Transportation Authority of Marin

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ADMINISTRATION, PROJECTS & PLANNING EXECUTIVE COMMITTEE MEETING

OCTOBER 14, 2024
3:30 P.M.

TAM CONFERENCE ROOM
900 FIFTH AVENUE, SUITE 100
SAN RAFAEL, CALIFORNIA

This meeting will be held in-person and via Zoom webinar.

How to watch the live meeting using the Zoom link:
https://us02web.zoom.us/j/83035113530?pwd=Ym1lVHdnUHZyclIGN2VPZVlBY0Zrdz09

Webinar ID: 830 3511 3530
Passcode: 891953

Teleconference: Members of the public wishing to participate via teleconference may do so by dialing in to the following number at 3:30 p.m. on the day of the meeting: **+1 669 900 6833**; Access Code: 830 3511 3530; Password: 891953

How to provide public comment (limited to 2 minutes or less):

Before the meeting: Please email your comment to info@tam.ca.gov, no later than 5:00 p.m. Sunday, October 13, 2024, to facilitate timely distribution to Committee members. Please include the agenda item number you are addressing and your name and address. Your comments will be forwarded to the Committee members and will be placed into the public record.

During the meeting: For members of the public participating in-person, the Committee Chair will recognize persons from the audience who wish to address the Committee during public open time or on a particular agenda item at the time that item is considered by the Committee.

If watching this meeting online, click the "raise hand" feature in the webinar controls. This will notify TAM staff that you would like to comment. If participating by phone, "raise hand" by pressing *9 and wait to be called upon by the Chair or the Clerk. You will be asked to unmute your device when it is your turn to speak and your comments will become part of the public record.

Late agenda material can be inspected in TAM's office between the hours of 9:00 a.m. and 5:00 p.m.
The TAM Office is located at 900 Fifth Avenue, Suite, 100, San Rafael.

The meeting facilities are accessible to persons with disabilities. Requests for special accommodations (assisted listening device, sign language interpreters, etc.) should be directed to Jennifer Doucette, 415-226-0820 or email: jdoucette@tam.ca.gov no later than 5 days before the meeting date.

AGENDA

1. Chair's Report & Commissioner Comments (Discussion)

2. Executive Director's Report (Discussion)

3. Open time for public expression, up to two minutes per speaker, on items not on the agenda that are within the subject matter of the agency's jurisdiction. (While members of the public are welcome to address the Committee, under the Brown Act, Committee members may not deliberate or take action on items not on the agenda, and generally may only listen.)

4. Approval of Meeting Minutes from September 9, 2024 (Action) – **Attachment**

5. Measure AA Expenditure Plan Review Process and Schedule (Action) – **Attachment**

6. Workplace Violence Prevention Plan and Human Resources Policies Update
   a. Acceptance of the TAM Workplace Violence Prevention Plan (Action) – **Attachment**
   b. Acceptance of Revisions to the TAM Human Resources Policies and Procedures Human Resources Policies Update (Action) – **Attachment**

7. MTC Regional Transportation Measure (Discussion) – **Attachment**

MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
ADMINISTRATION, PROJECTS & PLANNING
EXECUTIVE COMMITTEE

SEPTEMBER 9, 2024
3:30 P.M.

TAM CONFERENCE ROOM
900 FIFTH AVENUE, SUITE 100
SAN RAFAEL, CALIFORNIA

MEETING MINUTES

Members Present:	Alice Fredericks, Tiburon Town Council Chance Cutrano, Fairfax Town Council Eric Lucan, Marin County Board of Supervisors, Committee Chair Kate Colin, San Rafael City Council Stephanie Moulton-Peters, Marin County Board of Supervisors
Members Absent:	None
Staff Members Present:	Anne Richman, Executive Director Bill Whitney, Principal Project Delivery Manager Dan Cherrier, Director of Project Delivery David Chan, Director of Programming and Legislation Derek McGill, Director of Planning Grace Zhuang, Accounting and Payroll Specialist Jennifer Doucette, Executive Assistant/Clerk of the Board Joanne O'Hehir, Administrative Assistant Melanie Purcell, Director of Finance and Administration Mikaela Hiatt, Associate Transportation Planner Molly Graham, Public Outreach Coordinator Ray Rodriguez, Assistant Project Delivery Manager Scott McDonald, Principal Transportation Planner

Chair Lucan called the meeting to order at 3:39 p.m.

Chair Lucan welcomed everyone to the meeting; asked Executive Assistant/Clerk of the Board Jennifer Doucette to conduct a roll call to ensure a quorum which was confirmed; and provided information about how the public may participate.

1. Chair's Report & Commissioners Comments (Discussion)

None.

2. Executive Director's Report (Discussion)

Executive Director (ED) Anne Richman introduced TAM's new Assistant Project Delivery Manager Ray Rodriguez; and reported on TAM's upcoming Clean Fleet Expo, scheduled for September 12; and the upcoming 101/580 Community Working Group and Scoping meetings scheduled for September 19 and October 1, respectively.

ED Richman also reported on the upcoming grand opening of the Canal Alliance's new headquarters on October 19; Sonoma-Marin Area Rail Transit's (SMART's) solicitation of public input for its strategic plan; Safe Streets and Roads for All (SS4A); Regional Measure 3 (RM3) Safe Routes to Transit and Bay Trail (SR2TBT) Program; Reconnecting Communities Pilot (RCP) Program; and TAM's submittal of a Traffic Signal Modernization Planning Grant through the Innovative Deployments to Enhance Arterials (IDEA) Program.

Lastly, ED Richman reported on the appointment of Jason Elliot to the California Transportation Commission (CTC) to fill the seat of long-serving former Commissioner Joseph Tavaglione who passed away in early August 2024.

In response to Commissioner Cutrano, ED Richman explained that the IDEA grant cycle occurs every few years and is funded through the One Bay Area Grant (OBAG) Program.

Chair Lucan asked if any members of the public wished to speak.

WTB-TAM Director of Planning Matthew Hartzell commented on the importance of applying for funding from the Reconnecting Communities and Neighborhoods (RCN) grant program for a feasibility study on the Canal Bicycle and Pedestrian Overcrossing.

3. Open Time for Public Expression

Chair Lucan asked if any members of the public wished to speak and hearing none, closed public comment.

4. Approval of Meeting Minutes July 8, 2024 (Action)

Chair Lucan asked if any members of the public wished to speak, and hearing none, closed public comment and asked for a motion.

Commissioner Colin moved to approve the Minutes of the July 8, 2024 meeting. Commissioner Cutrano seconded the motion, which passed unanimously.

5. Review of the Semi-Annual Project Status Report (Action)

Director of Project Delivery Dan Cherrier presented this item, which recommends that the AP&P Executive Committee review the Semi-Annual Project Status Report and refer it to the TAM Board for approval.

Mr. Cherrier provided updates on the Marin Sonoma Narrows (MSN); State Route (SR) 37; North-South Greenway Gap Closure; Highway 101 Interchange Studies; US 101/I-580 Multimodal and Local Access Improvements; Bellam Blvd. Off-Ramp from Northbound US 101; US 101 & Marin City Flood Mitigation Coordination; and US 101 Part-Time Transit Lane.

In response to Commissioner Colin, Mr. Cherrier explained that the County is represented on both the Executive Steering Committee (ESC) and the Technical Advisory Committee (TAC) for the US 101/I-580 Multimodal and Local Access Improvements Project.

In response to Commissioner Lucan, Principal Project Delivery Manager Bill Whitney explained that emergency vehicles are currently allowed to use the US 101 shoulder; and that TAM has been in coordination with the California Highway Patrol (CHP) throughout the development of the project.

In response to Commissioner Cutrano, Mr. Cherrier explained that the US 101 Part-Time Transit Lane Project is currently funded through the Project Initiation Document (PID) phase.

ED Richman added that in anticipation of the upcoming completion of the MSN Project, multiple agencies within Marin and Sonoma Counties, including Golden Gate Transit and the CHP, have been in coordination with respect to high-occupancy vehicle (HOV) lane hours along the US 101 corridor.

Chair Lucan asked if any members of the public wished to speak or had submitted a comment by e-mail, and hearing none, asked for a motion.

Commissioner Cutrano made a motion to refer the Semi-Annual Project Status Report to the TAM Board for approval. Commissioner Moulton-Peters seconded the motion, which passed unanimously.

6. Update on the Sea Level Rise Adaptation Planning for Marin County's Transportation System Project (Discussion)

Associate Transportation Planner Mikaela Hiatt and consultants Jack Hogan and Meg Ackerson with ARUP presented this item for discussion.

Commissioner Moulton-Peters commented on the importance of using existing data and coordinating with other agencies.

Commissioner Colin commented on the breadth of engagement undertaken by the City of San Rafael and the Canal Alliance; and the importance of connecting with Community Based Organizations (CBOs).

In response to Commissioner Fredericks, Ms. Hiatt explained that the City of Belvedere and the Town of Tiburon currently have a cohesive approach and various projects underway with respect to SLR; and that the Belvedere/Tiburon area remains on the initial list of 19 identified vulnerability focus areas and will be included in the final Adaptation Summaries. Ms. Hiatt also explained that the subset of focus area deep dives were identified by screening out the vulnerability focus areas where extensive work pertaining to sea level rise is underway. Commissioner Fredericks commented that longer-term solutions will need to be identified with respect to other infrastructure such as the Tiburon ferry terminal.

Commissioner Colin commented on the importance of providing a consistent level of detail for all focus areas; and informed the Committee of her participation on the San Francisco Bay Conservation and Development Commission's (BCDC's) Bay Adapt Local Electeds Regional Task Force, which will be meeting in mid-September.

In response to Commissioner Moulton-Peters, ED Richman explained that due to the nascent and extensive nature of the subject matter, agencies are still in the process of developing best practices.

In response to Commissioner Fredericks, Ms. Hiatt explained that in addition to its own Subregional Adaptation Plan, as required by Senate Bill (SB) 272, the County will also be involved in each local jurisdiction's plan.

Chair Lucan asked if any members of the public wished to speak and hearing none, closed public comment.

The meeting was adjourned at 5:04 p.m.

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Transportation Authority of Marin

DATE:	October 14, 2024
TO:	Transportation Authority of Marin Administration, Projects & Planning Executive Committee
FROM:	Anne Richman, Executive Director Anne Richman David Chan, Director of Programming and Legislation Derek McGill, Director of Planning
SUBJECT:	Measure AA Expenditure Plan Review Process and Schedule (Action), Agenda Item No. 5

RECOMMENDATION

The Administration, Projects, and Planning (AP&P) Executive Committee reviews the proposed process and schedule for the Measure AA Expenditure Plan Review, and refers them to the TAM Board for adoption.

BACKGROUND

On November 6, 2018, Marin voters approved Measure AA to renew and extend the original Measure A Transportation Sales Tax by 76.7%. The Measure AA Expenditure Plan ("Expenditure Plan," hereinafter) includes directions to fund Marin's core transportation needs, including local street and road maintenance, Safe Routes to Schools programs, transit service, and highway and interchange improvements. Approximately $35 million is collected annually to fund and administer the categories and sub-categories of the Expenditure Plan as shown in Attachment A. Attachment A also shows the percentage of Measure AA funds assigned to each category and sub-category.

The original 20-year Measure A, approved by voters in 2004, was due to expire on March 31, 2025. Measure AA was approved to extend the collection of a half-cent transportation sales tax for 24 years beyond the expiration of Measure A, or until the year 2049. In Measure AA, a policy was included for TAM to review the Expenditure Plan every six years on the rationale that four reviews can be conducted before expiration.

The Expenditure Plan states that:

> [It] must be reviewed every six years following passage to ensure that it responds to a rapidly evolving transportation landscape, incorporates innovations, and reflects current priorities. The TAM Board may also consider an amendment …. at the point of the six year review or at any time deemed necessary during the life of the Expenditure Plan.

To modify this Expenditure Plan, an amendment must be approved by a two-thirds majority of the total commissioners on TAM's Board, and include a noticed public hearing, and a 45-day public comment period.

Following the two-thirds vote, any plan amendment will be submitted to each of the cities and towns in Marin County and to the County Board of Supervisors for their approval. Amending the Expenditure Plan will require a majority vote of 50+% of the cities or towns representing 50+% of the incorporated population, as well as a majority vote of the Board of Supervisors.

DISCUSSION/ANALYSIS

County Counsel

Before a process and schedule was developed, staff consulted with County Counsel to ensure that the review process complies with Measure AA Expenditure Plan policies and applicable state laws. County Counsel provided the following guiding recommendations:

- The start of the six-year period commenced on April 1, 2019 when the California State Board of Equalization started the collection of Measure AA funds.

- The review requirement compels TAM to review the Measure AA Expenditure Plan after the Measure AA Expenditure Plan has been in place for six years to gauge the effectiveness of investments and consider amendments if needed.

- The first six-year period for the Measure AA Expenditure Plan concludes March 31, 2025.

- TAM must bring a final review for the TAM Board's consideration after April 1, 2025 but before March 31, 2026.

Allowable Amendments

The review process can result in amendments or status quo to the policies, categories and sub-categories, and funding percentages of Measure AA. New categories and sub-categories may be introduced to the Expenditure Plan but they must be transportation related, show a nexus to the payer of the transportation sales tax, and not prohibited in areas mentioned below.

Limitations of the Expenditure Review

The Expenditure Plan further states the TAM Board cannot increase the sales tax through an amendment process; any increase in the level of tax must be approved by voters. The TAM Board cannot amend the plan to include prohibited categories, such as including funds to extend or operate SMART, to support parks and open space, or to fund the planning, construction, or renovation of housing. The TAM Board Amendments must continue to fulfill obligations for long-term contracts, bonding, and financing; any such amendments will be subordinate to any sales tax lien against any bond issuance.

Review Process

Besides gauging the effectiveness of Measure AA investments and considering amendments as recommended by County Counsel, staff developed additional goals for the review that include:

- Educate and celebrate success of Measure AA
- Advance Countywide Transportation Plan (CTP) goals of safety, equity, and sustainability
- Educate on Measure AA development process that show changes from Measure A
- Support community involvement in funding review

The review process will target key stakeholders that include:

- TAM Community Oversight Committee (COC)
- General Marin Public
- Special interest groups
- Funding recipients
- TAM Board, including establishment of a new Measure AA Expenditure Plan Review Ad Hoc Committee

Transportation funding needs and proposed amendments will be presented and discussed at:

- COC meetings
- Marin Public Works Association (MPWA) meetings
- Marin Managers' Association (MMA) meetings
- Roadshow presentations
- Workshops/public meetings
- Council/Transit Board meetings
- TAM Board meetings

Existing recipients of Measure AA funds, such as local jurisdictions and transit operators, will be given opportunities to present at some of the abovementioned meetings on their accomplishments with allocated Measure AA funds and discuss future needs. Amendments will be proposed and discussed at these meetings and presentations.

At the conclusion of the meetings and presentations, proposed amendments or status quo will be recommended for the Expenditure Plan to be presented to the TAM Board for consideration and open a 45-day public comment period. After the 45-day public comment period, the Expenditure Plan will be presented to the TAM Board for adoption.

Upon adoption by the TAM Board, any amendments to the Expenditure Plan will be presented to the cities, towns, and Marin County for approval.

Proposed Schedule

A proposed schedule was developed as shown in Attachment B that is consistent with County Counsel's recommendations. The proposed schedule highlights major tasks that need to take place in order for a proposed Expenditure Plan to be presented for TAM Board adoption in March 2026.

Additionally, upon approval of the Expenditure Plan in March 2026, the existing Strategic Plan will need to be updated to reflect the changes from the newly approved Expenditure Plan. The current Expenditure Plan requires TAM to prepare:

> …a Strategic Plan that identify the priorities for projects and the dates for project implementation based on project readiness, ability to generate matching or leveraged funds, need for borrowing and other relevant criteria. The Strategic Plan must be approved by the TAM Board, following a noticed public hearing on the draft Annual Strategic Plan and a 30-day public comment period.

Attachment B also includes a proposed schedule for TAM Board adoption of the Measure AA Strategic Plan.

FISCAL CONSIDERATION

There are no fiscal impacts with the adoption of the Measure AA Expenditure Plan Review process and schedule. Consultant services will be needed to assist in the review process as shown in Attachment B, primarily in the areas of financial analysis and public outreach. Staff will follow adopted procurement procedures and seek TAM Board approval if needed.

Costs for consultant services were anticipated in the development of the FY2024-25 Annual Budget. No budget amendment will be needed to retain consultant services for the review of the Measure AA Expenditure Plan.

NEXT STEPS

Staff will incorporate suggestions from the AP&P Executive Committee and follow the process and schedule upon adoption by the TAM Board.

