



MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
CITIZENS' OVERSIGHT COMMITTEE

October 25, 2021

5:00 p.m.

Virtual Meeting

Zoom Link:

<https://us02web.zoom.us/j/83355375857?pwd=TVA2cHVBTVlpanVNcHc0YVIUTFFFTdz09>

Webinar ID: 833 5537 5857

Passcode: 102521

MEETING MINUTES

Members Present: Peter Pelham, Major Marin Employers (Chairperson)
Kevin Hagerty, League of Women Voters (Vice-Chairperson)
Jeffrey Olson, Central Marin Planning Area
Charley Vogt, Northern Marin Planning Area
Paul Roye, Ross Valley Planning Area
Debbie Alley, Southern Marin Planning Area
Vince O'Brien, Bicycle & Pedestrian Groups
Kate Powers, Environmental Organizations
Allan Bortel, Marin County Paratransit Coordinating Council
Zach Macdonald, School District

Alternates Present: Kay Noguchi, League of Women Voters
Nancy Okada, Environmental Organizations

Auditor Present: Nathan Edelman, Partner, Eide Bailly LLP

Member of the Public Present: Veda Florez, San Anselmo

Staff Members Present: Anne Richman, Executive Director
Li Zhang, Deputy Executive Director/Chief Financial Officer
David Chan, Manager of Programing and Legislation
Dan Cherrier, Principal Project Delivery 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. and started with Item 2 – Introduction and Welcome.

2. Introductions and Welcome

Executive Director (ED) Anne Richman swore in Members Zach Macdonald and Debbie Alley, and Alternate Nancy Okada for their respective member/alternate terms.

Chairperson Pelham asked Grace Zhuang, Accounting and Administrative Specialist, to conduct the roll call. Ms. Zhuang did so and confirmed that a quorum was present.

Ms. Zhuang stated the meeting order rules and instructions for the public to provide comments.

Li Zhang, TAM's Deputy Executive Director/Chief Financial Officer, announced that Veda Florez, Alternate for Northern Marin Planning Area, moved to San Anselmo and had resigned from the committee and was attending the meeting as a member of the public. Ms. Zhang thanked Ms. Florez for her services on the COC.

1. Approve the Continuation of Virtual Meetings as Allowed by Assembly Bill 361

Chairperson Pelham discussed the request for the COC to approve the continuation of virtual meetings in compliance with Assembly Bill (AB) 361. Chairperson Pelham stated that approval will allow the COC to continue meeting virtually while the proclaimed State of Emergency is in place.

Vice-Chairperson Kevin Hagerty moved to approve the continuation of virtual meetings as allowed by AB361, and Member Jeff Olson seconded. A roll call vote was conducted, and the motion passed unanimously.

3. Open Time for Public Expression

Ms. Florez thanked staff and the Committee for having her as the alternate for the Northern Marin Planning Area and she stated that she enjoyed serving on the COC. Ms. Florez expressed a hope of volunteering for the committee in the future and she suggested the name of Citizens' Oversight Committee be changed to Community Oversight Committee.

4. Review and Approval of June 21, 2021 Meeting Minutes (Action)

Ms. Zhang noted that changes provided by Chairperson Pelham through email will be incorporated into the final minutes.

Vice-Chairperson Hagerty moved to approve the June 21, 2021 Meeting Minutes and Member Alley seconded the motion, and the Minutes were approved unanimously.

5. TAM Staff Report (Information)

ED Richman presented the staff report and provided an update on North-South Greenway Gap Closure project. ED Richman stated that the concrete supports are in place and the bridge structure is under construction. She noted that additional precautions during construction have been necessary to protect the sensitive environmental habitat.

ED Richman reported on the completion of the Sausalito Gate 6 project. TAM partnered with the City of Sausalito, County of Marin, and California Department of Transportation (Caltrans) to provide safety improvements at the intersection of Gate 6 Road and Bridgeway, which included new pavement markings, pavement types, signals for bikes and pedestrians, and new curbs and signage.

ED Richman reported that the Bon Air Bridge will be closed to vehicle traffic for the weekend of October 30 and 31 and that pedestrians and cyclists will have access from the north side of the bridge. She stated that construction of the new bridge should be completed in the summer of 2022.

ED Richman stated that TAM is launching a campaign for the Marin Commutes Program from October 25 to mid-November, which will ask residents to commit to or try new green travel habits. She noted that incentives and prizes will be offered through the Ride Amigos platform. ED Richman also stated that regional transit agencies are launching an "All Aboard" campaign to welcome people back to transit as they return to workplaces.

