



MEETING OF THE  
TRANSPORTATION AUTHORITY OF MARIN  
CITIZENS' OVERSIGHT COMMITTEE

June 15, 2020

5:00 p.m.

Virtual Meeting

**Zoom link:**

<https://us02web.zoom.us/j/83927874660?pwd=cTBtSTk3NVlQMitlVElEK2lkVWhVUT09>

**Webinar ID: 839 2787 4660**

**Password: 115829**

**MEETING MINUTES**

**Members Present:**

Peter Pelham, Major Marin Employers (Chairperson)  
Bob Burton, Southern Marin Planning Area (Vice-Chairperson)  
Joy Dahlgren, Central Marin Planning Area  
Charley Vogt, Northern Marin Planning Area  
Paul Royce, Ross Valley Planning Area  
Kate Powers, Environmental Organizations  
Kevin Hagerty, League of Women Voters  
Allan Bortel, Marin County Paratransit Coordinating Council  
Paul Premo, Taxpayer Group  
Zack Macdonald, School Districts

**Alternates Present:**

Kay Noguchi, League of Women Voters  
Kingston Cole, Taxpayer Groups

**Staff Members Present:**

Anne Richman, Executive Director  
Li Zhang, Chief Financial Officer/Deputy Executive Director  
Dan Cherrier, Principal Project Delivery Manager  
Derek McGill, Planning Manager  
David Chan, Manager of Programing and Legislation  
Helga Cotter, Senior Accountant  
Denise Merleno, Administrative Services Associate

**Public Present:**

Amy Van Doren, Director of Policy & Legislative Programs of Marin Transit

Chairperson Peter Pelham called the Citizens' Oversight Committee (COC) meeting to order at 5:04 p.m.

**1. Introductions and Welcome**

Chairperson Pelham asked TAM 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 May 18, 2020 Meeting Minutes (Action)**

Member Kevin Hagerty moved to approve the May 18, 2020 Meeting Minutes. Member Charley Vogt seconded the vote and the Minutes were approved with Vice-Chairperson Bob Burton abstaining.

### **4. TAM Staff Report (Information)**

Executive Director (ED) Anne Richman presented the staff report. ED Richman confirmed that staff continues to work most remotely with occasional essential trips to the office. She stated that preparations are being made to ensure the agency will comply with the County Health Department's requirements when the office reopens.

ED Richman reported on her participation in the Marin Recovers Industry Advisors Task Force. She stated that recommendations should be published soon relating to precautions for the transportation industry. ED Richman recommended that members review the Marin Recovers website, which includes detailed information on reopening segments of the economy and resources for best practices.

ED Richman discussed the agency's capital projects, including a major road rehabilitation and upgrade project schedule with work started today, on Sir Francis Drake Boulevard between US-101 and the Town of Ross, with \$14.5 million contributed from the Measure A Expenditure Plan. ED Richman stated that Caltrans has advertised the North-South Greenway project and bids are expected in late July. ED Richman reported that the construction of a 2-way protected bike path from westbound I-580 along Sir Francis Drake Boulevard to Andersen Drive is underway and expected to be completed in late summer of this year. She stated the project is a partnership between the Bay Area Toll Authority (BATA), Caltrans, the City of San Rafael and TAM and TAM has allocated \$1.3 million for this project. ED Richman reported on the Measure AA funded US-101 Interchange Study, which has started collecting existing data and will consider improvements to eleven interchanges stipulated in the Expenditure Plan and consideration of a twelfth interchange.

ED Richman reported on the US-101- I-580 Direct Connector Stakeholder Working Group, which she said is scheduled to hold via Zoom on Monday, June 29, 2020 and Tuesday, July 21, 2020 with the aim of providing an overview to stakeholders and gain feedback on the alternatives that are under consideration.

ED Richman confirmed that MTC and Caltrans will jointly submit an application in July for the Marin Sonoma Narrows (MSN) B7 Segment as a regional priority for \$40 million in Senate Bill (SB) 1 Solutions for Congested Corridors Program (SCCP) funding. ED Richman also confirmed that the Safe Routes to School (SR2S) program offers online activities for teachers and students with planning underway for the new school year, which includes a remote learning option should it be necessary.

ED Richman provided background information on the GET2SMART program, which has been rebranded in partnership with TAM, Marin Transit and Uber. She stated that the new program integrates TAM's GET2SMART program and Marin Transit's Connect On-Demand services within the Uber App, which includes TAM's incentive for shared rides and the ability to see real time public transit information. ED Richman stated that the program should be launched in July with rebranding occurring beforehand.

