



MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
CITIZENS' OVERSIGHT COMMITTEE

May 16, 2022

5:00 p.m.

Virtual and In-Person Meeting

Zoom Link:

<https://us02web.zoom.us/j/81228121069?pwd=Zk1aOWtxdlJxbGFRd1pGb1dXTE5jZz09>

Webinar ID: 812 2812 1069

Passcode: 051622

MEETING MINUTES

Members Present: Peter Pelham, Major Marin Employers (Chairperson)
Kevin Hagerty, League of Women Voters (Vice-Chairperson)
Debbie Alley, Southern Marin Planning Area
Jeffrey Olson, Central Marin Planning Area
Charley Vogt, Northern Marin Planning Area
Scott Tye, West Marin Planning Area
Vince O'Brien, Bicycle & Pedestrian Groups
Paul Roye, Ross Valley Planning Area
Allan Bortel, Marin County Paratransit Coordinating Council
Zack Macdonald, School Districts
Kingston Cole, Taxpayer Groups

Alternates Present: Nancy Okada, Environmental Organizations

Consultant Present: Bonnie Nelson

Public Present: Susannah Saunders

Staff Members Present: Anne Richman, Executive Director
Li Zhang, Deputy Executive Director/Chief Financial Officer
Dan Cherrier, Principal Project Delivery Manager
David Chan, Director of Programming and Legislation
Grace Zhuang, Accounting and Administration Specialist
Jennifer Doucette, Executive Assistant/Clerk of the Board
Molly Graham, Public Outreach Coordinator
Scott McDonald, Senior Transportation Planner

Chairperson Peter Pelham called the Citizens' Oversight Committee (COC) meeting to order at 5:05 p.m.

1. Introductions and Welcome

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.

Executive Director (ED) Anne Richman administered the Oath of Office to Mr. Kingston Cole, who was the alternate but was appointed by the TAM Board in April as the member representing Taxpayer Groups.

Chairperson Pelham welcomed Ms. Susannah Saunders, who will be appointed as the alternate to Ross Valley Planning Area at the May 26 Board Meeting.

2. Open Time for Public Expression

No public expression was received.

3. Review and Approval of March 21, 2022 Meeting Minutes (Action)

Member Allan Bortel moved to approve the March 21, 2022 Meeting Minutes. Member Paul Roye seconded the motion, and the Minutes were approved with Vice-Chairperson Kevin Hagerty, Member Scott Tye and Alternate Nancy Okada abstaining.

4. Measure B Expenditure Plan Review (Discussion)

ED Richmond introduced the item and Consultant Bonnie Nelson presented the report. Ms. Nelson explained that she worked on the original Measure B Expenditure Plan for the \$10 Vehicle Registration Fee (VRF) and on both the Measures A and AA ½-Cent Transportation Sales Tax Expenditure Plans as well. Ms. Nelson provided an overview of the process and noted that if consensus is not achieved, a note will be made of minority and majority opinions that will be reported to the TAM Board. She stated that Measure B exists in perpetuity but that the Expenditure Plan must be reviewed by the TAM Board at least every 10 years. She discussed the importance of feedback from the COC Members and the public before making a recommendation to the Board.

Scott McDonald, Senior Transportation Planner, started the staff presentation. Mr. McDonald provided background information on Measure B, which raises approximately \$2.3 million annually, with the funds used for programs relating to local streets and roads and pathway projects, public transit, and reducing traffic congestion and pollution. Mr. McDonald stated that the Board's 10-year review of the Expenditure Plan was postponed for 2 years due to the COVID 19 Pandemic.

Mr. McDonald discussed the funding distribution for the Expenditure Plan: 35% for Local Streets and Roads (LS&R) and 5% for maintaining eligible bike and pedestrian pathways under Element 1; 35% for improved transit for seniors and people with disabilities under Element 2; and 25% under Element 3 for programs that reduce congestion and pollution including the Crossing Guard and Street Smart programs, Commute Alternatives for Employers and Employees, and Alternative Fuel Vehicles and Infrastructure (AFVI) including Electric Vehicles (EVs). He noted that Measure B provides approximately 5% of TAM's total revenue and has provided over \$20 million in the past ten years. Mr. McDonald confirmed that any amendment to the Expenditure Plan requires approval by a two-thirds majority of the Board and that the Board is required to conduct a public hearing following a 45-day notice period. He stated that the Board must adopt any amendments to the Expenditure Plan by April 1, 2023, and he provided a timeline for the review process.

