



## MARIN COUNTY TRANSIT DISTRICT BOARD OF DIRECTORS

Join on Zoom: <https://www.zoom.us/j/87972683373>

Webinar ID: 879 7268 3373

Monday, June 6, 2022

Until further notice the Marin County Transit District meetings will not be providing an in-person meeting location for the public to attend. Members of the public are encouraged to participate remotely as described below.

### **How to watch the meeting:**

**Zoom:** To join Webinar visit <https://www.zoom.us/j/87972683373>

**Webinar ID:** 879 7268 3373

**Teleconference:** Members of the public wishing to participate via teleconference, can do so on **June 6, 2022: +1 669 900 6833**; Access Code: **879 7268 3373**.

### **How to provide comment on agenda items:**

- To provide written public comment prior to the meeting, please email [info@marintransit.org](mailto:info@marintransit.org) or use the comment form available at <https://www.marintransit.org/meetings> to submit your meeting-related comments on this agenda. Please submit your comments no later than **5:00 P.M. Sunday, June 5, 2022** to facilitate timely distribution to the Board of Directors. Please include the agenda item number you are addressing and include your name and address. Your comments will be forwarded to the Board of Directors and will be included in the written public record.
- During the meeting: Ensure that you are in a quiet environment with no background noise (traffic, children, pets, etc.) To raise your hand on Zoom press **\*9** and wait to be called upon by the President or the Clerk to speak. You will be notified that your device has been unmuted when it is your turn to speak. You will be warned prior to your allotted time being over. Your comments will be included in the public record.
- Public commenting during public meetings is limited to two minutes per speaker unless a different time limit is announced. The Board President may limit the length of comments during public meetings due to the number of persons wishing to speak or if comments become repetitious or irrelevant.

[Haga clic aquí para leer en español](#)



## MARIN COUNTY TRANSIT DISTRICT BOARD OF DIRECTORS

Join on Zoom: <https://www.zoom.us/j/87972683373>

Webinar ID: 879 7268 3373

### AGENDA

Monday, June 6, 2022

#### **10:00 a.m. Convene as the Marin County Transit District Board of Directors**

1. Open Time for Public Expression  
(Limited to two minutes per speaker on items not on the District's agenda)
2. Board of Directors' Matters
3. General Manager's Report
  - a. General Manager's Oral Report
  - b. [Monthly Monitoring Report: March 2022](#)
4. Consent Calendar
  - a. [Minutes for May 2, 2022 Board Meeting](#)
  - b. [Adoption of Resolution 2022-09 Allowing for Continued Remote Public Meetings Under State Assembly Bill \(AB\) 361](#)
  - c. [Marin County Transit District Third Quarter FY 2021/22 Financial Report](#)
  - d. [Marin County Transit District Third Quarter FY 2021/22 Performance Report](#)
  - e. [Metropolitan Transportation Commission Resolution for Transportation Development Act and State Transit Assistance Funds FY 2022/23](#)
  - f. [Authorizing Resolution and Project List for California's State of Good Repair Program](#)
  - g. [Agreement with BlinkTag Inc for On-Call Website Development and Support Services](#)
  - h. [First Amendment to the Agreement with Uber Technologies Inc. to provide a mobility on-demand platform for the Connect program](#)
  - i. [Update to Personnel Policies & Procedures: Section 4.5 Leaves of Absence: Paid Holidays and Vacation Leave Accrual](#)
  - j. [Countywide Fare Free Promotional Campaign During the 2022 Marin County Fair](#)

**Recommended Action: Approve**
5. [Marin County Transit District Final Operating and Capital Budget for FY 2022/23](#)

**Recommended Action: Adopt FY 2022/23 budget**

*(continued on next page)*

6. [Measure AA Yellow School Bus Funding Allocation for FY 2021/22](#)  
**Recommended Action: Approve funding allocations and authorize the General Manager to execute contracts with the approved funding allocations to five eligible yellow school bus programs for the new Measure AA three-year funding cycle (FY 2023-25).**

## **Adjourn**



All Marin Transit public meetings are conducted in accessible locations. Copies of documents are available in accessible formats upon request. If you require Translation Assistance, American Sign Language Interpreters, Assistive Listening Devices or other accommodations to participate in this meeting, you may request them by calling (415) 226-0855 (voice) or contact the California Relay Service by dialing 711 to connect to the telephone listed above. **Requests must be received no less than five working days prior to the meeting to help ensure availability.** For additional information, visit our website at <http://www.marintransit.org>

**Late agenda material can be inspected in the office of Marin Transit, between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday. The office is located at 711 Grand Avenue, Suite 110, San Rafael, CA 94901.**

In case of Zoom outage dial 515-604-9094. Meeting ID: 142-334-233

Todas las reuniones públicas de Marin Transit se llevan a cabo en lugares accesibles. Están disponibles copias de los documentos en formatos accesibles, a solicitud. Si usted requiere ayuda con la traducción, intérpretes de Lenguaje Americano de Señas, dispositivos de ayuda auditiva, u otras adaptaciones para participar en esta reunión, puede solicitarlas llamando al (415) 226-0855 (voz) o comunicarse con el Servicio California Relay marcando al 711 para conectarse al número de teléfono mencionado. **Las solicitudes deben recibirse a más tardar cinco días laborables antes de la reunión para ayudar a asegurar la disponibilidad.** Para obtener información adicional, visite nuestro sitio web en <http://www.marintransit.org>

**Material de agenda de última hora puede ser inspeccionado en la oficina de Marin Transit, entre las horas de 8:00 am y 5:00 pm. La oficina está ubicada en 711 Grand Avenue, Suite 110, San Rafael, CA 94901.**

En caso de interrupción de Zoom, marque al 515-604-9094. ID de Reunión 142-334-233



711 grand ave, #110  
san rafael, ca 94901

ph: 415.226.0855  
fax: 415.226.0856  
[marintransit.org](http://marintransit.org)

June 6, 2022

Honorable Board of Directors  
Marin County Transit District  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT: General Manager Report – Monthly Report: March 2022**

Dear Board Members:

**board of directors**

stephanie moulton-peters  
president  
supervisor district 3

katie rice  
vice president  
supervisor district 2

eric lucan  
2nd vice president  
city of novato

judy arnold  
director  
supervisor district 5

kate colin  
director  
city of san rafael

damon connolly  
director  
supervisor district 1

dennis rodoni  
director  
supervisor district 4

brian colbert  
alternate  
town of san anselmo

**RECOMMENDATION:** This is a recurring information item.

**SUMMARY:** The attached monthly report provides an overview of Marin Transit operations for the monthly period ending March 31, 2022. The monthly reports summarize statistics on the performance of Marin Transit services and customer comments.

Overall systemwide ridership in March 2022 increased by 76.4 percent compared to March 2021, which represents a 17.1 percent decrease from the pre-COVID ridership in March 2019 and a 21.3 percent increase from February 2022.

Ridership on fixed-route services increased by 70 percent from the prior year, which is a 14.6 percent decline compared to pre-COVID in March 2019. Ridership on Marin Access services increased by 44 percent compared to March 2021, which represents a 53.6 percent decline from March 2019. March 2022 was the twenty-fifth month of ridership affected by the ongoing COVID-19 global pandemic.

Additional detailed analyses of system performance and trends are provided in separate quarterly and annual reports, including route-level statistics and financials. These reports are available on the District's website at <https://marintransit.org/service-performance-and-reports>.

**FISCAL/STAFFING IMPACT:** None associated with this report.

Respectfully submitted,

Nancy Whelan  
General Manager

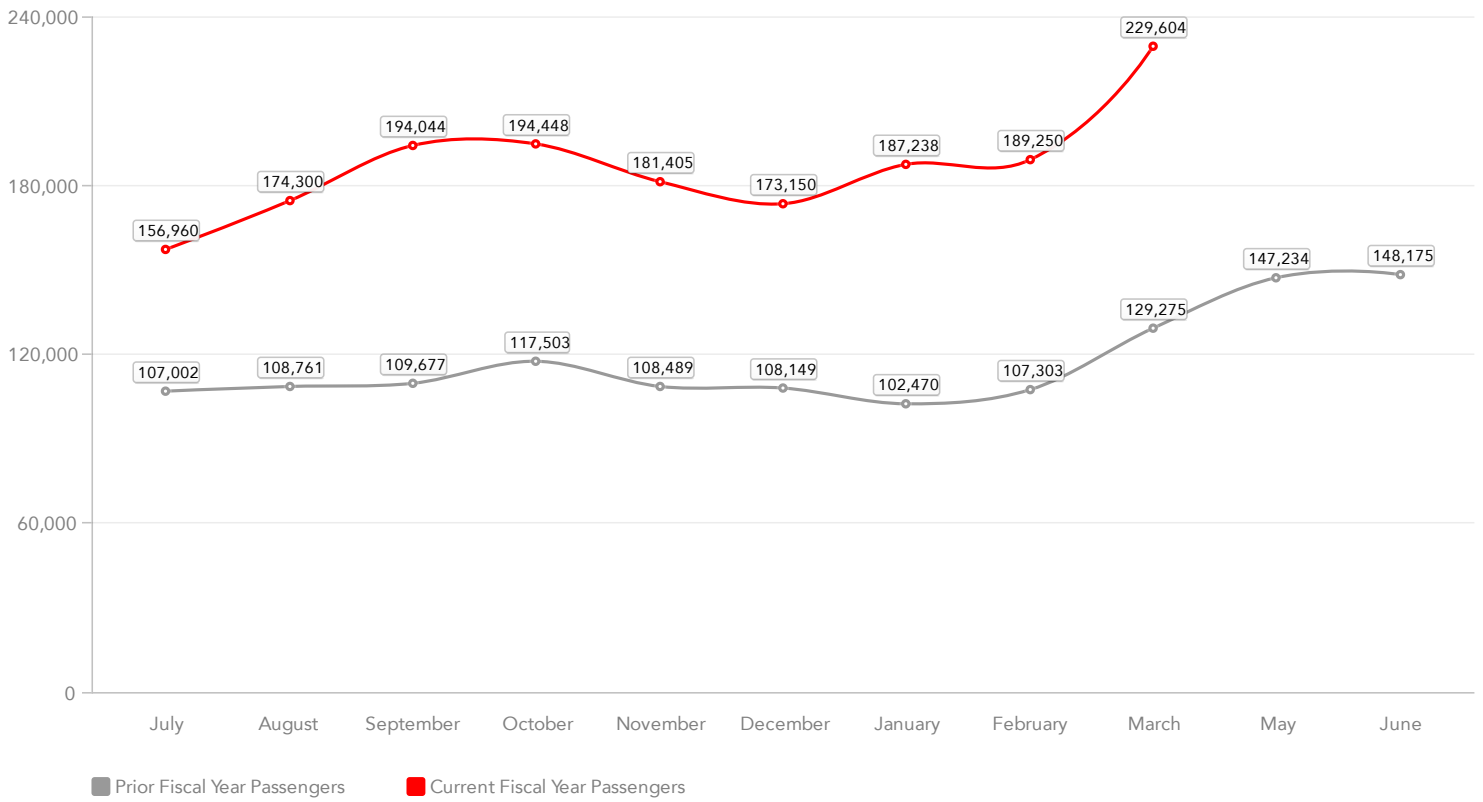
Attachments



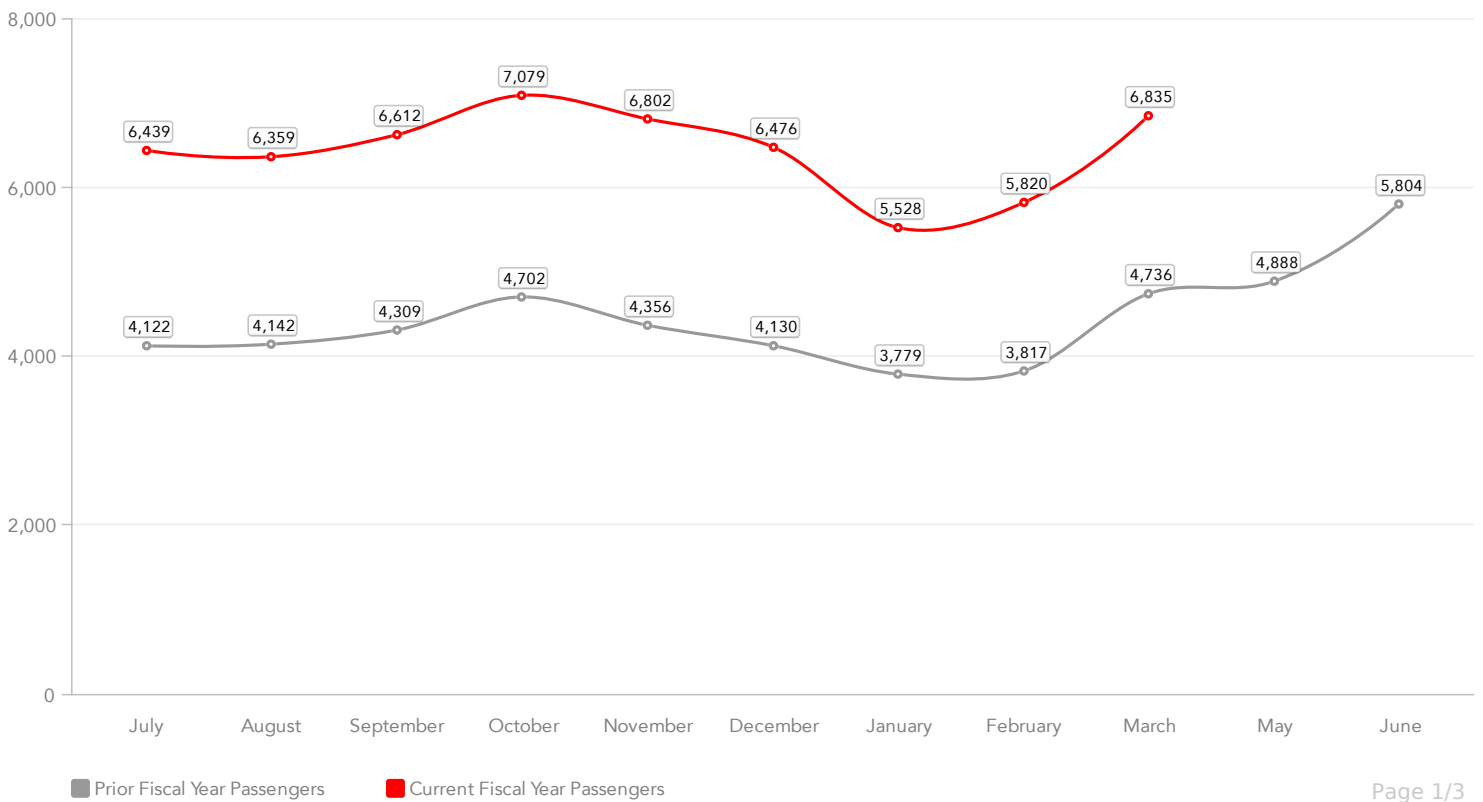
FISCAL YEAR MONTH  
2022 Jul, Aug, Sep, O...

### Year-to-Date Ridership Trends

Fixed-Route Passengers (incl. Yellow Bus) by Month



Demand Response Passengers by Month

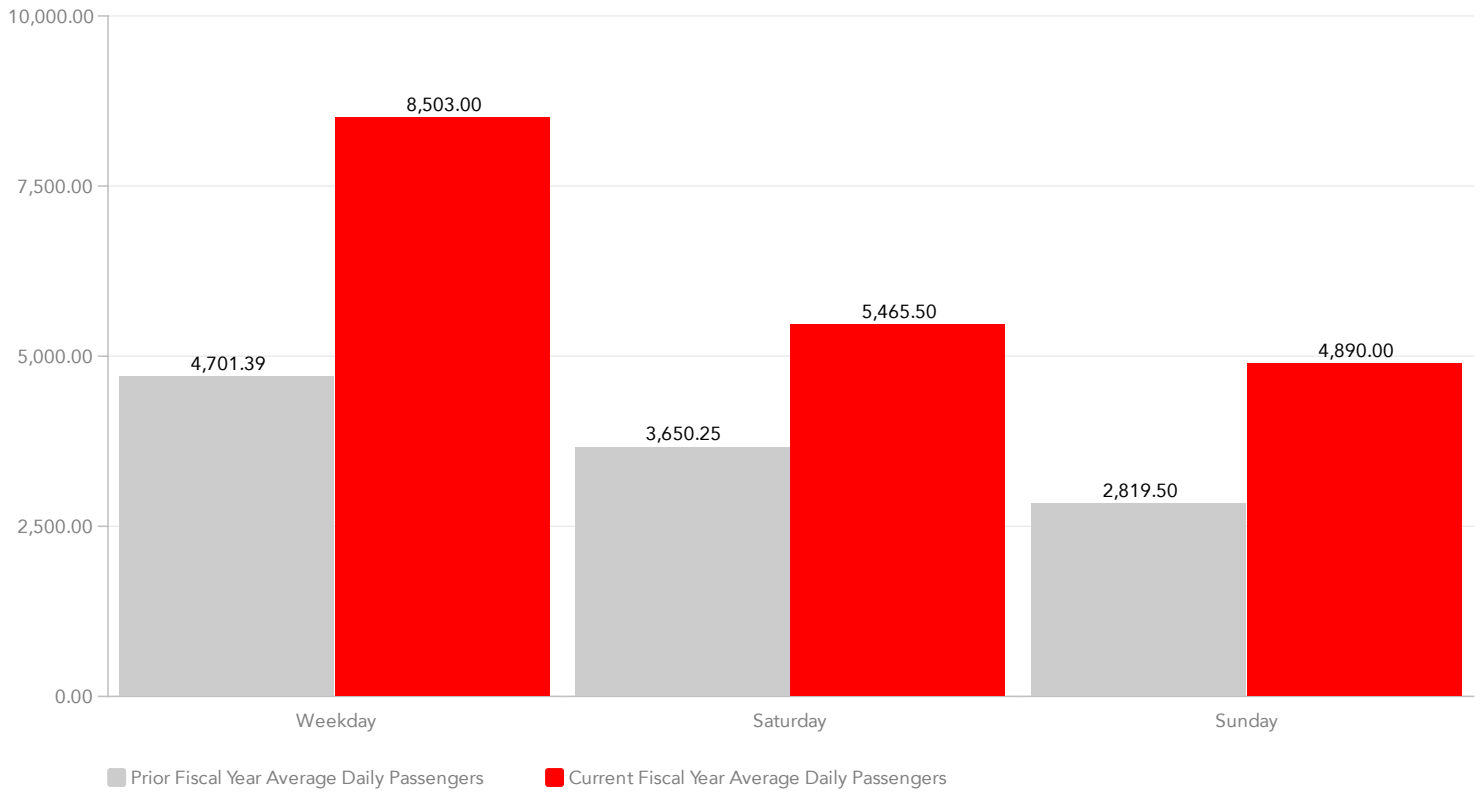


## Monthly Comparison

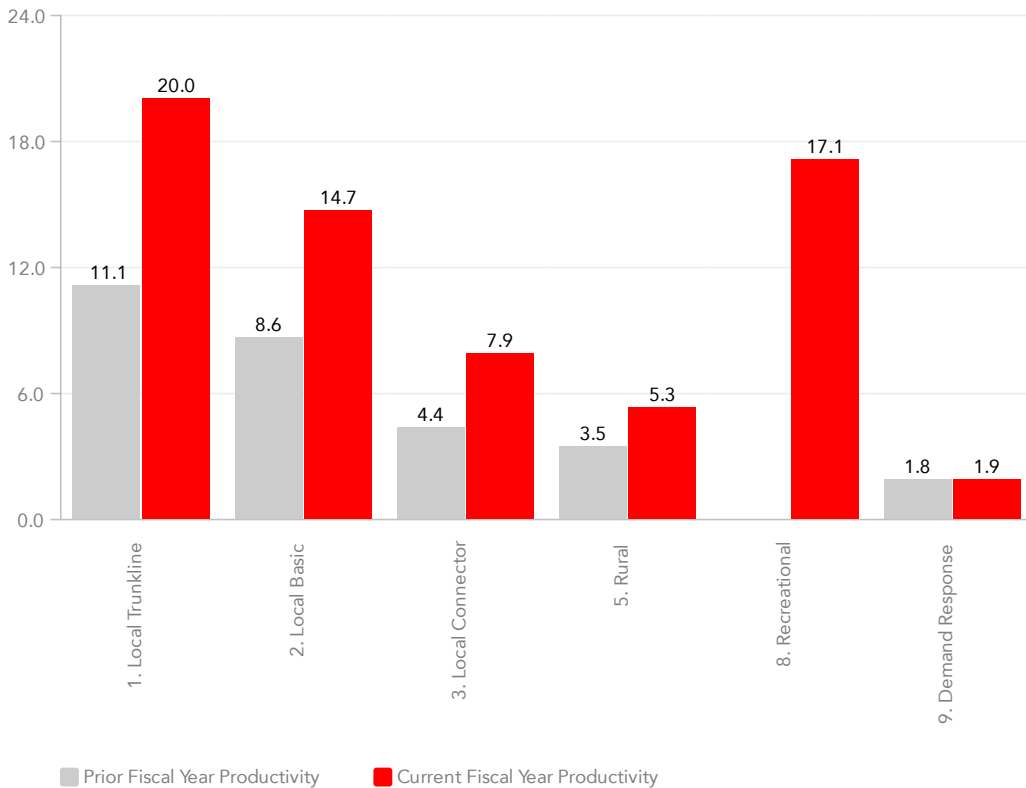
MONTH

Mar

Average Systemwide Daily Passengers



Productivity (pax/hr) by Typology



### Route Typologies

- 1. Local Trunkline:  
Routes 35, 36, 71X
- 2. Local Basic:  
Routes 17, 22, 23, 23X, 29, 49
- 3. Local Connector:  
Routes 219, 228, 233, 245, 251, 257
- 5. Rural:  
Routes 61, 68
- 8. Recreational:  
Routes 66/66F
- 9. Demand Response:  
Local Paratransit, Novato Dial-A-Ride,  
Rural Dial-A-Ride

# Monthly Customer Feedback Report

March 2022



Month: March 2022		Program							Total
Category	Fixed-Route Local	Fixed-Route Shuttle	Stagecoach & Muir Woods	Supplemental & Yellow Bus	Demand Response	Mobility Management	Systemwide		
<b>Commendation</b>	1	0	0	0	1	0	0	2	
<b>Service Delivery Complaint</b>	23	8	8	1	9	0	1	50	
Accessibility	2	0	1	0	2	0	0	5	
Driver Conduct Complaint	3	4	4	0	1	0	0	12	
Driving Complaint	7	0	1	0	2	0	0	10	
Early Trip	2	0	0	0	0	0	0	2	
Equipment Issue	0	0	0	0	0	0	0	0	
Farebox	0	0	0	0	0	0	0	0	
Late Trip	3	0	2	0	2	0	0	7	
Missed Connection	0	0	0	0	0	0	0	0	
Missed Trip	0	0	0	0	0	0	0	0	
No-Show	0	2	0	0	2	0	1	5	
Off-Route	0	0	0	0	0	0	0	0	
Pass-Up Complaint	6	2	0	1	0	0	0	9	
<b>Service Structure Complaint</b>	1	0	0	0	5	1	5	12	
Bus Stop Improvement Request	0	0	0	0	0	0	1	1	
Fares	0	0	0	0	2	0	1	3	
Other Complaint	1	0	0	0	0	1	3	5	
Scheduling Complaint	0	0	0	0	3	0	0	3	
Service Improvement Suggestion	0	0	0	0	0	0	0	0	
<b>Safety Complaint</b>	0	0	0	0	0	0	0	0	
<b>Total Service Hours</b>	9,802	3,588	1,961	567	2,984	-	18,905	18,905	
Commendations per 1,000 Hours	0.1	0.0	0.0	0.0	0.3	-	0.0	0.1	
Complaints per 1,000 Hours	2.4	2.2	4.1	1.8	4.7	-	0.3	3.3	
<b>Total Passengers</b>	169,318	28,203	13,796	8,427	5,867	951	236,422	236,422	
Commendations per 1,000 Passenger:	0.0	0.0	0.0	0.0	0.2	0.0	0.0	0.0	
Complaints per 1,000 Passengers	0.1	0.3	0.6	0.1	2.4	1.1	0.0	0.3	

## **REGULAR MEETING OF THE MARIN COUNTY TRANSIT DISTRICT BOARD OF DIRECTORS**

**Held Monday, May 2, 2022 at 10:00 A.M.**

### **Roll Call**

**Present: President Moulton-Peters, Vice President Rice, Director Rodoni, Director Colin, Director Colbert**

**Absent: Director Arnold, Director Connolly, Second Vice President Lucan**

**Director Colbert was in attendance as a voting member.**

Until further notice the Marin County Transit District meetings will not be providing an in-person meeting location for the public to attend. Members of the public are encouraged to participate remotely via Zoom.

**Board President Moulton-Peters opened the meeting at 10:02 A.M.**

1. [Open Time for Public Expression](#)

President Moulton-Peters asked if any member of the public wished to speak. Seeing none she called for Board of Directors' Matters.

2. [Board of Directors' Matters](#)

President Moulton-Peters asked if any member of the Board wished to speak. Seeing none she called for the General Manager's Report.

3. [General Manager's Report](#)

a. [General Manager's Oral Report](#)

b. [Monthly Monitoring Report: January 2022](#)

i. [Item 3b - Staff Report](#)

General Manager Nancy Whelan reported on the upcoming Marin Transit Paratransit Maintenance and Operations facility ribbon cutting ceremony. The event is scheduled for at 11 AM at 3000 Kerner Street in San Rafael to commemorate the opening of the facility.

Ms. Whelan announced that staff are working on transitioning to Hybrid Board meetings. Hybrid Board meetings will allow for remote, Zoom, and in-public participation. The Hybrid Board meetings will take place in-person at the Marin County Board of Supervisors Chambers later this year.

Ms. Whelan explained that ridership on fixed-route services is at about 75% of pre-COVID ridership for the month of February. Ridership on Marin Access services is at about 42% of pre-COVID ridership.

4. [Consent Calendar](#)
  - a. [Minutes for April 4, 2022 Board Meeting](#)
  - b. [Adoption of Resolution 2022-07 Allowing for Continued Remote Public Meetings Under State Assembly Bill \(AB\) 361](#)
  - c. [Fourth Amendment to Agreement with Marin Airporter for Operations and Maintenance Services](#)
  - d. [Eighth Amendment to Agreement with MV Transportation for Operations and Maintenance Services](#)

**Recommended Action: Approve**

M/s: Vice President Rice - Director Rodoni

Ayes: President Moulton-Peters, Director Colin, Director Colbert

Noes: None

Absent: Director Arnold, Director Connolly, Second Vice President Lucan

Abstain: None

5. [Marin County Transit District Draft Operating and Capital Budget for FY FY2022/23](#)

[Staff Report](#)

Director of Finance and Capital Programs Lauren Gradia presented Marin Transit's draft budget (budget) for July 1, 2022, to June 30, 2023. The budget reflects the priorities and financial projections in the FY2020-FY2029 Short Range Transit Plan with adjustments to respond to conditions changed by the COVID-19 pandemic.

The FY 2022/23 expenditure budget for operations and capital projects is \$53.2 million. The expenditure budget allows for a fully funded Emergency

Reserve (two months operating expenses), a Contingency Reserve of four months of operating expenses, and a Capital Reserve of \$16.7 million. The operating expense budget of \$39.6 million is an eleven percent increase over the FY2022/23 budget and provides for a similar level of fixed route service, increased paratransit service and increased purchased transportation and fuel expenses.

Fixed route programs have all been restored and the budget includes adjustments to reflect current service demand, back fills for regional routes that are not being restored and addresses long term sustainability.

President Moulton-Peters inquired about the funding for the three new staff roles. Ms. Gradia answered that the new positions will be funded by core revenues and explained that the budget includes adding three fulltime employees, one without a budget increase as an adjustment for vacancy rates and two to address ongoing workload increases related to oversight of facilities, procurement, and federal compliance.

President Moulton-Peters called for public comment. Seeing none she called for item 6.

President Moulton-Peters expressed appreciation to Ms. Gradia for the presentation and explanation of the budget and process. President Moulton-Peters advised Ms. Gradia to proceed as advised.

### **Recommended Action: Information and Discussion**

#### 6. [Summer 2022 Service Changes](#)

##### [Staff Report](#)

Director of Operations and Planning Robert Betts provided an update on the upcoming Summer 2022 service changes and requested that the Board authorize the General Manager to negotiate and sign a no-fee license agreement with the Golden Gate Bridge Highway and Transportation District (GGBHTD), to use the Larkspur Landing ferry terminal to support the Muir Woods Shuttle Program, starting as soon as summer 2022.

President Moulton-Peters expressed appreciation to staff for their flexibility, experimentation, and adaptation to changing situations. President Moulton-Peters noted the East Blithedale Route 17 change as an example of when a major road project requires additional planning, so as not to impact the Transit District. President Moulton-Peters thanked Marin Transit for their adaptation and assistance and requested a separate

conversation about logistics for Millwood buses. President Moulton-Peters commented on the Route 61 service changes and Marin Transit's willingness to experiment with service to new areas noted a similar experimentation process occurs with the with the Muir Woods shuttle service locations. President Moulton-Peters thanked Marin Transit staff for modifying and adapting service to the community's needs.

**Recommended Action: Accept report and authorize the General Manager to negotiate and sign a no fee license agreement with the Golden Gate Bridge Highway & Transportation District (GGBHTD) to use the Larkspur Landing Ferry Terminal to support the Muir Woods Shuttle Program**

M/s: Director Rodoni - Vice President Rice

Ayes: President Moulton-Peters, Director Colin, Director Colbert

Noes: None

Absent: Director Arnold, Director Connolly, Second Vice President Lucan

Abstain: None

7. [Approve the purchase of property at 3010 & 3020 Kerner Blvd, San Rafael for \\$3.5 million; authorize spending \\$350,000 for due diligence, closing, and related costs; determine that the proposed acquisition and use of the site is exempt from the California Environmental Quality Act \(CEQA\) pursuant to CEQA Guidelines section 15332 \(Class 32\) \(In-Fill Development Projects\), as well as section 15301 \(Class 1\) \(Existing Facilities\), and is not subject to CEQA under section 15061\(b\)\(3\); and adopt budget amendment #2022-03 to add the capital project](#)

[Staff Report](#)

General Manager Nancy Whelan requested Board approval to acquire the property located at 3010 & 3020 Kerner Blvd, San Rafael, California for \$3.5 million. The District is interested in purchasing the property at 3010 & 3020 Kerner Blvd, San Rafael, CA (Property) for parking a portion of its existing fleet. The Property is adjacent to 3000 Kerner, a site owned by the District and used for vehicle maintenance.

The District plans to acquire the Property, demolish the existing office structures, and make minor improvements to the site, including paving the site, painting striping for parking, and installing perimeter fencing, a gate, and lighting improvements for security. The District plans that up to 40 employee passenger vehicles may be parked on the site during the daytime hours. No repair or maintenance work is planned to occur on the Property.

Ms. Whelan asked the Board if they have any questions.

Vice President Rice raised a question regarding due diligence. Vice President Rice asked if there was an analysis done on potential sea level rise, as a part of the assessment of environmental conditions analysis. General Manager Nancy Whelan answered that it is part of the environmental review, and they can ask for additional review if needed. Ms. Whelan noted staff have looked at sea level rise tools, to see where the property stands. The back part of the property, directly east, is wetlands, and there is protection there. The land in that direction is developable. Vice President Rice responded, saying that a site analysis, in terms of vulnerability and an access analysis, that should be included. Vice President Rice wishes to be transparent with the community and speak openly as the District thinks decades ahead.

President Moulton-Peters called on the Board for comments. Director Rodoni asked about the ongoing cost of improving the property, including demolition. Ms. Whelan said the District is working on obtaining estimates for that, and that there is no budget yet. Ms. Whelan noted that relevant grant requests have been submitted. Ms. Gradia added that the purchase and acquisition of the Property are included in the Fiscal Year 2022/2023 budget.

President Moulton-Peters opened the meeting to public comment. Seeing none she brought the meeting back to the Board for further comments. President Moulton-Peters responded to Vice President Rice, noting that a bus parking lot fits in with the sea level rise strategy. Director Colin said she is delighted about the effort.

**Recommended Action: Approve a Purchase and Sale Agreement to acquire the property located at 3010 & 3020 Kerner Blvd, San Rafael, California for \$3.5 million; approve execution of all documents and performance of all activities consistent with the terms of the Purchase and Sale Agreement, including delegation of authority to the General**



**Manager to approve/accept information received during due diligence; authorize expenditures for due diligence, closing, and related costs not to exceed \$350,000; determine that the proposed acquisition and use of the site is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15332 (Class 32) as well as section 15301 (Class 1) and is not subject to CEQA under section 15061(b)(3); and adopt FY2021/22 budget amendment (BA#2022-03) to add the capital project**

M/s: Director Colin - Director Rodoni

Ayes: President Moulton-Peters, Vice President Rice, Director Colbert

Noes: None

Absent: Director Arnold, Director Connolly, Second Vice President Lucan

Abstain: None

8. [Update on Regional Transit Fare Coordination and Integration Study Staff Report](#)

General Manager Nancy Whelan introduced the item as a study on fare coordination and integration through the lens of a business case analysis. It was a collaboration between the Bay Area Transit Operators and the Metropolitan Transportation Commission (MTC), and it carried through to the Blue-Ribbon Transit Recovery Task Force, and further into the Transformation Action Plan. Ms. Whelan introduced Bill Bacon with MTC and Mike Eiseman with BART, the two co-project managers on the fare coordination and integration study.

Bill Bacon provided background information on the project and explained that the primary task was to explore how a more integrated fare system could restore ridership. The key issues were customer value, payment experience, equity, and future transit. The four tiers of the study were overlays to the fair structure (passes and caps), free and discounted transfers, regional change, and both regional and local change. The project was done through the lens of a business case, in a four-dimensional framework (financial dimension, strategic dimension, socio-economic benefit cost dimension, and the delivery and operation dimension).

The primary question of the study was: Are there fare integration options that offer a cost-effective, equitable way to promote transit? The answer they found is: Yes, especially in coordination with a broader and user-focused regional strategy. The study found that the fare structure changes have the potential to increase daily ridership by 2-6 percent, are cost-effective, have a positive social return, and are compatible with equity goals. However, the results are uncertain as the study happened during the pandemic.

Bill Bacon then presented the Bay Area Transit Fare Policy Vision Statement, which included four initiatives.

Mike Eiseman explained the initiatives they recommend, based on the study. The initiatives described were the Institutional Pass Pilot, and No Cost and Reduced Cost Transfers.

President Moulton-Peters asked if the Board had any questions. Director Colin expressed appreciation and asked if the climate benefits were a key finding. Bill Bacon responded that the positive social return included climate benefits, via reduced vehicle usage. Director Colin suggested that it should be mentioned in a more upfront manner in the future. Director Colin also asked what it would take to involve the College of Marin in the initiatives. Bill Bacon said that to implement the pilot in August of this year, there must be an existing transit product available on Clipper that the educational institution offers to community members. Their understanding is that College of Marin's product is not Clipper-based. General Manager Nancy Whelan clarified that Marin Transit currently does not have that ability, but with Clipper 2.0, that will change. Director of Operations and Planning Robert Betts clarified that Marin Transit is the only transit agency not recognized by Clipper, as Marin Transit is under the umbrella of Golden Gate Transit for purposes of Clipper. With Clipper 2.0, however, Marin Transit will be independent of Golden Gate Transit and passes will be available on the Clipper system. Director Colin questioned why Marin Transit would be asked to vote on the issue if Marin Transit cannot participate. Ms. Colin noted that there is eventual benefit, but not immediate. Mike Eiseman said any passholder can ride any Bay Area transit agency service, including Marin Transit, so it is relevant. Mr. Eiseman continued to explain there would be a great degree of reimbursement provided. There is a choice of whether the Board will be asked to act upon this issue at some point in the future or not.

Vice President Rice thanked the presenters and asked if there is a comparable model that currently exists. Mike Eiseman pointed out Puget-

Sound as a comparable model with an institutional pass. Vice President Rice asked when Puget-Sound made the transition and asked how many agencies were involved. Bill Bacon responded that the transition was made about 20 years ago and noted nine participating institutions.

President Moulton-Peters asked when Clipper 2.0 will become available. Bill Bacon answered that it will be delivered in July or August of 2023.

Linda Jackson from the Aging Action Initiative requested to comment on the presentation.

Ms. Jackson expressed gratitude for the presentation and asked about the report of an increase in new daily ridership by 26,000 passengers. She asked for clarification on the year(s) the increase occurred. Ms. Jackson questioned whether the equity measure that MTC and the study use take into consideration lower income individuals. Ms. Jackson alleged a large-county bias in the program. She suggested that small-county transit provider issues will not be caught in pilot program. Ms. Jackson questioned whether employee costs were included in the fare analysis, and what the program will look like in five to ten years based on that factor. Ms. Jackson agreed that the ideas of the study are good and emphasized the importance of Marin's transit-dependent riders being able to continue to afford the program.

General Manager Nancy Whelan stated that she will forward Linda Jackson's questions and comments to MTC, since Bill Bacon and Mike Eiseman had already left the meeting.

### **Recommended Action: Information only**

#### 9. [Muir Woods Shuttle Evaluation Report for the 2021 Season](#)

##### [Staff Report](#)

Planning Analyst Asher Butnik reported on the 2020-2021 Muir Woods Shuttle season. During the 2021 calendar year, the Muir Woods Shuttle operated from June 18th through the end of December. Park visitors took 36,082 one-way trips, representing a 75.4 percent decrease in ridership compared to 2019. The Shuttle carried an average of 18 passengers per hour and 9.5 passengers per trip for the 2021 season. Productivity during peak season was 9.9 passengers per hour, and off-peak season service averaged 8.5 passengers per hour. There was no weekday service during the 2021 season.

Mr. Butnik noted that starting with the 2022 peak season service (planned for Memorial Day 2022), staff are proposing to move the Park & Ride location from Pohono to the Larkspur Ferry Terminal due to Flooding issues at Pohono and because of additional passenger amenities. Route 66F service to Sausalito will be restored at the start of the 2022 peak season, planned for Memorial Day 2022. The low-ridership Marin City stop will be removed to reduce travel time and recover some of the revenue hour increase associated with the Park & Ride move from Pohono to Larkspur.

President Moulton-Peters asked the Board if they had any questions. Seeing none she asked for public comment. There were no public comments. President Moulton-Peters commended Mr. Butnik on his presentation.

**Recommended Action: Accept report**

M/s: President Moulton-Peters - Director Colbert

Ayes: Vice President Rice, Director Colin, Director Rodoni

Noes: None

Absent: Director Arnold, Director Connolly, Second Vice President Lucan

Abstain: None

[Adjourn](#) President Moulton Peters adjourned the meeting at 11:41 A.M.

SINE DIE

---

PRESIDENT

ATTEST:

---

CLERK



711 grand ave, #110  
san rafael, ca 94901

ph: 415.226.0855  
fax: 415.226.0856  
[marintransit.org](http://marintransit.org)

June 6, 2022

Honorable Board of Directors  
Marin County Transit District  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT: Adoption of Resolution 2022-09 Allowing for Continued Remote Public Meetings Under State Assembly Bill (AB) 361**

**board of directors**

Dear Board Members:

stephanie moulton-peters  
president  
supervisor district 3

**RECOMMENDATION:** Staff recommends that your Board adopt Resolution 2022-09 finding that the proclaimed State of Emergency continues to impact the ability to meet safely in person and declaring that the District Board of Directors will continue to meet remotely to ensure the health and safety of the public.

katie rice  
vice president  
supervisor district 2

**SUMMARY:** On September 16, 2021, Governor Newsom signed Assembly Bill (AB) 361 into law, effective October 1, 2021, to allow agencies to use teleconferencing for public meetings during proclaimed state of emergencies without requiring the teleconference locations to be accessible to the public or a quorum of the members of the legislative body of the agency to participate from locations within the boundaries of the agency's jurisdiction. AB 361 will sunset on January 31, 2024.

eric lucan  
2nd vice president  
city of novato

judy arnold  
director  
supervisor district 5

Your Board approved a resolution allowing for remote meetings at the October 4, 2021, November 1, 2021, December 6, 2021, January 10, 2022, February 7, 2022, March 7, 2022, April 4, 2022, and May 2, 2022 Board of Directors meetings. To continue meeting under AB 361, your Board is required to declare every 30 days that it has reconsidered the circumstances of the State of Emergency and determine if conditions meet one of the two criteria listed below.

kate colin  
director  
city of san rafael

1. State or local health officials have imposed or recommend measures to promote social distancing, or
2. The legislative body finds that meeting in person would present imminent risks to the health or safety of attendees.

damon connolly  
director  
supervisor district 1

dennis rodoni  
director  
supervisor district 4

Based on recommendations from the Marin County Health and Human Services, staff views that criteria 2 remains applicable. The attached letter from Marin County Health and Human Services Director, Benita McLarin, recommends a continued emphasis on social distancing measures such as using video/teleconferencing when it meets community needs and spacing at in-person meetings so that individuals from different households are not

brian colbert  
alternate  
town of san anselmo

sitting next to each other. There has been no update from Marin County Health Department officials that alters this recommendation.

**FISCAL IMPACT:** There is no fiscal impact.

Respectfully submitted,

A handwritten signature in black ink that reads "Nancy E. Whelan". The signature is written in a cursive style with a large, looping 'N' and 'W'.

Nancy Whelan  
General Manager

Attachments:

- A. Resolution 2022-09
- B. Marin County Health and Human Services Letter

**RESOLUTION #2022-09****A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MARIN COUNTY  
TRANST DISTRICT MAKING FINDINGS THAT THE PROCLAIMED STATE OF  
EMERGENCY CONTINUES TO IMPACT THE ABILITY TO MEET SAFELY IN  
PERSON AND DECLARING THAT THE BOARD OF DIRECTORS WILL CONTINUE  
TO MEET REMOTELY IN ORDER TO ENSURE THE HEALTH AND SAFETY OF  
THE PUBLIC**

**WHEREAS**, the Marin County Transit District (the “District”) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

**WHEREAS**, all meetings of the District’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District’s legislative body conduct their business; and

**WHEREAS**, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

**WHEREAS**, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of COVID-19; and

**WHEREAS**, on March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings electronically without a physical meeting place; and

**WHEREAS**, as a result of Executive Order N-29-20, staff set up Zoom teleconference meetings for all District Board of Directors meetings; and

**WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which specified that Executive Order N-29-20 would remain in effect through September 30, 2021, at which point it would expire; and

**WHEREAS**, since the issuance of Executive Order N-08-21, the Delta variant has emerged, causing a spike in COVID-19 cases throughout the state; and

**WHEREAS**, the Governor's proclaimed State of Emergency remains in effect, and State and local officials, including the Marin County Director of Health and Human Services, the

California Department of Public Health, and the Department of Industrial Relations, have imposed or recommended measures to promote social distancing; and

**WHEREAS**, on September 16, 2021, the Governor signed Assembly Bill 361 into law, as urgency legislation that goes into effect on October 1, 2021, amending Government Code Section 54953 of the Brown Act to allow legislative bodies to continue to meet remotely during a proclaimed state of emergency, provided certain conditions are met and certain findings are made; and

**WHEREAS**, the continued local rates of transmission of the virus and variants causing COVID-19 are such that the Director of Health & Human Services has recommended that the County continue to emphasize social distancing in order to minimize the potential spread of COVID-19 during indoor, public meetings.

**WHEREAS**, the District cannot maintain adequate safe social distance between members of the public, Board members and staff in their respective meeting locations; and

**WHEREAS**, because of the rise in cases due to the Delta variant, the District is concerned about the health and safety of attendees, the District's Board of Directors desires to take the actions necessary to comply with AB 361 and to continue to hold its Board and committee meetings remotely.

**NOW, THEREFORE, THE MARIN COUNTY TRANSIT DISTRICT BOARD OF DIRECTORS RESOLVES AS FOLLOWS:**

1. The Board has reconsidered the circumstances of the State of Emergency, and finds that:
  - a. The factors triggering the State of Emergency continue to directly impact the ability of the members of the Board of Directors and District staff, and members of the public to meet safely in person; and
  - b. State and local officials continue to recommend measures to promote social distancing.
2. District Board of Directors meetings will continue to be conducted remotely for the next 30 days in compliance with AB 361 and Government Code Section 54953(e)(2), in order to ensure the health and safety of the public while providing access to public meetings.
3. The Board will reconsider the circumstances of the State of Emergency and revisit the need to conduct meetings remotely within 30 days of the adoption of this Resolution.

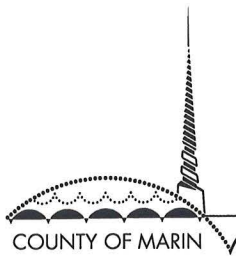
REGULARLY PASSED AND ADOPTED this 6th day of June 2022.



\_\_\_\_\_  
Board President

ATTEST:

\_\_\_\_\_  
Board Secretary



DEPARTMENT OF  
HEALTH AND HUMAN SERVICES

Promoting and protecting health, well-being, self-sufficiency, and safety of all in Marin County.



Benita McLarin, FACHE  
DIRECTOR

20 North San Pedro Road  
Suite 2002  
San Rafael, CA 94903  
415 473 6924 T  
415 473 3344 TTY  
[www.marincounty.org/hhs](http://www.marincounty.org/hhs)

September 22, 2021

Dennis Rodoni  
President, Board of Supervisors  
3501 Civic Center Drive, 3<sup>rd</sup> Floor  
San Rafael, CA 94903

Re: Public Meetings/Social Distancing

Dear President Rodoni:

On September 20, 2021, Governor Newsom signed AB 361. The legislation provides that local agencies may continue to hold certain public meetings via video/tele-conference as they have done during the Covid-19 emergency. The legislation allows such meetings to continue during a proclaimed state of emergency if state or local officials have recommended measures to promote social distancing.

Local government meetings are indoor meetings that are sometimes crowded, involve many different and unfamiliar households, and can last many hours. Given those circumstances, I recommend a continued emphasis on social distancing measures as much as possible to make public meetings as safe as possible. These measures can include using video/tele-conferencing when it meets community needs and spacing at in-person meetings so that individuals from different households are not sitting next to each other. I will notify you if this recommendation changes while the Governor's state of emergency for COVID-19 remains in place.

Respectfully,

Benita McLarin  
Director, Health & Human Services

cc: Matthew H. Hymel, CAO  
Brian E. Washington, County Counsel



711 grand ave, #110  
san rafael, ca 94901

ph: 415.226.0855  
fax: 415.226.0856  
[marintransit.org](http://marintransit.org)

June 6, 2022

Honorable Board of Directors  
Marin County Transit District  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT: Marin County Transit District Third Quarter  
FY 2021/22 Financial Report**

Dear Board Members:

**board of directors**

stephanie moulton-peters  
president  
supervisor district 3

katie rice  
vice president  
supervisor district 2

eric lucan  
2nd vice president  
city of novato

judy arnold  
director  
supervisor district 5

kate colin  
director  
city of san rafael

damon connolly  
director  
supervisor district 1

dennis rodoni  
director  
supervisor district 4

brian colbert  
alternate  
town of san anselmo

**RECOMMENDATION:** Accept report.

**SUMMARY:** The quarterly report is an opportunity for your Board to review the District's financial status and to provide fiscal and operational accountability. This report represents all financial transactions for the District through the third quarter of Fiscal Year 2021/22.

Unaudited revenues and expenditures are shown on a full accrual basis consistent with Generally Accepted Accounting Principles (GAAP) for special districts. All known revenues and expenditures for the period are reported even if they have not been received or are awaiting payment. These include recorded estimates for property tax and other significant transactions.

Third quarter operations and capital expenses and revenues were below budget (69 percent of the annual budget, Attachment A, page 2). This was primarily due to lower demand for Marin Access services. Total operations revenue was consistent with the adopted budget.

**Transit Operating Expenses**

FY 2021/22 transit operating expenditures through the third quarter (Attachment A, Page 1) are \$24.5 million, which is 69 percent of the annual budget of \$35.7 million. With these expenditures, Marin Transit delivered 69 percent of budget fixed route service hours and 52 percent of budgeted demand response service hours as identified in Table 1.

**Transit Operating Revenue**

Marin Transit's FY2021/22 operating revenues through the third quarter (Attachment A, Page 1) are \$27.3 million or 74 percent of the annual budget of \$37 million.