ED Richman reported that the Safe Routes to School Program celebrated International Walk (iWalk) and Roll to School Day on October 6, 2021. ED Richman stated that 42 schools participated and that she joined the Safe Routes to School team in Fairfax with Commissioner Cutrano. She confirmed that Commissioners Lucan, Carmel and Connolly participated in the event, which she noted is a highlight in the Safe Routes to School Program that promotes a reduction in traffic and creates safer streets and lifelong habits in children and their families.

ED Richman noted that TAM is advertising for vacant crossing guard positions and is also working with schools and communities for the recruitment. She stated that the school year started with approximately 12 vacancies and approximately half still remain vacant and encouraged any referrals from the Committee.

ED Richman reported that she and Marin Transit's General Manager (GM), Nancy Whelan, were invited by Member Kate Powers to address the Marin Conservation League (MCL) Climate Action Working Group, on October 15, 2021. ED Richman and GM Whelan discussed reductions in greenhouse gas (GHGs) emissions and alternative transportation mode programs managed by TAM and Marin Transit.

ED Richman also reported on a field trip to the City of Richmond to review the Bike Share Program. She stated that the Counties of Marin and Sonoma are using the same vendor for their own programs. Staff from the City of Richmond and the vendor, Bolt Mobility, provided instruction on the bike share pods, the bike share app and how the bicycles function.

ED Richman reported that Golden Gate Bridge, Highway & Transportation District (GGBHTD) has released the Draft Environmental Impact Report for the San Rafael Transit Center Relocation Project. She stated that the public comment period has been extended until November 2, 2021, and that the final environmental document should be released in early 2022. ED Richman stated that GGBHTD recently announced that e-bikes are welcome on ferries.

ED Richman stated that the TAM Board of Commissioners awarded \$1.7 million of Transportation Development Act (TDA) and Transportation Fund for Clean Air (TFCA) funds at the September 23, 2021 Board Meeting to 7 active transportation projects throughout the County.

ED Richman reported that Caltrans is expected to announce the Environmental Impact Report (EIR) Notice of Preparation Period for the section of State Route (SR) 37 from US-101 to US-121 in Marin County during the first week in November. She stated that a scoping meeting will be scheduled virtually for November 17, 2021.

ED Richman reported that TAM is applying for funding from the Caltrans Sustainable Communities Planning program, which would develop a vehicle miles traveled (VMT) toolkit for Marin County. The toolkit would enable jurisdictions to identify opportunities to increase active transportation, transit use and other kinds of mobility improvements.

ED Richman also reported that the Marin Wildfire Prevention Authority (MWPA) is launching a new evacuation tool using technology by Zonehaven, which provides an interactive map that assigns an evacuation zone to every area in the county.

Finally, ED Richman noted that the US Department of Transportation (DOT) has designated October as National Pedestrian Safety Month. The goal of the campaign is to increase pedestrian safety awareness and a theme is allotted to each week of the month, including "Everyone is a Pedestrian" during the first week, "Safe Speeds" for the second week, "Safe Vehicles" for the third week, and "Safe Roads" for the fourth week.

In response to Member Olson, ED Richman stated that it would be too early in the development process of the Northgate Mall housing project to determine if a VMT toolkit would be used.

In response to Member Allan Bortel, ED Richman stated that there is no update on Regional Measure (RM3), which is still under litigation at the State Supreme Court.

Member Alley thanked ED Richman for her report. In response to Member Alley, ED Richman stated she would be happy to accept an invitation to address Mill Valley's Climate Action Plan Task Force. She stated that prior to Covid, Marin Commutes was used for a network of employers to promote Transportation Demand Management, and TAM continues outreach through social media. She clarified that the Ride Amigos platform is being used by several counties for their TDM Programs.

Member Powers thanked ED Richman for addressing the MCL Climate Action Working Group Committee with GM Whelan.

Chairperson Pelham thanked ED Richman for her report.

6. Review and Accept the FY2020-21 TAM Annual Comprehensive Financial Report

Ms. Zhang presented the staff report, which asks the COC to review the Draft FY2020-21 TAM Annual Comprehensive Financial Report (ACFR) and refer it to the TAM Board for acceptance. Ms. Zhang introduced the Auditor, Nathan Edelman, from Eide Bailly LLP to present part of the report.

