



MEETING OF THE  
TRANSPORTATION AUTHORITY OF MARIN  
CITIZENS' OVERSIGHT COMMITTEE

May 15, 2023  
5:00 PM

**MEETING MINUTES**

Members Present: Peter Pelham, Major Marin Employers (Chairperson)  
Kevin Hagerty, League of Women Voters (Vice-Chairperson)  
Debbie Alley, Southern Marin Planning Area  
Paul Roye, Ross Valley Planning Area  
Scott Tye, West Marin Planning Area  
Kate Powers, Environmental Organizations  
Allan Bortel, Marin County Paratransit Coordinating Council  
Zack Macdonald School Districts  
Kingston Cole, Taxpayer Groups

Members/Alternate Present as Public: James Schmidt, Kay Noguchi, Susannah Saunders

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 May 15, 2023 Citizens' Oversight Committee (COC) meeting to order at 5:01 p.m.

**1. Introductions and Welcome**

Chairperson Pelham asked Jennifer Doucette, Executive Assistant/Clerk of the Board, to conduct the roll call. Ms. Doucette did so and confirmed that a quorum was present. Ms. Doucette stated the meeting order rules and instructions for the public to provide comments.

Chairperson Pelham announced that Alternates Kay Noguchi and Susannah Saunders were attending the meeting remotely as members of the public.

**2. Open Time for Public Expression**

No public expression was received.

### **3. Review and Approval of April 17, 2023 Meeting Minutes (Action)**

Member Kate Powers moved to approve the April 17, 2023 Meeting Minutes. Member Kingston Cole seconded the motion, and the Minutes were approved with Vice-Chairperson Kevin Hagerty and Members Cole and Scott Tye abstaining.

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

Executive Director (ED) Anne Richman reported on TAM's participation in the Earth Day Marin celebration in Mill Valley on April 23 and the Rotary Day of Service on May 13 at the Civic Center, which was the second year of TAM's participation. ED Richman also reported that TAM would be participating in Bike to Work Day on May 18 with an energizer station near the Central Marin Ferry Connection path. She stated that some of the Marin County Supervisors were expected to participate in Bike to Work Day.

ED Richman reported that the California Transportation Foundation (CTF) has selected the North-South Greenway Gap Closure Project as one of the finalists for an award in the Active Transportation Project (ATP) Category. ED Richman stated that TAM submitted the project in partnership with the California Department of Transportation (Caltrans) and the City of Larkspur, and that the winners should be announced on June 7 at the CTF award ceremony.

ED Richman provided an update on the Highway 101 Interchange and Approaching Roadway Study, which included 12 interchanges. She stated that three interchanges at State Route (SR)131 Tiburon Boulevard/East Blithedale Avenue, Manuel T. Freitas Parkway/Civic Center Drive and Alameda del Pardo/Nave Drive were selected for advancement to the Caltrans' Project Initiation Process, and that an update would be provided to the TAM Bicycle & Pedestrian Advisory Committee at its meeting on May 16. ED Richman stated that information on the study could be found at <https://tam101study.com>.

ED Richman reported that TAM will be hosting a First Responder Electric Vehicle (EV) Webinar on June 27 with the Central Marin Police Authority (CMPA), which acquired a TESLA for use as a police vehicle. Discussions will include national and regional case studies and information will be provided to agencies that are interested in applying for funds from the EV rebate program. ED Richman provided an update on TAM's participation in a countywide EV Acceleration Strategy, formerly called the Readiness Strategy, which has been finalized for presentation to the local jurisdictions. Corte Madera Town Council and Larkspur City Council have received presentations; upcoming presentations will be made to the Sausalito Sustainability Commission; Tiburon Town Council; Mill Valley City Council, and the San Anselmo Town Council. The TAM Board will also review the EV Acceleration Strategy.

ED Richman also reported that SR37 will be closed from 3:00 a.m. on Saturday, May 20 through 11 a.m. on Sunday, May 21 to enable the Sonoma-Marin Area Rail Transit (SMART) to make railroad track repairs. ED Richman confirmed that information is available on the SMART and Caltrans websites and at various locations around the County.

