

MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
TAM

THURSDAY, SEPTEMBER 25, 2008
7:00 PM

ROOM 330
MARIN COUNTY CIVIC CENTER
3501 CIVIC CENTER DRIVE
SAN RAFAEL, CALIFORNIA

DRAFT
MEETING MINUTES

Members Present: Steve Kinsey, Chair, Marin County Board of Supervisors
Damon Connolly, City of San Rafael (Alternate)
Susan Adams, Marin County Board of Supervisors
Peter Breen, San Anselmo Town Council
Hal Brown, Marin County Board of Supervisors
Joan Lundstrom, Larkspur City Council
Alexandra Cock, Corte Madera Town Council
Mary Ann Maggiore, Fairfax Town Council
Charles McGlashan, Marin County Board of Supervisors
Michael Skall, Ross Town Council

Members Absent: Al Boro, Vice Chair, City of San Rafael
Paul Albritton, Sausalito City Council
Judy Arnold, Marin County Board of Supervisors
Sandra Donnell, Belvedere City Council
Stephanie Moulton-Peters, Mill Valley City Council
Alice Fredericks, Tiburon Town Council
Carole Dillon-Knutson, Novato City Council

Staff Members Present: Dianne Steinhauser, TAM Executive Director
Bill Gamlen, TAM Project Delivery Manager
Bill Whitney, TAM Project Delivery Manager
David Chan, TAM Programming Manager
Eric Schatmeier, TAM Planning Manager
Denise Merleno, Recording Secretary

Chair Kinsey called the Transportation Authority of Marin Meeting to order at 7:11 p.m.

1. Chair's Report

Chair Kinsey announced that the Marin Transit District (MTD) will begin making quarterly reports to the Board next month. This month, MTD approved a revised fare program that includes all-day and monthly passes, increasing flexibility and economy for riders. Chair Kinsey congratulated MTD for receiving an allocation from the Metropolitan Transportation Commission (MTC) to fund a Mobility Manager position. Also at MTC this month, MTC supported the sales tax measure in Santa Clara County as well as the sales tax measure in Sonoma and Marin for the SMART rail program. Chair Kinsey commented that while the actions of the State budget will have a positive effect on local roads and highways, the effect on transit will be extremely negative. Bay Area transit funding will be reduced

by over \$1.7 billion, which includes all spillover funds as well as some core State Transportation Assistance (STA) funds. This is particularly troubling at a time of drastic increases in both transit ridership and gas prices.

Chair Kinsey reported that the Cal Park tunnel contract opening was celebrated yesterday and thanked the Commissioners who attended. Many jurisdictions are involved in the project, including Larkspur, San Rafael, and Marin County. Chair Kinsey commented that many agencies are also involved, citing SMART as a half funding partner. Over \$12 million, more than half of the project funding, came from MTC through the Regional Measure 2 program, as well as MTC's Transportation for Livable Communities program (TLC).

Chair Kinsey thanked Commissioner McGlashan for his role in the Doyle Drive project. As a member of the Golden Gate Bridge District, the Commissioner has been working closely with the City of San Francisco and MTC. Chair Kinsey reported that he and Executive Director Steinhauser expect to make a presentation in October or November on a funding plan and the need for the TAM Board to get involved along with the Golden Gate Bridge District, San Francisco, and the region through the Bay Area Toll Authority.

Chair Kinsey reminded the Board that MTC has embraced HOT lanes as a way to finance the expansion of the Bay Area HOV system and generate \$12 billion over the 30-year Regional Transportation Plan period for other services. MTC has been asked to come and explain the plan concepts at the November TAM Board meeting. MTC has been encouraged to consider conducting additional studies in the Marin-Sonoma region to provide more specific information about the feasibility and funding from a HOT lane in this area, but the outcome of that request is still unknown.

2. Commissioner Matters not on the Agenda

None.