Ms. Zhang provided background information on the report. She stated that the report consists of four sections: Introductory, Financial, Statistical, and Compliance. Ms. Zhang explained that she would discuss the introductory section and Mr. Edelman would discuss the remaining sections of the report and the results of the FY2020-21 financial audit.

Ms. Zhang stated the Introductory Section presents the profile of TAM and Marin's economic condition and overall economic trend. She stated that the US unemployment rate in April 2020 was 14.8% and dropped to 4.8% in September 2021. Ms. Zhang also shared the Back-to-Normal Index created by Moody's Analytics and CNN Business during the pandemic, which tracks the return of economic activity to pre-pandemic level in March 2020. She discussed the variety of data that is tracked, such as railroad traffic, unemployment insurance, restaurant booking, airline checking points etc., and noted that California's economy has reached 91%, and US has reached 95% of the pre-pandemic level. Ms. Zhang stated that remote work is here to stay and might have a dramatic impact for commercial real estate. She reported that staff is evaluating the agency's remote working policy. Ms. Zhang stated there still a lot of uncertainty in the current economy that we have to deal with.

Ms. Zhang discussed the population trends in Marin, Napa and Sonoma Counties, which all experienced a decline. She stated that Marin County has experienced an average decline of 0.5% since 2017 and a decline of 1% in 2020–2021, Napa County an average of 0.56% since 2017 and 1% in 2020-2021, and Solano County an average of 1% since 2016 and 1.5% in 2020-2021. She discussed the possible reasons for the decline in population, which include an aging population, high housing costs, and lower birth rates.

Ms. Zhang also discussed Marin's per capita income, which is one of the highest in the Bay Area and the state, and the unemployment rate of 4.4%, which is the lowest in the Bay Area and State.

Ms. Zhang discussed taxable sales growth rates from 1997 to 2020 and noted that Marin's average growth rate is lower than the Bay Area and the state averages but with much less volatility.

Mr. Edelman discussed the report and explained that the function of the auditor is to provide an opinion on whether the financial statements are complete and accurate and whether it conforms with the general accepted accounting policies for governmental agencies. Mr. Edelman confirmed the audit is complete and accurate with a clean and unmodified opinion. He provided an overview of the financial statements under the Financial Section and noted that the majority of the agency's revenues derives from Measure A/AA Transportation Sales Tax. He also discussed expenditures, fund balances, which are short term fund balance and healthy, and long-term pension and Other Post-Employment Benefits (OPEB) liabilities, which is small in relation to the size of the agency.

Mr. Edelman discussed the Statistical Section, which shows various data of the agency and the County over a 10-year period. He stated that the Compliance Section stipulates a 1% cap on administrative expenses and confirmed TAM is in compliance. Mr. Edelman also discussed the Single Audit requirements of federal grants, which he confirmed received a clean audit with no findings.

In response to Alternate Kay Noguchi, Ms. Zhang clarified the funding sources for expenditures for Inter-agency Agreements. She stated that that funding for expenditures could be sourced from Measure A/AA Sales Tax, Measure B Vehicle Registration Fee (VRF), or Regional Measure (RM) 2 or from federal funds, depending on the project and

program needs. Ms. Zhang confirmed that some expenditures relate to the Expenditure Plan the COC helped to develop and that the TAM Board approves all the agreements entered with other agencies.

Member Olson requested clarification on the composition of the retail category that provides 42% of sales tax revenue. Ms. Zhang noted that this category provided just 23% of sales tax revenue in 2020, and Mr. Edelman stated that staff will try to obtain a definition of the category and report back to the COC.

In response to Member Alley, Ms. Zhang confirmed that the auditors have finalized the sales tax revenue figures. However, she explained that the state allows businesses to defer payments, which would account for the dip in revenue in 2020 and a significant increase in 2021.

Chairperson Pelham opened the item for public comment and Ms. Florez spoke.

In response to Ms. Florez, Ms. Zhang stated that the meeting packet is available on TAM's website. She also stated that data for trends relating to connections to other transit operators are not provided for in the report, and that she would verify if data from the 2020 census was used. Ms. Zhang stated that she would let the members know if the earlier data was used and also try to verify if additional information is available on hidden household members.

Chairperson Pelham closed the item for public comment.

