



MEETING OF THE  
TRANSPORTATION AUTHORITY OF MARIN  
CITIZENS' OVERSIGHT COMMITTEE

APRIL 17, 2023  
5:00 PM

**MEETING MINUTES**

Members Present: Peter Pelham, Major Marin Employers (Chairperson)  
Jeffrey Olson, Central Marin Planning Area  
Charley Vogt, Northern Marin Planning Area  
Debbie Alley, Southern Marin Planning Area  
Paul Roye, Ross Valley Planning Area  
Kate Powers, Environmental Organizations  
Allan Bortel, Marin County Paratransit Coordinating Council

Alternates Present: Susannah Saunders, Ross Valley Planning Area  
Kay Noguchi, League of Women Voters  
Nancy Okada, Environmental Organizations

Members/Alternate Present as Public: Zack Macdonald, Jim Schmidt

Marin Transit Staff Attending Remotely: Joanna Huitt, Senior Mobility Planner

Staff Members Present: Anne Richman, Executive Director  
Li Zhang, Deputy Executive Director/Chief Financial Officer  
Dan Cherrier, Director of Project Delivery  
David Chan, Director of Programming & Legislation  
Derek McGill, Director of Planning  
Emily Tong, Senior Accountant  
Grace Zhuang, Accounting and Payroll Specialist  
Jennifer Doucette, Executive Assistant/Clerk of the Board  
Molly Graham, Public Outreach Coordinator

Chairperson Peter Pelham called the Citizens' Oversight Committee (COC) meeting to order at 5:04 p.m.

**1. Introductions and Welcome**

Chairperson Pelham asked Grace Zhuang, Accounting and Payroll 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.

Chairperson Pelham announced that Member Jeffrey Olson was attending the meeting remotely for reasons of Just Cause that are allowed under Assembly Bill (AB) 2449.

**2. Open Time for Public Expression**

No public expression was received.

**3. Review and Approval of March 20, 2023 Meeting Minutes (Action)**

Member Kate Powers moved to approve the March 20, 2023 Meeting Minutes. Member Charley Vogt seconded the motion, and the Minutes were approved with Members Debbie Alley and Jeffrey Olson abstaining.

#### 4. TAM Staff Report (Information)

Executive Director (ED) Anne Richman reported that the Marin County Flood Control District (MCFCD) is inviting the community to provide input and participate in the Marin City Stormwater Plan. A public meeting has been scheduled for June 1, 2023 and a local task force has been created. Over the 18-month process, the task force will conduct more public meetings. ED Richman stated that further information is available on the MCFCD website.

ED Richman reported that Marin County Department of Public Works has started the installation of replacement street lighting along Sir Francis Drake Boulevard (Blvd.) between Manor Road, Kentfield, and Eliseo Drive, Greenbrae, to reduce light dispersal on adjacent properties. The construction is expected to take about three weeks. ED Richman stated that the lighting fixtures were part of the Sir Francis Drake Blvd (SFDB) Rehabilitation Project, for which TAM contributed \$12.4 million in funding, including \$11.9 million from Measure AA/A Major Road funds, \$400,000 from Measure AA Safe Pathways, and approximately \$100,000 in TDA (Transportation Development Act) Article 3 funds. In response to Chairperson Pelham, ED Richman confirmed that TAM funds were not used for the replacement of the street lighting.

Member Paul Roye and ED Richman discussed the public outreach process for the SFDB Rehabilitation Project. ED Richman noted that it may have been difficult for residents to comprehend the impact of lighting from the plans, and that the intention is to either sell the original lights or use them for another project in the county.

Member Powers noted that the City of San Rafael changed the streetlights where she lives to energy-efficient bulbs, which emit brighter light.

Alternate Nancy Okada discussed her safety concerns relating to the design of the east bound lanes that approach the freeway from SFDB. data.

In response to Member Powers, ED Richman stated that the SFDB Rehabilitation Project was completed apart from the lights and landscaping, which were delayed due to water restrictions.

