



DATE: March 21, 2022

TO: Transportation Authority of Marin Citizens' Oversight Committee

FROM: Anne Richman, Executive Director
David Chan, Director of Programming and Legislation
Scott McDonald, Senior Transportation Planner

SUBJECT: Measure B Expenditure Plan Review Timeline and Process (Discussion), Agenda Item No. 5

RECOMMENDATION

Discussion Only. Staff will present an overview of the proposed Measure B Expenditure Plan Review timeline and process.

BACKGROUND

Senate Bill (SB) 83 (Hancock), signed into law in 2009, authorizes a countywide transportation planning agency to propose an annual vehicle registration fee (VRF) of up to \$10 on motor vehicles registered within the County. TAM conducted a survey of Marin voters to determine the feasibility of a vehicle registration fee. Based on positive public response, the TAM Board authorized the development of a VRF Expenditure Plan. TAM presented the VRF Expenditure Plan to Marin voters in November 2010 as Measure B, which passed with a 63% approval rate.

Revenue collection of Measure B funds started on April 1, 2011. Measure B was approved with no sunset date, but with the provision that the Measure B Expenditure Plan will be reviewed at least every ten years. The Measure B Expenditure Plan was scheduled for review and adoption no later than April 1, 2021.

In November 2020, the TAM Board adopted Resolution No. 2020-16 to maintain a status quo with the Measure B Expenditure Plan for up to two years because of the COVID-19 pandemic. As part of the approval process, staff was directed to return to the TAM Board with recommendations for the review and to commence a public hearing no later than January 2023 with adoption of the amended plan in March 2023.

DISCUSSION

The Measure B Expenditure Plan lists projects and programs that are eligible for the VRF funds and establishes the maximum percentage of funds that can be allocated to each element. Measure B generates approximately \$2.3 million annually to be distributed to the following three Elements:

- Element 1 – Maintain Local Streets and Pathways (40%)
- Element 2 – Improve Transit for Seniors and Persons with Disabilities (35%)
- Element 3 – Reduce Congestion and Pollution (25%)

Approximately \$20 million in Measure B funds have been programmed to projects and programs under the three above mentioned Elements in the first 10-year period, as summarized in the attached Draft Marin County Transportation Measure B Fact Sheet.

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 the TAM Board to review the spending priorities in the Expenditure Plan at least 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-day notice and opportunity to comment on any proposed Expenditure Plan amendment prior to its adoption. Any amendments are to be heard at a noticed public hearing prior to TAM Board consideration and must be approved by a two-thirds vote of the TAM Board.

April 1, 2021 marked the 10-Year Anniversary of when TAM started collecting Measure B funds. If revisions are introduced at the January 2023 TAM Board meeting, March 2023 would be the latest meeting for the TAM Board to approve a revised Expenditure Plan in advance of the 10-Year Anniversary (along with the two-year extension authorized by the TAM Board in November 2020).

The COVID-19 pandemic has presented new conditions and limitations on public engagement and participation. Staff has considered recent changes with regards to COVID-19 in proposing modified public engagement process that will use a potential combination of remote and in-person outreach when feasible.

Overview of Measure B Expenditure Plan Review Process and Timeline

Staff is proposing a process and schedule outlined in the below table.

Proposed Measure B Expenditure Plan Review Timeline	
Activity	Target Date
FPL Committee and TAM Board Presentations	March 2022
Citizens’ Oversight Committee (COC) Meetings/Workshop	April-December 2022
Meetings with various groups (MPWA, Marin Managers, etc.)	Summer-Fall 2022
FPL Committee and Board Presentations	November 2022
Open 45-day comment period/hearing for any changes proposed	January 2023
Adopt Measure B Expenditure Plan	March 2023
Post Measure B Expenditure Plan Online and Distribute to Partners	March/April 2023

As shared with Citizens’ Oversight Committee (COC) via email on March 8, 2022, staff will propose to the TAM Board to entrust the COC with a significant role in the Measure B review. This would likely include reviewing all current needs, considering new funding requests and potential changes, and eventually presenting a recommendation to the TAM Board in late 2022. Since the COC is responsible for reviewing all Measure B revenues and expenditures, it is ideally suited to review proposed changes to the Measure B Expenditure Plan.