Member Vince O'Brien moved to accept the Draft FY2020-21 TAM ACFR with the recommendation the TAM Board review and accept the report at its next meeting. Member Charley Vogt seconded the motion, which was approved unanimously.

7. Traffic Study for Richmond-San Rafael Bridge Westbound Vehicle Shoulder Use (Information)

Dan Cherrier, TAM's Principal Project Delivery Manager, presented the staff report. Mr. Cherrier provided background information on completed projects relating to the Richmond-San Rafael Bridge (RSRB), including the opening of a third eastbound lane in April 2018, which resulted in an immediate decrease in afternoon congestion, a multi-use path on the upper deck that opened in November 2019, and a bike path connecting the RSRB to Anderson Drive along Sir Francis Drake Boulevard (SFDB).

Mr. Cherrier explained that the level of traffic in the westbound direction is approaching the same level that existed in the eastbound direction before the improvements. This resulted in a suggestion to consider using the upper deck multi-use path as a part-time westbound vehicle lane. Mr. Cherrier explained that the Bay Area Toll Authority (BATA) and Caltrans conducted structural analysis and TAM undertook a third lane traffic study. He noted that the University of California Berkeley (UCB) will study the pilot programs (third eastbound lane, multi-use path and the bike path along SFDB) and is expected to issue a report in the middle of 2024.

Mr. Cherrier discussed the reduction in traffic during the Shelter-in-Place Order, which increased in 2021 to similar levels experienced in 2019. He stated that the traffic study included traffic from 5 a.m. to 11 a.m., the need to move the barrier every weekday, improvements to the western end of the bridge and data from other RSRB projects.

Mr. Cherrier discussed the Richmond-San Rafael (RSR) Bridge Forward program, which includes the proposed replacement of the toll plaza with overhead gantries on the east side of the bridge, the reinstatement of a high occupancy vehicle (HOV) lane on westbound I-580, and improvements where Richmond Parkway merges with I-580. He explained that the purpose of the improvements is to encourage a mode shift from single occupancy to high occupancy vehicles and prioritize carpooling and transit.

Mr. Cherrier discussed Build Alternative 1 and the need for improvements on the west side of the bridge, which would include removal of the Francisco Boulevard East (FBE) on-ramp to a new location west of SFDB. This would result in there being no direct access from FBE to SFDB. This alternative is expected to cost around \$90 million.

Mr. Cherrier discussed Build Alternative 2, which would include a new Direct Connector from westbound (WB) I-580 to southbound (SB) US-101. Mr. Cherrier stated that construction of the Direct Connector for BA 1 would cost an additional \$220 million.

Mr. Cherrier discussed the alternatives in relation to travel times and destination studies and noted that of the traffic exiting the Bridge and continuing to US 101, 71% uses northbound US-101 and 21% heads to southbound US-101. He stated that a third part-time traffic lane would create an 11-minute savings at peak hours for NB traffic and a similar amount for SB traffic if the Direct Connector is built. Mr. Cherrier noted that the improvements do not show a significant savings for non-peak hour traffic. If the Direct Connector is not built, US-101 SB traffic will increase by 3 minutes with the proposed improvements. He also discussed the length of traffic backups, traffic profile maps, and increased backups if the proposed third-lane project is not constructed.

Mr. Cherrier noted that a water pipeline project might affect the third-lane option, although Mr. Cherrier stated the pipeline might be attached under the bridge.

Member Alley asked if the proposed project considers GHG goals and questioned the impacts caused by an HOV lane. Furthermore, Member Alley noted that some employers in the Bay Area are promoting policies of “remote first”, which might impact traffic patterns in the future. In response, Mr. Cherrier stated that the study conducted did not provide a detailed analysis, which would be provided by an environmental review if the project moved forward. He noted that the HOV project on the east side of the bridge is managed by MTC.

Member Vogt stated that he has observed a large number of service workers going WB based on the type of vehicle that uses the bridge during the morning commute. Member Vogt asked if the operational cost of moving the barrier each day is realistic and he expressed concern that the RSRB might not be able to hold the added weight of a water pipeline. In response, Mr. Cherrier stated conversations are on-going among MMWD, MTC, Caltrans and BATA regarding the pipeline and that the RSRB would need to be strengthened in places to hold the water pipeline, and he confirmed the estimated cost to move the barrier each day has been taken into account.

