

MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
TAM

OCTOBER 22, 2020
5:00 PM

VIRTUAL MEETING

MEETING MINUTES

Members Present: Alice Fredericks, Tiburon Town Council, TAM Vice-Chair
P. Beach Kuhl, Ross Town Council
Brian Colbert, San Anselmo Town Council
Charles Lee, Corte Madera Town Council
Damon Connolly, Marin County Board of Supervisors
Dan Hillmer, Larkspur City Council
Dennis Rodoni, Marin County Board of Supervisors
Eric Lucan, Novato City Council
Gary Phillips, San Rafael City Council
James Campbell, Belvedere City Council
John Reed, Fairfax Town Council
Judy Arnold, Marin County Board of Supervisors, TAM Chair
Kathrin Sears, Marin County Board of Supervisors
Katie Rice, Marin County Board of Supervisors
Susan Cleveland-Knowles, Sausalito City Council
Urban Carmel, Mill Valley City Council

Members Absent: None

Staff Members Present Anne Richman, Executive Director
Dan Cherrier, Principal Project Delivery Manager
David Chan, Manager of Programming and Legislation
Denise Merleno, Executive Assistant
Derek McGill, Planning Manager
Helga Cotter, Senior Accountant
Li Zhang, Chief Financial Officer/Deputy Executive Director

Chair Arnold called the meeting to order at 5:00 p.m.

Chair Arnold welcomed everyone to the virtual meeting as allowed by Governor Newsom's Executive Order N-29-20, asked Executive Assistant Denise Merleno to conduct a roll call. Ms. Merleno conducted the roll call and reported that there was a quorum of the Board.

1. Public Comment Regarding Closed Session

Chair Arnold opened the item to any member of the public to speak on matters related to the closed session and seeing none, she closed this item.

The Board adjourned to closed session.

2. Closed Session

3. Reconvene in Open Session – Announcement from Closed Session

The Board reconvened in Open Session, Ms. Merleno conducted a roll call, and a quorum of the board was confirmed.

Chair Arnold stated that there was no announcement to be made from the closed session.

Commissioner Sears left the meeting at 6:20 p.m.

4. Chair's Report (Discussion)

Chair Arnold indicated that she did not have a report this month and moved on to the next item.

Item 7 was taken out of order.

7. Executive Director's Report (Discussion)

Executive Director (ED) Richman highlighted items in her report including progress in closing the funding gap for the North-South Greenway Project, public outreach efforts set to begin later in the week for the Bus On Shoulder Study, vehicle and bike/pedestrian counts that are underway as part of the bi-annual Congestion Management Program (CMP) update, and websites that Marin residents may access to learn more about the status of the re-opening of Marin schools.

ED Richman reported that, on October 14, the California Supreme Court agreed to review the case that the Howard Jarvis Taxpayer Association filed against MTC/BATA regarding whether the Regional Measure (RM) 3 toll is a tax or a fee. As a result, the funds collected will, most likely, not be made available to eligible projects until the litigation is resolved.

She announced that the Fixing America's Surface Transportation Act, or the FAST Act, has been extended until October 1, 2021 and that the Bay Area Rapid Transit (BART) has been awarded a \$1.2 billion grant for the Transbay Corridor Core Capacity Program to increase ridership capacity. She finalized her report by reminding the Board that the monthly Caltrans Report was included as an attachment to this report.

Commissioner Lucan asked when an announcement would be made for the award of the Solutions for Congested Corridors Program (SCCP) fund for the Marin-Sonoma Narrows Project, and ED Richman stated that the California Transportation Commission (CTC) is expected to announce the results of that program in early November and adopt the results at its December meeting.

