



MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
CITIZENS' OVERSIGHT COMMITTEE

January 19, 2021

5:00 p.m.

Virtual Meeting

Zoom link:

<https://us02web.zoom.us/j/89255670277?pwd=RHZDbGdWeWFPbW1UQlQvaGFQTUV4QT09>

Webinar ID: 892 5567 0277

Passcode: 908746

MEETING MINUTES

Members Present: Peter Pelham, Major Marin Employers (Chairperson)
Joy Dahlgren, Central Marin Planning Area
Charley Vogt, Northern Marin Planning Area
Vince O'Brien, Bicycle & Pedestrian Groups
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: Kay Noguchi, League of Women Voters
Nancy Okada, Environmental Organizations

Auditor Present: Bin Zeng, Senior Auditor, Moss, Levy & Hartzheim LLP

Staff Members Present: Anne Richman, Executive Director
Li Zhang, Chief Financial Officer/Deputy Executive Director
David Chan, Manager of Programing and Legislation
Dan Cherrier, Principal Project Delivery Manager
Denise Merleno, Executive Assistant
Derek McGill, Planning Manager
Grace Zhuang, Accounting and Administration Specialist
Helga Cotter, Senior Accountant
Molly Graham, Public Information Officer

Chairperson Peter Pelham called the Citizens' Oversight Committee (COC) meeting to order at 5:00 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. Ms. Cotter stated the meeting order rules and instructions for the public to provide comments.

2. Open Time for Public Expression

No public expression was received.

3. Review and Approval of November 16, 2020 Meeting Minutes

Member Kevin Hagerty moved to approve the November 16, 2020 Meeting Minutes. Member Charley Vogt seconded the motion, and the Minutes were approved unanimously.

4. TAM Staff Report (Information)

Executive Director (ED) Anne Richman presented the staff report. She announced that the California Transportation Commission (CTC) awarded \$40 million to the Marin Sonoma Narrows (MSN) Project in December 2020. She stated that the funding would help to complete the B7 project, which is the last segment of the MSN between Novato and the Sonoma County line.

ED Richman provided an update on the construction bidding process of the North-South Greenway Project. She stated that Caltrans awarded the project to replace the existing pathway over Corte Madera Creek between Larkspur and Corte Madera to Disney Construction, and that the construction should take 12 to 18 months.

ED Richman also provided an update to the Marin 101-580 Direct Connector Project, noting that there have been 3 stakeholder working group meetings representing 20 interest groups and individual meetings with community representatives to gain community input and review the design options that are under consideration.

ED Richman stated the agency has released an e-bike report that provides strategies for increasing e-bike use in Marin, and a public parking lot study to identify potential electric vehicle (EV) charging stations. She reported that TAM also has an EV toolkit that provides guidance to public agencies relating to installing charging stations and fleet conversions. The information is available on the TAM website.

In response to Member O'Brien, ED Richman confirmed that EV chargers cannot be used to charge e-bikes.

ED Richman discussed a new tool that is available on the TAM website, which provides information on Vehicle Miles Traveled (VMT) in each jurisdiction. The information is required by Senate Bill (SB) 743 for environmental impact reports relating to new development and could be utilized by public agencies.

ED Richman discussed Metropolitan Transportation Commission's (MTC's) and the Association of Bay Area Governments (ABAG) release of the Plan Bay Area 2050 Final Blueprint Outcomes, which examined data in the Draft Blueprint Report, including future growth patterns, and determined that the Plan's goals should be achieved. She noted that further details are available on MTC's website.

ED Richman reported that Caltrans District 4 has released a Draft Pedestrian Plan, which examines pathways and facilities that are part of the state highway system. She stated that the Plan is open to public comment until Friday, February 5, 2021. ED Richman also reported that Caltrans is initiating a Bay Area Bike Highway Study survey, which will determine if a superhighway of bike connections could be created.

ED Richman provided a TAM Year in Review report. She discussed the TAM Holiday Party for the 10,000 Degrees Scholarship Fund, which has raised over \$30,000 over the past 13 years for students who may not otherwise be able to afford college.

As part of her Year in Review report, ED Richman also discussed the groundbreaking event in December 2019 for the construction of a segment of the Marin Sonoma Narrows (MSN) at the Marin-Sonoma County line, and the release of a State Route (SR) 37 Corridor Adaptation Study in January 2020, which formed part of Caltrans' environmental review of the segment in Marin County. ED Richman noted that Caltrans also undertook short-term flood control and protection measures for the segment of SR37 in Marin County at that time.

ED Richman reported on the Marin 101-580 Direct Connector Project. She noted that the first meeting of the TAM Ad Hoc Committee was scheduled in January 2020, which began the outreach process that should continue through 2021. She also reported on a team leader kick-off lunch for the Safe Routes to School (SR2S) Program in February 2020 and the changes and impacts occurred in March 2020 with the Shelter-in-Place Order.