## Capital Budget

Through the third quarter, Marin Transit's expenditures in the Capital Budget (Attachment A, Page 1) were \$8.8 million or 52 percent of the \$17.1 million budget. Capital revenues typically tie closely to expenditures as they tend to be on a reimbursement basis. Attachment C includes a complete Capital Report for all major Marin Transit capital projects for the current period.

**Table 1: FY 2021/22 Year to Date (YTD) through Third Quarter Service Operations**

Service	Budgeted Annual Revenue Hours	Revised - Budgeted Annual Revenue Hours	YTD thru Q3 Actual Revenue Hours	% of Annual
Regular Local and Trunk Line	118,200	118,200	85,271	72%
Community Shuttles	44,800	44,800	31,151	70%
Local and School Supplemental Service <sup>1</sup>	9,000	9,000	1,853	21%
Muir Woods Shuttle	4,440	4,440	2,682	60%
West Marin Stagecoach Service	20,000	20,000	14,855	74%
<i>Fixed Route Subtotal</i>	<i>196,440</i>	<i>196,440</i>	<i>135,812</i>	<i>69%</i>
Rural Dial A Ride	400	400	295	74%
Transit Connect	6,120	6,120	647	11%
Novato Dial-A-Ride	2,600	2,600	1,180	45%
Local Paratransit Service	40,700	40,700	23,042	57%
Regional Paratransit Service	4,400	4,400	3,351	76%
Yellow School Bus Service	6 buses	6 buses	-	-
Service	Annual Estimated Trips	Revised Estimated Annual Trips	YTD thru Q3 Actual Trips	% of Annual
Catch A Ride	9,800	9,800	2,924	30%
Volunteer Driver	13,500	13,500	7,366	55%
Note: 1) Includes College of Marin service				

**FISCAL/STAFFING IMPACT:** There are no fiscal impacts from this report.

Respectfully submitted,



Karina Sawin  
Senior Accounting Analyst

Attachment A: FY2021/22 Third Quarter Financial Report  
Attachment B: FY2021/22 Budget Amendments  
Attachment C: Capital Project Report

## Attachment A

Marin Transit  
 FY2021/22 Q3 Budget Report  
 From 7/1/2021 Through 03/31/2022

*(In Whole Numbers)*

	FY21 Actual	Total Budget - Original	Total Budget - Revised	Current Period Actual	Percent Total Budget Used
Revenue					
Capital	5,754,427	8,158,442	8,182,709	5,122,870	62.61%
Facility Operations	171,360	0	0	0	0.00%
Vehicle Operations	34,368,575	36,948,095	37,036,527	27,286,615	73.67%
Total Revenue	<u>40,294,362</u>	<u>45,106,537</u>	<u>45,219,236</u>	<u>32,409,485</u>	<u>71.67%</u>
Expenses					
Capital	5,685,746	13,838,442	17,106,296	8,839,951	51.68%
Facility Operations	85,307	0	0	0	0.00%
Vehicle Operations	29,749,318	35,381,744	35,730,684	24,492,684	68.55%
Total Expenses	<u>35,520,371</u>	<u>49,220,186</u>	<u>52,836,980</u>	<u>33,332,636</u>	<u>63.09%</u>
Expenditures	<u>35,520,371</u>	<u>49,220,186</u>	<u>52,836,980</u>	<u>33,332,636</u>	63.09%
Net Revenue Over Expenditures	<u>4,773,991</u>	<u>(4,113,649)</u>	<u>(7,617,744)</u>	<u>(923,151)</u>	<u>12.12%</u>

## Attachment A

Marin Transit  
 FY2021/22 Q3 Budget Report  
 From 7/1/2021 Through 03/31/2022

*Operations Summary - Admin, Local, Rural, Marin Access, Yellow Bus*

	FY21 Actual	Total Budget - Original	Total Budget - Revised	Current Period Actual	Percent Total Budget Used
Fare Revenue	1,654,777	3,017,579	3,017,579	1,925,241	63.80%
Advertising & Other Revenue	367,408	610,447	610,447	424,835	69.59%
Fee for Service	1,267,335	1,342,481	1,342,481	1,212,414	90.31%
Interest	125,928	160,700	160,700	(4,552)	(2.83)%
Measure A	1,106,168	0	0	0	0.00%
Measure AA	9,159,204	12,726,002	12,726,002	5,358,559	42.10%
Measure B	910,679	944,943	944,943	657,110	69.53%
Property Taxes	4,975,162	4,940,101	4,940,101	3,783,066	76.57%
Redevelopment Area (RDA) Fees	56,556	45,500	45,500	25,165	55.30%
State Transit Assistance (STA)	1,680,205	2,384,860	2,384,860	1,965,874	82.43%
Transit Development Act (TDA)	3,817,097	5,871,942	5,871,942	4,923,921	83.85%
Other State	32,769	32,300	32,300	20,197	62.53%
FTA Funds	9,207,534	5,294,542	5,294,542	678,154	128.22%
National Park Service	14,331	418,694	418,694	205,631	49.11%
Cost Center Revenue Transfers	(6,578)	(841,996)	(753,564)	0	0.00%
<b>Total Revenue</b>	<u>34,368,575</u>	<u>36,948,095</u>	<u>37,036,527</u>	<u>27,286,615</u>	<u>73.67%</u>
Salaries and Benefits	2,478,182	2,806,721	2,806,721.00	1,920,693	68.43%
Consultant Services	299,251	590,752	590,752.00	252,676	42.77%
Professional Service-Legal	15,999	103,000	103,000	108,134	104.98%
Security and Maintenance	220,559	388,631	388,631	266,471	68.56%
Customer Service	681,567	678,352	569,638	566,503	99.44%
Mobility Management Support Programs	0	92,360	92,360	2,978	3.22%
Grants to External Agencies	232,085	410,406	410,406	274,529	66.89%
Office Supplies	330,566	397,352	397,352	233,221	58.69%
Covid Cleaning and Supplies	219,261	342,000	342,000	78,311	22.89%
General Insurance	63,052	72,928	72,928	78,746	107.97%
Contract Service Operation	23,220,992	25,960,597	26,421,441	18,514,726	70.07%
Membership & Prof Development	34,694	53,888	53,888	48,802	90.56%
Mileage and Travel	413	25,750	25,750	4,403	17.09%
Marketing	96,232	178,411	178,411	41,939	23.50%
Communication	188,554	264,888	264,888	155,885	58.84%
Fuel	1,891,121	3,124,622	3,121,432	2,062,236	66.06%
Utilities	0	65,000	65,000	27,687	42.59%
Vehicle Leases	0	26,236	26,236	20,278	77.28%
Office - Rental and Overhead	140,532	146,260	146,260	107,040	73.18%
Cost Center Transfers	(363,742)	(346,410)	(346,410)	(272,572)	78.68%
<b>Total Expenses</b>	<u>29,749,318</u>	<u>35,381,744</u>	<u>35,730,684</u>	<u>24,492,686</u>	<u>68.54%</u>
<b>Net Revenue Over Expenditures</b>	<u>4,619,257</u>	<u>1,566,351</u>	<u>1,305,843</u>	<u>2,793,930</u>	<u>213.95%</u>

Marin Transit  
FY2021/22 Q3 Budget Report  
From 07/01/2021 Through 03/31/2022

<i>Detail - Administration</i>	FY21 Actual	Total Budget - Original	Total Budget - Revised	Current Period Actual	Percent Total Budget Used
<b>Revenue</b>					
Interest	4070400	125,928	160,700	160,700	(4,552) (2.83)%
Redevelopment Fees	4079950	23,894	20,500	20,500	14,330 69.90%
Residual ABX 126	4079954	32,662	25,000	25,000	10,835 43.33%
PropTax-CurrntSecured	4080101	4,366,859	4,472,425	4,472,425	3,354,323 75.00%
County Fee-SV2557Admin Basic Tax	4080102	(62,492)	(68,494)	(68,494)	(29,898) 43.65%
Property Tax-Unitary	4080103	39,531	40,170	40,170	22,849 56.88%
PropTax-CurrntUnSecur	4080104	82,857	80,000	80,000	10,479 13.09%
Educ Rev Augm Fund-Redist	4080105	451,508	320,000	320,000	315,903 98.71%
PropTax-Supp CY SECR	4080106	89,757	90,000	90,000	98,942 109.93%
PropTax-Supp Unsecured	4080107	1,711	1,000	1,000	3,396 339.61%
PropTax-Redemption	4080108	2,952	2,000	2,000	2,295 114.76%
Property Tax-Prior Unsecured	4080109	2,480	3,000	3,000	4,777 159.22%
National Park Service	4089901	154	150	150	0 0.00%
Other State	4119940	<u>217</u>	<u>300</u>	<u>300</u>	<u>216</u> 72.01%
<b>Total Revenue</b>	<b>5,158,018</b>	<b>5,146,751</b>	<b>5,146,751</b>	<b>3,803,894</b>	<b>73.91%</b>
<b>Transfers</b>					
Property Tax Transfer	4700001	<u>(271,548)</u>	<u>(3,098,005)</u>	<u>(3,098,005)</u>	<u>(3,416,418)</u> 110.28%
<b>Total Transfers</b>		<b>(271,548)</b>	<b>(3,098,005)</b>	<b>(3,098,005)</b>	<b>(3,416,418)</b> 110.28%
<b>Net Revenue</b>	<b><u>4,886,470</u></b>	<b><u>2,048,746</u></b>	<b><u>2,048,746</u></b>	<b><u>387,476</u></b>	<b><u>18.91%</u></b>
<b>Expense</b>					
Salaries	5010200	1,526,167	1,800,921	1,800,921	1,397,438 77.59%
Employee Benefits	5020000	952,015	1,005,800	1,005,800	523,255 52.02%
Consultant Services	5030301	86,368	206,000	206,000	105,376 50.99%
Professional Svcs - Legal	5030303	15,999	103,000	103,000	108,134 104.98%
Prof Svcs - Accounting and Audit	5030305	35,898	37,693	37,693	2,174 5.76%
Office Supplies	5049901	3,035	13,390	13,390	4,780 35.69%
Small Furn/Equip	5049902	10,193	10,300	10,300	4,753 46.14%
Software	5049903	90,751	90,000	90,000	88,156 97.95%
Copier Suppl & Srvc	5049904	8,286	10,017	10,017	6,176 61.65%
Postage	5049905	1,062	3,377	3,377	1,124 33.28%
Computers	5049906	9,282	22,145	22,145	10,845 48.97%
COVID- Supplies and Cleaning	5049911	561	0	0	2,704 0.00%
Communication - Phone	5050201	32,009	33,475	33,475	27,275 81.47%
Insurance - Gen Liability	5060301	63,052	72,928	72,928	78,746 107.97%
Membership & Prof Development	5090101	34,694	53,888	53,888	48,802 90.56%
Mileage and Travel	5090202	413	25,750	25,750	4,403 17.09%
Marketing	5090801	2,068	13,911	13,911	4,881 35.08%
Office Rental	5121200	<u>140,532</u>	<u>146,260</u>	<u>146,260</u>	<u>107,040</u> 73.18%
<b>Total Expense</b>	<b>3,012,384</b>	<b>3,648,855</b>	<b>3,648,855</b>	<b>2,526,059</b>	<b>69.23%</b>
<b>Transfers</b>					
Cost Center Salary/Benefit Transfers	5100100	<u>(2,305,491)</u>	<u>(2,654,451)</u>	<u>(2,654,451)</u>	<u>(1,774,905)</u> 66.86%
Cost Center Transfer Overhead	5100101	<u>(444,644)</u>	<u>(563,590)</u>	<u>(563,590)</u>	<u>(363,678)</u> 64.52%
<b>Total Transfers</b>		<b>(2,750,134)</b>	<b>(3,218,041)</b>	<b>(3,218,041)</b>	<b>(2,138,583)</b> 66.46%
<b>Total Expense</b>	<b><u>262,250</u></b>	<b><u>430,814</u></b>	<b><u>430,814</u></b>	<b><u>387,476</u></b>	<b><u>89.94%</u></b>

Marin Transit  
FY2021/22 Q3 Budget Report  
From 07/01/2021 Through 03/31/2022

<i>Detail- Local</i>		<u>FY21 Actual</u>	<u>Total Budget - Original</u>	<u>Total Budget - Revised</u>	<u>Current Period Actual</u>	<u>Percent Total Budget Used</u>
<b>Revenue</b>						
Special Fares - Paid By Another Agency	4020000	198,763	556,323	556,323	236,255	42.46%
Advertising Revenue	4060301	201,573	273,712	273,712	164,939	60.26%
Lease of Property	4070301	165,835	336,735	336,735	259,896	77.18%
Measure A Sales Tax	4092001	944,535	0	0	0	0.00%
Measure AA - Sales Tax	4092005	6,979,897	8,680,992	8,680,992	2,541,409	29.27%
State Transit Assistance -Population Basec	4110101	766,220	824,860	824,860	780,874	94.66%
Transit Development Act (TDA)	4110102	3,817,097	5,871,942	5,871,942	4,923,921	83.85%
State Transit Assistance - Revenue Based	4110104	853,985	1,500,000	1,500,000	1,125,000	75.00%
SREC Credits	4119911	14,010	16,000	16,000	10,775	67.34%
Fed- FTA 5307 STP	4139912	70,520	0	0	0	0.00%
Fed-FTA 5307 CARES	4139914	6,760,570	3,654,814	3,654,814	5,172,652	141.52%
National Park Service	4139951	14,177	418,544	418,544	205,631	49.13%
Fare Revenue	4140100	<u>1,270,458</u>	<u>1,563,217</u>	<u>1,563,217</u>	<u>1,255,924</u>	<u>80.34%</u>
<b>Total Revenue</b>		<b>22,057,640</b>	<b>23,697,139</b>	<b>23,697,139</b>	<b>16,677,277</b>	<b>70.38%</b>
<b>Transfers</b>						
Property Tax Transfer	4700001	6,045	300,000	300,000	190,763	63.59%
Program Revenue Transfer	4700002	<u>33,412</u>	<u>80,000</u>	<u>80,000</u>	<u>40,000</u>	50.00%
<b>Total Transfers</b>		<b>39,457</b>	<b>380,000</b>	<b>380,000</b>	<b>230,763</b>	<b>60.73%</b>
<b>Net Revenue</b>		<b><u>22,097,097</u></b>	<b><u>24,077,139</u></b>	<b><u>24,077,139</u></b>	<b><u>16,908,040</u></b>	<b>70.22%</b>
<b>Expense</b>						
Consultant Services	5030301	97,394	210,000	210,000.00	63,318	30.15%
Fare Processing Charges	5030310	14,679	18,035	18,035.00	15,238	84.49%
Customer Service	5030320	352,011	338,910	338,910.00	368,501	108.73%
Custodial Service	5030602	0	68,291	68,291.00	19,188	28.09%
Security Services	5030701	220,501	298,324	298,324.00	218,936	73.38%
Fuel	5040101	1,451,828	2,268,597	2,265,407.00	1,413,750	62.40%
Electrical Power	5040160	40,695	120,000	120,000.00	45,063	37.55%
Utilities (Facility)	5040180	0	35,000	35,000.00	20,282	57.94%
Small Furn/Equip	5049902	1,586	10,000	10,000.00	10,421	104.21%
Software	5049903	38,188	43,260	43,260.00	39,117	90.42%
COVID- Supplies and Cleaning	5049911	173,290	244,927	244,927.00	62,457	25.50%
Communication-MERA Radio	5050204	668	0	0.00	0	0.00%
Communication-AVL	5050205	102,286	114,987	114,987.00	104,347	90.74%
Communication-Data	5050206	5,856	13,467	13,467.00	1,663	12.34%
Purchased Transportation - In Report	5080101	17,718,445	18,374,221	18,374,221.00	13,133,235	71.47%
Marketing	5090801	<u>60,229</u>	<u>90,000</u>	<u>90,000.00</u>	<u>27,737</u>	<u>30.81%</u>
<b>Total Expense</b>		<b>20,277,655</b>	<b>22,248,020</b>	<b>22,244,830</b>	<b>15,543,252</b>	<b>69.87%</b>
<b>Transfers</b>						
Cost Center Salary/Benefit Transfers	5100100	1,541,638	1,801,776	1,801,776	1,132,698	62.86%
Cost Center Transfer Overhead	5100101	<u>277,803</u>	<u>307,752</u>	<u>307,752</u>	232,090	75.41%
<b>Total Transfers</b>		<b>1,819,441</b>	<b>2,109,528</b>	<b>2,109,528</b>	<b>1,364,787</b>	<b>64.70%</b>
<b>Total Expense</b>		<b><u>22,097,097</u></b>	<b><u>24,357,548</u></b>	<b><u>24,354,358</u></b>	<b><u>16,908,040</u></b>	<b>69.42%</b>



Marin Transit  
 FY2021/22 Q3 Budget Report  
 From 07/01/2021 Through 03/31/2022

<i>Detail - Rural</i>	<u>FY21 Actual</u>	<u>Total Budget - Original</u>	<u>Total Budget - Revised</u>	<u>Current Period Actual</u>	<u>Percent Total Budget Used</u>
<b>Revenue</b>					
Measure A Sales Tax	4092001	27,059	0	0	0.00%
Measure AA - Sales Tax	4092005	564,320	664,630	664,630	100.00%
Fed-FTA 5311 Rural	4139920	228,695	231,649	173,737	74.99%
Fed-FTA 5311 CARES	4139923	800,000	523,877	532,743	101.69%
Fare Revenue	4140100	<u>52,419</u>	<u>81,474</u>	<u>55,413</u>	<u>68.01%</u>
Total Revenue		1,672,493	1,501,630	1,426,523	95.00%
<b>Transfers</b>					
Property Tax Transfer	4700001	<u>258,925</u>	<u>1,158,429</u>	<u>325,456</u>	<u>28.09%</u>
Total Transfers		258,925	1,158,429	325,456	28.09%
Net Revenue		<u>1,931,418</u>	<u>2,660,059</u>	<u>1,751,979</u>	<u>65.86%</u>
<b>Expense</b>					
Consultant Services	5030301	8,090	15,914	5,139	32.29%
Fuel	5040101	158,951	257,829	252,616	97.97%
Utilities (Facility)	5040180	0	0	12	0.00%
Small Furn/Equip	5049902	1,642	5,000	0	0.00%
COVID- Supplies and Cleaning	5049911	5,014	13,073	103	0.79%
Communication-AVL	5050205	12,887	18,182	12,454	68.49%
Communication-Data	5050206	697	1,126	0	0.00%
Purchased Transportation - In Report	5080101	1,624,308	1,909,351	1,392,535	72.83%
Marketing	5090801	<u>6,197</u>	<u>20,000</u>	<u>5,262</u>	<u>26.30%</u>
Total Expense		1,817,786	2,240,473	1,668,122	74.37%
<b>Transfers</b>					
Cost Center Salary/Benefit Transfers	5100100	96,282	124,348	69,596	55.96%
Cost Center Transfer Overhead	5100101	<u>17,350</u>	<u>37,310</u>	<u>14,260</u>	<u>38.22%</u>
Total Transfers		113,632	161,658	83,856	51.87%
Total Expense		<u>1,931,418</u>	<u>2,402,131</u>	<u>1,751,978</u>	<u>72.85%</u>

## Attachment A

Marin Transit  
 FY2021/22 Q3 Budget Report  
 From 07/01/2021 Through 03/31/2022

<i>Detail - Marin Access</i>	<u>FY21 Actual</u>	<u>Total Budget - Original</u>	<u>Total Budget - Revised</u>	<u>Current Period Actual</u>	<u>Percent Total Budget Used</u>	
<b>Revenue</b>						
Measure A Sales Tax	4092001	134,574	0	0	0.00%	
Measure AA - Sales Tax	4092005	1,353,396	2,767,180	2,767,180	58.81%	
Measure B	4099950	910,679	944,943	944,943	69.53%	
State Transit Assistance -Population Basec	4110101	60,000	60,000	60,000	100.00%	
State Prop Tx Relief HOPTR	4119910	18,541	16,000	16,000	57.53%	
Fed-FTA 5307 Urbanized Area Formula	4139910	697,574	802,802	802,802	100.00%	
Fed-FTA 5307 CARES	4139914	559,614	0	0	0.00%	
Fed-FTA 5310 Mobility	4139915	90,561	81,400	81,400	76.00%	
Fed-FTA 5310 CRRSAA	4139916	0	0	0	0%	
Fare Revenue	4140100	133,137	242,900	242,900	67.92%	
GGBHTD Payment for Local Paratransit	4601003	693,171	527,331	527,331	124.62%	
GGBHTD Payment for Regional Paratransit	4601004	<u>574,164</u>	<u>705,473</u>	<u>705,473</u>	<u>72.68%</u>	
<b>Total Revenue</b>		<b>5,225,411</b>	<b>6,148,028</b>	<b>6,148,028</b>	<b>74.80%</b>	
<b>Transfers</b>						
Property Tax Transfer	4700001	0	784,361	784,361	87,087	0.00%
Program Revenue Transfer	4700002	<u>(33,412)</u>	<u>(80,000)</u>	<u>(80,000)</u>	<u>(40,000)</u>	<u>0.00%</u>
<b>Total Transfers</b>		<b>(33,412)</b>	<b>704,361</b>	<b>704,361</b>	<b>47,087</b>	<b>0.00%</b>
<b>Net Revenue</b>		<b><u>5,191,999</u></b>	<b><u>6,852,389</u></b>	<b><u>6,852,389</u></b>	<b><u>4,645,787</u></b>	<b><u>67.11%</u></b>
<b>Expense</b>						
Consultant Services	5030301	52,189	83,900	83,900.00	71,351	85.04%
Fare Processing Charges	5030310	61	0	0.00	848	0.00%
Customer Service	5030320	329,556	339,442	230,728.00	198,002	85.81%
Custodial Service	5030602	0	20,000	20,000.00	2,508	12.54%
Security Services	5030701	0	0	0.00	3,160	0.00%
Fuel	5040101	239,647	478,197	478,197.00	350,806	73.36%
Utilities (Facility)	5040180	0	30,000	30,000.00	7,393	24.64%
Small Furn/Equip	5049902	0	10,000	10,000.00	23	0.22%
Software	5049903	166,425	178,064	178,064.00	67,050	37.65%
COVID- Supplies and Cleaning	5049911	40,395	84,000	84,000.00	13,047	15.53%
Communication-MERA Radio	5050204	20,204	22,246	22,246.00	0	0.00%
Communication-Data	5050206	13,948	35,000	35,000.00	10,147	28.99%
Purchased Transportation - In Report	5080101	3,327,108	4,335,581	4,836,797.00	3,077,361	63.62%
Purchased Transportation - Regional	5080102	551,131	659,320	616,274.00	480,347	77.94%
Marketing	5090801	27,738	51,500	51,500.00	4,059	7.88%
Misc-Exp Transit User Training	5098001	0	12,360	12,360.00	2,978	24.09%
Gap Grant	5098002	<u>0</u>	<u>80,000</u>	<u>80,000.00</u>	<u>0</u>	<u>0.00%</u>
<b>Total Expense</b>		<b>4,768,403</b>	<b>6,419,609</b>	<b>6,769,065</b>	<b>4,289,081</b>	<b>63.36%</b>
<b>Transfers</b>						
Cost Center Salary/Benefit Transfers	5100100	358,919	355,281	355,281	296,047	83.32%
Cost Center Transfer Overhead	5100101	<u>64,677</u>	<u>106,599</u>	<u>106,599</u>	<u>60,660</u>	<u>56.90%</u>
<b>Total Transfers</b>		<b>423,597</b>	<b>461,880</b>	<b>461,880</b>	<b>356,707</b>	<b>77.23%</b>
<b>Total Expense</b>		<b><u>5,192,000</u></b>	<b><u>6,881,489</u></b>	<b><u>7,230,945</u></b>	<b><u>4,645,788</u></b>	<b><u>64.25%</u></b>

Marin Transit  
 FY2021/22 Q3 Budget Report  
 From 07/01/2021 Through 03/31/2022

<i>Detail - Yellow Bus</i>		<u>FY21 Actual</u>	<u>Total Budget - Original</u>	<u>Total Budget - Revised</u>	<u>Current Period Actual</u>	<u>Percent Total Budget Used</u>
<b>Revenue</b>						
Yellow Bus Fares - Paid by Another Agenc	4030000	0	151,000	151,000	0	0.00%
Local Government Payments	4090101	0	109,677	109,677	42,450	38.70%
Measure AA - Sales Tax	4092005	261,591	613,200	613,200	525,108	85.63%
Fare Revenue - Yellow Bus	4140105	<u>0</u>	<u>422,665</u>	<u>422,665</u>	<u>212,663</u>	<u>50.31%</u>
Total Revenue		261,591	1,296,542	1,296,542	780,220	60.18%
<b>Transfers</b>						
Property Tax Transfer	4700001	<u>0</u>	<u>13,219</u>	<u>13,219</u>	<u>19,182</u>	<u>0.00%</u>
Total Transfers		0	13,219	13,219	19,182	0.00%
Net Revenue		<u>261,591</u>	<u>1,309,761</u>	<u>1,309,761</u>	<u>799,402</u>	<u>59.56%</u>
<b>Expense</b>						
Consultant Services	5030301	3,600	0	0	2,792	0.00%
Fare Processing Charges	5030310	1,029	19,210	19,210	7,833	40.77%
Custodial Service	5030602	0	2,016	2,016	1,286	63.77%
Small Furn/Equip	5049902	0	1,800	1,800	15	0.84%
Software	5049903	118	0	0	761	0.00%
Communication-AVL	5050205	0	16,327	16,327	0	0.00%
Communication-Data	5050206	0	10,079	10,079	0	0.00%
Yellow Bus School Service	5080103	0	682,124	682,124	431,248	63.22%
Marketing	5090801	0	3,000	3,000	0	0.00%
Measure AA Yellow Bus Grants	5098008	232,085	410,406	410,406	274,529	66.89%
Leases and Rentals - Passenger Vehicles	5120401	<u>0</u>	<u>26,236</u>	<u>26,236</u>	<u>20,278</u>	<u>77.28%</u>
Total Expense		236,832	1,171,197	1,171,197	738,742	63.08%
<b>Transfers</b>						
Cost Center Salary/Benefit Transfers	5100100	25,184	106,584	106,584	50,345	47.23%
Cost Center Transfer Overhead	5100101	<u>4,538</u>	<u>31,980</u>	<u>31,980</u>	<u>10,316</u>	<u>32.25%</u>
Total Transfers		29,722	138,564	138,564	60,661	43.78%
Total Expense		<u>266,554</u>	<u>1,309,761</u>	<u>1,309,761</u>	<u>799,403</u>	<u>61.03%</u>

Marin Transit  
 FY2021/22 Q3 Budget Report  
 From 07/1/2021 Through 03/31/2022

**Detail:Capital Budget**

	Total Project Budget	FY2021/22 Budget	FY2021/22 Revised	FY2021/22 Actual	Total Project Expenditures
EA Replace 2 Artics with 4 - 40ft Electric	4,366,507	4,357,915	4,356,883	4,024,739	4,034,363
PD Purchase 5 paratransit replacements	505,000	505,000	505,000	2,206	2,206
PE Purchase 1 electric paratransit	300,000	5,000	5,000	0	0
XC Purchase 2 XHF Replacements	906,241	900,094	900,443	44,400	50,198
HY Hybrid Battery Replacements	300,500	150,000	150,000	0	0
NR Staff Car	49,000	49,000	49,000	321	321
<b>Subtotal Vehicles</b>	<b>6,427,248</b>	<b>5,967,009</b>	<b>5,966,326</b>	<b>4,071,666</b>	<b>4,087,088</b>
BN Novato Bus Stop Shelters	61,115	61,115	61,115	1,063	1,063
BP ADA Bus Stop Improvements	303,000	303,000	303,000	111,366	111,366
<b>Subtotal Bus Stop Improvements</b>	<b>364,115</b>	<b>364,115</b>	<b>364,115</b>	<b>112,429</b>	<b>112,429</b>
FS Facility - Rush Landing Improvements	2,800,000	2,680,000	2,637,957	552,798	714,841
FA Facility- Maintenance Facility Purchase	3,625,000	100,000	3,285,630	2,941,363	3,280,733
FD Facility - Kerner Improvements	1,100,000	1,000,000	1,100,000	709,034	709,034
YF Yellow Bus Parking Facility	3,000,000	3,000,000	3,000,000	0	0
<b>Subtotal Facility</b>	<b>10,525,000</b>	<b>6,780,000</b>	<b>10,023,587</b>	<b>4,203,195</b>	<b>4,704,608</b>
RT Realtime Signs	212,394	30,318	55,268	33,302	190,428
<b>Subtotal Technology Projects</b>	<b>212,394</b>	<b>30,318</b>	<b>55,268</b>	<b>33,302</b>	<b>190,428</b>
GG Golden Gate Capital Costs (GG)	17,000	17,000	17,000	15,341	15,341
BM Bus Stop Maintenance (BM)	120,000	120,000	120,000	83,851	83,851
VR Major Vehicle Repairs (VR)	200,000	200,000	200,000	39,165	39,165
IF Infrastructure Support (IF)	360,000	360,000	360,000	281,002	281,002
<b>Subtotal Ongoing Capital Expenses</b>	<b>697,000</b>	<b>697,000</b>	<b>697,000</b>	<b>419,359</b>	<b>419,359</b>
<b>Total Expenditures</b>	<b>18,225,757</b>	<b>13,838,442</b>	<b>17,106,296</b>	<b>8,839,951</b>	<b>9,513,912</b>

Attachment B

FY2021/22 Q3  
Budget Amendments

Number	Board Authorization	Description	Function	Program	Project	GL	Original	Change	Final
2022-01 (moved from 2022-03)	12/6/2021	Roll forward of FY2021 Capital Project expenditures;	Capital	Capital	EA	5230101 Vehicles	\$4,357,915	(\$1,032)	\$4,356,883
					XC	5230101 Vehicles	\$900,094	\$349	\$900,443
					FS	5230104 Facilities	\$2,680,000	(\$42,043)	\$2,637,957
					FA	5230104 Facilities	\$100,000	\$3,185,630	\$3,285,630
					FD	5230104 Facilities	\$1,000,000	\$100,000	\$1,100,000
					RT	5230102 Equipment	\$30,318	\$24,950	\$55,268
		Total Change for 2022-03							\$3,267,854
2022-02	9/13/2021	Increase local paratransit budget and adjust LPT/LPG split	Operations	LPT	NA	5080101- Purchased Transportation	\$2,940,912	\$192,093	\$3,133,005
			Operations	LPG	NA	5080101- Purchased Transportation	\$401,033	\$252,411	\$653,444
		Decrease regional paratransit budget	Operations	RPT	NA	5080101- Purchased Transportation	\$659,320	(\$43,046)	\$616,274
		Increase Transit Connect Budget	Operations	TCT	NA	5080101- Purchased Transportation	\$533,726	\$56,712	\$590,438
		Increase Rural Dial A Ride Budget	Operations	TOM	NA	5080101- Purchased Transportation	\$32,845	\$2,674	\$35,519
		Increase Novato Dial A Ride Budget	Operations	NDR	NA	5040152-Oil and Fuel	\$241,500	(\$3,190)	\$238,310
		Decrease customer service (moved to purchased transportation)	Operations	MMP	NA	5030320- Customer Service	\$33,944	\$5,338	\$39,282

Number	Board Authorization	Description	Function	Program	Project	GL	Original	Change	Final	
			Operations	LPG	NA	5030320- Customer Service	\$12,269	(\$5,153)	\$7,116	
			Operations	LPT	NA	5030320- Customer Service	\$116,285	(\$48,840)	\$67,445	
			Operations	RPT	NA	5030320- Customer Service	\$7,223	(\$3,034)	\$4,189	
			Operations	TCT	NA	5030320- Customer Service	\$33,944	(\$14,256)	\$19,688	
			Operations	CAR	NA	5030320- Customer Service	\$101,823	(\$42,769)	\$59,054	
		Total Change for 2022-02							(\$348,940)	
2022-03	5/5/2022	Add project to purchase 3010/3020 Kerner facility	Capital	CPT	FE	5230104 Facilities (FY22)	\$0	\$200,000	\$200,000	
					FE	Total Project Budget	\$0	\$3,650,000	\$3,650,000	

## Capital Projects Report FY2021/22

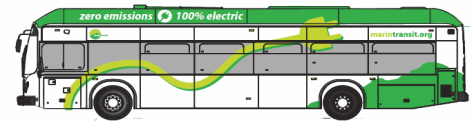
This capital project report provides details through the Third Quarter of FY2021/22. Project descriptions and status are given for all major capital projects. Projects are grouped according to project type as shown below.

	Total Project Budgets	Total Expended FY2022 Thru Q3	Total Project Expenditures
Vehicles	\$6,427,248	\$4,071,666	\$4,071,666
Bus Stop Improvements	\$364,115	\$112,429	\$112,429
Facility	\$10,525,000	\$4,203,195	\$4,203,195
Technology Projects	\$212,394	\$33,302	\$190,428
Ongoing Capital Expenses	\$697,000	\$419,359	\$419,359 (annual)
	<b>\$18,225,757</b>	<b>\$8,839,951</b>	<b>\$8,997,077</b>

**Purchase Four 40ft Electric Vehicles (Replacement) Total Project Budget \$4,366,507**

Concept: Replace two 60ft Artics with four 40ft Electric Buses

Funding: \$2,656,800 Federal Section 5307  
 \$1,338,882 State LCTOP  
 \$370,825 Measure AA



Description: Purchase of four 40-foot Battery Electric Buses to replace three 60-foot Articulated buses beyond their useful life

Status: These vehicles will replace three 60-ft articulated buses in a seat for seat replacement. Board authorized the purchase of four 40ft Electric buses in October 2020. All vehicles have been delivered and are waiting for charging infrastructure to be put into service.

VEHICLES

<u>Project ID</u>	<u>Budget</u>	<u>Expended to</u>		<u>Anticipated Completion</u>
		<u>Date</u>	<u>Percent Complete</u>	<u>Date</u>
EA	\$4,366,507	\$4,024,739	95%	Jun-22

**Purchase 5 Paratransit Vehicles (Replacements) Total Project Budget \$505,000**

Concept: Purchase 16 Paratransit Replacements

Funding: \$414,100 Federal 5307  
 \$90,900 Measure AA



Description: Purchase 5 Paratransit Vehicles to replace vehicles beyond their useful life.

Status: Board authorized purchase of these vehicles in November 2021. Vender has delayed delivery due supply chain issues.

VEHICLES

<u>Project ID</u>	<u>Budget</u>	<u>Expended to</u>		<u>Anticipated Completion</u>
		<u>Date</u>	<u>Percent Complete</u>	<u>Date</u>
PD	\$505,000	\$2,206	0%	Mar-23



VEHICLES

**Purchase 1 Electric Paratransit** **Total Project Budget \$300,000**

Concept: Purchase One Electric Paratransit

Funding: \$300,000 Measure AA



Description: Replace 1 paratransit vehicles that is beyond its useful life

Status: Marin Transit will replace one paratransit vehicle with an electric paratransit vehicle. Staff plans to bring this purchase to the Board for authorization in the Summer of 2022.

<u>Project ID</u>	<u>Budget</u>	<u>Expended to</u>		<u>Anticipated Completion</u>	
		<u>Date</u>	<u>Percent Complete</u>	<u>Date</u>	
PE	\$300,000	\$0	0%	Mar-23	

VEHICLES

**Purchase Hybrid Battery (Replacement)** **Total Project Budget \$300,500**

Concept: Purchase replacement batteries for Hybrid buses

Funding: \$246,410 Federal Section 5307  
\$54,090 Measure AA



Description: Purchase replacement batteries for Hybrid buses

Status: As a preventive maintenance measure, under the existing maintenance contract, Marin Airporter will replace the batteries on the 2015 Hybrid Buses.

<u>Project ID</u>	<u>Budget</u>	<u>Expended to</u>		<u>Anticipated Completion</u>	
		<u>Date</u>	<u>Percent Complete</u>	<u>Date</u>	
HY	\$300,500	\$0	0%	Dec-22	

VEHICLES

**Purchase Two 35ft XHF Vehicles (Replacement)** **Total Project Budget \$906,241**

Concept: Purchase two 35ft XHF vehicles

Funding: \$697,000 Federal 5307  
\$56,241 State STA SB1  
\$153,000 Measure AA



Description: Purchase of two replacement 35-foot XHFs

Status: Board authorized the purchase of two replacement XHFs in May 2020. Vehicles were delivered in October 2021. Equipment is being installed for vehicles to enter service.

<u>Project ID</u>	<u>Budget</u>	<u>Expended to</u>		<u>Anticipated Completion</u>	
		<u>Date</u>	<u>Percent Complete</u>	<u>Date</u>	
XC	\$906,241	\$44,400	15%	Mar-22	





VEHICLES

**Staff Car** **Total Project Budget \$49,000**

Concept: Purchase an electric staff car  
Funding: \$2,000 Measure B  
 \$2,000 CVRP Rebate  
 \$45,000 State STA



Description: Purchase an electric staff car to replace a retired-active vehicle

Status: Board approved the purchase of a new electric staff car on May 4, 2020. This purchase is delayed until a charging station is installed at Marin Transit's office location, and there is vehicle availability

<u>Project ID</u>	<u>Budget</u>	<u>Expended to</u>		<u>Completion</u>	
		<u>Date</u>	<u>Percent Complete</u>	<u>Date</u>	
NR	\$49,000	\$321	0%	Jun-22	

BUS STOP IMPROVEMENTS

**Bus Stop Improvements - Novato Bus Shelters** **Total Project Budget \$61,115**

Concept: Replace Bus Shelters in Novato  
Funding: \$48,892 Federal Lifeline Program  
 \$12,223 Measure AA



Description: Purchase up to eight shelters in Novato

Status: Marin Transit will replace up to eight advertising shelters previously under contract with an advertising company through the City of Novato with low-maintenance shelters.

<u>Project ID</u>	<u>Budget</u>	<u>Expended to</u>		<u>Completion</u>	
		<u>Date</u>	<u>Percent Complete</u>	<u>Date</u>	
BN	\$61,115	\$1,063	2%	Jun-22	

**County Wide Stop Improvements** **Total Project Budget \$303,000**

Concept: Complete construction of Bus Stop Improvements  
Funding: \$242,400 Federal  
 \$60,600 Measure AA



Description: Design and construction for ADA Bus Stop Improvements

Status: A task order for final design was initiated through Marin Transit's general engineering services contract.

<u>Project ID</u>	<u>Budget</u>	<u>Expended to</u>		<u>Completion</u>	
		<u>Date</u>	<u>Percent Complete</u>	<u>Date</u>	
BP	\$303,000	\$111,366	0%	Dec-23	

**Facility - Capital Improvements** **Total Project Budget \$2,800,000**

Concept: Acquire property and develop a maintenance facility  
Funding: \$2,696,747 Measure AA/Capital Reserves  
 \$103,253 FTA 5339



Description: Make improvements to Rush Landing Facility

Status: Marin Transit successfully completed the purchase of right of way at 600 Rush Landing Rd in Novato. Additional improvements are being constructed. Bus Charging infrastructure installation is underway as Phase 1. Phase 2 will include enhanced fencing and lighting.

Project ID	Budget	Expended to		Anticipated
		Date	Percent Complete	Completion
FS	\$2,800,000	\$552,798	20%	Jun-22

**Maintenance Facility Purchase** **Total Project Budget \$3,625,000**

Concept: Acquire a maintenance facility for paratransit vehicles  
Funding: \$3,625,000 Measure AA/Capital Reserves



Description: 3000 Kerner - Maintenance Facility Purchase

Status: Marin Transit complete purchase of property located at 3000 Kerner Boulevard in San Rafael in July 2021. Remaining funds are being used to retrofit the building for use as a Paratransit Vehicle Maintenance Facility

Project ID	Budget	Expended to		Anticipated
		Date	Percent Complete	Completion
FA	\$3,625,000	\$2,941,363	100%	Aug-21

**Maintenance Facility - Capital Improvements** **Total Project Budget \$1,100,000**

Concept: Capital improvement for maintenance facility  
Funding: \$1,100,000 Measure AA/Capital Reserves



Description: Capital Improvements at 3000 Kerner Blvd

Status: Once the purchase of 3000 Kerner is complete, Marin Transit will perform modifications to convert the space into a paratransit vehicle maintenance facility. Planned improvements include retrofitting warehouse space for effective use for vehicle maintenance and reconfiguration of office space.

Project ID	Budget	Expended to		Anticipated
		Date	Percent Complete	Completion
FD	\$1,100,000	\$709,034	64%	Jun-22

ADMIN AND OPERATIONS FACILITY

**Yellow Bus Parking Facility** **Total Project Budget \$3,000,000**

Concept: Identify and purchase property for vehicles  
Funding: \$3,000,000 Capital Reserve  
Description: Replace temporary leased parking with a permanent location  
Status: Marin Transit is evaluating and identifying opportunities for land acquisition.



<u>Project ID</u>	<u>Budget</u>	<u>Expended to</u>		<u>Anticipated Completion</u>	
		<u>Date</u>	<u>Percent Complete</u>	<u>Date</u>	<u>Date</u>
YF	\$3,000,000	\$0	0%	NA	NA

TECHNOLOGY PROJECTS

**TECHNOLOGY PROJECTS** **Total Project Budget \$212,394**

Concept: District technology projects  
Funding: \$37,231 Measure AA  
 \$175,163 Federal Section 5307



<u>Projects:</u>		<u>Total Project</u>	<u>Expended to</u>
		<u>Cost</u>	<u>Date</u>
RT	Realtime Signs	\$212,394	\$190,428

Description: Marin Transit provides technology acquisitions for vehicle operations, fare collection, and passenger information  
Status: Real Time Signs contract has been awarded and final signs are being installed

ONGOING CAPITAL EXPENSES

**Ongoing Capital Expenses** **Annual Budget \$697,000**

Concept: Ongoing capital expenses  
Funding: \$697,000 Measure A

<u>Projects:</u>		Total Project Budgets	<u>Annual Budget</u>	<u>Expended in</u>
				<u>FY2022</u>
GG	Golden Gate Capital Costs	\$17,000	\$17,000	\$15,341
BM	Bus Stop Maintenance	\$120,000	\$120,000	\$83,851
VR	Major Vehicle Repairs	\$200,000	\$200,000	\$39,165
IF	Infrastructure Support	\$360,000	\$360,000	\$281,002



Description: Ongoing capital costs associated with the Golden Gate operations  
Status: Capital depreciation expenses for equipment owned by Golden Gate Transit are billed monthly. Major vehicle repairs, such as transmissions, are expended as needed. Infrastructure support includes small capital projects, staff support, and work on partner agency capital projects.



711 grand ave, #110  
san rafael, ca 94901

ph: 415.226.0855  
fax: 415.226.0856  
[marintransit.org](http://marintransit.org)

June 6, 2022

Honorable Board of Directors  
Marin County Transit District  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT: Marin County Transit District Third Quarter FY  
2021/22 Performance Report**

Dear Board Members:

**board of directors**

stephanie moulton-peters  
president  
supervisor district 3

katie rice  
vice president  
supervisor district 2

eric lucan  
2nd vice president  
city of novato

judy arnold  
director  
supervisor district 5

kate colin  
director  
city of san rafael

damon connolly  
director  
supervisor district 1

dennis rodoni  
director  
supervisor district 4

brian colbert  
alternate  
town of san anselmo

**RECOMMENDATION:** Accept report.

**SUMMARY:** As part of the District's service monitoring process, staff have prepared a quarterly performance report alongside the quarterly financial report. Attached is the report for the third quarter of FY 2021/22.

The quarterly report provides route-level statistics and performance measures with financial data and an in-depth analysis of trends. The report discusses any relevant external factors such as service changes.

Additional detailed analyses of system performance and trends are provided in an annual system performance report. This report is available on the District's website at <https://marintransit.org/service-performance-reports> in addition to the monthly reports.

**FISCAL/STAFFING IMPACT:** None associated with this report.

Respectfully submitted,

Aida Banihashemi  
Manager of Planning and Marketing

Attachments

## Quarterly Performance Report for FY 2021/22 Q3

This report summarizes the operational performance of Marin Transit services for the third quarter of FY 2021/22 from January 1, 2022 through March 31, 2022. The Quarterly Performance Report provides detailed route-level statistics, analyzes trends, and evaluates performance measures established under Measure A and Measure AA.

### Report Format

The data presented in this report is generated directly from TransTrack, Marin Transit's data management system. TransTrack enables Marin Transit to consolidate and analyze all operational data from the District's transit programs and contractors as one system. The reporting tools capture all costs associated with service operations and are not limited to contractor costs. This reporting format most accurately represents the District's actual costs of providing service.

Route performance is presented relative to typology-based targets. The Board updated the targets on April 2, 2018, as part of a larger performance monitoring plan update. These typology-based targets aim to match routes and service levels to the markets they are intended to serve. All performance and financial data are consistent with the District's reporting for the National Transit Database.

### Performance Goals

Performance goals at the route level are measured in both productivity (unlinked passengers per hour and per trip) and cost-effectiveness (subsidy per unlinked passenger trip). **Table 1** below summarizes route level performance goals by typology. Note that there are currently no productivity or cost-effectiveness goals identified for the Yellow Bus or Partnership service typologies.

**Table 1: Productivity and Subsidy Goals by Service Typology**

Service Typology	Routes	Unlinked Passenger Trips per Hour (at or above)	Subsidy per Passenger Trip (at or below)
Local Trunkline	35, 36, 71, 71x	20	\$4.50
Regular Local	17, 22, 23, 23X, 29, 49	18	\$6.50
Local Connector	219, 228, 233, 245, 251, 257	8	\$9.00
Supplemental <sup>1</sup>	613, 617, 619, 625, 645, 651, 654	20 per trip	\$3.00
Rural	61, 68	6	\$12.00
Recreational	66 (Muir Woods Shuttle)	25	\$3.00
Demand Response	Local DAR, Novato DAR, Dillon Beach/Tomaes DAR, Point Reyes DAR	2	\$35.00

<sup>1</sup> Note that Route 649 was discontinued in December 2021, directly before the start of this quarter.

### Performance Summary

In the third quarter of FY 2021/22, Marin Transit carried a total of 625,259 passengers systemwide. This represents an increase of 77.9% in ridership compared to the third quarter of the previous fiscal year and an increase of 9.6% from the second quarter of the fiscal year. On fixed-route transit services, Marin Transit carried 579,184 riders. This is an increase of 70.8% from the third quarter of FY 2020/21 and an increase of 10.3% from the second quarter of the fiscal year. The Yellow Bus program carried

26,908 passengers, a program which did not run in FY 2020/21. Marin Access services carried 19,167 trips on demand response and mobility management programs. This reflects an increase of 55.4% compared to the third quarter of the last fiscal year and a decrease of 10.6% compared to the second quarter of FY 2021/22. The tables at the end of this report provide a breakdown of all route-level statistics.

### **Local Trunkline (Routes 35, 36, and 71)**

In the third quarter of FY 2021/22, Local Trunkline services carried 254,140 passengers. This represents a decrease of 1% from the third quarter of FY19/20 pre-COVID. Note that the Shelter In Place orders associated with COVID began mid-March 2020, so they may have had a slight effect on FY19/20 Q3 ridership. Collectively, these routes represent an increase of 98.9% compared to the third quarter of FY 2020/21, and an increase of 12% compared to the second quarter of FY2021/22. Route 35 had an average of 23.6 passengers per revenue hour, meeting the productivity target of 20 passengers per revenue hour. No other Local Trunkline routes met their productivity target of 20 passengers per hour, and none met their subsidy target of \$4.50 per passenger. Local Trunkline service accounted for 30.3% of fixed route service in revenue hours and 43.9% of fixed route ridership in the third quarter of FY2021/22.

### **Local Basic (Routes 17, 22, 23, 23x, 29, and 49)**

Local Basic services carried a total of 194,688 passengers during the third quarter of this fiscal year. This represents an increase of 78.9% compared to the third quarter of the last fiscal year, and an increase of 9.7% from the second quarter of the fiscal year. In the third quarter of FY 2021/22 the Local Basic routes had an 11.1% decline in ridership compared to the third quarter of FY19/20 pre-COVID. Except for Route 23X with an average of 23.7 passengers per revenue hour, no other Local Basic routes met their performance target of 18 passengers per hour. None met their subsidy target of \$6.50 per passenger. Local Basic routes represented 31.6% of fixed route revenue hours and 33.6% of fixed route ridership in the third quarter of FY2021/22.