ED Richman concluded her report with information on SMART's Starlighter Service, which provides evening services on Friday and Saturday nights, and the implementation of Marin Transit's service changes on June 11, which will better align current ridership demand and the services provided.

In response to Member Cole, ED Richman stated that TAM would not be participating in the Marin Wildfire Prevention Festival on May 20 at the Civic Center. Member Cole commented on a reduction in funding for EV in the revised FY2023-24 State Budget.

Member Allan Bortel discussed an enjoyable visit with members of the Marin County Commission on Aging to Railroad Square in Santa Rosa on SMART, which he said was inexpensive.

In response to Member Powers, ED Richman stated that a proposed roundabout is part of a Caltrans project on the east side of the Manuel T. Freitas Parkway/Civic Center Drive Interchange. She confirmed the design concept in TAM's Highway 101 Interchange and Approaching Roadway Study includes the whole interchange and takes the Caltrans' roundabout project into consideration.

Member Tye reported on the purchase of 400 EVs from General Motors by the New York Police Department (NYPD).

## **5. TAM Equity Statement and Action Plan (Discussion)**

Director of Planning Derek McGill presented the staff report, which requests input from the COC on the Draft Equity Statement and Action Plan. He provided background information; an update on actions requested by the TAM Board at the October 27, 2022 meeting; and he explained the purpose of Community Based Transportation Plans (CBTP), which are to promote mobility and accessibility options to all users; that the City of Novato developed a CBTP in 2015; two CBTPs were developed for Marin City; and CBTPs were developed for the Canal Neighborhood in San Rafael in 2004, 2006 and 2022. Mr. McGill added that the TAM 2017 Strategic Vision Plan includes goals to maximize and improve mobility for all people.

Mr. McGill discussed the sources of information from the American Community Survey used by the Metropolitan Transportation Commission (MTC) to determine the underserved and low-income populations that meet the threshold to be designated as an Equity Priority Community (EPC). The factors include people of color, low-income populations, level of English proficiency; seniors 75 years and over; zero-vehicle households; single-parent families; people with disability and rent-burdened households.

In response to Member Zack Macdonald, Mr. McGill clarified the slide showing locations of low-income populations.

Mr. McGill discussed the EPCs in Marin County, including Marin City; the Canal Neighborhood; and Southeast San Rafael, and he noted that Los Ranchitos was designated an EPC through Plan Bay Area 2050 (PBA 2050) in 2021. He discussed other regional and state definitions of EPCs, including CARE Communities, which are defined by the Bay Area Air Quality Management District (BAAQMD) and includes Central San Rafael; SB 535 Disadvantaged Community Designations; and AB 1550 Climate Priority Populations, which includes a broad area of the Hwy 101 corridor in parts of Marin.

Mr. McGill discussed the development process of the Equity Statement and Action Plan, which was based on the TAM Board discussions in June 2020 and July 2021 and the review of local jurisdictions' Diversity, Equity and Inclusive Statements. He explained that TAM's role is to advance the needs of the equity populations, including communities of color, low income and marginalized populations, through the Action Plan, which is composed of four main areas: Ensure TAM's internal operations assess equity in all of its actions (two actions); engage all members of the community (two actions); review investments and plan for implementation to ensure they benefit Marin's most vulnerable populations (five actions); and commit to accountability (two actions).

Mr. McGill discussed the actions in the Action Plan, which include the need to review internal operations and develop standards for assessing equity, including training, contracts, hiring and other human resource policies and operational practices; review the agency's community representation to ensure the committees reflect the local communities; engage all members of the community to develop an engagement plan that reflects input from a diverse set of residents; and, finally, insure TAM is conducting community engagement through its projects and programs with specific attention to regionally defined EPCs and communities with similar demographics.