ED Richman discussed the CARES (Coronavirus Aid, Relief, and Economic Security) Act of March 2020, which provided significant funding for local transit agencies. She also discussed the launch of the Marin Recovers Program and TAM's participation in the Industry Advisors Task Force for Transportation, which advised health offices on transportation resources and best practices.

ED Richman discussed celebratory milestones in 2020, including the 50th anniversary of Earth Day, the 20th Anniversary of SR2S, and the 15th anniversary of TAM. She also discussed the adjustments made by the SR2S team in response to the Shelter-in-Place Order, including transitioning the program to an online format and providing outdoor activities for families and youths.

ED Richman reported that in May 2020, the Marin County Board of Supervisors approved a contract for the Sir Francis Drake Boulevard Rehabilitation project. TAM provided about \$14.5 million in funding from the Major Roads Program under Measure A. She noted that the work started in June 2020 and construction is ongoing.

ED Richman discussed the westbound two-way protected bike path from the Richmond-San Rafael Bridge along Sir Francis Drake Blvd., which was opened in 2020. She noted that the path was funded partly by TAM (\$1.3 million) and in partnership with MTC/Bay Area Toll Authority (BATA), Caltrans and the City of San Rafael.

ED Richman reminded the members of the budget process in the spring and summer of 2020. She stated that information on current revenues will be provided during the presentation of the Second Quarter Financial Report.

ED Richman noted that TAM launched the Connect2Transit Program in July 2020. The Program is a partnership between TAM, Marin Transit and Uber, which integrates TAM's former GET2SMART Program and Marin Transit's Connect Program. The program provides on demand services via the Uber App and enables users to see real time public transit information.

ED Richman reported on TAM's Quick Build Program that was launched in July 2020. The program provided one-time grants to local jurisdictions to support street redesign, including street modifications for outdoor dining and outdoor markets, and street safety and access projects.

ED Richman reported on the Interchange Study, which is collecting existing data on US-101 interchanges that are defined in the Expenditure Plan. Outreach is underway to ascertain from jurisdictions and stakeholders how the intersections are used. The next phase will determine potential improvements.

ED Richman summarized TAM's EV activities. She reported that the agency has supported the installation of 311 charging stations throughout Marin, including San Rafael City schools, College of Marin and the County of Marin. She also reported that Novato Police Department added 3 EV bikes to its fleet. This is an on-going program, and rebates are still available.

ED Richman reported that a feasibility study began last fall as part of the Bus on Shoulder Project. She stated that the study will determine if commute times would be shorted for bus riders if buses could use the shoulder lane on US-101 when traffic slows to below 35 miles per hour (MPH).

She also reported that a translation option has been added to the websites for both TAM and Marin Commutes.

ED Richman concluded TAM's Year in Review by noting the allocation of funding from California Transportation Commission (CTC) for the Marin-Sonoma Narrows project in December 2020.

Member Kate Powers asked if the e-bike study had evaluated the infrastructure needs, such as separated bike paths. She also asked if Plan Bay Area 2050 had included a scenario that took into account changing transit patterns based on the Shelter-in-Place Order, and whether the website translation service could offer Spanish to English translation to enable Spanish-speaking transit users to communicate their questions and concerns.

In response, ED Richman stated that the e-bike study did not consider recreational trail bike use, only the use of e-bikes as transportation. She stated that staff would ascertain if information relating to e-bike infrastructure exists. ED Richman reported that Plan Bay Area 2050 included a scenario where there would be large and fast growth in jobs and housing, and scenarios where that did not occur, such as a deep recession. She confirmed the intention of the Plan to meet as many of the goals as possible in Plan Bay Area 2050, including the State's mandate relating to greenhouse gas (GHG) emissions. ED Richman confirmed that revenue forecasts have been adjusted based on the changes in 2020.

ED Richman stated that TAM would endeavor to offer translation service for public outreach that was directed at Spanish speaking residents.

Member Vogt thanked staff for sending the e-bike report and EV report. He commended staff on the thoroughness of the e-bike study and suggested that e-bike vendors are invited to a presentation on the report. Member Vogt noted that the County is considering regulating e-bikes, following an incident involving a horseback rider and two e-bike riders on a trail in the Indian Valley Preserve.

5. Review and Acceptance of the 2020 Measure A/AA Compliance Audit Results (Action)

Chief Financial Officer/Deputy Executive Director Li Zhang introduced Bin Zeng, Senior Auditor, Moss, Levy & Hartzheim LLP. Ms. Zhang noted that Mr. Zeng and his team helped the agency design the audit report process during TAM's first compliance audit process and that the team has also audited the agency in the past. Ms. Zhang stated that she would discuss the requirements, policy highlights and the process, and that Mr. Zeng would discuss the 6 audits that were conducted this year. She noted that the Expenditure Plans for both Measures A and AA require the compliance audit and that the COC helped to develop the original compliance audit policy in 2010. Ms. Zhang reminded the COC that it helped to finalize the last amendment in March 2020, which incorporated Measure AA projects and programs into the policy. Ms. Zhang then noted that the first round of compliance audits was conducted in 2011 and this year is 10th round of audits.