### **Local Connector (Routes 219, 228, 233, 245, 251, and 257)**

During the third quarter of the fiscal year, Local Connector services carried 73,740 total passengers. This is 79.2% higher than the previous year and represents a 9.7% increase from the second quarter of the fiscal year. In the third quarter of FY 2021/22 the Local Connector routes had a 14.5% decline in ridership compared to the third quarter of FY19/20 pre-COVID. Routes 245 and 251 respectively had an average of 10.7 and 8.6 passengers per revenue hour, meeting the productivity target of 8 passengers per revenue hour. No other Local Connector routes met the productivity target of 8 passengers per hour, and none met the subsidy target of \$9.00 per passenger. Local Connector routes accounted for 22.5% of fixed route service in revenue hours and provided 12.7% of fixed route ridership in the third quarter of FY 2021/22.

### **Supplemental School (Routes 613, 617, 619, 625, 645, 651, and 654)**

Supplemental School routes carried 18,034 passengers in the third quarter of FY 2021/22. Route 645 had an average of 27.4 passengers per trip, meeting the productivity target of 20 passengers per trip. No other Supplemental School routes met the productivity target of 20 passengers per trip, and none met the subsidy target of \$3.00 per passenger. Supplemental School routes accounted for 1.8% of fixed route service in revenue hours and provided 3.1% of fixed route ridership in the third quarter of FY 2021/22.

### **Rural (West Marin Stagecoach Routes 61 and 68)**

In the third quarter of the fiscal year, the two Stagecoach routes carried 23,718 passengers. This is an 88.3% increase from the prior year and a 9.2% increase compared to the second quarter of FY 2021/22. In the third quarter of FY 2021/22 the Rural routes had a 13% increase in ridership compared to the third quarter of FY19/20 pre-COVID, the only service category to have increased in ridership since pre-COVID. Route 68 had an average of 6.4 passengers per revenue hour, meeting the productivity target of 6 passengers per revenue hour. Route 61 did not meet the productivity goal of 6 passengers per hour, and neither route met their subsidy goal of \$12.00 per passenger. Stagecoach routes accounted for 10.8% of fixed route service in revenue hours, and ridership represented 4.1% of fixed route ridership in the third quarter of FY2021/22.

### **Partnership Services (Route 622 – College of Marin Express)**

Route 622 carried 1,633 passengers in the third quarter of FY 2021/22. The 71.7% increase in ridership compared to the prior quarter is likely due to the resumption of in-person classes at College of Marin, which started in January 2022. There are no service targets for this route. It accounted for 1.2% of fixed route revenue hours and 0.3% of fixed route ridership in the third quarter of FY 2021/22.

### **Yellow Bus**

In the third quarter of 2021/22, Ross Valley School District yellow bus carried 26,908 passengers.

### **Recreational (Route 66-Muir Woods Shuttle)**

The Muir Woods Shuttle currently runs weekend/holiday-only service. In the third quarter of FY 2021/22, the Muir Woods Shuttle carried 13,231 passengers. It did not meet its productivity goal of 25 passengers per hour, nor its subsidy goal of \$3.00 per passenger. The Muir Woods Shuttle accounted for 1.8% of fixed route service in revenue hours, and ridership represented 2.3% of fixed route ridership in the third quarter of FY2021/22.

### **Marin Access**

Mobility Management programs offered by Marin Access include demand response services, Catch-A-Ride, and Volunteer Driver programs.

In the third quarter of FY 2021/22, local paratransit carried 13,155 passengers. The service productivity average of 1.7 passengers per hour did not meet the 2.0 standard. The number of passengers represents a 69.6% increase in ridership compared to the prior fiscal year. In the third quarter of FY 2021/22, local paratransit had a 48.1% decline in ridership compared to the third quarter of FY19/20 pre-COVID. With a subsidy per passenger of \$97.10, the service did not meet the subsidy target of \$35.00 per passenger.

The Novato Dial-a-Ride service carried 873 passengers. The service productivity average of 1.8 passengers per hour did not meet the 2.0 standard. Ridership was 95.3% higher than in the previous fiscal year. The service did not meet the subsidy target of \$35.00 per passenger.

The Dillon Beach/Tomales Dial-a-Ride provides curb-to-curb pick-up and drop-off between Dillon Beach, Tomales, and Petaluma, and operates on Wednesdays only. During the third quarter of the fiscal year, the service carried 91 passengers, a 4.6% increase compared to last year. The service productivity average of 1.4 passengers per hour did not meet the 2.0 passengers per hour target. The service did not meet the subsidy target of \$35.00 per passenger.

In July 2016, Marin Transit added a new general public dial-a-ride service between Point Reyes Station and Novato. The service currently runs twice per month on the first and third Monday. In the third quarter of the fiscal year, the service carried 45

passengers, 32.4% higher than the third quarter of last year. At 1.2 passengers per hour, the rural dial-a-ride did not meet its 2.0 productivity target. The service did not meet its subsidy target of less than \$35.00 per passenger.

The Volunteer Driver Program completed 2,013 trips in the third quarter of FY 2021/22. This represents a 16.4% decrease compared to the previous fiscal year.

The Catch-a-Ride program provided 879 one-way trips. This is a decrease of 6.9% compared to the prior year.

Marin Transit launched the on-demand microtransit pilot program called Marin Transit Connect in May of 2018. In July 2020, Marin Transit expanded the Connect service area from limited areas of Northern and Downtown San Rafael to 2.5 sq. miles surrounding all of Marin's SMART rail stations and introduced an updated on-demand Connect pilot. This program carried a total of 1,127 passengers in the third quarter of FY 2021/22, a 71.8% increase from the prior year. There are currently no board-adopted performance targets for the Connect service. At the beginning of FY 2019/20, staff provided a one-year evaluation report of the previous Connect pilot program that suggested performance targets of 4.0 passengers per hour and \$15.00 per passenger trip. Connect performance continued to improve in FY 2019/20. At this time, the program has 5.6 passengers per revenue hour, exceeding the suggested target of 4.0. However, the program is not meeting the suggested \$15.00 per passenger subsidy target, primarily due to low utilization from first-last mile commuters. Commuters were the largest rider group prior to the COVID-19 pandemic and have significantly reduced their travel due to the post COVID travel demand changes.

## Ridership Trends

---

The Governor issued a Shelter-in-Place order for the State of California that began on March 16, 2020 in response to the COVID-19 global pandemic. The order advised the public to limit travel to essential trips only, including on public transportation. This led to a precipitous decline in travel demand and in overall ridership starting in FY 2019/20. Ridership has continued to increase in the third quarter of FY 2021/22 and has reached to nearly 88% of pre-pandemic levels. The Muir Woods Shuttle has resumed weekend/Holiday service from Pohono since mid-June 2021, and most Supplemental School routes began operation in August 2021.

In the third quarter of FY 2021/22, most ridership occurred on Local Trunkline routes that serve the Highway 101 corridor from Marin City to Novato and the Canal to San Rafael Transit Center corridor. These transit corridors have historically been the busiest in Marin County and serve dense, lower-income, and minority communities. Residents in these corridors are more likely to be essential workers who rely on public transportation. The District is also seeing lower declines in ridership on West Marin Stagecoach routes and rural dial-ride services, likely because transit riders who live in more rural areas of the county do not have as many transportation options.

Overall, in this quarter Marin Transit routes had a 77.7% increase in overall ridership compared to the third quarter of FY 2020/21 and a 12% decline in ridership compared to the third quarter of FY19/20 pre-COVID. This represents a 10.2% decrease in ridership on fixed-route and a 49.8% decline on Demand Response services compared to pre-COVID.

The increase in systemwide ridership compared to the third quarter of FY 2020/21 is both a reflection of how steep ridership fell at the beginning of the pandemic and of how strong ridership growth this quarter has been. Although the second quarter of FY 2021/22 saw ridership roughly 30% below pre-COVID levels, this quarter saw ridership climb to roughly 10% below pre-COVID levels, with local trunkline services almost reaching pre-COVID levels and Stagecoach routes exceeding them. This ridership also represents stronger growth than most other agencies experienced across the Bay Area and the US. According to the National Transit Database, nationwide bus ridership increased 25.5% during the third quarter of FY 2021/22 compared to the prior year,



while Marin Transit experienced 70.8% growth by that same metric. The District continues to experience a steady rebound in ridership, in particular after the lift of COVID capacity limitations since mid-July of 2021 and the gradual reopening of the economy.

Regionally, Marin Transit fixed route services continue to perform relatively well compared to other North Bay transit agencies. In the third quarter of FY 2021/22, Golden Gate Transit carried 237,001 passengers on its fixed route bus service, representing less than half of Marin Transit's fixed route ridership (579,184), while SMART carried only 84,653 passengers. Comparably to Marin Transit, Golden Gate Transit experienced a 73.6% increase in fixed route bus ridership in this quarter compared to the third quarter of FY2020/21, and with their new expanded service that started in May 2021, SMART experienced a 251.7% increase in ridership compared to the third quarter last year. At 70.8%, Marin Transit experienced an increase in fixed route ridership this quarter comparable to, more robust than, other Bay Area transit agencies that provide local countywide transit services. Comparing to other Countywide peer agencies, Napa Valley Transportation Authority (VINE), SamTrans, and Solano County Transit (SolTrans) experienced a 75.6%, 62.7%, and 43.3% increase in ridership, respectively, relative to the third quarter of FY 2020/21.

Compared to the prior year, demand for Marin Access mobility management and demand response programs increased by 47.4% during the third quarter of FY 2021/22. Although this increase is significant, it remains lower than the increase in general public ridership on fixed routes services. Even with vaccines, seniors and people with disabilities remain more susceptible to severe effects from COVID than the general population, and continue to be more cautious with their travel and activities.

**Table 2** below compares several other factors, and qualitatively evaluates their potential impact on ridership.

**Table 2: Factors Impacting Ridership Comparison**

Factor	FY 2020/21 Q3	FY 2021/22 Q3	Impact	
Days Operated	Weekdays	64	64	--
	Weekends & Holidays	29	29	--
	Muir Woods Shuttle	0	28	▲▲▲
Service Disruptions (cancelled/missed service)	64	322	▼▼▼	
Rainfall (inches)	7.0	2.6	▲▲	
Gas Prices	\$3.49	\$4.97	▲▲	

Due to the national labor shortage, Marin Transit's operating contractors have had difficulty hiring new drivers, which has led to a significant amount of missed service on the Supplemental School routes, as they were not running the previous fiscal year and therefore needed new staff to operate them. The District continues to work and communicate with its contractors and the schools served by Supplemental School routes to minimize missed service and ensure as many students can get to and from their classes on time as possible.

## Fixed-Route

## Fixed-Route Passenger Statistics by Route

Typology	Route	Passengers	%Change*	Revenue Hours	%Change*	Productivity (pax/hr)	Change*
1. Local Trunkline	35	131,798	▲87.8%	5,573	▼8.6%	23.6	▲12.1
	36	62,381	▲72.0%	3,317	▼0.9%	18.8	▲8.0
	71	59,961	▲181.5%	4,850	▲53.4%	12.4	▲5.6
	<b>Rollup</b>	<b>254,140</b>	<b>▲98.9%</b>	<b>13,740</b>	<b>▲9.0%</b>	<b>18.5</b>	<b>▲8.4</b>
2. Local Basic	17	45,203	▲80.4%	3,649	▲9.2%	12.4	▲4.9
	22	31,066	▲57.7%	2,882	▲1.6%	10.8	▲3.8
	23	41,556	▲76.3%	2,733	▲0.2%	15.2	▲6.6
	23X	15,801	▲141.2%	667	▲6.8%	23.7	▲13.2
	29	10,209	▲129.1%	647	▲1.6%	15.8	▲8.8
	49	50,853	▲72.3%	3,786	▲0.6%	13.4	▲5.6
	<b>Rollup</b>	<b>194,688</b>	<b>▲78.9%</b>	<b>14,364</b>	<b>▲3.1%</b>	<b>13.6</b>	<b>▲5.7</b>
	3. Local Connector	219	9,389	▲57.5%	1,553	▲0.9%	6.0
228		13,530	▲78.4%	2,364	▲0.2%	5.7	▲2.5
233		6,760	▲49.8%	1,006	▼0.1%	6.7	▲2.2
245		11,113	▲136.9%	1,036	▼0.0%	10.7	▲6.2
251		20,094	▲66.3%	2,329	▼0.3%	8.6	▲3.5
257		12,854	▲103.4%	1,950	▲3.8%	6.6	▲3.2
<b>Rollup</b>		<b>73,740</b>	<b>▲79.2%</b>	<b>10,237</b>	<b>▲0.8%</b>	<b>7.2</b>	<b>▲3.2</b>
4. Supplemental	613	3,927		206		19.1	
	617	835		47		17.8	
	619	3,896		199		19.6	
	625	506		48		10.5	
	645	2,992		91		32.8	
	649	0		0			
	651	5,086		173		29.4	
	654	792		58		13.7	
	Covid	0		0			
	<b>Rollup</b>	<b>18,034</b>		<b>822</b>		<b>21.9</b>	
5. Rural	61	7,215	▲147.1%	2,298	▲59.2%	3.1	▲1.1
	68	16,503	▲70.5%	2,583	▲4.4%	6.4	▲2.5
	<b>Rollup</b>	<b>23,718</b>	<b>▲88.3%</b>	<b>4,882</b>	<b>▲24.6%</b>	<b>4.9</b>	<b>▲1.6</b>
6. Partnership Services	122	0		0			
	622	1,633		525		3.1	
	<b>Rollup</b>	<b>1,633</b>	<b>▲71.7%</b>	<b>525</b>	<b>▲26.5%</b>	<b>3.1</b>	<b>▲1.2</b>
7. Yellow Bus	Hdn Valley	1,942		3		647.3	
	White Hill	24,966	▲1,248,200%	3	▲50.0%	8,322.0	▲8,321.0
	<b>Rollup</b>	<b>26,908</b>	<b>▲1,345,300%</b>	<b>6</b>	<b>▲200.0%</b>	<b>4,484.7</b>	<b>▲4,483.7</b>
8. Recreational	66	13,231		832	▲261.5%	15.9	▲15.9
	<b>Rollup</b>	<b>13,231</b>		<b>832</b>	<b>▲261.5%</b>	<b>15.9</b>	<b>▲15.9</b>
<b>Rollup</b>	<b>606,092</b>	<b>▲108.2%</b>	<b>45,407</b>	<b>▲10.1%</b>	<b>13.3</b>	<b>▲6.3</b>	

\* Change compared to same quarter of prior year

## Fixed-Route

### Fixed-Route Financial Statistics by Route

Typology	Route	Operating Cost	%Change*	Passenger Revenue	%Change*	Average Subsidy	Change*	Farebox Recovery	Change*
1. Local Trunkline	35	\$910,067	▼4.8%	\$119,021	▲72.9%	\$6.00	▼\$6.64	13.1%	▲5.9%
	36	\$539,641	▲3.0%	\$59,240	▲75.4%	\$7.70	▼\$5.81	11.0%	▲4.5%
	71	\$851,004	▲63.8%	\$66,860	▲182.7%	\$13.08	▼\$10.19	7.9%	▲3.3%
	<b>Rollup</b>	<b>\$2,300,712</b>	<b>▲15.1%</b>	<b>\$245,121</b>	<b>▲94.1%</b>	<b>\$8.09</b>	<b>▼\$6.58</b>	<b>10.7%</b>	<b>▲4.3%</b>
2. Local Basic	17	\$419,250	▲16.5%	\$45,209	▲68.3%	\$8.27	▼\$5.01	10.8%	▲3.3%
	22	\$328,771	▲9.1%	\$31,521	▲50.4%	\$9.57	▼\$4.67	9.6%	▲2.6%
	23	\$435,527	▲3.7%	\$39,060	▲58.6%	\$9.54	▼\$7.24	9.0%	▲3.1%
	23X	\$108,410	▲10.8%	\$12,430	▲83.8%	\$6.07	▼\$7.83	11.5%	▲4.6%
	29	\$104,968	▲5.6%	\$8,840	▲85.0%	\$9.42	▼\$11.82	8.4%	▲3.6%
	49	\$439,805	▲8.4%	\$39,923	▲50.6%	\$7.86	▼\$4.99	9.1%	▲2.5%
	<b>Rollup</b>	<b>\$1,836,729</b>	<b>▲9.0%</b>	<b>\$176,982</b>	<b>▲60.2%</b>	<b>\$8.53</b>	<b>▼\$5.94</b>	<b>9.6%</b>	<b>▲3.1%</b>
3. Local Connector	219	\$175,006	▲8.1%	\$9,476	▲61.6%	\$17.63	▼\$8.53	5.4%	▲1.8%
	228	\$257,327	▲6.5%	\$13,708	▲62.8%	\$18.01	▼\$12.75	5.3%	▲1.8%
	233	\$110,044	▲6.4%	\$6,140	▲34.4%	\$15.37	▼\$6.55	5.6%	▲1.2%
	245	\$116,539	▲7.0%	\$8,287	▲79.6%	\$9.74	▼\$12.48	7.1%	▲2.9%
	251	\$260,165	▲6.5%	\$15,535	▲44.9%	\$12.17	▼\$7.14	6.0%	▲1.6%
	257	\$217,662	▲11.1%	\$10,521	▲62.6%	\$16.11	▼\$13.86	4.8%	▲1.5%
	<b>Rollup</b>	<b>\$1,136,742</b>	<b>▲7.7%</b>	<b>\$63,668</b>	<b>▲56.6%</b>	<b>\$14.55</b>	<b>▼\$10.12</b>	<b>5.6%</b>	<b>▲1.8%</b>
4. Supplemental	613	\$44,051		\$2,245		\$10.65		5.1%	
	617	\$10,489		\$250		\$12.26		2.4%	
	619	\$44,243		\$1,885		\$10.87		4.3%	
	625	\$10,494		\$414		\$19.92		3.9%	
	645	\$19,206		\$1,400		\$5.95		7.3%	
	649	\$0		\$0					
	651	\$34,425		\$2,519		\$6.27		7.3%	
	654	\$10,560		\$508		\$12.69		4.8%	
	Covid	\$0		\$0					
	<b>Rollup</b>	<b>\$173,468</b>		<b>\$9,221</b>		<b>\$9.11</b>		<b>5.3%</b>	
5. Rural	61	\$287,366	▲57.4%	\$5,728	▲139.9%	\$39.04	▼\$22.68	2.0%	▲0.7%
	68	\$318,842	▲3.4%	\$10,664	▲28.1%	\$18.67	▼\$12.34	3.3%	▲0.6%
	<b>Rollup</b>	<b>\$606,208</b>	<b>▲23.4%</b>	<b>\$16,392</b>	<b>▲53.0%</b>	<b>\$24.87</b>	<b>▼\$13.26</b>	<b>2.7%</b>	<b>▲0.5%</b>
6. Partnership Services	122	\$0	▼100.0%	\$0	▼100.0%				
	622	\$88,298		\$1,788		\$52.98		2.0%	
	<b>Rollup</b>	<b>\$88,298</b>	<b>▲79.6%</b>	<b>\$1,788</b>	<b>▲60.8%</b>	<b>\$52.98</b>	<b>▼\$8.55</b>	<b>2.0%</b>	<b>▼0.2%</b>
7. Yellow Bus	Hdn Valley	\$215,493		\$6,056		\$107.85		2.8%	
	White Hill	\$215,493	▼2.3%	\$77,873		\$5.51	▼\$110.26	36.1%	▲36.1%
	<b>Rollup</b>	<b>\$430,985</b>	<b>▲95.4%</b>	<b>\$83,930</b>		<b>\$12.90</b>	<b>▼\$110.26</b>	<b>19.5%</b>	<b>▲19.5%</b>
8. Recreational	66	\$189,180	▲687.2%	\$49,724	▲23,980.6%	\$10.54		26.3%	▲25.4%
	<b>Rollup</b>	<b>\$189,180</b>	<b>▲687.2%</b>	<b>\$49,724</b>	<b>▲23,980.6%</b>	<b>\$10.54</b>		<b>26.3%</b>	<b>▲25.4%</b>
<b>Rollup</b>	<b>\$6,762,323</b>	<b>▲22.4%</b>	<b>\$646,825</b>	<b>▲123.5%</b>	<b>\$10.09</b>	<b>▼\$7.89</b>	<b>9.6%</b>	<b>▲4.3%</b>	

\* Change compared to same quarter of prior year

## Marin Access

### Marin Access Passenger Statistics by Service

Typology	Route	Passengers	%Change*	Revenue Hours	%Change*	Productivity (pax/hr)	Change*
<b>9. Demand Response</b>	Dillon DAR	91	▲4.6%	65	▼24.7%	1.4	▲0.4
	Local Para	13,155	▲69.6%	7,523	▲68.3%	1.7	▲0.0
	MTC	1,127	▲71.8%	200	▲86.4%	5.6	▼0.5
	Novato DAR	873	▲95.3%	476	▲162.8%	1.8	▼0.6
	PtReyesDAR	45	▲32.4%	37	▼8.2%	1.2	▲0.4
	Reg Para	984		748		1.3	
	<b>Rollup</b>		<b>16,275</b>	<b>▲81.2%</b>	<b>9,048</b>	<b>▲85.2%</b>	<b>1.8</b>
Catch-A-Ride	CAR_Gen	462	▼19.5%	0			
	CAR_LowInc	417	▲12.7%	0			
	<b>Rollup</b>	<b>879</b>	<b>▼6.9%</b>	<b>0</b>			
Volunteer Driver	VolDrvr	1,605	▼18.6%	2,200	▼9.7%	0.7	▼0.1
	VolDvrWM	408	▼6.6%	635	▼10.7%	0.6	▲0.0
<b>Rollup</b>		<b>19,167</b>	<b>▲55.4%</b>	<b>11,883</b>	<b>▲47.9%</b>	<b>1.6</b>	<b>▲0.1</b>

### Marin Access Financial Statistics by Service

Typology	Route	Operating Cost	%Change*	Passenger Revenue	%Change*	Average Subsidy	Change*	Farebox Recovery	Change*
<b>9. Demand Response</b>	Dillon DAR	\$3,857	▼23.6%	\$89	▼11.9%	\$41.40	▼\$15.45	2.3%	▲0.3%
	Local Para	\$1,307,477	▲58.3%	\$30,655	▲73.7%	\$97.06	▼\$7.19	2.3%	▲0.2%
	MTC	\$172,136	▲15.6%	\$5,261	▲120.6%	\$148.07	▼\$75.38	3.1%	▲1.5%
	Novato DAR	\$58,411	▲106.7%	\$2,252	▲146.2%	\$64.33	▲\$3.16	3.9%	▲0.6%
	PtReyesDAR	\$2,143	▼7.7%	\$37	▲5.9%	\$46.80	▼\$20.49	1.7%	▲0.2%
	Reg Para	\$115,643		\$11,512		\$105.82		10.0%	
	<b>Rollup</b>	<b>\$1,659,667</b>	<b>▲64.2%</b>	<b>\$49,806</b>	<b>▲136.2%</b>	<b>\$98.92</b>	<b>▼\$11.29</b>	<b>3.0%</b>	<b>▲0.9%</b>
Catch-A-Ride	CAR_Gen	\$31,363	▼39.2%	\$1,177	▼49.5%	\$65.34	▼\$20.54	3.8%	▼0.8%
	CAR_LowInc	\$25,983	▼6.5%	\$1,077	▼28.7%	\$59.73	▼\$11.31	4.1%	▼1.3%
	<b>Rollup</b>	<b>\$57,345</b>	<b>▼27.8%</b>	<b>\$2,253</b>	<b>▼41.3%</b>	<b>\$62.68</b>	<b>▼\$17.39</b>	<b>3.9%</b>	<b>▼0.9%</b>
Volunteer Driver	VolDrvr	\$14,056	▼37.3%	\$0		\$8.76	▼\$2.62	0.0%	-
	VolDvrWM	\$4,617	▼47.9%	\$0		\$11.32	▼\$8.97	0.0%	-
<b>Rollup</b>	<b>\$1,735,685</b>	<b>▲54.8%</b>	<b>\$52,060</b>	<b>▲108.9%</b>	<b>\$87.84</b>	<b>▼\$1.08</b>	<b>3.0%</b>	<b>▲0.8%</b>	

\* Change compared to same quarter of prior year

## Systemwide Total

### Systemwide Passenger Statistics Summary

	Passengers	%Change*	Revenue Hours	%Change*	Productivity (pax/hr)	Change*
Values	625,259	▲77.9%	57,290	▲2.9%	10.9	▲4.6

### Systemwide Financial Statistics Summary

	Operating Cost	%Change*	Passenger Revenue	%Change*	Average Subsidy	Change*	Farebox Recovery	Change*
Values	\$8,498,008	▲14.2%	\$698,885	▲91.0%	\$12.47	▼\$7.66	8.2%	▲3.3%

\* Change compared to same quarter of prior year

## FY 2022 Marin Access Outreach and Travel Training

---

### Travel Navigator Reporting Month: January 2022

Date(s)	Event	Description	Attendees
<i>No outreach or travel training performed</i>			

---

### Travel Navigator Reporting Month: February 2022

Date(s)	Event	Description	Attendees
<i>No outreach or travel training performed</i>			

---

### Travel Navigator Reporting Month: March 2022

Date(s)	Event	Description	Attendees
<b>3/3/2022</b>	Event	Tabling at Rollin' Root Stop at Walnut Place in West Marin; attended by MCTD staff & Marin Access General Manager	10
<b>3/24/2022</b>	Navigating Transit Presentation	General Marin Access Navigating Transit presentation for Elpida House	12

---



711 grand ave, #110  
san rafael, ca 94901

ph: 415.226.0855  
fax: 415.226.0856  
marintransit.org

June 6, 2022

Honorable Board of Directors  
Marin County Transit District  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT: Metropolitan Transportation Commission Resolution for Transportation Development Act and State Transit Assistance Funds FY 2022/23**

**board of directors**

stephanie moulton-peters  
president  
supervisor district 3

katie rice  
vice president  
supervisor district 2

eric lucan  
2nd vice president  
city of novato

judy arnold  
director  
supervisor district 5

kate colin  
director  
city of san rafael

damon connolly  
director  
supervisor district 1

dennis rodoni  
director  
supervisor district 4

brian colbert  
alternate  
town of san anselmo

Dear Board Members:

**RECOMMENDATION:** Authorize the Marin Transit Board President to sign Resolution 2022-08 authorizing the filing of an application with the Metropolitan Transportation Commission for Transportation Development Act/State Transit Assistance Funds for Fiscal Year 2022/23.

**SUMMARY:**

Marin Transit staff is preparing an application to the Metropolitan Transportation Commission (MTC) for Local Transportation funds (TDA) and State Transit Assistance funds (STA). This application requires that your Board approve the attached resolution.

TDA funding is generated from a statewide quarter-cent sales tax. Marin Transit and Golden Gate Bridge Highway and Transportation District (GGBHTD) share these funds in Marin County based on a formula determined in our local service agreement. The formula is defined as 50 percent based on the proportion of revenue hours each operates and 50 percent on the proportion of passengers.

The State apportions STA funding to transit operators in two ways:  
Revenue based - Based on the amount of local revenue that a transit operator generates; and  
Population based – Based on the county’s population.

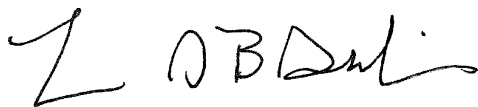
The State Controller directly apportions revenue-based STA to all eligible transit operators, including Marin Transit. MTC allocates the STA population-based funds to transit operators based on a regional policy. MTC revised the regional policy due to the passage of new state legislation for transportation funding (SB1). The three eligible transit operators in Marin County—Marin Transit, Golden Gate Bridge Highway and Transportation District, and SMART—signed an agreement in FY 2017/18 to split population funds based on ridership and the amount of service provided to address MTC’s new STA Population-Based Policy (MTC Resolution 4321).

**FISCAL/STAFFING IMPACT:** MTC approval of Marin Transit’s funding application will provide approximately \$11.4 million in TDA revenue and \$3.3 million in STA funding to support the District’s operations and vehicle purchases. The expected revenue is included in the FY2022/23 Marin Transit Budget and summarized in Table 1.

**Table 1: Marin Transit’s Anticipated FY2022/23 TDA and STA Claims**

Revenue	Marin Transit FY2023 Anticipated Claim	Notes
Transportation Development Act (TDA)	\$11,411,858	Marin Transit shares Marin County’s allocation with GGBHTD based on proportions of revenue hours and passengers. Allocation increases significantly due to the increased share to 62% from 43% and the increase in available funds.
State Transit Assistance (STA - Revenue Based)	\$1,530,069	Annual allocation for FY2023.
State Transit Assistance (State of Good Repair Revenue Based)	\$252,014	SB 1 established the State of Good Repair Program in April 2017 to support capital projects.
State Transit Assistance (STA -Revenue Based) - Capital	\$49,000	Re-allocation of funds for staff car (prior allocation expired due to delay of project during COVID-19 pandemic)
State Transit Assistance (Population Based) – Marin County Block Grant	\$1,452,985	Marin Transit shares MTC’s allocation to Marin County with GGBHTD and SMART based on proportions of revenue hours and passengers. Marin Transit share increased to 61% from 41%. Allocation is reduced by \$243,613 due to MTC ARP exchange to fulfill MTC resolution 4481.
State Transit Assistance (STA - Population Based) Paratransit	\$60,000	This is funding from the above allocation pool to support paratransit service.

Respectfully submitted,



Lauren Gradia  
Director Finance and Capital Programs

Attachment: Resolution No. 2022-08 Authorizing the Filing of an Application with the Metropolitan Transportation Commission for Transportation Development Act 4.0/State Transit Assistance Funds for Fiscal Year 2022/23

**RESOLUTION NO. 2022-08**

**RESOLUTION OF THE MARIN COUNTY TRANSIT DISTRICT BOARD OF DIRECTORS  
AUTHORIZING THE FILING OF AN APPLICATION WITH THE METROPOLITAN  
TRANSPORTATION COMMISSION FOR TRANSPORTATION DEVELOPMENT ACT 4.0/STATE  
TRANSIT ASSISTANCE FUNDS FOR FISCAL YEAR 2022/23**

**WHEREAS**, the Transportation Development Act (TDA), Pub Util. Code 99200 et. seq. provides for the disbursement of funds from the Local Transportation Funds of the County of Marin for use by eligible claimants for the purpose of providing local public transit service; and

**WHEREAS**, pursuant to the provisions of the TDA, and pursuant to the applicable rules and regulations thereunder (21 Cal Adm. Code 660 et. seq.), a prospective claimant wishing to receive an allocation from the Local Transportation Funds shall file its claim with the Metropolitan Transportation Commission; and

**WHEREAS**, the State Transit Assistance (STA) fund is created pursuant to Public Utilities Code 99310 et seq., and

**WHEREAS**, the STA fund makes funds available pursuant to Public Utilities Code Section 99313 and 99314 for allocation to eligible applicants to support approved transit projects; and

**WHEREAS**, TDA and STA funds from the Local Transportation Fund of Marin County funds will be required by Marin County Transit District in Fiscal Year 2022/23 for providing public transportation; and

**WHEREAS**, the Marin County Transit District is an eligible claimant for TDA/STA funds pursuant to Public Utilities Code §99260;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Marin County Transit District, that the General Manager, or designee, is authorized to file an appropriate TDA/STA application together with all necessary supporting documents with the Metropolitan Transportation Commission for an allocation of TDA/STA funds in Fiscal Year 2022/23 on behalf of the Marin County Transit District.

**APPROVED AND PASSED** this 6th day of June 2022.

\_\_\_\_\_  
Stephanie Moulton-Peters, President

ATTEST:

\_\_\_\_\_  
Nancy Whelan, General Manager





711 grand ave, #110  
san rafael, ca 94901

ph: 415.226.0855  
fax: 415.226.0856  
[marintransit.org](http://marintransit.org)

June 6, 2022

Honorable Board of Directors  
Marin County Transit District  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT: Authorizing Resolution and Project List for California's State of Good Repair Program**

**board of directors**

stephanie moulton-peters  
president  
supervisor district 3

katie rice  
vice president  
supervisor district 2

eric lucan  
2nd vice president  
city of novato

judy arnold  
director  
supervisor district 5

kate colin  
director  
city of san rafael

damon connolly  
director  
supervisor district 1

dennis rodoni  
director  
supervisor district 4

brian colbert  
alternate  
town of san anselmo

Dear Board Members:

**RECOMMENDATION:** Adopt Resolution #2022-10 Approving the Project List for FY2022/23 for the California State of Good Repair Program.

**SUMMARY:** Staff requests that your Board adopt Resolution #2022-10 (Attachment A) approving the project list and authorizing the General Manager to submit a request for Scheduled Allocation of the SB1 State of Good Repair (SGR) FY2022/23 funds.

The SGR Program is funded with a portion of a new California Transportation Improvement Fee on vehicle registrations created under State Senate Bill (SB) 1. The SB1 SGR program provides approximately \$105 million annually to transit operators in California for eligible transit maintenance, rehabilitation, and capital projects. These funds are allocated to eligible agencies under the State Transit Assistance (STA) Program formula pursuant to Public Utilities Code (PUC) section 99312.1. Under the STA formula, half of the funds are allocated based on population and half based on transit operator revenues.

This is the fifth year of funding under the SB1 SGR program. For FY2022/23, the State Controller has indicated that \$252,014 will be available to Marin Transit according to our revenue share.

*Marin Transit Project List*

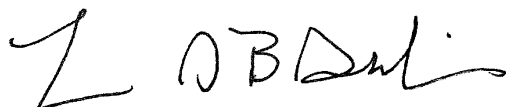
Consistent with prior years, Marin Transit staff recommends programming the FY2022/23 SGR funds towards vehicle purchases to ensure the state of good repair of the District's revenue vehicle fleet. As shown in Table 1, the SGR fund will contribute local match funds to the federal Section 5307 project funding for the replacement of seven 35ft hybrid transit vehicles. These vehicles will be replaced in FY2023/24, and funds from the prior year were also applied to the project. Additional SGR funds from next fiscal year may also be applied to the project.

**Table 1: Marin Transit SGR Project List**

Project Title	Project Description	SB1 SGR	Measure A/AA %	Federal Funds	Total
Purchase Seven 35ft Hybrid Vehicles (LE)	Replace seven transit buses that are beyond their useful lives, (12-year life)	FY21 \$244,675	\$717,111	\$4,855,200	<b>\$6,069,000</b>
		FY23 \$252,014			
		\$496,689			

**FISCAL IMPACT:** With this action, Marin Transit will have the requisite Board approvals to apply for the \$252,014 in FY2022/23 SGR funding. This programming of SGR funds is consistent with District's adopted 10-year capital plan and reduces the need to use capital reserves on vehicle replacement projects.

Respectfully submitted,



Lauren Gradia  
Director of Finance and Capital Programs

Attachment A - Resolution 2022-10

**RESOLUTION NO. 2022-10**

**APPROVING THE PROJECT LIST FOR FY 2022/23  
FOR THE CALIFORNIA STATE OF GOOD REPAIR PROGRAM**

**WHEREAS**, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017, establishing the State of Good Repair (SGR) program to fund eligible transit maintenance, rehabilitation and capital project activities that maintain the public transit system in a state of good repair; and

**WHEREAS**, SGR funds are allocated by the *Metropolitan Transportation Commission*; and

**WHEREAS**, the *Marin County Transit District* share of SGR funds for fiscal year 2022/23 is estimated to be \$252,014; and

**WHEREAS**, these funds will be used towards the purchase of seven vehicles to replace 35ft hybrid vehicles; and

**WHEREAS**, in order to qualify for these funds, the *Marin County Transit District* is required to submit a proposed project list to California Department of Transportation (Caltrans) on an annual basis; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors for the Marin County Transit District hereby approves the SB1 State of Good Repair Project List for FY 2022/23; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the *Marin County Transit District* that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances document and applicable statutes, regulations and guidelines for all SGR funded transit capital projects.

**NOW THEREFORE, BE IT FURTHER RESOLVED** that the *General Manager* is hereby authorized to submit a request for Scheduled Allocation of the SB1 State of Good Repair Funds and to execute the related grant applications, forms and agreements.

**APPROVED AND PASSED** this 6<sup>th</sup> day of June 2022.

\_\_\_\_\_  
Stephanie Moulton-Peters, President

ATTEST:

\_\_\_\_\_  
Nancy Whelan, General Manager



711 grand ave, #110  
san rafael, ca 94901

ph: 415.226.0855  
fax: 415.226.0856  
[marintransit.org](http://marintransit.org)

June 6, 2022

Honorable Board of Directors  
Marin County Transit District  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT: Agreement with BlinkTag Inc for On-Call Website Development and Support Services**

Dear Board Members:

**board of directors**

stephanie moulton-peters  
president  
supervisor district 3

katie rice  
vice president  
supervisor district 2

eric lucan  
2nd vice president  
city of novato

judy arnold  
director  
supervisor district 5

kate colin  
director  
city of san rafael

damon connolly  
director  
supervisor district 1

dennis rodoni  
director  
supervisor district 4

brian colbert  
alternate  
town of san anselmo

**RECOMMENDATION:** Authorize General Manager to execute an agreement with Blinktag Inc for website development and support services for a two-year timeframe with three additional option years at a total cost not to exceed \$170,000 for the two-year timeframe and \$70,000 per each additional option year.

**SUMMARY:** Staff requests that your Board authorize the General Manager to execute an on-call contract with Blinktag Inc.

On January 24, 2022, Marin Transit, issued a Request for Proposals (RFP) to provide website development and support services and assist staff on an as-needed basis to manage and publish website content. The two key tasks include ongoing website content management and support, and website design update and development.

The work under this agreement will be established on an individual task order basis with a not to exceed amount set for each task order.

Marin Transit posted the RFP on the District's procurement portal and sent copies to firms with relevant experience and qualifications. Proposals were due April 4, 2022. The District received a high level of interest in response to the RFP, and 11 proposals met the submission deadline.

Staff evaluated each proposal and completed an initial scoring based on the criteria identified in the RFP. This process identified three competitive proposals to advance into the second round of evaluation, which included an oral interview. The evaluation committee held shortlisted firm interviews and conducted reference checks in April 2022. Following these interviews, staff re-scored all shortlisted vendors using the original criteria. These include relevant experience and project staff, project staff and qualifications, examples of previous work, references, and cost. Based on the outcome of this scoring, staff recommends Blinktag Inc. for the contract award.

**FISCAL/STAFFING IMPACT:**

The total cost of the agreement over the two-year timeframe will not exceed \$170,000. This includes consultant costs for requested tasks under the agreement and direct costs for associated services and supplies. This agreement will be funded from District's local and rural transit marketing budgets and is within the District's draft budget for FY 2022/23. Funding in subsequent fiscal years will be subject to the Board's approval of Marin Transit's annual budget.

Respectfully submitted,



Aida Banihashemi  
Manager of Planning and Marketing

Attachment: Contract with Blinktag Inc for On-Call Website Development and Support Services

**MARIN COUNTY TRANSIT DISTRICT  
PROFESSIONAL SERVICES CONTRACT**

**THIS CONTRACT** is made and entered into this 06 day of June, 2022, by and between the MARIN COUNTY TRANSIT DISTRICT, hereinafter referred to as "District" and BlinkTag Inc, hereinafter referred to as "Contractor."

**RECITALS:**

**WHEREAS**, District desires to retain a person or firm to provide the following service: **on-call website development and support**; and

**WHEREAS**, Contractor warrants that it is qualified and competent to render the aforesaid services;

**NOW, THEREFORE**, for and in consideration of the Contract made, and the payments to be made by District, the parties agree to the following:

**1. SCOPE OF SERVICES:**

Contractor agrees to provide all of the services described in **Exhibit A** attached hereto and by this reference made a part hereof.

**2. FURNISHED SERVICES:**

The District agrees to:

- A. Guarantee access to and make provisions for the Contractor to enter upon public and private lands as required to perform their work.
- B. Make available all pertinent data and records for review.
- C. Provide general bid and Contract forms and special provisions format when needed.

**3. FEES AND PAYMENT SCHEDULE:**

The fees and payment schedule for furnishing services under this Contract shall be based on the rate schedule which is attached hereto as **Exhibit B** and by this reference incorporated herein. Said fees shall remain in effect for the entire term of the Contract. Contractor shall provide District with his/her/its Federal Tax I.D. number prior to submitting the first invoice.

**4. MAXIMUM COST TO DISTRICT:**

In no event will the cost to District for the services to be provided herein exceed the maximum sum of **\$170,000 for the two-year term** including direct non-salary expenses. The total not to exceed amount will be **\$70,000 per each additional option year**. As set forth in section 14 of this Contract, should the funding source for this Contract be reduced, Contractor agrees that Contractor's Scope of Services and this maximum cost to District may be amended by written notice from District to reflect that reduction.

**5. TIME OF CONTRACT:**

This Contract shall commence on **June 6, 2022**, and shall terminate on **June 9, 2024**. The District may award up to three option years at the price stated in Exhibit B. Certificate(s) of Insurance must be current on day Contract commences and if scheduled to lapse prior to termination date, must be automatically updated before final payment may be made to Contractor. The final invoice must be submitted within 30 days of completion of the stated scope of services.

**6. INSURANCE:**

Commercial General Liability:

The Contractor shall maintain a commercial general liability insurance policy in the amount of \$1,000,000 (\$2,000,000 aggregate). The District shall be named as an additional insured on the commercial general liability policy.

Commercial Automobile Liability:

Where the services to be provided under this Contract involve or require the use of any type of vehicle by Contractor, Contractor shall provide comprehensive business or commercial automobile liability coverage, including non-owned and hired automobile liability, in the amount of \$1,000,000.00.

Workers' Compensation:

The Contractor acknowledges the State of California requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of the Labor Code. If Contractor has employees, a copy of the certificate evidencing such insurance, a letter of self-insurance, or a copy of the Certificate of Consent to Self-Insure shall be provided to the District prior to commencement of work.

Errors and Omissions, Professional Liability or Malpractice Insurance.

Contractor may be required to carry errors and omissions, professional liability or malpractice insurance.

All policies except that for professional liability insurance shall remain in force through the life of this Contract and shall be payable on a "per occurrence" basis unless District specifically consents to a "claims made" basis. The insurer shall supply District adequate proof of insurance and/or a certificate of insurance evidencing coverages and limits prior to commencement of work. Should any of the required insurance policies in this Contract be cancelled or non-renewed, it is the Contractor's duty to notify the District immediately upon receipt of the notice of cancellation or non-renewal.

If Contractor does not carry a required insurance coverage and/or does not meet the required limits, the coverage limits and deductibles shall be set forth on a waiver, **Exhibit C**, attached hereto.

Failure to provide and maintain the insurance required by this Contract will constitute a material breach of this Contract. In addition to any other available remedies, District may suspend payment to the Contractor for any services provided during any time that insurance was not in effect and until such time as the Contractor provides adequate evidence that Contractor has obtained the required coverage.

**7. ANTI DISCRIMINATION AND ANTI HARASSMENT:**

Contractor and/or any subcontractor shall not unlawfully discriminate against or harass any individual including, but not limited to, any employee or volunteer of the Marin County Transit District based on race, color, religion, nationality, sex, sexual orientation, age or condition of disability. Contractor and/or any subcontractor understands and agrees that Contractor and/or any subcontractor is bound by and will comply with the anti discrimination and anti harassment mandates of all Federal, State and local statutes, regulations and ordinances.

**8. SUBCONTRACTING:**

The Contractor shall not subcontract nor assign any portion of the work required by this Contract without prior written approval of the District except for any subcontract work identified herein. If Contractor hires a subcontractor under this Contract, Contractor shall require subcontractor to provide and maintain insurance coverage(s) identical to what is required of Contractor under this Contract and shall require subcontractor to name Contractor and Marin County Transit District as an additional insured under this Contract for general liability. It shall be Contractor's responsibility to collect and maintain current evidence of insurance provided by its subcontractors and shall forward to the District evidence of same.

**9. ASSIGNMENT:**

The rights, responsibilities and duties under this Contract are personal to the Contractor and may not be transferred or assigned without the express prior written consent of the District.

**10. LICENSING AND PERMITS:**

The Contractor shall maintain the appropriate licenses throughout the life of this Contract. Contractor shall also obtain any and all permits which might be required by the work to be performed herein.

**11. BOOKS OF RECORD AND AUDIT PROVISION:**

Contractor shall maintain on a current basis complete books and records relating to this Contract. Such records shall include, but not be limited to, documents supporting all bids, all income and all expenditures. The books and records shall be original entry books with a general ledger itemizing all debits and credits for the work on this Contract. In addition, Contractor shall maintain detailed payroll records including all subsistence, travel and field expenses, and canceled checks, receipts and invoices for all items. These documents and records shall be retained for at least five years from the completion of this Contract. Contractor will permit District to audit all books, accounts or records relating to this Contract or all books, accounts or records of any business entities controlled by Contractor who participated in this Contract in any way. Any audit may be conducted on Contractor's premises or, at District's option, Contractor shall provide all books and records within a maximum of fifteen (15) days upon receipt of written notice from District. Contractor shall refund any monies erroneously charged.

**12. WORK PRODUCT/PRE-EXISTING WORK PRODUCT OF CONTRACTOR:**

Any and all work product resulting from this Contract is commissioned by the Marin County Transit District as a work for hire. The Marin County Transit District shall be considered, for all purposes, the author of the work product and shall have all rights of authorship to the work, including, but not limited to, the exclusive right to use, publish, reproduce, copy and make derivative use of, the work product or otherwise grant others limited rights to use the work product.

However, notwithstanding any provision to the contrary in this Contract, Contractor shall retain ownership and all rights in all inventions, improvements, discoveries, methodologies, models, formats, software, algorithms, processes, procedures, designs, specifications, and findings, developed, gathered, or produced by Contractor prior to or independently of any of its services under this Contract ("Pre-existing Materials"), including such Pre-existing Materials that Contractor employs in the performance of this Contract, or incorporates into any part of the contractor's work product under this contract. Contractor grants the Marin County Transit District an irrevocable, non-exclusive, royalty-free, license in perpetuity to use, disclose, derive from, and transfer such Pre-existing Materials, but only as an inseparable part of such work product.

**13. TERMINATION:**

- A. If the Contractor fails to provide in any manner the services required under this Contract or otherwise fails to comply with the terms of this Contract or violates any ordinance, regulation or other law which applies to its performance herein, the District may terminate this Contract by giving five (5) calendar days written notice to the party involved.
- B. The Contractor shall be excused for failure to perform services herein if such services are prevented by acts of God, strikes, labor disputes or other forces over which the Contractor has no control.
- C. Either party hereto may terminate this Contract for any reason by giving thirty (30) calendar days written notice to the other parties. Notice of termination shall be by written notice to the other parties and be sent by registered mail.
- D. In the event of termination not the fault of the Contractor, the Contractor shall be paid for services performed to the date of termination in accordance with the terms of this Contract so long as proof of required insurance is provided for the periods covered in the Contract or Amendment(s).

**14. APPROPRIATIONS:**

The District's performance and obligation to pay under this Contract is contingent upon an annual appropriation by the Marin County Transit District Board of Directors, the State of California or other third party. Should the funds not be appropriated District may terminate this Contract with respect to those payments for which such funds are not appropriated. District will give Contractor thirty (30) days' written notice of such termination. All obligations of District to make payments for any services performed after the termination date will cease.

Where the funding source for this Contract is contingent upon an annual appropriation or grant from the Marin County Transit District Board of Directors, the State of California or other third party, District's performance and obligation to pay under this Contract is limited by the availability of those funds. Should the funding source for this Contract be eliminated or reduced, upon written notice to Contractor, District may reduce Contractor's Scope of Services as well as the Maximum Cost to District identified in section 4 to reflect that elimination or reduction.



**15. RELATIONSHIP BETWEEN THE PARTIES:**

It is expressly understood that in the performance of the services herein, the Contractor, and the agents and employees thereof, shall act in an independent capacity and as an independent Contractor and not as officers, employees or agents of the District. Contractor shall be solely responsible to pay all required taxes, including but not limited to, all withholding social security, and workers' compensation.

**16. AMENDMENT:**

This Contract may be amended or modified only by written Contract of all parties.

**17. ASSIGNMENT OF PERSONNEL:**

The Contractor shall not substitute any personnel for those specifically named in its proposal unless personnel with substantially equal or better qualifications and experience are provided, acceptable to District, as is evidenced in writing.

**18. JURISDICTION AND VENUE:**

This Contract shall be construed in accordance with the laws of the State of California and the parties hereto agree that venue shall be in Marin County, California.

**19. INDEMNIFICATION:**

Contractor agrees to indemnify, defend, and hold District, its employees, officers, and agents, harmless from any and all liabilities including, but not limited to, litigation costs and attorney's fees arising from any and all claims and losses to anyone who may be injured or damaged by reason of Contractor's negligence, recklessness or willful misconduct in the performance of this Contract.