ATTACHMENTS

Attachment A – Measure AA Expenditure Plan Categories of Funding
Attachment B – Proposed Schedule
Attachment C – PowerPoint Presentation

Measure AA
Expenditure Plan Categories

IMPLEMENTATION CATEGORY	% OF SALES TAX FUNDS ALLOCATION
1. Reduce congestion on Highway 101 and adjacent roadways by leveraging non-local funds to accelerate completion of key multimodal projects.	**7.0%**
Provide local matching funds to accelerate the completion of the Marin Sonoma Narrows, to complete the 17-mile carpool lane and multi-use pathway facilities.	1.5%
Provide local matching funds to accelerate the completion of the Northbound Highway 101/ Eastbound I-580 Direct Connector, including the development of local enhancements to reduce impacts and enhance the facility for all users.	2.0%
Improve Highway 101 local interchanges and freeway access routes to reduce congestion, improve local traffic flow, and address flooding impacts throughout the county.	3.0%
Implement commute alternatives and trip reduction strategies to decrease Single Occupant Vehicle (SOV) trips, increase shared mobility, and reduce peak hour congestion throughout the county.	0.5%
2. Maintain, improve, and manage Marin's local transportation infrastructure, including roads, bikeways, sidewalks, and pathways to create a well-maintained and resilient transportation system.	**26.5%**
Maintain and manage local roads to provide safe and well-maintained streets for all users. All investments will consider the needs of all users in accordance with local practices (i.e. "Complete Streets" practices) that have been adopted in each city, town, and the County. Improvements to maximize the efficiency, effectiveness, and resiliency of our transportation system to be determined by local jurisdictions and may include: • Paving and repair to roadways, drainage, sidewalks and intersections • Bike lanes and paths • Safe pathways to transit and bus stop improvements • System enhancements to accommodate new technologies such as signal coordination, real time information • Investments to address congestion on local street and road corridors • Facilities and support including project management, technical services and outreach to support alternative fuel vehicles, electric vehicles, zero emission vehicles and autonomous vehicles • Municipal fleet conversion to alternative fuel vehicles including electric vehicles • Improvements to address sea level rise and flooding on local streets	22.0%
Provide safe pathways for safe walking and biking access to schools.	3.0%
Develop projects to address and mitigate transportation impacts from sea level rise, including facilities to support alternative fuel vehicles including electric vehicles.	1.0%
Support operational improvements to local streets and roads through innovative technology.	0.5%

IMPLEMENTATION CATEGORY	% OF SALES TAX FUNDS ALLOCATION
3. Reduce school-related congestion and provide safer access to schools.	**11.5%**
Maintain the Safe Routes to Schools program.	3.5%
Expand the crossing guard program, providing funding for up to approximately 96 crossing guards throughout Marin County.	7.0%
Capital funding for small school safety related projects.	1.0%
4. Maintain and expand efficient and effective local transit services in Marin County, including services to schools and specialized service for seniors and persons with disabilities, to reduce congestion and meet community needs.	**55.0%**
Maintain and improve existing levels of bus transit service in areas that can support productive fixed-route service throughout Marin County. • Maintain a network of high productivity bus service in high volume corridors • Expand first and last mile transit services for residents and workers • Provide innovative services in communities that may not support traditional fixed-route service • Enhance public safety through Marin Transit's role in providing emergency mobility in the face of natural disaster • Provide funding for the Muir Woods Shuttle System	33.0%
Maintain and expand the rural and recreational bus services including the West Marin Stagecoach.	3.0%
Maintain and expand transit services and programs for those with special needs – seniors and persons with disabilities including those who are low-income.	9.5%
Provide transit services to schools in Marin County to reduce local congestion. • Provide yellow bus services in partnership with local schools and parent organizations • Provide transit routes to schools along high performing corridors	5.0%
Invest in bus transit facilities for a clean and efficient transit system. • Provide matching funds for the purchase of the green transit fleet including alternative fuel vehicles and electric vehicles • Support the role of Marin Transit in development of a renewed/relocated Bettini Bus Hub • Support the development of a local bus maintenance facility • Improve passenger amenities at bus stops, including real-time transit information	4.0%
Expand access to ferries and regional transit, managed by Golden Gate Transit. • Expand and maintain connecting ferry shuttle services to address first and last mile connections • Expand and maintain remote parking locations and other strategies to expand regional transit access for Marin's residents and commuters • Expand first and last mile access to regional transit services for access to jobs in Marin County	0.5%
TOTAL	**100.0%**

PROPOSED SCHEDULE

MEASURE AA EXPENDITURE PLAN REVIEW 2025-2026

Expenditure Review Plan Schedule	
Collection of Measure AA Revenue Commenced	April 1, 2019
TAM Executive Committee and Board Presentations on Process/Schedule	October 2024
Establish Measure AA Ad Hoc Committee	December 2024
Solicitation for Outreach Support	October-December 2024
Solicitation for Financial Advisor	January-March 2025
Expenditure Plan in Effect for Six Years	March 31, 2025
Work with Measure AA Ad Hoc Committee	January-December 2025
TBD Meetings/Workshops	April-December 2025
Present Draft Amended Expenditure Plan to TAM Executive Committee and Board	September-December 2025
Open 45-day comment period/hearing for any changes proposed	January 2026
Adoption of the Amended Measure AA Expenditure Plan	March 2026
Present Amended Expenditure Plan to Cities, Towns, and County	March/April 2026
Post Expenditure Plan Online and Distribute to Partners	March/April 2026
Identify Expenditure Plan changes in TAM FY2026-27 Budget Process	April 2026
Strategic Plan Schedule	
Produce Draft Strategic Plan	April 2026
Present Strategic Plan to COC	May 2026
Opening 30-day Public Comment Period	June 2026
TAM Executive Committee and Board Adopt Strategic Plan	July 2026

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Measure AA Expenditure Plan Review Process & Schedule

Transportation Authority of Marin

Administration, Projects & Planning Executive Committee

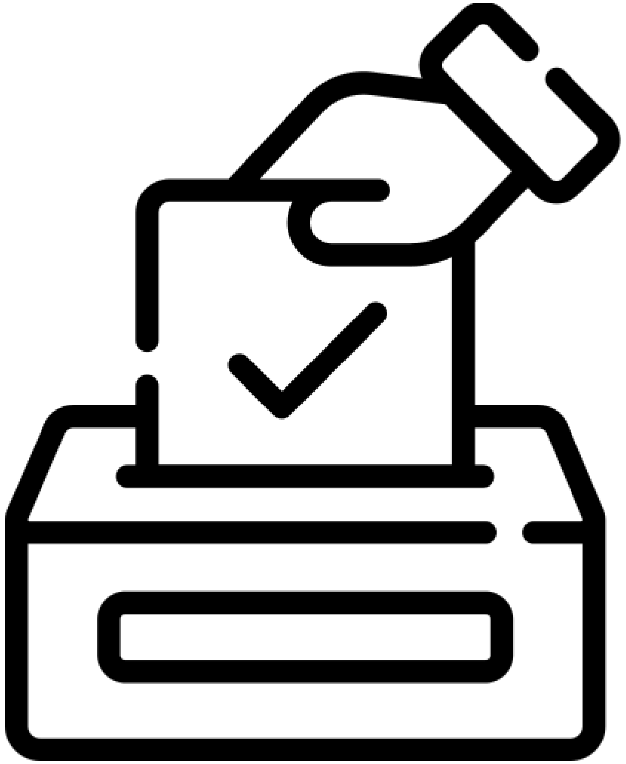
October 14, 2024

Background

- Original 20-year Measure A, approved by voters in 2004, was due to expire on March 31, 2025

- Marin voters approved Measure AA to renew and extend the original Measure A Transportation Sales Tax in November 2018

- Measure AA extends the collection of a half-cent transportation sales tax for 24 years to 2049



Measure AA

Measure AA Expenditure Plan ("Expenditure Plan," hereinafter) funds four categories:

- Highway and Interchange Improvements – 7%
- Local Street and Road Maintenance – 26.5%
- Safe Routes to Schools Programs – 11.5%
- Transit Services – 55%

Approximately $35 million is collected annually to fund and administer the four categories

Review Requirement

A policy was included in Measure AA for TAM to review the Expenditure Plan every six years

Purpose of the review:

- Respond to a rapidly evolving transportation landscape
- Incorporate innovations
- Reflect current priorities
- Consider amendments or Status Quo

How to Amend the Expenditure Plan?

- To modify this Expenditure Plan, amendments must be approved by a two-thirds majority of the total commissioners on TAM's Board in a noticed public hearing and after a 45-day public comment period.

- Following the two-thirds vote, any plan amendment will be submitted to each of the cities and towns in Marin County and to the County Board of Supervisors for their approval.

- Amending the Expenditure Plan will require a majority vote of 50+% of the cities or towns representing 50+% of the incorporated population, as well as a majority vote of the Board of Supervisors.

County Counsel

Staff consulted with County Counsel who provided the following guiding recommendations:

- Review after six years to gauge the effectiveness of investments and consider amendments if needed
- The first six-year period for the Measure AA Expenditure Plan concludes March 31, 2025
- TAM must bring a final review for the TAM Board's consideration after April 1, 2025, but before March 31, 2026

What Can Be Amended?

Review process can result in amendments or status quo to:

- policies
- categories and sub-categories
- funding percentages of Measure AA

New categories and sub-categories may be introduced but…

- must be transportation related
- show a nexus to the payer of the transportation sales tax
- not in prohibited areas explicitly mentioned in Expenditure Plan

What Cannot Be Amended?

- Increased sales tax
  (must be approved by voters, not amendment process)

- Funds to:
  - extend or operate SMART
  - support parks and open space, or to
  - plan, construct, or renovate housing

- Must continue to fulfill obligations for long-term contracts, bonding, and financing

Proposed Expenditure Plan Review Schedule

Expenditure Plan Review Schedule	
Collection of Measure AA Revenue Commenced	April 1, 2019
TAM Executive Committee and Board Presentations on Process/Schedule	October 2024
Establish Measure AA Ad Hoc Committee	December 2024
Solicitation for Outreach Support	October-December 2024
Solicitation for Financial Advisor	January-March 2025
Expenditure Plan in Effect for Six Years	March 31, 2025
Work with Measure AA Ad Hoc Committee	January-December 2025
TBD Meetings/Workshops	April-December 2025
Present Draft Amended Expenditure Plan to TAM Executive Committee and Board	September-December 2025
Open 45-day comment period/hearing for any changes proposed	January 2026
Adoption of the Amended Measure AA Expenditure Plan	March 2026
Present Amended Expenditure Plan to Cities, Towns, and County	March/April 2026
Post Expenditure Plan Online and Distribute to Partners	March/April 2026
Identify Expenditure Plan changes in TAM FY2026-27 Budget Process	April 2026

Key Stakeholders

The review process will target key stakeholders that include:

- TAM Community Oversight Committee (COC)
- General Marin Public
- Special interest groups
- Funding recipients
- TAM Board, including establishment of a new Measure AA Expenditure Plan Review Ad Hoc Committee

Outreach/Communications

Transportation funding needs and proposed amendments will be presented and discussed at:

- COC meetings
- Marin Public Works Association (MPWA)
- Marin Managers' Association (MMA)
- Roadshow presentations
- Workshops/Public meetings (North, Central, South)
- Council/Transit Board meetings
- TAM Executive Committee & Board meetings
- Equity Working Group
- Email comments/survey

Preview of Considerations

Potential Issues

- Fixed pie
- Inflation: Program and project costs rising
- Changing travel trends
- Emerging needs
- Changes in other grant programs and policy shifts
- New technology not coming as quickly as expected previously, or looks different
- Potential other measures under discussion in similar timeframe
- Economic uncertainties

Potential Opportunities

- Celebrate successes of local funding
- Evaluate what's working, what can be improved
- Support CTP priorities
- Changing travel trends
- Emerging needs
- Synergies with other grant programs and policy shifts
- AI?
- Update financial forecasts
- Better define TAM's role in certain areas

Strategic Plan and Proposed Schedule

The Strategic Plan identifies project priorities and dates for project implementation based on:

- project readiness
- ability to generate matching or leveraged funds
- need for borrowing
- other relevant criteria

Upon approval of the Expenditure Plan, the Strategic Plan will need to be updated to reflect the newly approved changes

Strategic Plan Schedule	
Produce Draft Strategic Plan	April 2026
Present Strategic Plan to COC	May 2026
Open 30-day Public Comment Period	June 2026
TAM Executive Committee and Board Adopt Strategic Plan	July 2026

Questions and Feedback

Thank you!

Transportation Authority of Marin

DATE:	October 14, 2024
TO:	Transportation Authority of Marin Administration, Projects & Planning Executive Committee
FROM:	Anne Richman, Executive Director Anne Richman Melanie Purcell, Director of Finance and Administration
SUBJECT:	Acceptance of the TAM Workplace Violence Prevention Plan (Action), Agenda Item No. 6a

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RECOMMENDATION

Staff recommends the Administration, Projects and Planning (AP&P) Executive Committee recommend to the TAM Board approval of the TAM Workplace Violence Prevention Plan in accordance with Senate Bill (SB) 553 as noted in the attached draft document.

BACKGROUND

In 2023, the California State Legislature passed Senate Bill 553, requiring all California employers to develop and implement a Workplace Violence Prevention Plan (WVPP) effective July 1, 2024. The WVPP must meet certain criteria including definitions of the types of violence experienced in the workplace, the parties responsible for implementing and monitoring the plan, employee communications and involvement, and response and reporting procedures.

DISCUSSION/ANALYSIS

The proposed TAM WVPP is modeled from the template provided by Cal/OSHA and has been circulated amongst staff to gain their feedback. While the plan is not required to itemize specific safety and workplace violence prevention steps, the proposed TAM WVPP does include some guidelines unique to our operations and designed to protect staff.

FISCAL CONSIDERATION

No significant costs identified at this time. Costs for training materials will be nominal depending on options available.

NEXT STEPS

Upon approval by the TAM Board, the WVPP, alongside the existing HR Policies and Procedures, will be made available in the staff internal drive and staff will be notified of the updates. The provisions of the plan, including required training and reporting, will be implemented as soon as possible; and the Workplace Violence Prevention Plan as shown in Attachment A will be incorporated into the HR Policies and Procedures, to be effective immediately.

ATTACHMENTS

Attachment A – Draft Workplace Violence Prevention Plan

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Transportation Authority of Marin (TAM)
DRAFT Workplace Violence Prevention Plan (WVPP)

Purpose:

The purpose of the TAM Workplace Violence Prevention Plan is to establish, implement, and maintain an effective workplace violence prevention plan as required under Labor Code sections 6401.7 and 6401.9. California Senate Bill 553 (SB 553) requires California workplaces to have a policy in place to address the rising episodes of violence occurring at the worksite. SB 553 has multiple requirements of an employer which can be broadly grouped into two categories: pre-violent incident activities and post-violent incident activities.

The goal of establishing a Workplace Violence Prevention Plan is to reduce violent incidents in the workplace at TAM. Ultimately, this is achieved through improved employee awareness, violent incident identification and reporting, tracking of violent incidents, and corrective actions when hazards are recognized.

Specifically, this Plan contains procedures to address the following statutory requirements:

1) Provide effective training to employees on the legal requirements related to the prevention of workplace violence.
2) Maintain records of the following: (a) Workplace Violence hazards, (b) TAM employee trainings, (c) Violent Incident Logs, and (d) the investigation of any incident of Workplace Violence.
3) Ensure certain records are made available to the California Division of Occupational Safety and Health (Cal/OSHA) and employees.
4) Although all employees are responsible for contributing to and complying with the WVPP and all managers are responsible for implementing and maintaining the WVPP, the Director of Finance & Administration (DFA) is charged with maintaining the state mandated documentation and investigating incident and hazards of workplace violence.

Definitions:

For the purposes of the WVPP, the following definitions apply:

- “Access” means the right and opportunity to examine and receive a copy of the WVPP.
- “Credible threat of violence” is a knowing and willful statement or course of conduct that would place a reasonable person in fear for his or her safety, or the safety of his or her immediate family, and that serves no legitimate purpose.
- “Designated Representative” means any individual or organization to whom an employee gives Written Authorization to exercise a right of access.
- “Emergency” or “Emergencies” means unanticipated circumstances that can be life threatening or pose a risk of significant injuries to employees or other persons.
- “Engineering Controls” mean an aspect of the built space or a device that removes a hazard from the workplace or creates a barrier between the worker and the hazard.

- "Serious Injury or Illness" means any injury or illness occurring in a place of employment or in connection with any employment that requires inpatient hospitalization for other than medical observation or diagnostic testing, or in which an employee suffers an amputation, the loss of an eye, or any serious degree of permanent disfigurement, but does not include any injury or illness or death caused by an accident on a public street or highway, unless the accident occurred in a construction zone.
- "Threat of Violence" means any verbal or written statement, including, but not limited to, texts, electronic messages, social media messages, or other online posts, or any behavioral or physical conduct, that conveys an intent, or that is reasonably perceived to convey an intent, to cause physical harm or to place someone in fear of physical harm, and that serves no legitimate purpose.
- "Workplace Violence" means any act of violence or Threat of Violence that occurs in TAM's covered workplace. Workplace Violence does not include lawful acts of self-defense or defense of others.

Although there are different definitions and/or interpretations of "violence," for purposes of reporting and analyzing events, the Workplace Violence definitions as set forth in SB 553 are included below and are used consistently throughout training and reporting materials.

- Type I. Violence by Strangers Example: DPW street cleaner assaulted by Stranger while sweeping up.
- Type II. Violence by Customers/Clients Example: Transit operators being assaulted by a customer/client.
- Type III. Violence by Current or Past Coworkers Example: Co-worker violence. Disgruntled employee returning to worksite to do harm.
- Type IV. Violence by someone with Personal Relations with an Employee Example: Domestic abuse situations where partner comes to worksite to do harm.

Violence may include not only acts of violence but also threats to commit violence or do harm. Workplace violence includes any conduct, verbal or physical, in-person or virtual, which causes another to reasonably fear for their own personal safety or that of their immediate family.