ED Richman provided an update on the Street Smarts banners, which were installed again last week for a Spring campaign and will remain in place until May. Yard signs are also available to those who are interested.

In response to Member Vogt, Director of Project Delivery Dan Cherrier stated that the yard signs could be placed on any property allowed by the local ordinances. ED Richman and Member Alley discussed the banners and ED Richman confirmed the Street Smarts banners will be erected in every jurisdiction, including unincorporated areas of the County.

ED Richman reported on a public meeting in Vallejo on Monday, April 24 to provide information on a potential tolling facility from Sears Point to Mare Island. The purpose of the proposal is to manage traffic and raise revenue for the State Route (SR) 37 corridor improvements. ED Richman added that the Metropolitan Transportation Commission (MTC) would need approval by the State for the tolling facility and that the anticipated construction timeline would be between 2025 and 2027.

In response to Member Vogt, ED Richman confirmed that Bay Area Toll Authority (BATA) would manage the revenues for the new facility, and that FasTrak, the electronic toll payment system that is also managed by BATA, would be used to pay the toll from Sears Point to Mare Island.

In response to Member Powers, ED Richman stated that the California Transportation Commission (CTC) and MTC have publicized the meeting and details will be added to the TAM website.

ED Richman reported that Pacific Gas & Electric (PG&E) is offering rebates for the lease or purchase of used electric vehicles (EV). She noted that a link has been provided on the PG&E website where more information can be obtained.

Member Vogt discussed the tax credits he has received for purchasing an EV. He added that PG&E had indicated last summer that rebates would be made available for property owners who installed EV charging stations. Alternate Susannah Saunders also noted that federal tax rebates were available for the installation of EV charging stations.

ED Richman concluded her presentation with an update on the upcoming community events, including a Vanpool Webinar for employers, Earth Day Marin in Mill Valley, Rotary Day of Service, and Bike to Work Day on May 18, which TAM will provide an energizer booth at the Central Marin Ferry Connector path.

Alternate Saunders noted that there will be an exhibition of EVs at Earth Day Marin.

## **5. Review of the Recommended Crossing Guard Location Selection (Discussion)**

Mr. Cherrier presented the staff report, which asks the members to review the recommended crossing guard location selection, which was reviewed and recommended by the Marin Public Works Association (MPWA). Mr. Cherrier confirmed the 2023 Evaluation & Revised Location List is the fifth crossing guard location list released by TAM. Previous lists were released in 2006, 2010, 2014, 2018, and the 2023 list was postponed, which allowed extra time for traffic patterns to normalize after the Pandemic.

Mr. Cherrier provided background information on the selection process. He stated that MPWA recommends a list of sites to the TAM Board for approval, and that the current list was reviewed by the Funding, Programs & Legislation (FP&L) Executive Committee at the April 10 meeting. The TAM Board will review the list for approval at the April 27 meeting.

Mr. Cherrier stated that the Crossing Guard Program is funded mainly by the sales tax. He noted that the number of crossing guards funded by TAM was increased to 96 per year in 2018 with the passage of Measure AA, which dedicated a higher funding share to the program. Mr. Cherrier confirmed that there are sufficient funds to maintain 96 crossing guards and that about 2 guards are added each year under the changed condition request process. Mr. Cherrier confirmed there are currently 103 crossing guards funded by TAM and an additional 2 guards funded by school districts.

Mr. Cherrier discussed the need to adhere to the scoring system, which is based on standards in the California Manual of Uniform Traffic Control Devices (CMUTCD), for liability purposes. Two main components of the scoring system are vehicle volume and the number of school age pedestrians between the ages of 4 and 13 who use the crosswalk. He added that crosswalks are also evaluated over several days, in the mornings and afternoons, using criteria that includes pedestrian-vehicular accident history. Mr. Cherrier noted that the TAM Board removed the criteria for speed limits in April 2022 because the limit in all school zones is 25 miles per hour (mph); that an "Others Category" has been added relating to conditions such as ingress/egress, and the school age has been lowered to 4 years old from 5 years old. He confirmed that crosswalks are scored individually, and that there might be a single crossing guard in a location with multiple crosswalks.