Mr. McGill also discussed the need to conduct an equity investment review. He stated that TAM has responded to the needs of the community through the Measure A and Measure B renewal/amendment

processes and has begun exploring options for updating the CBTPs and developing a Countywide Transportation Plan (CTP).

Mr. McGill stated that staff will report regularly to the TAM Board on progress that is made on the commitments in the plan and that TAM will review and revise the Equity Statement on a regular basis. Mr. McGill confirmed that feedback from members on the Equity Statement and Action Plan is requested, implementation and community engagement has started; and a presentation on the CTP and development of the CBTP will be made to the TAM Board at its May 25 meeting.

In response to Vice-Chairperson Hagerty, Mr. McGill stated that staff would need to develop a methodology to measure and track TAM's investments in Marin Transit's programs in the future, and he noted that low-income and minority populations account for 75% of ridership.

In response to Member Bortel, Mr. McGill stated that some programs do not have a requirement for funding recipients to help TAM to meet its goals. He confirmed that the Board has received a presentation on the Equity Statement and Action Plan, and that an Equity Working Group will be formed to provide guidance and direction with more public outreach.

Chairperson Pelham discussed the difficulty of establishing metrics that could measure improvements.

In response to Member Cole, Mr. McGill stated that TAM has a Disadvantaged Business Enterprise (DBE) goal requirement for all its contracts. He also noted that 55% of Measure A/AA Sales Tax is for public transit and 11% for the Safe Routes to School (SR2S) Program and Safe Pathway projects.

In response to Member Cole, Deputy Executive Director/CFO (DED/CFO) Li Zhang and Chairperson Pelham stated that members of the COC will be invited to join an Equity Working Group/subcommittee at the next COC meeting to look at options for adding additional COC memberships so the COC reflects the needs and voices of the disadvantaged communities in Marin.

Member Tye and Mr. McGill discussed local jurisdictions that submitted housing elements (which address housing equity) but were not approved by the State. Mr. McGill noted that the State requested modifications for the most part, and he emphasized the need to ensure TAM's planning processes and investments address the equity needs in the community and improve the transportation system.

In response to Member Debbie Alley, Mr. McGill discussed the methods and strategies that should be considered to accommodate targeted members of the community in an engagement plan. ED Richman stated that the development of an engagement plan is an early step towards developing a CTP.

In response to Member Macdonald, Mr. McGill stated that the TAM Board will be asked to award the contract for the CTP and CBTP at the May 25 meeting, which are expected to be completed by the end of 2024. The CTP will assist TAM in developing the metrics and measuring processes in all the goals defined in the plan. He confirmed the process would also determine the communities and populations in Marin that could be defined as EPCs and ensure their needs are considered when TAM make future transportation investments.

In response to Member Kate Powers, Mr. McGill stated that the Metropolitan Transportation Commission (MTC) provides federal funding for CTPs. He added that TAM partnered with Canal Alliance to deliver the Canal CBTP and provide outreach; and that the agency continues to engage with them through projects and programs such as the US 101/I-580 Multi-Modal and Local Access Improvement Project. Mr. McGill confirmed a CTP is required to receive MTC planning funds, and that the County is required to have either a CTP or a Congestion Management Plan (CMP). He noted that the TAM Board and local jurisdictions voted to opt out of the CMP and move forward with the development of a CTP; that the CTP must be consistent with MTC guidelines and align with regional and state planning goals, including land use and housing.

*The Committee recessed for a dinner break and reconvened with all members present as indicated.*

## **6. Review the Draft TAM FY2023-24 Annual Budget (Discussion)**

Ms. Zhang presented the staff report which asked the COC to review the proposed Draft TAM FY2023-24 Annual Budget and provide input. Ms. Zhang discussed the development schedule for the Draft Budget and noted that the Draft Budget will be presented to the TAM Board for adoption at its June 22 meeting.