Furthermore, the COC holds public meetings in compliance with the Brown Act. The public will have opportunities to participate and comment on discussions. Therefore, COC meetings will serve as the primary vehicle for soliciting input, where stakeholders, including current recipients of Measure B funds will be invited to present on various needs, and interested organizations will have opportunities to discuss spending priorities.

In addition to the COC, staff will use existing TAM Executive Committees and Ad-Hoc Committees, such as the Commute Alternatives & Reduction of Trips (CART), Alt Fuel & Electric Vehicle (AFEV), and Safe Routes to Schools (SRTS) Ad Hoc as needed for feedback on specific issues related to elements of the Measure B Expenditure Plan.

This process may require consultant support, for which TAM staff is considering various procurement options. Consultant support would assist staff on items including but not limited to public notifications, meeting facilitation, documenting public input, and management of the overall schedule.

Nexus and Regional Transportation Plan Requirements

SB 83 notes that VRF funds “may only be used to pay for programs and projects that bear a relationship or benefit to the owners of motor vehicles paying the fee and are consistent with a regional transportation plan.” Any new projects and programs proposed in the 10-year review that are not currently in the Measure B Expenditure Plan will be examined for a nexus to the payer and consistency with the Regional Transportation Plan as a part of the review process. Proposed new projects and programs are prohibited from VRF funding if they do not comply with these requirements.

FISCAL IMPACTS

There are no direct fiscal impacts from conducting the Measure B Expenditure Plan review process unless consultant support is needed. If a consultant is retained to assist in the review process, staff will follow adopted procurement procedures and seek TAM Board approval if needed. Based on the above timeline, amendments to the Expenditure Plan that affect funding, if any, would be expected to go into effect in FY2023-24.

NEXT STEPS

After review of the COC, staff will present the item to the TAM Board for further discussion and input on the 10-Year Measure B Expenditure Plan Review process and timeline.

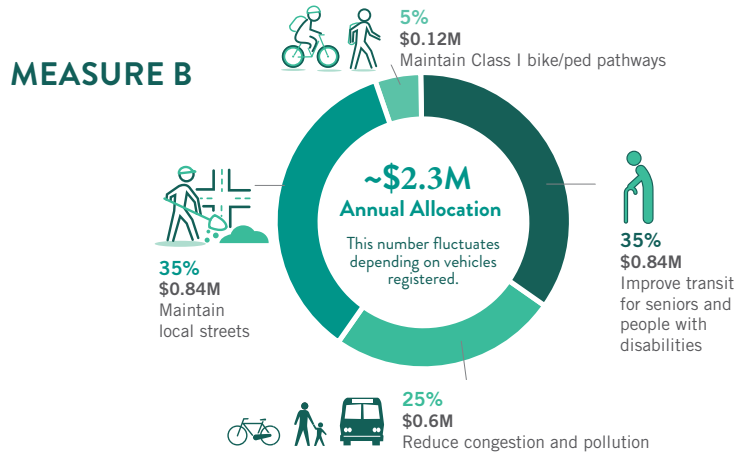
ATTACHMENTS

Attachment A – Draft Marin County Transportation Measure B Fact Sheet
Attachment B – PowerPoint Presentation

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MARIN COUNTY TRANSPORTATION MEASURE B FACT SHEET

The Marin County Vehicle Registration Fee (VRF) Program was approved by the voters as Measure B in November 2010, with 63 percent of the vote. The fee generates approximately \$2.3 million per year through a \$10 per year vehicle registration fee. The revenue supports specific transportation projects and programs identified as priorities in the voter approved Measure B Expenditure Plan. Measure B was approved at a time when formerly reliable state and federal sources of transportation funding were insufficient and Marin residents expressed a strong desire to reduce traffic congestion and vehicle-related pollution.