Mr. Cherrier discussed capital improvements at intersections, reduction in school enrollment and installation of signage prohibiting a right hand turn on a red light, which are all factors that could contribute to a location receiving a lower score.

Mr. Cherrier discussed the funding level, which staff recommends keeping at the base of 96 but funding 97 locations due to a tied scoring condition. He added that there is sufficient revenue to fund 97 based on the current cost and revenue assumption.

Mr. Cherrier stated that he and Molly Graham, TAM's Public Outreach Coordinator, have been in contact with the jurisdictions that will be affected by the proposed reduction in guards; that they will attend upcoming Safe Routes Task Force meetings, and that there is an additional recommendation to the TAM Board for the next recertification cycle to take place in the 2026/2027 school year.

Mr. Cherrier discussed the scoring details for the list of crossing guard sites. He noted that public works directors have the discretion to move a guard from one location to another in their jurisdictions because the guards are recognized as traffic-controlling devices.

Chairperson Pelham and Mr. Cherrier discussed staffing issues following the Pandemic. Mr. Cherrier stated that while all guard positions are filled, there is an insufficient number of alternate guards who can provide backup when a guard is unable to work and that supervisors provide coverage when necessary.

Member Powers and Mr. Cherrier discussed staffing costs, intersection improvements and the option for school districts to fund crossing guards. Mr. Cherrier stated that the contract with the vendor stipulates the guards must be paid the living wage for Marin County for a two-hour shift, although the guards are required to work for one hour; that management costs include staffing costs, insurance, training and equipment purchase. Mr. Cherrier added that an RFP (Request for Proposal) has been issued but that there are only a few companies that are qualified to bid and that only 2 proposals were received in the past RFP cycle.

In response to Alternate Noguchi, Mr. Cherrier clarified the "Changed Condition" process approved by the TAM Board in 2011, which enabled the consideration of adding guards between cycles; in the current cycle 7 additional crossing guards were added beyond the 96 base line level. He stated that if there is a request to evaluate a site and the weighted score is more than 51, the cutoff for the last evaluation cycle, a guard is placed at the site. He noted that 90 sites were submitted for evaluation at the start of the program in 2006 and 161 locations were evaluated for the current cycle.

Member Alley and Mr. Cherrier discussed feedback relating to the impending removal of guards at some of the sites. Ms. Graham confirmed that staff would be meeting with the school districts and the schools which will be affected by the changes. She also confirmed social media will be used to help with outreach.

ED Richman noted that some locations will be provided with a crossing guard where a guard was not previously assigned, based on the scoring.

In response to Member Vogt, Mr. Cherrier confirmed the crossing guards are assigned to crossings near schools for students aged 4 to 13. They discussed how COC members, and the public could comment on the recommendation and Mr. Cherrier reiterated the importance of adhering to the selection process to reduce liability risk.

Member Jeff Olson stated that the cost of the program, without the crossing guards' wages, seemed considerable. In response, Deputy Executive Director/Chief Financial Officer Li Zhang stated that staff will evaluate the new proposals and there is a potential for savings on the number of hours paid to the crossing guards.

Ms. Zhuang advised Chairperson Pelham that no members of the public indicated they wished to speak. *The Committee recessed for a dinner break and reconvened with all members present as indicated.*

## **6. Proposed Measure B Performance Metrics (Discussion)**

Director of Programming & Legislation David Chan presented the staff report which asks the COC to review the proposed Measure B project and program performance metrics and provide comments and input.

Mr. Chan stated that the TAM Board adopted the Amended Measure B Expenditure Plan and directed staff to prepare a Strategic Plan (SP). He stated that the purpose of the SP is to prioritize projects and programs and the amount of funding they receive, and reconcile the timing of expected revenues with the delivery of projects. The SP includes implementation guidelines that recipients must comply with, including performance metrics and reporting, which were requested by the COC during the Expenditure Plan review process. Mr. Chan confirmed the TAM Board should review the draft SP at the June 22 meeting; open a 30-day public comment period; and adopt the SP at the July 27 meeting following a public hearing.