Education, Training, and Communication:

<u>Education and Training</u>
SB 553 requires all employees to complete an annual mandatory workplace violence training and instruction that is clear, understandable, and effective. This training includes an understanding of what a violent incident is, how to escalate for attention and help, and what the role of the supervisor is in completing a violent incident report. The training is meant to be a general overview and does not address all sites or scenarios. Training shall be provided at a minimum annually, when a deficiency is observed, and after a Workplace Violence incident.

<u>Communication</u>
Beyond the initial and annual training for all employees on WVPP, TAM will have ongoing effective communication with employees related to the topic of workplace violence. This includes encouraging employees to report violent incidents without fear of retaliation, addressing employee concerns around violence, and any post-event investigations yielding corrective actions that could reduce violent incidents. Communication can be in-person, or virtual, and can include staff meetings, newsletters, or staff notices. These communications also serve to bring timely updates to employees when changes in processes have been identified after a violent incident investigation to prevent future episodes. Communications will also be maintained on the shared drive for reference.

Identifying, Evaluating, and Correcting Workplace Violence Hazards
TAM encourages the active involvement of employees in identifying, evaluating, and correcting Workplace Violence hazards by:

1) Scheduling general employee meetings at which Workplace Violence hazards are freely and openly discussed by those present;
2) Surveying employees regarding the identification, evaluation, and correction of any Workplace Violence hazards;
3) Providing a means by which employees may provide feedback regarding the identification, evaluation, and correction of any Workplace Violence hazards; and
4) Providing a means by which employees may report potential Workplace Violence hazards that TAM will evaluate and, if necessary, correct.

Designing and Implementing Training
TAM encourages the active involvement of employees in designing and implementing training by:

1) Providing opportunities for employees to identify the daily activities they believe put them at most risk for Workplace Violence and address those activities within the training; and
2) Authorizing sufficient time and resources to facilitate employee participation, including holding trainings during regular working hours.

Reporting and Investigating Workplace Violence Incidents

TAM encourages the active involvement of employees in reporting and investigating Workplace Violence incidents by:

1) Encouraging any employee who experiences, witnesses, or becomes aware of a violent incident, threat, or other Workplace Violence concern in which there is an immediate threat to the employee’s safety or the safety of others or where a Serious Injury or Illness has occurred to immediately report the incident to law enforcement, security, and/or emergency medical services;
2) Encouraging any employee who experiences, witnesses, or becomes aware of a violent incident, threat, or other Workplace Violence concern to immediately report the facts and circumstances of the violent incident, threat, or other Workplace Violence concern to their supervisor or another manager;
3) Encouraging any employee who experiences, witnesses, or becomes aware of a violent incident, threat, or other Workplace Violence concern to participate in the investigation of the violent incident, threat, or other Workplace Violence concern;
4) Allocating adequate resources and training for employees to appropriately recognize Workplace Violence concerns.

Coordination with Other Employers
When and where applicable (e.g., multiemployer workplaces), TAM will coordinate with other employers to ensure that those employers and employees understand their respective roles, as provided in the WVPP.

Specifically, TAM will coordinate with other employers to ensure that all employees within the workplace are trained on Workplace Violence prevention and all Workplace Violence incidents involving any employee are reported, investigated, and recorded.

At a multiemployer worksite, TAM will ensure that when an employee experiences a Workplace Violence incident, TAM shall record the information in the Violent Incident Log and provide a copy of that Log to the controlling employer. If TAM is the controlling employer at a worksite, TAM will ensure that it receives copies of all Logs from other employers.

Violent Incident Report:
The Violent Incident Report shall be completed by the individual's immediate supervisor. If the immediate supervisor is not available, the report shall be completed by an available manager. Prior to proceeding with any formal investigation, the management level supervisor shall report any incidents of threats or acts of physical violence to the DFA or designee. The Violent Incident Report should be completed as quickly as possible while the details of the event are still current, ideally within 24 hours. The report is mainly data collection, so creating a culture and environment where an employee is comfortable coming forward to report a violent incident is crucial. If the incident is between an employee and their supervisor, the DFA must complete the report. The report template is Addendum A.

Violent Incident Investigation:
The DFA or designee is required to complete the incident investigation in a timely manner, such as within seven (7) calendar days. Addendum B includes the materials, questions, and required analysis. As required by SB 553, completed reports should be made available to the employee within 15 days from the date of the request. Procedures for investigating workplace violent incidents may include the following:

- A visit to the incident scene as soon as possible.
- Interviews of threatened or injured workers and witnesses.

Violent Incident Log Completion:
Complete the incident log (Addendum C) with the details required, and forward to the DFA after completion of the investigation. Identifying a record number (as shown with an example in Addendum C) instead of employee names allows tracking while protecting confidentiality. The log and supporting materials should be audit ready.

Post Incident Report and Analysis
The intent of the log is to identify trends and opportunities for further hazard reduction. The log should be reviewed by the Executive Director and DFA at least annually, or sooner if there are more frequent incidents of workplace violence. Per SB 553, the log data must be maintained for a minimum of 5 years.

Workplace Hazard Correction
The ongoing reporting and tracking of violent incidents support the identification of trends and the potential for hazard reduction or mitigation. Hazards that are identified with potential solutions will be addressed and implemented in a timely manner. If corrections are significant, they may require an update and modification to the current WVPP. Such updates to the WVPP will be brought to the attention of all employees in a timely manner.

Practices to Reduce Workplace Violence Risk

The following are practices known to help reduce risk in the workplace. This list is not intended to be all inclusive or exhaustive and will be updated through training and amendments to the WVPP.

1) Staff will use the online meeting protocol to prevent and mitigate interruptions to meetings, particularly related to hate speech or other disruptive activities.
2) The TAM office building should be unlocked during regular business hours with all staff members verifying it is locked before 9 a.m. and after 5 p.m. unless otherwise directed.
3) The front door to the TAM office suite will be unlocked during regular business hours except when there is only one staff person on-site or those on-site are unable to clearly hear and/or see the front door.
4) At least two staff members should be on-site at any time there are guests in the TAM office suite. This is particularly important after meetings or outside regular business hours.
5) Each staff member should maintain their Outlook calendar with an accurate record of off-site meetings or out-of-office time. This allows for reporting of concerns and coordination with other employers.

Addendum A – Violent Incident Report

Violent Incident Report Instructions

The supervisor receiving a report of workplace violence must complete this form with as much detail as possible to support an investigation. The original report must be forwarded to the Director of Finance & Administration (DFA). The reporting employee and supervisor may retain a copy, if desired.

Employee Information

Reporting Employee:____

Affected Employee(s):____

Affected Employee(s) Job Title(s):____

Department:____

Facility Address:____

Incident Information

Date incident occurred:_________________Time incident occurred:_________________

Specific address and detailed description of description where incident occurred (i.e. empty hallway, warehouse bathroom):

____

____

Definitions of Violent Incident Types

- Type I violence: workplace violence committed by a person who has no legitimate business at the worksite and includes violent acts by anyone who enters the workplace or approaches workers with the intent to commit a crime.
- Type II violence: workplace violence directed at employees by customers, clients, patients, students, inmates, or visitors.
- Type III violence: workplace violence against an employee by a present or former employee, supervisor, or manager.
- Type IV violence: workplace violence committed in the workplace by a person who does not work there but has or is known to have had a personal relationship with an employee.

Checklist of Questions to Answer After a Violent Incident

1. Which type of person threatened or assaulted the employee(s)?

Type I: ◻ Stranger ◻ Thief/Suspect ◻ Other
Type II: ◻ Client/Customer ◻ Passenger ◻ Person in Custody ◻ Patient ◻ Visitor
Type III: ◻ Current Co-worker ◻ Former Co-worker ◻ Supervisor/ Manager
Type IV: ◻ Current Spouse or Partner ◻ Former Spouse or Partner
◻ Employee's Friend ◻ Employee's Relative ◻ Family/friend of client or patient

2. What type of violent incident occurred (check all that apply)?

◻ Verbally harassed ◻ Verbally Threatened ◻ Physically Assaulted ◻ Punched
◻ Slapped ◻ Grabbed ◻ Pushed ◻ Choked ◻ Kicked ◻ Bitten
◻ Hit with Object ◻ Threatened with Weapon ◻ Assaulted with Weapon
◻ Animal Attack ◻ Other (Describe):____

3. Was a weapon used? □ Yes □ No

Describe the incident: ____

____

____

____

4. Was/were the employee(s) working alone? □ Yes □ No

If not, who was/were with the employee(s) that may have witnessed the incident?

____

5. Were there threats made before the incident occurred? □ Yes □ No

If yes, was it ever reported to the employee's supervisor or manager that the employee(s) was/were threatened, harassed, or was/were suspicious that the attacker may become violent?_______________

____

6. Are you willing to testify against the Respondent in Court to obtain a restraining order? □ Yes □ No

7. Has the incident been reported to law enforcement? □ Yes □ No

Reporter Information

Report Completed By: ______________________ **Date:** ______________

Department/Job Title: ____

Phone number: ______________ **Email:** ______________________

Addendum B – Violent Incident Investigation

The Director of Finance & Administration or designee will complete the investigation into the violent incident. Further investigation and resolution of the incident is expected within seven (7) days in addition to submitting a copy of the completed investigation to the Executive Director.

Incident Analysis to be completed by the DFA or designee:
Has this type of incident occurred before at the workplace? □ Yes □ No
What were the main factors that contributed to the incident? ______________________________

____

What could have prevented or at least minimized the damage caused by this incident?

____

□ Yes □ No Did the employee(s) require medical attention as a result of the incident?
□ Yes □ No Did the employee(s) miss work as a result of the incident?
□ Yes □ No Did the employee(s) apply for workers' compensation?
□ Yes □ No Was security contacted?
□ Yes □ No Was building facilities contacted?
□ Yes □ No Was immediate counseling provided to affected workers and witnesses?
□ Yes □ No Was critical incident debriefing provided to all affected staff who desired it?
□ Yes □ No Was post-trauma counseling provided to affected staff who desired it?
□ Yes □ No Was all counseling provided by a professional counselor?

Post-Incident Response
Has there been follow-up with the Employee(s)? □Yes □ No
Is this a recurring event? □ Yes □ No
Are there modifications to be made to WVPP to reflect updated practices? □ Yes □ No
Describe updates to WVPP ____

____

____

Investigation Completed By:_________________________________Date:__________________

Department/Job Title:____

Phone number:_________________________Email:______________________________________

Addendum C – Violent Incident Log and Instructions

Every workplace violence incident is reported and recorded in a violent incident log. Any element of personal identifying information sufficient to allow identification of any person involved in a violent incident will **NOT** be recorded. Such personal identifying information includes the person's name, address, electronic mail address, telephone number, social security number, or other information that, alone or in combination with other publicly available information, could reveal the person's identity.

Upon receipt of report, the DFA assigns a number system for tracking including date of report, Department, initials of who completed the log entry, without including employee name. Tracking and trending should include date, time and location, violence type, type of assault, and incident detailed description.

It is expected that the logs will be maintained by the DFA and reviewed with the Executive Director on a timely basis.

Departments are expected to review the data at least quarterly and make improvements to prevent further incidents.

Template Log is below: Log #	Person who completed the Log	Incident Date	Incident Time (24-hour, military)	Physical Location	Violence Perpetrator(s) Type, e.g., I stranger; II: client; III: employee (current or former); IV: Personal relationship	Incident Type, e.g., Verbal threats, Physical attack	Police Notified Y/N
Example: DHR12.13.23-1	Jane Doe	12/13/23	1403	900 Fifth Avenue, Suite 100, San Rafael	III	Verbal	Y

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Transportation Authority of Marin

DATE: October 14, 2024

TO: Transportation Authority of Marin
Administration, Projects & Planning Executive Committee

FROM: Anne Richman, Executive Director Anne Richman
Melanie Purcell, Director of Finance and Administration

SUBJECT: Acceptance of Revisions to the TAM Human Resources Policies and Procedures (Action), Agenda Item No. 6b

RECOMMENDATION

Staff recommends the Administration, Projects and Planning (AP&P) Executive Committee recommend to the TAM Board approval of updates to the TAM Human Resources Policies and Procedures (HR Policies and Procedures) as noted in the attached draft document, including #203 and #205 to clarify compensation adjustment eligibility, and #302 to modify the payment in lieu of health coverage provision.

BACKGROUND

The TAM Board first adopted the HR Policies and Procedures on November 30, 2017. The HR Policies and Procedures have been reviewed and revised over the years as needed, with the most recent revision adopted by the TAM Board on June 27, 2024.

DISCUSSION/ANALYSIS

Amendments for TAM's HR Policies and Procedures are shown in Attachment A. The substantive amendments include:

Policy #203 and #205 – Modify the eligibility for a pay increase upon successful completion of the introductory period to employees who were hired at a payrate in the bottom half of their assigned range.

Policy #302 – Modify the payment in lieu of health care so that all employees are eligible to receive one-half of the single Kaiser premium as a cash payment when electing to not participate in TAM's health coverage. For some employees hired prior to January 1, 2013, their employment letters specify that they will be paid the full single Kaiser premium. Participation in this benefit is dependent on proof of coverage and will be paid according to IRS regulations.

Upon approval by the TAM Board, the existing HR Policies and Procedures will be updated with the adopted revisions and staff will be notified of the updates.

FISCAL CONSIDERATION

No additional costs are anticipated although TAM may see a slight savings if employees choose to be covered by another eligible healthcare plan.

NEXT STEPS

Upon approval by the TAM Board, the changes shown in Attachment A will be incorporated into the HR Policies and Procedures, to be effective immediately.

ATTACHMENTS

Attachment A – Draft HR Policies and Procedures with Revisions Tracked (pertinent excerpts)
Attachment B – PowerPoint Presentation

HUMAN RESOURCES POLICIES & PROCEDURES

Adopted November 30, 2017

Revised, October 24, ~~June 27~~, 2024

POLICY# 203

SECTION: EMPLOYMENT PRACTICES
SUBJECT: INTRODUCTORY PERIOD

The introductory period is an intrinsic part and extension of the employee selection process. The employee will be considered in training and under careful observation and evaluation by supervisory personnel during this timeframe. Generally, this period will be utilized to train the employee for his/her job responsibilities and to determine whether there is a good fit between TAM's business needs and the work performance of the employee.

GUIDELINES

1. All newly hired employees except temporary employees shall serve an introductory period of six months.

2. During the introductory period, the Executive Director may dismiss an employee at any time, with or without cause and with or without notice. The discharge is at the sole discretion of the Executive Director. Completing the introductory period does not change TAM's employment at-will policy and does not imply any type of employment agreement between TAM and the employee.

3. Six (6) months after the start of employment, the employee is scheduled for his/her initial performance evaluation. Performance that is deemed satisfactory or above satisfactory shall qualify the employee for a regular employee position and potential increase in compensation, if the employee was originally hired in the lower half of their respective salary range. The Annual Review shall be conducted six months following the successful completion of the introductory period, whereupon the employee shall then be eligible for a salary adjustment based on the evaluation results.

Employees promoted or transferred to a new position shall serve an introductory period in the position to which the employee was promoted or transferred. If the employee is not successful in the new employment arrangement, the employee may return to the previously held position with no loss of seniority in that position at the sole discretion of the Executive Director.

POLICY# 205

SECTION: EMPLOYMENT PRACTICES
SUBJECT: COMPENSATION POLICY

TAM's compensation program is designed to attract, retain, motivate, and reward the best possible work force in an equitable manner. To accomplish this, TAM has established the following plan, provisions and standards for employee compensation. (As a public agency, the salary approved for all positions rests with the full discretion of TAM Board and its budgetary determinations shall control TAM's compensation plan.)

GUIDELINES

1. **Salary and Wage Plan**
   A compensation program is designed to fairly compensate each employee at a salary that is determined by the competitive job market, job responsibilities and the required level of expertise. The compensation program includes both base salary and a competitive benefit program.

   TAM Board will review the Salary and Benefits plan periodically, but a compensation plan should be updated at least every five years, depending on the labor market. The Executive Director has overall responsibility for recommending, interpreting, and monitoring the salary and performance evaluation program.

   Employees are responsible for engaging in the performance evaluation program. The Executive Director should discuss performance and salary-related issues with all employees.

2. **Salary Structure**
   The salary structure assigns each classification to a salary range based on comparable positions in comparable agencies, according to the skills, responsibilities, and qualifications that the classification requires, as adopted by TAM Board. Advancement in the salary range is accomplished through positive performance evaluations as explained in section 3, Performance Review.

3. **Performance Review**
   The employee's supervisor is responsible for reviewing each employee's performance. Performance evaluations shall occur annually on the employee's anniversary date. Based upon the results of the performance review and the recommendation of the supervisor, the Executive Director, may grant salary adjustments, within the approved salary ranges, and the adopted budget for the fiscal year in which the increase is scheduled. Compensation adjustments based on performance evaluations may include step increases within the salary structure and/or bonuses. The design of and method for conferring any adjustments will be distributed to employees as part of the review process. Timely and effective performance reviews are important and will be the basis for any performance-based salary adjustments.

4. **Timing of Increases**

Employees may~~shall~~ be considered for an increase at the completion of their introductory period, usually six (6) months, if they were hired within the bottom half of the salary range for their position, and after twelve (12) months of employment with the Agency and annually thereafter. Pay increases will take effect with the pay period that encompasses the employee's anniversary date.