3. Executive Director's Report

Exec Director Steinhauser reported that MTC is assembling its Bay Area partners to discuss their goals in preparation for the next update to the Federal Surface Transportation Act, SAFETEA-LU. The current act will expire on September 30, 2009. There is increasing discussion nationally and a number of reports have been released, including one from the National Surface Transportation Policy and Revenue Commission. The American Public Transportation Association (APTA) has also released a report regarding recommendations for reauthorization. At the State level, the Business, Transportation and Housing Agency along with Caltrans have developed the California Consensus Principles and are seeking to get them adopted by local transportation entities around the state. Over the next few months, TAM staff plans to inform the Board of the key issues and share recommendations from some of the key policy groups around the country.

In late August and early September, the federal Highway Trust Fund (HTF) was on the verge of not being able to pay its bills, and announced to states and project sponsors that they would only be able to reimburse 60-70% of the requested amounts. In early September, the House and Senate passed HR 6532 to provide \$8 billion in general funding to the HTF, covering last year's bills and starting off the new federal fiscal year beginning October 1. However, HR 6532 will not address the entire shortfall for next year, as revenues are still coming in lower than originally anticipated. Federal commitments

were made to regional and local projects years ago, and many of them are already being carried out. Staff will keep the Board updated on the ways in which appropriations for the new fiscal year will address this issue.

The California Transportation Commission (CTC) met yesterday and today in Sacramento and announced that because the Prop 42 revenues were included in transportation, they will be able to proceed with State Transportation Improvement Program (STIP) allocations for this year. The total amount of STIP funding scheduled for allocation is \$1.3 billion, which is less than the \$1.9 billion received last year, but they will be able to proceed with all allocations as planned. Prop 42 being kept intact will result in many benefits for Marin County, including local street and roads funds. Marin County will receive a share of the STA funds that also came through the budget; however, in a much lower amount than was expected. All of the transit agencies will receive less than anticipated, with AC Transit's numbers down by \$15 million, BART's by \$42 million, Golden Gate's by \$6.4 million, and SF Muni by \$61 million. Marin Transit, whose funding is contained within the numbers for Golden Gate Transit, does not expect any significant impacts, as they did not rely on this funding in their budget.

The State budget included funding for a number of other transportation elements from which Marin will benefit. Marin County will receive \$1.3 million from the State-Local Transportation Partnership program, which came through the passage of Prop 1B as \$1 billion over a 5-year period. The Board will need to have some discussion of how to direct the funds, and staff is currently analyzing the statute's implications for eligibility and timing.

TAM's Second Cycle Lifeline Transportation Program (Lifeline) call for projects has been issued. Last November, the Board decided that Lifeline funds should be used for projects and programs coming through Marin's community-based transportation plans. Marin County has two: the Canal Neighborhood Plan, accepted in fall 2006, and the Marin City Plan, which is nearing completion. A public meeting scheduled for October 23 will provide an opportunity for the Marin City community to see what the team of stakeholders, staff and consultants have developed. Both plans will likely contribute candidates for the Lifeline Call for Projects. There is a total of about \$1.9 million to appropriate. This has increased over what was envisioned several years ago to be available because of additional funds through Prop 1B and the STA policy adopted by MTC. At the November Board meeting, staff will present a list of projects recommended for approval. David Chan will send a copy of the Call for Projects to all Board members for reference.

Chair Kinsey commented that David Chan has been very helpful, and asked whether a meeting will be held for potential project sponsors. Mr. Chan clarified that a pre-proposal meeting will be held on October 1 at the TAM office, providing potential applicants the opportunity to ask questions of TAM and MTC regarding the program. Executive Director Steinhauser noted that one of the challenges of this program is that the community plans have capital projects, transit operations, and other service programs; however, the funds are geared mostly toward transit operations, so that funding capital projects or other programs will require some creative financing.

Commissioner McGlashan asked for clarification on sponsors. Executive Director Steinhauser clarified that since sponsors must be eligible to receive public funds, so they are usually a public agency or transit operator. However, MTC's policy allows a public sponsor to pass funds to a service agency or nonprofit organization, although TAM must consider the ability of any entity to manage the funds. Staff will work with sponsors to secure funds via any creative submittals. Commissioner McGlashan asked whether he would need to work with Marin Transit to get an application together for a circular shuttle project. Executive Director Steinhauser recommended that staff brief Commissioner McGlashan on the status of the Marin City Plan. Commissioner McGlashan asked that the presentation include a

particular focus on the application period. Executive Director Steinhauser noted that staff will be working with a staunch deadline, as MTC needs to spend the funds quickly.