Mr. Chan explained that each element of the SP will include a specific performance metric to gauge how well it meets the goals of Measure B. He discussed the 6 elements: Element 1.1 - Enhance Bicycle, Pedestrian, and Safety Improvements on Local Network; Element 1.2 – Maintain Class I Bicycle/Pedestrian Pathways; Element 2 – Improve Transit for Seniors and Persons with Disabilities; Element 3.1 – Maintain Crossing Guards and Street Smart Related Programs; Element 3.2 – Enhance/Expand Commute Alternative Programs; Element 3.3 – Support Alternative Fuels Infrastructure and Promotion. Mr. Chan stated that the purpose of the proposed metrics is to measure the effectiveness of the programs and consult the funding recipients and COC to gauge how well the performance measures are working.

Mr. Chan explained that information will be collected on an annual basis with the exception of Element 1.1, when the performance metric information will be collected on completion of a project, and Element 3.1, when reporting is proposed to occur every 4 years to coincide with the crossing guard location evaluation. Mr. Chan briefly discussed the metrics for Element 1.1, which the sponsor will need to provide, including the linear feet of sidewalk added; the linear feet of multi-use pathways and bikeways added, and the number of programs that have been implemented. Mr. Chan confirmed staff will present a report to the COC and TAM Board on the improvements that were made using Measure B funds.

In response to Member Powers, Mr. Chan stated that sponsors will need to provide a report that quantifies the improvements made when submitting the last invoice for reimbursement.

Mr. Chan discussed Element 1.2 relating to maintaining Class 1 bike paths. Sponsors will be asked to describe how a pathway is maintained and the frequency of maintenance, including pothole repairs and trash removal, which will be provided on an annual basis.

In response to Member Alley, Mr. Chan stated that the sponsor will be asked to confirm the frequency of path maintenance.

In response to Member Powers, Mr. Chan stated that 4 Class 1 bike pathways in the City of San Rafael, City of Novato and the County receive funding.

Mr. Chan discussed the metric data that Marin Transit (MT) will be asked to provide on an annual basis on submission of the final reimbursement request. He confirmed that MT staff participated in the development of the performance metrics recommended.

In response to Member Bortel, Mr. Chan confirmed that MT is the sole recipient of funds from Element 2, which is confirmed in the EP.

In response to Alternate Okada, Senior Mobility Planner Joanna Huitt at MT stated that some of the Marin Access programs require users to be 65 years or older and a resident of Marin in order to be eligible. An eligibility process would determine if they qualified for a low income-based program that offers reduced fares.

Mr. Chan discussed the Crossing Guard Program under Element 3.1, and he stated that the results of an upcoming survey will constitute the performance measures. He added that the survey will determine

1) The level of awareness of the Measure AA/Measure B Crossing Guard Program; 2) Whether or not the presence of a crossing guard influences the travel choices of the student or parents; and 3) Whether or not the communities served by the Crossing Guard Program consider the expenditure of these funds a good investment.

Mr. Chan discussed the data that will be collected for the 4 performance measures for Element 3.2, Enhance/Expand Commute Alternative Programs: 1) Awareness of Commute Alternatives; 2) Participation in Commute Alternatives; 3) Impact of Commute Alternatives; and 4) Funding and Partnerships. The data will include registered users and website traffic.

In response to Member Powers, Mr. Chan confirmed that TAM staff will collect the data for Element 3.2 with consultant support.

In response to Alternate Jim Schmidt, Director of Planning Derek McGill stated that TAM has developed the Marin Commutes program with MTC (Metropolitan Transportation Commission) that focuses on performance measures, which encourage awareness, use of alternative transportation modes, and measures the impact of the program. Mr. McGill stated that MTC provides performance data through the 511 Program for the Vanpool Program. He confirmed TAM expends approximately \$350,000 per year on the Marin Commutes Program and that funding is set aside from both Measure AA and Measure B, which is stipulated in both Expenditure Plans.