5. Commissioner Reports (Discussion)

a. MTC Report

Commissioner Connolly reported on the recently formed Bay Area Toll Authority (BATA) Ad-hoc Group formed to address the impact of constrained revenue, due to the COVID crisis and on mobility operations and asset management on Bay Area bridges excluding the Golden Gate Bridge. He commented on a telecommute policy that the Metropolitan Transportation Commission (MTC) has been working on as part of Plan Bay Area 2050 (PBA

2050) in an effort to reduce greenhouse gas (GHG) emissions by 19 percent by 2050. He finalized his report by acknowledging ED Richman's comments on the litigation surrounding RM3.

b. Marin Transit Report

Commissioner Rodoni announced that all Marin Transit local routes and Stagecoach service will be fare free from October 31 through November 3 in support of getting voters to the polls. He commented that since the 2-Electric Vehicle (EV) bus pilot program was deemed a success, Marin Transit is moving forward with the purchase of 4 additional buses expected to be delivered in the fall of 2021.

c. SMART

Commissioner Lucan reported that the Sonoma Marin Area Rail Transit (SMART) continues to conduct listening sessions in Marin and Sonoma Counties. He noted that SMART has taken steps to begin refinancing its existing debt to take advantage of the current favorable financing rates.

6. Commissioner Matters Not on the Agenda (Discussion)

None.

8. Open Time for Public Expression

Chair Arnold opened the item to any member of the public to speak on matters not on the agenda and seeing none, she closed this item.

9. CONSENT CALENDAR (Action)

- a. Approve TAM Board Meeting Minutes September 24, 2020
- b. Wetlands Mitigation Credit Purchase for US 101 Marin-Sonoma Narrows B7 Contracts
- c. Review and Accept the FY2020-21 First Quarter Financial Report
- d. Amend the Allocation Request Form of Funding Agreement A-FY20-19 for San Rafael's Third Street Rehabilitation Project
- e. Caltrans Cooperative Agreement for the Construction of the US 101 Marin-Sonoma Narrows B7 Project

Commissioner Kuhl moved to approve the Consent Calendar, which Commissioner Phillips seconded. A roll call vote was conducted, and the motion carried unanimously.

10. State Legislative Update (Discussion)

Gus Khouri, from Khouri Consulting, provided an update on activities at the state level, reiterating ED Richman's comments regarding the timeline for the recommendations for SCCP funding from the CTC, and in particular, the \$40 million request for the Marin-Sonoma Narrows Project. He stated that the Governor may call for a special legislative session to address the state's budget shortfall. He finalized his update by stating that he attended a workshop hosted by the California State Transportation Agency (CalSTA) to address the Governor's executive orders related to climate change and look for ways to support public transportation and facilitate more multi-modal options.

Chair Arnold thanked Mr. Khouri for his report.

11. Alternative Fuels Program Update (Action)

ED Richman introduced Planning Manager Derek McGill to present this item which recommended that the TAM Board review and approve the following item, which was recommended by the Funding, Programs & Legislation (FPL) Executive Committee after review at its October 12 meeting:

- a) Approve a rebate of \$69,922 to the College of Marin for completion of 32 Electrical Vehicle (EV) connectors at the Kentfield and Indian Valley campuses.
- b) Approve a rebate of \$175,000 to San Rafael City Schools for completion of 117 EV connectors at various school locations in San Rafael.
- c) Authorize the executive director to enter into agreements with Marin General Services Authority (MGSA) and MCE (formerly Marin Clean Energy) to conduct work program elements as outlined in the staff report.
- d) Approve the proposed increase to the EV connector rebate level (\$3,000 per connector at up to 100% of the project net costs, after all other rebates accounted for).
- e) Authorize an increase in the Measure B Element 3.3 Budget from \$345,000 to \$488,922.

ED Richman stated that comment letters from the public received for the FPL Executive Committee meeting of October 12 were included as part of the staff report. She added that an additional letter from Cool the Earth had been received earlier today and was forwarded to the Board.