The Street Smarts Program has been deployed in Corte Madera, Larkspur and Mill Valley for the past month, with the signs will be up for a total of six weeks. Community response has been almost universally positive. At the November Board meeting, staff will report on the success of this effort and next steps. Currently staff is developing a schedule of future activities and potential funding to expand throughout Marin County. So far, the program has been a success because the participating cities have dedicated staff to the effort.

Executive Director Steinhauser announced that Planning Manager Eric Schatmeier will be retiring, with a more formal recognition to be held at the October Board meeting. Executive Director Steinhauser and Chair Kinsey thanked Mr. Schatmeier for his work.

Executive Director Steinhauser reported that although the Air Quality Management District audited TAM's Transportation Fund for Clean Air (TFCA) funds last year and found nothing amiss, they recently discovered \$420,000 that was never programmed. Although this would usually mean a loss of the funds, staff was able to add this \$420,000 to the funds for next spring's TFCA programming. Executive Director Steinhauser commended David Chan for working well with the Air District to keep these funds in Marin County.

Executive Director Steinhauser thanked Caltrans for their swift action in returning the southbound Highway 101 lanes to their former location following the incredible and unexpected effect it had on the system. Staff met with the TAM Bicycle Pedestrian Advisory Committee (BPAC) regarding needed project funding for the Gap Closure's bike/ped facilities, and will report on this. Seven sales tax measures will be on the ballot this November, including a new measure in Santa Clara and Los Angeles, some reauthorizations around the state, and the SMART rail proposal. The ballot does not include a transportation sales tax for Napa and Solano counties. Staff will provide updates on future activities in this regard.

Executive Director Steinhauser reported on a number of other items: that Jim Leddy, the CMA Director for Napa County, will soon transition to a position in Sonoma County. The TAM Board has been invited to the North Bay Leadership Council's annual awards luncheon on October 30. Sandra Donnell, the new TAM Board member from Belvedere, will join next month's meeting. The Focus on the Future Conference will be held November 20-21 in Monterey. As this is a great opportunity to hear from state officials on transportation, as well as catch up on key transportation issues and opportunities, Board members interested in attending should notify staff. Executive Director Steinhauser noted that part-time attendance is an option, as activity tends to be concentrated in the first day. TAM's Central Marin Ferry Connection open house is scheduled for this Saturday September 27th at Redwood High School. This is a toll-financed project being managed by TAM under Regional Measure 2.

4. Commissioner Reports

a. Executive Committee

Chair Kinsey reported that the Executive Committee met on September 8, and the Minutes are in the agenda packet. Commissioner Fredericks suggested that the Board members hold a retreat to discuss future funding for transportation and transit, and the Executive Committee felt this would be important. The Committee also discussed the Gap Closure's significant funding shortfalls and the potential need to direct State & Local Partnership funds to the project. Currently the project is slightly behind in costs,

but the team is working hard to stay on time and avoid increasing cost deficiencies for the project. The Committee also approved the inclusion of the Congestion Management Program Monitoring Contract on the Consent Calendar.

A special Executive Committee meeting was held immediately before this board meeting today to discuss the funding and design challenges for the I580-101 Connector, including how to keep the project on schedule and within budget. The team is working to improve the entrance from 580 into 101 coming off the Richmond-San Rafael Bridge by widening to two lanes, resulting in a two-lane merge where there is now only one. Other goals include improving surface streets in the vicinity and improving access to San Rafael with a longer ramp exit at Bellam Blvd.

b. Marin-Sonoma Narrows Policy Advisory Group

Chair Kinsey reported that the Group has not met and is still awaiting the release of the final EIR, which may not occur until early 2009. As there have been court actions taken relative to climate change issues on a Caltrans project, the group has asked TAM staff to analyze any potential implications for the Marin-Sonoma Narrows.

c. SMART

Commissioner McGlashan reported that last week the SMART Board authorized the hiring of Earthtek as SMART's program management consultants. The SMART Board unanimously supported reaffirming its commitment to work closely with Larkspur regarding station planning issues such as parking, access, and land use. The Golden Gate Bridge Highway & Transportation District and TAM will coordinate as part of this planning process over time. The SMART Board was also very excited to be a part of the Cal Park Tunnel project, looking forward first to the bicycle-pedestrian facility and then eventually being able to build a very integrated facility with the rail line to help us get through our hills. Commissioner Breen added that there was good representation from the SMART Board at the Cal Park Tunnel event, including the Mayor of Windsor as well as Jake Mackenzie from Rohnert Park.

