June 2020, and that it has also extended deadlines on the Timely Use of Funds requirements.

ED Richman provided an update on Senate Bill 1408, which would authorize tolling on State Route 37 (SR37) to raise revenue for improvements to relieve traffic congestion and flooding. However, she said it's unlikely that the bill will move forward this year.

ED Richman concluded her report by highlighting some reasons to celebrate, including the 50th Anniversary of Earth Day and the 15th Anniversary of TAM. She noted that a video celebrating Earth Day has been posted on the agency's website.

In response to Member Kevin Hagerty, ED Richman stated that Metropolitan Transportation Commission (MTC)/Bay Area Toll Authority (BATA) and TAM are still conducting traffic and structural studies related to the Richmond-San Rafael Bridge.

In response to Member Allan Bortel, ED Richman stated that the additional toll funds from Regional Measure 3 (RM3) remain in escrow.

Member Charley Vogt asked if crossing guards will be reinstated in the fall and whether funds remain to carry over into the next fiscal year. ED Richman confirmed that the crossing guards were generally able to collect unemployment and will be hired back if the schools return in the fall. She stated that the Board has authorized a retention bonus to guards who return in the fall and work for the required time period and that remaining funds will be carried over. Member Vogt commended the decision to pay a retention bonus to retain experienced crossing guards.

Ms. Cotter confirmed that no public comments had been received.

Alternates Nancy Okada and Veda Florez joined the online meeting.

Ms. Zhang added that there is public attending the zoom meeting and Alternate Okada confirmed it is her attendance.

5. Plan Bay Area 2050: Update on Marin County Projects (Discussion)

Planning Manager Derek McGill presented the staff report. He confirmed the TAM Board accepted the Marin County project list at its April 20, 2020 meeting for submission to MTC as part of Plan Bay Area 2050.

Mr. McGill provided background information on Plan Bay Area 2050, which he stated is a mandated process that integrates transportation and land use planning to achieve greenhouse gas (GHG) reduction targets. Mr. McGill explained that transportation projects must meet the air quality standards under California Environmental Quality Act (CEQA) to be included in the Plan and qualify for regional, state and federal funding.

Mr. McGill stated that the process takes place every 4 years and that MTC is currently working to refine the project list based on two revenue scenarios to ensure target emission reductions are met. He discussed the 4 main elements (transportation, housing, environment and economy) of the plan, the 19% GHG reduction in emissions requirement, noting that the primary goal is a reduction in auto miles traveled.

Mr. McGill stated that TAM is responsible for submitting a list of County projects. He discussed the submittal process and stated that TAM reviewed plans from local jurisdictions and transit operators and submitted an initial list to MTC. He confirmed the ultimate goal is to include projects in Plan Bay Area that could compete for funding.

Mr. McGill discussed the criteria for projects, which include those that are expected to receive regional funding and noted that the majority of funding (\$10.2 billion) would be allocated to transit operations and maintenance. He also discussed a Letter of Commitment submitted to MTC that related to SR37, which was approved by the TAM Board at its April meeting. Mr. McGill stated that the agency is awaiting MTC's comments on the list of projects.

Alternate Florez stated that she was pleased TAM is addressing the equity issue set by MTC and she asked if the County is close to achieving \$1.3 billion of funding for SR37. In response, Mr. McGill stated that RM3 should provide \$47 million in funding, which would fund environmental clearance and short-term projects, and that federal, state and regional funds would be needed to fund the whole project.

In response to Alternate Florez, ED Richman stated that the potential drop in revenue is being discussed and reviewed by MTC staff. Furthermore, ED Richman noted that Plan Bay Area is a 30-year-plan.

In response to Member Kate Powers, who asked if the funds related exclusively to OBAG (One Bay Area Grants), Mr. McGill stated that they include all funding sources, including future OBAG funding, STIP (State Transportation Improvement Program) funds and other regional and local funding sources. Member Powers and Mr. McGill discussed funding related to Priority Development Areas (PDAs). Mr. McGill explained that local jurisdictions nominate PDAs through MTC, which would make them eligible to receive PDA funding, while TAM controls a portion of OBAG funds that are allocated to towns and cities through a separate process. He stated that TAM completed the process in 2018 and that the next round of OBAG funding is expected in 2023.

Ms. Cotter confirmed that no public comments had been received.

6. Review and Provide Input on the Proposed TAM FY2020-21 Annual Budget (Discussion)

Ms. Zhang presented the staff report, which asks the committee members to review the proposed TAM FY2020-21 Annual Budget and provide comment. She stated that she would focus on the challenges the agency is facing and discuss how staff is proposing to address them and the steps that the agency and Board will be taking to finalize the budget process. Ms. Zhang stated that the main items for discussion would include sales tax revenue, the agency's most important funding source, and the proposal to control operational and benefit costs.