Mr. McGill provided background of the Alternative Fuels Program as well as program elements including the EV Charger Rebate Program, EV Fleet Rebate Program, actions taken by staff to address comments received at the February 2020 TAM Board meeting, and activities that have occurred since then. He provided additional details for the EV Charger Rebate Program including information for consideration when building on to the current EV infrastructure and noted that TAM has exceeded its 2018 charger installation goal. Mr. McGill discussed TAM's unsuccessful grant application submitted to CalEVIP but noted that TAM may try again through a co-application with Contra Costa Transportation Authority (CCTA) and MCE. He spoke about the fleet component of the program and stated that public agencies would need to convert medium/heavy or mission-critical vehicles and this would be difficult due to a limited number of this type of vehicle currently available as well as the expense.

Mr. McGill discussed the public outreach and technical assistance elements of the program. He stated that outreach has shifted from an in-person to a virtual format and that Cool the Earth was hired to develop a multimedia presentation, webinar and videos for on-line and virtual engagement. He added that TAM sponsored Cool the Earth's National Drive Electric Week participation in September. He reviewed the goals and activities planned to achieve those goals and noted that TAM has demonstrated leadership in promoting alternative fuels. He reviewed the program's schedule and timeline of activities for the coming year. Mr. McGill finalized his report by providing an update on the program's budget and revenues which was accompanied by a request to increase the program's budget from \$345,000 to \$488,922 for the current fiscal year. He noted that the chargers to be located at the College of Marin and San Rafael City Schools will be the largest budgeted expense.

Commissioner Campbell asked if the program had a targeted goal for the number of public EV charging stations particularly in light of the new statewide ban on gas vehicles by 2035. Mr. McGill stated that Marin County has already met TAM's goal of 305 stations set in 2018 and CalEVIP's goal for charging stations across all land-use types within Marin County.

Commissioner Rice asked about Marin Clean Energy Partnership's (MCEP) EV Readiness Plan. Mr. McGill stated that the proposed development of the plan recognizes that one of the quickest ways to meet the county's climate goal is through the use of EVs. TAM has worked with MCEP to develop a draft scope and requested that MCEP review plans of neighboring jurisdictions to set concrete goals and targets around EV adoption and charging stations. He noted that there are different ways that other agencies and public utility companies can support this goal and he welcomes a conversation to involve as many bodies as possible.

Commissioner Reed asked about the portion of the program related to e-bikes and what promotions are offered. Mr. McGill replied that a rebate in an amount up to \$1000 is offered to public agencies for replacement vehicles. He added that an e-bike study has been commissioned to seek out other opportunities to promote e-bike use.

Commissioner Phillips remarked on the 117 charging stations installed at the high schools in San Rafael but asked for the status of stations at other schools throughout the County. Mr. McGill stated that charging stations are distributed throughout several schools within the San Rafael School District rather than only at the high schools. He noted that the San Rafael School District serves as a model for advancing infrastructure in the way they attracted funding from outside agencies, and he suggested that other school districts may want to follow that.

Commissioner Carmel asked whether an infrastructure network plan exists for the entire County. Mr. McGill responded that, with the help of advocates, a site plan was developed in 2018 to plot where stations were needed but that the key to completing the network is dependent on individual site hosts and their willingness to move forward with the project. He added that the demand for charging stations is so great, now, that they are needed throughout the County rather than at targeted locations. Commissioner Carmel suggested that it might be helpful for each city/town to know where the demand for stations is in its specific area in order to work towards creating a balanced network throughout the County. Mr. McGill noted that much of this information has been collected and shared with local planning staff.

Commissioner Carmel asked about the timeframe for technology advancement given that longer-range vehicles may reduce the need for an extensive number of stations. Mr. McGill replied that a specific date is difficult to pinpoint but staff wanted to study how built out parking lots are, currently, to determine if station saturation has been reached.

Commissioner Carmel suggested that the next wave in electrification is going to be electric bikes and stated that secure and abundant parking, rather than charging infrastructure, will be an issue. McGill discussed bike parking programs that have already been instituted. He agreed e-bikes will be the next wave for the public but that replacing police/maintenance and other mission critical gas vehicles with comparable EVs remains an area of need for local agencies for now.