**20. COMPLIANCE WITH APPLICABLE LAWS:**

The Contractor shall comply with any and all Federal, State and local laws and resolutions: including, but not limited to the County of Marin Nuclear Free Zone and Living Wage Ordinance Copies of any of the above-referenced local laws and resolutions may be secured from the Contract Manager referenced in section 21. In addition, the following NOTICES may apply:

1. Pursuant to California Franchise Tax Board regulations, District will automatically withhold 7% from all payments made to vendors who are non-residents of California.
2. Contractor agrees to meet all applicable program access and physical accessibility requirements under State and Federal laws as may apply to services, programs or activities for the benefit of the public.
3. For Contracts involving any Federal Transit Administration grant funds, Exhibit D must be attached. Exhibit D provides all Federal Transit Administration Contract Provisions relevant to this Contract.
4. For Contracts involving any State or Federal grant funds, Exhibit E must be attached. Exhibit E shall consist of the printout results obtained by search of the System for Award Management at [www.sam.gov](http://www.sam.gov).

**Exhibit E - Debarment Certification**

By signing and submitting this Contract, the Contractor is agreeing to abide by the debarment requirements as set out below.

- The certification in this clause is a material representation of fact relied upon by District.
- The Contractor shall provide immediate written notice to District if at any time the Contractor learns that its certification was erroneous or has become erroneous by reason of changed circumstances.
- Contractor certifies that none of its principals, affiliates, agents, representatives or contractors are excluded, disqualified or ineligible for the award of contracts by any Federal agency and Contractor further certifies to the best of its knowledge and belief, that it and its principals:
  - re not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal Department or Agency;
  - Have not been convicted within the preceding three-years of any of the offenses listed in 2 CFR 180.800(a) or had a civil judgment rendered against it for one of those offenses within that time period;
  - Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or Local) with commission of any of the offenses listed in 2 CFR 180.800(a);
  - Have not had one or more public transactions (Federal, State, or Local) terminated within the preceding three-years for cause or default.
- The Contractor agrees by signing this Contract that it will not knowingly enter into any subcontract or covered transaction with a person who is proposed for debarment, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.

- Any subcontractor will provide a debarment certification that includes the debarment clause as noted in preceding bullets above, without modification.

**21. NOTICES:**

This Contract shall be managed and administered on District’s behalf by the Department Contract Manager named below. All invoices shall be submitted and approved by this Department and all notices shall be given to District at the following location:

Contract Manager:	Robert Betts
Dept./Location:	Marin County Transit District 711 Grand Ave., Suite 110 San Rafael, CA 94901
Telephone No.:	415-226-0855

Notices shall be given to Contractor at the following address:

Contractor:	BlinkTag, Inc. 390 1st St #1208
Address:	San Francisco, CA 94103
Telephone No.:	(415) 373-6442

**22. ACKNOWLEDGEMENT OF EXHIBITS**

Check applicable Exhibits

**CONTRACTOR’S INITIALS**

	<input checked="" type="checkbox"/> <u>Check applicable Exhibits</u>	<b>CONTRACTOR’S INITIALS</b>
<u>EXHIBIT A.</u>	<input checked="" type="checkbox"/> Scope of Services	
<u>EXHIBIT B.</u>	<input checked="" type="checkbox"/> Fees and Payment	
<u>EXHIBIT C.</u>	<input type="checkbox"/> Insurance Reduction/Waiver	
<u>EXHIBIT D.</u>	<input type="checkbox"/> Federal Transit Administration Contract Provisions	
<u>EXHIBIT E.</u>	<input type="checkbox"/> Contractor’s Debarment Certification	
<u>EXHIBIT F.</u>	<input type="checkbox"/> Subcontractor’s Debarment Certification	

**IN WITNESS WHEREOF**, the parties have executed this Contract on the date first above written.

**CONTRACTOR**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**APPROVED BY  
MARIN COUNTY TRANSIT DISTRICT:**

By: \_\_\_\_\_

=====

**COUNTY COUNSEL REVIEW AND APPROVAL (required if template content has been modified)**

**County Counsel:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**EXHIBIT "A"****SCOPE OF SERVICES (required)**

Contractor shall provide services as described in accordance with:

- Request for Proposal for Website Development and Support dated January 24, 2022
- Addendum 1 to Request for Proposal dated February 22, 2022
- Updated BlinkTag response to Request for Proposal dated April 22,2022 and project scope included below

In the event that the District prefers a particular term of service in the Request for Proposal, as amended and supplemented by "Addendum 1", to a similar, but in any way different or conflicting term of service in the BlinkTag response, the District's preferred term of service shall govern.

**SCOPE OF SERVICES**

This is an on-call contract and there is no guaranteed minimum level of compensation. Marin Transit reserves the right to procure the services described in these solicitation documents from other firms at its sole discretion.

The availability of key personnel must be flexible to meet the needs of the project. Marin Transit expects all individuals identified as key personnel shall remain on the Website Support team for the duration of the contract unless the District agrees upon a replacement.

The services are comprised of two major set of tasks as listed below. Proposals shall respond to both tasks.

- Website Content Management and Support that will be an ongoing task, and
- Website Design Update and Development that will be on a Task Order basis with a not to exceed amount budget.

**TASK I: WEBSITE CONTENT MANAGEMENT AND SUPPORT**

The website maintenance, content management and support services are as follows:

- Assist staff on an as-needed basis to manage and publish content including, design and update of layouts, maintain the calendar of events, customize schedule views, and generate PDFs, generate timetables from GTFS feed, direct integration of real-time and/or trip planning tools using APIs, etc.
- Update, edit and create various graphics when required for the website.
- Maintain the integrity of the site against spam, hackers, viruses and electronic attacks via firewalls, security software and passwords.
- Submit quarterly reports on how the site is being used and effectiveness. Measurements would include traffic sources, top keywords, top pages and referrals, and other topics deemed necessary. Other measurable components could include unique visitors, number of visits, page views, impressions and click through rate.
- Perform regular maintenance of the Marin Transit website; make recommendations to Marin Transit staff on how to improve and optimize the site based on the analytics; those will include upkeep and updates to navigation, design, and functionality, browser and mobile-friendliness, ADA-compliance and ability to support e-commerce.

## TASK II: WEBSITE UPDATE AND DEVELOPMENT

Review and assessment of the current Marin Transit website as related to organization, navigation, tools, traffic, and analytics and recommend updates to the information architecture and overall site design to serve the following goals and objectives:

1. Improve the user-friendliness for various types of users, including existing and potential riders, the general public, stakeholders, and vendors/consultants.
2. Define a hierarchy of content and provide a more intuitive navigation structure, including homepage content, so that users can quickly and easily find the information they need
3. Reduce or eliminate duplicative information and extraneous content
4. Streamline site navigation and increase online presence
5. Update trip planning, real-time, and route information tools as needed and add additional rider tools that can improve the vision for the website as a one-stop, primary source for information on transit services in Marin County.
6. Improve website's digital accessibility in compliance with state and federal laws, and the Americans with Disabilities Act (ADA) regulations and other industry best practices. That includes the ability for those using screen reading software and non-English speakers to easily navigate the website and find information.
  - a. Prior to contract execution
    - i. Provide a Voluntary Product Accessibility Template (VPAT) or accessibility testing results for any pre-existing software, including Third Party Software, that Vendor is delivering to the District
    - ii. If Vendor is delivering a SaaS offering, provide access to the offering for accessibility testing
    - iii. Cooperate with the District on addressing accessibility issues and entering into a mitigation letter if necessary
  - b. After contract execution
    - i. Build accessibility into every phase of the project
    - ii. Collaborate with the District accessibility issues
    - iii. Test for accessibility before delivery and include testing results with all deliveries
    - iv. Cooperate with the District's accessibility testing after delivery
    - v. Work to resolve any issues identified in testing and in the mitigation letter

Based on discussions with Marin Transit staff and industry best practices, provide recommendations to improve the sitemap and navigation, with focus on simplification, hierarchy of content, accessibility, and organization, and develop redesign concepts and webpage templates as needed. These updates will include any updated style guide provided by the District or its Graphic Design consultant that specifies the color palette, typography, icons, and other elements and would be used throughout the site. Any updates to the website should carry forward the District's current branding elements.

Marin Transit reserves the right to provide feedback on the initial designs and require a round of edits.

Upon the District's approval, the consultant will develop or deploy the recommended design and content upgrades. Marin Transit staff will work with the consultant to create the individual pages using the templates, transfer existing content, and populate new content.

## EXHIBIT "B"

## FEES AND PAYMENT SCHEDULE (required)

DISTRICT shall pay CONTRACTOR as follows:

- (1) CONTRACT RATES. DISTRICT shall pay CONTRACTOR based on the rate table below and billed in quarter hours. CONTRACTOR shall submit requests for payment via invoice net 30 days following provision of services.

Role	Name	Hourly Rate
Project Manager/Senior Developer	Brendan Nee	\$250/hour
Digital Engagement/Copy/Social Media	Alec Berger	\$125/hour
Junior Developer	Various	\$125/hour

There are no annual administrative costs. Pricing includes all supplies and equipment required to perform tasks. Rates are subject to a 5% escalation for additional options years 3-5. **In no event will the cost to District for the services to be provided herein exceed the maximum sum of \$ 170,000 for the two-year term and \$70,000 per each additional option year.**

### ROLE TASK BREAKDOWN

#### Project Manager

- Kickoff meeting
- Plan and develop project schedule
- Monitoring project progress
- Communications between team and Marin Transit staff
- Maintaining task tracking system
- Signoff on final deliverables

#### Senior Developer

- Frontend development
- Backend development
- Changes to site template
- Drupal management
- Management and maintenance of hosting and database
- System, Drupal and Module updates
- Site analytics and monitoring

#### Digital Engagement/Copy/Social Media

- Content creation
- Copy editing
- Website content updates
- Information architecture
- Graphics creation/image editing
- Outreach planning
- Program design

- Email campaign creation
- Social media training, advising and management
- Digital advertising campaign setup and management

#### Junior Developer

- HTML formatting of drupal content
- Website quality assurance (QA) testing
- Cross-browser and cross-device testing
- Testing and reviewing new features and major changes to site
- Site scanning for broken links and, broken images
- Basic accessibility testing
- Testing new Drupal modules

- (2) MILEAGE. DISTRICT shall not pay CONTRACTOR for travel by private, leased or hired vehicles as required by this Contract.
- (3) TRAVEL COSTS. DISTRICT shall not pay CONTRACTOR for meals, lodging, or other travel costs.
- (4) AUTHORIZATION REQUIRED. Services performed by CONTRACTOR and not authorized in this Contract shall not be paid for DISTRICT. Payment for additional services shall be made to CONTRACTOR by DISTRICT if, and only if, this Contract is amended by both parties in advance of performing additional services.
- (5) MAXIMUM CONTRACT AMOUNT. The maximum amount payable to Contractor under this Contract for this period shall not exceed \$170,000 for the 2-year term, including indirect costs. Indirect costs must be authorized in advance by Marin Transit Contract Manager.

**EXHIBIT "C"**

**INSURANCE REDUCTION/WAIVER (if applicable)**

CONTRACTOR: \_\_\_\_\_

CONTRACT TITLE: \_\_\_\_\_

Contractor's professional liability insurance may be provided, in part, by self-insurance or large deductible as long as contractor provides: (1) evidence to the District that contractor has segregated amounts in a special insurance reserve fund meeting the contract's insurance requirements and restricted specifically to this project or (2) contractor's general insurance reserves are adequate to provide the necessary coverage and the Marin County Transit District may conclusively rely thereon.

This statement shall accompany all requests for a reduction/waiver of insurance requirements. Please check the box

if a waiver is requested or fill in the reduced coverage(s) where indicated below:

	<i>Check Where Applicable</i>	<i>Requested Limit Amount</i>	<i>CAO Use Only</i>
<b>General Liability Insurance</b>	<input type="checkbox"/>	\$	
<b>Automobile Liability Insurance</b>	<input type="checkbox"/>	\$	
<b>Workers' Compensation Insurance</b>	<input type="checkbox"/>		
<b>Professional Liability Deductible</b>	<input type="checkbox"/>	\$	

Please set forth the reasons for the requested reductions or waiver.


Contract Manager Signature:

\_\_\_\_\_

Date:

\_\_\_\_\_

\_\_\_\_\_



711 grand ave, #110  
san rafael, ca 94901

ph: 415.226.0855  
fax: 415.226.0856  
[marintransit.org](http://marintransit.org)

June 6, 2022

Honorable Board of Directors  
Marin County Transit District  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT: First Amendment to the Agreement with Uber Technologies Inc. to provide a mobility on-demand platform for the Connect program**

**board of directors**

Dear Board Members:

stephanie moulton-peters  
president  
supervisor district 3

**RECOMMENDATION:** Approve First Amendment (#1115) to the agreement with Uber Technologies Inc.(#192054) to extend the term for an additional year.

katie rice  
vice president  
supervisor district 2

**SUMMARY:** Marin Transit provides a unique on-demand microtransit service in Marin County called Marin Transit Connect. This service allows riders to request an accessible van, in real-time through a smartphone app or by calling a scheduling line on weekdays between 6:00am and 7:00pm. This service started in May of 2018 and has gone through a number of changes and iterations over the past four years.

eric lucan  
2nd vice president  
city of novato

The current service uses the Uber app to facilitate the trip request and driver matching functionality. Marin Transit partnered with the Transportation Authority of Marin (TAM) to create an integrated and accessible first and last mile program that utilize a single rider app to give riders mobility services and discounted vouchers. This software was procured in the fall of 2019 and approved by your Board in May of 2020, just weeks after the start of the COVID 19 pandemic and statewide shelter in place orders.

judy arnold  
director  
supervisor district 5

The software license agreement has a two year term that expires on June 30, 2022, with the ability to extend for up to three one year options. Staff is requesting exercising the first option year of this agreement as outlined in the attached amendment.

kate colin  
director  
city of san rafael

damon connolly  
director  
supervisor district 1

dennis rodoni  
director  
supervisor district 4

**DISCUSSION:** Marin Transit Connect and the Connect2Transit program were re-launched under the Uber app just months after the start of the pandemic. Due to several pandemic related impacts, including limitations on onboard capacity, the stay-at home orders that greatly reduced commuter travel, and the general insecurities around shared-ride travel, initial usage and ridership have been low. Staff have been closely monitoring and have significantly reduced service levels to respond to these low demand periods.

brian colbert  
alternate  
town of san anselmo



Staff planned to compile a program evaluation and bring a recommendation back to your Board on the future of the program, including the technology and service level recommendations, prior to the end of the base term agreement with Uber. The slow pandemic recovery has delayed this analysis and staff is requesting you Board continue the contract into fiscal year 2022/23 to give additional time for the pilot to develop and observe if the re-opening of Marin County businesses and work sites translates to increase usage of the program. TAM recently requested a similar extension for their subsidy-based voucher agreement which was approved at their May 26, 2022 Board meeting.

**FISCAL/STAFFING IMPACT:** The Uber software agreement is based on the maximum daily vehicles signed into the platform during any given month. Based on the current and historic service levels, the District expects to pay \$2,500 per month or \$30,000 annually for access to the software. In the event service exceeds five daily vehicles per month, monthly fees will increase to \$3,000 per month bring the total cost of the one year extension to an amount not exceed \$36,000.

There is no staffing impact associated with this item.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert Betts', written in a cursive style.

Robert Betts  
Director of Operations and Planning

Attachment A: First Amendment to the Agreement with Uber Technologies Inc. for a Mobility On-Demand Platform (#1115)

1115

**FIRST AMENDMENT TO AGREEMENT**  
**BY AND BETWEEN THE**  
**UBER TECHNOLOGIES, INC DATED NOVEMBER 1, 2020**

THIS AMENDMENT is made and entered into this 1<sup>st</sup> day of July, 2022, by and between the MARIN COUNTY TRANSIT DISTRICT, (hereinafter referred to as "Marin Transit" or "District") and UBER TECHNOLOGIES, INC (hereinafter referred to as "Contractor").

RECITALS

WHEREAS, the District and the Contractor entered into an agreement (# 192054);

WHEREAS, the parties wish to exercise the contract extension term for an additional year;

WHEREAS, the parties wish to add a maximum of \$36,000 to the contract amount for a total not to exceed of \$116,000; and

NOW, THEREFORE, the parties hereby agree to the following amendments as set forth below:

AGREEMENT

1) Except as otherwise provided herein all terms and conditions of the agreement shall remain in full force and effect.

2) Section 3. Term, is hereby amended to read as follows:

**3. Term.** This Agreement commences on the Effective Date and continues for 3 years from July 1, 2020 (the "**Term**") and may be extended by mutual agreement of the parties for an additional 2 year period (each an "**Extension Term**"), unless terminated earlier under the termination process provided in this Agreement. Either party must provide at least thirty (30) days written notice before the expiration of the then-current Term if either party intends not to automatically renew the terms of this Agreement, as applicable under the terms of the Cover Sheet.

IN WITNESS WHEREOF, the parties hereto have executed this

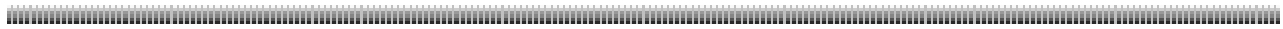
Addendum on the day first written above.

CONTRACTOR:

MARIN COUNTY TRANSIT DISTRICT:

By \_\_\_\_\_

\_\_\_\_\_



APPROVED AS TO FORM:

\_\_\_\_\_  
County Counsel



711 grand ave, #110  
san rafael, ca 94901

ph: 415.226.0855  
fax: 415.226.0856  
[marintransit.org](http://marintransit.org)

**board of directors**

stephanie moulton-peters  
president  
supervisor district 3

katie rice  
vice president  
supervisor district 2

eric lucan  
2nd vice president  
city of novato

judy arnold  
director  
supervisor district 5

kate colin  
director  
city of san rafael

damon connolly  
director  
supervisor district 1

dennis rodoni  
director  
supervisor district 4

brian colbert  
alternate  
town of san anselmo

June 6, 2022

Honorable Board of Directors  
Marin County Transit District  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT: Update to Personnel Policies & Procedures: Section 4.5 Leaves of Absence: Paid Holidays and Vacation Leave Accrual**

Dear Board Members:

**RECOMMENDATION:** Approve update to Marin Transit's HR-02 Personnel Policies & Procedures to add Juneteenth as a paid holiday and to modify vacation accrual policy

**SUMMARY:** Attracting and retaining talented staff in the wake of the COVID-19 pandemic has become vital to the effective and consistent delivery of the District's services to the public. Upon review of leave benefits offered by partner agencies, staff recommends adjustments to the Personnel Policies & Procedures to ensure parity and help with employee retention. The proposed modification adds one paid holiday and increases the vacation accrual for full time regular employees with nine or more years of continuous service.

Staff's first recommendation to your Board is to adopt a revision to the Marin Transit Personnel Policies & Procedures (attachment A) Section 4.5.5 Paid Holidays to include Juneteenth. Juneteenth was recognized as a federal holiday in June 2021. With the addition of Juneteenth, the District's paid holidays will number eleven- and one-half days. If approved, section 4.5.5 will read as follows:

**4.5.5 Holidays:** *Regular employees are granted the following holidays with pay, provided they are on paid status the day before and the day after the holiday:*

- *New Year's Day (January 1<sup>st</sup>)*
- *Martin Luther King Jr. Day (third Monday in January)*
- *President's Day (third Monday in February)*
- *Memorial Day (last Monday in May)*
- *Juneteenth (June 19<sup>th</sup>)*
- *Independence Day (July 4<sup>th</sup>)*
- *Labor Day (first Monday in September)*

- *Veteran's Day (as designated)*
- *Thanksgiving Day (as designated)*
- *Friday immediately following Thanksgiving Day*
- *½ day on Christmas Eve*
- *Christmas Day (December 25<sup>th</sup>)*

Staff's second recommendation is to increase the annual vacation accrual for regular full-time employees who have completed nine or more years of continuous service from fifteen days to twenty days. This increase is meant to acknowledge and compensate long term employees. Annual vacation accrual for regular full-time employees with zero to two years of service will remain at ten days and regular full-time employees with three to nine years will remain at fifteen days. Staff recommends your Board adopt a revision to the Marin Transit Personnel Policies & Procedures (attachment A) section 4.5.12.a to read as follows:

**4.5.12. a**      ***Vacation Leave Accrual:*** *Upon commencement of employment with the District, employees accrue vacation at the rate of 10 days (80 hours) per year. Upon commencement of the third consecutive year of employment, employees accrue vacation at the rate of 15 days (120 hours) per year. Upon commencement of tenth consecutive year of employment, employees accrue vacation at the rate of 20 days (160 hours) per year. No vacation accrues during an unpaid leave of absence.*

These updates are also reflected in the Marin Transit HR-3 Employment Compensation Framework, (attachment B). If approved, these changes will be effective immediately and implemented as soon as administratively feasible.

**FISCAL/STAFFING IMPACT:**

The additional paid holiday has no budget impact but does reduce the number of hours staff are available for work. No additional staffing is anticipated being needed to compensate for the reduction of work hours. Vacation time, if unused, is paid out to employees when they leave the agency. Currently there are two employees that would meet the threshold for the higher vacation accrual. If hours are fully paid out for the two employees, this would be approximately \$7,000 in wages.

Respectfully submitted,



Holly Lundgren  
Human Resources Manager

Attachment A: Policy #HR-2 Revised *Marin Transit Policies & Procedures Manual*  
Attachment B: Policy #HR-3 Revised *Marin Transit Employment Compensation Framework*



## MARIN TRANSIT

# PERSONNEL POLICIES AND PROCEDURES MANUAL

Policy #:	HR-02
Subject:	Personnel
Effective Date:	July 1, 2014
Revision Date:	July 1, 2015 (sec 4.5.10)
Revision Date:	November 2, 2020 (sec 4.1.7.b)
Revision Date:	February 7, 2022 (sec 3.2.4)
Revision Date:	June 6, 2022 (sec. 4.5.5 and sec. 4.5.12.a)
	<a href="#">Pending</a> Board approval)

## Table of Contents

ACKNOWLEDGEMENT OF RECEIPT OF PERSONNEL POLICIES AND PROCEDURES .....	4
SECTION 1 GENERAL AND ADMINISTRATION .....	5
1.1 Introduction .....	5
1.2 Purpose .....	5
1.3 Definitions.....	5
1.4 At Will Employment .....	7
SECTION 2 STANDARDS OF EMPLOYMENT .....	8
2.1 Employee Standards of Conduct.....	8
2.2 Equal Opportunity in Employment .....	8
2.3 Drug and Alcohol-Free Workplace .....	10
2.4 Electronic Media .....	11
2.5 Whistleblower Rights .....	11
2.6 Safe Work Practices and Non-Violent Workplace.....	12
SECTION 3 RECRUITMENT AND SELECTION .....	14
3.1 Merit Service .....	14
3.2 Recruitment and Application Process.....	14
3.3 Selection.....	15
3.4 Appointment.....	15
3.5 Introductory Work Period .....	16
3.6 Reemployment.....	17
SECTION 4 EMPLOYMENT PRACTICES.....	18
4.1 Salary and Benefits Administration, and Classification Plan.....	18
4.2 Work Hours, Work Schedules, and Overtime Practices.....	23
4.3 Performance Planning and Review .....	25
4.4 Employee Discipline .....	26

4.5 Leaves of Absence..... 29

4.6 Personnel Records and Files ..... 36

4.7 Grievance Procedure..... 37

4.8 Reasonable Accommodation ..... 38





## SECTION 1 GENERAL AND ADMINISTRATION

### 1.1 Introduction

The Marin County Transit District develops, finances, plans, and provides local transit service in Marin County consistent with the overall San Francisco Bay Area regional transit network. The District may operate the local transit system or contract with any other public or private entity to operate all or part of the transit system including, but not limited to services, facilities, or equipment. Employees represent the District and further the District's purpose when performing services. District employees are an essential asset, and it is the desire of the District to ensure employees are treated accordingly.

Marin County Transit District's enabling legislation requires the District to adopt a Merit System with regard to personnel management (Cal. Pub. Util. Code § 70076). The District established a Merit System by resolution and authorized the General Manager to prepare or cause to be prepared a Manual of Personnel Policies and Procedures for the effective administration of personnel matters consistent with the Merit System.

### 1.2 Purpose

The purpose of this Personnel Policies and Procedures Manual is to clearly articulate the desired practices of the District and the responsibilities and rights of employees and managers in their employment with the Marin County Transit District. It is intended to provide regulations and instruction for lawful and equitable personnel practices consistent with the District's Merit System and to provide direction and guidance for employment practices and requirements.

### 1.3 Definitions

- 1.3.1. Alternate Work Schedule:** An approved set work schedule different than the standard five days per week, eight hours per day schedule. Example: a "9/80" schedule in which the employee works nine work days in a two-week period, nine hours for eight days and eight hours for one, for a total of 80 hours in a two-week period.
- 1.3.2 Confidential Employee:** An employee or position, as designated by the Board of Directors, who could reasonably have access to confidential information that could affect employer-employee relations.
- 1.3.3 Day:** Calendar day unless expressly stated otherwise.
- 1.3.4 Demotion:** A change in status of an employee from a position in one classification to a position in another classification with lesser duties and responsibilities, lower qualifications, and a lower maximum salary.

- 1.3.5 Employee:** A person employed by the District. Independent contractors, elected officials, and volunteers are not employees of the District.
- 1.3.6 Employment Compensation Framework:** A document submitted by the General Manager to the Board of Directors recommending personnel policy issues involving financial commitments, such as establishing salary ranges, employee benefit programs and District contributions, staffing levels, and establishment of classifications. The Employment Compensation Framework may be modified as part of the annual budget process.
- 1.3.7 Exempt Employee:** An employee who is in a managerial, administrative, or professional classification as defined by the Fair Labor Standards Act and is exempt from wage and overtime provisions of the Act.
- 1.3.8 Flexible Work Schedule:** An approved work schedule in which daily start and end times may vary.
- 1.3.9 Layoff:** The separation of an employee from the active work force due to lack of work, lack of funds, organizational changes, or the abolition of a position.
- 1.3.10 Manager or Management Employee:** An employee designated by the Board of Directors as having significant authority, in the interest of the Board, to formulate and effectuate District policies, and who is substantially involved in hiring, discharging, evaluating, rewarding and disciplining one or more employees or effectively recommends such decisions.
- 1.3.11 Merit System:** The manner of hiring and promoting government employees based on their ability, education, experience, and job performance rather than their connections or other political factors -- one in which human resources activities are governed by uniform, job related, and impersonal policies and procedures.
- 1.3.12 Paid Status:** The payment of an employee for a workday either because the employee worked the day or because the employee was on authorized paid leave.
- 1.3.13 Promotion:** Advancement of an employee from a position in an established classification to a position in an established classification with higher level duties and responsibilities, higher qualifications, and a higher maximum salary.
- 1.3.14 Qualified Individual with a Disability:** A person with a physical or mental impairment that materially or substantially limits one or more major life activities.
- 1.3.15 Reasonable Accommodation:** A modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity. Examples may include acquiring or modifying equipment or devices; making facilities readily accessible; modifying work schedules. Reasonable accommodation also applies to ensure the safety of an employee at work who is the victim of domestic violence, sexual assault, or stalking.

**1.3.16 Regular Employee:** A person employed by the District full or part time with no specific end date to the employment. Contract and temporary employees are not regular employees.

**1.3.17 Reinstatement:** The return of an employee to a classification in which the employee formerly served.

**1.3.18 Separation:** Any ending of employment with the District.

**1.3.19 Temporary Employee:** A person employed by the District in a position that is funded for a limited period of time, not to exceed one year.

**1.3.20 Transfer:** A change of an employee from one position to another in the same or similar classification.

## **1.4 At Will Employment**

The General Manager is employed pursuant to a contract and is governed by the terms thereof. Positions in the Director classification reporting directly to the General Manager are designated as at will. Other District employees may be designated as at-will employees by the General Manager, under appropriate circumstances. At will employees do not acquire a property interest in their positions and their employment may be terminated at any time, for any reason, and without any requirement of demonstrating cause. At will employees have no right to appeal any discipline or termination.

## SECTION 2      STANDARDS OF EMPLOYMENT

### 2.1 Employee Standards of Conduct

- 2.1.1 Standard of Conduct Policy:** The District has adopted a Standard of Conduct and Conflict of Interest Code. Employees should refer to this code for general standard of conduct requirements as well as information regarding: exclusive service; outside employment; maintenance of confidential and/or privileged information; use of District facilities or property; improper political activity; nepotism; anti-fraternization; and acceptance of gifts or other benefits. The Standard of Conduct and Conflict of Interest Code is hereby incorporated into this Personnel Policies and Procedures Manual and is attached.
- 2.1.2 Workplace Grooming and Attire:** The District maintains a professional working environment for the benefit of its employees and the public. As public employees and representatives of the District, each employee will present him/herself in a neat and clean manner and in professional attire appropriate to the job assignment.
- 2.1.3 Smoke Free Workplace:** Smoking tobacco is prohibited in all District offices and vehicles and is prohibited within 20 feet of the entrance, doorway, or window to any District building.

### 2.2 Equal Opportunity in Employment

- 2.2.1 Purpose:** The purpose of this policy is to set forth the Marin County Transit District's commitment to equal opportunity in employment as well as services and to establish no tolerance for unlawful discrimination, harassment, or retaliation; to define these terms; and to identify the procedure for reporting, investigating and resolving complaints of discrimination, harassment, or retaliation.
- 2.2.2 Statement of Policy:** The Marin County Transit District is committed to providing an environment that is free from discrimination and harassment of any kind, including sexual harassment and harassment or discrimination based on race, color, religion, national origin, ancestry, age, physical or mental disability, medical condition, marital status, sex, age, or sexual orientation. Such discrimination and harassment, or retaliation against individuals who complain of illegal harassment or discrimination or who participate in an investigation into illegal harassment or discrimination will not be tolerated. All human resources' functions will be administered in a manner that is equitable, respectful, and related to job performance.
- 2.2.3 Definitions:**
- 2.2.3.a Unlawful Discrimination:** Basing a term, condition, or privilege of employment on an individual's actual or perceived race, color, religion, national origin, ancestry, age, physical or mental disability, medical condition, marital status, sex, age, or sexual orientation. Terms, conditions, and privileges of employment

include recruitment, selection, testing, training, transfer, promotion, demotion, termination, performance appraisal, and compensation.

### 2.2.3.b

**Discriminatory Harassment:** Any form, or combination of verbal, physical, visual, written, or environmental conduct based on actual or perceived race, color, religion, national origin, ancestry, age, physical or mental disability, medical condition, marital status, sex, age, or sexual orientation. The conduct need not be specific or even directed at an individual. By definition, harassment, including sexual harassment, is not within the course and scope of an individual's employment. Harassment includes any conduct that would be unwelcome to a reasonable person of the recipient's same protected status and that is taken because of the recipient's protected status. Lack of protestation or complaint is not to be construed to imply consent. Examples of discriminatory harassment include:

- **Verbal Misconduct:** Inappropriate or offensive or derogatory remarks, slurs, jokes, or innuendoes regarding an individuals' body, sex, physical appearance, sexual prowess, pregnancy, sexual orientation, religion, race, etc. Sexual harassment can occur between individuals of the same or different genders.
- **Physical Misconduct:** Inappropriate or offensive gestures, touching, assault, or physical interference with free movement directed at any individual on the basis of any status protected by this policy.
- **Visual or Written Misconduct:** The display or circulation of offensive or derogatory visual or written material including posters, cartoons, drawings, reading materials, or electronic media transmissions related to any protected status.
- **Environmental Misconduct:** A work environment that contains an unwarranted focus of language, behavior, or visual or written material upon sexual, racial, religious, or any other status protected by this policy.

### 2.2.3c

**Retaliation:** Any adverse employment action that is reasonably likely to prevent the complaining party or others from engaging in protected activity. Adverse employment actions include, for example, a decrease in pay, change of hours, or reduction in authority or responsibility. Adverse action can also include shunning, taking sides, spreading rumors, or threats of intimidation. Retaliation could be against individuals who complain of illegal harassment or discrimination or who participate in an investigation into illegal harassment or discrimination.

**2.2.4 Reporting Unlawful Harassment, Discrimination, or Retaliation:** Any employee or applicant for employment who believes he/she has been unlawfully harassed, discriminated against, or retaliated against should promptly report it orally or in writing to the employee's supervisor, a human resources representative, or the General Manager. Any supervisor or

manager who receives such a complaint or who observes or otherwise learns about such conduct is required to notify a District designated human resources representative or the General Manager immediately.

- 2.2.5 Investigating and/or Responding to Complaints:** Upon receiving a complaint of harassment, discrimination, or retaliation, the District or its representative may undertake an investigation of the complaint. An investigation and investigation report will be kept confidential except as required by law. If behavior is found to have occurred in violation of this policy, action will be taken to ensure or confirm that the conduct is stopped and will not reoccur. Employees are required to cooperate in and respond honestly to questions presented in any investigation.
- 2.2.6 Management Responsibilities:** Management and supervisory employees are responsible for educating and holding employees accountable for adherence to this policy and for demonstrating commitment to and support of this policy. Upon becoming aware of a violation, regardless of whether the violation is by a direct subordinate, another employee, a member of the public, a contractor, an elected official, or a supplier, he or she will report the conduct to the General Manager immediately.
- 2.2.7 Consequences of Violation of Policy:** Immediate and formal disciplinary action up to and including termination will be taken against any employee found to have engaged in conduct that constitutes employment discrimination, harassment, or retaliation.

## 2.3 Drug and Alcohol-Free Workplace

- 2.3.1 Policy:** The purpose of this policy is to provide a safe and healthy workplace for all employees, to comply with federal and state regulations, and to prevent accidents. A safe and healthy workplace for all employees precludes the influence of impairing drugs and alcohol. The presence of alcohol and drugs on the job, and the influence of these substances on employees during working hours, is prohibited.
- 2.3.2 Notification to District Employees:**
- The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace.
  - As a condition of employment, employees must abide by the terms of this policy.
  - As a condition of employment, employees must notify the District, within five calendar days, if convicted of a criminal drug violation in the workplace.
- 2.3.3 Drug and Alcohol Testing Policy:** The District has adopted a Drug and Alcohol Testing Policy. Employees should refer to this policy for additional information on the District's drug and alcohol testing requirements. The Drug and Alcohol Testing Policy is hereby incorporated into this Personnel Policies and Procedures Manual and is attached.

## 2.4 Electronic Media

- 2.4.1 Usage and Public Purpose:** Computer hardware and software, and electronic communication and data processing devices are the property of the District provided for the purpose of conducting District business. All such electronic media, including but not limited to e-mail, voicemail, internet, intranet, calendaring systems, computers and computer programs, cell phones, and all messages and information contained therein may be public records subject to disclosure to the public or to subpoena. Except for brief, occasional necessary or emergency use, the electronic systems are not to be utilized for personal use or to conduct personal or private business. Employees must comply with all operational guidelines such as records retention schedules, back-up procedures, use of passwords, and confidentiality.
- 2.4.2 No Right to Privacy:** Employees who use electronic systems and tools provided by the District will have no right or expectation of privacy in such use. The General Manager or his/her designee has the right to enter, search, monitor, and retrieve an employee's electronic communications, data files, logs, computers and other electronic devices, and programs from these systems at any time without notice. Security features such as passwords, access codes, and delete functions do not prevent authorized employees from accessing electronic communications and devices.
- 2.4.3 Prohibited Use:** Employees shall not install non-District owned programs on any computer, electronic device, or on the computer system or copy District-owned programs for personal use. Employees shall not use the system for political purposes, commercial activities, or to download music or other programs for personal use. Employees will refrain from using the computer and data systems in any way that may be disruptive, offensive to others, harmful to morale, construed as sexual or religious, or violate any other District policies or laws.

## 2.5 Whistleblower Rights

District employees or applicants for employment are entitled to disclose to the District, without reprisal, facts that may be deemed to constitute gross mismanagement, significant waste of public funds, abuse of authority, and/or substantial and specific danger to public health or safety.

- 2.5.1 Disclosure Procedure:** Any District employee or applicant for employment with information that may be considered gross mismanagement, a significant waste of funds, an abuse of authority, and/or substantial and specific danger to public health or safety should file with the General Manager or District human resources staff a written statement of facts within sixty calendar days of the act or event. If the complaint involves conduct of the General Manager, the statement may be directed to the President of the District Board of Directors. This filing shall be under penalty of perjury. The statement must include: the name, classification, and signature of the employee; his/her mailing address; the date of filing; and a clear statement of the facts of the complaint and the date upon which the event occurred giving rise to the complaint.



- 2.5.2 District Investigation:** Within twenty-one calendar days of receipt of the written statement of facts, the General Manager, or Board President if the complaint is about the conduct of the General Manager, will investigate the complaint, may confer with the complainant, determine appropriate action to solve the problem, if any, and will render a decision in writing. If the complainant is dissatisfied with the decision, an appeal may be filed with the Board of Directors within seven calendar days of the date of the written decision of the General Manager or Board President. The Board of Directors will conduct a hearing on the complaint, and its decision will be final.
- 2.5.3 Confidentiality:** Nothing contained in this policy will be deemed to make any record public if the record is preempted from disclosure by Government Code Section 6254, or to require a public hearing or meeting that could otherwise be conducted as a closed session pursuant to Government Code Section 54956.
- 2.5.4 No Reprisals:** The General Manager or President of the Board will make every reasonable effort to assure that any person who files a complaint pursuant to this policy is not subject to reprisals denominated in Government Code Section 53928.

## 2.6 Safe Work Practices and Non-Violent Workplace

- 2.6.1 Safe Work Practices:** The District is committed to providing a safe work environment. Employees are expected to obey safety rules and follow safe work practices including use of ergonomic and other safety equipment.
- 2.6.2 Report of Unsafe Conditions:** Employees are expected to report any unsafe conditions or workplace hazards to their supervisor. Supervisors and managers will take all appropriate steps to identify, evaluate, and mitigate unsafe conditions or workplace hazards and train employees on safe work practices.
- 2.6.3 Reporting Injuries:** Work-related injuries should be reported to the employee's supervisor immediately. The supervisor will notify the District's human resources representative as soon as possible. Appropriate medical attention will be obtained if required through the employee's medical provider if previously designated. Worker's compensation insurance forms will be provided and shall be completed pursuant to policy 4.1.8 below.
- 2.6.4 Non Violent Workplace:** Acts of violence, whether threatened, gestured, or carried out will not be tolerated in the workplace. Anyone witnessing or becoming the subject of such behavior will immediately report it to their supervisor who will notify the District's human resources representative as soon as possible. Minimizing the threat of violence is a duty of all employees. Retaliation or the threat of retaliation against a person who reports such an incident is unlawful and will not be tolerated.
- 2.6.4.a Possession of Inappropriate Items in the Workplace:** Employees will not possess any of the following at work or in any work facility including parking

lots: Any firearm, explosive, fixed blade knife, folding knife with a blade over 3.5 inches, or any illegal weapon defined in Section 12020 of the California Penal Code.

**2.6.4.b Employee Procedure for Imminent or Actual Violent Act:** An employee who is in immediate apparent danger of a violent act, or another employee who witnesses a violent act or the threat of a violent act shall get in a safe location, inform a supervisor of the circumstances, and may call 911 and request the immediate response of a police officer. Employees are required to cooperate fully in any administrative or criminal investigation conducted of the circumstances.

**2.6.4.c Supervisor and Manager Responsibilities:** A supervisor who is informed of a violent act or the threat of a violent act at the workplace will, whenever possible, ensure the immediate safety of employees, call 911, and notify a District human resources representative. If feasible, the supervisor will have the involved individuals wait in separate rooms or locations until law enforcement or other appropriate authority arrives.

**2.6.5 Procedure for Concern of Future Violence:** Employees who have reason to believe they or another employee may be victimized by a violent act at the workplace sometime in the future must inform their supervisor so appropriate action may be taken. If an employee has signed and filed a restraining order against an individual who would be in violation of the order by coming near them at work, he or she shall immediately supply a copy of the signed order to their supervisor. The supervisor will provide the order to a District human resources representative. Appropriate District precautionary action will be developed in consultation with the employee.

## SECTION 3 RECRUITMENT AND SELECTION

### 3.1 Merit Service

The general policy of the District is to ensure the recruitment, selection, and hiring of regular employees in an open, competitive, and objective manner, and in a fully documented and timely fashion. The General Manager may establish exceptions to the competitive recruitment process under certain circumstances, including for temporary, emergency, or at will positions.

### 3.2 Recruitment and Application Process

**3.2.1 Recruitment:** The District may utilize any legitimate recruitment procedure for attracting qualified applicants for vacant positions. Recruitments may be open or may be limited to only District employees, depending on the District's needs. The General Manager may make appointments without going through a recruitment process when determined in the best interests of the District and consistent with a Merit System. All employees must meet the minimum employment standards for the classification to which appointed.

**3.2.2 Announcement and Recruitment Period:** The announcement of a vacant position may be publicized as appropriate, either within the District or to the public. Announced recruitments will be conducted in accordance with appropriate and valid equal employment opportunity guidelines. Recruitment may be conducted for a limited time period or may be continuous until the position is filled.

**3.2.3 Application Materials:** Unless otherwise announced, application for employment must be made on a Marin Transit Employment Application Form provided by the District. Information required will include education, experience, and other pertinent information that will help the District determine whether the applicant meets the minimum qualifications to successfully perform the essential job duties. Application materials may include reference and background checking, as well as written answers to supplemental questions. Materials must be signed by the applicant certifying that all statements contained therein are true and correct. All application materials become the property of the District. Final adjudication as to qualifications for a position rests with the General Manager in consultation with a District human resources representative.

**3.2.4 Disqualification:** The District may disqualify any applicant for any legitimate reason. An applicant has no right to appeal any such actions. The following are examples of reasons that may result in disqualification:

- a. The application is incomplete or improperly completed.
- b. The application indicates on its face that the applicant does not possess the minimum qualifications for the position.

- c. The applicant is unable to perform the essential functions of the position with or without reasonable accommodation.
- d. The applicant is currently using illegal drugs.
- e. The applicant has been convicted of a crime that may have an adverse impact on the applicant's ability to perform the job for which the applicant is applying.
- f. The applicant is not legally permitted to work within the United States.
- g. The applicant has made false statement of any material fact or has engaged in deception or fraud in making the application.
- h. The applicant is related by blood, marriage, domestic partnership, or marital type relationship to anyone in a direct supervisory hierarchy of the position applied for.
- i. Any material cause that would render the applicant unsuitable for the position, including a prior resignation or termination from the District, or a significant disciplinary action.
- j. The applicant is unable to provide proof of vaccination against the COVID-19 virus.

### 3.3 Selection

**3.3.1 Initial Selection Methods:** Any legitimate objective method to determine the relative capabilities of the applicants to perform the duties of the classification may be utilized. These include, but are not limited to, written tests, oral interviews, panel interviews, practical tests, and other assessment tools. The District may conduct the process itself or contract with any qualified organization or individual to prepare and/or administer selection processes. Specific results, scores, or strengths and weaknesses identified during the selection process will not be released except by the sole discretion of the General Manager.

**3.3.2 Final Selection:** One or more applicants may be invited to be considered further in the process following the initial selection process. The General Manager or his/her designee as appointing authority will interview the candidates based on job-related questions or other means such as exercises that provide candidates an equal opportunity to describe and demonstrate their qualifications. The General Manager or his/her designee as appointing authority may select any one of the most qualified applicants to fill the vacant position. Selection of any of the candidates is not required.

### 3.4 Appointment

**3.4.1 Background and Reference Checking:** Prior to an offer of employment, applicants may be required to supply references and to submit to a thorough background check.

**3.4.2 Pre-Employment Physical and/or Psychological Exam May be Required:** Following the selection process, and background and reference checking, a candidate may be offered conditional employment subject to satisfactory completion of a pre-employment physical examination, if required for the position, at the District's expense. This examination will be to determine their ability to physically and mentally perform the essential functions of the position with or without reasonable accommodation.

**3.4.3 Conditional Offer of Employment:** A formal conditional offer of employment may be made by the General Manager or his/her designee. The offer letter will include:

- a. The title of the position.
- b. The salary and benefits offered.
- c. The start date and work hours.
- d. The office and to whom the employee is to report.
- e. A statement that the offer is conditional upon satisfactory completion of a pre-employment physical, if required, as well as submission of evidence that the candidate is legally entitled to work in the United States. Resignation from current employment should not be finalized until this process is successfully completed.
- f. Information about the Introductory Work Period.
- g. If relevant, notice that with the offered position with the Marin County Transit District is at will employment and can be terminated at any time with or without cause.

## 3.5 Introductory Work Period

Beginning on the first day of employment, all new regular employees are provided a 180 day Introductory Work Period which is considered the final step in the examination and selection process. Employment may be terminated at any time during this period with or without cause. Completion of the introductory period does not guarantee continued employment and does not change the at-will nature of the employment relationship, if applicable.

**3.5.1 Purpose:** During this period, the employee and the supervisor evaluate employment suitability in terms of skill, knowledge, performance, and compatibility. New employees are encouraged to ask questions, seek information, and learn the expectations of the position as well as the personal conduct and interpersonal relationships required to be effective in the role. Supervisors provide close direction and provide the job description, orientation to the District culture and policies, and set performance goals. The supervisor will educate the employee about competencies required for success in the position, provide feedback regarding progress, and assess whether the employee meets the expectations of the position.

**3.5.2 Completion:** If the supervisor determines the employee's performance and conduct meets expectations, he or she will complete an Introductory Work Period performance review which includes performance and conduct goals for the next six months and establishes the annual performance evaluation period.

## **3.6 Reemployment**

An employee who resigns under positive circumstances may be eligible for reemployment within 60 days of resignation. Reemployment will be at the sole discretion of the General Manager. Salary and seniority will be treated as if the employee had been on a leave of absence. No leave balances with the exception of sick leave will be reinstated, but the employee will retain years of service credit for future leave accruals.

## SECTION 4      EMPLOYMENT PRACTICES

### 4.1    Salary and Benefits Administration, and Classification Plan

**4.1.1    Salary Ranges:** A salary range is established by the Board of Directors for each classification by approval of an Employment Compensation Framework upon the recommendation of the General Manager. Salary ranges are recommended for the purpose of maintaining quality public service, and will take into account the responsibility and difficulty of the work, the compensation needed to recruit effectively in the labor market, and other pertinent factors.

**4.1.2    Placement within Salary Range:**

**4.1.2.a      Salary upon Hire:** Initial placement within the salary range is determined by the General Manager based on the candidate's background and experience, the time expected to learn and fully meet job performance standards, and other business factors deemed relevant.

**4.1.2.b      Salary Increases within Range:** Salary adjustments may be approved by the General Manager based on meeting of performance and conduct standards, the current level within the range, and other business factors deemed relevant. Salary within the range will be reviewed at least once per year following performance review. Salary may not be paid above the maximum of the range established by the Board of Directors.

**4.1.2.c      Salary upon Promotion:** An employee promoted to a classification with a higher salary range will be placed within the higher salary range based on the same criteria as for initial hire above.

**4.1.2.d      Salary upon Temporary Promotion:** Employees are expected to perform some duties of a higher classification from time to time without additional compensation as part of their training and development and to meet the operational needs of the District. This includes filling in for routine absences such as conference attendance, vacations, and leave due to illness. If an employee is temporarily assigned to the full duties of a higher classification due to prolonged absence of the incumbent, or a vacancy in the higher classification, temporary placement within the salary range of the higher classification will be made, as determined by the General Manager. Upon completion of the temporary assignment, the employee will be reassigned to his or her regular classification and salary.

**4.1.2.e      Salary upon Demotion:** If an employee requests a voluntary demotion, or is demoted due to performance issues to a classification with a lower salary range, the employee will be placed within the salary range of the classification into which demoted as determined by the General Manager.

**4.1.2.f Salary upon Reclassification:** If an employee is reclassified to a classification with a higher salary range, the salary will be determined in the same manner as a promotion. If an employee is reclassified to a classification with a lower salary range, the employee will be placed within the salary range of the lower classification as close to the salary previously earned as possible without exceeding the salary for the new classification.

#### **4.1.3. Pay Schedules:**

**4.1.3.a Pay Periods and Payday:** The District payroll calendar consists of two pay periods monthly, the first from the 1<sup>st</sup> day to the 15<sup>th</sup> day of the month, and the second from the 16<sup>th</sup> day of the month to the end of the month. Corresponding paydays occur on the 22<sup>nd</sup> of the month and the 7<sup>th</sup> of the following month. If a normal payday falls on a weekend or holiday, the payday shifts to the next business day.