5. Consent Calendar

- a. Approval of TAM Minutes of July 24, 2008
- b. Appoint TAM Board member Carole Dillon-Knutson to the SMART Board of Directors
- c. Award Contract for Congestion Management Program Monitoring
- d. Allocate Swapped STP/Measure A Funds for Local Street and Road Projects
- e. Allocate Measure A Funds to the City of Novato for the Novato Boulevard Rehabilitation Project
- f. SPTJ Consulting IT Support Services Contract Amendment
- g. PDM Group Contract Amendment No. 3

Commissioner Brown moved, Commissioner McGlashan seconded.

Commissioner Breen commented that page 15 of the July TAM Board Minutes contains an inaccuracy in stating that Commissioner Arnold said that freight containers can only be transported by rail. Commissioner Breen stated that the freight containers can be transported by truck.

Chair Kinsey opened up for public comment, and Karen Nygren commented that she believes Commissioner Arnold was referencing the fact that from Eel River, the quarry is only accessible by rail.

Motion passed unanimously.

6. Caltrans Report

Jit Pandher thanked Executive Director Steinhauser for her kind words on the situation with the HOV - Gap Closure project last week. Caltrans construction, Highway Operations, TAM staff, and the contractor believed that the change would increase efficiency without impacting traffic. Mr. Pandher conveyed his apologies to the public for the inconvenience and reported that Caltrans still aims to open the HOV lanes before the end of the year. However, some of the work must be done at night, resulting in increased costs for overtime. Mr. Pandher reported that the Central San Rafael project will probably be ready for the HOV opening. The HOV lanes will be ready for opening before the last segment of the project, but the team is proceeding carefully regarding how to change the lanes in order to avoid repeating the mistakes of last week. More information and projected opening dates will be presented at the next meeting.

The Blithedale project ribbon-cutting event was held on August 22. Caltrans was asked by the County to look into some median work for improving the project and will have more information in the coming weeks. The 580-101 project is experiencing some cost issues and TAM staff will report on that.

There are some issues with the Marin-Sonoma Narrows project and Caltrans is working with the resource agencies on the mitigation and the biological opinion. The Sonoma County Transportation Authority (SCTA), TAM and Caltrans are partnering with US Fish and Wildlife Service in an effort to keep the project within cost and implement some cost controls. The team is still trying to complete the environmental process by the end of 2008, but this is dependent upon the ongoing negotiations.

Executive Director Steinhauser noted that the Department had committed to opening up the new carpool lane at the same time on the Central San Rafael project, the 580 Connector, and the work on Puerto Suello Hill. Executive Director Steinhauser asked for clarification on whether opening up from 2nd Street to the 580, while completing the project over Puerto Suello Hill, represents a change to this plan. Mr. Pandher clarified that no change has been made yet and that TAM will be notified if there is one. The contractor's schedule indicates that the Central San Rafael project should be near completion by the end of next month, but Caltrans must account for operational considerations related to the next project and will be discussing those over the next few weeks.

7. Legislative/State Budget Status Report

Gus Khouri introduced his colleague Andrew Antwih, who was now with Shaw-Yoder and had previously been the chief consultant to the Assembly Transportation Committee. Mr. Khouri gave an update on the State budget, which was signed 85 days late this past Tuesday. The budget is a \$103 billion spending plan, and the deficit for the year was \$25 billion. Although there are no new tax increases, there are some major diversions. The budget gap was closed by suspending several Cost

of Living Adjustments (COLAs) in education and health and human services, as well as expedited collection of some tax revenues. Going into next year, California residents are fortunate to have no new taxes and no more severe cuts, but there will be an estimated \$8.5 billion deficit for next year.