Ms. Zhang provided an overview of the strategies and the frequency of audits for Measure A Strategy 1 (Local Transit), which is audited annually; Strategy 2 (Highway 101 Gap Closure) was fully closed and the consultant team was audited; Strategy 3.1 Major Roads, which she noted is audited by project phase, including planning and developmental review, project design and construction. Ms. Zhang stated one audit is conducted annually under Strategy 3.2 Local Streets and Roads. Strategy 4.1 (Safe Access to Schools) is audited every 3 years, and Strategy 4.2 (Crossing Guard Program) is audited every 2 years. Ms. Zhang noted that one large project and one small project from Strategy 4.3 Safe Pathways to School Capital Project is chosen annually for auditing. Furthermore, she noted that interest funds are mostly allocated to agencies for bike and multi-use paths maintenance, which are audited every 3 years.

Ms. Zhang confirmed that the frequency of audits for Measure AA did not change following last year's policy review, apart from the new categories that were added: - Category 1 (Highway Projects), for which one compliance audit will be undertaken for each consultant's contract valued at over \$1 million.

Ms. Zhang presented the annual process and timeline and reported that the TAM Board usually approves the list of funding recipient selected for the compliance audit in June; staff conducts a compliance audit workshop in August/September and the agencies are usually offered a field meeting with the auditors in November/December. She noted that the 2020 audit was conducted remotely due to the Shelter-in-Place Order. Staff reviews the audit results and works with the agencies if there are findings that need to be resolved prior to finalizing the report. Ms. Zhang confirmed that the COC will review the draft report and make a recommendation to the TAM Board to accept the final audit report in December/January.

Ms. Zhang then shared with the Committee the 6 auditees selected for the 2020 Audit Cycle, including Marin Transit for local transit funding under Measure A/AA; City of Novato for the Measure A funding they received under the Major Roads Category for the Novato Blvd. project; County of Marin for Measure A/AA Local Streets and Roads funding; All City Management Services for the Crossing Guard Program; Town of Tiburon for a Large Safe Pathways Capital Project, and the Town of Ross for a Small Safe Pathways Capital Project, and asked Mr. Zeng to report on the audit result and process.

Mr. Zeng confirmed that there were no audit findings during this cycle and he discussed the funding categories and expenditures that were audited for each recipient. He confirmed that Marin Transit is audited every year as part of the Measure A/AA compliance requirements, noting that most of the expenditures were for transit services. Mr. Zeng stated that the City of Novato was audited for allocations for FY2008-FY2011 relating to expenditures for professional services for the environmental review and design phase of the Novato Blvd. Rehabilitation Project.

Member Hagerty asked staff to explain why there was a significant time difference between the expenditures for the City of Novato's project and the audit. Ms. Zhang stated that the Novato Blvd Rehabilitation Project included 3 segments, while Segment 2 and 3 were completed, Segment 1 consisted of the main project, costing in excess of \$10 million, was halted while design changes were made. Ms. Zhang noted that the City restarted the project and expenditures were made in FY2020 to FY2021. She added that the City has been audited several times for other projects and understands all project records need to be kept for audit until project completion.

Member Hagerty discussed his concern that citizens might question the discrepancy and Ms. Zhang confirmed that an explanation has been included in the Compliance Audit Report on page 11 of the COC packet. Member Vogt stated that the changes in the project were significant and entailed extensive outreach. Ms. Zhang pointed out that the scope of the audit is to make sure the sales tax funds are spent on eligible expenditures, but she will have further discussion with staff and Mr. Zeng and provide adequate explanation on the time difference.

Mr. Zeng discussed the review of the following agencies for compliance with Measure A/AA funding: County of Marin's Road Rehabilitation Project completed in FY2020-2021; All City Management Services for the Crossing Guard Program in FY2019-2020; Town of Tiburon's FY2014-2015 funding for crosswalk safety and Town of Ross's FY2016-17 funding for infrastructure upgrades for sidewalk safety as part of the Safe Pathways to School Program.

In response to Member Paul Premo, Ms. Zhang discussed how projects are chosen for the audit process, which includes frequency of particular funding recipient, geographic balance, timing of project completion etc.

In response to Member Powers, Ms. Zhang confirmed that the results of the Compliance Audit for Marin Transit were reconciled with Marin Transit's Comprehensive Annual Financial Report for FY2019-20.

Member Hagerty moved to approve the 2020 Measure A/AA compliance audit results and refer the item to the TAM Board for acceptance. Member O'Brien seconded the motion, which was approved unanimously.