Ms. Zhang discussed the projected revenues of \$50 million and expenditures of \$60 million for FY2023-24. She stated that the proposed revenues exceed the proposed expenditures because funds accumulated in prior years will be spent on projects and programs planned in FY2023-24. Ms. Zhang added that Marin Transit is expected to request all of the FY2023-24 estimated revenue and some prior year carryover funds in the upcoming year to maintain current service levels because federal funding from the Covid relief bills has been spent. TAM is also expecting higher expenditures in connection with the US 101/I-580 Multi-Modal and Local Access Improvement Project and other major capital projects.

Ms. Zhang provided an overview of the budget, which would include work plans; special items for future COC discussion; economic and revenue uncertainty; an update on Regional Measure (RM) 3 litigation; the City and County Fee structure; the proposed Cost of Living Adjustment (COLA) for staff, and future funding opportunities.

Ms. Zhang discussed the work plan highlights. She noted that most of the projects are funded by Measure A/AA Sales Tax and the Measure B Vehicle Registration Fee (VRF), which provide over 80% of TAM's revenue. She discussed the continuing need to adapt to travel patterns and commute needs following the Pandemic; an upcoming agency-wide comprehensive classification study to review the salary and benefit structure offered to employees; agencywide information technology upgrades; continuation of conducting hybrid public meeting; and activities that also include the CTP and sea level rise; equity studies for TAM's projects and programs, and ongoing efforts to develop project pipelines and seek funding opportunities.

Ms. Zhang stated that the COC will review the Measure A/AA and Measure B Strategic Plans and Measure A/AA Compliance Audit list at the June meeting. In the next fiscal year, the COC will stay busy and be asked to review and provide input on the CTP; Measure AA Expenditure Plan (EP) amendment timeline and process; SR2S, Crossing Guard and Electric Vehicle (EV) Programs; Marin Transit report; and TAM's final Equity Statement and Action Plan, in addition to the financial and compliance audit reports.

Ms. Zhang discussed the economic outlook and sales tax revenue projections. She also confirmed that the State Supreme Court dismissed the Regional Measure (RM) 3 case in January 2023 after four-plus years, and that TAM is expecting to receive RM3 funds for the US 101/I-580 Multi-Modal and Local Access Improvement Project and the completion of the Marin Sonoma Narrows (MSN) Project soon.

Ms. Zhang provided an update on negotiations with the County of Marin and local jurisdictions on the Long-Term City/County Fee Structure and stated that some jurisdictions have indicated a wish to review the agreement every 5 years.

Ms. Zhang discussed the proposed COLA adjustment of 3.5% after surveying 13 Marin/Bay Area agencies and shared the results received from 9 jurisdictions. The Administrative, Projects & Planning Executive (AP&P) Committee reviewed the proposal and supported staff's recommendation.

Ms. Zhang discussed funding from One Bay Area Grant (OBAG) 3 and Active Transportation Program (ATP) funds, and a grant for the US 101 Part-Time Transit Lane Project. The grant was received from

MTC's Mobility Hubs Grant Program for transit access near SMART stations and the Ferry Terminals. ED Richman added that an application was submitted to California Department of Transportation (Caltrans) for a planning grant for vehicle miles travelled (VMT) toolkit to support jurisdictions in complying with environmental requirements; and an application was submitted for a grant from the federal Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Program to close the funding gap for the Bellam Boulevard (Blvd). Offramp Project.

Ms. Zhang noted that TAM is expecting state earmark funds in the next few months, including \$10 million for flood control projects in Southern Marin in the area of Marin City, and \$20 million for the Marin section of SR 37.

In response to Member Bortel, Ms. Zhang stated that the recent investment return TAM has is about 4.6%.

Ms. Zhang confirmed the AP&P Executive Committee reviewed the Draft Budget, which is also published on the TAM website for public inspection, and that staff will incorporate comments from the COC into the staff report for the TAM Board meeting on June 22, 2023. She also confirmed that the COC and TAM Board will review the Strategic Plan update at the June meetings and the Board is expected to take action at the July 27 meeting.

Member Macdonald suggested adding the proposed budget for FY2023-24 under the Historic Overview of TAM's Budget section. In response to Member Macdonald, Ms. Zhang stated that the project delivery schedule provides the framework for expenditures and that staff would liaise with the project sponsors on reimbursement schedules if there is insufficient cash to meet all reimbursement requests at one time.