Mr. McDonald stated that increases in state and local funding have not been significant, although he acknowledged that local jurisdictions receive approximately \$17 million annually in dedicated funding for LS&R through the Road Repair and Accountability Act of 2017 (Senate Bill (SB) 1). He discussed new grant opportunities for AFVI; reduced funding for LS&R under Metropolitan Transportation Commission's (MTC's) One Bay Area Grant funding cycles; and 22% of funding from Measure AA that is dedicated to LS&R. He noted that funding for the Crossing Guard Program was increased to 7.5% in Measure AA compared to the 4.2% in Measure A, and 0.5% of Measure AA is dedicated to Commute Alternatives.

In response to Vice-Chairperson Hagerty, Ms. Nelson confirmed the \$10 VRF does not increase for inflation. She also confirmed that the fee applies to all vehicles registered in Marin County and that the number of registered vehicles has fallen over the last couple of years.

In response to Alternate Okada, Ms. Nelson confirmed that electric bikes (e-bikes) are not subject to the VRF and confirmed the COC could recommend changes to the funding allocations in the Expenditure Plan to the TAM Board. Ms. Nelson added that representatives from local agencies, including Marin Transit, will be invited to a COC meeting to discuss the programs and the funds received from Measure B.

In response to Member Tye, Ms. Nelson stated that the VRF is set by the state and the agency is unable to modify the type of vehicle that is subject to the fee. She confirmed that funds can be used as leverage for state and federal funding.

In response to Member Roye, Member Vince O'Brien confirmed that classic cars must be registered and pay the VRF.

Ms. Nelson discussed the principles on which the original Expenditure Plan was based, including the need to meet the legislative requirements by ensuring there is a connection between the people who pay the fee and those who benefit from the fee. TAM also added two further requirements: 1) That the program must benefit significantly from a relatively small amount of funding, which can be used as leverage for state/federal funding or for projects that do not require significant funding, such as the Pathway Maintenance Program; 2) Projects with an ongoing need for funding that do not have other funding sources.

Ms. Nelson noted that discussions will include whether funding for existing categories should be maintained or changed; that consideration should be given for funding bicycle and pedestrian programs to encourage more biking and walking; the suggestion that the amount of funding be specified for each of the categories under Element 3; and she noted that LSR now receives funding from other sources that were not available when Measure B was passed. Ms. Nelson also discussed funding for senior mobility.

In response to Vice-Chairperson Hagerty, Ms. Nelson confirmed that a 10-year review by the TAM Board is stipulated in the Expenditure Plan and that an earlier review could be requested. Member Debbie Alley stated that she would support the inclusion of language in the Expenditure Plan that would allow the TAM Board to review it every 5 years. ED Richman stated that staff would provide a presentation on funding the Crossing Guard Program and added that it is administered separately from the Safe Routes to School Program.

ED Richman and Member Tye discussed Marin Clean Energy's (MCE's) Electric Vehicle Charging Station (EVCS) rebate program. ED Richman confirmed that TAM's rebate program has helped to fund over 370 EV charging stations and she confirmed that any changes to the Expenditure Plan would not become effective until FY2023-24.

Member Kingston Cole commented on the need for more charging stations and noted that a significant number are inoperable. Member Charley Vogt discussed the need to fund EVCSs and the installation of rapid chargers.

Ms. Saunders stated that the problems relating to non-working EVCSs relate to rapid chargers, and that Level 2 chargers, which are mostly the type that have been installed in Marin, are usually in working order. She also discussed her support for programs that encourage kids to bike to school.

Chairperson Pelham stated that he supported funding for EVCSs and he asked staff to include in the discussions for the next meeting the level of funding that would be required to support more EVCSs in the County and if that funding could be leveraged.

Alternate Okada requested more information on the varieties and maintenance cost of charging stations. She discussed a new designated school bike path outside her home in San Anselmo and her traffic safety concerns.

In response to Vice-Chairperson Hagerty, Ms. Nelson confirmed the elements, along with their percentages, in the Expenditure Plan were included in the ballot initiative. She added that other funding sources for EVCS will be provided at the next meeting.