**4.1.3.b Timesheets:** Each employee must complete a timesheet and submit it to his or her supervisor no later than the last working day of the pay period. Timesheets are not final until approved by the supervisor.

**4.1.3.c Payroll Errors:** Any payroll error resulting in insufficient payment to an employee will be corrected and a supplemental check issued not later than five working days from the issuance of the first check or notice, whichever is later. If a payroll error results in overpayment to an employee, the District will collect the overpayment through payroll deduction or otherwise on a schedule determined by the District in consultation with the employee. Upon learning of overpayment or underpayment, an employee must immediately notify his or her supervisor.

**4.1.3.d Payment Upon Separation:** An employee leaving District employment will receive a final paycheck including earned salary, unused accrued vacation, and earned but unpaid overtime, on the payday for the pay period in which separation occurred, or within 72 hours of the effective date if the separation was for involuntary termination.

#### **4.1.4 Health Benefits:**

**4.1.4.a Eligibility:** Full time regular employees are eligible for full District contribution towards insurance and other benefits. A regular employee scheduled to work at least 90% of the basic workweek, or at least 36 hours per week, will be considered full time for benefit purposes. Regular part time employees are eligible to enroll in all health benefits if they work 20 hours or more per week. Employees working between 20 and 30 hours per week are eligible for one-half the District contribution towards medical insurance. Employees working between 30 and 36 hours per week are eligible for 75% of the District contribution towards medical insurance. Employees working 20 hours or more



are eligible for full District contribution to dental and vision insurance. Temporary employees are not eligible for benefits or District contribution.

- 4.1.4.b Medical Insurance:** The District provides medical insurance plans through the County of Marin. Employees may select from among the plans offered for themselves and their families. The District contributes up to the following amounts towards monthly premiums:

Employee only and Employee +1 dependent:

95% of employee +1 premium for base HMO plan (currently Kaiser Silver)

Employee + 2 or more dependents:

95% of employee +2 premium for base HMO plan (currently Kaiser Silver)

A different amount may be approved by the Board of Directors through an Employment Compensation Framework recommended by the General Manager.

An employee may waive medical insurance coverage through the District upon presentation of proof of equivalent creditable group coverage elsewhere, such as through a spouse's group coverage. Employees approved to waive medical insurance coverage may receive an amount equal to the employee only premium for the base HMO plan (currently Kaiser Silver) per month in lieu of the contribution towards insurance, or an amount approved by the Board of Directors through an Employment Compensation Framework as described above.

- 4.1.4.c Dental Insurance:** The District provides an employee dental insurance plan through the County of Marin. The District covers the premium for the dental insurance for employees and their eligible family members.

- 4.1.4.d Vision Insurance:** The District provides an employee vision insurance plan through the County of Marin. The District covers the premium for the vision insurance for employees and their families.

- 4.1.4.e Enrollment in Health Benefits:** Enrollment in medical, dental, and vision insurance is completed upon hire, and benefits begin the first of the following month. Open enrollment for medical insurance only is held annually, usually late in the calendar year. There is no annual open enrollment for dental or vision plans; newly acquired or newborn eligible dependents must be enrolled within 30 days of the date of hire or the qualifying event.

#### **4.1.5 Disability and Life Insurances:**

- 4.1.5.a Short Term Disability (SDI):** Employees of the District participate in State of California short term disability insurance (SDI). The insurance provides partial wage replacement to employees unable to perform their regular and customary

work because of a non-industrial physical or mental illness or injury. Contributions are as established by State law.

**4.1.5.b Long Term Disability (LTD):** The District provides long term disability income coverage to replace a portion of lost income if a regular employee has an injury or illness and is unable to work. After a waiting period of 90 days, the LTD program provides 66.67% of basic monthly earnings to a maximum of \$3,000 per month for a period of time.

**4.1.5.c Basic Life Insurance:** Employees are covered with \$10,000 of basic life and \$10,000 of accidental death and dismemberment insurance at District cost. Supplemental insurance may be purchased by employees as available.

#### **4.1.6 Transit Commute Benefit:**

All District employees receive transit free of charge on any Marin Transit route. To encourage additional public transit usage, employees may receive a subsidy of up to the federal IRS Section 132a allowance per month towards public transit to work. Application for the subsidy must be made on the Transit Benefit Enrollment Form obtained from a District designated human resources representative.

#### **4.1.7 Retirement Benefits:**

**4.1.7.a Social Security:** The District and all its employees participate in Social Security. Premiums are as set forth by federal law for employees and the District.

**4.1.7.b Defined Contribution Retirement Plan:** All regular employees working a minimum of 20 hours per week become vested in a 401(a) defined contribution retirement account upon completion of one year of service. The 401(a) plan is offered through the District's retirement plan provider. Contributions toward the plan for each employee are made by the District according to the following schedule, based on normal base salary or wage rate (not including vacation pay out, overtime, insurance contributions, etc.), to the limit of pensionable compensation defined by California State law:

Years of employment with the District completed	Amount of District Contribution
0 through 2 years	10%
Over 2 years through 4 years	13%
Over 4 years	15%.

Percentage amounts are not vested and may be revised by the Board of Directors through an Employment Compensation Framework as recommended by the General Manager.

**4.1.7.c Deferred Compensation Plan:** Regular employees are eligible to participate in a deferred compensation plan (457 Plan) administered by the District's retirement plan provider. The 457 Plan enables employees to make voluntary contributions

of salary on a pre-tax basis into the plan each pay period up to an annual contribution limit established by federal law.

- 4.1.7.d Education and Options:** Employees may access education workshops, participant-directed accounts, optional automatic asset rebalancing features, web-based secure communication, and the services of a local retirement specialist through the District's retirement plan provider for help in managing their 401(a) and 457 retirement plans.

#### **4.1.8 Worker's Compensation Insurance Benefit:**

All employees are entitled to worker's compensation insurance benefits if injured or made ill arising out of or in the course of work. Employees are eligible to receive workers' compensation insurance benefits if the claim is declared compensable under the California workers' compensation laws. Payment of job-incurred disability leave will be at the amount as set forth under State law.

- 4.1.8.a Procedures and Responsibilities:** In the event of a work-related injury, the General Manager or his/her designee will provide the employee an "Employee's Claim for Worker's Compensation Benefit and Notice of Potential Eligibility for Benefits" form within one working day of learning of a work-related injury. The District will complete the "Employer's Report of Occupational Injury or Illness" form within five working days of learning of the employee's injury and send the form to the District's worker's compensation insurance carrier.
- 4.1.8.b Obtaining Forms:** Forms required to be submitted will be obtained from a District-designated human resources Representative.
- 4.1.8.c Notice of Coverage:** Employees will be provided notice of their worker's compensation benefit coverage during their first month of employment, including the employee's right to designate his/her primary physician as their initial physician.
- 4.1.8.d Return to Work if Absent on Workers' Compensation Leave:** The District may require the employee to provide medical certification that he or she is physically able to perform the duties of the position with or without reasonable accommodation in order to return to work following job-incurred disability leave.

#### **4.1.9 Classification Plan:**

A classification plan for positions in the District will be maintained and will serve as the foundation for examination and selection, compensation, training, promotion, demotion, reduction in force, re-employment, and other related decisions. Classifications will be designed as broadly as possible to retain flexibility in assignment and provide the fewest classifications necessary. Several positions may be allocated to one classification.

- 4.1.9.a Classification Specifications:** Written classification specifications will be developed and maintained and all positions will be allocated to a classification based on similarity of duties, responsibilities, and employment standards. Initial class specifications and significant changes that could impact compensation will be recommended by the General Manager for approval by the Board of Directors.
- 4.1.9.b Content of Classification Specifications:** The classification specification will include the classification title, general level of responsibility and authority, essential and typical duties and responsibilities, working conditions, and the minimum employment standards required for success in the position. Employment standards include knowledge and skill, education, licensure, related experience and background, and the physical and mental abilities required to perform the essential functions.
- 4.1.9.c Modifications to Classification Specifications:** Class specifications will be modified or updated as needed to accurately reflect and identify the position and its standards of employment. There is no change in the compensation level required with a title or specification change.
- 4.1.9.d Class Specifications not Restrictive:** Class specifications will not be construed as a declaration of all duties and responsibilities, as a statement that the duties and responsibilities will not be changed, or that the temporary assignments of other duties and responsibilities may not be made. The District maintains the right to assign, direct and control the work of employees and class specifications in no way interfere with this right.
- 4.1.9.e Reclassification:** In the event that a job has significantly changed in duties and responsibilities over time such that the classification specification no longer describes the position, a position reclassification may be recommended by the appointing authority and approved by the Board of Directors.

#### **4.1.10 Reduction in Force:**

In the event it becomes necessary to modify workforce staffing levels due to lack of work or funds, layoff decisions will be made based on position and at the sole discretion of the General Manager taking into account agency priorities, funding availability, and/or work responsibilities.

## **4.2 Work Hours, Work Schedules, and Overtime Practices**

- 4.2.1 Workweek:** The basic workweek for full time employees will be 40 hours per week, in a 7 day period. The workweek will begin at 12:01 a.m. each Monday and end at 12:00 midnight the following Sunday.
- 4.2.2 Work Schedule:** Employees designated as management and professional employees shall work any and all hours necessary to perform their assigned duties, without overtime. Otherwise, typically, the regular full time work schedule will be 8 hours per day, 5 days per week and may

include weekends and holidays. Employees working fewer than 40 hours per week will be considered part-time employees except that employees regularly working 36 – 39 hours per week are considered full time for health benefit purposes. The District will establish and may modify regular work schedules for its employees.

- 4.2.3 Rest Periods:** Unless otherwise established by the General Manager for a particular employee, employees in a non-exempt classification will have a 15 minute rest period in each four hour work period. Rest periods may not be combined or used to shorten the workday.
- 4.2.4 Meal Period:** Unless otherwise established by the General Manager for a particular employee, full-time employees in a non-exempt classification will receive a one half or one hour meal period daily that is not compensable. During the meal period, the employee will be relieved of duties. If the employee is authorized in advance and performs work during the meal period, the employee will be compensated for the time worked. Unless authorized in advance, meal periods may not be used to shorten the workday.
- 4.2.5 Overtime Practices:** The District complies with the Fair Labor Standards Act (FLSA) in all its pay practices, and overtime shall be defined and compensated for in accordance with the appropriate FLSA designation of the classification of the employee.
- 4.2.5.a FLSA Exempt:** Those employees who work in professional, executive, or administrative capacities are designated as exempt employees. Their hours of work are those required to accomplish the work, and they are not entitled to overtime compensation.
- 4.2.5.b Overtime Required:** Non-exempt employees may be required to work overtime. Overtime is defined as assigned work over 40 hours worked in a workweek. Overtime will be compensated at the rate of 1 ½ time the employee's regular rate of pay. Except when necessary to address an emergency or special circumstances, employees may not work outside of regularly scheduled working hours or during unpaid meal periods without prior authorization. In such an event, employees shall report overtime work as soon as possible after the work is performed.
- 4.2.5.c Compensatory Time:** The General Manager may at his/her discretion approve overtime compensation for non-exempt employees in the form of compensatory time off at the rate of time and one-half. An employee may accrue up to 40 hours of compensatory time. Compensatory time not used within the fiscal year in which it was accrued may be paid off at the discretion of the General Manager.
- 4.2.6 Alternative or Flexible Work Schedules:** The General Manager may establish alternative work schedules or flexible work schedules provided the work schedule is beneficial to the District. All leaves will continue to accrue and be compensated at the rate of 8 hours per day for a full-time employee regardless of an alternative or flexible work schedule.

## 4.3 Performance Planning and Review

**4.3.1 Purpose:** The purposes of the performance planning and review process are to:

- align employee work performance and behaviors with District goals,
- prioritize key work and behavioral expectations for the period,
- identify and record accomplishments and contributions,
- determine need and plan for training or development activities that would improve performance or help prepare employee for advancement; and
- provide work performance feedback.

The process provides the framework for employees and their supervisors to engage in an ongoing and constructive conversation about the employee's role and impact in achieving organizational goals. The process also includes training and development goals and plans that will improve or enhance the knowledge, skills, and abilities of the employee.

**4.3.2 Timing:** Planning and evaluation will occur at least annually on a schedule determined by the District. Performance planning occurs at the beginning of the annual period. Following evaluation discussions at the conclusion of the annual period, written forms will generally be completed within thirty days. Once the review is completed, performance planning for the new annual period will be conducted.

**4.3.2 Performance Planning:** At the beginning of the annual evaluation period, the supervisor and employee will meet to clarify the purpose of the job, set expectations for the year for work behaviors, determine outcomes and planned accomplishments, and discuss how these will contribute to the achievement of District goals. Developmental goals to further the employee's success in the job will also be set. District performance planning forms will be used for preparing for and documenting the discussion.

**4.3.3 Ongoing Review:** Feedback throughout the year, whether about positive behavior and good performance or about behaviors or performance that requires improvement, will be provided. This includes when unplanned assignments arise, coaching is needed, and projects are completed, and/or during regularly scheduled meetings between the supervisor and employee. Employees are encouraged to request guidance and feedback to assist them in achieving the highest performance and demonstrating appropriate workplace behavior.

**4.3.4 Annual Review:** A performance review will be conducted at the end of the annual work period based on the performance plan and feedback throughout the year. The appraisal will be recorded in a written performance review on an approved District form. The written review will provide documentation of work achievements, accomplishments, and contributions, as well as work behaviors that contributed to organizational effectiveness. The review will include, if needed, documentation of performance deficiencies that need improvement and a plan for improvement.

- 4.3.5 Performance Improvement Plan:** If a plan is developed and provided to improve performance or work behaviors, such plan is part of the annual review and is not considered disciplinary action.
- 4.3.6 Employee Response to Annual Review:** The employee's signature on the written performance review indicates receipt. The employee may prepare and submit a written response to his or her supervisor, if desired, within five work days of signing the evaluation. There is no further means of challenging or appealing a performance evaluation.
- 4.3.7 Record of Written Review:** The completed written annual performance review will be forwarded to District management and then filed in the employee's official personnel file. If the employee files a written response, it will be forwarded along with the evaluation and then placed with the written review in the employee's official personnel file.

## 4.4 Employee Discipline

- 4.4.1 Employee Discipline Policy:** Employment in the Marin County Transit District requires appropriate and disciplined behavior and competent service including compliance with all District policies and procedures. Regular employees shall only be disciplined for cause, and in accordance with these Personnel Policies and Procedures.
- 4.4.2 Types of Disciplinary Actions:** The General Manager or his/her designated management employee may invoke disciplinary action for a violation of a policy or practice and may impose any of the following types of disciplinary action: oral warning, written warning, suspension without pay, reduction in compensation, demotion, or dismissal.
- **Oral Warning:** A formal discussion with an employee, usually by the employee's immediate supervisor, about performance or conduct problems, the need for the employee to improve, what specific improvement is expected, and the further consequences if improvement is not made.
  - **Written Warning:** A formal written notice to an employee, usually by the employee's immediate supervisor, regarding performance or conduct problems, the need for the employee to improve, what specific improvement is expected, a statement of any prior disciplinary action, and the further consequences if improvement is not made.
  - **Suspension:** Removal of an employee from duty without pay for a specific period of time. Written notification will be provided, including the issue and policy violation and proposed discipline, and the employee will have the opportunity to respond. The employee may respond to the proposed discipline either verbally or in writing within ten working days from the date of the notification. The employee may have a representative present if the employee desires to respond verbally. For suspension of six days or longer, the employee may file an appeal pursuant to Section 4.4.6 in lieu of filing a response.

- **Reduction in Compensation:** A reduction in pay from the employee's current pay to a lower pay within the salary range for the employee's classification. Written notification will be provided, including the issue and policy violation and proposed discipline, and the employee will have the opportunity to respond. The employee may respond to the proposed discipline either verbally or in writing within ten working days from the date of the notification. The employee may have a representative present if the employee desires to respond verbally. In lieu of filing a response, the employee may file an appeal pursuant to Section 4.4.6.
- **Demotion:** A reduction from the employee's current classification to a classification with a lower salary range and lesser duties and responsibilities. Written notification will be provided, including the issue and policy violation and proposed discipline, and the employee will have the opportunity to respond. The employee may respond to the proposed discipline either verbally or in writing within ten working days from the date of the notification. The employee may have a representative present if the employee desires to respond verbally. In lieu of filing a response, the employee may file an appeal pursuant to Section 4.4.6.
- **Dismissal:** Separation from employment of an employee by written notification will be provided, including the issue and policy violation and proposed discipline, and the employee will have the opportunity to respond. The employee may respond to the proposed discipline either verbally or in writing within ten working days from the date of the notification. The employee may have a representative present if the employee desires to respond verbally. In lieu of filing a response, the employee may file an appeal pursuant to Section 4.4.6.

**4.4.3 Grounds for Disciplinary Action:** Causes that will be deemed sufficient for disciplinary action may include, but are not limited to:

- a. Misstatements or omission of fact in completion of the employment application.
- b. Furnishing knowingly false information in the course of the employee's duties and responsibilities; dishonesty.
- c. Inability to comply with the minimum standards of performance.
- d. Inefficiency, carelessness, or negligence in the performance of duties.
- e. Violation of any of the provisions of these Personnel Policies and Procedures.
- f. Disobedience to proper authority, refusal or failure to perform assigned work, comply with a lawful order, or accept an assignment from an authorized supervisor; insubordination.
- g. Conviction of a felony or misdemeanor involving moral turpitude, or a violation of a federal, state, or local law that negatively impacts the employee's ability to perform his or her job or brings discredit to the District.
- h. Unauthorized absence without leave, failure to report after leave of absence has expired or after a requested leave of absence has been disapproved, or any other unauthorized absence from work.



- i. Theft of or willful damage to District equipment, supplies, or property.
- j. Discourteous, offensive, or abusive treatment of the public or other employees.
- k. Being under the influence of an intoxicating beverage or non-prescription drug or prescription drug not authorized by the employee's physician while on duty or on work property.
- l. Failure to obtain and/or maintain minimum qualifications for a position, including licenses or certificates.
- m. Engaging in outside employment that conflicts with an employee's responsibilities or without proper authorization.
- n. Acceptance, from any source, of a reward, gift, or other form of remuneration in addition to regular compensation to an employee for the performance of his or her official duties.
- o. Political activity while on duty, during working hours, or in District uniform or representing oneself as a District employee.
- p. Tampering in any way with a District recruitment or examination process or attempting to influence any applicant for employment.
- q. Any other conduct deemed of sufficient gravity as determined by the General Manager.

**4.4.4 Employee Review:** When requested, employees will be given an opportunity to review the documents or materials upon which the proposed disciplinary action is based.

**4.4.5 Immediate Action:** The General Manager may place an employee on immediate suspension or administrative leave with or without pay pending an investigation in order to determine if disciplinary action is to be taken.

**4.4.6 Right of Appeal:** Regular employees have the right to appeal a disciplinary action except in those instances where the right of appeal is specifically prohibited by these policies and procedures, and for those designated as at-will employees. Employees may, within seven days after receiving the written disciplinary action, file a written appeal with the District's Personnel Commission, which shall be made up of the District's Board of Directors. Within 20 days from the filing of the appeal the Personnel Commission will hold a hearing and either affirm, modify, or revoke the disciplinary action. The appellant may appear personally, produce evidence, and have counsel and a public hearing. The findings and decision of the Personnel Commission will be transmitted to the General Manager for enforcement.

**4.4.7 Discipline of an Exempt Employee:** Pursuant to the Fair Labor Standards Act, with the exception of a violation of a major safety rule or standard of conduct, exempt employees will not be suspended for less than a full work week, nor be temporarily demoted, nor temporarily have their pay reduced.

## 4.5 Leaves of Absence

**4.5.1 General Leave Provisions:** Employees are expected to be at work at their scheduled times. To ensure accountability and the integrity of public service, all employees are expected to account for their absences from work. Leave time is chargeable in increments of ¼ hour.

**4.5.1.a Leave Approval:** Leaves are subject to approval by the supervisor or manager and scheduled in advance whenever possible and with due regard for service needs.

**4.5.1.b Leave Accounting:** The District may employ any reasonable measure to ensure employees are properly accounting for leaves, including requiring reasonable proof that the basis for leave is legitimate. Employees may be required to submit a medical certification of sickness supporting a request for sick leave. The District may require a fitness-for-duty certification from any employee returning from medical leave.

**4.5.1.c Leave Accruals:** Leave benefits accrue to regular employees based on hours in paid status. No leaves will accrue when an employee is on an unpaid leave. All leaves are accrued and paid based on an 8 hour day maximum. Regular part time employees accrue leaves on a pro-rata basis.

**4.5.2 Types of Leave:** The Marin County Transit District provides the following types of leave - administrative leave, bereavement leave, holidays, jury duty, leave of absence without pay, military leave (including military family leave), pregnancy disability leave and parental leave, sick leave, school leave, vacation, and voting leave. The District also provides accommodation for lactating mothers, and family and medical leave.

**4.5.3 Administrative Leave:** A paid administrative leave benefit is provided annually on July 1. Two days (16 hours) are provided to all employees; an additional three days (24 hours) are provided to employees designated by the Board of Directors as management employees. Administrative leave does not accrue from year to year and, if not used, is forfeited. Other administrative leave, paid or unpaid, may be granted by the General Manager, as appropriate, to address administrative issues.

**4.5.4 Bereavement Leave:** Bereavement leave is leave with pay up to three (3) consecutive working days that may be granted in the case of the death of an employee's parent, spouse, domestic partner, sibling, son, daughter, grandparent, or in-law. The General Manager may grant an employee bereavement leave for a person whose relationship is essentially similar to the aforesaid relationships.

**4.5.5 Holidays:** Regular employees are granted the following holidays with pay, provided they are on paid status the day before and the day after the holiday:

- New Year's Day (January 1<sup>st</sup>)
- Martin Luther King Jr. Day (third Monday in January)
- President's Day (third Monday in February)
- Memorial Day (last Monday in May)
- Juneteenth (June 19<sup>th</sup>)
- Independence Day (July 4<sup>th</sup>)
- Labor Day (first Monday in September)
- Veteran's Day (as designated)
- Thanksgiving Day (as designated)
- Friday immediately following Thanksgiving Day
- ½ day on Christmas Eve
- Christmas Day (December 25<sup>th</sup>)

**4.5.5.a Weekend Holidays:** If a holiday falls on a Saturday or Sunday, the Friday preceding a Saturday holiday or the Monday following a Sunday holiday will be deemed the holiday unless otherwise specified by the General Manager.

**4.5.6 Jury Duty:** An employee who is summoned and required to serve as a trial juror is entitled to be absent from the District as needed to provide such service. Regular employees will be paid their regular salary and will either waive or remit to the District all jury fees except those specifically allocated for mileage and expenses.

**4.5.6.a Notification of Jury Summons:** Any employee summoned for jury duty must immediately notify his or her supervisor.

**4.5.6.b Jury Duty Schedule:** Employees must notify their supervisor daily regarding jury duty hours. Where courts have call-in procedures to determine days and hours of service, employees must take advantage of these procedures. If an employee is told by the court not to report, is dismissed, or is told to call in the next day, the employee must report to work.

**4.5.6.c Witness Leave:** An employee subpoenaed to appear in court in a matter unrelated to his/her official capacity, or who is appearing in court in a matter initiated by the employee, shall be permitted time off without pay or use of accrued vacation or administrative leave time but will not be granted jury duty pay.

- 4.5.7 Leave of Absence Without Pay:** The General Manager may grant a request for unpaid leave of absence for up to three months to a regular employee upon a written request setting forth the reason for the request. The General Manager may, at his/her sole discretion, grant or deny a request and may require all applicable paid leaves be exhausted prior to commencement of an unpaid leave. Failure of an employee on leave to report to work promptly at the leave's expiration without request and approval for an extension, in writing, shall constitute voluntary resignation by the employee.
- 4.5.8 Military Leave:** The District grants military leave consistent with the provisions of state and federal law.
- 4.5.8.a** Any employee who is a member of the reserve corps of the Armed Forces of the United States, the National Guard, or the Naval Militia is entitled to temporary military leave of absence while engaged in ordered military duty, providing that the period of ordered duty does not exceed 180 calendar days, including time to and from that duty.
- 4.5.8.b Salary and Retirement:** If such employee has been employed by the District for not less than one full year, whether on temporary or active duty, he or she will receive full salary for the first 30 calendar days of such absence in any fiscal year. As required by law, leave accruals and other seniority-related benefits will continue during paid military leave and contributions as appropriate will be made under the District's retirement plan.
- 4.5.8.c Health Insurance:** Employees on military leave have the option to continue health, dental, and vision insurance as follows - If the leave is less than 31 days, the District will pay its share and the employee his/her share of the insurance premiums. If the leave is greater than 31 days, the employee must pay 102% of the full cost of the premiums.
- 4.5.8.d Reinstatement:** Employees will be granted reinstatement to their former position upon the termination of temporary military duty, subject to the provisions of the law.
- 4.5.9 Pregnancy Disability Leave:** Any female employee who is physically unable to work because of pregnancy, childbirth, or a related medical condition, is entitled to up to four months of pregnancy disability leave. The leave may be used at one time or on an as-needed basis. The employee is designated to be on Family Medical Leave upon the commencement of Pregnancy Disability Leave.
- 4.5.9.a Basis of Leave:** Pregnancy Disability Leave is for any period(s) of actual disability caused by pregnancy, childbirth, or related medical conditions. Time needed for prenatal care, severe morning sickness, doctor-ordered bed rest, childbirth, and recovery from child birth, are all conditions covered by this leave.

- 4.5.9.b Notice of Need for Leave and Return from Leave:** If possible, an employee must provide the District at least 30 days' advanced notice of the date for which the Pregnancy Disability Leave is sought. If 30 days' notice is not possible due to a change in circumstances or a medical emergency, notice must be given as soon as is practical. If a woman is able to return earlier than agreed, she will be reinstated within two business days of notice provided to the District.
- 4.5.9.c Use of Paid Leave Benefits:** Pregnancy Disability Leave is unpaid. However, employees must use accrued sick leave prior to commencing unpaid leave. Employees may also use accrued vacation or administrative leave during Pregnancy Disability Leave.
- 4.5.9.d Reasonable Accommodation if Requested:** An employee may request reasonable accommodation upon written advice from her doctor, and the accommodation will be provided if possible, including transfer to a less strenuous or hazardous position for the duration of the pregnancy.
- 4.5.9.e Parental Leave:** After the employee's pregnancy disability ends, she may be eligible for parental leave to care for and bond with the newborn, pursuant to the California Family Rights Act (CFRA) as outlined in the Family and Medical Leave policy at the end of this section.
- 4.5.10<sup>1</sup> Sick Leave:** Sick leave is leave from work, with pay, which may be granted to an employee because of bona fide illness or injury to the employee, to a family member or domestic partner, or for medical appointments to the extent such appointment(s) cannot be scheduled outside the work day.
- 4.5.10.a Eligibility for Sick Leave:** Regular employees are entitled to earn sick leave. Regular part-time employees and temporary earn sick leave on a pro-rata basis.
- 4.5.10.b Accrual of Sick Leave:** 12 days (96 hours) accrue annually in the first two years of employment (pro-rata rate of .0462 hours per hour worked). At the beginning of the third year of employment, and every year thereafter, nine days (72 hours) accrue (pro-rata rate of .0346 hours per hour worked). Unused sick leave may accrue without limit. An employee does not receive payment of unused accumulated sick leave upon separation from employment or retirement.
- 4.5.10.c Employee Sick Leave Use:** When an employee is unable to come to work because of bona fide injury or illness, he or she may use sick leave up to the total number of hours accumulated. The employee may be required to submit a physician's certificate or other evidence of illness or injury and/or fitness to return to work.

---

<sup>1</sup> Revised 7/1/2015

- 4.5.10.d Sick Leave Use for Family:** Employees are entitled to use up to one-half of the employee's annual sick leave accrual to attend to the illness of a spouse, domestic partner, parent, or child. Additional sick leave may be authorized to be used on a case by case basis.
- 4.5.10.e Notification of Illness or Injury Preventing Work Attendance:** When an employee is unable to report for duty due to the employee's own illness or that of a designated family member, the employee must notify his/her supervisor as soon as possible, but no later than the beginning of the work period, to report the intended use of sick leave and the reason for the absence.
- 4.5.10.f Sick Leave Use for Industrial Injury:** Employees are entitled to use sick leave to supplement Worker's Compensation temporary disability payments for a bona fide occupational injury.
- 4.5.11 School Leave:** Pursuant to California Education Code Section 48900.1, if the teacher of an employee's child requests the parent's presence at school for a portion of a school day, the employee must give reasonable notice of such request to his or her supervisor. In such an event, the employee will be provided time off without pay, or may use existing vacation, administrative leave, or compensatory time.
- 4.5.12 Vacation:** All regular employees are entitled to accrue vacation leave. Regular employees employed on a part-time basis accrue vacation leave on a pro-rata basis.
- 4.5.12.a Vacation Leave Accrual:** Upon commencement of employment with the District, employees accrue vacation at the rate of 10 days (80 hours) per year. Upon commencement of the third consecutive year of employment, employees accrue vacation at the rate of 15 days (120 hours) per year. Upon commencement of tenth consecutive year of employment, employees accrue vacation at the rate of 20 days (160 hours) per year. No vacation accrues during an unpaid leave of absence.
- 4.5.12.b Vacation Leave Use:** Use of vacation leave requires a written request as far in advance as possible, and may be authorized up to the number of days accrued, subject to the maintenance of a minimum required workforce, peak workload coverage, and public service standards.
- 4.5.12.c Limits in Accrual of Vacation Leave:** Employees are encouraged to request and use vacation for their wellbeing and recreation. Accrued vacation balances in excess of three times the annual accrual rate will be paid to the employee in lieu of vacation on the last pay period of the fiscal year.
- 4.5.12.d Unused Vacation Upon Separation:** An employee who separates employment with the District, and has accrued unused vacation leave, will be paid for the remaining vacation leave with the final paycheck.

**4.5.13 Voting Leave:** If an employee is a registered voter and does not have sufficient time outside of working hours to vote in a statewide election, the employee may, without loss of pay, take time off with pay at the beginning or end of the work day in order to vote. In no event will this time be greater than two hours. The employee must provide at least two days' notice to his or her supervisor if he/she requires time off to vote.

**4.5.14 Lactation Accommodation:** Reasonable amount of break time will be provided to an employee desiring to express breast milk for her infant child. The break time will, if possible, run concurrently with break time already provided. If not, the break time will be unpaid unless other applicable paid leaves are available to the employee. The District will provide the use of a private location close to the employee's work area for this break, and will provide refrigeration, if possible, to store expressed milk.

**4.5.15 Family and Medical Leave:** Family and Medical Leave is provided pursuant to the Family and Medical Leave Act and the California Family Rights Act. It is a leave of absence taken for any of the following purposes:

- Newborn Children, Adoption, Foster Care – in order to care for and bond with a newborn son or daughter, or for placement of and bonding with an adopted or foster child of the employee;
- Covered Family Member's Serious Health Condition – in order to care for a spouse, domestic partner, child, or parent with a serious health condition;
- Employee's Own Serious Health Condition – because of a serious health condition that makes the employee unable to perform the functions of the employee's position;
- Military Qualifying Exigency Leave – necessary leave that arises from the employee's spouse, son, daughter, or parent being a covered military member on active duty or notified of an impending call or order to active duty;
- Military Caregiver Leave – leave for up to 26 workweeks in a single 12-month period to care for a spouse, child, parent, or next of kin who is a covered service member with a serious injury or illness.

Family and Medical Leave is unpaid but runs concurrently with applicable paid leaves.

**4.5.15.a Eligibility for Family and Medical Leave:** In order to qualify, the employee must have been employed by the District for 12 months, and have actually worked at least 1,250 hours during the 12 month period immediately before the date when the leave begins.

**4.5.15.b Amount of Leave:** Eligible employees are entitled to up to a total of 12 work weeks of leave during a 12 month period, calculated as a rolling 12 month period measured backward from the date leave is taken and continuous with each additional leave day taken. For eligible part-time employees, the number of working days that constitute 12 weeks is calculated on a pro-rata basis. The

following exceptions apply, in addition to Military Caregiver Leave noted above:

- 4.5.15.b.1 Special Duration of Leave for Birth, Adoption, or Foster Placement:** If leave is requested for the birth, adoption, or foster care placement of a child of the employee, the leave must be concluded within the first year of the birth or placement. In addition, the minimum duration of such leave is two weeks except that an employee is entitled to leave for this purpose for at least one day but less than two weeks duration on up to two occasions. Finally, if both spouses or both domestic partners are employed by the District and eligible for leave, the aggregate number of work weeks of leave between the two is 12 weeks if leave is taken for the birth or placement for adoption or foster care.
- 4.5.15.b.2 Intermittent Leave for Serious Health Condition:** Provided medical certification is provided that such leave is medically necessary, leave may be provided on an intermittent basis (a few days or few hours at a time) or on a reduced work schedule to care for an immediate family member with a serious health condition or for medically required treatment for oneself.
- 4.5.15.c Concurrent Leaves:** Employee's accrued sick leave will be used to the extent applicable to a Family and Medical Leave. Unless otherwise authorized by the General Manager, other accrued leave must be used prior to the employee going on unpaid status. Therefore, all accrued paid leaves available to the employee will run concurrently with Family and Medical Leave. If an employee takes a leave of absence for any reason that is FMLA/CFRA qualifying, that leave is designated by the District as FMLA/CFRA leave.
- 4.5.15.d Benefits While on Leave:** While on Family and Medical Leave, whether on paid or unpaid status, employees will continue to be covered by health, dental, and vision insurance to the same extent that coverage is provided while the employee is on paid status.
- 4.5.15.e Definitions:**
- Child means a child under the age of 18 years of age, or older if incapable of self-care because of a mental or physical disability. The child must be one for whom the employee has actual day-to-day responsibility for care and includes a biological, adopted, foster or step-child, or a child of a person standing as legal guardian.
  - Parent means the biological parent of an employee or an individual who stood in loco parentis to the employee when the employee was a child.
  - Spouse means a partner to whom the employee is legally married.
  - Domestic Partner is defined under California Family Code section 297.



- Serious Health Condition means an illness, injury, impairment, or physical or mental condition that involves any of the following:
  - a. Inpatient care in the hospital, hospice, or residential medical care facility,
  - b. Continuing treatment by a health care provider for reasons of:
    1. a period of incapacity (inability to work or perform other regular daily activities due to serious health condition) for more than 3 consecutive days,
    2. a period of incapacity due to pregnancy or for prenatal care,
    3. treatment regimen for incapacity due to a serious health condition,
    4. permanent or long term incapacity due to a condition for which treatment may not be active but that is under the continuing supervision of a health care provider, or
    5. a period of absence to receive multiple treatments, including a period of recovery incapacity.
  
- Health Care Provider is as defined in the FMLA and includes a licensed doctor of medicine or osteopathy who directly treats or supervises treatment of a serious health condition; podiatrist, dentist, clinical psychologist, optometrist, or chiropractor; nurse practitioner, nurse midwife and clinical social worker; and Christian Science practitioner.

**4.5.15.f Application for Family and Medical Leave:** Employees are required to give as much notice as possible of their need for leave. If leave is foreseeable, at least 30 days' notice is required. If the leave is for the serious health condition of the employee, the employee must provide medical certification including a statement that the employee is unable to work at all or is unable to perform the essential functions of the job. If intermittent leave is requested, the medical certification must state that such intermittent leave is medically necessary. If the leave is for a qualified family member, written certification must be provided from the health care provider of the individual requiring care.

## 4.6 Personnel Records and Files

- 4.6.1 Official Personnel File:** The District will maintain an official personnel file for each of its employees. A personnel file will contain material that is necessary and relevant for the administration of human resources and the employee-employer relationship. The employee will have received or provided all information contained in the personnel file. Personnel files are the property of the District and access to the information they contain is restricted. Employee medical information will not be contained in the official personnel file.
- 4.6.2 Confidential Personnel File:** The District will maintain a confidential personnel file for each of its employees separate from the official personnel file in which any individually identifiable information regarding an employee's medical history, mental or physical condition, or treatment will be stored. This includes information obtained from pre-employment medical examinations,

fitness for duty evaluations, workers compensation claims, verification of disability status, and drug and alcohol testing reports. Access to the information contained is restricted. Managers may only be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations. The District will release medical information only with the employee's written authorization.

**4.6.3 Inspection of Personnel Files:** Personnel files will be made available for inspection by employees within a reasonable time after an employee's request. Inspection will be conducted in the presence of a management employee or District designated human resources representative. Upon request, employees may obtain copies of the materials subject to inspection. The District may preclude inspection of certain information in accordance with law, such as background and other pre-employment information, and materials relating to confidential investigations.

**4.6.4 Employee Data:** Employees must ensure that the District is apprised of their current address and personal phone numbers and that all legally required documentation is kept up to date and on file in their personnel file and employee records. Changes in marital status, birth, or death or any changes that affect benefits must also be communicated to the District within 30 days of the qualifying event.

**4.6.5 Requests for References and Release of Information in Personnel Files:** All requests for verification of employment or for reference checks concerning any current or former employee will be granted only with the employee's written consent to release the information. No such consent is needed for release of the following limited information, however: job title, dates of employment, and salary upon departure or current salary range. Response to reference checks will be made only by the General Manager or his/her specific designee.

**4.6.6 Supervisor's Working Folder:** In order to provide the highest quality feedback and to remember occurrences and situations relevant to job performance, supervisors are encouraged to maintain notes about employee performance throughout the year. This information, exclusively for the use of the supervisor in the performance of his or her responsibilities, is not available to be viewed by employees. The information will be maintained in a secure and confidential manner.

## 4.7 Grievance Procedure

**4.7.1 Definition and Purpose:** A grievance is a dispute involving the interpretation, application, or alleged violation of a specific express term of these policies. The grievance procedure provides a systematic way in which an employee may obtain consideration of a grievance and ensures that every reasonable effort can be made to resolve problems as soon as possible.

**4.7.2 Exclusions:** The following are excluded from the definition of a grievance: requests for changes in wages, hours, and working conditions; the content of performance reviews; reclassifications, layoffs, transfers, and denials of reinstatement; the selection and examination process; disciplinary actions or terminations.

**4.7.3 Informal Grievance:** Within five working days of the occurrence of the act causing the basis for the grievance, an employee will bring his or her grievance to the attention of the immediate supervisor for resolution. Presentation of an informal grievance is a prerequisite for proceeding further in this process.

**4.7.4 Formal Grievance:** If the employee believes the informal grievance has not been resolved, within 14 calendar days of the meeting he or she may initiate a formal grievance. The formal grievance must be submitted in writing to the General Manager. Failure to file within this time period shall constitute a waiver of the right to proceed. The formal grievance must contain the following information:

- Name and classification of the grievant.
- A clear statement of the nature of the grievance, including the date and location of the occurrence of the action giving rise to the grievance.
- The specific policy alleged to have been violated.
- The date upon which the informal discussion with the supervisor took place.
- The remedy requested.
- The date the formal grievance is being submitted.
- The signature of the grievant.
- The name of a representative if the grievant wishes to have a representative in the formal grievance process.

**4.7.5 Response to Formal Grievance:** Within three calendar weeks after a formal grievance is filed, the General Manager or his or her designee will investigate the grievance and provide a decision. If longer time is required, the General Manager will so inform the grievant within the three calendar weeks. At the General Manager's discretion an informal hearing or meeting involving one or both parties to the dispute may be conducted. The decision of the General Manager is binding.

**4.7.6 No Amendments:** There will be no amendments of a grievance from one step to the next without the approval in writing of both parties.

**4.7.7 No Retaliation:** Employees will not be penalized or retaliated against in any way for using the grievance procedure or for testifying as a witness in a grievance proceeding.

## **4.8 Reasonable Accommodation**

**4.8.1 General:** The District is committed to the fair and equal employment of people with disabilities. The District will reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship on the District. In general, it is the responsibility of the person with a disability to notify the District that a reasonable accommodation is needed. The District will also provide reasonable accommodation to employees who are victims of domestic violence, sexual assault, or stalking to ensure their safety at work. The District will engage in a timely, good faith, interactive process with qualified employees requesting accommodation in order to determine appropriate and reasonable accommodation if possible.

#### **4.8.2 Process for Requesting Reasonable Accommodation for a Disability**

4.8.2.a An employee who believes he or she is a qualified individual with a disability and requires accommodation will submit a written request for reasonable accommodation to the District's human resources representative. The request must include the following information:

- Why he or she believes the protections of this policy apply, including whether it is a protected disability, there is a record of having a protected disability, or he/she is regarded as having a disability;
- Whether the accommodation is needed to perform the essential functions of the job or is needed so the individual can experience the same benefits and privileges as all other similarly situated employees;
- What accommodation is requested, if known; and
- The anticipated cost of the accommodation, if known.

The employee should be prepared to provide documentation of the disability.

4.8.2.b Once the possible need for reasonable accommodation arises, either by the employee's request or by the District's knowledge of the employee's disability, the General Manager or his/her designee will in a timely manner:

- Review the purpose and essential functions of the employee's job; and
- Meet with the employee to ascertain
  - a. the precise job-related limitations imposed by the disability and how those limitations would be overcome with a reasonable accommodation; and
  - b. identify the possible reasonable accommodations and assess the effectiveness of each in enabling the employee to perform the essential functions of the job; and
  - c. understand the preferences of the employee, and the reasons therefore.

Documentation of the disability and medical confirmation of the limitations may be required before a final decision can be made.

- 4.8.2.c Unless undue hardship is created for the District, the General Manager or his/her designee will select and implement the reasonable accommodation most appropriate for the District and in consideration of the employee's preferences and reasons therefore. Undue hardship may include undue cost, unavailable resources, substantial operational disruption, or the need to fundamentally alter the nature of the business.
- 4.8.2.d The employee will be notified in writing of the District's decision, and the duration of the accommodation, if made. If further discussion is desired, the employee may request a follow up meeting with the General Manager or designee.

#### **4.8.3 Process for Requesting Reasonable Accommodation for the Safety of a Victim of Domestic Violence, Sexual Assault, and/or Stalking**

- 4.8.3.a Once the District becomes aware of an employee's status as a victim of domestic violence, sexual assault, or stalking, and the employee requests a reasonable accommodation to ensure his or her safety at work, the General Manager or his or her designee will
- Meet with the employee to identify the nature of the threat to the employee and explore possible reasonable accommodations that might include, but are not limited to, installing a lock, changing the employee's work telephone and/or work station, or modifying the employee's work schedule; and
  - Select and implement the reasonable accommodation most appropriate without undue hardship for the District to ensure the safety of the employee at work.
- 4.8.3.b The employee will be notified in writing of the District's decision, and the duration of the accommodation, if made. If further discussion is desired, the employee may request a follow up meeting with the General Manager or designee.

#### **4.8.4 Process for Requesting Reasonable Accommodation in the Hiring Process**

- 4.8.4.a A job applicant who requires accommodation in order to participate in the hiring process should submit an accommodation request with the employment application.
- 4.8.4.b The District's human resources representative will contact the applicant to discuss the needed accommodation and possible alternatives.
- 4.8.4.c If accommodation is reasonable and is approved, the human resources representative will take the necessary steps to see that the accommodation is provided.





## **MARIN TRANSIT**

### **Employment Compensation Framework**

Policy #:	HR-3
Subject:	Finance
Effective Date:	08/19/2013
Revision Date (1):	12/3/2018
Revision Date (2):	7/1/2019
Revision Date (3):	11/2/2020
Revision Date (4):	9/13/2021
Revision Date (5):	6/6/2022

Updated June 6, 2022

## Table of Contents

1	Summary of Marin Transit Staff Benefits.....	3
2	Summary of Management Benefits .....	4
3	Job Classification Characteristics .....	5
4	Advancement Process.....	6
5	Salary Ranges by Job Classification .....	7



Updated June 6, 2022

## 1 Summary of Marin Transit Staff Benefits

<b>HEALTH &amp; WELLNESS BENEFITS</b>	
Medical Insurance	: <i>Employer pays up to 95% of employee+1 premium for base HMO plan towards Employee and Employee +1 premiums; up to 95% of employee+2 premium for base HMO plan for Employee +2; or with proof of coverage, a cash payment equal to the employee only premium for the base HMO plan.</i>
Dental Insurance	: <i>Employer paid</i>
Vision Insurance	: <i>Employer paid</i>
Short-Term Disability Insurance	: <i>1% premium (state) Employer paid</i>
Long-Term Disability Insurance	: <i>Employer Paid Basic</i>
Transit Commute Benefit	: <i>Free Marin Local Transit plus free transit to work up to the federal taxable limit</i>
Dependent Care Assistance Plan	: <i>Available, employee funded, enrollment starting Jan. 1 of each year</i>
Health Flexible Spending Account	: <i>Available, employee funded, enrollment starting Jan. 1 of each year</i>
Employee Assistance Program	: <i>Employer paid</i>
<b>POST-EMPLOYMENT BENEFITS</b>	
Vacation	: <i>10 days (80 hours) vacation balances in excess of three times the annual accrual will be cashed out on June 30th. Upon commencement of third consecutive year of employment, employee accrues 15 vacation days annually. Upon commencement of the tenth consecutive year of employment, employee accrues 20 vacation days annually.</i>
Sick Leave	: <i>12 days (96 hours) annually in Year 1 and 2 of employment, 9 days annually thereafter, unlimited accrual</i>
Holidays	: <i>11 fixed days (8 hours each) annually (New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day, Juneteenth, 4th of July, Labor Day, Veteran's Day, Thanksgiving Day &amp; Friday after Thanksgiving, Christmas Day); 1/2 day for Christmas Eve</i>
Jury Duty	: <i>If needed and employee meets criteria</i>
Bereavement Leave	: <i>If needed, up to 3 days (24 hours) per occurrence which meets criteria</i>
Administrative Leave	: <i>2 days (16 hours) annually on July 1, does not accrue.</i>
Defined Contribution Retirement	: <i>401(a) Employer paid 10% 0-2 years; 13% &gt;2 years; 15% &gt;4 years; vesting after 1 year</i>
Social Security	: <i>Employee/Employer Paid (currently 6.2%/6.2%)</i>
Life Insurance	: <i>1x Salary employer paid, supplemental coverage available</i>
Deferred Compensation	: <i>457 Plan available</i>

Updated June 6, 2022

## 2 Summary of Management Benefits

<b>HEALTH &amp; WELLNESS BENEFITS</b>	
Medical Insurance	: <i>Employer pays up to 95% of employee+1 premium for base HMO plan towards Employee and Employee +1 premiums; up to 95% of employee+2 premium for base HMO plan for Employee +2; or with proof of coverage, a cash payment equal to the employee only premium for the base HMO plan.</i>
Dental Insurance	: <i>Employer paid</i>
Vision Insurance	: <i>Employer paid</i>
Short-Term Disability Insurance	: <i>1% premium (state) Employer paid</i>
Long-Term Disability Insurance	: <i>Employer Paid Basic</i>
Transit Commute Benefit	: <i>Free Marin Local Transit plus free transit to work up to the federal taxable limit</i>
Dependent Care Assistance Plan	: <i>Available, employee funded</i>
Health Flexible Spending Account	: <i>Available, employee funded</i>
Employee Assistance Program	: <i>Employer paid</i>
<b>PAID LEAVE BENEFITS</b>	
Vacation	: <i>10 days (80 hours) vacation balances in excess of three times the annual accrual will be cashed out on June 30th. Upon commencement of third consecutive year of employment, employee accrues 15 vacation days annually. Upon commencement of the tenth consecutive year of employment, employee accrues 20 vacation days annually.</i>
Sick Leave	: <i>12 days (96 hours) annually in Year 1 and 2 of employment, 9 days annually thereafter, unlimited accrual</i>
Holidays	: <i>11 fixed days (8 hours each) annually (New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day, Juneteenth, 4th of July, Labor Day, Veteran's Day, Thanksgiving Day &amp; Friday after Thanksgiving, Christmas Day), 1/2 day for Christmas Eve</i>
Jury Duty	: <i>If needed and employee meets criteria</i>
Bereavement Leave	: <i>If needed, up to 3 days (24 hours) per occurrence which meets criteria</i>
Management Administrative Leave	: <i>5 additional days (40 hours) annually on July 1, does not accrue.</i>
<b>POST-EMPLOYMENT BENEFITS</b>	
Defined Contribution Retirement	: <i>401(a) Employer paid 10% 0-2 years; 13% &gt;2 years; 15% &gt;4 years; vesting after 1 year</i>
Social Security	: <i>Employee/Employer Paid (currently 6.2%/6.2%)</i>
Life Insurance	: <i>1x Salary employer paid, supplemental coverage available</i>
Deferred Compensation	: <i>457 Plan available</i>

Updated June 6, 2022

### 3 Job Classification Characteristics

The following table includes jobs classifications and characteristics. Characteristics and abilities in each classification may be further targeted for specific departments and functions such as Administration, Finance, Operations, Planning and Capital.