5. **Start Salary**

The Executive Director determines the start rate of pay for a newly hired employee. Employees are not eligible to receive increases during the introductory period.

6. **Promotions**

An employee who is promoted to a higher classification shall be moved to the established salary range for the new classification and shall receive a minimum of five percent (5%) salary increase if available within the new range. Any increase shall not exceed the assigned salary range for the new classification.

7. **Out of Rate Pay**

Employees who are assigned to duties beyond the employee's current job description on a temporary basis, or to fill a higher classification represented on an approved salary schedule shall receive out-of-rate pay at the discretion of the Executive Director after working one complete continuous month (30 days) at the higher classification level each time he/she is assigned.

Employees assigned shall receive a minimum of five percent (5%) salary increase. Temporary assignments should generally not exceed six (6) months but may be extended on a case-by-case basis at the discretion of the Executive Director.

POLICY# 302

SECTION: BENEFITS
SUBJECT: HEALTH AND WELFARE BENEFITS

TAM provides its eligible employees access to comprehensive health and welfare insurance protection including medical, dental, workers' compensation and unemployment insurance protection. The enrollment and/or cancellation date for all insurance coverage is the 1st of each month, unless otherwise indicated. For example, if an employee's first day of employment is January 15, the first possible enrollment date for the above-mentioned insurance plans is February 1st.

TAM also provides other optional benefit plans as outlined below.

GUIDELINES

1. **Health Benefits**
   TAM offers a comprehensive insurance plan for full-time regular employees and eligible dependents with a choice between PPO or HMO plans. Employees may enroll their spouse, eligible children, registered domestic partners, and/or eligible children of registered domestic partners. TAM pays a share of the premium costs for employees plus family as stated in the Employee Benefit Summary. The employee is responsible for any premium that exceeds the approved TAM contributions. Employees shall also be responsible for deductibles or co-payments within the plans. Employees are advised to consider premium costs as well as required co-payments when selecting a plan.

   All full-time employees and their qualified dependents are eligible for coverage. If the employee does not enroll in a plan within 30 days of date of hire, coverage may be denied or delayed, and the employee may not be eligible to enroll in a health insurance plan until the next open enrollment period. The health benefit is updated annually to reflect changes to the health benefit plan and premiums effective January 1 of every year.

   In addition, employees ~~hired prior to January 1, 2013,~~ who can provide proof of other insurance coverage may elect to receive cash in lieu of TAM's health coverage, equal to~~at~~ one-half TAM's single employee contribution level. Employees who have a different provision included in their initial employment letter are subject to those provisions. ~~An Employee should refer to his/her offer letters for the specific level of benefit.~~ Evidence of alternative coverage must be provided in advance of payment and the DFA notified of any change in circumstances as soon as possible.

2. **Dental Benefits**
   A fully paid dental insurance plan is offered to full-time regular employees and eligible dependents. Employees may enroll their spouse, eligible children, registered domestic partners, and/or eligible children of registered domestic partners. TAM pays the premium costs for employees plus family, but the employee is responsible for any

deductibles or co-payments.

Workplace Violence Prevention Plan and Human Resources Policies & Procedures Update

Transportation Authority of Marin

Administration, Projects & Planning Executive Committee

October 14, 2024

Workplace Violence Prevention Plan

- Senate Bill 553 was passed in 2023 to take effect on July 1, 2024, requiring every California employer to develop and implement a workplace violence prevention plan.

- Plan must have certain elements including:
  - definitions of the types of violence experienced in the workplace,
  - parties responsible for implementing and monitoring the plan,
  - employee communications and involvement, and
  - response and reporting procedures.

- Proposed TAM WVPP patterned off model template provided by Cal/OSHA and has been circulated amongst staff for feedback.

Workplace Violence Prevention Plan

While the plan is not required to itemize specific safety and workplace violence prevention steps, the proposed TAM WVPP does include some guidelines unique to our operations designed to protect staff.

- Staff will use online meeting protocol to prevent and mitigate interruptions to meetings, particularly related to hate speech or other disruptive activities.
- TAM office building should be unlocked during regular business hours with all staff members verifying it is locked before 9 a.m. and after 5 p.m. unless otherwise directed.
- Front door to TAM office suite will be unlocked during regular business hours except in instances where there is only one staff person on-site or those on-site are unable to clearly hear and/or see the front door.
- At least two staff members should be on-site any time there are guests in the TAM office suite, particularly after meetings or outside regular business hours.
- Each staff member should maintain their Outlook calendar with an accurate record of off-site meetings or out-of-office time. This allows for reporting of concerns and coordination with other employers.

Human Resources Policies & Procedures Update

- HR Policies and Procedures Manual is updated to reflect the most current state and federal laws and regulations as well as to implement key changes in benefits, operations, and policies.

- Last update – July 2024, included:
  - implementation of new benefits recommended by the Compensation Study and included in the budget,
  - formalization of the hybrid/remote work and flexible schedule policy, and
  - updates to comply with state law changes.

- This update modifies the payment-in-lieu of healthcare coverage provision and specification of eligibility for increases after successful completion of an employee's introductory period.

Proposed Changes

- Policy #203 and #206 – Clarifies that eligibility to receive a pay increase after successful completion of the six-month introductory period is limited to employees who were hired in the bottom half of the compensation range for their position.

- Policy #302 – Allow all employees to receive one-half of the Kaiser single premium in lieu of taking TAM healthcare coverage subject to proof of alternate coverage. Some long-term employees have provisions in their employment letters that provide for 100% of the Kaiser single premium as payment.

Questions?

Thank you!

Transportation Authority of Marin

DATE: October 14, 2024

TO: Transportation Authority of Marin
Administration, Projects & Planning Executive Committee

FROM: Anne Richman, Executive Director Anne Richman
David Chan, Director of Programming and Legislation

SUBJECT: MTC Regional Transportation Measure (Discussion), Agenda Item No. 7

RECOMMENDATION

This is a discussion item only.

BACKGROUND

Senate Bill (SB) 1031

In March 2024, Senators Scott Wiener (D-San Francisco) and Aisha Wahab (D-Silicon Valley) introduced SB 1031 (Wiener and Wahab), also known as MTC or Bay Area Regional Transportation Measure (RTM) in anticipation of severe fiscal shortfall, also coined as a "fiscal cliff," that transit operators are facing from the effects of the pandemic. Without an infusion of new revenue, the larger transit operators, most notably AC Transit, BART, Caltrain, and SFMTA, would experience major operating budget shortfalls (in the hundreds of millions of dollars) around 2027, hence the term fiscal cliff, or would need to drastically reduce service that could leave transit riders with little to no meaningful regional and local commute options.

If approved, SB 1031 would have authorized a Bay Area ballot measure to provide transportation funding on the 2026 ballot or later, and require operational reforms and a consolidation assessment beginning in 2025. SB 1031 would have authorized MTC to propose a measure generating between $750 million to $1.5 billion per year in revenue to stabilize transit systems' operations, avoid service cuts, and improve service, plus additional funds to improve roadways and other physical transportation projects. The potential revenue sources to fund the RTM included sales tax, payroll tax, parcel tax, and vehicle registration surcharge.

RTM's funding categories included:

- Transit Sustainability and Transformation
- Safe Streets
- Connectivity
- Climate Resilience

The RTM would have committed a minimum of $750 million to transit operations to avoid the fiscal cliff.

In addition to generating revenue, SB 1031 also proposed reforms to integrate the transit system, including by integrating schedules, fares, and maps and requiring the 27 transit operators to be assessed for consolidation by the California Transportation State Agency (CalSTA) after a transit consolidation study to be conducted by a selected University transportation institute.

However, in May 2024, the authors announced that SB 1031 was pulled from further consideration. Senator Wiener cited that not enough time was given to build consensus within the region but remains committed to reintroducing a regional transportation measure for the Bay Area in the near future.

Transportation Revenue Measure Select Committee

Although SB 1031 did not move ahead, the transit operators' financial challenges remain. Therefore, in June 2024, MTC formed the Transportation Revenue Measure Select Committee (Select Committee) to help Bay Area leaders and stakeholders reach consensus on a potential 2026 transportation revenue ballot measure. Members of the Select Committee are tasked with providing guidance on developing a framework for state legislation to be introduced in 2025, that would authorize Bay Area voters as early as 2026 to consider a measure to preserve and enhance public transit in the region.

Select Committee members include MTC Commissioners, stakeholders organizations and staff from the offices of State Senators Wiener and Wahab. The Select Committee is chaired by Jim Spering, Solano County. Stephanie Moulton-Peters, representing Marin County, is also on the Select Committee.

The effort also includes a Transportation Revenue Measure Executive Group (Executive Group) that is made up of representatives from Bay Area transit agencies and county transportation agencies. Representatives from Marin County include:

- Anne Richman, Transportation Authority of Marin
- Denis Mulligan, Golden Gate Bridge, Highway and Transportation District
- Eddy Cumins, Sonoma-Marin Area Rail Transit
- Nancy Whelan, Marin Transit

The work of the Select Committee is expected to result in options or a recommendation to the MTC Commission this fall for adoption, leading up to the 2025 state legislative session.

DISCUSSION/ANALYSIS

The Select Committee meetings have resulted in the formation of two primary scenarios – Scenario 1 Core Transit Framework, and Scenario 2 Go Big Framework. A Hybrid Scenario has also been discussed to merge elements of Scenarios 1 and 2. Other options may emerge as well. Additionally, transit agencies may pursue their own measures as discussed below under Alternative Approach.

The sections below summarize the key aspects of the Transportation Revenue Measure Scenarios that were presented to the Select Committee on September 23, 2024. Further details may be found in MTC's Presentation (Attachment A) to the Select Committee and MTC's Scenarios Explanation (Attachment B).

Scenario 1 Core Transit Framework

- Proposes a 30-year, half-cent sales tax and assumes participation by Alameda, Contra Costa, San Francisco, and San Mateo counties as a baseline. Those counties are where the agencies with large shortfalls have most of their service. Small operators in these counties would also receive funds to compensate for fare losses. Expects to generate approximately $540 million annually in the four base counties.

- Focuses on the largest operators in terms of ridership that are facing budget operating shortfalls: AC Transit, BART, Caltrain and SF Muni. This scenario seeks to cover the gap created by a loss in fare revenue since the pandemic. Specifically, it would fill a shortfall designated as “adjusted fares.” This shortfall represents the loss of fare revenue from FY2019 actuals to FY2024 budgeted levels, increased by a 2 percent annual escalation factor to help account for cost growth since 2019.

- Allows Marin, Napa, Santa Clara, Solano, and Sonoma Counties to opt into the measure with certain requirements. While BART and Caltrain run service in Santa Clara County, the county has been designated as an opt-in county because BART and VTA already have an agreement that VTA is responsible for covering BART’s operating costs in Santa Clara County. For opt-in counties, a minimum of 30% of the funds would need to be used to support or expand transit services in their counties.

- Proposes a temporal element that recognizes that San Mateo, Contra Costa, and Santa Clara counties face transportation sales tax expirations in 2034 or soon after. The Core Transit Framework proposes to scale down the transit service portion of the measure after 2034 to allow for “County Flex” funds. County transportation agencies would be able to invest County Flex in any priority that is part of Plan Bay Area 2050 or successor plans. Note that the timing of this shift, whether ten years or different, is under discussion.

- 10% of the funds from each county would be required to be used for regional Transit Transformation programs coordinated or implemented by MTC. If a county does not opt in, an equivalent amount would need to be provided to MTC for this purpose from other funds.

- Counties would need to decide, through official action at the Boards of Supervisors, whether to opt in by the time the legislation is developed, roughly Spring of 2025.

- Santa Clara County would be expected to contribute their portion of funding from the measure to cover their share of Caltrain’s shortfall, in Years 1-15. Additionally, if Santa Clara chooses not to opt in, they would still be expected to cover their share of Caltrain’s shortfall from funding sources besides the measure. The measure's expenditure plan would be updated to reflect this contribution.

Scenario 2 Go Big Framework

- Proposes a 30-year, half-cent sales tax and either a $0.28 per square foot parcel tax or 0.54% payroll tax on all nine Bay Area counties to generate approximately $1.5 billion annually.

- Transit Transformation at $100 million per year, allocated at the regional level for customer-focused improvements (same as Scenario 1).

- Employer Commuter Benefits Program at $200 million per year, distributed to each county based on the amount of payroll tax collected in that county. The program would fund programs that promote transit and other non-single occupant vehicle commuting, e.g. vanpool, carpool, or active transportation incentives, building on MTC’s existing Bay Area Commuter Benefits Program that is jointly administered with the Bay Area Air Quality Management District. Program details would be at the discretion of County Transportation Agencies with guidance from MTC.

- Transit operating funding that is $300 million higher than Scenario 1, for the life of the measure. That would mean:
    - Years 1-8 would provide approximately $790 million per year and could support 90% of the most recent operator-reported shortfalls. This scenario funds all the agencies with reported funding gaps, including the four agencies in Scenario 1 plus Golden Gate Transit and small operators facing deficits in all nine counties.
    - Years 9-15 would provide $520 million per year, and could support 65% of the operator-reported shortfalls. Muni funding would decline more substantially than others in this period but would still receive $90 million more than in Scenario 1.
    - Years 16-30 would provide $300 million per year. Transit funding for this period has not been determined.
- The remainder of funds would be for County Flex.
- Marin and Sonoma Counties' expenditure plans require additional consideration. First, the allocation of sales tax and payroll tax to address Golden Gate Transit's deficit would be subject to further discussion. Second, this measure could provide sufficient funding to backfill SMART's ¼-cent sales tax, if desired.

New Hybrid Scenario

- Provides funding for transit operations – at least $750 million per year over 30-years, in all nine counties from a measure that generates $1.5 billion annually.
- Proposes a measure with two funding sources: a ½-cent sales tax generating $1 billion annually complemented by a payroll tax generating $500 million annually. If applied to all businesses, that would require a rate of 0.18% of total payroll. It could also be designed to exempt small businesses and use a slightly higher rate.
- Provides $200 million to a new employee commuter benefits program that provides benefits to employees, helps with recruitment and retention, and reduces single-occupant vehicle travel and traffic congestion.

Alternative Approach – Coordinated Single-Agency Measures

- The five agencies projecting substantial operating funding gaps pursue their own measures. Some of these agencies are actively considering this "Plan B" approach in the event the regional measure does not move forward.
- Concern with this approach is that in the counties of Alameda, Contra Costa and San Francisco, this approach could present voters with multiple measures, e.g., San Francisco voters could be asked to vote on BART, Caltrain, Golden Gate Transit and S.F. Muni measures, potentially at the same election. In addition, transit agencies are likely to consider using sales taxes as a potential funding source, creating concern among counties that face expiring transportation sales taxes over the next decade.

Potential Considerations for Marin

There are numerous potential considerations for Marin in this discussion, particularly if there were to be a decision needed for an opt-in scenario. Considerations could include the potential extent of local support for a new measure; the impact on current tax rates including local sales tax rates that are already at or near the state caps; impact on other local measures under consideration such as SMART's sales tax renewal, a future housing bond measure, or other; potential for new revenues that can support priority transportation projects and programs; and the impact of RTM details such as percentage shares and distribution of funds.

Staff looks forward to hearing the Committee's questions and perspectives during the meeting.

FISCAL CONSIDERATION

There are no immediate fiscal impacts with the discussion of MTC's Regional Transportation Measure.

NEXT STEPS

Staff will continue to participate in meetings on the Regional Transportation Measure and report back on progress and developments.

ATTACHMENTS

Attachment A – MTC's Presentation to the Select Committee, September 23, 2024
Attachment B – MTC's Scenarios Explanation

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Transportation Revenue Measure Select Committee

September 23, 2024

METROPOLITAN TRANSPORTATION COMMISSION

Meeting Goals

1. Review comments about the scenarios and discuss potential improvements.
2. Rate the scenarios, using gradients of agreement.
3. Review and seek feedback on companion policy ideas.

Timeline

DATE	ACTION
September 23	Select Committee refines scenarios, discusses companion policies
October 21	Select Committee votes on the framework(s)
November - December	MTC Commission votes to advance to the legislature
January	Bill introduced with goal to pass in 2025 legislative session
Nov. 2026	Voters decide

Overview of Scenarios from Aug. 26 meeting

Scenario 1:
Core Transit Framework

30-year, ½-cent Sales Tax

- Includes Alameda, Contra Costa, SF & San Mateo Counties
- Opt-in for other counties, with required contribution to Transit Transformation and funding for operating gaps, subject to negotiation with MTC.
- **Generates $540 million/year** in the four base counties, approx. $1 billion/year in all nine counties.