Member Powers expressed concern that the high-level traffic study did not consider other projects that might affect traffic conditions, and the time, effort and cost of moving a barrier on a daily basis that might cause traffic backups. Furthermore, she expressed concern that additional traffic problems might be caused by the removal of the FBE onramp. Mr. Cherrier confirmed that an environmental analysis would be necessary and that the TAM Board has requested further information before proceeding.

Member O’Brien discussed the need to consider the impact on local streets and he stated there will be more congestion in the Bellam Blvd area. Member O’Brien added that the proposal is not cost-effective, and he questioned the effectiveness of the RSR Forward program and whether it leads to more delays instead of less. Mr. Cherrier stated that the number of single-vehicle occupancy lanes on I-580 in Richmond will be reduced from 3 to 2 to accommodate the new HOV lane that will increase congestion. He noted that removal of the toll plaza and improvements to the Richmond Parkway merge should be beneficial for the traffic and that the goal is to encourage a mode shift and prioritize transit.

Vice-Chairperson Hagerty asked if the part-time third lane would impact the Direct Connector Project and he suggested savings could be made on the \$19 million signage costs. Mr. Cherrier noted that the lower range of the estimated project costs of \$70 million reflect savings that could be made in the signage cost. He stated that both build alternatives could accommodate a Direct Connector.

Chairperson Pelham opened the item for public comment and Ms. Florez stated that the FBE on-ramp provides a convenient exist from the Canal area. She asked why the FBE on-ramp needed to be removed.

Chairperson Pelham closed the item for public comment and Mr. Cherrier noted that the on-ramp would be relocated further west and he noted that concern has been expressed by other users.

In response to Member Paul Roye, Mr. Cherrier stated that cyclists should remain on SFDB and use the onramp to eastbound I-580 to the Main Street exit and then use the Class II bike facility under the undercrossing to access the bike path on the RSR Bridge. Member Roye stated that cyclists are failing to do so and Mr. Cherrier suggested that additional signage could be considered.

Member Olson and Mr. Cherrier discussed average daily bicycle and vehicle trips. Mr. Cherrier stated that approximately 100 bicyclists and pedestrians use the multi-use path on the RSRB and 80,000 vehicles.

Chairperson Pelham thanked Mr. Cherrier for his report.

8. Committee Member Hot Items Report (Discussion)

Member Powers presented the Marin Transit report. She discussed a 6-month pilot program that came into effect on October 1, 2021, which offers free fares to adults 65 years and older and people with disabilities on fixed routes through March of 2022.

Member Powers also discussed two additional pilot programs: In November, three one-month free transit passes will be provided to families of low-income students who qualify for the Marin Transit Free Youth Pass, and a pilot program will be launched in the summer of 2022 that provides free 9-week summer passes for students. The aim of the pilot programs is to support those who use transit.

Member Powers stated that unused Measure AA funds for yellow bus programs that were not in operation during the FY2020-21 fiscal year will be distributed to school districts; Marin Transit is slated to receive up to \$6.3 million from the Federal American Rescue Plan (FARP) for COVID recovery efforts.

Member Powers reported that fixed route ridership has reached 67% of pre-Pandemic level as of September 2021 and that Marin Access is up to 50%. She also reported that the Main Transit Board awarded the Paratransit contract to Transdev Services Inc. at the September 13, 2021 Meeting, which is currently held by Vivalon. Marin Transit is anticipating a seamless transition and riders were notified by flyers and emails.

Member Bortel discussed the RFP (Request for Proposal) Marin Transit issued for the Paratransit Contract. He stated that the Paratransit Coordinating Council (PCC), whom he represents on the COC, has been unable to ascertain why the contract was not renewed with Vivalon, and why the contract with Transdev was in a short notice to PCC. Member Bortel also reported that Marin Transit is able to offer more free rides due to increased funding from Measure AA.

Member Vogt stated that the new Executive Director of Vivalon presented at the Rotary Club of Ignacio, a few days before the action by Marin Transit. He thanked ED Richman and Ms. Zhang for arranging a conference call with GM Whelan in which he and Chairperson Pelham participated. He stated that they were provided with further insight into the reasons for contracting with Transdev Inc. Member Vogt noted that the Marin Independent Journal issued an editorial on October 1, 2021 on the change of contractor.

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

The next meeting was tentatively scheduled for Monday, November 15, 2021. Potential items included the review of the Draft 2021 Compliance Audit Report and formation of a sub-committee to develop the FY2020-21 COC/2021 TAM Annual Report.

The meeting was adjourned at 7:18 p.m.

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