Class	General Class Characteristics
Admin	<p>An Admin level position is an entry level position that does not require a college degree and may require little or no experience. An employee in this class would have the following characteristics and abilities:</p> <ul style="list-style-type: none"> <li>• Performs routine tasks and functions</li> <li>• Performs new task with direct supervision and training</li> <li>• Shows initiative to identify job related problems and solutions</li> </ul>
Analyst	<p>An Analyst level employee typically has a college degree or equivalent level relevant experience. An employee in this class typically has 1-5 years of experience and the following characteristics abilities:</p> <ul style="list-style-type: none"> <li>• Perform job specific duties</li> <li>• Research and solve problems with direct supervision</li> <li>• Maintain project budgets, tasks, and timelines</li> <li>• Exercise sound judgement</li> <li>• Maintain clear written and verbal communication</li> <li>• Recognize roadblocks</li> </ul>
Senior	<p>Senior level employees typically have a college degree and 5 to 15 years of experience. Senior level employees have all characteristics listed at the Analyst level along with the following abilities:</p> <ul style="list-style-type: none"> <li>• Develop and maintain project budgets, tasks, and timelines</li> <li>• Research and solve problems with general supervision</li> <li>• Present solutions for roadblocks</li> <li>• Use independent judgement</li> <li>• Take ownership of projects and programs</li> <li>• Demonstrate advanced skills in job specific tasks</li> <li>• Formally or informally provides direction and leadership for coworkers or other contractors</li> <li>• With minimal direction, represent agency to outside stakeholders</li> </ul>
Manager	<p>A Manager level employee typically has significant experience and has demonstrated sustained leadership and job-related expertise. Manager level employees have all characteristics listed at the Senior level along with the following abilities:</p> <ul style="list-style-type: none"> <li>• Develop projects and programs</li> <li>• Give clear direction and guidance to other staff and contractors</li> <li>• Expertise in job related topics (Professional certification, professional committee leadership etc.)</li> <li>• Act as a resource to Marin Transit staff</li> <li>• Conceptualize new project the improve or sustain the District</li> <li>• Track and manage multiple project budgets, tasks, and timelines</li> </ul>

Updated June 6, 2022

Director	<p>A Director level position reports directly to the General Manager and is typically responsible for significant division or unit of the District. A Director has all the characteristics listed at the manager level along with:</p> <ul style="list-style-type: none"> <li>• Provides leadership at the District level</li> <li>• Identifies employees' strengths and identifies development paths</li> </ul>
----------	--

## 4 Advancement Process

### **Moving from Analyst to the Senior Level**

Staff must demonstrate a sustained ability to operate at a senior level (see class characteristics). Managers will work with Analyst employees that have the relevant experience and qualifications to develop a path to Senior. This plan should include specific steps including technical and soft skills that employee will need to take/demonstrate to be considered for a promotion to the Senior level. The plan should be reviewed by the General Manager. Performance will be monitored by the manager at the annual review, unless an interim review cycle is warranted. Completion of all items listed in the plan is not a guarantee of promotion, employee must also demonstrate the independence and leadership needed for a senior level position. All Analysts are eligible for a promotion to the senior level, however there is no guarantee of promotion or a specific timeline for promotion (there is no cap on the number of Senior level employees), and promotions are at the General Manager's discretion.

### **Moving from Senior to the Manager Level**

There are a limited number of Manager level positions at Marin Transit. In addition to demonstrating the ability to perform at the Manager level, there needs to be an Agency need for a new manager or an open manager level position. In most cases, a formal recruitment will be made for a Manager level position and internal candidates may apply or be asked to interview as part of this process.

### **Moving from Manager to the Director Level**

There are a limited number of Director level positions at Marin Transit. In addition to demonstrating the ability to perform at the Director level, there needs to be an Agency need for an open Director-level position. In most cases, a formal recruitment will be made for a Director-level position and internal candidates can be considered as part of this process.

Updated June 6, 2022

## 5 Salary Ranges by Job Classification

### **Classification**

*(number of current positions)<sup>1</sup>*

### **FY2022/2023 Monthly Salary Range<sup>2</sup>**

	<b>Low</b>	<b>High</b>
Director/Deputy (2)	\$12,016	\$16,221
Manager (3)	\$10,371	\$14,001
Senior (4)	\$8,535	\$11,523
Analyst (4)	\$6,909	\$9,329
Administrative (1)	\$4,865	\$7,529
Part Time	Minimum wage	\$33.00/hour

(Muir Woods greeters, interns, outreach)

- 1) Staffing levels and classifications are approved by the Board annually through the budget process. The number of staff in each classification may change but will be consistent with the current year budget and will not exceed the total number of positions authorized to the General Manager.
- 2) Top salary ranges may not increase annually by more than the consumer price index (CPI, Feb 2022 5.2%). Individual salary increases subject to outcome of annual performance.



711 grand ave, #110  
san rafael, ca 94901

ph: 415.226.0855  
fax: 415.226.0856  
[marintransit.org](http://marintransit.org)

June 6, 2022

Honorable Board of Directors  
Marin County Transit District  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT: Countywide Fare Free Promotional Campaign  
During the 2022 Marin County Fair**

Dear Board Members:

**board of directors**

stephanie moulton-peters  
president  
supervisor district 3

katie rice  
vice president  
supervisor district 2

eric lucan  
2nd vice president  
city of novato

judy arnold  
director  
supervisor district 5

kate colin  
director  
city of san rafael

damon connolly  
director  
supervisor district 1

dennis rodoni  
director  
supervisor district 4

brian colbert  
alternate  
town of san anselmo

**RECOMMENDATION:** Authorize staff to develop and implement a Countywide campaign to offer increased service and free fares during the 2022 Marin County Fair.

**SUMMARY:**

Marin Transit has found fare free promotions to be an effective method to incentivize new riders to try transit and to reward existing riders. Your Board authorized staff to implement a countywide promotional campaign and offer free fares on all fixed route services during the Earth Day in 2022, national Election Day in 2020 and the Marin County Fair in 2019. Staff concluded that those campaigns succeeded and represented a token of appreciation for daily riders, attracted new riders to transit, and supported countywide goals to reduce congestion and GHG emissions.

Following those campaigns, staff evaluated several potential candidates for fare free days that were based on several considerations such as anticipated demand level, operational complications, potential overcrowding, limited bike rack availability, and consistency with the goals of campaigns of this nature. In May 2020, your Board approved staff's recommendation on potential candidates for fare free days. Those include Marin County Fair, Election Day, Earth Day, Marin County Senior Fair Day, New Year's Eve, and Bike-to-Work Day.

Staff have identified the Marin County Fair as a unique opportunity to promote local transit service. Fair parking limitations and traffic congestion continue to be the top challenges for fairgoers. Additional local transit access will improve the experience for fairgoers and reduce their overall cost for attending the event.

As part of the promotional campaign, staff is proposing to add service and offer free fares on all fixed route and Connect services during the six-day period between June 30 and July 4, 2022.



711 grand ave, #110  
san rafael, ca 94901

ph: 415.226.0855  
fax: 415.226.0856  
[marintransit.org](http://marintransit.org)

June 6, 2022

Honorable Board of Directors  
Marin County Transit District  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT: Marin County Transit District Final Operating and Capital Budget for FY 2022/23**

**board of directors**

Dear Board Members:

stephanie moulton-peters  
president  
supervisor district 3

**RECOMMENDATION:** Adopt FY 2022/23 budget.

katie rice  
vice president  
supervisor district 2

**SUMMARY:** Marin Transit's draft budget for July 1, 2022 to June 30, 2023 was presented at your Board's May 2, 2022 meeting. Staff is requesting that your Board adopt the final FY2022/23 budget today. The final budget document is attached to this board letter and changes from the draft budget are described below.

eric lucan  
2nd vice president  
city of novato

The FY 2022/23 Expenditure Budget for Operations and Capital Projects of \$53.6 million is balanced with the planned expenditure of capital reserve funding (Table 1). The expenditure budget fully funds the Emergency Reserve (two months operating expenses) and Contingency Reserve (four months of operating expenses) while setting aside \$16 million in Capital Reserves.

judy arnold  
director  
supervisor district 5

The significant uncertainties and fluctuations that were central to the budget cycles during the first two years of the pandemic have calmed. While ridership is not at pre-COVID levels, fixed route ridership is approaching 80% of normal and demand response ridership is continuing to recover. Fixed route programs have all been restored and the budget includes adjustments to reflect current service demand, back fills for regional routes that are not being restored and addresses long term sustainability.

kate colin  
director  
city of san rafael

Local sales tax revenues have grown, state operations revenues have increased, and the budget includes the final expenditure of federal relief funds. Offsetting the strong revenue growth, inflation is at record highs and driving labor shortages that translated to increases in purchased transportation costs and challenges maintaining service quality.

damon connolly  
director  
supervisor district 1

dennis rodoni  
director  
supervisor district 4

brian colbert  
alternate  
town of san anselmo

The operating expense budget of \$39.6 million is an eleven percent increase over the FY2022/23 budget and provides for a similar level

of fixed route service, increased paratransit service and increased purchased transportation and fuel expenses.

After a period of freezing salary and benefits due to unknowns during the FY2020/21, the region is now experiencing record inflation rates that create pressure for the District to ensure competitive salaries to retain and attract quality staff members. The budget includes adding three FTEs, one without a budget increase to adjust for vacancy rates and two to address on-going workload increases related to oversight of facilities, procurement, and federal compliance.

**Table 1: Budget Summary**

	FY2020/21 Actual	FY2021/22 Revised Budget	FY 2021/22 Estimated Actual	FY 2022/23 Budget
<b>Revenue</b>				
Operations	34,539,935	37,036,527	37,046,795	42,272,132
Capital	5,754,427	8,182,709	7,530,409	9,999,380
<b>Total Revenue</b>	<b>\$40,294,362</b>	<b>\$45,219,236</b>	<b>\$44,577,204</b>	<b>\$52,271,512</b>
<b>Expenditures</b>				
Operations	29,834,625	35,730,684	33,414,013	40,451,999
Capital	5,685,746	17,106,296	10,459,584	13,099,380
<b>Total Expenditures</b>	<b>\$35,520,371</b>	<b>\$52,836,980</b>	<b>\$43,873,597</b>	<b>\$53,551,379</b>
Net Change in Fund Balance	\$4,773,991	-\$7,617,744	\$703,607	-\$1,279,867
Emergency Reserve	5,852,845	5,896,957	5,896,957	6,742,000
Contingency Reserve	11,705,690	11,793,915	11,793,915	13,484,000
Capital Reserve	19,228,283	11,478,202	19,799,553	15,984,559
Fund Balance (total reserve)	\$36,786,818	\$29,169,074	\$37,490,425	\$36,210,558
Expenditure of Capital Reserve	0	5,680,000	2,929,175	3,100,000

The budget document attached to this report provides additional information and trends for the operations budget for Administration, Local Service, Yellow Bus Service, Rural Service, and Marin Access.

Marin Transit's capital expenditure budget is \$13 million to fund transit vehicles, bus stop improvements, transit technology projects, and other capital expenses. In FY2022/23 Marin Transit will complete the purchase of 10 paratransit vehicle replacements. Marin Transit is actively purchasing right-of-way for additional transit bus parking and the budget includes the larger facility project needed for installation of electric vehicle charging infrastructure and fixed route vehicle maintenance. Marin Transit successfully purchased a two-and-a-half-acre parcel (Rush Landing) in FY2019/20 and a paratransit maintenance facility in San Rafael in FY2021/22. These purchases will provide vehicle parking for only a portion of the fleet and a maintenance facility location only for the paratransit service. Additional facilities and facility improvements are needed to meet zero emission fleet requirements and accommodate Marin Transit's full parking and maintenance needs.



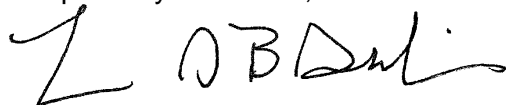
**Final Budget Compared to Draft Budget**

The proposed final operations and capital budget for FY 2022/23 includes the following changes from the draft budget:

- Modifies the allocation of FTA Section 5311 federal relief dollars to offset changes Caltrans made to the timing of the District's Section 5311 rural transit operations grants;
- Increases Measure AA funding to yellow school bus programs by \$150,000 based on increased sales tax funding;
- Updates Marin Airporter contract rates to reflect the final option year contract;
- Adds \$16,000 for revenue from Solar Renewable Energy Credits (SREC) for the operations of District's electric transit buses that was not included in draft budget; and
- Increases Parking Facility Right of Way (ROW) Capital Project Budget to reflect final purchase price of 3010/320 Kerner.

**FISCAL IMPACT:** Board action will authorize FY2022/23 operations and capital expenditure levels.

Respectfully submitted,



Lauren Gradia  
Director of Finance and Capital Projects

Attachment



# MARIN TRANSIT BUDGET FY 2022/23

## Table of Contents

Marin Transit Budget Overview .....	3
Relevant Financial Policies .....	4
District Fund Balance.....	6
Local Sales Tax – Measure A and Measure AA .....	6
Operations Budget .....	9
District Revenue .....	11
District Expenses.....	14
Administration .....	17
Local Service .....	25
Yellow Bus Service.....	31
Rural Service .....	25
Marin Access (Paratransit and Mobility Management) .....	27
Capital Budget.....	33
Vehicles .....	33
Bus Stop Improvements .....	34
Administrative and Operations Facilities .....	35
Technology Projects .....	35
Other Measure A/AA Capital Expenses.....	35

## Tables

Table 1: Budget Summary .....	3
Table 2: Operations Budget (Admin, Local, Yellow Bus, Rural & Marin Access).....	10
Table 3: Federal Relief Funds .....	12
Table 4: Revenue Variances in Operations Budget .....	13
Table 5: Expense Variances in Operations Budget .....	14
Table 6: Personnel Counts .....	16
Table 7: Administration Budget .....	18
Table 8: Local Budget Service Levels .....	19
Table 9: Local Service Budget .....	22
Table 10: Yellow School Bus Budget.....	24
Table 11: Rural Service Levels .....	26
Table 12: Rural Service Budget .....	26
Table 13: Marin Access Service Levels .....	37
Table 14: Marin Access Budget.....	39
Table 15: Capital Budget .....	36

## List of Figures

Figure 1: Programmed Measure A/AA Transit Funds by Fiscal Year (TAM Projection & Actual Receipts).....	7
Figure 2: Local Sales Tax Expenditures by Fiscal Year (Measure A/AA) .....	8
Figure 3: Revenue Sources for FY 2022/23 Budget.....	11
Figure 4: Operations Expenses for FY 2022/23 Budget.....	15
Figure 5: Marin Transit FY 2022/23 Organization Structure .....	16
Figure 6: Local Revenue Service Hours by Program .....	20
Figure 7: Local Passenger Trips by Program .....	21
Figure 8: Rural Service Level and Ridership Trends .....	25
Figure 9: Marin Access Revenue Hours by Program .....	27
Figure 10: Marin Access Passengers by Program .....	28
Figure 11: Capital Project Budget by Type .....	33

## Marin Transit Budget Overview

The Marin County Transit District (Marin Transit) is responsible for local transit service within Marin County, and pre-COVID provided over 3.2 million unlinked passenger trips per year and over 250,000 revenue hours of service. The FY 2022/23 expenditure budget for operations and capital projects is \$53.6 million. The expenditure budget allows for a fully funded Emergency Reserve (two months operating expenses), a Contingency Reserve of four months of operating expenses, and a Capital Reserve of \$16.7 million. The significant uncertainties and fluctuations that were central to the budget cycles during the first two years of the pandemic have calmed. While ridership is not at pre-COVID levels, fixed route ridership is approaching 80% of normal and demand response ridership is continuing to recover. Fixed route programs have all been restored and the budget includes adjustments to reflect current service demand, back fills for regional routes that are not being restored and addresses long term sustainability. Local sales tax revenues have grown, state operations revenues have increased, and the budget includes the final expenditure of federal relief funds. Offsetting the strong revenue growth, inflation is at record highs and driving labor shortages that translated to increases in purchased transportation costs and challenges maintaining service quality.

Marin Transit delivers services through contract operators. These include: Golden Gate Bridge Highway & Transportation District (GGBHTD), Marin Airporter, MV Transportation, and Transdev. Marin Transit's Short Range Transit Plan (SRTP) is the primary service and financial planning document for the District and includes ten years of financial projections for operations and capital programs. The District's Board adopted the most recent SRTP on February 3, 2020 but board approved modifications to the service plan have been made to address unanticipated needs during the COVID-19 pandemic.

**Table 1: Budget Summary**

	FY2020/21 Actual	FY2021/22 Revised Budget	FY 2021/22 Estimated Actual	FY 2022/23 Budget
<b>Revenue</b>				
Operations	34,539,935	37,036,527	37,046,795	42,272,132
Capital	5,754,427	8,182,709	7,530,409	9,999,380
<b>Total Revenue</b>	<b>\$40,294,362</b>	<b>\$45,219,236</b>	<b>\$44,577,204</b>	<b>\$52,271,512</b>
<b>Expenditures</b>				
Operations	29,834,625	35,730,684	33,414,013	40,451,999
Capital	5,685,746	17,106,296	10,459,584	13,099,380
<b>Total Expenditures</b>	<b>\$35,520,371</b>	<b>\$52,836,980</b>	<b>\$43,873,597</b>	<b>\$53,551,379</b>
Net Change in Fund Balance	\$4,773,991	-\$7,617,744	\$703,607	-\$1,279,867
Emergency Reserve	5,852,845	5,896,957	5,896,957	6,742,000
Contingency Reserve	11,705,690	11,793,915	11,793,915	13,484,000
Capital Reserve	19,228,283	11,478,202	19,799,553	15,984,559
Fund Balance (total reserve)	\$36,786,818	\$29,169,074	\$37,490,425	\$36,210,558
Expenditure of Capital Reserve	0	5,680,000	2,929,175	3,100,000



### ***Budget Process and Timeline***

The budget process begins in late February as a review of District and program level goals and objectives with finance and operations staff. This year, the Board heard three presentations on the state of the system and financial outlook to inform service planning for the FY2022/23. Staff then held internal meetings focused on each program area. The Director of Finance compiled all the program data and developed a draft budget to present to the Board of Directors at the May meeting. The final budget will incorporate any changes from the draft version, and the Board considers adoption of the budget at their June meeting.

The following is the timeline for fiscal year July 1, 2022 to June 30, 2023 (FY2022/23) budget development:

January 2022 – March 2022	Board presentations on State of the System and Financial Projections
March 1, 2022	Budget kick-off meeting
March-April 2022	Program level budget meetings
May 2, 2022	Draft presented to Board of Directors
June 6, 2022	Adoption of final budget

### **Relevant Financial Policies**

This section details financial policies relevant to the District’s annual budget and budget process. The Board has adopted these policies as part of the FN-01 policy document.

### ***Basis of Accounting***

Marin Transit’s resources are allocated to and accounted for in the financial statements as an enterprise fund type of the proprietary fund group. Enterprise funds are accounted for on a flow of economic resources measurement focus. Marin Transit also uses the accrual basis of accounting, recording revenues when earned, and recording expenses at the time the liability is incurred. Grant revenue is recognized when program expenditures are incurred in accordance with program guidelines. Proprietary funds further distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund’s principal ongoing operations.

When both restricted and unrestricted revenues are available for use, it is Marin Transit’s policy to use restricted revenues first then unrestricted revenues as they are needed.

### ***Annual Budget Adoption***

The Marin Transit Board of Directors adopts an annual budget for Marin Transit’s fiscal year starting July 1 and ending June 30. Under the direction of the Director of Finance, staff develops a balanced budget for the Board of Directors that provides sufficient and sustainable funding for local transit service needs using the following guidelines:

- Maintain adopted reserve level
- Preserve a balance of revenues and expenditures over a ten-year horizon
- Provide for Short Range Transit Plan (SRTP) adopted service levels
- Allow for innovative growth

The Board adopts the annual budget for the coming fiscal year no later than the June Board of Directors meeting.

### **Budget Amendment**

Budget control occurs at the total program level (administration, local, yellow bus, rural, Marin Access, facility, capital). Deviations from budgeted line item amounts are acceptable if the total program expenses do not exceed the budget authority.

Budget authority transfers between programs require General Manager approval and must be made such that total budget expenditures are not exceeded.

In the event that overall expenditures are anticipated to exceed the approved annual budget authority, Board of Directors' approval is required prior to incurring the expense. Requests for budget amendments must include adequate supporting documentation and identification of available revenue to support the expenditure. If circumstances require immediate action, the General Manager may act in place of the Board of Directors and must present the expenditure to the Board of Directors at the next possible opportunity.

All budget amendments are reported to the Board quarterly, as part of the quarterly finance reports.

### **Reserve Policy**

Marin Transit maintains an unrestricted reserve consisting primarily of property tax revenues. The District is dependent on many diverse funding sources for the operation of its services that are subject to state and federal funding availability and administrative processes. The reserve balance is essential to mitigate current and future risk of revenue shortfalls and unanticipated expenditures. The following reserve balance policy provides parameters on desired levels and uses of unrestricted reserve funds. The reserve balance levels are defined to minimize disruptions to the District's services due to fluctuation in funding and in accordance with the Government Finance Officers Association (GFOA) recommendations.

*The District shall strive to maintain a reserve balance equivalent to a minimum of two months and up to a maximum six months operating expenses based on the adopted budget.*

Any reserve balance equal to but not exceeding two months operating expenditures is defined as the emergency reserve. The emergency reserve will be available for use during prolonged revenue shortages to sustain District operations until service reductions, program cuts, or fare increases are made to reestablish a balanced budget and restore the emergency reserve.

Any reserve balance greater than two months of operating expenditures, but less than four months of operating expenditures, is defined as the contingency reserve. The contingency reserve is available to maintain current service levels during short-term periods of declining revenue or slower than anticipated revenue growth.

When the emergency reserve is fully funded and the contingency reserve is funded with the equivalent of at least two months of operations funds, the District may fund a capital reserve through the budgeting process. The capital reserve is available to provide resources for high priority capital projects or grant matching funds. The reserve is designed to reduce the District's future needs for borrowing or bonding for large capital projects. With Board approval, capital reserve funds can be transferred to the contingency reserve or the emergency reserve if these funds fall below the target levels.

If, for a prolonged period, the total reserve balance held in emergency and contingency reserves exceeds six months of operating expenditures, Marin Transit will consider options such as but not limited to: expanding transit service or decreasing fares in an effort to provide the optimal level of transit service and benefits to Marin County.

### **Indirect Costs**

In order to provide for the reasonable and consistent allocation or distribution of costs to its various grants and funding programs, Marin Transit develops an Indirect Cost Rate Proposal (ICRP) annually. The ICRP is designed in accordance with Federal Title 2 CFR 200 and is approved by the Federal Transit Administration (FTA).

### **District Fund Balance**

Marin Transit's fund balance represents the total unrestricted net position made up of local property tax funding. Each year, the fund balance increases or decreases by the net difference between total revenue and total expenses for the year. Marin Transit's Board-adopted policy designates an Emergency Reserve equivalent to two months of operating expenses and a Contingency Reserve equivalent to an additional two to four months of operating expenses. Marin Transit staff and Board Members review 10-year projections of revenues and expenses in the SRTTP to ensure long term financial stability while maximizing mobility for local transit riders.

Marin Transit was in a strong financial position before the COVID-19 pandemic, and this helped prevent the need to make service cuts based on preliminary projections of revenues losses. Prior to the pandemic, Marin Transit has been able to rebuild the District's fund balance based on strategic efforts to lower service contract rates and control administrative costs combined with revenues from a strong economy. Federal relief funds allowed Marin Transit to continue to have a balanced budget during the COVID-19 pandemic and back fill for drops in fare revenue, and state operations revenue.

Marin Transit's FY2022/23 budget includes the expenditure of \$3.1 million in Capital Reserve funds on facility projects. There is net decrease the District's total reserves of \$1.3 million, and after increasing the operations reserves to the approved levels, the Capital Reserve decreases to \$16.0 million.

### **Local Sales Tax – Measure A and Measure AA**

On November 6, 2018, Marin County voters passed Measure AA, a renewal to the county's ½-cent transportation sales tax and new expenditure plan. The first ½-cent sales transportation sales tax (Measure A) was a 20-year measure passed in 2004 and FY2024/25 would have been the last year of the sales tax. The renewal measure (Measure AA) is a 30- year extension effective April 2019. Local sales tax funding provides approximately 32% of Marin Transit's operating revenues. The sales tax also provides a share of capital funds needed to match federal and state grant funding for vehicles.

The new expenditure plan was updated to reflect the needs of Marin County and projects that were completed under Measure A. Measure AA continues to prioritize local transit and the voter approved expenditure plan indicates that 55% of allocated sales tax revenues will go to local transit. The expenditure plan for Measure AA changed the sub-strategies and their allocations within the transit strategy. Measure AA commits funding in the transit strategy to school transportation and ferry access and reduces funding for Bus Transit Facilities. The amount of funding going to local transit is reduced in the new measure due the need to restart "off the top" commitments that had ended in the old Measure (Figure1).

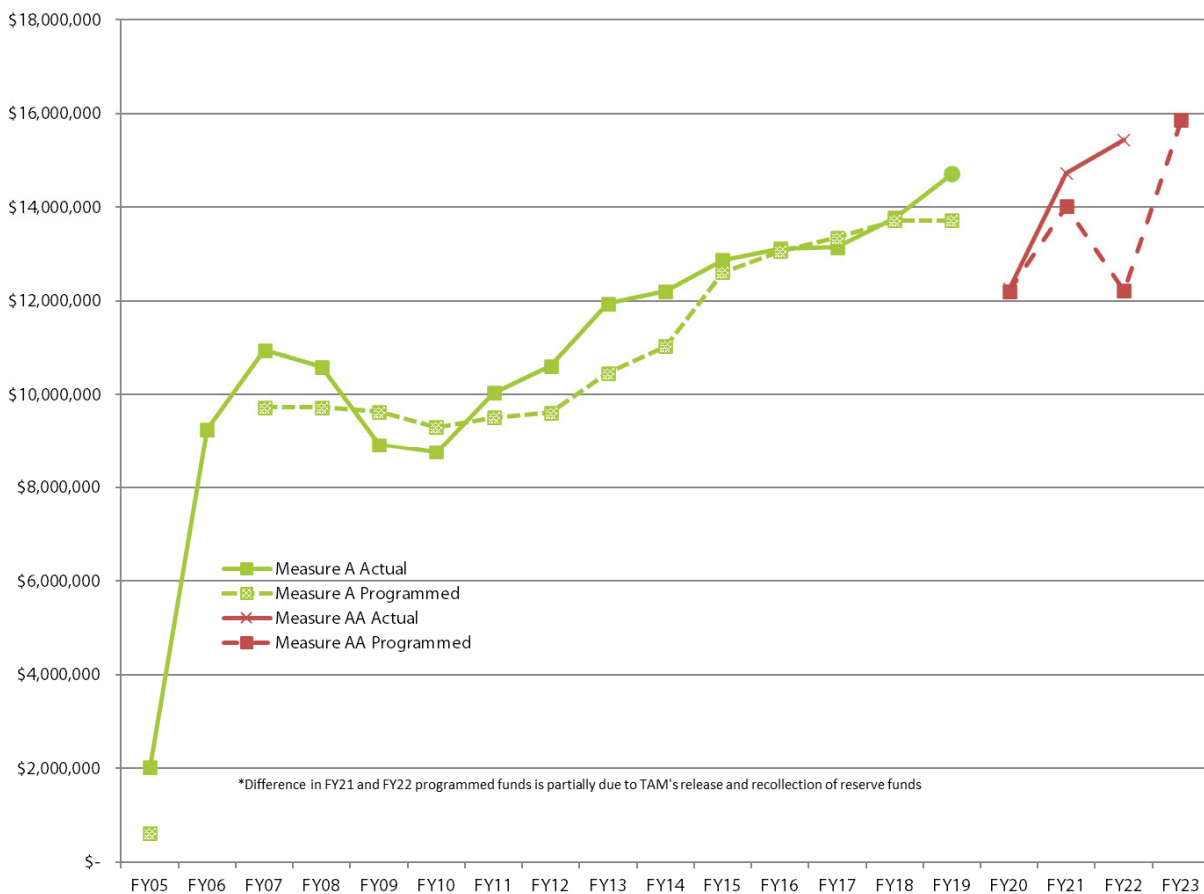


The Transportation Authority of Marin (TAM) programs Measure A/AA funding to the District based on projections and adjusts future year balances to account for actual sales tax receipts. Based on the programmed amounts, Marin Transit requests annual allocations of funds from TAM. Figure 1 shows Marin Transit’s share of Measure A and Measure AA projected revenues and actual receipts. TAM established a reserve fund under Measure A to account for potential economic declines that could adversely impact sales tax collections. Current year sales tax allocations include the return of Measure A funding that was held as TAM reserves new Measure AA reserve funds are collected.

Marin County has seen strong sales tax returns in during the pandemic due to the combination of strong sales and the Wayfair decision that increased the collection of sales tax for purchases made online. TAM recently reported sales tax growth of 12.8% in FY2020/21 and 10.3% in FY2021/22. TAM is projecting conservative growth of 2.5% in FY2022/23 but with the increased base from two years of over 10% growth this is a significant restoration of funding available to Marin Transit.

TAM’s adjustments to Measure AA projections increases annual Measure AA funds available to Marin Transit by more than \$3.0 million per year and creates \$6.5 million in carryforward funds.

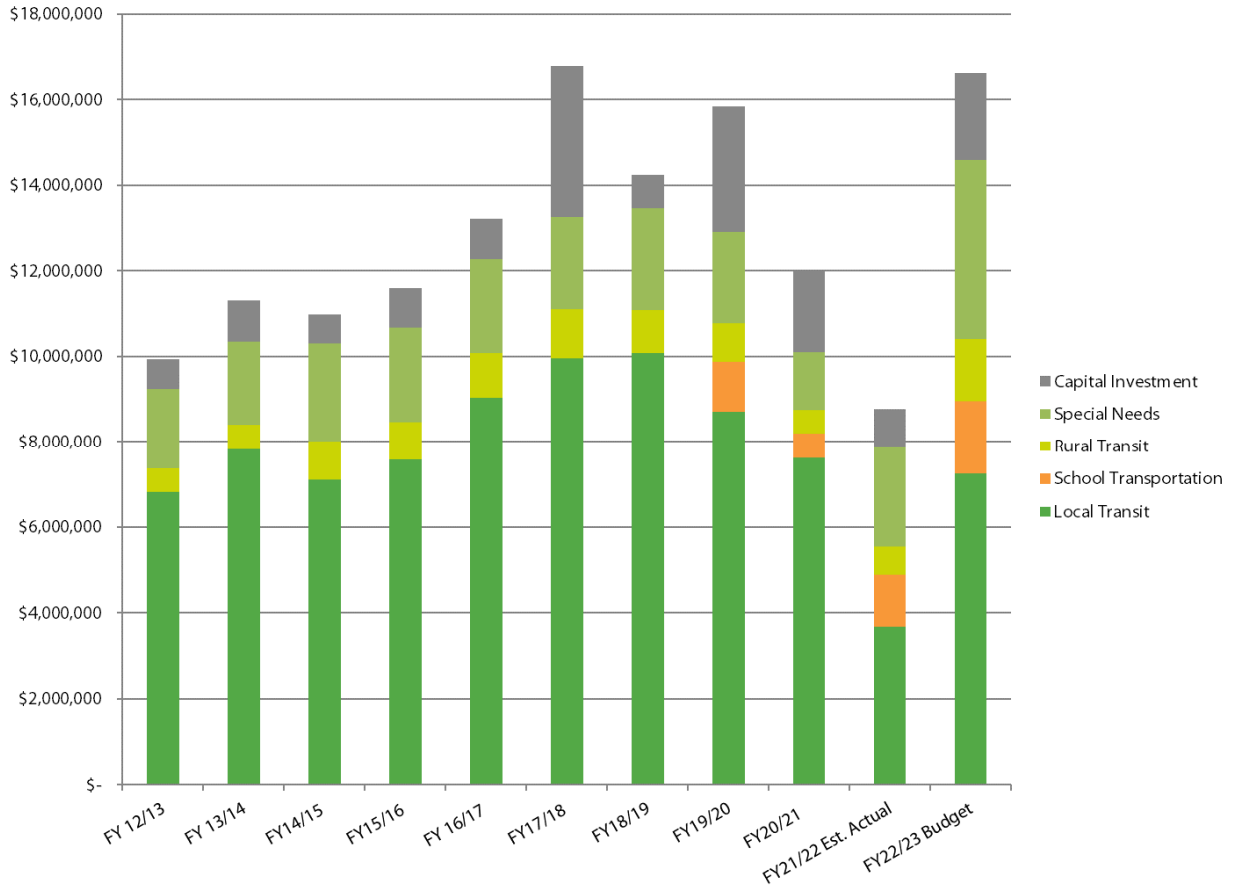
**Figure 1: Programmed Measure A/AA Transit Funds by Fiscal Year (TAM Projection & Actual Receipts)**



The District’s actual expenditure of Measure A/AA revenue varies due to capital replacement cycles and the availability of other grant funds in a particular year (Figure 2). In any given year, unclaimed Measure A/AA revenue is available for TAM to allocate to Marin Transit in future years. With the FY2022/23 requested allocations, Marin

Transit will have an estimated carryover of \$8.9 million in Local Service subcategory and \$900,000 in Schools subcategory. TAM holds these unallocated funds, and they are not included in Marin Transit’s Emergency or Contingency Reserve funds. Instead, Marin Transit programs these funds in the ten-year operation and capital financial forecasts in the adopted SRTP. Figure 2 shows the annual expenditure of local sales tax funds by category. Consistent funding availability is critical to maintaining transit service operations.

**Figure 2: Local Sales Tax Expenditures by Fiscal Year (Measure A/AA)**



## Operations Budget

Marin Transit's FY2022/23 operations budget provides for operation of the following services:

Local Basic and Local Trunkline	114,200 revenue hours
Local Connector (Community Shuttles)	42,000 revenue hours
Supplemental School and Partnership	5,000 revenue hours
Muir Woods Shuttle	6,500 revenue hours
Novato Dial-A-Ride	2,000 revenue hours
Yellow School Bus Service	5 buses
West Marin Stagecoach Service	17,000 revenue hours
Rural Dial-A-Ride Service	400 revenue hours
Local Paratransit Service	43,000 revenue hours
Regional Paratransit Service	5,000 revenue hours
Catch-A-Ride	4,000 trips
Volunteer Driver	10,000 trips
Transit Connect	6,500 revenue hours

The operating expense budget of \$40.5 million is a thirteen percent increase over the FY2022/23 budget and provides for a similar level of fixed route service, increased paratransit service and increased purchased transportation and fuel expenses.

Table 2: Operations Budget (Admin, Local, Yellow Bus, Rural, &amp; Marin Access)

	FY2020/21 Actual	FY2021/22 Revised Budget	FY 2021/22 Estimated Actual	FY2022/23 Final Budget	% Δ from FY2021/22 Budget
<b>Revenue</b>					
Fare Revenue	1,654,777	3,017,579	2,778,556	3,246,145	8%
Advertising & Other Revenue	367,408	610,447	571,792	203,500	-67%
Reimbursements (GGBHTD)	1,267,335	1,342,481	1,584,986	1,538,331	15%
Interest	125,928	160,700	20,279	25,700	-84%
Measure A/AA	10,265,372	12,726,002	8,306,458	13,521,355	6%
Measure B	910,679	944,943	932,057	950,000	1%
Property Taxes	4,975,162	4,940,101	5,261,979	5,245,000	6%
Development Fees	56,556	45,500	48,429	44,100	-3%
State Transit Assistance (STA)	1,680,205	2,384,860	2,600,376	3,012,985	26%
Transportation Development Act (TDA)	3,817,097	5,871,942	6,565,228	11,411,858	94%
Other State	32,769	32,300	19,813	32,300	0%
FTA Funds	9,207,534	5,294,542	8,378,777	4,925,943	-7%
National Park Service	14,331	418,694	286,066	564,914	35%
Transfers to Capital Budget	(6,578)	(753,564)	(850,000)	(2,450,000)	225%
<b>Total Revenue</b>	<b>34,368,575</b>	<b>37,036,527</b>	<b>36,504,796</b>	<b>42,272,131</b>	<b>14%</b>
<b>Expenses</b>					
Salaries and Benefits	2,478,182	2,806,721	2,542,052	3,182,288	13%
Professional Service	299,251	590,752	334,210	621,484	5%
Professional Service- Legal	15,999	103,000	89,721	150,000	46%
Security and Maintenance	220,559	388,631	367,723	400,564	3%
Customer Service	681,567	569,638	841,022	672,695	18%
Mobility Management Support Programs	0	92,360	5,000	102,731	11%
Grants to Other Agencies	232,085	410,406	670,338	525,000	28%
Materials and Supplies	330,566	397,352	330,000	410,191	3%
COVID Cleaning and Supplies	219,261	342,000	87,653	0	-100%
General Insurance	63,052	72,928	84,746	115,000	58%
Contract Service Operation	23,220,992	26,229,348	24,990,492	30,495,780	16%
Membership & Prof Development	34,694	53,888	53,714	85,500	59%
Mileage and Travel	413	25,750	8,507	25,000	-3%
Marketing	96,232	178,411	51,608	162,620	-9%
Communication	188,554	264,888	283,846	248,487	-6%
Fuel	1,891,121	3,313,525	2,833,896	3,735,285	13%
Utilities (Facility)	0	65,000	44,542	66,050	2%
Vehicle and Vehicle Parking Leases	0	26,236	25,285	26,210	0%
Office - Rental and Overhead	140,532	146,260	150,000	183,960	26%
Partner Agency Pass Through	0	0	0	0	-
Transfers to Capital Budget	(363,742)	(346,410)	(380,340)	(756,847)	118%
<b>Total Expenses</b>	<b>29,749,318</b>	<b>35,730,684</b>	<b>33,414,015</b>	<b>40,451,999</b>	<b>13%</b>
<b>Net Revenue Over Expenditures</b>	<b><u>4,619,257</u></b>	<b><u>1,305,843</u></b>	<b><u>3,090,781</u></b>	<b><u>1,820,132</u></b>	

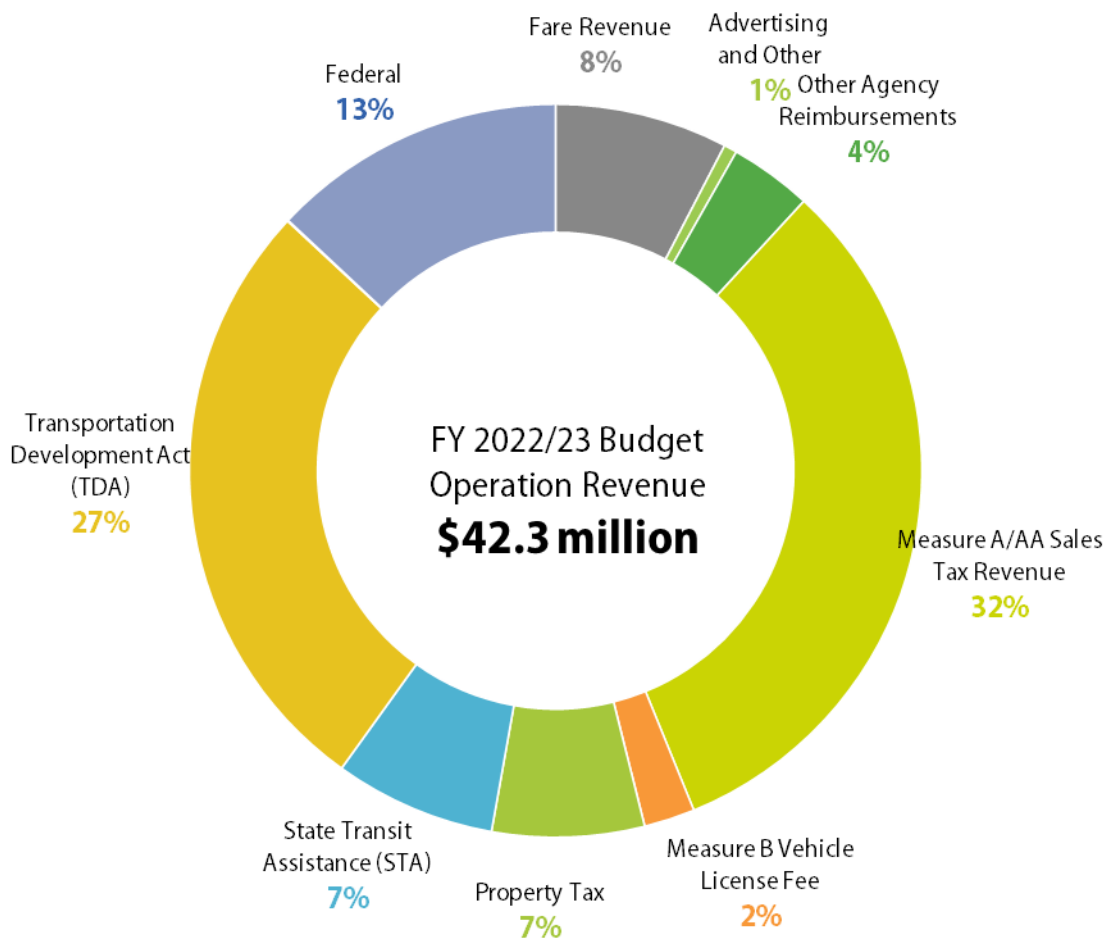
### District Revenue

Marin Transit derives its revenues from multiple sources (Figure 3), with no single revenue source providing the majority of the District’s operating funds. The primary revenue sources for Marin Transit operations are:

- Measure A /Measure AA sales tax operating funds;
- Transportation Development Act (TDA) funds;
- State Transit Assistance (STA) funds;
- Passenger fares; and
- Property taxes.

To develop revenue projections for the FY 2022/23 budget, staff referred to Metropolitan Transportation Commission (MTC) revenue projections for STA and TDA, used TAM’s allocation numbers for Measure AA, and reviewed recent economic indicators. As discussed in the Measure A/AA section, Marin County experiences strong and stable sales tax growth. Similar to Measure AA, state funding based on sales tax did not decline as projected and this resulted in significant increases in available State Transportation Development Act funds (TDA). State funds increased to 34% of Marin Transit operations revenue from 22% in the prior budget.

**Figure 3: Revenue Sources for FY 2022/23 Budget**



### **Federal Relief Funds**

During the pandemic Marin Transit is receiving timely and significant federal funding for transit operations. The funding in the three federal relief bills, Coronavirus Aid, Relief, and Economic Security (CARES) Act, Coronavirus Response and Relief Supplemental Appropriation Act of 2021 (CRRSAA), and the American Rescue Plan Act (ARPA) of 2021 (Table 3) allowed Marin Transit to maintain critical services throughout the pandemic. The funding was provided at a 100 percent federal share, with no local match required.

The Federal Transit Administration (FTA) allocated the formula funding to regions and states through the Section 5307 urbanized program and the Section 5311 rural program. The Metropolitan Transportation Commission (MTC) is the recipient of Section 5307 funds for the Bay Area. MTC worked quickly with all Bay Area transit agencies to develop a sub-allocation of the region's funding that reflects the initial needs of the transit agencies during this crisis and focused on restoring revenue losses for all operators. Funding through the Section 5311 program has been allocated by Caltrans.

Table 3 shows the total funding amounts Marin Transit was allocated from all relief bills. The FY2022/23 budget includes the expenditure of the remaining \$3.6 million in ARPA funds.

**Table 3 Federal Relief Funds**

<b>Federal Relief Bill</b>	<b>Marin Transit Allocation</b>	<b>Anticipated Expenditure Year</b>
Coronavirus Aid, Relief, and Economic Security (CARES) Act	\$10,176,307	FY2020, FY2021
Coronavirus Response and Relief Supplemental Appropriation Act of 2021 (CRRSAA)	\$4,178,691	FY2022
American Rescue Plan Act of 2021	\$6,589,000	FY2022, FY2023
<b>Total</b>	<b>\$20,943,998</b>	

## Revenue Variances

All budgeted revenues that change more than \$250,000 compared to the prior budget are listed in Table 4 and each are described below.

**Table 4: Revenue Variances in Operations Budget >\$250,000 variance compared prior year budget**

Revenue Category	FY 2022/23 Budget	Variance from Prior Year Budget		Notes
		Amount (\$)	%	
Advertising & Other Revenue	\$203,500	(\$406,947)	-67%	Reduction in revenue is from a drop in rental revenue from Rush Landing and an anticipated drop in revenues through the GGBHTD contract
Measure A/AA	\$13,521,355	\$795,353	+6%	With the drop in federal relief funds an increased amount of Measure AA funds will be used to fund operations
State Transit Assistance	\$3,012,985	\$628,125	+26%	Increased need for the expenditure of State funds combined with increased allocation amounts from Diesel Taxes and carryforward funds.
Transportation Development Act	\$11,411,858	\$5,539,916	+94%	Strong sales tax growth contributing to carryforward funds and a restoration of allocation levels to the County combined with an increased share of Marin County funds based on ridership and service provided.
FTA Funds	\$4,942,640	(\$351,902)	-7%	Final expenditure of federal relief funding is lower than prior year; federal funding for paratransit assistance increased \$200,000 based on increased funding in federal transportation reauthorization bill.

Advertising & Other Revenue includes advertising and leasing revenue from directly owned properties and through the GGBHTD agreement and is expected to drop significantly in the budget year. In FY2022/23, no revenue is anticipated from leasing Rush Landing due to changes in the contract terms. Preliminary negotiations with GGBHTD indicate that it is likely that the new contract will not include the pass through of rental revenue from the San Rafael transit center.

The budgeted Measure A/AA revenue increases in the FY2022/23 by \$795,00 (+6%). The increase is due to an increased need for local funds for operations once federal relief funds are fully expended. The budget includes the amount of Measure A/AA revenue the District expects to expend. The amount of the Measure A/AA available for allocation exceeds the expenditure amount in most of the sub-strategies (additional detail is included at the program budget level).

State Transit Assistance Funds (STA), from sales tax on diesel fuel are allocated in accordance with the statute where 50% is based on (a) locally generated revenue expended on transit operations (revenue based) and 50% is based on (b) the population of the County (population based). The three eligible transit operators in Marin County—Marin Transit, Golden Gate Bridge Highway and Transportation District (GGBHTD), and SMART—signed an agreement in FY 2017/18 to split population funds based on ridership and service provided to address MTC's new STA Population-Based Policy (MTC Resolution 4321). Marin Transit's share of population based funds increased from 41% to 61% due to the higher retention of passengers and service during the pandemic than other operators. This increased the

District's share by \$572,000. The budget includes the expenditure of \$1.5 million of revenue based STA based on operations needs and will carryforward \$2 million in unallocated funds.

Similar to Measure AA local sales tax revenue, Transportation Development Act (TDA) funding is also generated from sales tax which has had strong growth, resulting in \$1.6 million in additional prior year funds. Marin County TDA is split between Marin Transit and GGBHTD based on Marin County ridership and service hours provided. Marin Transit's relative share increased from 43.12% to 62.66%, increasing the District's annual share by \$3.0 million.

FTA funding primarily consists of \$3.6 million in federal relief funds and decreases seven percent in the FY2022/23 budget. This is the final expenditure of federal relief funding through the American Rescue Plan Act. Federal Section 5307 funding for paratransit operations also increased significantly due to increases in the recent federal transportation reauthorization bill.