Ms. Cotter noted that Alternate Nancy Okada had joined the meeting.

6. Review and Approval of the FY2019-20 COC/2020 TAM Annual Report (Action)

Ms. Zhang introduced Molly Graham, TAM's Public Information Officer, to present the Draft 2020 TAM/COC Annual Report. Ms. Graham stated that the COC is asked to review the report and authorize the Annual Report Sub-committee to work with staff to finalize the report and also authorize the Chairperson to present the final draft to the TAM Board for acceptance at the January 28, 2021 meeting.

Ms. Graham expressed her appreciation that ED Richman's Year in Review, which was part of the ED's Report, provided much of the information contained in the Draft Annual Report. She thanked Chairperson Pelham, Members Vogt, Zack Macdonald and Hagerty, and Alternate Vida Flores for their help on the Sub-committee. Ms. Graham stated that Committee Members are asked to forward their comments on the Draft Annual Report to staff and that they will also be asked to help distribute the electronic version to the members of the organizations they represent.

Member Vogt noted that TAM staff names have been added to the final page of the report at the recommendation of Member Macdonald, which he thought looked fantastic. Ms. Graham stated that staff was able to incorporate most of the comments provided by the Sub-Committee during its last round of review.

Member Vogt moved to authorize the Sub-committee to continue working with staff to finalize the draft report and the Chairperson to present the report to the TAM Board for acceptance at the January 28, 2021 Board meeting, which was seconded by Member Allan Bortel. The motion was approved unanimously.

7. Review of the FY2020-21 Second Quarter Financial Report (Information)

Ms. Zhang presented the staff report. She noted that Marin County's sales tax revenue remains strong and TAM's revenue for the quarter was higher than the same period in FY2019-20. Ms. Zhang stated that the staff will closely monitor sales tax revenue for the remaining period of the current fiscal year; that staff will present the Third Quarter Financial Report in April, followed by the audited FY2020-21 financial statements later in the year.

Member Hagerty expressed concern that only 44% of projected revenue has been collected in the first half of the year. Ms. Zhang explained that, while revenues from sales tax and the Vehicle Registration Fee remain stable, it's normal that reimbursements from project/program expenditures for other grants are delayed or project/program expenditures happen slower than budgeted during the first half of the year, therefore showing a lower than 50% cash-based revenue collection.

8. Committee Member Hot Items Report (Discussion)

Member Powers reported on the Marin Transit January 11, 2021 Board Meeting, which included a report about the drop in ridership for the fixed route services and on demand, Marin Access, and paratransit services in September and October. She also reported that Marin Transit, Sonoma-Marín Area Rail Transit (SMART) and Golden Gate Transit joined a regional program that provides discounted fares for low-income adults in November 2020. Member Powers confirmed that Clipper Cards are eligible for the program, which she stated is an 18-month pilot program that was initiated by MTC and Bay Area Transit Agencies.

Member Powers discussed the maximum number of passengers allowed on vehicles, including 9 passengers on a 40-foot bus, 4 passengers on a shuttle bus, and 2 on a Paratransit or Marin Connect bus shuttle. She noted that additional buses have been added to routes to reduce pass-ups, particularly late-night routes in Southern Marin. Overall, Marin Transit has increased the hours of bus operation by 20% through additional services. Member Powers confirmed that the agency is preparing to increase transit along school bus routes when students return to the classroom.

Member Powers confirmed that Marin Transit presented its FY2019-20 Comprehensive Annual Financial Report for FY2019-20 and received a clean audit. She stated that Marin Transit's federal operations revenue has increased from 5% to 14% of its total revenue received due to funds from the (CARES) Act. The CARES Act funds were spent for local, rural and paratransit operations. Member Powers discussed the purchase of the parking facility at Rush Landing, 11 40-foot hybrid vehicles, 1 of 2 electric buses and the plans to install EV charging stations at the Rush Landing facility. She also discussed the expenditure of funds from the CARES Act, the insufficiency of space at Rush Landing to accommodate all of the agency's vehicles, the need for a maintenance building and a study that highlighted the advantages of a Marin Transit-owned facility.

Member Powers reported on the CARES Act funding for transit agencies distributed by MTC and the Blue Ribbon Transit Recovery Task Force, which should release a Bay Area Public Transit Transformation Action Plan during 2021.

In response to Alternate Okada, Member Powers stated that public outreach for the Clipper Card is ongoing to encourage people to use public transit.

In response to Member Vogt, Member Powers reported that Marin Transit has earmarked additional regular buses to transport students to schools when they reopen.

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

The next meeting was scheduled for Tuesday, March 15, 2021. Items planned for the meeting include election of a Vice-Chairperson, a report on e-bikes, and the State Legislative Platform.

The meeting was adjourned at 6:35 p.m.