In response to Chairperson Pelham, Ms. Zhang acknowledged the significant gap between the projected revenue and expenditure due to the usage of accumulated funds from prior years and she stated that the budgeted expenditures are usually higher than the actual expenditures due to project delivery and other reasons.

Member Powers expressed concern that the proposed funding level for electric vehicles (EV) and EV infrastructure is lower than the funding level for FY2022-23, and that no funds are being carried over. In response, Ms. Zhang stated that the proposed funding level is based on the needs of the program and projects that will be delivered in the upcoming year.

ED Richman stated that the Board established a funding level of \$350,000 for the EV programs under Category 3 as part of a multi-year Measure B Expenditure Plan commitment. She added there is no dedicated funding share for the various programs under Element 3, and funding budgeted for each program is based on needs and expected revenue to allow flexibility. Furthermore, she noted that there are now many federal, state and other funding sources available for EV needs than when the TAM Measure B Expenditure Plan was first passed. ED Richman also noted that MTC is expected to provide \$65 million for EV programs and projects in the Bay Area.

In response to Member Powers, ED Richman stated that the TAM Board awarded a contract for sea-level rise planning that will use sea-level rise funds from Measure AA.

Vice-Chairperson Hagerty and ED Richman discussed the potential usage of interest revenue that has accumulated on the RM3 funds.

In response to Member Bortel, Ms. Zhang confirmed that Marin Transit accumulated unused Measure AA sales tax funds during the Pandemic, which were not needed because MT received federal funding. She stated that MT will need to access the prior year carryover funds in the forthcoming year because the federal stimulus funds have ended.

Public/Alternate Susannah Saunders suggested increasing the outreach budget for EV programs and noted her opposition to reducing funding for the Commute Alternatives Program. She emphasized the need to encourage people to drive EVs and asked staff to clarify unspent funds in the EV programs. In response, Ms. Zhang stated that no funding cuts are being made for EV programs and that the funding levels are based on projected needs for the upcoming year. She noted that accumulated funds from prior years are not reserved for any specific program under the Amended Measure B Expenditure Plan. ED Richman added that the Commute Alternative Program is funded by both Measure AA and Measure B, and that while there is lower funding level under Measure B, there is funding proposed under Measure AA for FY2023-24.

Ms. Saunders discussed the need to provide funding for general public outreach to encourage people to purchase EVs. ED Richman stated that funds have been provided for public outreach through the EV programs, in addition to funding the contract for Reach Strategies to publicize rebates for public agencies to support installation of EV charging infrastructure and replacement of fleet vehicles with clean fuel vehicles. ED Richman noted that EV purchases in the Bay Area have grown significantly.

Member Tye discussed TAM's participation in Earth Day on April 22 and he noted that there were significantly more attendees than in previous years. He discussed the electric bicycles and EVs that were displayed, and Ms. Zhang noted that TAM participated in the Rotary Day of Service on May 13 at the Civic Center as well.

In response to Member Powers, Ms. Zhang confirmed that 55% of Measure AA funds are provided to Marin Transit. She noted that funding for the three sub-elements under Element 3 of Measure B is limited and confirmed that the Measure B Expenditure Plan allows staff the flexibility to use funds for all eligible sub-elements based on the program needs of the year.

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

Member Tye asked when the ramp metering equipment that has been installed on the onramps on Northbound Highway 101 would be operational. ED Richman stated that Caltrans still needs to address the accommodation of buses that use the transit stops on the highway, along with other issues.

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

The next meeting was scheduled for Monday, June 19, 2023. Items for review will include the formation of a working group for COC Equity Member recommendation with the option of developing a mentorship program for disadvantaged students; amendments to the bylaws; review of the compliance audit selection list; and the Draft Measure AA Strategic Plan and Measure B Strategic Plan.

*The meeting was adjourned at 6:52 p.m.*

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