



**DATE:** November 16, 2020

**TO:** Transportation Authority of Marin Citizens' Oversight Committee

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

**SUBJECT:** Measure B Expenditure Plan Review (Action), Agenda Item 5

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## **RECOMMENDATION**

The COC reviews and concurs with staff's recommendation to maintain a status quo with the Measure B Expenditure Plan for up to two years starting on April 1, 2021.

## **BACKGROUND**

Senate Bill (SB) 83 (Hancock) was signed into law in 2009. The law authorizes a countywide transportation planning agency to propose an annual vehicle registration fee (VRF) up to \$10 on motor vehicles registered within the county.

After the passage of SB 83, TAM conducted a survey of Marin voters to determine the feasibility of a \$10 VRF for improvements to transportation. Based on positive public response, the TAM Board authorized staff to develop a draft expenditure plan in 2010. An Expenditure Plan Advisory Committee (EPAC) was created to help TAM in evaluating potential programs and projects that could benefit from the VRF revenue. Extensive outreach efforts were conducted with interest groups and stakeholders. The adopted VRF Expenditure Plan was introduced to Marin voters in November 2010 as Measure B.

Measure B was approved by 63% of the Marin voters to levy a \$10 VRF on motor vehicles registered within the County to fund transportation improvements in November 2010 and revenue collection started on April 1, 2011.

## **DISCUSSION**

The Measure B Expenditure Plan lists projects and programs that are eligible for Measure B funds and establishes the percentage of funds that can be allocated to each element. Measure B generates approximately \$2.4 million annually to be distributed to the following three Elements:

- Element 1 - Maintain Local Streets and Pathways
- Element 2 - Improve Transit for Seniors and Persons with Disabilities
- Element 3 - Reduce Congestion and Pollution

Since inception, a total of approximately \$22 million in Measure B funds have been programmed to projects and programs to the three abovementioned Elements.

## **10-Year Review**

The Measure B Expenditure Plan includes various policies and requirements in administering the collected funds, which have been followed since inception. One of the policies directs staff to review the spending priorities in the Expenditure Plan every 10 years and amend as necessary.

The Expenditure Plan further requires that all jurisdictions within the County, along with the public, are to be given a minimum of 45-days' notice and opportunity to comment on any proposed Expenditure Plan amendments prior to its adoption. Any amendments are to be heard at a noticed public hearing prior to TAM Board consideration. Amendments to the Expenditure Plan must be approved by a two-thirds vote of the TAM Board.

April 1, 2021 will mark the 10-Year Anniversary of when TAM started collecting Measure B funds. If revisions were introduced at the January 2021 TAM Board meeting, March 2021 would be the latest meeting for the TAM Board to approve a revised Expenditure Plan in advance of the 10-Year Anniversary.

## **Outreach Conducted in the Formation of the Original Expenditure Plan**

In 2010, TAM conducted extensive public outreach over a period of approximately seven months to gauge what programs or projects were important to public agencies, interest groups, and the general public if new VRF funds became available. TAM staff and consultants conducted outreach with the following groups:

- TAM Board Ad Hoc Subcommittee
- Expenditure Plan Advisory Committee (EPAC)
- Presentations to County/City/Town Councils
- Presentations to Marin Public Works Association (MPWA), Planning Directors, City Managers, and other appropriate public meetings
- Business groups, such as San Rafael and Novato Chambers of Commerce and North Bay Leadership Council
- Senior, School, and Environmental groups
- Public outreach process including information booth at the Marin County Fair
- Public workshops on transportation needs related to potential VRF funding

The information gathered led to the formation of the original Expenditure Plan that was approved by Marin voters.

## **COVID 19 and the Shelter in Place Order**

COVID 19 and the Governor's Shelter in Place Order have limited the public's ability to participate in many activities once taken for granted as routine. Staff is not suggesting replicating the outreach conducted in 2010 but even a streamlined version is difficult to administer with some groups unavailable to meet in the middle of a pandemic.

Economic uncertainties impacting Measure B, Measure AA, and other funds received by TAM, as well as uncertainties with future transportation needs generally and transit in particular, also make formulating prudent decisions difficult with any proposed revisions to the Measure B Expenditure Plan.

The Measure B Expenditure Plan is silent as to actions during emergencies like the current public health crisis that has impacted the nation since March, but staff believes that a pandemic provides legitimate reasons to return at a later date with a more informed substantive review after conducting adequate public outreach.

Therefore staff is proposing to maintain a status quo with the Measure B Expenditure Plan for up to two years starting on April 21, 2021 and return to the TAM Board with further recommendations to commence public hearing no later than January 2023 and adoption in March 2023.

### **FISCAL IMPACTS**

If the recommendation as presented is approved by the TAM Board, TAM's annual budget for Measure B funds will be maintained as currently prescribed until a new Measure B Expenditure Plan is adopted.

### **NEXT STEPS**

Staff will be recommending to the TAM Board on November 19, 2020 to maintain a status quo with the Measure B Expenditure Plan for up to two years starting on April 1, 2021 and return to the TAM Board with further recommendations to commence public hearing no later than January 2023 and adoption in March 2023.