Member Alley stated that there are 79,000 EVCSs in the state and the goal is to increase the number to 250,000 by 2025; there are 1 million EVs currently operating in the state with a target to increase the number to 5 million by 2030,

which she stated provides an indication of the need to increase EV infrastructure. Member Alley also suggested the program with the goal to “Reduce Congestion and Pollution” should be amended to reflect programs that align with the reduction of greenhouse gases (GHGs), which appears to be the standard nomenclature adopted by other cities and towns. She also suggested adding low-cost programs relating to safe routes, safe parking, wayfinding and signage that are consistent across the county and also programs that address educational incentives for e-bike and scooter riders.

Member O’Brien suggested expanding funding for bicycle and pedestrian facilities. He stated that EV funding from other sources should increase in the next five years and that the funds available from Measure B are insufficient to significantly increase EVCSs.

Member Tye stated EVCS installations at private residences vastly outnumber EVCS with public access. He discussed the inequality problem for renters in Marin who have no access to EVCS at their homes and need to use public EVCSs.

Member Bortel discussed the difficulty of defining EVCS access for Marin residents and stated that the agency’s EVCSs funding ability could be relatively insignificant in comparison to other funding sources. Member Bortel discussed the older demographic in Marin and suggested support for more innovative senior programs besides paratransit.

Member Cole suggested that EVs should have a separate funding category. Ms. Saunders stated that increased public EVCSs are necessary because private vehicle use has increased due to COVID conditions and the high cost discourages installation at rental properties; and she discussed the need for public outreach and education on EVs.

Ms. Nelson summarized the interest shown by the Committee Members relating to possible changes to the Expenditure Plan:

1. More funding for EV infrastructure
2. Create a separate element for Alternative Fuel Vehicles and Infrastructure including EVs and EVCS
3. Rename Element 3 Reduce Congestion & Pollution to Reduce Congestion & GHG Emissions
4. Bicycle & Pedestrian Infrastructure and Maintaining Pathways should have separate funding elements
5. Expenditure Plan should be reviewed every 5 years for appropriate changes in addition to the required 10-year review.

The Committee recessed for a 10-minute break and reconvened with all members present as indicated.

5. TAM Staff Report (Information)

ED Richman presented the staff report. ED Richman confirmed that TAM has received state and regional funding to complete the Marin Sonoma Narrows (MSN) project and that Caltrans has awarded the contract to Ghilotti Construction. ED Richman also confirmed that part of the multi-use path over Corte Madera Creek has been opened for public use and that completion is expected by the middle of June 2022. She confirmed that COC members will be notified of the ground-breaking ceremony for the MSN project and the ribbon-cutting ceremony for the opening of the multi-use path.

ED Richman reported that the Safe Routes to School team held numerous activities at participating schools on May 4 as part of Bike Month, and that TAM staff will be participating at an energizer station near the Larkspur Ferry Terminal on Friday, May 20 for Bike to Work Day.

ED Richman stated that TAM is launching a pilot carpool program with Sonoma County Transportation Authority (SCTA), Napa Valley Transportation Authority (NVTA), and Solano Transportation Authority (STA) for State Route (SR) 37 commuters, who can register online through RideAmigos and receive a gift card. The program has been funded by a grant from the Bay Area Air Quality Management District (BAAQMD). ED Richman noted that it would be the first carpool program in operation along the SR 37 corridor.

ED Richman provided an update on the response from public agencies who were asked to provide letters of interest for the EV rebate program under Measure B. She reported that approximately 50 concepts were submitted from 20 agencies, including school districts, public safety departments, sanitary and water districts.

ED Richman announced that in the interest of saving time, staff would answer any questions the members might have on information provided in the packet on the remainder of her report items.

Member Vogt thanked ED Richman and TAM staff for participating in the Rotary Day of Service on April 9. He stated that 20 EVs and their owners also participated in the event.

In response to Alternate Okada, Public Outreach Coordinator Molly Graham discussed public outreach for the SR 37 Carpool Program. She stated that Marin's largest employers and users of the Marin Commutes Program were notified and that the program will be advertised on Radio Alice (KLLC).