### District Expenses

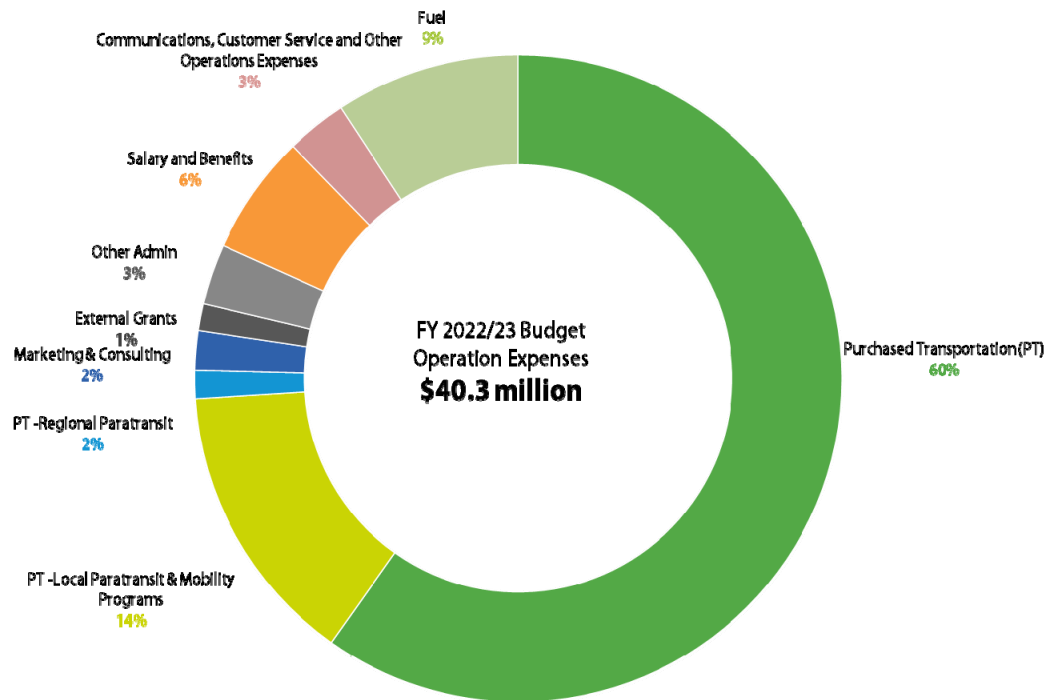
Marin Transit provides local transit service through purchased transportation contracts. Under this structure, the majority of district operations expenses (Figure 4) are for contract service operation (75%) and associated fuel (9%) and other operations expenses (5%). Contract service operations includes local paratransit, regional paratransit and fixed route purchased transportation. The following sections discuss information and trends on general agency costs including staffing, consulting, fuel, and marketing. More detailed operations and service costs are discussed in later sections that correspond to the District's program areas: local service, yellow bus, rural service, and Marin Access. The District's operations budget is a 13% increase over the FY2021/22 budget reflecting a high inflation and labor shortage that are putting increasing pressure to increase purchase transportation costs in order to maintain the service quality. Specific budget categories with variances greater than \$250,000 are summarized in Table 5.

**Table 5: Expense Variances in Operations Budget (>\$100,000 and >10%)**

Expense Category	FY 2022/23 Budget	Variance from Prior Year Budget		Notes
		Amount (\$)	%	
Salaries and Benefits	\$3,294,308	\$487,587	+17%	The increased budget allows more significant merit-based increases to adjust for high inflation. The budget also accommodates promotions and three additional positions to adjust for vacancy rates and improve procurement, contracting and oversight.
Contract Service Operation	\$30,495,780	\$4,266,432	+16%	Significant increase to account for anticipated new GGBHTD operations contract, new rates on Marin Airporter contract, and allow for anticipated return in demand for paratransit services.
Fuel	\$3,735,285	\$421,769	+13%	This increase reflects recent increases in fuel prices and allows for volatility of fuel prices.



**Figure 4: Operations Expenses for FY 2022/23 Budget**



### **Staffing**

Marin Transit directly employs all District staff. Benefits for regular employees include medical benefits coordinated through the County of Marin and an employer-funded defined contribution retirement program. After a period of freezing salary and benefits due to unknowns during the FY2020/21, the region is now experiencing record inflation rates that create pressure for the District to ensure competitive salaries to retain and attract quality staff members.

The FY2022/23 budget includes a shift in how the District budgets for direct staff and adds staff positions to address ongoing work load increases related to oversight of facilities, procurement, and federal compliance. Marin Transit averages the equivalent of 1-2 vacant FTEs per year. This occurs due to staff turnover and the time it takes to fill vacant positions. Vacancies result in continually under spending in the salary and benefits budget, create strain on existing staff resources, and reduce Marin Transit's ability to provide quality transit service. The FY2022/23 budget increases budgeted FTE by 1 FTE without increasing budgeted expenses to create a more accurate and obtainable staffing plan.

The budget also adds two staffing positions. One position will be responsible for facility maintenance and oversight. The need for this position was created by the purchase of the Rush Landing and Kerner facilities and will reduce some ongoing consultant fees. The second position will centralize procurement and federal oversight responsibilities to reduce burden on operations and finance staff.

Based on the District’s employment framework, top and bottom of the salary ranges for each classification can be increased by the consumer price index (CPI)<sup>1</sup> as of February of each year. This past year, the region experienced significant inflation. CPI increased by 5.2% in February and salary bands will be increased accordingly. Marin Transit has a merit based salary framework and there are no guaranteed cost of living increases. The budget includes capacity to account for inflation in annual salary increases and for merit based adjustments and promotions.

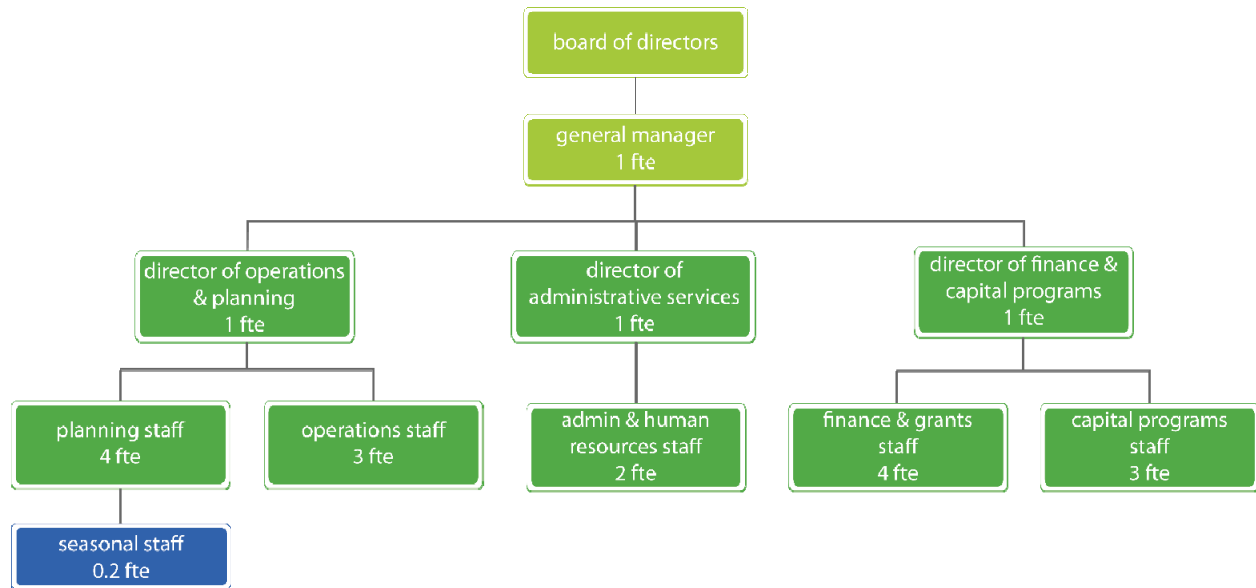
Benefit costs are on a calendar year and health insurance benefit rates increased 5% in 2022. There is capacity in the budget to accommodate some benefit rate adjustments in 2023.

Accounting for the additional positions and high inflation, the FY2022/23 salary and benefits budget increases 13% compared to the prior year budget.

**Table 6: Personnel Counts (FTE)**

	FY 2020/21	FY 2021/22	FY2022/23
Budget	16.4	17.4	20.2
Actual	15.6	16.0 <i>(estimate)</i>	

**Figure 5: Marin Transit FY 2022/23 Organization Structure**



<sup>1</sup> Bay Area CPI February 2022– 5.2%, bls.gov

## **Fuel**

Marin Transit pays directly for fuel used in all purchased transportation contracts. This structure shifts the risks for fuel price fluctuations to the District. In exchange, the contractors provide lower hourly contract rates as they do not need to hedge against potential fuel price increases.

Fuel prices are known to be volatile, and Marin Transit's budget includes capacity for price fluctuations. The current year budget anticipated that fuel prices would re-bound to pre-pandemic levels and as global demand returned. Additional price increases from war and political embargos have resulted in fuel prices increases of 45% between February 2021 and February 2022. The FY2022/23 Budget includes a 20% increase in projected fuel prices.

The method for purchasing fuel varies among contracts depending on the volume of service, existing infrastructure, and location of service. GGBHTD maintains its own fuel contract and delivery system. Two contractors fuel their vehicles at the County of Marin facility, and a fourth contractor uses a combination of commercial pumps and onsite delivery. In general, the bulk contract purchases by the County of Marin and GGBHTD provide a lower cost per gallon and result in a delayed market effect. As the District identifies future facility locations, the potential for fuel savings should be considered.

The budget also includes electric power costs for the District's electric buses. Two vehicles are currently operated by GGBHTD, where the vehicles are charged overnight during off-peak hours to reduce utility demand charges. The vehicle chargers have a submeter in GGBHTD's San Rafael maintenance yard, allowing for segmentation of the utility costs from the larger facility. Four electric buses will be charged at the District's Rush Landing facility. The budget includes \$2,900 per month for electrical power to charge each vehicle

## **Administration**

Expenses in the administration budget include: staff salaries and benefits, audit fees, insurance, travel costs, professional development expenses, office rental, and other associated costs. The administration budget (Table 7) includes revenues and expenses shared by all program areas. While these items are budgeted and recorded under administration, expenses are allocated to the program budgets based on a program's resource usage (i.e., billed staff time). This enables Marin Transit to track the full cost of programs.

For FY2022/23, three percent increase were sufficient increases to most administrative budgets to accommodate general inflation. Salary and Benefits budget increases 13% to accommodate a new position and merit-based salary increases (see staffing, page 17). Insurance costs were increased to reflect new costs related to expanded facilities and increased rates in the District's insurance pool. The budget for legal fees was increased to accommodate the increased need for support related to claims and contracts. Marin Transit signed new office lease extension that included more spaces at a lower cost per square foot. The new lease extends through 2027 and additional costs are included in the office rental budget

Table 7: Administration Budget

		FY 2021 Actual	FY2022 Budget- Revised	FY 2022 Estimated Actuals	FY2023 Budget	% Δ From FY2022 Budget
<b>Revenue</b>						
4070400	Interest	125,928	160,700	20,279	25,700	-84%
4079950	Development Fees	23,894	20,500	26,759	24,100	18%
4079954	Residual ABX 126	32,662	25,000	21,670	20,000	-20%
4080101	PropTax-CurrntSecured	4,366,859	4,472,425	4,540,000	4,676,000	5%
4080102	County Fee-Admin Basic Tax	(62,492)	(68,494)	(59,797)	(65,000)	-5%
4080103	Property Tax-Unitary	39,531	40,170	39,531	40,000	0%
4080104	PropTax-CurrntUnSecur	82,857	80,000	83,000	82,500	3%
4080105	Educ Rev Augm Fund-Redist	451,508	320,000	565,620	420,000	31%
4080106	PropTax-Supp CY SECR	89,757	90,000	86,139	85,000	-6%
4080107	PropTax-Supp Unsecured	1,711	1,000	1,501	1,500	50%
4080108	PropTax-Redemption	2,952	2,000	2,121	2,000	0%
4080109	Property Tax-Prior Unsecured	2,480	3,000	3,863	3,000	0%
4089901	Other Federal	154	150	150	150	0%
4119940	Other State	217	300	432	300	0%
<b>Subtotal Revenue</b>		<b>5,158,018</b>	<b>5,146,751</b>	<b>5,331,268</b>	<b>5,315,250</b>	<b>3%</b>
4700001	Property Tax Transfer	(271,548)	(3,009,573)	(1,967,000)	(3,633,135)	21%
<b>Net Revenue</b>		<b>4,886,470</b>	<b>2,137,178</b>	<b>3,364,268</b>	<b>1,682,115</b>	<b>-21%</b>
<b>Expense</b>						
5010200	Salaries	1,526,167	1,800,921	1,739,650	2,044,287	14%
5020000	Benefits	952,015	1,005,800	802,402	1,138,001	13%
5030301	Consultant Services	86,368	206,000	115,363	212,180	3%
5030304	Prof Svcs - Legal	15,999	103,000	89,721	150,000	46%
5030305	Prof Svcs - Audit	35,898	37,693	37,000	45,000	19%
5049901	Office Supplies	3,035	13,390	6,979	13,800	3%
5049902	Small Furn/Equip	10,193	10,300	9,006	10,600	3%
5049903	Software Maintenance	90,751	90,000	78,723	92,700	3%
5049904	Copier Suppl & Srv	8,286	10,017	8,420	10,300	3%
5049905	Postage	1,062	3,377	2,247	3,500	4%
5049906	Computers	9,282	22,145	16,790	22,800	3%
5049911	COVID-Supplies and Cleaning	561	-	-	-	-
5050201	Communication - Phone	32,009	33,475	32,512	35,600	6%
5060301	Insurance - Gen Liability	63,052	72,928	84,746	115,000	58%
5090101	Memberships & Prof Dev.	34,694	53,888	53,714	85,500	59%
5090202	Mileage and Travel	413	25,750	8,507	25,000	-3%
5090801	Marketing	2,068	13,911	8,951	14,000	1%
5121200	Office Rental	140,532	146,260	150,000	183,960	26%
<b>Subtotal Expense</b>		<b>3,012,385</b>	<b>3,648,855</b>	<b>3,244,731</b>	<b>4,202,228</b>	<b>15%</b>
5100100	Salary/Benefit Transfers	(2,305,491)	(2,654,451)	(2,390,429)	(3,315,440)	25%
5100101	Transfer Overhead	(444,644)	(563,590)	(489,799)	(722,907)	28%
<b>Net Expense</b>		<b>262,250</b>	<b>430,814</b>	<b>364,503</b>	<b>163,881</b>	<b>-62%</b>

## Local Service

The local service budget (Table 9) includes all revenues and expenses related to the provision of fixed route service and general purpose dial-a-ride, excluding rural service. Major programs in the local service budget include local fixed route, Community Shuttle service, supplemental school, Muir Woods seasonal shuttle, and Novato Dial-A-Ride. Other major expenses in the local service budget include consultant services for stop-level ride checks, service contract audits and reviews, communications, marketing, and staff time for contract oversight. This budget also includes costs and revenues for special projects such as the youth pass, and Homeward Bound tickets.

The local service budget for FY 2022/23 is \$28.3 million (Table 9). It represents a 16% increase over the prior year revised budget and provide a similar level of service to the prior year. Fixed route ridership is projected at 80% of pre-COVID levels. Marin Transit is working on service adjustments to reflect ridership changes from the pandemic, respond to reductions in regional service in the highway 101 corridor, and ensure long term sustainability of services.

Services are operated under contract to Marin Airporter (Local basic and Community Shuttles) and MV Transportation (Supplemental School and Muir Woods Shuttle), and Transdev (Novato Dial-A-Ride). Local Basic and Trunk line services are also operated through an intra-agency agreement with the Golden Gate Bridge Highway and Transportation District (GGBHTD). The intra-agency agreement includes revenue sharing and the payment to GGBHTD for customer service and maintenance and security at the San Rafael Transit Center. The interagency agreement ends December 2022 and a new agreement is being negotiated. The new agreement is expected to include a significant cost increases that reflect the increasing costs for providing transit services. The purchase transportation contracts with Marin Airporter and MV Transportation are in there last options years and have also required amendments to increase labor rates and address increasing costs for vehicle maintenance. Hourly rates for services are shown in Table 8.

**Table 8: Local Budget Service Levels**

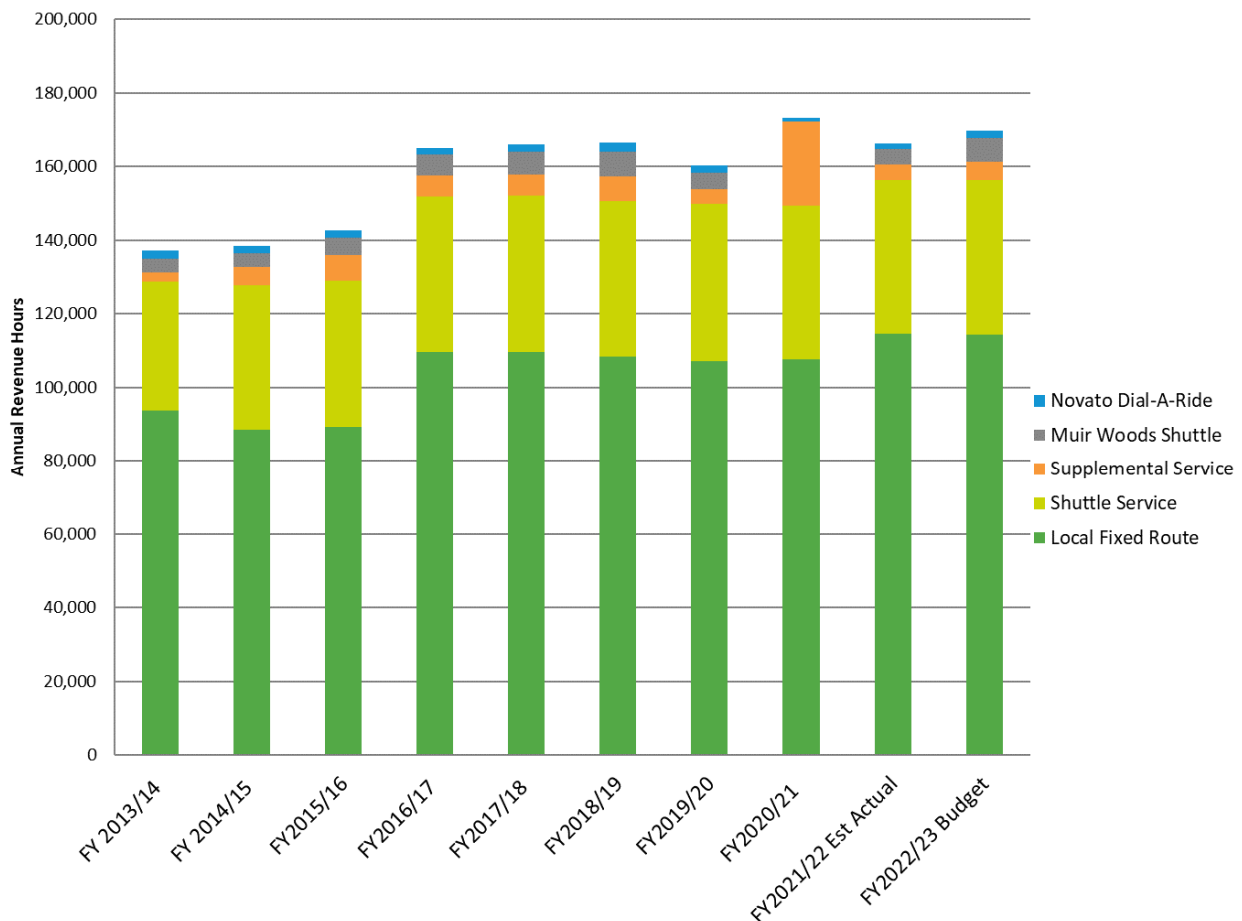
Service Type	FY 2022/23 Budgeted Service (Rev Hrs)	Average Contract Cost Per Hour (without fuel)	Notes
Local Basic and Trunk Line	114,200	\$135.94	Service levels are unchanged; service provide by two contractors; blended contract rate increases 18% due to anticipated increase to GGBHTD contract and increase to Marin Airporter contract.
Community Shuttles	42,000	\$112.26	Contract rate increases 39%
Supplemental School and Partnership	5,000	\$149.50	At pre-pandemic service level
Muir Woods Shuttle	6,500	\$135.90	At pre-pandemic service level
Novato Dial-A-Ride	2,400	\$79.80	Operated by paratransit contractor

Local service is funded with a combination of fare revenue, advertising revenue, Measure A/AA local sales tax funds, Transportation Development Act (TDA), State Transit Assistance (STA), and federal grants. Measure AA sales tax funds in the local budget include both sub-strategy 4.1 Local Bus funding and sub-strategy 4.4 - School Service funds for providing supplemental school service to middle and high schools. Total local sales tax revenues budgeted for local service are \$6.3 million and includes \$680,000 from the release of Measure A reserves. Measure AA funding is 25% of budgeted revenues for local service and a lower funding level to the prior year budget due to increased state funding and the expenditure of the remaining \$3.6 million in federal relief funds.

The budget includes a 94% increase in Transit Development Act (TDA) funding due to \$1.6 million in carryforward funds, strong growth of baseline funding and \$3.0 million increase in the District allocation share based on ridership and service (see page 11 for additional discussion).

Fare revenues are budgeted based on ridership and average fare per passenger. FY2022/23 ridership is expected to be 80% of pre-pandemic levels. Marin Transit also provides two major fare subsidy programs that reduce fare revenue. These are the youth pass program for free fixed route transit to low-income youth and Homeward Bound that provides free fixed route transit to people participating in County programs. The low-income youth fare program is budgeted to distribute \$500,000 in free fares and Measure B funds up to \$80,000 in free fares through the Homeward Bound program.

**Figure 6: Local Revenue Service Hours by Program**



**Figure 7: Local Passenger Trips by Program**

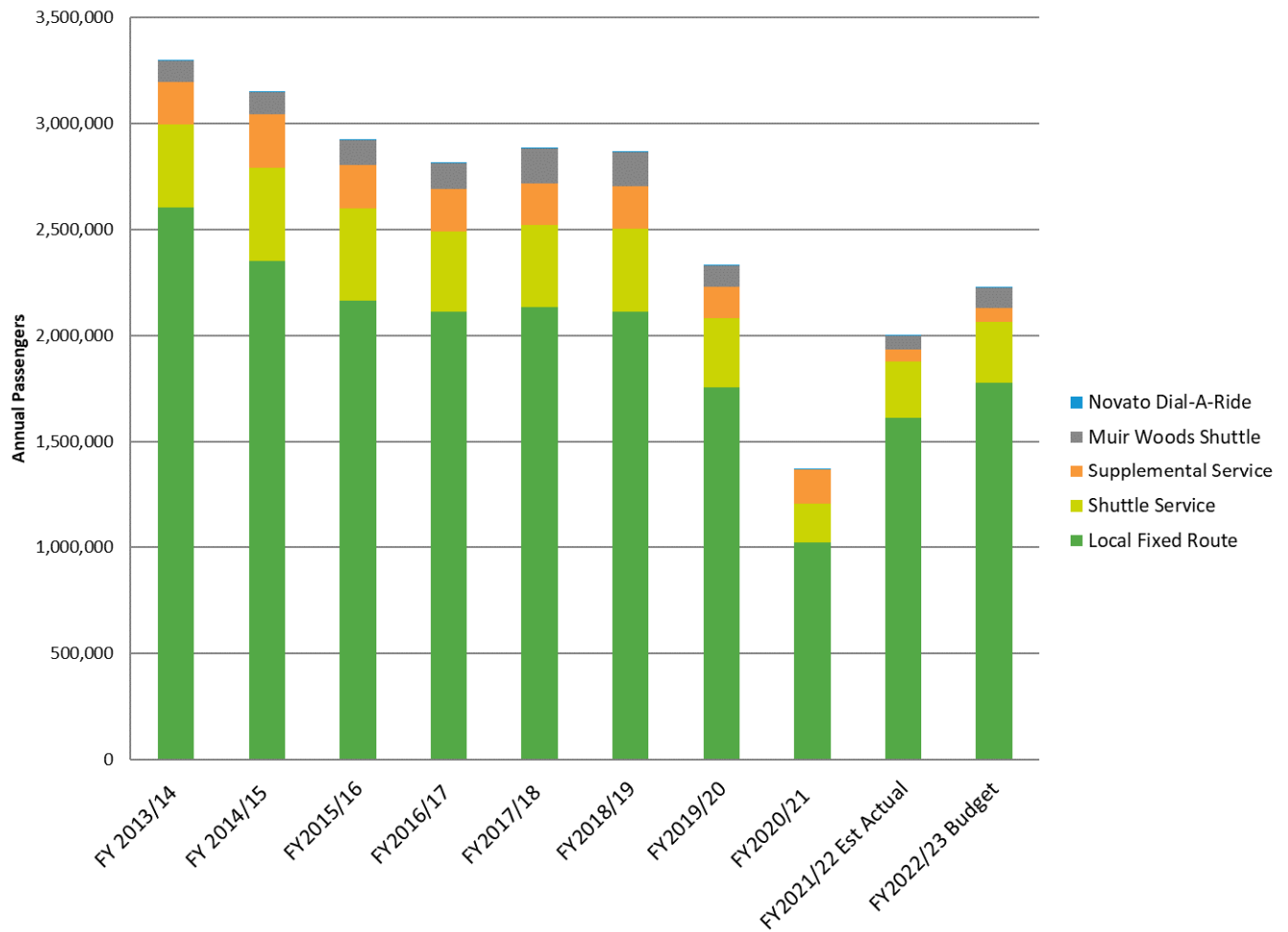


Table 9: Local Service Budget

		FY 2021 Actual	FY2022 Budget- Revised	FY 2022 Estimated Actuals	FY2023 Budget	% Δ From FY 2022 Budget
<b>Revenue</b>						
4060301	Advertising Revenue	201,573	273,712	172,096	83,500	-69%
4070301	Lease of Property	165,835	336,735	399,696	120,000	-64%
4092001	Measure A Sales Tax	944,535	0	0	680,000	-
4092005	Measure AA Sales Tax	6,979,897	8,680,992	3,964,930	6,309,950	-27%
4110101	State Transit Assistance (STA)	1,620,205	2,324,860	2,540,376	2,952,985	27%
4110102	Transit Development Act (TDA)	3,817,097	5,871,942	6,565,228	11,411,858	94%
4119911	State SREC Credits	14,010	16,000	13,857	16,000	0%
4139910	Fed-FTA 5307	70,520	0	0	0	-
4139912	Fed-FTA 5307 Relief Funds	6,760,570	3,654,814	6,654,814	3,589,000	-2%
4139951	National Park Service	14,177	418,544	285,916	564,764	35%
4140100	Fare Revenue	1,270,458	1,563,217	1,660,355	1,812,000	16%
4020000	Special Fares - Paid by Ext Agency	198,763	556,323	377,300	561,475	1%
<b>Subtotal Revenue</b>		<b>22,057,640</b>	<b>23,697,139</b>	<b>22,634,568</b>	<b>28,101,532</b>	<b>19%</b>
4700001	Property Tax Transfer	6,045	300,000	-	128,135	-57%
4700002	Program Revenue Transfer	33,412	80,000	40,658	80,000	0%
<b>Total Revenue</b>		<b>22,097,097</b>	<b>24,077,139</b>	<b>22,675,226</b>	<b>28,309,667</b>	<b>18%</b>
<b>Expense</b>						
5030301	Consultant Services	97,394	210,000	70,037	216,300	3%
5030310	Fare Processing Charges	14,679	18,035	19,376	22,000	22%
5030320	Customer Service	352,011	338,910	501,590	600,000	77%
5030602	Custodial Service	0	68,291	43,205	71,190	4%
5030701	Security Services	220,501	298,324	301,609	303,298	2%
5040101	Fuel	1,451,828	2,265,407	1,982,546	2,384,564	5%
5040160	Electrical Power	40,695	120,000	58,277	210,000	75%
5040180	Utilities (facility)	0	35,000	24,542	36,050	3%
5049902	Small Equipment	1,586	10,000	11,018	10,000	0%
5049904	Software	38,188	43,260	77,609	47,058	9%
5049911	COVID-19 Supplies and Cleaning	173,290	244,927	85,532	0	-100%
5050205	Communication	108,810	128,454	209,197	152,852	19%
5080101	Purchased Transportation	17,718,445	18,374,221	17,529,069	21,779,865	19%
5090801	Marketing	60,229	90,000	30,548	92,520	3%
<b>Subtotal Expense</b>		<b>20,277,656</b>	<b>22,244,829</b>	<b>20,944,155</b>	<b>25,925,697</b>	<b>17%</b>
5100100	Salary/Benefit Transfers	1,541,638	1,801,776	1,490,622	2,021,712	12%
5100101	Overhead Transfer	277,803	307,752	305,428	346,259	13%
<b>Total Expense</b>		<b>22,097,097</b>	<b>24,354,357</b>	<b>22,740,205</b>	<b>28,293,668</b>	<b>16%</b>



## Yellow Bus Service

Marin Transit strives to provide fixed route service to high schools in the urbanized areas of Marin County, but recognizes school transportation for younger students, and in rural areas, is often more appropriate for yellow school bus service. Measure AA designated resources from the local sales tax measure to help fund yellow bus services. The FY2022/23 budget (Table 10) includes revenue and expenses associated with the operations of following components to support yellow bus service:

- (A) Operation of the Ross Valley yellow bus program at pre-pandemic services levels;
- (B) Distribution of Measure AA funding to existing eligible Marin County Yellow Bus Programs; and
- (C) General staffing support for the development of yellow bus services in Marin County.

(A) Management of the Ross Valley yellow bus program - In FY 2022/23 Marin Transit anticipates continuing to manage operations, service contracts, and pass sales for five yellow buses serving Ross Valley schools. Annually, Marin Transit makes several assumptions to develop the budget and price the passes for the upcoming school year and presents a draft and final budget to the Ross Valley Yellow School Bus program Joint Exercise of Powers Authority (JEPA) for its review and approval. These assumptions may need to be adjusted as additional information on service levels, pass prices and contributions from other local agency partners such as the County of Marin, the Town of San Anselmo, and the Town of Fairfax are finalized.

(B) Distribution of Measure AA funding to existing Marin County yellow bus programs - With the passage of Measure AA, a new sub-strategy for school transportation was established. After an initial three-year distribution program, the Marin Transit Board adopted guidelines for a second three-year program at the April 2022 board meeting and is expected to approve distribution amounts at the June 2022 board meeting. The budget includes preliminary numbers based on the distribution of \$750,000 per year to the following school districts:

- Reed Union/Cove
- Ross Valley
- San Rafael School District
- Miller Creek
- Sausalito/Marin City (potential new program)

(C) General staffing support for the development of yellow bus service in Marin County- Marin Transit will continue to document need, facilitate, and provide planning support for new service, and help develop and sustain yellow bus service in Marin County. This includes activities paid for by the Tiburon Peninsula Traffic Relief JPA to support the Reed Union School District bus program, shown as Local Government Payment. Since daily service monitoring ended in December 2021, the cost to support the Reed Union School District have decreased significantly.

Table 10: Yellow School Bus Service Budget

		FY 2021 Actual	FY2022 Budget- Revised	FY 2022 Estimated Actuals	FY2023 Budget	% Δ From FY 2022 Budget
<b>Revenue</b>						
4030000	Fares- Paid By Other Agency	0	151,000	151,000	171,000	13%
4090101	Local Government Payments	0	109,677	76,216	24,840	-77%
4092005	Measure AA Sales Tax	261,591	613,200	909,718	750,000	22%
4140105	Fare Revenue - Yellow Bus	0	422,665	270,555	282,000	-33%
<b>Subtotal Revenue</b>		<b>261,591</b>	<b>1,296,542</b>	<b>1,407,489</b>	<b>1,227,840</b>	<b>-5%</b>
4700001	Property Tax Transfer	0	13,219	0	0	-100%
<b>Total Revenue</b>		<b>261,591</b>	<b>1,309,761</b>	<b>1,407,489</b>	<b>1,227,840</b>	<b>-6%</b>
<b>Expense</b>						
5030301	Consultant Services	3,600	0	4,325	5,000	-
5030310	Fare Processing Charges	1,029	19,210	19,000	19,786	3%
5030602	Custodial Service	0	2,016	1,523	2,076	3%
5049902	Small Furn/Equip	0	1,800	30	500	-72%
5049903	Software	118	0	1,218	1,500	-
5050205	Communication-AVL	0	16,327	0	0	-100%
5050206	Communication-Data	0	10,079	0	0	-100%
5080103	Yellow Bus School Service	0	682,124	506,204	597,900	-12%
5090801	Marketing	0	3,000	0	500	-83%
5098050	Grants to Yellow Bus Programs	232,085	410,406	670,338	525,000	28%
5120401	Leases and Rentals	0	26,236	25,285	26,210	0%
<b>Subtotal Expense</b>		<b>236,832</b>	<b>1,171,198</b>	<b>1,227,923</b>	<b>1,178,472</b>	<b>1%</b>
5100100	Salary/Benefit Transfers	25,184	106,584	79,080	59,297	-44%
5100101	Transfer Overhead	4,538	31,980	16,203	19,005	-41%
<b>Total Expenses</b>		<b>266,554</b>	<b>1,309,762</b>	<b>1,323,206</b>	<b>1,256,774</b>	<b>-4%</b>

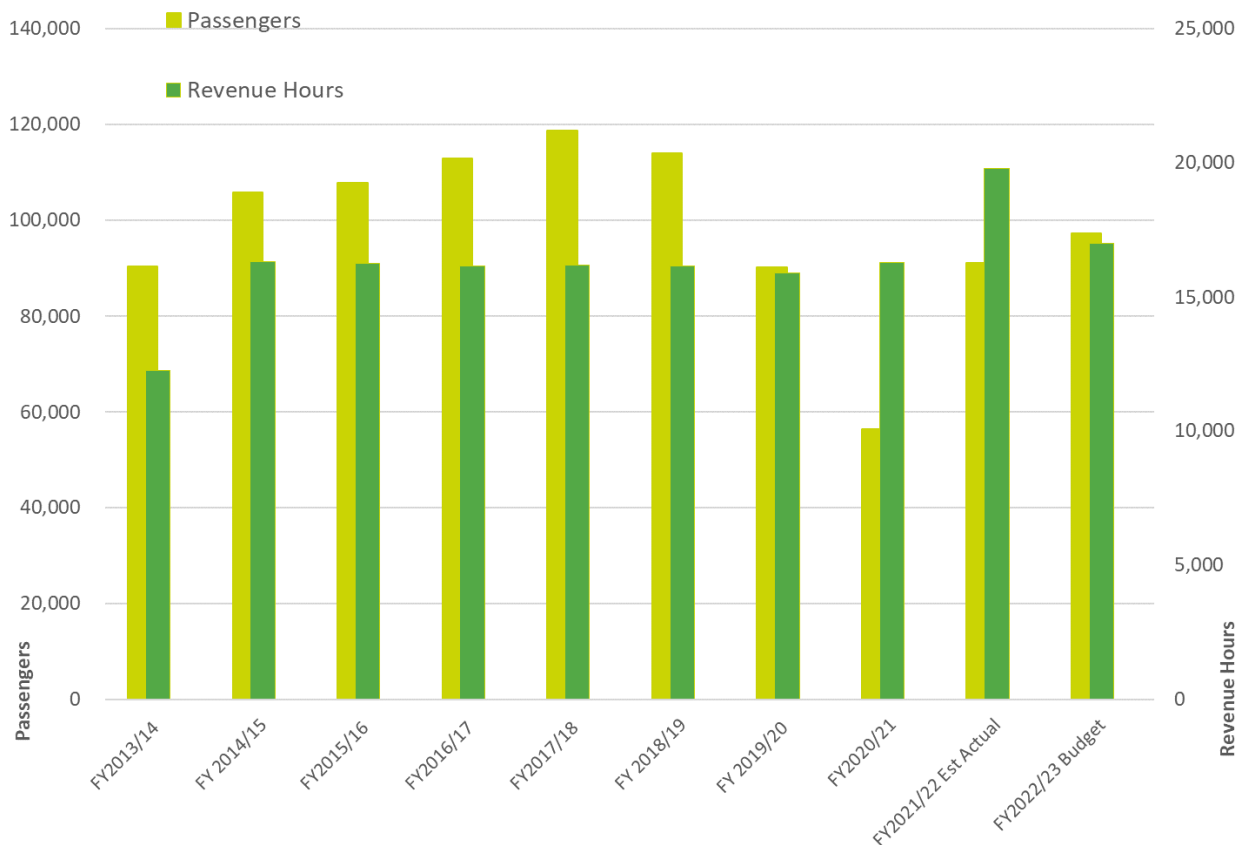
### Rural Service

Rural service is operated as the West Marin Stagecoach (Stagecoach) and includes northern Route 68, southern Route 61, and the rural Dial-A-Ride program. The West Marin Stagecoach, Routes 68 and 61, is operated under contract with MV Transportation. The rural Dial-A-Ride service is operated by Marin Transit’s paratransit contractor, Transdev.

Since most of the Rural service provides lifeline connections to rural communities, these services continued to operate throughout the COVID-19 pandemic. In September 2020, Marin Transit added 1,050 service hours to Route 61 to convert the seasonal peak/off-peak schedules to a consistent year-round schedule at the historic peak service level. This service increase continued in FY2021/22. These hours allowed more service and capacity during times when overcrowding was experienced on the service due to a combination of smaller vehicles and passenger load limits on this route.

There are no longer capacity limits on buses and ridership patterns have stabilized. The District is scheduled to return Route 61 closer to historic service levels starting in June of 2022. The District plans to continue slightly higher weekday service levels during the summer peak months to support higher ridership during this time of year. In total, Budget Rural service hours are 3,000 hours or 15% lower than the prior fiscal year (Table 11, Figure 8). The FY2022/23 budget includes operation of the Rural Dial-A-Ride at current service levels. This includes one round trip per week from Tomales and Dillon Beach to Petaluma and two round trips per month from Point Reyes to Novato.

**Figure 8: Rural Service Level and Ridership Trends**



**Table 11: Rural Budget Service Levels**

Service Type	Service Level (Revenue Hours)	Contract Cost Per Hour (without fuel)	Notes
West Marin Stagecoach	17,000	\$103.59	Return to pre-COVID service level after temporary increases to address capacity restrictions.
Rural Dial-A-Ride	400	\$134.33	Continue service twice a month between Point Reyes and Novato and weekly between Dillon Beach/Tomales and Petaluma

The rural service budget (Table 12) includes contract service operations, marketing, fuel, communications, and Marin Transit staff expenses. Rural service is funded with a combination of local sales tax funds and Federal Transit Administration (FTA) Section 5311 rural funding. Fare revenue is projected to be 92% of pre-pandemic levels as riders return to transit. Marin Transit receives the same 3% annual allocation of local sales tax funds for Rural service under Measure AA as Measure A.

**Table 12: Rural Service Budget**

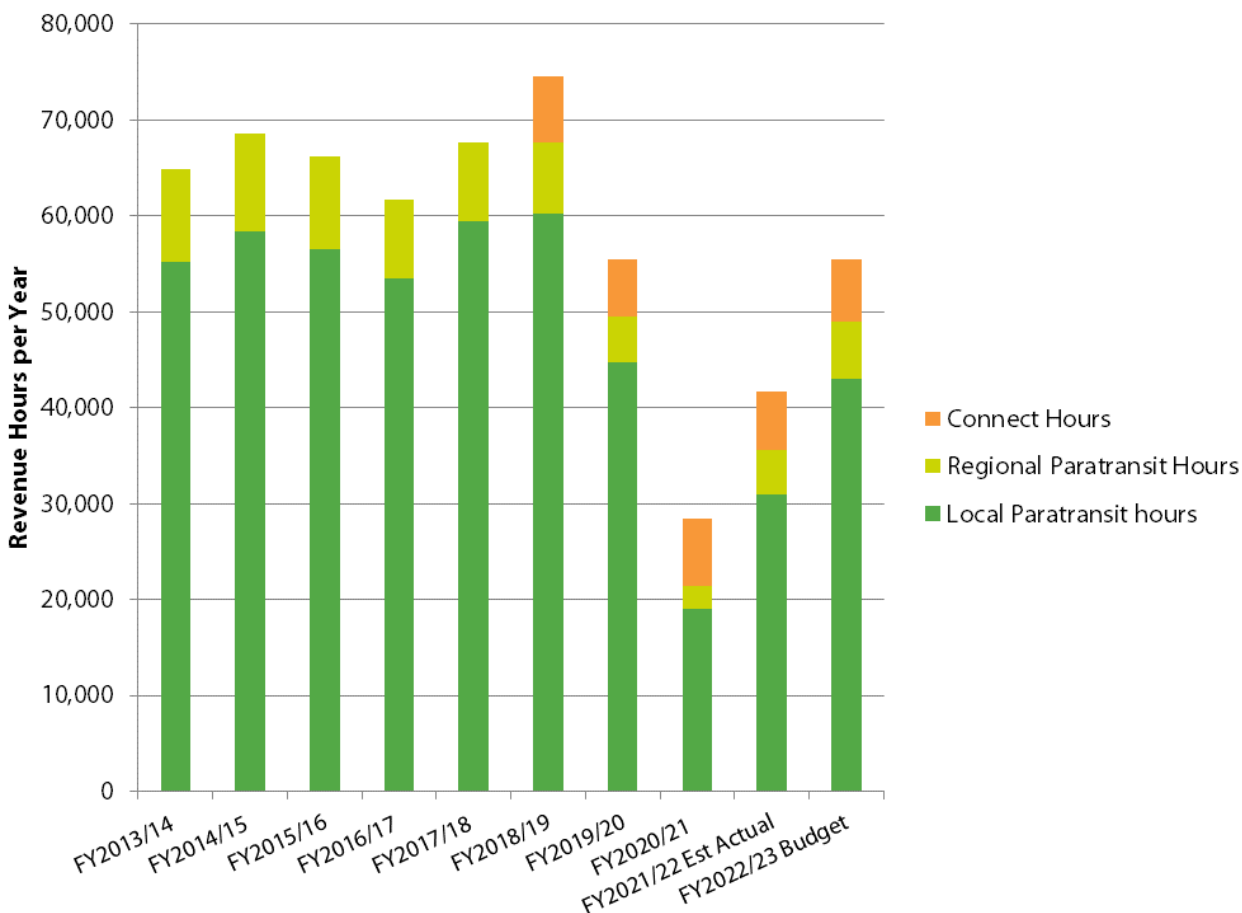
		FY 2021 Actual	FY2022 Budget-Revised	FY 2022 Estimated Actuals	FY2023 Budget	% Δ from FY2022 Budget
<b>Revenue</b>						
4092001	Measure A Sales Tax	27,059	0	0	325,387	-
4092005	Measure AA Sales Tax	564,320	664,630	664,630	1,131,141	70%
4139920	Fed-FTA 5311 Rural	228,695	231,649	308,000	297,303	28%
4139951	Fed-FTA 5311 Relief Funds	800,000	523,877	523,877	0	-100%
4140100	Fare Revenue	52,419	81,474	91,844	100,706	24%
<b>Subtotal Revenue</b>		<b>1,672,493</b>	<b>1,501,630</b>	<b>1,588,351</b>	<b>1,854,537</b>	<b>24%</b>
4700001	Property Tax Transfer	258,925	1,158,429	820,000	600,000	-48%
<b>Total Revenue</b>		<b>1,931,418</b>	<b>2,660,059</b>	<b>2,408,351</b>	<b>2,454,537</b>	<b>-8%</b>
<b>Expense</b>						
5030301	Consultant Services	8,090	15,914	7,689	16,391	3%
5040101	Fuel	158,951	257,829	330,390	396,468	54%
5049902	Small Equipment	1,642	5,000	0	5,000	0%
5049911	COVID-19 Supplies and Cleaning	5,014	13,073	207	0	-100%
5050205	Communication-AVL	12,887	18,182	12,454	15,000	-18%
5050206	Communication-Data	697	1,126	0	0	-100%
5080101	Purchased Transportation	1,624,308	1,912,025	1,857,220	1,814,694	-5%
5090801	Marketing	6,197	20,000	8,290	20,600	3%
<b>Subtotal Expense</b>		<b>1,817,786</b>	<b>2,243,149</b>	<b>2,216,250</b>	<b>2,268,153</b>	<b>1%</b>
5100100	Salary/Benefit Transfers	96,282	124,348	99,469	138,360	11%
5100101	Transfer Overhead	17,350	37,310	20,381	44,345	19%
<b>Total Expenses</b>		<b>1,931,418</b>	<b>2,404,807</b>	<b>2,336,100</b>	<b>2,450,858</b>	<b>2%</b>

### Marin Access (Paratransit and Mobility Management)

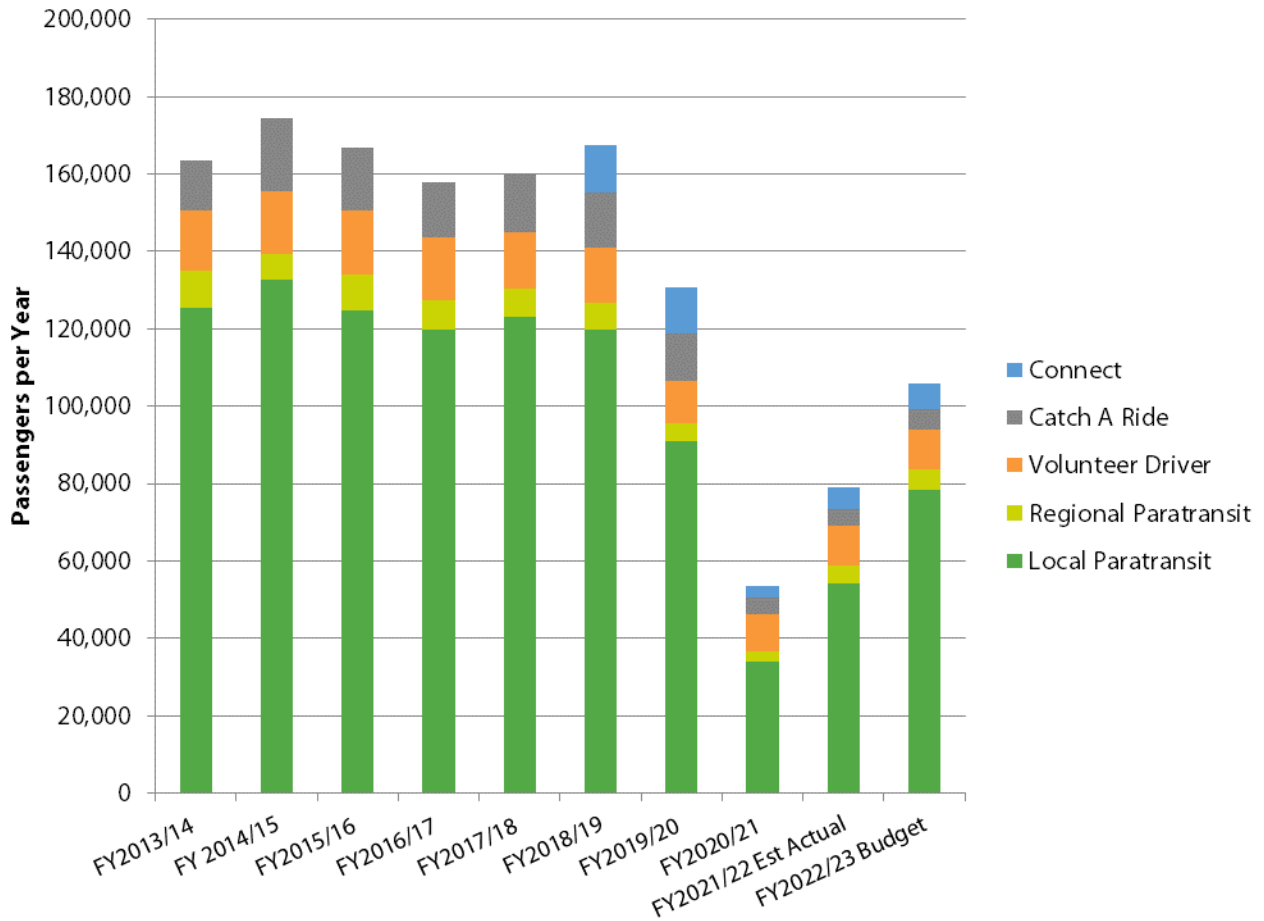
The Marin Access budget includes Marin Access paratransit services for both local and regional trips and associated costs for fuel, customer service, scheduling and dispatch software, and marketing. The Marin Access budget also includes Marin Transit’s Mobility Management programs and services. The purpose of the Mobility Management program is to increase mobility for the County’s older adults and those with disabilities in need of transportation services and provide cost effective and improved alternatives to paratransit. The program goes beyond the legal requirements of the Americans with Disabilities Act (ADA) using funding from local Measure B and Measure AA. The Mobility Management services (Table 13) include the Catch-A-Ride subsidized taxi program, volunteer driver reimbursement programs, the “Marin Transit Connect” on demand service, the Travel Navigator eligibility and information center, and travel training.

The FY 2022/23 budget for Marin Access (Table 14) is \$8.3 million, a 20% increase compared to the prior year budget. Based on projected demand for services, the budget includes a 34% increase in paratransit service hours over currently operated hours. The budgeted paratransit service hours are 73% of pre-COVID levels. The prior year budget (FY2021/22) was for 70% of pre-COVID levels and the estimated actuals for that year are the operation of 51% of pre-COVID levels (Figure 9). Table 13 include the budget service level for all programs and the program details are included starting on page 34.