MEASURE B SUPPORTS THE FOLLOWING CATEGORIES:



Element 1: 40% - Maintain Local Streets & Pathways

These funds are used to maintain and improve Marin County's local streets for all users including motorists, pedestrians, bicyclists, people with disabilities and transit users. Thirty-five percent of these funds are allocated directly, by formula, to local Marin County cities, towns, and the County of Marin for use in maintaining local streets and sidewalks (1.1), and five percent is designated for Class I, separated multi-use pathway maintenance (1.2).

Marin County's local jurisdictions have delivered more than thirty-five notable local streets projects with the support of more than \$7 million since the passage of Measure B. These projects have improved road surfaces, crosswalks, safety signals and signage, as well as access to transportation for people with disabilities, bicyclists, and pedestrians.

This fund supports routine maintenance for Seven Class 1 (multi-use pathways) constructed after January 2008.



Element 2: 35% - Improve Transit for Seniors and People with Disabilities

These funds are coordinated by Marin Transit as part of their Marin Access program and are used to improve travel options for seniors and people with disabilities, including transit and taxi support services.

Marin Transit receives and prioritizes funds working with their Mobility Management Consortium of service providers and stakeholders. Since its inception Measure B provided nearly \$7 million for Marin Transit's Mobility Management Program benefiting mobility options for seniors and persons with disabilities. Measure B funding has supported over 100,000 ADA Paratransit Service trips, 70,000 Paratransit Low Income Scholarship trips, 100,000 Paratransit Plus trips, and 115,000 trips through innovative volunteer driver programs.

Element 3: 25% - Reduce Congestion and Pollution

These funds go towards programs to reduce congestion and air pollution including, Crossing Guards (3.1), Commute Alternatives for employers and employees (3.2), and Alternative Fuel Vehicles and Infrastructure including public agency fleet Electric Vehicles and public EV charging stations (3.3).

Measure B funding has supported the expansion of the School Crossing Guard Program and Street Smarts Program. With the passage of Measure B, the program grew from 64 to 76 crossing guard sites in 2011 and the funding has helped sustain the growth of the program along with other funds to ~ 98 crossing guards.





TAM administers a Commute Alternatives Program, known as Marin Commutes. Marin Commutes provides ongoing engagement with the public, employers, and their employees to promote alternatives to driving alone. The program provides tools and resources to support transit, biking, walking and remote work, and encourages trip reduction through the trip logging and carpool matching software, Ride Amigos. The program also provides vanpool incentives and an Emergency Ride Home program.



The Measure B Alternative Fuel Infrastructure and Promotion Program, supports education and outreach to promote adoption of electric vehicles (EVs) and e-bikes, and provides rebates for electric vehicle charging station equipment and fleet vehicle conversion for public agencies in Marin. TAM has helped fund the installation of over 300 EV chargers with more than 60 charger rebates in progress, and over 30 EV fleet conversions.

MEASURE B EXPENDITURE PLAN UPDATE PROCESS

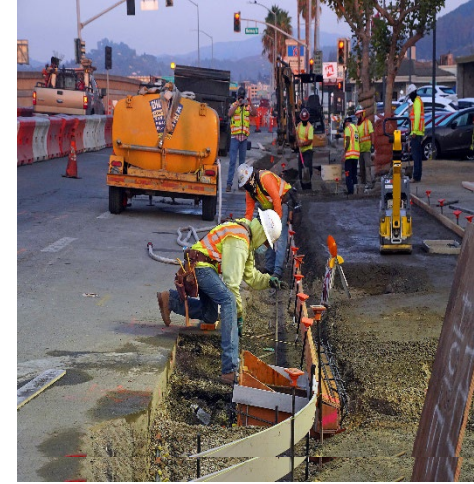
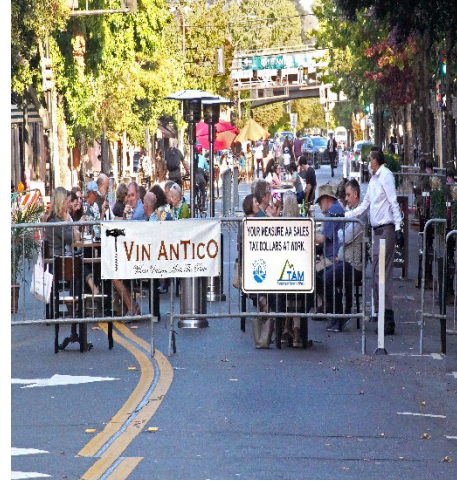
The voter-approved Measure B Expenditure Plan includes a provision to review the plan at least every ten years, with any amendments to the plan to be approved by a two-thirds vote of the TAM Board. All jurisdictions within the County, along with the public, will be given a minimum of forty-five (45) days' notice and opportunity to comment on any proposed Plan amendment prior to its adoption. Any amendments are to be heard at a noticed public hearing prior to TAM Board consideration.