6. Review the Proposed TAM FY2022-23 Annual Budget (Discussion).

Deputy Executive Director (DED)/Chief Financial Officer (CFO) Li Zhang presented the staff report which asked the COC to review the Proposed TAM FY2022-23 Annual Budget and provide input. Any input from the COC will be incorporated into the final draft that will be presented to the TAM Board for adoption at its June 23 meeting.

Ms. Zhang discussed the development schedule for the FY2022-23 Budget. She stated that the COC and TAM Board reviewed revenue estimates and the proposed budget schedule for Measure A/AA Sales Tax and the Measure B VRF in March and that the Draft Budget has been reviewed by the Administration, Projects & Planning (AP&P) Executive Committee at the May 9 meeting. Ms. Zhang confirmed that the Draft Budget will also be reviewed by the Marin Manager's Association (MMA), in addition to the COC, and will be released for public comment at the May 26 TAM Board meeting, and conditionally adopted at the June 23 TAM Board meeting pending closure of the 30-day public comment period.

Ms. Zhang discussed future economic uncertainty and she noted that Regional Measure (RM) 3 funds remain inaccessible due to litigation. Ms. Zhang reported that sales tax revenue is expected to increase by more than 10% for the current fiscal year and the VRF revenue is expected to decrease. She noted that the 580/101 Direct Connector Project will need the RM3 funds and that the MSN project has an alternative funding plan. Ms. Zhang also reported that a base fee level of \$550,000 has been set for the City/County Fee in FY2022-23, which will be adjusted annually in accordance with the Consumer Price Index (CPI).

Ms. Zhang discussed the proposed staffing and benefit changes, including an increase in the employer's contribution to employees' health premium. She noted that many jurisdictions pay 100% of the Kaiser Family Premium and staff is recommending that TAM contributes 100% of the premium for single employee, 95% for employee plus one and 90% for employee plus family. The proposed change is estimated to have an annual financial impact of \$20,000. Ms. Zhang also discussed the proposed new Associate Transportation Planner position who will help the planning team manage some of the new programs approved under the Measure AA Expenditure Plan, and the reclassification of the Senior Transportation Planner position to a Principal Transportation Planner position to better reflect Mr. McDonald's professional knowledge and experience. Ms. Zhang also noted the recommended reclassification of the Accounting and Administrative Specialist position to an Accounting and Payroll Specialist position to reflect the extra payroll function Ms. Zhuang assumed following the departure of the previous Senior Accountant. The new Senior Accountant, Emily Tong, will take on more funding and grant work. Ms. Zhang stated that an interview process has taken place and Dan Cherrier is recommended to be promoted to the new Director of Project Delivery position, which the Board has approved as part of the current year budget process.

Ms. Zhang discussed funding opportunities for the upcoming year and the aim to leverage sales tax and VRF funding to attract state and federal funding sources. She discussed projected revenues and expenditures and noted that the total revenue collected is less than the total expenditure proposed because fund balance accumulated in prior years is being spent on project/program delivery planned in FY2022-23. Ms. Zhang stated that the projected fund balance at

the end of the year is \$36 million. She noted that the Measure A/AA revenue is over 80% of the agency's FY2022-23 total revenue and Measure B VRF is about 6%.

Ms. Zhang discussed the proposed FY2022-23 Annual Budget by expenditure category; Administration, Professional Service, Measure A/AA Projects/Programs, Measure B VRF Programs; Interagency Agreements, and the Transportation for Clean Air (TFCA) Category.

ED Richman discussed the Work Plans by each of the function areas: Administration & Finance, Public Information & Outreach, Planning and Program Management, Programming & Legislation, and Project Management and Delivery, in addition to general coordination activities.

Ms. Zhang confirmed that conditional adoption of the budget should take place at the TAM Board's June 23 meeting and that comments received by the COC members will be incorporated into the final draft that will be presented to the Board on June 23.

Chairperson Pelham congratulated staff on an excellent presentation.

Member Tye discussed his concerns about sea-level rise and the possible use of out-of-date information from BayWAVE.

In response to Member Cole, ED Richman stated that the COC are regularly updated on any changes to the projects and programs.

8. Committee Member Hot Items Report (Discussion)

Member Bortel announced that staff from TAM and Marin Transit will be participating in a transportation discussion item at the June 2 meeting of the Marin County Commission on Aging.

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

The next meeting was scheduled for Monday, June 20, 2022.

The meeting was adjourned at 7:05 p.m.