Scenario 2:
Go Big Framework

30-year

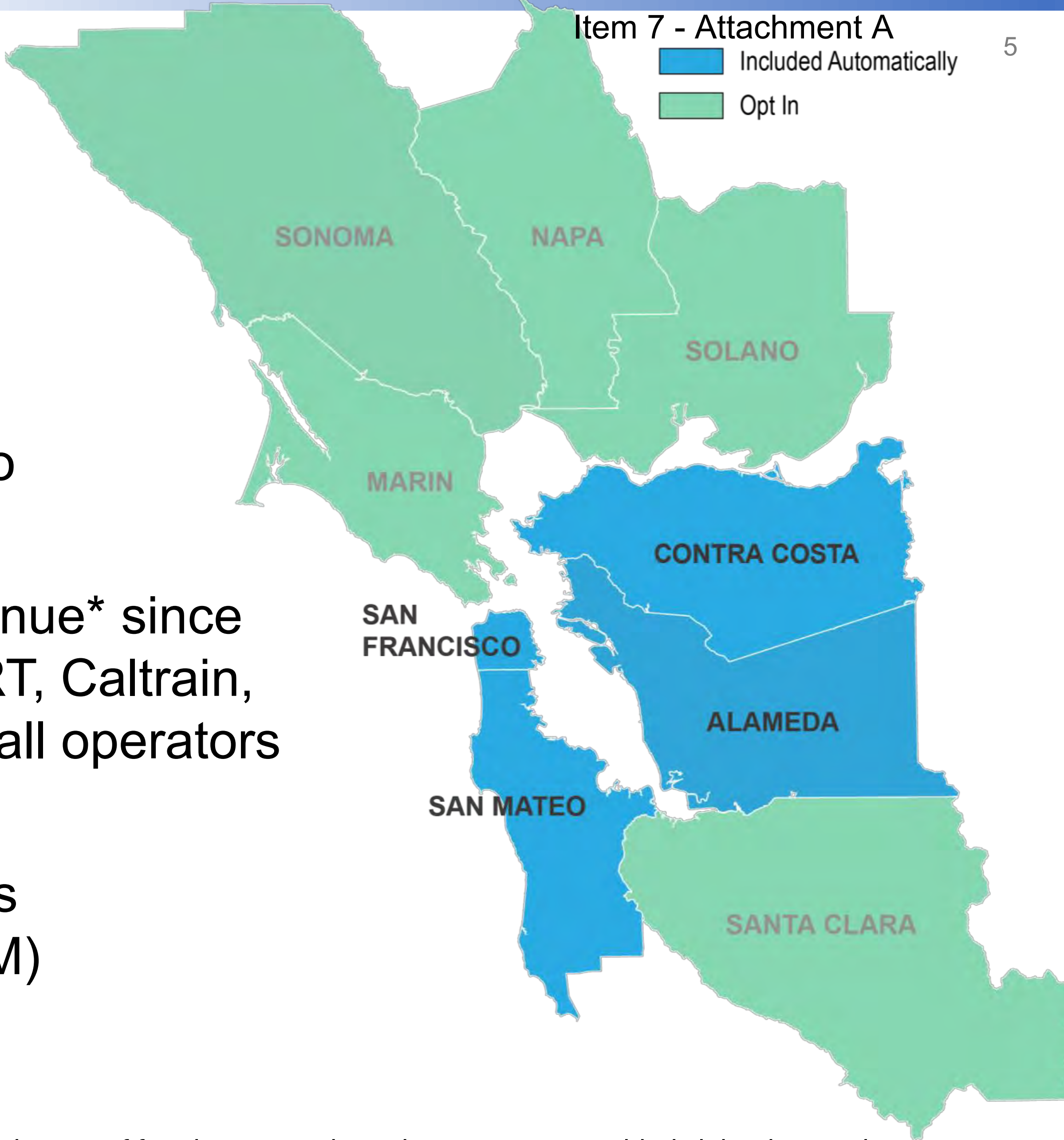
- All nine Bay Area counties
- **Generates $1.5 billion/year** through either a $0.28 per square foot parcel tax or a 0.54% payroll tax.*

**Data for scenarios provided by NBS (parcel tax) based on July 2023 assessment data and Sperry Consulting (payroll tax) based on 2022 taxable wages and 2022 taxable sales.*

Scenario 1 Review:
Core Counties

Applies to Alameda, Contra Costa, S.F. and San Mateo

- 10% per year for Transit Transformation to grow ridership for entire measure.
- **Years 1- 8**: 90% to offset loss of fare revenue* since 2019 and mitigate service impacts at BART, Caltrain, AC Transit, and Muni, plus funding for small operators in AL and CC counties ($490M/year).
- **Years 9-15**: 40% to transit operating funds ($220M/year), 50% to County Flex ($270M)
- **Years 16-30**: 90% to County Flex



* *Estimates of fare losses are based on operator provided claim data and compares FY19 fare revenue(indexed at 2% annually) to FY24 or FY 25 budgeted fare revenue,*

Scenario 1 Review:
Opt-In Counties

Applies to: Marin, Napa, Santa Clara, Solano and Sonoma

- Commitments:
  - 10% Transit Transformation
  - Transit operating support to help close budget gaps for operators serving the county, taking into consideration existing contractual agreements and subject to agreement with MTC.
- Remaining funds are at discretion of county for any transportation priority as long as aligned with Plan Bay Area 2050+ (and successor plans).

Scenario 1 Comments

1. The decrease in transit operating funds in year 9 is too steep.
2. Muni's proposed funding is inadequate.
3. There should be more funding dedicated to transit overall.
4. Santa Clara should help to close Caltrain's deficit.
5. Consider a shorter measure that focuses exclusively on transit.

1: The decrease in transit operating funds in year 9 is too steep

Original proposal:

In years 9-15 Transit operations funding would decrease from $490m/year to $220m/year

New proposal:

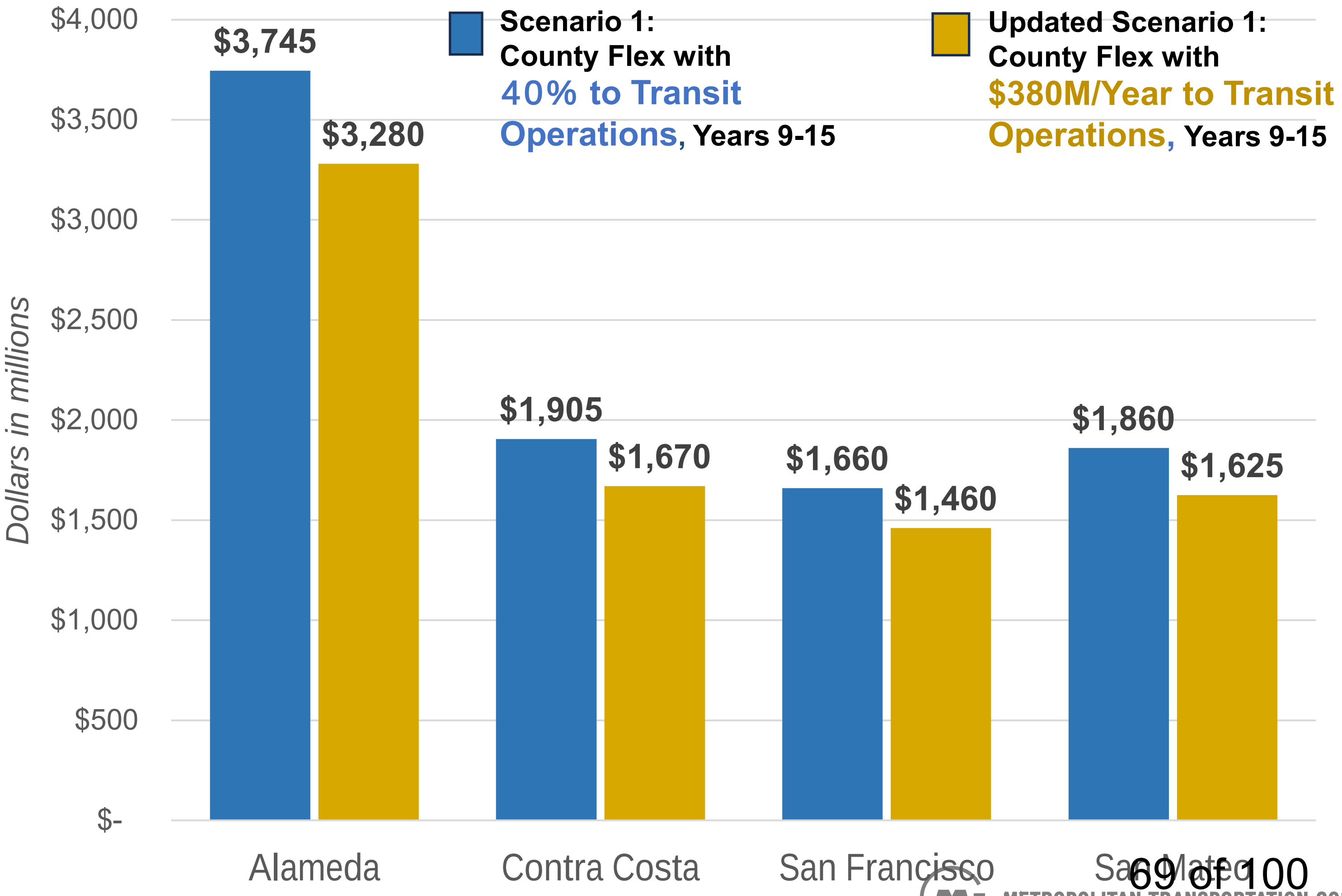
Guarantee at least $380M/year from transportation revenue measure or other new non-local ongoing funding source.

Proposed Change: Increase minimum transit operating funding for Years 9-15 from $220m/year to $380m/year.

- Instead of dropping dedicated transit operating funding to $220M/year, 40% of the measure, ensure that agencies get at least $380M/year in Years 9-15 from a combination of **new measure** or **additional (non-local) sources.**
  - Substantially higher, more stable funding for AC Transit, BART and Caltrain - nearly 90% of Years 1-8 funding level.
  - Dedicated Muni funding of $30M plus $20M option from County Flex (instead of no dedicated funding and $50M County Flex)
  - In the event more than $160M/year is raised from additional sources, measure would still provide floor of $220M/year.

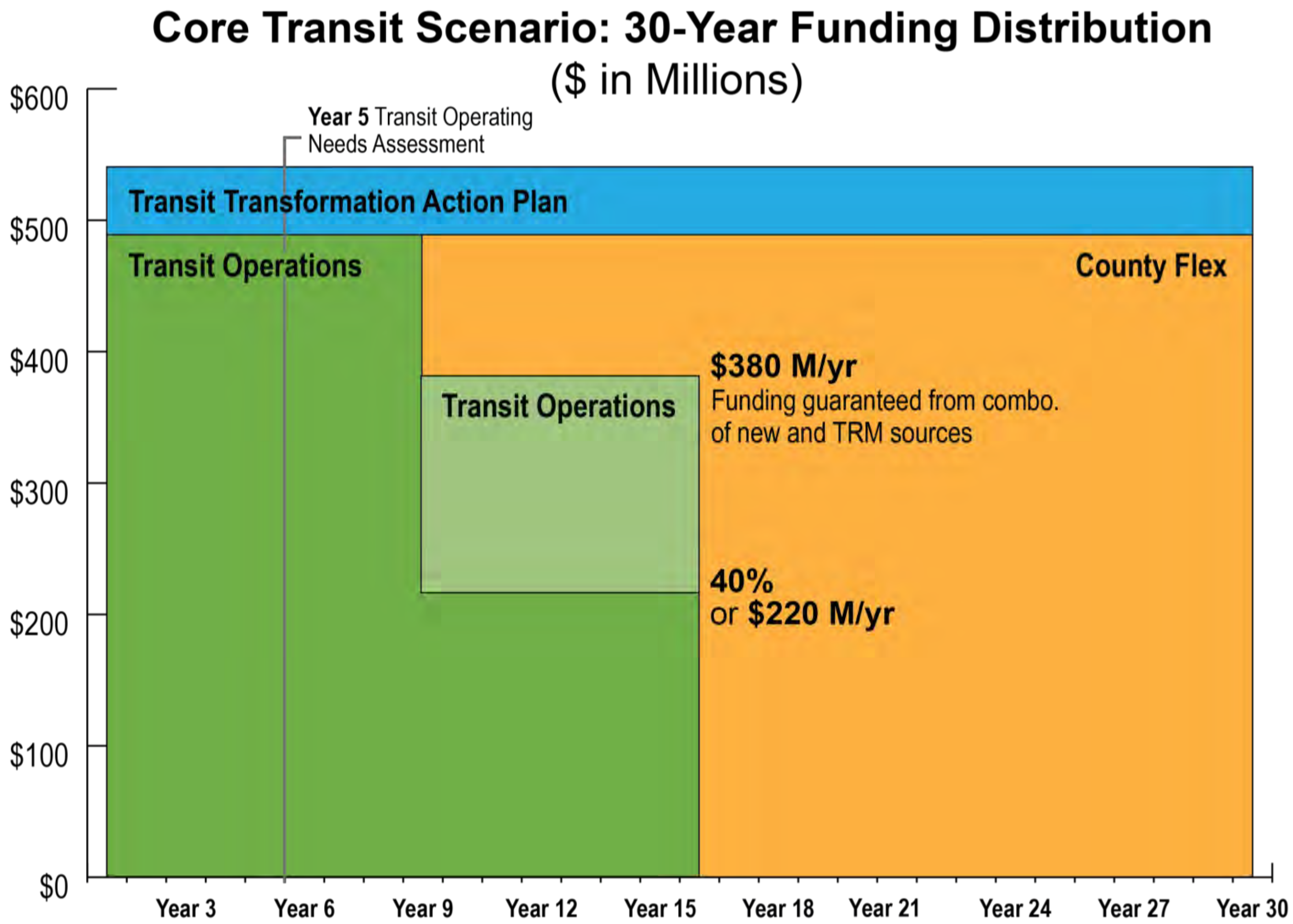
County Flex Funding Significant for Core Counties (30-Year Totals)

The bar graphs for each county represent their minimum and maximum County Flex over the life of the measure.



Protecting against a large drop in transit operating funds after year 8

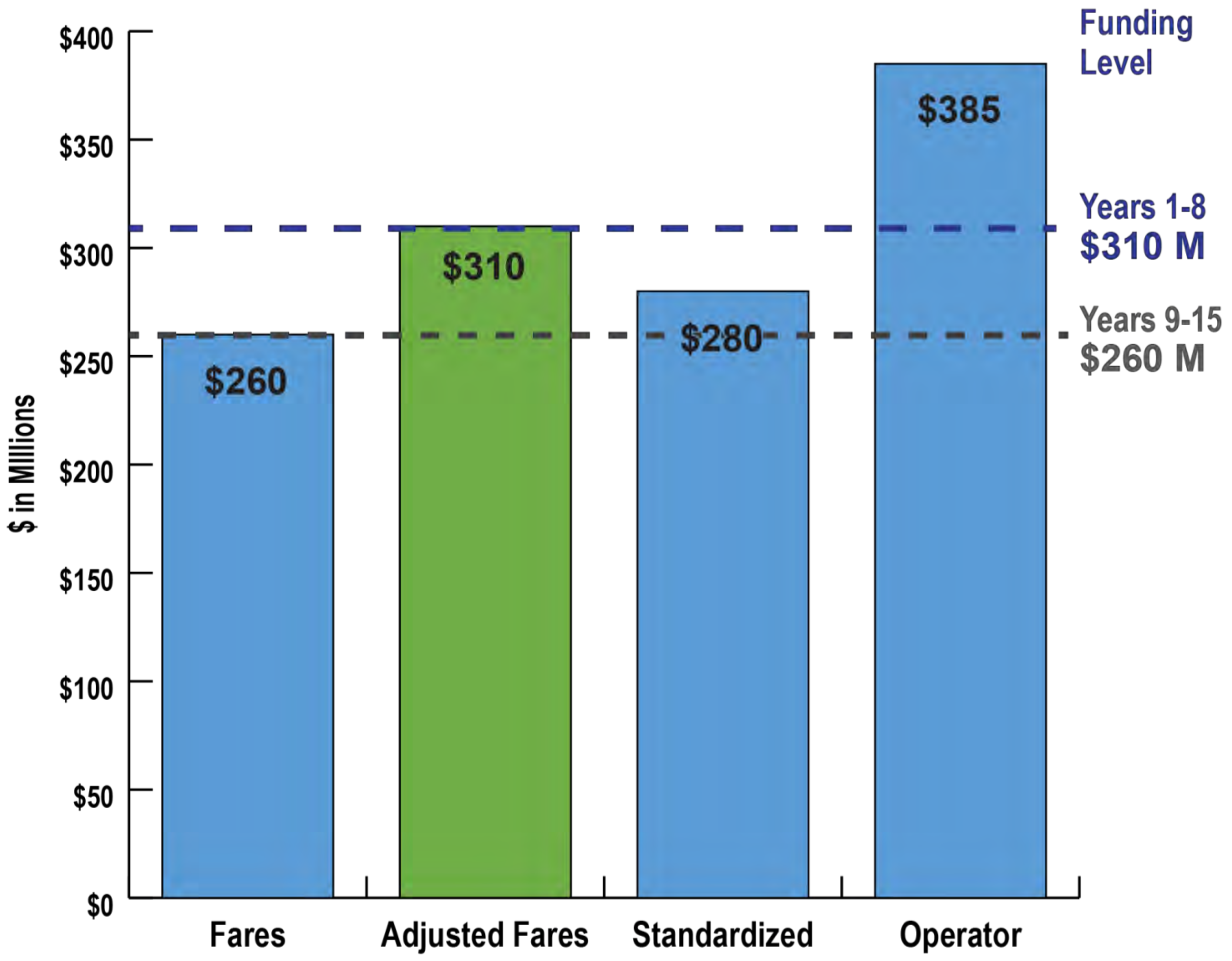
The contingent funding approach would cushion against severe cuts in Years 9-15 while retaining a strong incentive to secure funding from other sources.