Ms. Zhang stated that the projected sales tax revenue of \$27.5 million was conservative back in February with a 5% reduction assumed based on the then expected current year revenue collection estimated by TAM's sales tax consultant team from Avenu Insights and Analytics, LLC. Unfortunately, the wider spread of COVID-19 and the Shelter in Place Order which started in March had a dramatic negative impact on the economy and the sales tax collection. Ms. Zhang explained that staff will recommend to the TAM Board that the agency goes forward with the \$27.5 million revenue level and take steps to help funding recipients. She noted that a reserve policy was established last year with the COC's help, whereby the agency collects a reserve from Measure AA and releases a corresponding amount collected under Measure A to projects and programs. Ms. Zhang estimated that \$1.75 million in Measure AA reserve funds should be collected by the end of June and the equivalent amount of Measure A reserve amount are being made available to Marin Transit and Local Streets and Roads projects.

Ms. Zhang discussed the proposal to suspend the reserve for the upcoming year to help funding recipients and she expressed a hope that staff will have more reliable data sources for estimating sales tax revenues soon. She also noted that TAM currently has \$5.8 million in reserve funding, which could help the agency's bridge the revenue shortfalls over the next year or two if needed.

Ms. Zhang stated that the COC will meet in June to review the Measure AA Strategic Plan, the 30-year plan that estimates revenue projections and presents funding allocation to projects and programs. She commented on her attendance of a Webinar that discussed recovery scenarios and a survey of businesses and their expectation of the recovery period. Ms. Zhang noted that severity of the economic downturn correlated to the length of the Shelter in Place Order and the need for the agency to be prepared.

Ms. Zhang confirmed a court case has been scheduled at the end of May 2020 for RM3, noting that the Measure passed in June 2018. If the funds are distributed, \$130 million would be made available for the Northbound US-101 to Eastbound I-580 Direct Connector Project and \$90 million to complete MSN for the last segment of the HOV lane in Marin County. If TAM receives \$40 million from SB1, there should be sufficient funds to close the funding gap for the MSN project. Ms. Zhang confirmed that there is sufficient funding in Measure AA to support the planning and environmental studies for the Direct Connector Project. She stated that staff will submit a Letter of No Prejudice (LONP) request to MTC to ensure project expenditures are eligible for reimbursement according to the eligibility date set in letter.

Ms. Zhang provided an update on the City/County CMA Fee, which is collected annually from the cities and the county in Marin and is based 50% on population and 50% on lane miles to support some of the essential Congestion Management Agency (CMA) functions TAM undertakes. She stated that TAM negotiated a temporary 30% increase in FY2015-16 for a 5-year period and that agreement was reached this year to set a fee level for FY2020-21 of \$500,000 with agreement to engage in discussions for a long-term fee structure once the COVID-19 problems have been resolved.

Ms. Zhang continued her presentation with a discussion on controlling the agency's operation costs. She confirmed that a COLA (Cost of Living Adjustment) increase has not been sought for the upcoming fiscal year and that staff is negotiating lower office leasing costs, which potentially could yield \$250,000 of savings in the next five years.

Ms. Zhang provided an update to the agency's pension and OPEB (Other Post-Employment Benefits) liabilities and noted that the agency's liability payment for FY2020-21 is less than \$5,000. She stated that TAM has established trust funds and set aside funds to cover pension and OPEB liability costs and that the agency offers minimum medical benefits on retirement. She noted that the benefit levels are different for those hired prior to January 2018.

Ms. Zhang discussed the FY2020-21 Budget Development Timeline & Process, noting that the TAM Administration, Projects and Planning Executive Committee reviewed the budget at its May 11, 2020 meeting.

She stated that the TAM Board will conduct the public hearing and adopt the budget at its June 25, 2020 meeting. Ms. Zhang noted that the budget format changed last year, and she discussed the components, which include the ED's message, work plans and the salary schedules that need to be approved.

Ms. Zhang provided a general overview of the Budget, noting that the agency should end FY2019-20 with a fund balance of almost \$40 million, and she discussed projected revenues for the upcoming year. Ms. Zhang stated that the agency tracks each of the five funds separately, which include Measure A and AA Sales Tax, Measure B Vehicle Registration Fee (VRF), Transportation For Clean Air (TFCA) funds, and General CMA funds.

Ms. Zhang discussed expenditure of the funds for the upcoming year, noting that expenditure exceeds revenue. She explained that funds collected from prior years will be used and that the agency expects a fund balance at the end of FY2020-21 of almost \$25 million.

Ms. Zhang confirmed that staff levels of 12.8 full-time equivalent (FTE) positions will be maintained and that staff costs will be reduced due to there being no overlap of EDs and no COLA increase proposed. She noted that there is a recommendation for an additional holiday on December 24, to bring the total number of holidays in line with other agencies. Ms. Zhang also confirmed that savings are expected on office leasing costs.