**Figure 9: Marin Access Revenue Hours by Program**



**Figure 10: Marin Access Passengers by Program**



Marin Transit initiated a new competitively bid contract for the operations of Marin Access services and programs on February 2022. The new contract has a fixed and variable price structure with tiered rates based on service levels, and costs increased significantly due to labor market and inflation pressures. Assuming operation in Tier 3 (42,000 – 54,000 annual hours), the effective hourly rate for local paratransit increases 30%. Due to changes in the contract structure, the effective regional paratransit hourly rate decreases 27%. While the cost per hour for demand response services has increased, the lower demand for services since the start of the pandemic combined with growth in local sales tax revenue minimizes financial pressure in the Marin Access Budget.

The FY2022/23 budget continues to include the direct facility costs for the operation of the new Marin Access Operations & Maintenance facility at 3000 Kerner Boulevard in San Rafael. The budget for fuel costs increases 53% to allow for both the budgeted increase in service hours and a potential increase of 20% in fuel prices to accommodate the volatility of fuel prices.

**Table 13: Marin Access Budget Service and Program Levels**

Service Type	Service Level (Revenue Hours)	Contract Cost Per Hour (without fuel)	Notes
Local Paratransit	43,000	\$107	Budgeted hours increase 34% over prior year estimated actual; 73% of pre-COVID service demand.
Regional Paratransit	5,000	\$109	Effective hourly rate decreases from \$149, fully funded by GGBHTD
Connect (Pilot)	6,500	\$110	Same day accessible service with limited service area near the 101 Corridor in Marin County.

Service/Program	Service Level (Projected Ridership)	Funding Level	Notes
Catch A Ride	3,700	\$360,000	Passenger demand projected at 30% of the pre-COVID level, partially funded with Measure B.
Volunteer Driver	10,000	\$100,000	Program at similar service level to pre-COVID demand. Fully funded by Measure B.
Innovation Incubator / Gap Grants	NA	\$90,000	Provides support to external agencies for innovation projects; program has been on hold due to the pandemic
Low Income Fare Assistance Program	NA	\$85,000	Provides fare assistance for low-income riders. Fare assistance is funded with Measure B.

**Marin Access Revenue**

Marin Access programs are primarily funded by local sources including Measure AA, Measure B and property tax. Marin Access receives 9.5% of Measure AA sales tax revenue and TAM's increased allocations of sales tax revenue increases this from around \$2.0 million per year to \$2.7 million. This fiscal year, Marin Transit has \$4.2 million in Measure AA funding for expenditures due to the prior year funds available. Marin Transit receives 35% of the county Measure B vehicle license fee to support the mobility management initiatives. Marin Transit is budgeting \$950,000 of Measure B funding in FY 2021/22, which includes an estimated \$192,000 in unspent prior year allocations.

Marin Transit plans to continue providing free fixed route tickets valued at \$80,000 to Marin County's Homeward Bound program for participating residents. The cost of this program is represented as a revenue transfer from the Marin Access program to the local program. Marin Transit receives federal 5307 funding for paratransit operations. This funding increased under the new federal reauthorization bill and Marin Transit's allocation increased by \$200,000 to \$1.03 million.

Fare revenue is budgeted to increase 40% based on anticipated ridership increases.

Table 14: Marin Access Budget

		FY 2021 Actual	FY2022 Budget- Revised	FY 2022 Estimated Actuals	FY2023 Budget	% Δ From FY 2022 Budget
<b>Revenue</b>						
4092001	Measure A Sales Tax	134,574	0	0	165,410	-
4092005	Measure AA Sales Tax	1,353,396	2,767,180	2,767,180	4,159,467	50%
4099950	Measure B	910,679	944,943	932,057	950,000	1%
4110101	State Transit Assistance	60,000	60,000	60,000	60,000	0%
4119910	State Prop Tx Relief HOPTR	18,541	16,000	5,524	16,000	0%
4139910	Fed-FTA 5307 Urbanized Area Formula	697,574	802,802	802,802	1,039,640	30%
4139914	Fed-FTA 5307 Relief Funds	559,614	0	0	0	-
4139915	Fed-FTA 5310 Mobility	90,561	81,400	89,284	0	-100%
4140100	Fare Revenue	133,137	242,900	227,501	318,964	31%
4601003	GGBHTD – Local Paratransit Payment	693,171	527,331	801,803	879,922	67%
4601004	GGBHTD – Regional Paratransit Payment	574,164	705,473	706,968	633,569	-10%
<b>Subtotal Revenue</b>		<b>5,225,411</b>	<b>6,148,029</b>	<b>6,393,119</b>	<b>8,222,972</b>	<b>34%</b>
4700001	Property Tax Transfer	0	784,361	297,000	455,000	-42%
4700002	Program Revenue Transfer	(33,412)	(80,000)	(40,658)	(80,000)	0%
<b>Total Revenue</b>		<b>5,191,999</b>	<b>6,852,390</b>	<b>6,649,461</b>	<b>8,597,972</b>	<b>25%</b>
<b>Expense</b>						
5030301	Consultant Services	52,250	83,900	80,040	84,827	1%
5030320	Customer Service	329,556	230,728	339,432	72,695	-68%
5030602	Custodial Service	0	20,000	2,766	24,000	20%
5040101	Fuel	239,647	478,197	462,683	744,253	56%
5040160	Utilities (Facility)	0	30,000	20,000	30,000	0%
5049902	Small Furn/Equip	0	10,000	34	10,000	0%
5049903	Software	166,425	178,064	117,924	182,434	2%
5049911	COVID-Supplies and Cleaning	40,395	84,000	1,914	0	-100%
5050204	Communication-MERA Radio	20,204	22,246	26,085	27,035	22%
5050206	Communication-Data	13,948	35,000	3,598	18,000	-49%
5080101	Purchased Transportation - In Report	3,327,108	4,836,797	4,434,646	5,737,163	19%
5080102	Purchased Transportation - Regional	551,131	616,274	663,352	566,158	-8%
5090801	Marketing	27,738	51,500	3,818	35,000	-32%
5098001	Misc-Exp Transit User Training	0	12,360	5,000	12,731	3%
5098002	Gap Grant	0	80,000	0	90,000	13%
<b>Subtotal</b>		<b>4,768,402</b>	<b>6,769,066</b>	<b>6,161,292</b>	<b>7,634,296</b>	<b>13%</b>
5100100	Salary/Benefit Transfers	358,919	355,281	405,597	494,144	39%
5100101	Transfer Overhead	64,677	106,599	83,107	158,376	49%
<b>Total Expense</b>		<b>5,191,998</b>	<b>7,230,946</b>	<b>6,649,996</b>	<b>8,286,816</b>	<b>15%</b>

In FY 2022/23, Marin Transit expects to expend the following state and federal grant awards for Marin Access:

FY2022/23 Expenditure	Total Grant Award	Program	Source
\$1,039,640	\$1,039,640	Paratransit Operations	Federal Section 5307



Marin Transit has three open applications for FTA Section 5310 funding to support the mobility management programs. These grants have not yet been awarded.

GGBHTD pays for all costs related to regional paratransit along with their share of mandated local paratransit based on their share of transit in Marin County (currently 24%). The agency share for local paratransit is calculated based on each agency's relative fixed route bus trips with complementary paratransit obligations. GGBHTD share for local paratransit may be renegotiated and effect the payments for the second half of the fiscal year. GGBHTD now pays a lower amount for regional paratransit service since the new purchased transportation contract for paratransit operations normalized the regional paratransit hourly service rate to be the same as local paratransit. As of FY 2015/16, GGBHTD directly reports the ridership, fares, and costs associated with their share of paratransit to the National Transit Database (NTD) and the State Controller's Office.

### ***Program Details***

Marin Access ***paratransit service*** provides demand-response trips to passengers certified as unable to use the fixed route system either all or some of the time. This includes trips mandated under the federal Americans with Disabilities Act (ADA) as well as trips that go beyond the ADA requirements. This service, and a regional paratransit service managed on behalf of GGBHTD, are operated under a single contract to Transdev.

The ***Connect pilot program*** started a new phase of the pilot beginning July 1, 2020. Connect provides same-day on demand services in a limited service area along the Highway 101 corridor within 2.5 miles of SMART stations. The program provides two accessible vans on weekdays that are operated by the paratransit contractor and scheduled and dispatched through the UBER platform. The program budgets for 6,500 hours and is projected to provide 6,500 passengers trips in FY2022/23. While focused on Marin Access riders, Connect is also intended to provide first-last mile connections to SMART through employer partnerships. Evaluation of this pilot has been extended due the COVID-19 pandemic.

Marin Transit's ***volunteer driver programs*** allow Marin County residents that are 65+ or ADA eligible to identify trusted drivers and provide mileage reimbursements for up to 100 miles per month in urbanized Marin (STAR program) or 400 miles in West Marin (TRIP program). In FY2020/21, the reimbursement rate for the volunteer driver programs was increased from \$0.35 to \$0.60 per mile. Staff projected the increased reimbursement rate would lead to an increase in program participation, but the impact is unclear due to the drop in ridership related to the COVID-19 pandemic. While there are currently fewer riders, the remaining riders have reported that they appreciate the rate increase and they have increased their trip making and subsequent reimbursement requests up to the new allowable monthly mileage limits.

***Catch-A-Ride*** is a subsidized taxi program for Marin County residents that are 65+ or ADA eligible. Riders can take up to 10 trips per month at a subsidy of up to \$14 per trip after paying a base fare of \$4. Catch-A-Ride trips are scheduled and dispatched through Marin Transit's contractor and provided by local Marin County taxis. In FY2020/21, the base fare of \$4.00 was added to the Catch-A-Ride fare as part of the Marin Access fare restructuring and staff anticipated program usage would decline. FY2020/21 ridership did decline (64% from FY2019/20), but most of the decline is likely attributable to the COVID-19 pandemic. In FY2022/23, staff will continue to monitor Catch-A-Ride usage and evaluate the impact of adding the base fare and identify opportunities to streamline operations.

**Regional paratransit**, fully funded by GGBHTD, service demand has recovered significantly from declines at the start of the pandemic. The FY 2022/23 budget includes 5,500 revenue hours for regional paratransit service which is 80% of the pre-COVID demand. Under the new Marin Access purchased transportation contract the costs for regional paratransit decreased significantly.

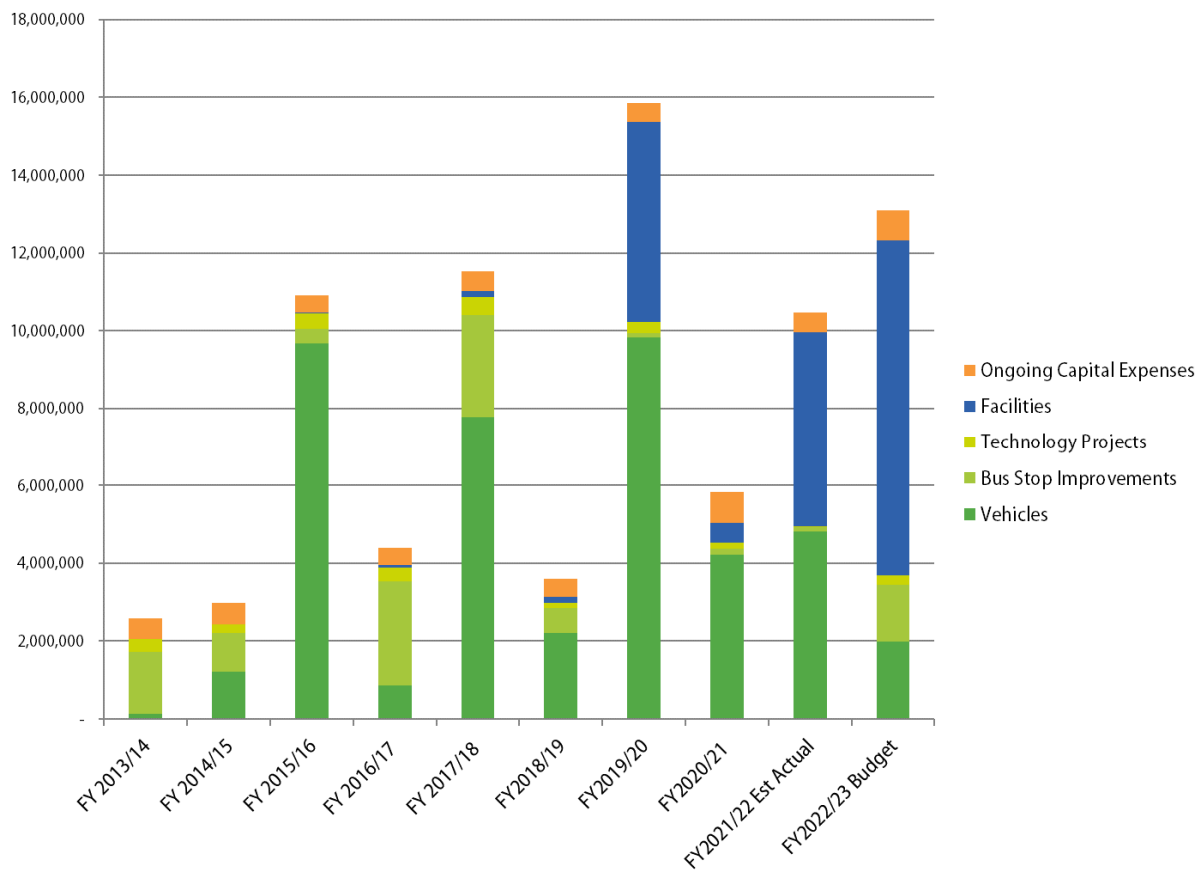
### ***Mobility Management***

Marin Transit established the Mobility Management Office in 2009, with initial funding from a Federal New Freedom Grant. The program has continued to receive Federal Section 5310 grants to fund staffing costs. Marin Transit established the Marin Access Travel Navigator program in 2010, as a one-stop-shop for information and eligibility on all Marin Access programs. The Mobility Management Office serves as an umbrella for paratransit, volunteer driver, a subsidized taxi program (Catch-A-Ride), and travel training. Travel training activities include local informational presentations and individualized travel training. There are currently two full-time Travel Navigators and one full-time Travel Navigator Coordinator.

# Capital Budget

Marin Transit’s annual capital budget (Table 15) of \$13.1 million provides funding for transit vehicles, bus stop improvements, transit technology projects, and other capital expenses. Figure 11 provides capital expenditures and budget by project type to show the significant variation in expenditures by year. Marin Transit successfully purchased a two-and-a-half-acre parcel (Rush Landing) in FY2019/20 and a paratransit maintenance facility in San Rafael in FY2021/22. These purchases will provide vehicle parking for only a portion of the fleet and a maintenance facility location only for the paratransit service. Additional facilities and facility improvements are needed to meet zero emission fleet requirements and accommodate Marin Transit’s full parking and maintenance needs. Marin Transit is actively purchasing right-of-way for additional transit bus parking and the budget includes the larger facility project needed for installation of electric vehicle charging infrastructure and fixed route vehicle maintenance.

**Figure 11: Capital Project Budget by Type**



Capital expenditures are defined in the District’s fixed asset management policy. A “Fixed Asset” includes equipment, supplies and rolling stock with a unit purchase value of at least \$5,000 and a service life of more than one year. All projects that meet the requirements of the District’s fixed asset policy are capitalized and depreciated over the defined life of the associated asset type. Expenditures not meeting the District’s policy for capitalization will be included as operations expenses on financial statements.

The projects included in the FY2022/23 budget are 9% funded with state and federal grant funds (Table 15). This is a lower percentage than prior fiscal year due to large facility projects that are primarily funded with the District's capital reserves. In the budget year, 17% of capital funds are from state and federal grants. The budget includes the expenditure of \$2.9 million capital reserves (prior year property tax revenues) to fund facility improvements and purchase of additional land for vehicle parking. The annual Measure AA allocation to bus and bus facilities is \$1.1 million and the budget includes the expenditure of \$1.4 million in unspent Measure A funds from prior years. The yellow bus facility project is partially funded with Measure A interest funds.

## Vehicles

Purchase Five Paratransit Replacements – Accessible Vans (PD) – Marin Transit will purchase five paratransit vans to replace existing vehicles. An additional ten vehicles are eligible for replacement but are being deferred due to lower paratransit demand and therefore less vehicle use and need during the pandemic. Marin Transit is replacing these cutaway vehicles with accessible vans since a smaller vehicle size allows more maneuverability and is more fuel efficient than the larger cutaways. The vehicles are 80% funded with Section 5307 funds with a local match from Measure AA local sales tax funds. Marin Transit executed the purchase order for these vehicles in FY2021/22, but supply chain issues prevented delivery and the vendor is unable to fulfill the contract. A new purchase contract will be needed when vehicles are available.

Purchase One Electric Paratransit Vehicle (PE) – Marin Transit will purchase one electric paratransit vehicle and associated charging infrastructure. This project is funded with State Low Carbon Transit Operations Program (LCTOP) funding.

Purchase Five Paratransit Replacements – Cutaways (PF) – Marin Transit will purchase five paratransit vehicles to replace vehicles beyond their useful life. The vehicles are 80% funded with Section 5307 funds with a local match from Measure AA local sales tax funds.

Hybrid Battery Replacement (HY) – Marin Transit will make mid-life replacements of batteries of seven 2015 40ft hybrid electric vehicles in accordance with industry practice. These vehicles are currently operated by Marin Airporter. The battery replacements are 80% funded with Section 5307 funds with a local match from Measure AA local sales tax funds.

Staff Car (NR) – Marin Transit will purchase an electric staff car to replace the retired active vehicle. This project was delayed from FY2020/21 since staff were working remotely during the COVID-19 pandemic. This project is funded with State Transportation Act (STA) revenue based funds.

## Bus Stop Improvements

Novato Bus Stop Shelters (BN) – Marin Transit will purchase up to eight shelters to replace existing advertising shelters that are out of contract in Novato. The new shelters will be lower maintenance with perforated metal walls instead of glass. Regular maintenance of the installed shelters is included in Bus Stop Maintenance. This project is 80% funded with federal funds through the regional Lifeline program and matched with local Measure AA sales tax funding.

ADA Bus Stop Improvements (BP) – Marin Transit will complete construction of bus stop improvements at up to 20 stops in Marin County. The stops were identified for improvement after a 2017 Bus Stop Conditions assessment and

100% stop level survey of ridership. They were prioritized by need for accessibility improvements, ridership, and lack of amenities. Improvements will be focused on providing ADA wheelchair landing pads and basic passenger amenities. The construction of this project is 80% funded with Federal funds awarded to Marin Transit through the regional Quick Strike Program.

### Administrative and Operations Facilities

Facility Improvements -Rush Landing (FS) – In FY2022, Marin Transit will finish improvements to the Rush Landing parking facility including new fencing, landscaping and other security features. This project is funded with Measure AA and local property tax revenue.

Facility Improvements – Kerner Blvd (FD) – This project provides basic facility improvements at the new paratransit maintenance site. Improvements include fencing, lighting, and upgrades to the building to allow for vehicle maintenance and provide an accessible office space. The majority of improvements were completed in FY2021/22. Work in FY2022/23 will include finishing work and project closeout.

Parking Facility ROW – (FE) – This project was initiated in FY2021/22 for the purchase of additional ROW for vehicle parking. The project is funded with a combination of current year property tax funding and capital reserve funding. (prior year local property tax).

Fixed Route maintenance Facility (FD) – The District is actively applying for grants for the larger facility needed for electrification and sustainable operations. This is a multi-year project with project initiation work in FY2022/23.

Yellow Bus Parking Facility (YF)- The District currently leases a parking lot for 16 yellow buses, but the future of this lease is unknown. This project is for the purchase of a parking site for yellow buses and is funded with \$1.1 Million in Measure A interest and \$1.9 million in capital reserve funding (prior year local property tax).

### Technology Projects

On Board Vehicle Equipment – This project will fund the replacement of on-board vehicle equipment that is experiencing high failure rates. This includes equipment for Automated Vehicle Location (AVL), automatic passenger counting (APCs), and onboard monitoring devices (cameras). This project is funded with Measure AA sales tax funding.

### Other Measure A/AA Capital Expenses

Other capital and infrastructure expenses include; the capital contribution to GGBHTD as required under contract, major vehicle repairs, and bus stop maintenance expenses. Expenditures that do not meet the District’s policy for capitalization will be included as operations expenses on financial statements.

Table 15: Capital Budget by Project

		Total Project Budget	Prior Year Expenditures	FY2022/23 Budget	Future Years	Measure AA/Local Funding	State Funding	Federal Funding
PD	Purchase 5 paratransit replacements (vans)	505,000	8,000	497,000	0	20%	0%	80%
PE	Electric Paratransit Vehicle and Charging Infrastructure	677,208	0	677,208	0	0%	100%	0%
PF	Purchase 5 paratransit replacements	515,000	0	515,000	0	20%	0%	80%
HY	Hybrid Battery Replacements	300,500	50,500	250,000	0	20%	0%	80%
NR	Staff Car	49,000	1,000	48,000	4,000	8%	92%	0%
<b>Subtotal Vehicles</b>		<b>2,046,708</b>	<b>59,500</b>	<b>1,987,208</b>	<b>4,000</b>	<b>13%</b>	<b>35%</b>	<b>52%</b>
BN	Novato Bus Stop Shelters	61,115	900	60,215	0	20%	0%	80%
BP	ADA Bus Stop Improvements	1,703,000	303,000	1,400,000	0	20%	0%	80%
<b>Subtotal Bus Stop Improvements</b>		<b>1,764,115</b>	<b>303,900</b>	<b>1,460,215</b>	<b>0</b>	<b>20%</b>	<b>0%</b>	<b>80%</b>
FS	Facility - Rush Landing Improvements	2,800,000	1,262,043	1,537,957	0	96%	0%	4%
FD	Facility - Kerner Improvements	1,100,000	970,000	130,000	0	100%	0%	0%
FE	Facility - Parking Facility ROW	3,850,000	200,000	3,650,000	0	100%	0%	0%
FG	Facility - Fixed Route Maintenance Facility	20,000,000	0	300,000	19,700,000	100%	0%	0%
YF	Yellow Bus Parking Facility	3,000,000	0	3,000,000	0	100%	0%	0%
<b>Subtotal Facility</b>		<b>30,750,000</b>	<b>2,432,043</b>	<b>8,617,957</b>	<b>19,700,000</b>	<b>100%</b>	<b>0%</b>	<b>0%</b>
OC	On Board Vehicle Equipment	250,000		250,000	0	100%	0%	0%
<b>Subtotal Technology Projects</b>		<b>250,000</b>	<b>0</b>	<b>250,000</b>	<b>0</b>	<b>100%</b>	<b>0%</b>	<b>0%</b>
GG	Golden Gate Capital Costs (GG)	24,000	0	24,000	0	100%	0%	0%
BM	Bus Stop Maintenance (BM)	160,000	0	160,000	0	100%	0%	0%
VR	Major Vehicle Repairs (VR)	200,000	0	200,000	0	100%	0%	0%
IF	Infrastructure Support (IF)	400,000	0	400,000	0	100%	0%	0%
<b>Subtotal Ongoing Capital Expenses</b>		<b>784,000</b>	<b>0</b>	<b>784,000</b>	<b>0</b>	<b>100%</b>	<b>0%</b>	<b>0%</b>
<b>Total Expenditures</b>		<b>35,594,823</b>	<b>2,795,443</b>	<b>13,099,380</b>	<b>19,704,000</b>	<b>91%</b>	<b>2%</b>	<b>7%</b>



711 grand ave, #110  
san rafael, ca 94901

ph: 415.226.0855  
fax: 415.226.0856  
[marintransit.org](http://marintransit.org)

June 6, 2022

Honorable Board of Directors  
Marin County Transit District  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT: Measure AA Yellow School Bus Funding Allocation for FY 2023-25**

**board of directors**

Dear Board Members:

stephanie moulton-peters  
president  
supervisor district 3

**RECOMMENDATION:** Approve funding allocations and authorize the General Manager to execute contracts with the approved funding allocations to five eligible yellow school bus programs for the new Measure AA three-year funding cycle (FY 2023-25).

katie rice  
vice president  
supervisor district 2

**SUMMARY:**

On April 4, 2022, staff provided an update on the new Measure AA three-year funding cycle and your Board approved the recommended allocation formula and eligibility requirements for the FY2023-25 term. This report provides an update on the status of these funds with the recommended funding allocations for five eligible yellow school bus programs in the County of Marin.

eric lucan  
2nd vice president  
city of novato

**Funding Amount:**

In the FY2020-22 funding cycle, Marin Transit facilitated an allocation of approximately \$600,000 annually to five eligible yellow school bus programs. These funds provided financial support that subsidized approximately 10 – 20 percent of the total program cost. In the FY2023-25 term. Staff have determined that approximately \$750,000 will be available for allocation to eligible programs that have submitted the required program data by April 30, 2022. This is a 25 percent increase of the prior cycle funding amount and is based on the increase in Transportation Authority of Marin's (TAM's) Measure AA allocations.

judy arnold  
director  
supervisor district 5

kate colin  
director  
city of san rafael

damon connolly  
director  
supervisor district 1

**Eligibility Requirements:**

The following eligibility structure and distribution methodology was approved by your Board on April 4:

dennis rodoni  
director  
supervisor district 4

brian colbert  
alternate  
town of san anselmo

- Funding allocation should be for public schools located within the urbanized area of Marin<sup>1</sup> to support programs that reduce traffic in the most congested corridors.
- Eligible programs offer a reduced-price pass for the yellow bus program that provides at least a 50 percent pass price discount to income-eligible students. This requirement is intended to recognize that yellow school bus transportation is both a tool for congestion relief and an opportunity to provide safe and efficient access to school for all students.
- The available funds are provided to those programs that were operational in FY 2021/22 or plan to start a program in FY 2022/23 to provide multi-year, reliable financial operating support since a dedicated funding source is not available from the State of California.
- Annual allocations for new programs (programs that did not participate in the first funding cycle) are subject to re-evaluation in the second and third year if the number of passes distributed falls below 80 percent of the projected number provided in the FY 2023-25 Measure AA Yellow Bus Eligibility Form.

Additionally, participating programs are required to annually certify that at least 20 percent of total program cost, excluding pass sales revenue, has been matched by local contributions. Should a program reduce its size by 20 percent or more, the annual allocation would be reduced in the second and third year of the term. Funds withheld due to service reductions or re-evaluations would be made available for new and expansion programs or made available for existing programs in the current funding cycle, if needed, or in the following funding cycle, and are subject to Board approval.

#### **Participating Programs:**

In February, staff informed Marin County school districts of the upcoming Measure AA funding opportunity and encouraged them to consider the feasibility of operating a yellow school bus program. Four of the five programs that participated in the first funding cycle have committed to continuing their operation into the next term:

- Tiburon Peninsula Traffic Relief Joint Powers Authority (JPA)
- Ross Valley area schools
- San Rafael City School District
- Miller Creek School District

Additionally, Sausalito-Marin City School District has also committed to continuing their new yellow school bus program and participating in the FY2023-25 Measure AA funding cycle.

#### **Allocation Formula:**

On April 4, your Board approved an allocation formula that takes a percentage subsidy of a program's one-way pass price and multiplies it by the number of one-way passes it distributed in FY 2021/22. Modeled after the allocation formula used in the original three-year funding cycle, in which the one-way pass subsidy of 35 percent expended the full amount of funds available, staff recommended adjusting this subsidy after the Transportation Authority of Marin (TAM) finalized the Measure AA allocations for the coming year. **Table 1** shows the adjusted allocation formula for the FY2023-25 Measure AA funding cycle with a one-way pass subsidy of 77 percent.

---

<sup>1</sup> 1. Census Reporter – San Francisco/Oakland, CA Urbanized Area.  
<https://censusreporter.org/profiles/40000US78904-san-franciscooakland-ca-urbanized-area/>



**Table 1: Proposed FY2023-25 Measure AA Funding Allocation Amounts**

FY 2021/22 Base Year Data		Reed Union & Cove	Ross Valley	San Rafael	Miller Creek	Sausalito-Marín City	Total	Calculation
One Way Pass Price	(a)	\$315.00	\$505.00	\$250.00	\$225.00	\$324.00 <sup>1</sup>		annual price, 50% of round trip
Subsidy per pass	(b)	\$242.55	\$388.85	\$192.50	\$173.25	\$249.48		77% of one-way pass price [0.77 x (a)]
One Way Passes Distributed	(c)	850	579	1,320	161	106	<b>3,016</b>	School year 2021-2022 source data
<b>Funding for FY 2022/23 allocation</b>		<b>\$206,168</b>	<b>\$225,144</b>	<b>\$254,100</b>	<b>\$27,893</b>	<b>\$26,445</b>	<b>\$739,750</b>	77% of pass price for every pass distributed [(b) x (c)]

1. Sausalito-Marín City School District is still determining a one-way pass price. One-way pass assumption was calculated as an average of other countywide programs.

This adjustment provides an allocation that correlates to each program's size and cost and will nearly expend the full amount of funds available. If approved, three of the four legacy programs will receive more funding in the FY2023-25 funding cycle than was received in the first term. Miller Creek School District, however, will decrease by approximately \$15,000 due to a significant decrease in the number of passes distributed in FY 2021/22 compared to the FY 2017/18 base year data that was used to determine their allocation in the first funding cycle.

**FISCAL/STAFFING IMPACT:** The Marin Transit FY2022/23 operating budget includes an allocation of \$750,000 of Measure AA Sales Tax for yellow bus school transportation program funding. This will fully fund the program allocation amounts in Table 1. There is no staffing impact associated with this item.

Respectfully submitted,



Christopher Whitlock  
Senior Operations Analyst

Attachment: FY2023-25 Measure AA Funding Agreement - Marin Transit and School Districts - DRAFT

FUNDING AGREEMENT  
BETWEEN  
Marin County Transit District  
AND  
MARIN TRANSIT

This AGREEMENT is made this \_\_\_\_ day of \_\_\_\_\_ 2022, by and between the MARIN COUNTY TRANSIT DISTRICT, hereinafter referred to as "Marin Transit," a local transit district, and Marin County Transit District, hereinafter referred to as "RECIPIENT", a local transit district.

SECTION 1. RECITALS

1. The voters of Marin County approved the authorization of Measure AA at the General Election held on November 6, 2018, thereby authorizing that Marin Transit receive 54.5 percent of the proceeds from a one-half cent transaction and use tax.
2. The tax proceeds will be used to pay for the programs and projects outlined in the Measure AA Expenditure Plan.
3. Included in the Expenditure Plan is a requirement that Marin Transit uses five percent of the one-half cent transaction and use tax funds allocation "to provide transit service to schools in Marin County to reduce local congestion." Additionally, Marin Transit should "provide yellow bus services in partnership with local schools and parent organizations."
4. As a part of the plan to meet the Measure AA Expenditure Plan requirement, on JUNE 6, 2022, the Marin Transit Board of Directors approved spending \$750,000 to fund existing yellow bus programs serving schools in the urbanized area of Marin County.
5. The \$750,000 was approved to be distributed among five school districts that met the established threshold criteria. Marin Transit determined the funding amounts for each of the eligible programs by calculating a one-way pass subsidy for each program. The approved subsidy was 77 percent of the price of a one-way pass. The number of passes sold was multiplied by the per pass subsidy to determine the funding for each program.
6. The funding amounts currently approved will be disbursed annually for three years beginning in FY22/23. The amount will increase/decrease annually by sales tax revenue increase/decrease, per Transportation Authority of Marin (TAM).
7. Annually, Marin County Transit District will certify that they continue to meet the threshold criteria in order to receive funding.

SECTION 2. PURPOSE OF FUNDING AGREEMENT

This AGREEMENT is entered into by and between MARIN TRANSIT and RECIPIENT to document the funding conditions necessary for the RECIPIENT to comply with applicable law and MARIN TRANSIT policies. This AGREEMENT consists of additional documents stated in these sections as being attached hereto and incorporated in the AGREEMENT by reference.

SECTION 3. TERM OF FUNDING AGREEMENT

This AGREEMENT shall commence on July 1, 2022, and shall terminate on June 30, 2025. The final invoice must be submitted within 30 days of completion of the stated scope of services.

#### SECTION 4. PROGRAM DEFINITION AND SCOPE

This AGREEMENT, approved through MARIN TRANSIT Board action, in accordance with the requirements of Marin Transit's Measure AA Expenditure Plan requirement, is made for the following purposes identified in the RECIPIENT's Annual Certification and Claim of Measure AA Funds:

*Provide yellow bus services in partnership with local schools and parent organizations*

Additional information on individual project scope will be included in the Measure AA Sales Tax Program Annual Certification and Claim of Measure AA Funds to be submitted annually by RECIPIENT.

#### SECTION 5. ELIGIBILITY REQUIREMENTS

RECIPIENT has been determined to meet the eligibility requirements summarized below.

1. An existing FY 21/22 K-8 yellow school bus program serving public school students at a school located within the urbanized area of Marin;
2. A reduced pass for the yellow bus program that provides at least a 50% pass price discount to income eligible students;
3. A local funding (or other discretionary funds) match of at least 20% of program costs, excluding pass sales revenue; and
4. Must certify annually that their program has met threshold criteria.

#### SECTION 6. GRANT

MARIN TRANSIT hereby grants to the RECIPIENT the amounts by fiscal year as show in the table below as approved by the Marin Transit Board on June 6, 2022.

Fiscal Year	Amount
FY 2022/23	
FY 2023/24	
FY 2024/25	

\*Amount estimated based on historical Marin County Sales Tax Growth rate. Actual amount to be determined annually. RECIPIENT will be informed of actual amount by June 1<sup>st</sup> of each fiscal year.

#### SECTION 7. BUDGET AND SCOPE

RECIPIENT shall maintain a project budget. RECIPIENT shall carry out the operation of a regular home to school yellow bus program and shall incur obligations against and make disbursements of the grant in conformity with MARIN TRANSIT'S requirements and the budget. The budget should be included in the Annual Certification and Claim of Measure AA Funds and submitted annually to MARIN TRANSIT.

If RECIPIENT makes major changes to the scope of the project that are funded with Measure AA funds then funding may be reduced in subsequent allocation years. Major changes to the scope are defined as reducing service by 20 percent.

An increase in the level of service will not constitute an increase in the grant amount in the current funding cycle.

If RECIPIENT did not participate in the FY2019-22 Measure AA funding cycle then the annual allocation is subject for re-evaluation in the second and third year if the number of passes distributed falls below 80 percent of the projected number provided in the FY2023-25 Measure AA Yellow Bus Eligibility Form and the Annual Certification and Claim of Measure AA Funds.

#### SECTION 8. PROJECT MANAGEMENT

RECIPIENT shall be responsible for the project and provide management of consultant and contractor activities for which RECIPIENT contracts, including responsibility for schedule, scope, and budget.

#### SECTION 9. PROGRAM OVERSIGHT

RECIPIENT shall cooperate with MARIN TRANSIT'S project management team and shall provide any requested program information.

#### SECTION 10. ATTRIBUTION AND SIGNAGE

If any portion of grant funds is used for production of reports, acknowledgment of MARIN TRANSIT and the Transportation Authority of Marin's role, as the Measure AA Sales Tax Program overseer, shall be included in the documents. If any portion of grant funds is used for construction, RECIPIENT shall, upon initiation of field work or at the earliest feasible time thereafter, install and maintain a sign at the construction site identifying Measure AA Local Transportation Sales Tax Funds and TAM. For non-construction capital purchases funded by any portion of grant funds, RECIPIENT shall affix permanent signage identifying TAM and the Sales Tax Funds as a funding source. RECIPIENT shall demonstrate compliance with attribution and signage requirements as an indispensable condition for authorization of Measure AA reimbursement for program expenses.

A reference to Measure AA should be included on the school bus program website to acknowledge its role in funding the program.

#### SECTION 11. PRESS RELEASES

RECIPIENT shall notify MARIN TRANSIT in advance of any press releases about project and program activities, particularly groundbreakings and ribbon cuttings, in connection to grant funds expended from this AGREEMENT.

#### SECTION 12. COMPLIANCE WITH LAW

In the performance of its obligations pursuant to this AGREEMENT, RECIPIENT shall keep itself fully informed of the federal, state and local laws, ordinances and regulations in any manner affecting the performance of this Agreement, and must at all times comply with such laws, ordinances, and regulations as they may be amended from time to time.

#### SECTION 13. FINANCES

All costs charged to the home to school yellow bus program shall be supported by properly prepared and documented time records, invoices, or vouchers evidencing in detail the nature and propriety of the charges.

#### SECTION 14. RECORDS

All checks, payrolls, invoices, contracts, vouchers, journal entries, work orders, or other accounting documents pertaining in whole or in part to the program shall be maintained by RECIPIENT for a period of three (3) years after the later of program closeout or termination of grant. Such program documents shall be clearly identified, readily accessible, and, to the extent feasible, kept separate and apart from all other similar documents not pertaining to the program.

#### SECTION 15. REIMBURSEMENTS

Payment shall be made by Marin Transit for costs reimbursable under the terms of this AGREEMENT and incurred prior to the termination date of the AGREEMENT. Payments may be reimbursed quarterly. Payment to RECIPIENT of the grant shall be upon written approval by Marin Transit, upon submittal of an invoice plus appropriate support documentation and identification of expenses incurred.

Reimbursements shall not exceed the annual amounts shown in SECTION 6. GRANT.

Each reimbursement request shall include RECIPIENT'S certification that the amounts sought are only for project elements included in the Annual Certification and Claim of Measure AA Funds, and that RECIPIENT is in compliance with MARIN TRANSIT'S requirements outlined in this AGREEMENT.

#### SECTION 16. ELIGIBLE EXPENSES

RECIPIENT shall expend funds only on eligible expenses to operate a home to school yellow bus program for the general student population as follows: operating costs including direct staff time (salary and benefits). Indirect costs (as defined by OMB Circular A-87) will not be considered an eligible expense.

#### SECTION 17. SUBMITTAL OF ANNUAL CERTIFICATION AND CLAIM OF MEASURE AA FUNDS

RECIPIENT shall provide to MARIN TRANSIT an "Annual Certification and Claim of Measure AA Funds" as shown in Exhibit A. RECIPIENT shall certify that they meet certain criteria as well as provide all requested program data and submit three years of budget information as specified in Exhibit A. The "Annual Certification and Claim of Measure AA Funds" must be submitted by August 31 of each fiscal year and before any reimbursements are processed. If documentation is deemed incomplete, RECIPIENT will work with MARIN TRANSIT staff to complete the information.

#### SECTION 18. AUDITS

MARIN TRANSIT reserves the right at any time to conduct or require a financial or performance audit of the RECIPIENT'S compliance with this AGREEMENT. MARIN TRANSIT will give advance notice of the requirement. RECIPIENT shall permit MARIN TRANSIT, or any of its duly authorized representatives, to inspect all work, materials, payrolls, and other data and records with regard to the project, and to audit the books, records, and accounts of the RECIPIENT and its contractors with regard to the program.

#### SECTION 19. THIRD PARTY CONTRACT AUDITS

MARIN TRANSIT reserves the right to request an audit of other third-party contracts for any reason. If RECIPIENT is subject to third party financial audit requirements imposed by another funding source, copies of audits performed in fulfillment of such requirements shall be provided to the MARIN TRANSIT.

#### SECTION 20. RIGHT TO WITHHOLD

If the above items are not provided to MARIN TRANSIT by the annual due date and/or such items are found not to be in compliance with this AGREEMENT, Public Utilities Code Section 180000 et seq., the ballot measure or the Strategic Plan, MARIN TRANSIT may withhold FUNDS from RECIPIENT until RECIPIENT has corrected any noted deficiencies to MARIN TRANSIT'S satisfaction. While FUNDS are being so withheld all interest on withheld FUNDS shall be retained by MARIN TRANSIT as an administrative fee.

#### SECTION 21. TERMINATION FOR CAUSE

RECIPIENT agrees that, upon ten (10) working days written notice, MARIN TRANSIT may suspend or terminate all or part of the financial assistance provided herein for failure to correct a breach of this AGREEMENT. Any failure to make reasonable progress, inconsistency with the Measure AA Sales Tax Program Allocation Request Form, unauthorized use of grant funds as specified in this AGREEMENT, or other violation of the AGREEMENT that significantly endangers substantial performance of the program shall be deemed to be a breach of this AGREEMENT and cause for termination. Upon mutual consent, RECIPIENT will repay MARIN TRANSIT any unexpended funds already distributed.

#### SECTION 22. CORRECTION OF BREACH

With respect to any breach, which is reasonably capable of being cured, RECIPIENT shall have thirty (30) days from the date of notice of breach to initiate steps to cure. If RECIPIENT diligently pursues cure, such RECIPIENT shall be allowed a reasonable time to cure or by a time established in writing by MARIN TRANSIT.

#### SECTION 23. LIABILITY

RECIPIENT agrees to defend, indemnify and hold MARIN TRANSIT and TAM harmless, their officers, employees and agents, from any and all acts, claims, omissions, liabilities and losses asserted by any third party arising out of acts or omissions of RECIPIENT in connection with this AGREEMENT, except those arising by reason of the sole negligence of MARIN TRANSIT or TAM, or their officers, employees and agents.

MARIN TRANSIT agrees to defend, indemnify and hold RECIPIENT harmless, its officers, employees and agents, from any and all acts, claims, omissions, liabilities and losses asserted by any third party arising out of acts or omissions of MARIN TRANSIT in its obligations under this AGREEMENT, except those arising by reason of the sole negligence of the RECIPIENT, its officers, employees and agents.

RECIPIENT agrees to include in each of its independent contractor agreements entered into with third parties after July 1, 2022 pursuant to this Agreement, provisions substantially similar to the following:

“[Contractor] agrees to defend, indemnify and hold harmless Marin Transit, TAM, and their officers, employees, agents, and funding or supporting governmental entities, from and against any and all acts, claims, omissions, liabilities and losses asserted by any third party arising out of the acts or omissions of [Contractor] in connection with this Agreement, except those arising by reason of the sole negligence of an indemnified party.”

#### SECTION 24. OBLIGATIONS

In general, termination of financial assistance under this AGREEMENT will not invalidate obligations properly incurred by RECIPIENT before the termination date; to the extent those obligations cannot be canceled.

#### SECTION 25. INTEGRATION

This AGREEMENT represents the entire AGREEMENT of the parties with respect to the subject matter thereof. No representations, warranties, inducements or oral agreements have been made by any of the parties except as expressly set forth herein, or in other contemporaneous written agreements.

#### SECTION 26. AMENDMENT

Except as otherwise provided herein, this AGREEMENT may not be changed, modified or rescinded except in writing, signed by all parties hereto, and any attempt at oral modification of this AGREEMENT shall be void and of no effect.

#### SECTION 27. INDEPENDENT AGENCY

RECIPIENT performs the terms and conditions of this AGREEMENT as an entity independent of MARIN TRANSIT. None of RECIPIENT'S agents or employees shall be agents or employees of MARIN TRANSIT.

#### SECTION 28. ASSIGNMENT

The AGREEMENT may not be assigned, transferred, hypothecated, or pledged by any party without the express written consent of the other party.

#### SECTION 29. BINDING ON SUCCESSORS, ASSIGNEES OR TRANSFEREES

This AGREEMENT shall be binding upon the successor(s), assignee(s) or transferee(s) of MARIN TRANSIT or RECIPIENT as may be the case. This provision shall not be construed as an authorization to assign, transfer, hypothecate or pledge this AGREEMENT other than as provided above.

### SECTION 30. EXPENSES

Each party shall be solely responsible for and shall bear all of its own respective legal expenses in connection with any dispute arising out of this AGREEMENT and the transactions hereby contemplated. RECIPIENT may not use GRANT funds, or other MARIN TRANSIT programmed funds, for the aforementioned purpose.

### SECTION 31. SEVERABILITY

Should any part of this AGREEMENT be declared unconstitutional, invalid, or beyond the authority of either party to enter into or carry out, such decisions shall not affect the validity of the remainder of this AGREEMENT, which shall continue in full force and effect; provided that the remainder of this AGREEMENT can, absent the excised portion, be reasonably interpreted to give effect to the intentions of the parties.

### SECTION 32. CONTINGENT UPON ALLOCATION

Disbursement of funds is contingent upon MARIN TRANSIT receiving its allocation of Measure AA from Transportation Authority of Marin and the MARIN TRANSIT's Board of Directors adoption of the District's annual budget.

### SECTION 33. NOTICES

This AGREEMENT shall be managed and administered on MARIN TRANSIT'S behalf by the Department Manager named below. All invoices shall be submitted and approved by this Department and all notices shall be giving to District at the following location:

Contract Manager:	Christopher Whitlock
Dept./Location:	711 Grand Ave, Suite 110 San Rafael, CA 94901
Telephone No.:	415-416-2533
Email address:	cwhitlock@marintransit.org

Notices shall be given to RECIPIENT at the following address:

Contract Manager:	
Address:	
Telephone No.:	
Email address:	

### SECTION 34. EXHIBITS

The following Exhibits are hereby made part of this AGREEMENT:

I. EXHIBIT A: Annual Certification and Claim of Measure AA Funds



II. EXHIBIT B: Marin Transit Board Item Approved on June 6, 2022

SECTION 35. ACCEPTANCE OF GRANT

RECIPIENT does hereby declare that all written statements, representations, covenants, and materials submitted as a condition of this AGREEMENT are true and correct and does hereby accept MARIN TRANSIT's grant and agrees to all of the terms and conditions of this AGREEMENT. The parties have executed this AGREEMENT as of the date first written above.

RECIPIENT:

MARIN TRANSIT:

By: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## EXHIBIT A

Marin County Transit District  
Measure AA – Existing Yellow Bus Program Financial Support

## Annual Certification and Claim of Measure AA Funds

Marin Transit will supply a worksheet annually to be completed and submitted by August 31 annually. The worksheet will request specific program data, budget information, and certification that the program continues to meet the threshold criteria.

EXHIBIT B

Marin Transit Board of Directors Approved Home to School Yellow Bus Funding Allocation for FY2023-25  
Item Approved on June 6, 2022



# **FY 2023-25 Measure AA Yellow School Bus Funding Allocation**

June 6, 2022

- Allocation formula and eligibility requirements approved on April 4, 2022
- Five programs will participate in FY2023-25 Measure AA funding cycle
- $\approx$  \$750,000 available funds for Measure AA yellow school bus transportation



# FY2023-25 Participating Programs



San Rafael City Schools (Elementary and Middle schools only)

Miller Creek School District

Ross Valley area schools

Tiburon Traffic Congestion Relief JPA (Reed USD and the Cove School in Larkspur Corte Madera SD)

Sausalito-Marín City Schools

- **Available Funds:**
  - First term, FY2020-22: ~\$600,000
  - **New term, FY2023-25: ~\$750,000**
- The **formula allocation** is based on a subsidy of the one-way pass price multiplied by the quantity of passes distributed
  - First term, FY2020-22: 35% subsidy used to nearly expend the full amount of funds available
  - Formula:  $(.35 \times (\text{Pass Price})) \times (\text{Passes Distributed}) = \text{Funding Allocation}$
  - **New term, FY2023-25: subsidy raised to 77% due to the increase in available funds**
  - **Recommended formula:  $(.77 \times (\text{Pass Price})) \times (\text{Passes Distributed}) = \text{Funding Allocation}$**

# Formula and Recommended Allocation

FY 2021/22 Base Year Data		Reed Union & Cove	Ross Valley	San Rafael	Miller Creek	Sausalito/ Marin City	Total	Calculation
One Way Pass Price	(a)	\$315.00	\$505.00	\$250.00	\$225.00	\$324.00		annual price, 50% of round trip
Subsidy per pass	(b)	\$242.55	\$388.85	\$192.50	\$173.25	\$249.48		77% of one-way pass price [0.77 x (a)]
One Way Passes Distributed	(c)	850	579	1,320	161	106	<b>3,016</b>	School year 2021-2022 source data
<i>Funding for FY 2022/23 allocation</i>		\$206,168	\$225,144	\$254,100	\$27,893	\$26,445	<b>\$739,750</b>	77% of pass price for every pass distributed [(b) x ©]

- Three of four legacy programs receive a higher annual allocation in the new term
  - Miller Creek allocation decreased due to a significant reduction in passes distributed



- Approve the requested funding amounts for the FY2023-25 Measure AA funding cycle
- Authorize the General Manager to execute contracts with the approved funding allocations



# Questions?

Christopher Whitlock

Operations Analyst

[cwhitlock@marintransit.org](mailto:cwhitlock@marintransit.org)