Scenario 1 Revised:
BART Annual Funding

Under the revised Scenario 1, BART would be guaranteed approx. $260M/year in Years 9-15 from the measure **or** other new (non-local) operating funds.

County Flex funds could increase in proportion to new ongoing operating funding received.

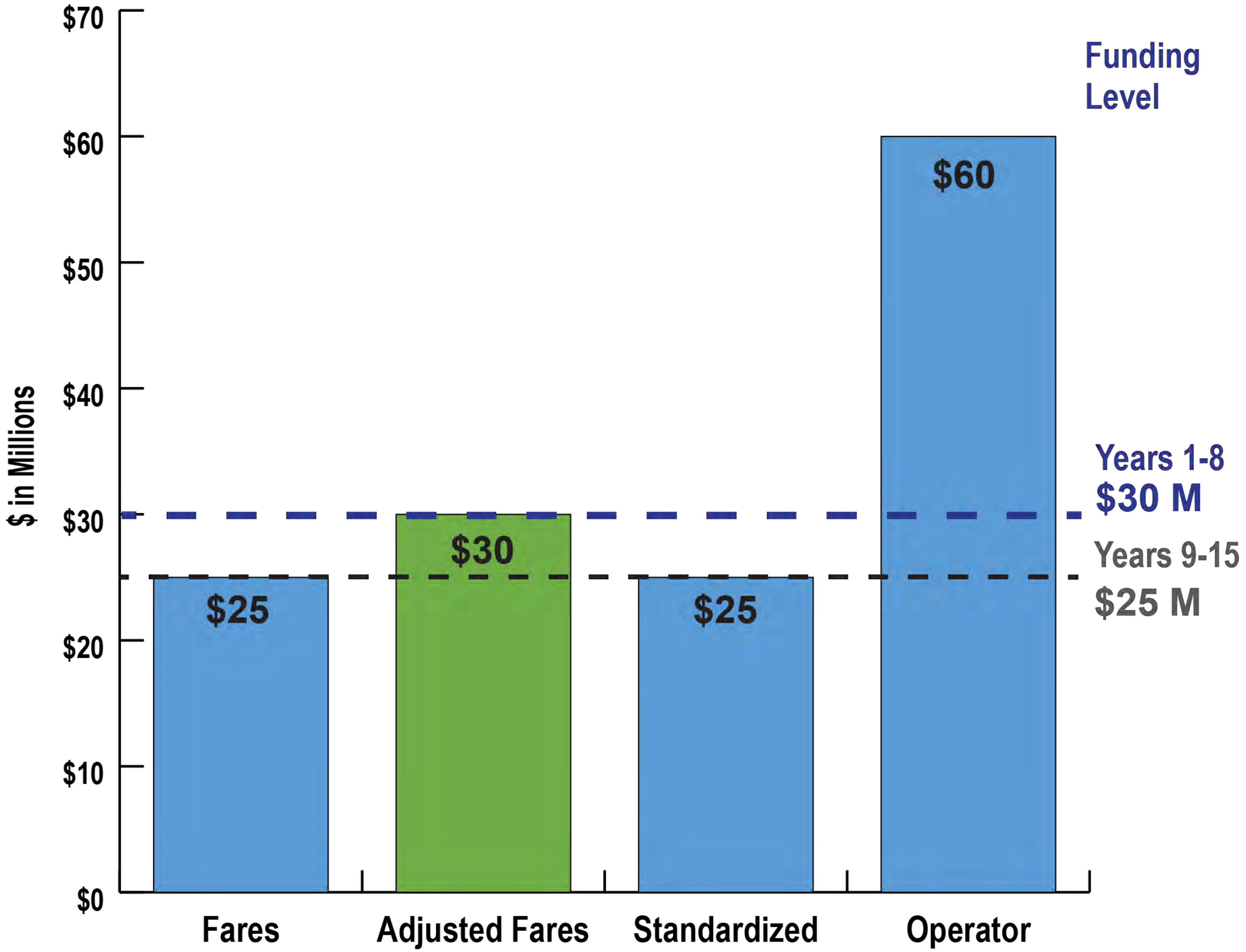


Note: "Operator" denotes operator provided forecasts of FY 2026-27 based on the most recent information provided to MTC in August of 2024.

Scenario 1 Revised:
AC Transit Annual Funding

Under the revised Scenario 1, AC Transit would be guaranteed approx. $25M/year in Years 9-15 from the measure **or** other new (non-local) operating funds.

County Flex funds could increase in proportion to new ongoing operating funding received.

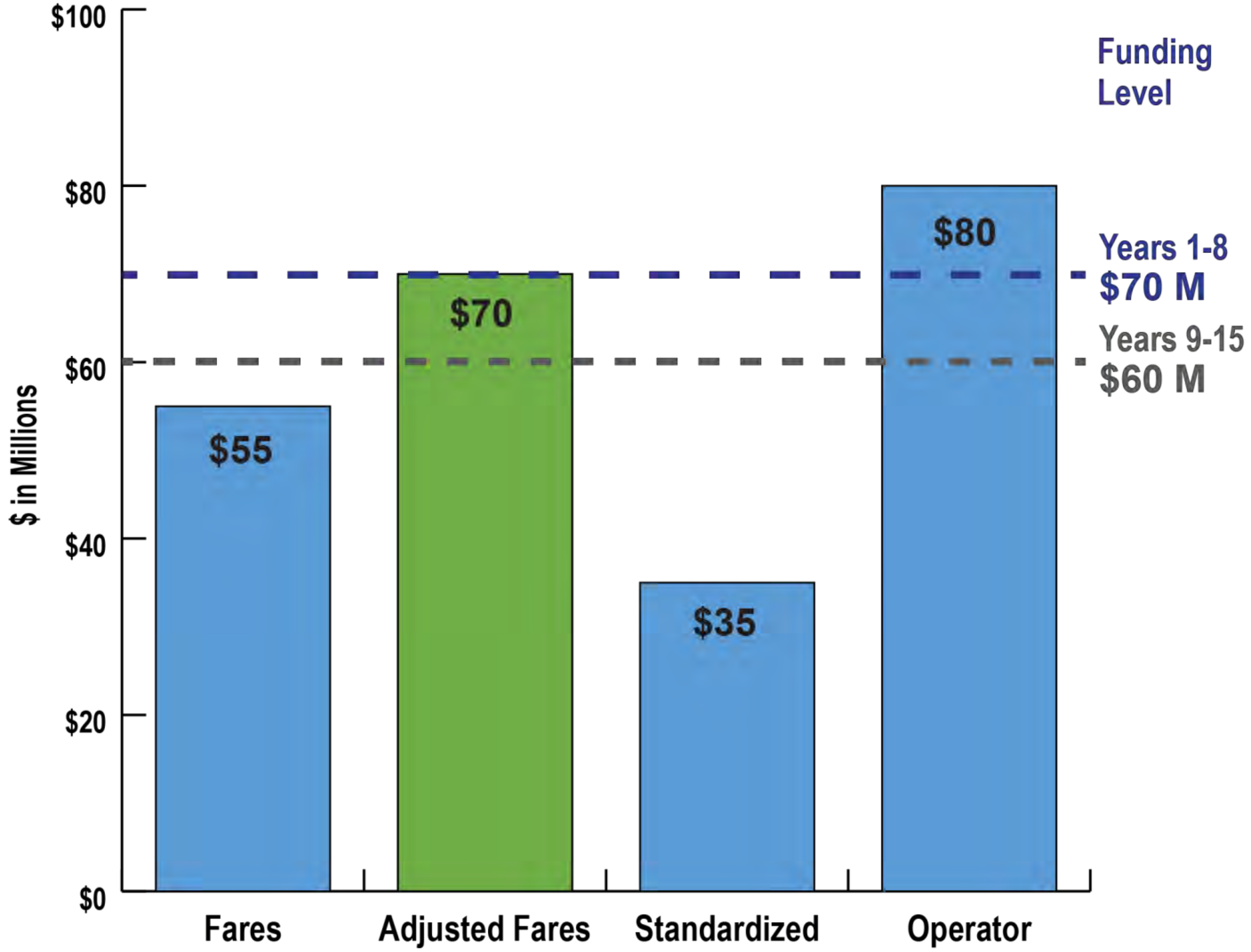


Note: "Operator" denotes operator provided forecasts of FY 2026-27 based on the most recent information provided to MTC in August of 2024.

Scenario 1 Revised: Caltrain Annual Funding

Under the revised Scenario 1, Caltrain would be guaranteed approx. $60 M/year from the measure **or** other new (non-local) operating funds in Years 9-15.

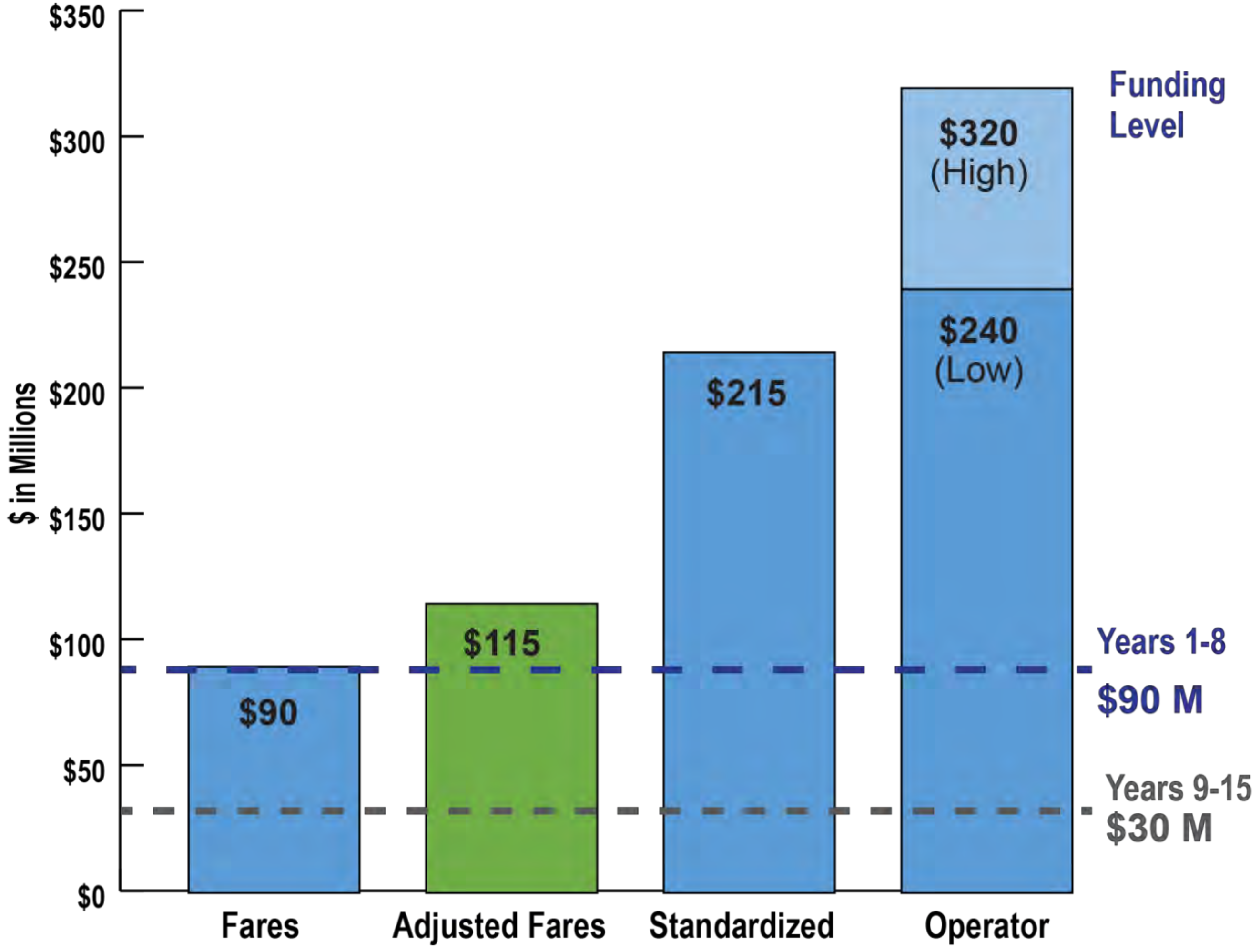
County Flex funds could increase in proportion to new ongoing operating funding received.



Note: "Operator" denotes Caltrain's forecast of seven-year average deficit starting in FY 2026-27 as of August of 2024. Update anticipated in November 2024 after full month of electrified service. Caltrain funding level assumes additional contribution from Santa Clara County per Slide 17.

Scenario 1 Revised:
SF Muni Annual Funding

In the revised scenario, Muni would receive a minimum of $30M/year in dedicated transit funding and the potential for an additional $20M in County Flex unless new non-local funds are secured.



Note: SFMTA eligible to receive an additional $20M in Years 9-15 from county flex. "Operator" denotes operator provided forecasts for FY 2026-27 based on the most recent information provided to MTC in August of 2024. SFMTA's deficit for forecast ranges from a low of $240M to a high of $320M in FY 2026-27.

2: Muni's proposed funding is inadequate

Response: Support Muni's efforts to secure additional operating funding sources.

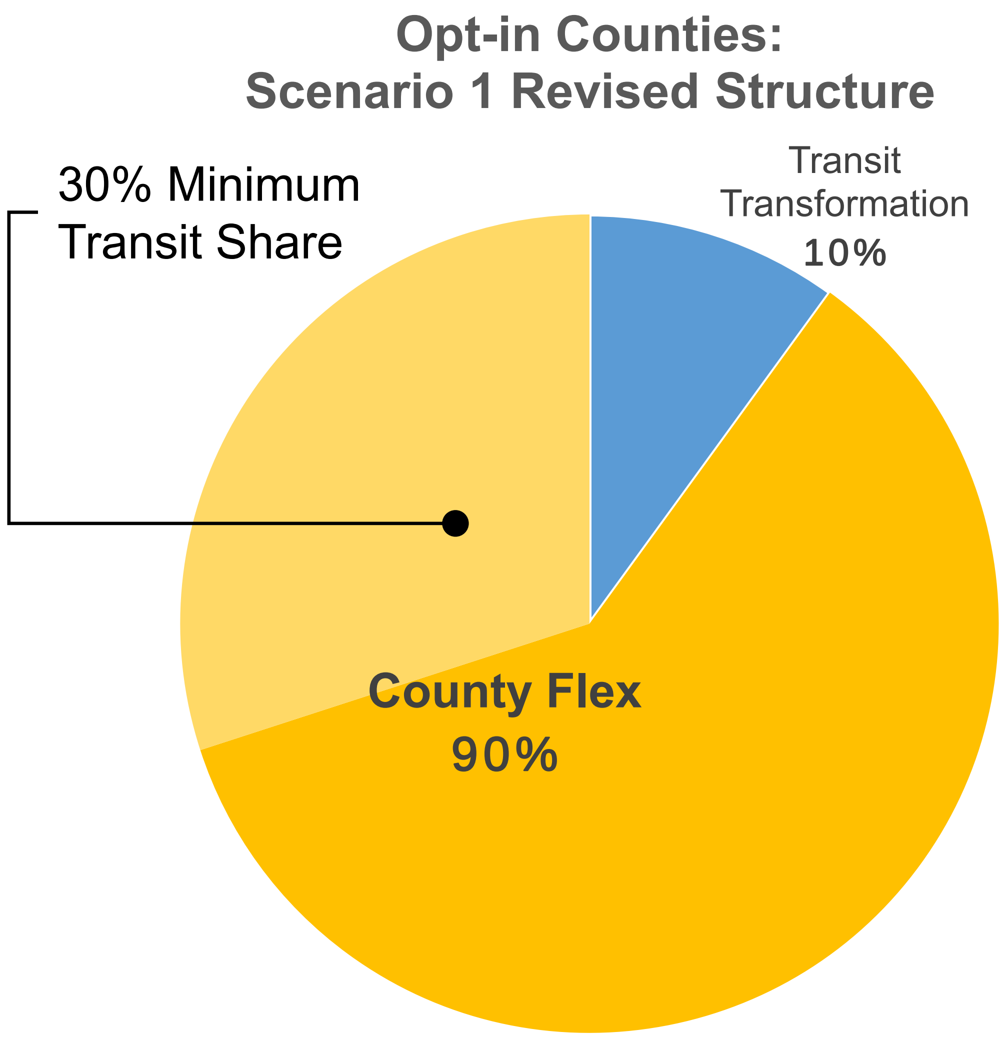
- City and County of S.F. is convening a working group to explore funding options for Muni in addition to a regional measure.
- Illustrative examples of taxes that could supplement Muni's funding shown at right.

Potential Supplemental Local Tax	Rate	Amount	Notes
Sales Tax	0.5%	$100M	Every .25% sales tax would generate ~$50M
Parcel Tax (BSF)	$0.16/BSF	$100M	Every additional $0.08 parcel tax generates ~$50M

3: There should be more funding dedicated to transit overall

Proposed Change: For Opt-in Counties, increase support for transit by setting a minimum transit investment.

- Require at least 30% of the County Flex to be invested in transit capital, operations or maintenance over the life of measure.
- Funding for the county's operator shortfalls, as agreed to with MTC, would count towards the 30% County Flex transit investment.