ED Richman reported on State Route (SR) 37 work by Caltrans to update traffic monitoring and analysis systems and will include lane shifts. She also reported on the City of San Rafael's request for input for a proposal to add two Priority Development Areas (PDAs), one in the Northgate Mall area and the other in the Canal neighborhood. ED Richman noted that the proposal will be heard at the City Council meeting on June 16, 2020.

In response to Member Hagerty, ED Richman stated that discussions were still ongoing related to a new TAM office lease.

ED Richman clarified Uber's role in providing transportation, in response to Member Kate Powers. She confirmed that the \$5 discount still applies to rides to SMART stations, transit hubs and the ferry terminal, and that Uber will provide the platform for GET2SMART and Marin Transit's Connect Service.

In response to Vice-Chairperson Burton, ED Richman stated that bike usage on the Richmond-San Rafael Bridge has increased during the Shelter in Place period, with increased use at weekends, and that data collected by BATA is available, which will be discussed with the COC in the future. ED Richman stated that the improvements to Sir Francis Drake Boulevard include restriping, crosswalk, signal improvements and an additional eastbound right turn lane near the Bon Air Shopping Center.

## **5. Review of the Revenue and Expenditure Component for the Measure AA Strategic Plan (Discussion)**

ED Richman stated that David Chan, TAM's Manager of Programing and Legislation, would lead the discussions, which would include revenue scenarios that consider the uncertainty of the present economic climate and use of reserve funds.

Mr. Chan presented the staff report on the Strategic Plan, which he stated identifies revenue, prioritizes projects for project implementation based on readiness. He noted that the full Strategic Plan is updated every other year and that the Board adopted the current plan in June 2019. However, Mr. Chan stated that the revenue and expenditure component is updated annually because it includes financial information, such as revenue forecasts, cash flow and reimbursement schedules.

Mr. Chan stated that three different revenue scenarios have been explored due to the uncertainties caused by the COVID-19 pandemic and Shelter in Place order: Best Case, Moderate Case and Worse Case. Mr. Chan explained that the Best Case scenario assumes smooth reopening of the economy with recovery on course for the end of this year; Moderate Case scenario assumes the economy will reopen with some major setbacks and recovery will take in 2 – 3 years; Worse Case scenario assumes there will be a second wave of COVID-19 cases and the full recovery will take up to 5 years. He discussed the adopted Strategic Plan in relation to the 3 scenarios, noting that projected revenues under the scenarios for FY20-2021 vary from no growth to a 15% decrease, and he discussed the effects of the 5-year projections under the 3 scenarios on revenue projections over a 30-year period.

Mr. Chan discussed the reserve funds in relation to revenue decline, noting that there is a total \$5.4 million of reserve funds collected under Measure A/Measure AA, which will be used to offset the decline in revenue to maintain the \$27.5 million commitment next year and reduce negative impacts for future years. Mr. Chan stated that staff is not recommending collecting the 5% reserve during years of zero or negative growth and he discussed the effects of using the reserved funds to offset revenue decline under the 3 scenarios, noting that cuts in projects and programs will be necessary under the Worse Case scenario.

Mr. Chan suggested two ways of distributing the reserve funds, the first being to distribute the funds in proportion to the share stipulated in the Expenditure Plan. The second would be to release funds only to the strategies/categories that have needs with the recipients committing to a reasonable repayment schedule. He stated that the TAM Administration, Projects and Planning (APP) Executive Committee reviewed this item and voted to recommend the second option to the TAM Board.

Mr. Chan discussed interest funds, which he stated could be used to address a decline in revenue, noting that \$1.73 million should remain uncommitted at the end of this fiscal year. He explained that these funds have been used in the past for projects that have no other financial resources. He stated that the TAM Board has the discretion to use these funds to offset the decline in revenue in extreme situations but that staff recommends

holding the remaining interest funds for funding needs of critical projects as approved by the TAM Board last year.

Mr. Chan discussed the potential impacts to the projects and programs under the three revenue scenarios. He stated that Marin Transit, which receives 55% of the revenue, could lose up to 16% of estimated funding in FY2020-21 and 21% in FY2021-22, compared to the adopted revenue level in the June 2019 Strategic Plan, depending on the revenue scenario and if no reserves are used. Mr. Chan also discussed the Local Streets and Roads category, which distributes money to cities and towns by formula for local infrastructure at the beginning of each year. He noted that the funds distributed this cycle are from funds accumulated by the end of June 30, 2020, so there will be no major difference between the amount budgeted and the actual amount in FY2020-21. However, the revenue drop in FY2021-22 is expected to be 8.5% and as high as 41% in FY2026-27 depending on the revenue scenario, which Mr. Chan stated could negatively affect the Pavement Condition Index (PCI) gain.