### **ATTACHMENT**

Attachment A – PowerPoint Presentation

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## Item 5 - Attachment A

# Measure B Expenditure Plan Review

TAM Citizens' Oversight Committee  
November 16, 2020

# Background

- The Measure B Vehicle Registration Fee, administered by TAM, was approved by 63% of Marin County voters in November 2010, and revenue collection began on April 1, 2011
- Measure B increased the annual vehicle registration fee of Marin County residents by \$10 to fund transportation projects and programs
- Measure B generates approximately \$2.4 million annually in revenues

# Background, cont.

- To formulate the Measure B Expenditure Plan, extensive public outreach was conducted, including:
  - TAM Board Ad Hoc Subcommittee
  - Expenditure Plan Advisory Committee (EPAC)
  - Presentations to County/City/Town Council
  - Presentations to MPWA, Planning Directors, City Managers, and other appropriate public meetings
  - Business groups, such as San Rafael and Novato Chambers of Commerce and North Bay Leadership Council
  - Senior, School, and Environmental groups
  - Public Outreach Process including information booth at the Marin County Fair
  - Public workshops on transportation needs related to potential VRF funding

# Measure B Expenditure Plan

The original voter-approved Measure B Expenditure Plan requires Measure B funds to be used as follows:

- 40% - Element 1 Maintain Local Streets & Pathways: funds are provided directly to cities, towns and the County of Marin
  - 1.1) 35% for local streets
  - 1.2) 5% for Class 1 Paths opened after January 2008
- 35% - Element 2 Improve Transit for Seniors and People with Disabilities: allocated to Marin Transit to implement travel options for seniors and people with disabilities
- 25% - Element 3 Reduce Congestion and Pollution: fund programs to reduce congestion & air pollution including:
  - 3.1) Crossing Guards & Street Smart Program,
  - 3.2) Commute Alternatives for employers and employees, and
  - 3.3) Alternative Fuel Vehicles and Infrastructure

# Notable Accomplishments Since Inception

- Element 1 – Recipients have delivered local streets improvements at approximately 235 locations since inception; annual maintenance funds provided for 10 pathways currently
- Element 2 – Since inception Measure B funding has supported 98,033 ADA Paratransit Service trips, 67,761 Low Income Fare Assistance trips, 96,477 Paratransit Plus trips, and 112,610 trips through innovative volunteer driver programs

# Notable Accomplishments (cont.)

- Element 3.1 – In 2011, Measure B grew the program from 64 to 76 crossing guards, helped sustain the growth of the program along with other funds, and expanded the Street Smarts Program from the original three communities to 10 communities in 2019
- Element 3.2 – Has provided ongoing engagement with over 500 employers and their employees to promote commute options and encourage trip reduction through carpool matching software, vanpool incentives, telework trainings, and first/last mile technologies to improve access to transit and bicycle and pedestrian corridors

# Notable Accomplishments (cont.)

- Element 3.3 – Has provided rebates for public electric vehicle charging station equipment and fleet vehicles for public agencies in Marin, including funding for over 311 EV charging ports in Marin County

# Amounts Expended Since Inception

Element	Amount
1.1 – Local Streets	\$7.9 m
1.2 – Pathway Maintenance	\$1.1 m
2 – Transit for Seniors & People w/ Disabilities	\$7.9 m
3.1 – Crossing Guards	\$1.8 m
3.1 – Street Smarts	\$233 k
3.2 – Commute Alternatives	\$1.9 m
3.3 – Alternative Fuel Promotion	\$1.0 m
<b>Total</b>	<b>\$21.8 m</b>

# 10-Year Review Requirement

- The Expenditure Plan directs staff to review the spending priorities in the Expenditure Plan every 10 years and amend as necessary
- “Amendments to the Plan shall be approved by a two-thirds vote of the TAM Board. All jurisdictions within the County, along with the public, will be given a minimum of 45 days notice and opportunity to comment on any proposed Plan amendment prior to its adoption. Any amendments will be heard at a noticed public hearing prior to TAM Board consideration”

# 10-Year Review Requirement (cont.)

- April 1, 2021 marks the 10-Year Anniversary of when TAM started collecting Measure B funds
- If revisions were introduced at the January 2021 TAM Board meeting, March 2021 would be the latest meeting for the TAM Board to approve a revised Expenditure Plan in advance of the 10-Year Anniversary

# Proposal for the 10-Year Review Requirement

Staff intends to propose to the TAM Board on November 19, 2020 to maintain a status quo with the Measure B Expenditure Plan for up to two years starting on April 1, 2021 and return to the TAM Board with further recommendations to commence public hearing no later than January 2023 and adoption in March 2023

# Reasons for Maintaining Intermediate Status Quo

- The Expenditure Plan is silent as to emergencies like the current public health emergency
- COVID 19 and Shelter in Place Order have limited public's ability to participate
- Economic uncertainties impacting Measure B, Measure AA, and other funds received by TAM – as well as uncertainties with future transportation needs generally and transit in particular, given the current emergency - makes formulating prudent decisions difficult with Measure B 10-Year Review

# Questions



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