4: Santa Clara should help to close Caltrain's deficit

Summary of Concern:

- Scenario 1 closed Caltrain's projected deficit without further Santa Clara County contribution, raising fairness concerns given significant ridership, service and track miles in the County.

New Proposal:

- As an opt-in requirement, Santa Clara County would support Caltrain in proportion to their share of Caltrain's deficit for first 15 years.
- If they don't opt in, assume Santa Clara will still assist Caltrain through other means.

5: Consider a shorter measure that focuses exclusively on transit

- Various county transportation sales taxes expire in 2034, 2035 and 2036, leading to suggestion that the measure could be shortened to 10 years to avoid conflict with these sales taxes.

- **Proposed Response:**
  No change. Keep the proposed 30-year time frame

- There are significant downsides to a short measure, including:
  - Less time for operators to adapt to new business model and secure additional funding sources.
  - Harder to organize a strong coalition in support.
- While dedicated funding for transit is phased out in Year 16, operators remain eligible to receive County Flex funding in latter half of measure.

Recap of Scenario 1 (Including Updates)

- Robust transit operating funding through Year 15 to backfill adjusted fare losses post-pandemic.
- Opt-in counties must contribute 10% to Transit Transformation plus at least 30% towards transit serving their county (capital or operating) over life of measure.
- Provides significant levels of County Flex over life of measure, with funds beginning in Year 9.
- Funds Transit Transformation over 30 years to grow ridership and fund customer priorities.

Scenario 2 Comments & Concerns

Scenario 2 provides more funding for transit, and for longer, but the funding sources and approach have generated significant concerns.

1. **Parcel tax** would be in direct conflict with BAHFA's affordable housing bond (both funded by property tax).
2. **$1.5 Billion Payroll tax** will generate business community opposition, potentially with significant funding behind it.
3. **Raising $1.5B from any single tax is difficult** so consider using multiple funding sources.

1: Remove Consideration of a Property-Based Tax for Regional Transportation Measure

- Concerns that if a transportation measure uses a property-based tax in 2026, it will undermine a regional affordable housing bond backed by a property tax.
- Given importance of affordable housing and homelessness to the region – *Bay Area voters' top priority* – property-based taxes should be set aside to avoid conflict with a future regional housing measure.

2: Don't rely solely on a payroll tax as it may generate opposition

- With remote work now popular, many companies are downsizing in the region or moving. There is concern a regional payroll tax could accelerate that trend.
- Early indications are that a regional payroll tax would generate opposition, especially if it is the only funding source.
- Whether a citizen initiative subject to a majority vote or a traditional ballot measure subject to 2/3, the potential for funded opposition poses real risk.

3. Raising $1.5B from any single tax is difficult so consider using multiple funding sources.

Two funding sources in a single measure are rarely tried. It requires much of the 75-word ballot question to be dedicated to describing the taxes, not the public benefits of the new revenue.

Legal analysis ongoing regarding inclusion of multiple funding sources in a single regional or local ballot measure.

This approach could benefit from changes to the state Election Code.

Example: Two Fund Sources

YES 30 Schools & Local Public Safety Protection Act

- **Prop 30** (2012) placed a ¼ **cent sales tax *plus* an income tax on high-earners** to support state budget and avoid cuts to education for seven years.
- Passed with 55% statewide

New Hybrid Scenario: Bringing Together Elements of Scenarios 1 and 2

- Nine-county measure for $1.5 Billion annually
- Transit funding level aims to sustain current service levels and close operator-reported deficits.
- Combines ½ cent sales tax ($1 billion annually) and the expenditure plan from Scenario 1 with a payroll tax of 0.18% ($500 million annually)*
- Modest payroll tax supports employee commuter benefits (40%) and transit operations (60%).

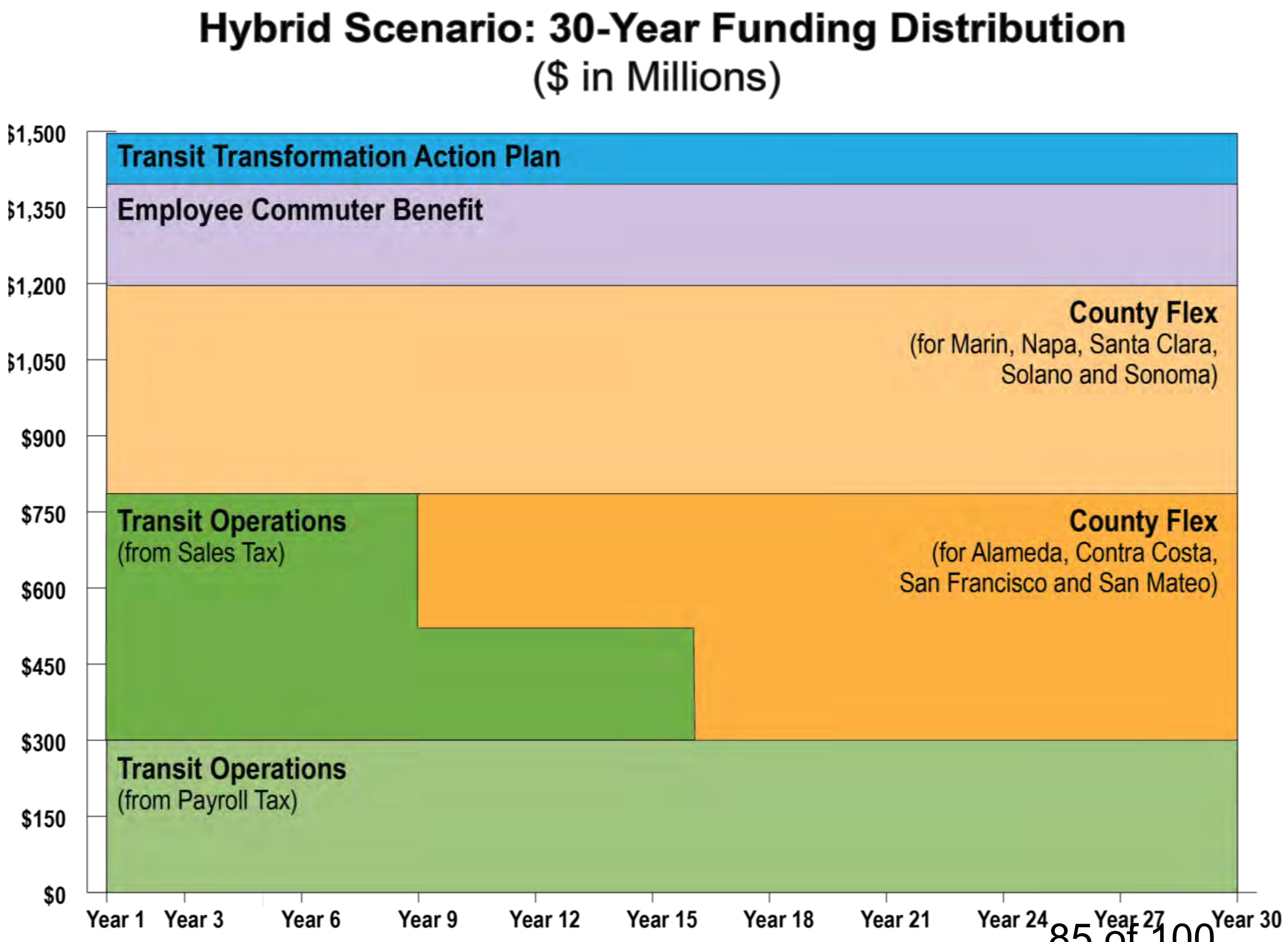
**Revenue estimates are from a 2023 Sperry Consulting analysis and are based on 2022 taxable wages and 2022 taxable sales.*

New Slide

Hybrid Provides Support for Transit, County Needs, and Employees

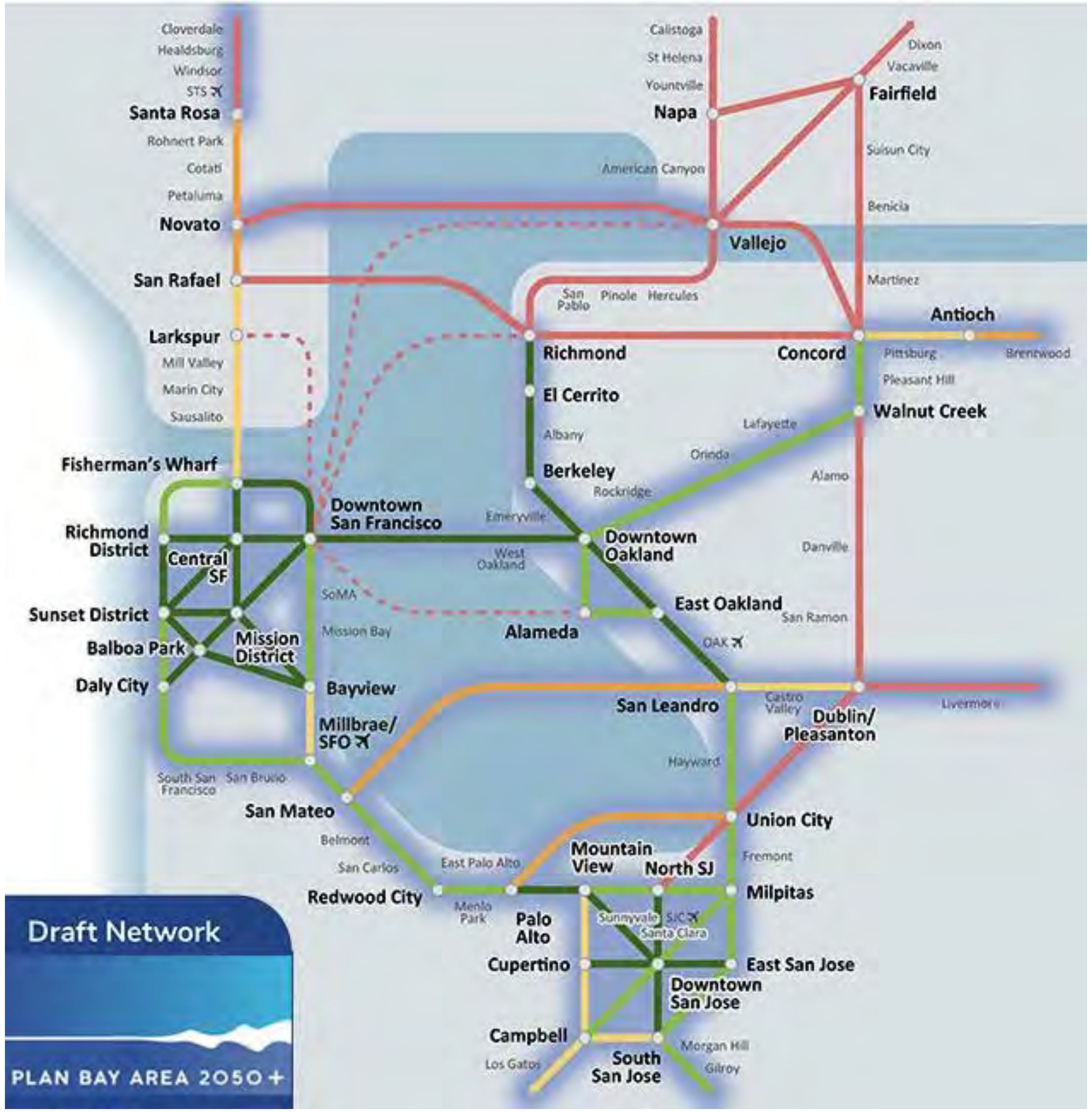
Hybrid Scenario framework builds on Scenario 1 with three new layers:

- Adds new payroll-tax funded Employee Commuter Benefit Program
- Adds County Flex funding for five counties that were previously "opt in"
- Adds new payroll tax-funded Transit Operations layer



Hybrid Scenario: Additional $300 Million for Transit Operations

- Our transit system is regional.
- Greatly reduced service from BART, Golden Gate, Caltrain service, and others would degrade traffic congestion across the region, increase climate emissions and increase costs for residents and workers.
- To integrate our systems with Transit Transformation, we need to at least sustain current service levels.
- 60% of the funding from the payroll tax would fund service levels across all 30 years.



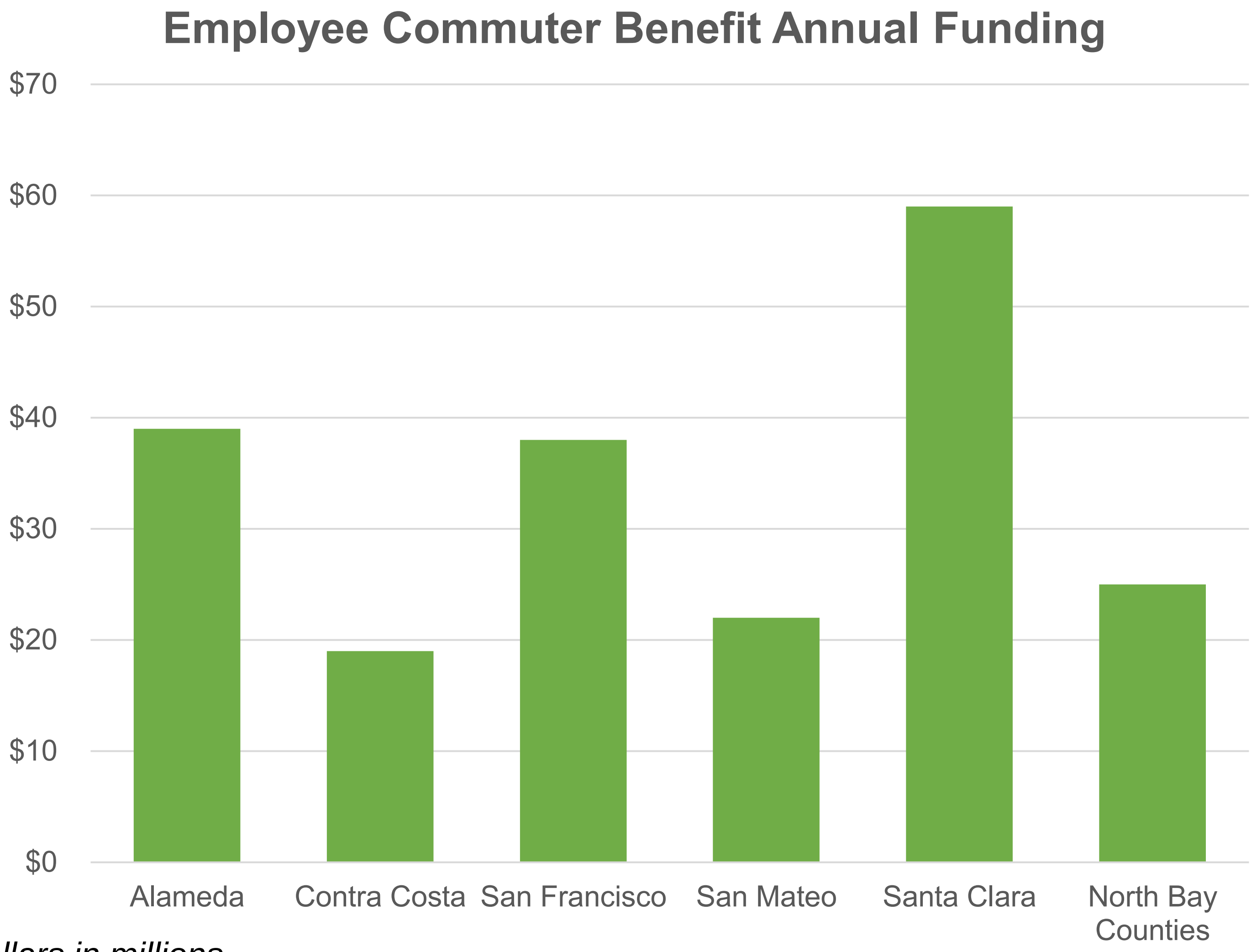
Hybrid Scenario: Employee Commuter Benefit Program receives $200 million per year

New Employee Commuter Benefit program would be distributed to each county, based on amount of the tax collected in that county.

Program would allow funding for programs that promote transit and other non-single occupant vehicle commuting, e.g. vanpool, carpool or active transportation incentives.

Helps with recruitment and retention, providing a direct benefit to employers.