Ms. Zhang provided an overview of the Professional Service expenditures, noting that the MSN design work is expected to be completed and construction to start next year pending funding availability. Ms. Zhang confirmed the Bus on Shoulder Feasibility Study is underway and should be completed in the upcoming year.

Ms. Zhang noted that most of the projects under Measure A are spending down their fund balances and that projects under the Major Roads and Safe Pathways categories will continue.

Ms. Zhang discussed proposed expenditures under Measure AA, including completion of the MSN design, Northbound US-101 to Eastbound I-580 Direct Connector Project, and release of more than \$4.6 million under Local Roads. She also noted that Marin Transit will access funds under Measure AA, which will help to fund Yellow School Bus Services. She confirmed that staff would bring information on projects relating to Sea Level Rise and Innovative Technology to the COC as they arise.

Ms. Zhang discussed Measure B funds, noting that the spending level is much lower compared to the current year as a result of the distribution of Local Streets funds in FY2019-20 that occurs every 3 years. She noted that the COC will be reviewing potential changes recommended to the Measure B Expenditure Plan in the upcoming year, which is required to be done at least every 10 years per the Expenditure Plan.

Ms. Zhang stated that Marin Transit has worked closely with TAM on its funding needs under Measure B and she confirmed that staff will provide updates and reports on the Commute Alternative Program and Alternative Fuel Vehicle Program.

Ms. Zhang discussed the Interagency Agreements and noted that TAM has almost \$14 million for some of the major projects, including the Northern Segment of the North-South Greenway project, the Bellam Project with Marin County, and MSN HOV lane with Caltrans. She noted that the budget will be amended if funds are released from RM3. Ms. Zhang noted that there will be differences between the budget and actual expenditure if projects are delayed in the forthcoming year.

Ms. Zhang discussed the final category of TFCA funds, which she stated must be tracked separately. Ms. Zhang stated that a total of \$1.3 million reimbursement for various projects is anticipated, including \$250,000 for the North-South Greenway project.

Alternate Florez thanked staff for foregoing the COLA for FY2020-21.

Member Premo asked if Marin Transit has indicated what its funding needs will be for the upcoming fiscal year, given that it receives a significant portion of Measure AA. Ms. Zhang stated that funding issues are not foreseen in the next fiscal year because TAM's funding is stable and Marin Transit has received federal CARES funds. ED Richman confirmed the federal stimulus funds greatly aid Marin Transit and that it can expect further funding. She noted that transit services have been reduced.

Member Premo stated that it is reported bus transit levels will be greatly reduced and he expressed concern that Marin Transit will still receive over 50% of Measure AA funds. Ms. Zhang noted that the agency is entitled to that funding share through the Expenditure Plan, but the Plan is required to be revisited every 6 years.

Chairperson Pelham confirmed there was no public comment.

8. Committee Member Hot Items Report (Information)

Member Bortel stated that the Senior Fair has been cancelled.

Member Vogt thanked Ms. Whelan and Ms. Zhang for responding to his written questions relating to the Marin Transit's Short-Range Transit Plan (SRTP) and the very detailed responses to all questions were distributed to the COC. Chairperson Pelham suggested that Members could send questions to staff in advance to facilitate COC meetings.

Member Paul Roye stated that he has seen many bicyclists on the Richmond-San Rafael Bridge, and he asked if recent counts have been undertaken. ED Richman stated that MTC and TAM have been collecting usage data since the multi-use lane opened in November, which Dan Cherrier, Principal Project Delivery Manager confirmed was suspended in March at the start of the Shelter in Place Order. He stated that TAM is collecting data on pedestrian usage. Mr. Cherrier confirmed that TAM would provide more information once the figures have been substantiated.

Alternate Jayni Allsep stated that she recently moved to San Rafael and is no longer able to serve as the Alternate for Southern Marin. She expressed a hope that there would be future opportunities to stay involved with the COC. Ms. Zhang said she will work with Alternate Allsep if there are future position openings and reminded her that she is welcome to join the COC meetings as a member of the public, and Alternate Allsep thanked her for the opportunity.

Chairperson Pelham thanked Alternate Allsep for her dedicated service on the COC.

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

The next meeting was scheduled for Monday, June 15, 2020. Chairperson Pelham suggested members could either join the meeting by Zoom or in the TAM conference room, if allowed.

Alternate Kay Noguchi suggested raising hands for votes and Ms. Li confirmed that it is a legal requirement to do roll call. ED Richman added that there is an executive order by the governor allowing virtual public meetings until circumstances change.

In response to Alternate Florez, Ms. Zhang confirmed that a member of the public had attended part of the meeting.

Member Vogt stated that it would be helpful if staff could let the members know when staff return to the office fulltime.

ED Richman noted that two new Board Members have been appointed to the TAM Board: Urban Carmel from Mill Valley and Charles Lee from Corte Madera.

The meeting was adjourned at 7:40 p.m.

DRAFT