April 1, 2021 marked the 10-Year Anniversary of when TAM started collecting Measure B funds. Because of the COVID 19 pandemic, the TAM Board in November 2020 authorized a status quo with the Measure B Expenditure Plan for up to two years starting on April 1, 2021 and directed staff to return to the TAM Board with further recommendations to commence a public hearing for a more substantive review no later than January 2023 and adoption in March 2023. To meet that timeline, TAM staff is proposing a review process that will occur approximately between March and December 2022.

ACTION	DATE
Measure B voter approval	November 2010
Measure B revenue begins	April 2011
TAM Board approval to postpone Measure B review/update due to COVID-19	November 2020
Measure B 10-Year Anniversary	April 2021
Measure B review/update process to TAM Board	March 2022
Adoption of Measure B Update no later than	March 2023

MEASURE B EXPENDITURES IN THE FIRST TEN YEARS		
1.1 – Local Streets	\$7,163,742	
1.2 – Pathway Maintenance	\$764,411	
	Element 1 Subtotal	\$7,928,153
2 – Senior/Disabled Transit	\$7,518,968	
	Element 2 Subtotal	\$7,518,968
3.1 – Crossing Guards	\$1,901,353	
3.1 – Street Smart Program	\$208,004	
3.2 – Commute Alternatives	\$1,751,013	
3.3 – Alternative Fuel Promotion	\$1,005,187	
	Element 3 Subtotal	\$4,865,556
	TOTAL	\$20,312,677

ELEMENT 1.1 FUNDS ALLOCATED IN FIRST TEN YEARS	Belvedere		San Anselmo	
		\$70,528		\$317,209
		\$249,662		\$1,403,406
		\$198,909		\$195,023
		\$282,875		\$247,067
		\$406,089		\$2,421,188
		\$73,251	TOTAL	\$7,163,743



Item 5 - Attachment B

Measure B Expenditure Plan Review

Transportation Authority of Marin

Citizens' Oversight Committee

March 21, 2022

Background

- Senate Bill (SB) 83 of 2009 authorizes a countywide transportation planning agency to propose an annual vehicle registration fee (VRF) of up to \$10 on motor vehicles registered within the County
- TAM conducted a survey of Marin voters to determine the feasibility of a vehicle registration fee for transportation improvements
- Based on positive public response, the TAM Board authorized staff to develop a draft Expenditure Plan and the formation of an Expenditure Plan Advisory Committee (EPAC) to help TAM in evaluating potential programs and projects for adoption



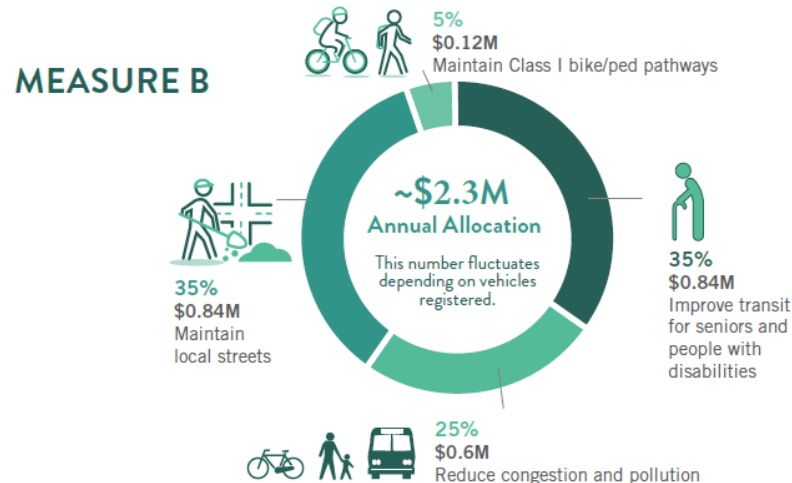
Background (cont.)