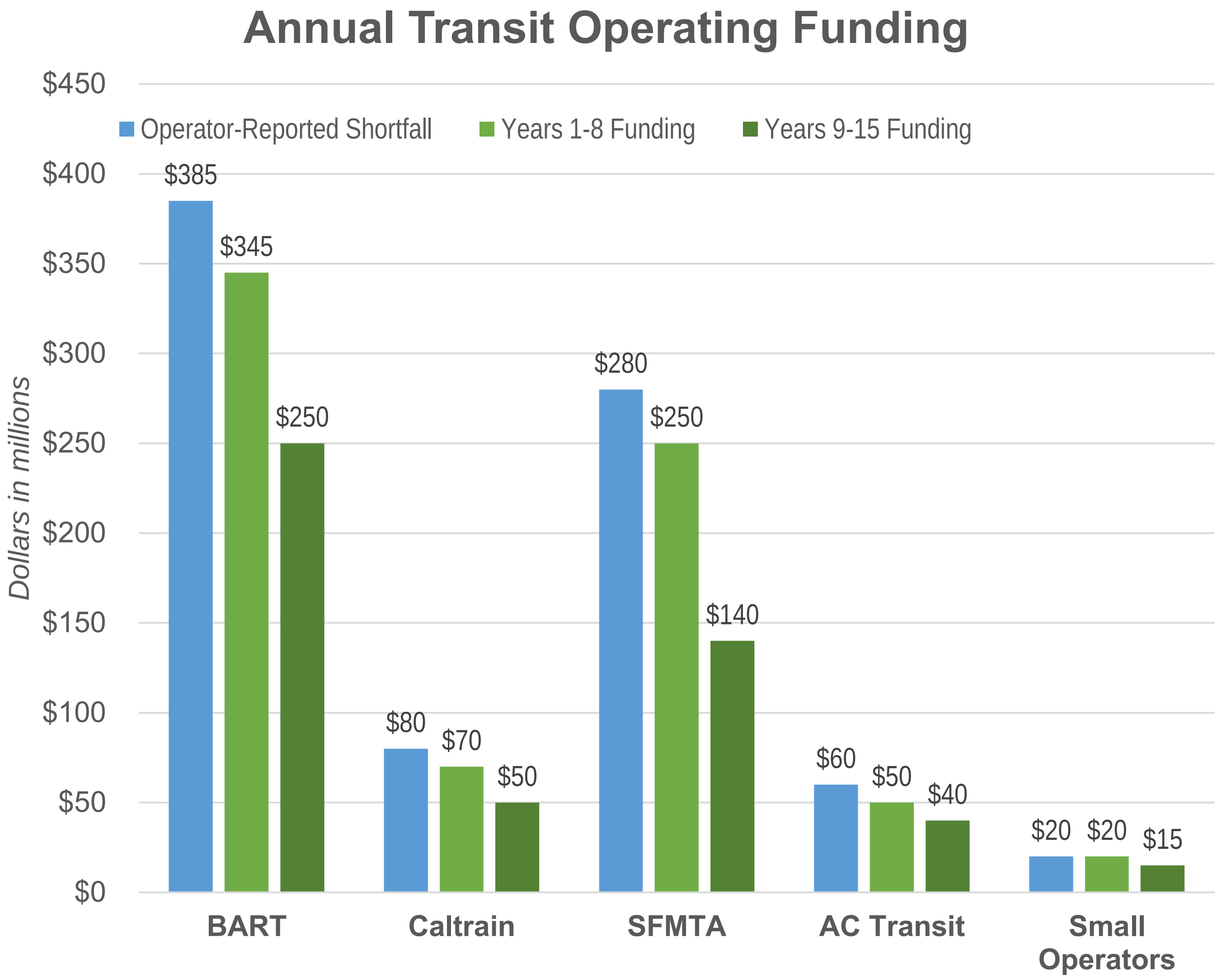
Specifics of programs at discretion of County Transportation Agencies.



Dollars in millions

Hybrid Scenario: Transit operations funding

Providing $300 million more annually for Transit Operations than Scenario 1, the Hybrid Scenario can cover 90% of the most recent operator-reported shortfalls in Years 1-8.



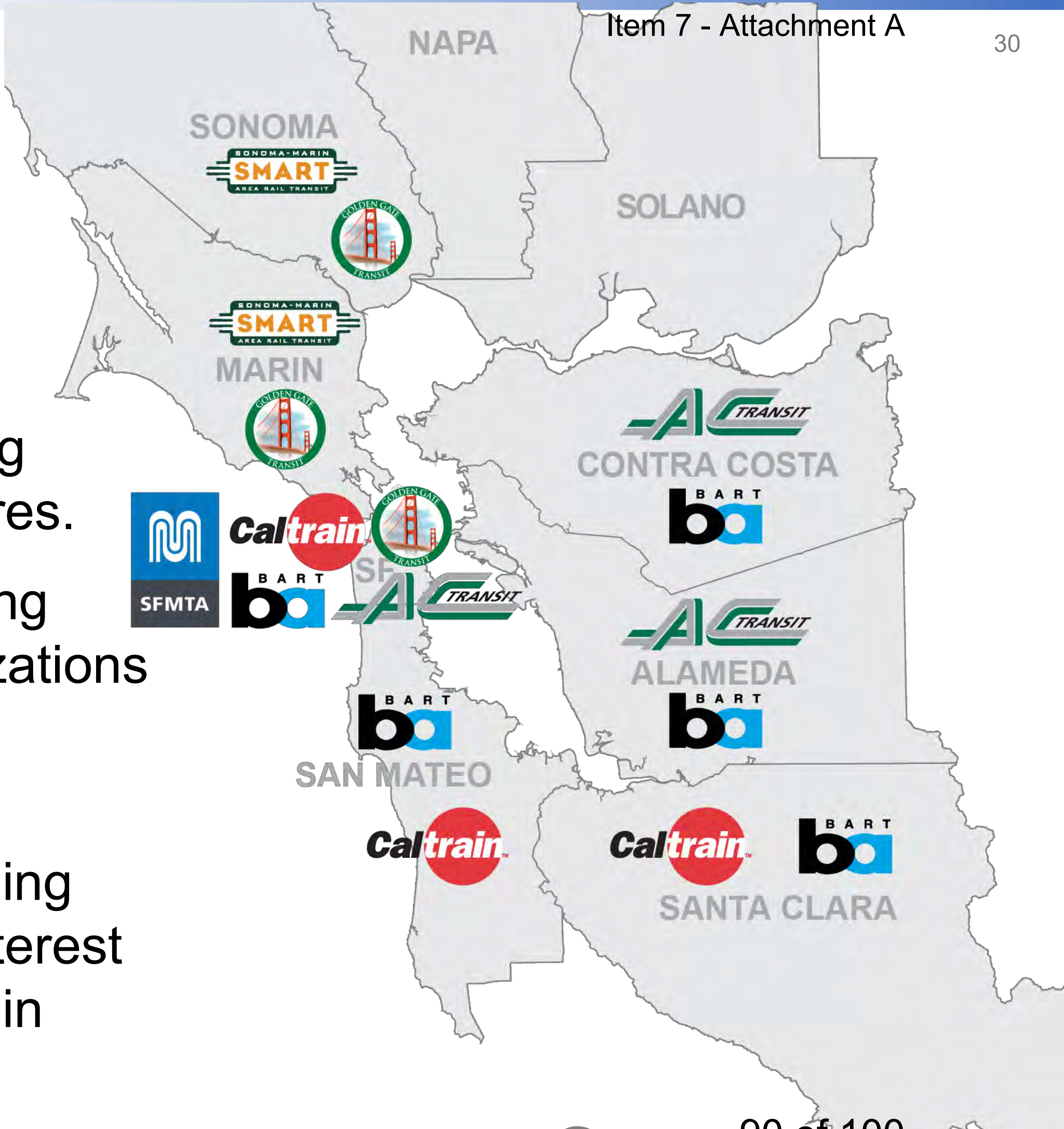
Note: Operating funding for Golden Gate Transit to be developed in consultation with Marin and Sonoma county agencies and the Golden Gate Bridge, Highway & Transportation District.

Marin/Sonoma County Considerations

- **SMART tax renewal** – sufficient funding would be generated to more than backfill SMART's ¼-cent sales tax.
- **Golden Gate Transit** – the allocation of sales tax and payroll tax to help address Golden Gate Transit's deficit is subject to further discussion.

Potential for Separate Measures

- As mentioned in August, there is the potential to have the five agencies projecting substantial operating funding gaps pursue their own funding measures.
- Some of these agencies are considering moving forward with their own authorizations as a "Plan B" in the event the regional measure does not move forward.
- Given the stakes and challenging funding environment, MTC understands the interest in fallback strategies being developed in parallel to a larger regional measure.



Gradients of Agreement

Level of Agreement		Verbalized as...
1	**Strongly Agree**	I am very pleased and fully support this decision.
2	**Agree with Reservations**	I am mostly satisfied and can support this decision.
3	**Neutral or Abstain**	I will go along with the will of the group.
4	**Disagree but Will Go Along**	I have serious reservations but respect that we are focused on the regional needs and compromising where needed for the greater good.
5	**Strongly Disagree**	I do not agree with this decision.

Questions for Committee Discussion

1. **What clarifying questions do you have?**
2. **Were the changes to the scenarios responsive to comments provided?**
3. **What is your rating on each scenario and why? If you have significant concerns, are there changes that you'd suggest?**
4. **Do you favor a single path forward or advance two options** for polling and potential inclusion in enabling legislation?

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Financial Detail on Scenario 1 and Hybrid Scenario

Background

Since the agenda and materials were released for the September 23 Select Committee meeting, staff have received requests for more detailed information on the financial details related to revenues generated and distribution of funding in the two funding frameworks. The attached tables provide those details based on the current revenue assumptions. It's important to note that the revenue projections are based on 2022 figures and if the revenue forecast is updated to the measure's Fiscal Year 2026-27 start, the funding on the expenditure side will be updated as well. Below is a brief description of each.

Table 1

This table summarizes the revenues and expenditures in the four core counties in Scenario 1 by each phase (Years 1-8, Years 9-15 and Years 16-30). It provides 30-year totals and the funding provided to the four operators funded in Scenario 1 in Years 1-8 and Years 9-15.

In Years 9-15 of Scenario 1, supplemental funding for transit operations within the core counties is guaranteed at $380 million/year from either the revenue measure or a new non-local funding source, such as new state funding. The extent to which this minimum guaranteed funding for transit operations is provided by the revenue measure or a new non-local source, determines how much of the measure's funding is available for the County Flex category.

Table 2

This table summarizes the revenues and expenditures for the five potential opt-in counties in Scenario 1. Note that while 90% of the funding generated within the counties is retained as flexible funding for use within the county, there is a requirement that at least 30% of these flexible funds be spent on public transit over the life of the measure. Additionally, one of the terms for opt-in counties to join the measure is that they contribute towards offsetting transit operating deficits for operators serving their county, taking into consideration any existing agreements and subject to negotiation with MTC and relevant transit operator(s).

Table 3

This table illustrates the distribution of funds in the Hybrid Scenario showing how the sales tax would be distributed in Alameda, Contra Costa, San Francisco and San Mateo over the different phases (Years 1-8, 9-15 and 16-30) along with the payroll tax, which follows the same distribution for Years 1-30. Because the Hybrid Scenario builds on Scenario 1, the distribution of funds for the other five counties is different, following the same structure for all 30 years, and is illustrated in the bottom table. The main difference for the other five counties in the Hybrid Scenario, as compared to Scenario 1, is that they are automatically included in the measure, and they are no longer required to contribute 30% of their County Flex funds on public transportation (due to the ongoing funding for transit operations from the payroll tax).

Table 4

This table summarizes the 30-year total revenues and expenditures by county in the Hybrid Scenario, detailing those components that are distributed at the county level ("subventions to counties") and those that are regionally distributed. The bottom table illustrates an estimate of how much funding each transit operator would receive over the first 15 years. There would be a regional process in FY 14-15 to calculate the allocation of transit funding in Years 16-30. Consideration for funding would not be limited to operators receiving funding in years 1-15.

Table 1

Scenario 1: 4-County Annual Revenues and Expenditures

Annual Revenues and Expenditures

(Dollars in millions)	**Revenue Generation**	**Years 1-8 FY27-FY34**		**Years 9-15, FY35-FY41**				**Years 16-30 , FY42-FY56**		**30-Year Total**			
Core Counties	1/2 Cent Sales Tax	Trans-formation (10%)	Transit Funding (90%)	Trans-formation (10%)	Transit Funding*	Min. Remaining to County Flex (20%)**	Max. Remaining to County Flex (50%)**	Trans-formation (10%)	Remaining to County Flex (90%)	Trans-formation (10%)	Transit Funding*	Min Remaining to County Flex**	Max Remaining to County Flex**
Alameda	220	22	198	22	154	44	110	22	198	661	2,665	3,282	3,744
Contra Costa	112	11	101	11	79	22	56	11	101	337	1,358	1,672	1,907
San Francisco	98	10	88	10	69	20	49	10	88	294	1,184	1,458	1,664
San Mateo	109	11	98	11	76	22	55	11	98	328	1,322	1,628	1,857
4-County Totals	**540**	**54**	**486**	**54**	**378**	**108**	**270**	**54**	**486**	**1,619**	**6,529**	**8,040**	**9,173**

Sales Tax Revenue Source: 2022 taxable sales information provided by Sperry Consulting

**Transit funding in years 9-15 may include some new, non-local, sources of funds. The minimum amount proposed from the measure is $220M per year.*

***If no new, non-local funding is raised, then measure provides $380M for Transit and County Flex receives 20% of the measure in that year. If $160M or more is received, then County Flex receives 50% of county-generated revenue.*

Funding by Transit Operator

	Years 1-8 Annual	**Years 9-15 Annual**	**15-Year Total**
AC Transit	31	29	203
BART	307	283	1,981
Caltrain***	39	36	252
SFMTA	88	30	210
Others	4	-	-
Additional Funding to Distribute	17	-	-
Total	**486**	**378**	**2,646**

****Assumes Caltrain will receive partial funding of their deficit from the core counties, and the remainder from Santa Clara County. Exact amount from each still to be determined.*
Golden Gate would receive funding if Marin/Sonoma opt in.

Date: 9/19/24

Scenario 1: Opt-in Counties

Table 2

(Dollars in millions)	Annual Funding		30-Year Total	
Opt -In Counties	**Transformation 10%**	**County Flex 90% *(30% Min. for Transit)** ***	**Transformation 10%**	**County Flex 90% *(30% Min. for Transit)** ***
Santa Clara	29	259	862	7,761
Marin	3	29	98	881
Napa	2	21	69	624
Solano	5	47	156	1,401
Sonoma	6	55	182	1,641
Opt-in Total	**46**	**410**	**1,368**	**12,308**

*To opt in to the measure, counties must provide funding to help close budget gaps for transit operators serving their county. There is also a requirement that 30% of County Flex is to be invested in transit capital, operations or maintenance over the life of measure. Funding for the county's operator shortfalls would count towards the 30% County Flex transit investment.

Hybrid Scenario, Annual Revenues and Expenditure by County — Table 3

(Dollars in millions)	Revenue Generation	Years 1-8 FY27-FY34		Years 9-15 FY35-FY41			Years 16-30 FY42-FY56	
	1/2 Cent Sales Tax	Transformation (10%)	Transit Operations (90%)	Transformation (10%)	Transit Operations (40%)	Remaining to County Flex (50%)	Transformation (10%)	Remaining to County Flex (90%)
Alameda	220	22	198	22	88	110	22	198
Contra Costa	112	11	101	11	45	56	11	101
San Francisco	98	10	88	10	39	49	10	88
San Mateo	109	11	98	11	44	55	11	98
4 County Totals	**540**	**54**	**486**	**54**	**216**	**270**	**54**	**486**

+

		Years 1-30	
	Payroll Tax	Employee Commuter Benefit Program*	Support for Regional Transit Operations**
Alameda	97	39	58
Contra Costa	47	19	28
San Francisco	95	38	57
San Mateo	54	22	33
4 County Totals	**292**	**117**	**175**

+

		Years 1-30			
		From Sales Tax		From Payroll Tax	
	1/2 cent Sales Tax + Payroll Tax	Transformation	County Flex	Employee Commuter Benefit Program*	Support for Regional Transit Operations**
Santa Clara	434	29	259	59	88
Marin	46	3	29	5	8
Napa	33	2	21	4	6
Solano	67	5	47	6	9
Sonoma	86	6	55	10	15
Remaining Counties	**666**	**46**	**410**	**84**	**126**

*Funding for Employee program equals 40% of payroll tax and is distributed to counties based on the amount collected in that county.

**There would be a regional process in FY 14-15 to calculate the allocation of transit funding in Years 16-30. Consideration for funding would not be limited to operators receiving funding in years 1-15.

Sales tax and payroll tax information provided by Sperry Consulting. Sales tax based on 2022 taxable sales.

Hybrid Scenario, 30-Year Totals and Funding by Transit Operator

Table 4

(Dollars in millions)	Subvention to Counties		Regionally Distributed			
Counties	**County Flex**	**Employee Benefit**	**Support for Regional Transit Operations**	**Transit Operations**	**Transformation**	**Total**
Alameda	3,744	1,162	1,743	2,203	661	9,513
Contra Costa	1,907	559	839	1,122	337	4,765
San Francisco	1,664	1,134	1,701	979	294	5,771
San Mateo	1,857	652	978	1,093	328	4,909
Santa Clara	7,761	1,756	2,634		862	13,014
Marin	881	158	237		98	1,373
Napa	624	117	175		69	985
Solano	1,401	179	269		156	2,005
Sonoma	1,641	307	460		182	2,590
Grand Total	**21,481**	**6,024**	**9,036**	**5,396**	**2,986**	**44,924**

Funding by Transit Operator

	Years 1-8 Annual	**Years 9-15 Annual**	**15-Year Total**
BART	347	250	4,524
Caltrain	72	52	940
Golden Gate Transit	45	21	502
SFMTA	252	142	3,009
AC Transit	54	39	705
ACE	4	3	47
LAVTA	2	1	24
NVTA	2	1	24
Soltrans	4	3	47
WestCat	5	4	71
ECCTA	2	1	24
Total	**787**	**517**	**9,915**

*Note: Totals by operators are only calculated for the first 15 years.