Chair Arnold opened the item to public comment.

David Moller, a resident of Larkspur and representing the Marin/Sonoma EV Squad, commended staff for the robust, forward-looking program and stated that he supports the staff recommendation. He also advocated for multi-year planning and outreach, re-establishing a working group comprised of members of the public and agency staff, separating the outreach from the technical studies functions, establishing specific long-term goals and metrics for the program, providing quarterly or semi-annual updates on this program, and convening the Alternative Fuels and Electric Vehicle Ad-hoc Committee more frequently.

Linda Jackson, Vice-President of the Board of Education for the San Rafael City Schools, thanked TAM for partnering with the San Rafael School District to install the charging stations.

Dan Zaich, Senior Director of Capital Facilities Program for San Rafael City Schools, thanked TAM staff for their technical expertise and encouragement during the installation of 117 charging stations across 7 school sites using an equity approach. He thanked Nick Nguyen, TAM's Principal Project Delivery Manager for providing his time and technical expertise along the way.

Lawrie Mott, Cool the Earth Board Chair, stated that TAM's Measure B Element 3.3 funds are the only monies in Marin County dedicated to the promotion of EVs which is critical to reducing GHG emissions. She commended staff on this report but added that the Board and the public need to receive more frequent updates on this program. She supported using unexpended reserves in this element to install chargers at San Rafael City Schools and the

College of Marin and added that her organization would prefer that excess funds should be spent and never held in reserve. She suggested separating out the outreach element from the technical assistance element in this program. She finalized her comments by expressing her organization's support for the MCEP Readiness Plan, increasing TAM's EV charging rebate, and TAM's support of MCE in reapplying for the CalEVIP grant.

Seeing no others wishing to speak, Chair Arnold closed the item to public comment.

Commissioner Colbert, who serves on the Alternative Fuel and Electric Vehicle (AFEV) Ad-hoc Committee, expressed his support for quarterly reports at least at the committee level, if not at the full Board level.

Commissioner Rice noted that the FPL Executive Committee heard this item earlier in the month and discussed having these reports made to the Executive Committee or the full Board twice a year, at a minimum. She added that, in the past, TAM had a technical advisory group which included members of the public and advocates. She suggested changing the AFEV Ad-hoc Committee to a regular committee so that members of the public could attend.

ED Richman commented that staff could provide a program report twice a year, similar to the process followed for capital projects.

Mr. McGill stated that TAM is well situated to receive a wide array of technical resources since staff meets regularly with the local planning directors, public works directors, and sustainability coordinators via MCEP. Additionally, TAM sits on the EV Coordinating Council which is a regionally organized meeting open to the public.

Commissioner Hillmer moved to approve the following item as recommended by the FPL Executive Committee:

- a) Approve a rebate of \$69,922 to the College of Marin for completion of 32 Electrical Vehicle (EV) connectors at the Kentfield and Indian Valley campuses.
- b) Approve a rebate of \$175,000 to San Rafael City Schools for completion of 117 EV connectors at various school locations in San Rafael.
- c) Authorize the executive director to enter into agreements with Marin General Services Authority (MGSA) and MCE (formerly Marin Clean Energy) to conduct work program elements as outlined in the staff report.
- d) Approve the proposed increase to the EV connector rebate level (\$3,000 per connector at up to 100% of the project net costs, after all other rebates accounted for).
- e) Authorize an increase in the Measure B Element 3.3 Budget from \$345,000 to \$488,922, which was seconded by Commissioner Cleveland-Knowles. A roll call vote was conducted, and the motion carried unanimously.

12. Update on COVID-19 Impacts on the Marin Safe Routes to Schools (SR2S) Program (Discussion)

TAM Principal Project Delivery Manager Dan Cherrier presented this discussion item and began by providing an update on the SR2S Program. He stated that, aside from Measure A/AA, funding had been augmented, in the past, by many one-time funding sources. This has resulted in a \$1.4 million carryover balance, which will help the program weather the current recession. He reviewed the program's potential \$800,000 reduction in cash flow for the current and next four years, noting that the carryover can cover that reduction but that the one-time funding sources that helped to build the reserve are no longer available to replenish it. The primary reductions in the program for this year include deferring installation of the Street Smarts Program and cutting back on the production of route maps. Other cutbacks include a reduction in hours for some staff as well as layoffs.