- The adopted Expenditure Plan was introduced to Marin voters in November 2010 as Measure B
- Measure B was approved by 63% of the Marin voters to increase \$10 on motor vehicles registered within the County to fund transportation improvements
- Measure B funds started revenue collection on April 1, 2011



Measure B Expenditure Plan

- Measure B generates approximately \$2.3 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
- Revenue is fairly stable, slight decreases in last two years
- Approximately \$20 million in Measure B funds has been programmed to projects and programs in first 10 years



10-Year Review of Expenditure Plan

- The Measure B Expenditure Plan includes a policy that directs TAM Board to review the spending priorities in the Expenditure Plan every 10 years and amend as necessary
- The Expenditure Plan further requires a minimum 45-day notice and opportunity in a public hearing to comment on any proposed Expenditure Plan amendment prior to its adoption
- Amendments to the Expenditure Plan must be approved by a two-thirds vote of the TAM Board



Rescheduled Review of Expenditure Plan

- The Measure B Expenditure Plan was scheduled for review and adoption no later than April 1, 2021
- In November 2020, the TAM Board adopted Resolution No. 2020-16 to maintain a status quo with the Measure B Expenditure Plan for up to two years because of the COVID 19 pandemic
- The TAM Board directed staff to return to the TAM Board with further recommendations for the rescheduled review and to commence a public hearing no later than January 2023 and adoption in March 2023

Measure B Expenditure Plan Review Process/Timeline

Proposed Measure B Expenditure Plan Review Timeline

Activity	Target Date
FPL Committee and TAM Board Presentations	March 2022
Citizens' Oversight Committee (COC) Meetings/Workshop	April-December 2022
Meetings with various groups (MPWA, Marin Managers, etc.)	Summer-Fall 2022
FPL Committee and Board Presentations	November 2022
Open 45-day comment period/hearing for any changes proposed	January 2023
Adopt Measure B Expenditure Plan	March 2023
Post Measure B Expenditure Plan Online and Distribute to Partners	March/April 2023

Overview of Measure B Expenditure Plan Review

- The review process would focus on public meetings through TAM's Citizens' Oversight Committee (COC)
- The COC has been entrusted by Measure B to provide oversight for the vehicle registration fee
- Since the COC is responsible for reviewing all Measure B revenues and expenditures, the COC is ideally suited to review proposed changes to the Measure B Expenditure Plan
- The COC holds public meetings in compliance with the Brown Act
- Agency partners such as local jurisdictions and transit districts, along with other stakeholders and the public will be provided opportunities to express their input in public meetings



Overview of Measure B Expenditure Plan Review (cont.)

- Staff may retain consultant support for meeting facilitation & outreach
- Existing Ad-Hoc Committees, such as the Commute Alternatives & Reduction of Trips (CART), Alt Fuel & Electric Vehicle (AFEV), and Safe Routes to Schools (SRTS) Ad Hoc, will also be used for feedback on specific issues
- The FP&L Executive Committee will consider proposals and make final recommendations for TAM Board consideration



Nexus and RTP Consistency Requirements

- SB 83 requires that VRF funds “may only be used to pay for programs and projects that bear a relationship or benefit to the owners of motor vehicles paying the fee and are consistent with a regional transportation plan.”
- Any new projects and programs proposed in the 10-year review that are not currently in the Measure B Expenditure Plan will be:
 - Nexus – Examined for adequate nexus to the payer of the fee
 - Regional Transportation Plan Consistency – Determined for consistency with MTC’s currently adopted Regional Transportation Plan
- Proposed new projects and programs are prohibited from VRF funding if they do not comply with these requirements.

Next Steps

- Present this item to the TAM Board for further discussion and input on the 10-Year Measure B Expenditure Plan Review process and timeline

Questions and Feedback

Thank you!