Mr. Chan stated that the agency will be entering into the final year of the current contract for SR2S professional services. He noted that the decrease in revenue is expected and that discussions with the Board will be needed about how to maintain or restructure the program before entering into a new contract. Mr. Chan stated that the Crossing Guard Program will also be affected, although sufficient funds remain to carry over and maintain the same number of guards for FY2020-21. He noted that discussions will be necessary the following year to manage the decline in funding.

Mr. Chan discussed other projects that will be impacted by revenue declines, including MSN, the US-101/ I-580 Director Connector, Local Interchange Enhancement Projects and Safe Pathway Programs. However, he noted that many of the projects could seek other sources of revenue and/or reduce work scope and that cashflow could be managed with no need of bonding as of now.

Mr. Chan discussed unspent Measure A funds from incomplete projects and interest funds and stated that there will be a proposal in 2021 to merge the Measure A and Measure AA Strategic Plans into a single Strategic Plan.

Mr. Chan stated that the next steps in the process would be for the TAM Board to review the three scenarios and reserve policies at its June 25, 2020 meeting. The Board will be requested not to collect the 5% reserve amount during years of negative or no growth revenue, while resuming collections during years of positive cash flow. He confirmed that the APP Executive Committee is recommending the Moderate Case scenario and Option 2 for the reserve fund policy, and that staff will report the comments from the COC to the Board. He noted that the long-term impacts on the agency's programs will need to be evaluated, most notably for the SR2S and Crossing Guard programs, and recommendations for changes will need to be taken to the Board along with regular updates on changes to the economic outlook.

In response to Member Hagerty, Ms. Zhang clarified the proposed reserve policies. She noted that 5% is collected annually off the top for 5 years and is set aside as a reserve and that staff is proposing to release the funds to agencies in strategies/categories that need additional funds, which is Option 2. Future tax revenues would be used to repay the funds so that the reserve is restored and could be distributed proportionally at the end of the Expenditure Plan. Ms. Zhang noted that a repayment schedule for each funding recipient requesting the reserve funds would need to be reviewed and approved by the TAM Board under Option 2. She explained that staff is suggesting Option 2 because there will be strategies/categories which will not need the reserve because they still have a fund balance, such as the Major Roads Category under Measure A. She confirmed the purpose of Option 2 is to help strategies/categories that need funding during the difficult economic times.

In response to Vice-Chairperson Burton, ED Richman stated that the crossing guards are not working while schools are closed, so there will be savings in the program. TAM will need to await a decision to open the schools before considering action.

Member Vogt asked Ms. Zhang to clarify the two TAM Executive Committees: Administration, Projects and Planning (APP) Executive Committee and Funding, Programs and Legislation (FPL) Executive Committee, and Ms. Denise Merleno, Executive Assistant, clarified the Board Members of each committee. Mr. Chan confirmed for Member Vogt that half the reserve would be used in FY2020-21 and the other half would be used in FY2021-22 under Option 1. However, staff is proposing Option 2, whereby funds would be released up to a certain amount to those categories that were in need of the funds. Member Vogt noted that TAM would need a reserve should the agency be considering future debt or bond financing for capital improvements to help with the agency's credit rating. In response, Ms. Zhang stated that debt financing is not foreseen in the next 5 years. She confirmed that the agency has capital projects that could benefit from federal funding, and ED Richman stated that recent federal relief funds have benefitted our partner agencies such as Marin Transit, which relieves pressure from TAM to fund shortfalls. Ms. Zhang confirmed the recommendation that the interest fund should be held and used only for emergency project funding needs.

Mr. Chan clarified project sponsors in response to Member Powers. Member Powers asked staff if other agencies had commented on the proposed recommendations and Mr. Chan stated that he would be making a presentation to the Marin Public Works Association (MPWA) on Thursday, June 28, 2020. ED Richman stated that the agency has worked closely with Marin Transit and that she provided the documents to Marin Transit's General Manager. ED Richman confirmed she had reviewed the proposal with some of the city managers who expressed satisfaction that TAM can provide funding for the projects and programs scheduled in the forthcoming year.

In response to Member Powers, Ms. Zhang confirmed that staff is recommending the 5% reserve to be collected when there is a positive growth rate. Ms. Zhang stated that there will still be sales tax revenue collected under Measure A due to sales tax collection reconciliation and corrections for period prior to April 1, 2019.