Mr. Chan discussed the 6 proposed performance measures and the corresponding metrics for Element 3.3, Support Alternative Fuels Infrastructure and Promotion, which include tracking the number of EVs sold and the number of rebate requests received for charging stations and EV fleets.

In response to Alternate Saunders, Mr. McGill stated that EV sales data for the County would be obtained from the California Energy Commission (CEC) and that staff will include data on used EV sales if the information is available. Mr. McGill stated that Reach Strategies has been engaged to increase awareness of the EV programs and has been working with agencies, such as police departments and school districts; and promote EV programs via online events.

In response to Member Powers, Mr. McGill confirmed that TAM promotes rebate programs offered by other agencies.

In response to Alternate Okada, Mr. McGill stated that most county agencies have alternative fuel vehicles in their fleets, such as EVs, E-bikes, plug-in hybrid vehicles, and zero-emission vehicles and TAM has provided over 30 public agency rebates. He confirmed that data is tracked on the type of EVs sold to the public and purchased by agencies using rebates, and that a main goal is to leverage funds.

In response to Alternate Schmidt, Mr. McGill confirmed that most of the EV data source is obtained from CEC and TAM's rebate program. He also confirmed that new EV sales, which are increasing, are used as a metric to determine the success of the program, and the number of rebate requests for level 2 and level 3 chargers provide a metric for increased EV infrastructure. He confirmed that the number of level 3 chargers in the County is growing substantially, and that TAM tracks private installations in addition to EV sales.

Ms. Zhang asked Mr. Chan on behalf of Member Zack Macdonald, who was attending the meeting virtually as a member of the public, if there was a way to add a metric under Element 1.1 to determine the number of E-bikes using the bike paths. In response, ED Richman stated that it is unlikely the technology exists to differentiate between E-bikes and regular bikes on the paths.

Member Powers expressed her appreciation for the inclusion of metrics in the Measure B SP.

## **7. Review of TAM's financial Audit Team Selection (Action)**

Ms. Zhang provided background on the COC bylaws, which ask the COC to review the annual financial audit result and also recommend the selection of the audit team to the TAM Board during an RFP process. Ms. Zhang reported that Maze & Associates was ranked #1 by the professional evaluation panel out of 3 finalists and recommended to be interviewed by Chairperson Pelham and herself during the second round of interviews. Ms. Zhang added that Maze & Associates has been selected as the new audit team for MT, and that it is also the audit team for Sonoma-Marín Rail Transit (SMART), Sonoma County Transportation Authority (SCTA) and Contra Costa Transportation Authority (CCTA).

Chairperson Pelham discussed his support for staff's recommendation and stated that he was impressed with the team's experience with citizens' oversight committees and also the fact that the firm is Bay Area based; has a high retention rate; and has extensive transportation industry experience.

Member Vogt moved to refer the selection of Maze & Associates to the TAM Board for approval at its April 27, 2023 meeting, which Member Powers seconded. The motion was approved unanimously.

## **8. Committee Member Hot Items Report (Discussion)**

Member Bortel reported on the April 17, 2023 Marin Paratransit Coordinating Council Meeting. Discussion items included plans to integrate paratransit services for seniors and people with disabilities; increased reliance on North Bay Cooperative Taxi; and the use of smaller buses. Member Bortel discussed his concern that the City of Novato is limiting the Dial-a-Ride service to allow only seniors and persons with disabilities. He also discussed fare increases and concerns raised by users of the service that rides to medical appointments have been delayed. Member Bortel added that MT staff discussed the shortage of drivers and noted that the hourly rate for drivers has been increased from \$18.50 to \$21.50.

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

The next meeting was tentatively scheduled for Monday, May 15, 2023. Items for review will include the Draft FY2023-24 Budget.

*The meeting was adjourned at 6:50 p.m.*

THIS PAGE LEFT BLANK INTENTIONALLY