Mr. Cherrier reviewed the funding forecast in future years, noting that, with the program reductions and the use of carryover funds, sufficient monies exist to maintain this program until FY 2027-28, hopefully by then the Measure AA sales tax revenue will start to grow again. He stated that staff will continue to seek other sources to fund this program, will work with the Safe Routes team and Safe Routes Ad-hoc Committee to determine the scope of

reductions to the program, and will monitor sales tax revenues to make program adjustments as the economy recovers.

In response to a question from Commissioner Colbert who asked for the makeup of the Safe Routes Ad-hoc Committee, Mr. Cherrier stated the three-member ad-hoc consisted of Commissioners Lucan and Reed as well as one vacancy.

Commissioner Lucan expressed his support to convene the Ad-hoc Committee for a discussion on these impacts and suggested that it may be prudent to increase the membership of the Ad-hoc Committee.

Commissioner Rice commented that the Safe Routes team, with their extensive reach into the community, would be able to provide valuable input as to the program's scope and any changes that may need to be made due to budget constraints.

Commissioner Reed agreed that the Safe Routes team has been flexible, particularly during the ongoing health crisis, to find creative ways to continue to educate students and help them explore transportation options under their own power. He added that mapping is crucial to planning for the future.

Chair Arnold commented that she agreed with Commissioner Lucan's suggestion to expand the Ad-hoc Committee.

Commissioner Colbert said he would like to participate on the Ad-hoc Committee if the committee membership is expanded. He stated that this is an important and high-profile program and suggested that all involved find ways to, creatively, move this program into the future.

Commissioner Carmel commented that he doubts that revenues will experience a 25 percent dip as previously adopted in TAM's budget. He added that the Safe Routes Program is important in his community and echoed Commissioner Reed's comment that this program sets youth up for a lifetime of behavioral change. He finalized his comments by expressing his interest in serving on the ad-hoc if the membership is expanded.

Chair Arnold opened the item to any member of the public to comment and seeing none, she closed this item.

13. Review and accept the FY2019-20 TAM Comprehensive Annual Financial Report (Action)

Chief Financial Officer/Deputy Executive Director Li Zhang presented this item which recommended that the TAM Board review and accept the Draft FY2019-20 TAM Comprehensive Annual Financial Report (CAFR).

Ms. Zhang noted that TAM's Citizens' Oversight Committee reviewed the draft report at its October 19 meeting and recommended that the TAM Board accept it. She introduced Ahmad Gharaibeh of Eide Bailly LLP and then she and Mr. Gharaibeh reviewed the report, noting that, for the tenth year, there were no findings.

Ms. Zhang discussed the Introductory Section of the report, including the history of TAM's CAFR, major factors influencing the County's economic indicators such as per capita income, unemployment, and population growth, and provided a historical look at sales tax revenues since 2006. Mr. Gharaibeh reviewed the report's Financial Section including the financial statements and analysis of those statements in order to render an opinion on TAM's financial position. He covered, as well, the Statistical Section of the report which provides information to assess the Agency's economic health. He concluded his presentation by discussing the Compliance Section of the report including the compliance audit which ensures that TAM spent the 5% administration and program management funds in accordance with the Expenditure Plan, and the single audit which is required for expenditures related to federal grants that have been awarded to the Agency.

Chair Arnold opened the item to any member of the public to comment and seeing none, she closed this item.

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Commissioner Lucan moved to accept the Draft FY2019-20 TAM CAFR which was seconded by Commissioner Rice. A roll call vote was conducted, and the motion carried unanimously.

The meeting was adjourned at 8:15 p.m.

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