Member Allan Bortel asked staff if sales tax data was available showing revenue from March and April 2020 to compare with revenue during the same time period in 2019. Ms. Zhang stated that final numbers are not available but that the agency's tax consultants are predicting a drop of 10% for Marin County.

Member Paul Premo stated that he believed the recommendation is reasonable and he asked staff to confirm that the Strategic Plan will be updated in 2021 and the budget could be amended if necessary. Ms. Zhang confirmed the process and noted that impacts should be lessened with the agency's reserve; that Marin Transit is getting state and federal stimulus funds, and that TAM's aim is to stabilize funding curve to help local agencies. She discussed the difficulty of projecting revenue and confirmed that staff will bring any necessary adjustment to the current budget and recommendation timely.

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

In response to Member Paul Royce, ED Richman confirmed that a barrier is being installed to separate the bike lane from the freeway on the overpass from the Richmond-San Rafael Bridge to Andersen Drive. In addition to the barrier, Mr. Cherrier stated that the original estimate for construction work on Sir Francis Drake Boulevard East was \$6 million, which Member Royce referred to.

## **6. Review and Acceptance of 2020 Measure A/AA 1/2-Cent Transportation Sales Tax Compliance Auditee Selection List (Action)**

Ms. Zhang presented the staff report, which asked the Committee to review the 2020 Measure A/AA 1/2-Cent Transportation Sales Tax Compliance Auditee Selection List and refer it to the TAM Board for approval. She recalled that the Measure A Sales Tax Compliance Audit Policy was amended at the March meeting to include both Measure A and Measure AA, which the Board approved. Ms. Zhang noted that Member Hagerty asked if

the COC could be given the authority to both review and approve the auditee selection list and she confirmed staff would be happy to bring this item to the COC each year.

Ms. Zhang discussed the 6 funding recipients who were selected for the 2020 cycle of the sales tax compliance audit based on the updated Compliance Audit Policy. She noted that Marin Transit is audited annually because it receives 55% of sales tax revenue and that some of the programs under Measure A are still ongoing. Ms. Zhang stated that Novato Boulevard has been selected in the Major Roads Category under Measure A and noted that \$2.35 million from Measure AA is set aside annually for 14 years to complete projects in the Major Roads Category under Measure AA. She pointed out that the Major Roads Category is audited by project phase. Ms. Zhang stated that the County of Marin has been selected for its use of Measure A/AA funds under Local Streets and Roads, noting that the funds are provided via formula. She stated that they are audited to ensure the funds are spent in accordance with the Expenditure Plan and Funding Agreement. Ms. Zhang noted that there is no audit for the SR2S program this cycle since it was audited last year. Ms. Zhang noted that the Crossing Guard Program and Safe Pathways to School Project have also been selected for this cycle based on the frequency specified in the Compliance Audit Policy. Ms. Zhang noted that the COC is requested to review and recommend the list to the TAM Board for approval. Once the list is approved, the project sponsors will be notified, a workshop will be conducted in late August/early September and the audit process should be completed in November or December 2020. The final report will then be presented to the COC for review and acceptance before the TAM Board reviews and accepts the audit based on the COC and APP Executive Committee review and commendations.

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

Vice-Chairperson Burton moved to accept the proposed Sales Tax Compliance Auditee Selection List and recommend the TAM Board approve the list. Member Joy Dahlgren seconded the motion, which was approved unanimously.

## **7. Discussion on COVID-19 Effects on the Transportation System and Recovery Planning (Discussion)**

ED Richman stated that transportation has been deeply affected by the Shelter in Place Order, and this discussion item will focus on how the agency's programs and projects may be affected. ED Richman stated that staff is looking for feedback and that Planning Manager Derek McGill would present the report.

Mr. McGill stated that an opportunity exists for the agency to reconsider its projects and programs and understand how the agency's mobility goals could be met due to the impact of the pandemic. He discussed data sources showing significant drops in traffic and traffic patterns, noting a 90.7% drop in vehicle miles travelled (VMT) in March and April 2020 throughout the county on highways and local streets and roads. Mr. McGill noted that a positive change from the Shelter in Place order is an increase in electric bikes sales, but that there is a potential for traffic to increase to higher levels than previously. He discussed topics that TAM and other public agencies might want to consider, including those who are most impacted with the greatest needs that should be addressed and what changes the agency might want to consider to its projects and programs.

Mr. McGill noted that those who are most impacted by the Shelter in Place Order include low income, gig workers or those with contract-type jobs. He discussed the strengths of the County, noting excellent leadership in health and human services, strong community engagement and access to open space.

Mr. McGill discussed the constraints the agency will encounter, including limited funding, changes to housing needs and more demand in Marin, changes in employment, flexible office models, and commercial and retail space. He stated that a slow recovery for transit is expected and a faster recovery for single occupancy vehicles, with less willingness to share rides. With local tourism expected to increase, traffic levels are expected to rise.

Mr. McGill discussed the agency's operational change and changes to the agency's programs to ensure the needs of those more impacted are advanced. The changes under consideration include partnering with transit agencies to promote transit and advocate for funding for transportation agencies, partnering with jurisdictions on street design efforts, and promote safe travel for non-motorized transportation modes. Mr. McGill discussed potential new partnerships with employers through programs such as the Measure B Vehicle Registration Fee Commute Alternative Program.

Mr. McGill discussed the programs that are affected by the Shelter in Place Order, including Marin Commutes which encourages the public to use non-single occupancy vehicle trips, Crossing Guard and SR2S programs. He stated that the agency is considering partnering with local jurisdictions on Local Streets and Roads and active transportation improvements and considering how stimulus funds could be applied to construction projects as a way to economic improvement.

Mr. McGill concluded his presentation by asking the members for their opinion on whether the right topics have been considered, if there were other priorities that should be added and how TAM's programs can be adjusted to aid the recovery efforts.

Vice-Chairperson Burton commended staff on the presentations.

In response to Chairperson Pelham, Mr. McGill confirmed that staff is considering ways to support employees working from home, in addition to supporting those who must attend their place of work. Chairperson Pelham stated that he perceived there will be a big shift to working from home in those professions where it was thought not possible before Shelter in Place. He noted that a major portion of administrative staff at the Bank of Marin is working from home.

Member Dahlgren suggested that transit services from the Canal should be expanded during the periods where there is crowding. She discussed the importance of ensuring there is no major crowding during this period and suggested funding for services that are not popular could be funneled to services that are needed. Member Dahlgren suggested promoting bike riding, rather than transit riding, noting an increase in bike riding during the Shelter in Place period.

Member Powers stated that an opportunity exists to consider how the PCI could be improved during this period of low traffic. She discussed the need to identify and prioritize transit routes used by essential workers and offer them more flexibility.

Member Hagerty asked if consideration is being given to increase/improve transit connections for workers who cannot afford to live in the County to get to their places of employment when Marin opens. Mr. McGill stated that Marin Transit and Golden Gate Highway & Transportation District are partnering with MTC on a Blue Ribbon Transit Taskforce to assess and understand transit needs in the region as the County recovers.

Member Zach Macdonald discussed his belief that work patterns will change with more people working from home, and he asked if there are plans for an analysis of vehicular, bicycle and pedestrian traffic. He thought there is a need to understand traffic patterns as the County opens so that the agency is not relying on old data. Member Macdonald discussed the possibility of schools opening in shifts and the need to provide more crossing guards, and he noted that there is difficulty in purchasing new bicycles with second-hand bikes being sold at a premium.

Mr. McGill stated that the agency undertakes a traffic monitoring process every 2 years as part of the Congestion Management Program. He noted that a count is due to begin in September 2020 and that additional analysis is in progress to assess the impacts of COVID-19 on traffic, transit systems and to understand safety and GHG (greenhouse gas) impacts.

Chairperson Pelham opened the public comment period. Amy Van Doren, Director of Policy & Legislative Programs, Marin Transit, stated that Marin Transit has anticipated the need to mitigate crowding on vehicles and is providing more services in the Canal neighborhood. Ms. Van Doren confirmed that there has been an increase in ridership in the past 2 weeks and Marin Transit will continue to monitor the services they provide.

In response to Member Vogt, Ms. Van Doren stated that they are adhering to the number of passengers per vehicle that is recommended based on the size of the vehicle. She noted that all riders are required to wear masks and stated that as demand rises, they will not have the capacity to meet the demand at peak hours based on the number of passengers allowed on vehicles. Ms. Van Doren stated that their partners in other agencies are providing hand sanitizers on their transit vehicles, which staff might consider, and that they thoroughly clean each transit vehicle at night. She discussed the challenges of bussing students in the fall with Member Vogt and confirmed they are anticipating a rise in costs.

Chairperson Pelham thanked Ms. Van Doren for the comments and Mr. McGill for the presentation. Ms. Cotter confirmed there was no further public comment.

**8. Committee Member Hot Items Report (Discussion)**

There were none.

**9. Discussion of Next Meeting Date and Recommended Items for the Agenda (5 minutes)**

The next meeting was scheduled on Monday, July 20, 2020. Ms. Zhang asked the Committee members to advise her of items they would like to add to the agenda.

The meeting was adjourned at 7:15 p.m.