Mr. Khouri reported that transportation spillover represents the second largest diversion in this resolution of the general fund issues, and there is no new funding for transit projects in the STIP. Although the CTC will be able to program highway projects for this year, in the future we can expect serious issues for highway and transit projects. Proposition 42 was protected, so \$1.43 billion will be made available this year; however, CTC and the administration have said that a suspension may occur next year. \$500 million in Highway Users Tax Account funds, which should go to cities and counties from the collection of an excise tax, were suspended from the months of April to September, but those payments will commence upon the Governor's signature. Cities and counties can expect that funding soon.

Regarding Proposition 1B, there are several funding sources from which the County can benefit. CTC will meet in December to create program guidelines for State Local Partnership Program, and allocations could go out as early as January. CTC is expected to appropriate \$200 million this year, of the total pot of \$1 billion to be allocated over a period of five years. As part of an economic stimulus package from the Proposition 1B pot, \$250 million was allocated to local streets and roads. Last year \$550 million of \$950 million was allocated to cities. This year, \$250 million will be split \$165 million and \$85 million between cities and counties, respectively.

Commissioner Adams noted that the budget also made devastating cuts to mentally ill offenders, senior services, health care services, and CalWORKs programs – programs that help support vulnerable populations. The transit funding cuts will further impact those who are transit-dependent. Commissioner Adams expressed frustration regarding the possible \$700 billion government bail-out for banks.

Chair Kinsey asked for an update on SB 375, and Mr. Khouri said that the Governor is likely to sign it. It is the Senate Pro Tem Elect's number one priority, and the Governor has been very committed to building a portfolio with respect to reducing greenhouse gas emissions. The League of Cities and the California State Association of Counties (CSAC) have removed their opposition to the bill, so the only current opposition is the California Chamber of Commerce. Chair Kinsey requested a presentation on the elements of SB 375, particularly emphasizing the land-use implications, before the end of the year.

8. Highway 101 Update

Executive Director Steinhauser reported that progress is being made towards the completion of the carpool lane, which is expected to open no later than December. However, Executive Director Steinhauser noted that the bicycle-pedestrian path is unlikely to open at the same time. TAM committed a certain amount of funding at the beginning of the project to Caltrans, but when the bids came in low, reallocated a portion of the funds, particularly returning a loan of \$1 million to the City of San Rafael. Now those funds are needed, and staff is looking at options for returning the funds to the project. Staff is looking at the Transportation Development Act (TDA) Article 3 program of funds, which is managed by TAM for bike and pedestrian improvements in Marin County, as well as the non-motorized transportation pilot program. The Bicycle-Pedestrian Advisory Committee asked that the TDA funds be reserved for local projects chosen last spring and other fund sources including the non-motorized program funds be considered first. Staff is also working with the County of Marin's Public Works to coordinate options within the non-motorized program.

Connie Preston reported that the current project focus is to get the HOV lanes open as soon as possible, and complete the path and sound wall on the east side next year. The rest of the project should be completed around June. The existing west side sound wall has been removed and the new sound wall is nearly complete.

Chair Kinsey asked for clarification on the date of completion for the 580 Connector. Ms. Preston reported that it should be complete near the beginning of November.

Chair Kinsey asked Executive Director Steinhauser whether the State & Local Partnership money could be a part of the funding solution for Highway 101. Executive Director Steinhauser responded that as the funds will be available as early as April 2009, it is possible that those funds could help with this issue, and it will be one of the options staff will present for State & Local Partnership funds.

Chair Kinsey asked whether we have closed out the FY 07-08 Measure A funds, and how TAM fared against the estimates. Executive Director Steinhauser reported that there was growth in revenue over what we expected in our budget, and staff will provide a presentation on this topic at the October meeting.

Commissioner Brown asked for clarification on the dollar amounts, and Executive Director Steinhauser responded that staff estimated about \$20.8 million but collected \$22.4 million.

9. I-580/Highway 101 Connector Project

Executive Director Steinhauser announced that Dan Cherrier would provide a brief project update. Staff is working very hard to ensure that this project is finished within budget and on schedule, as this is a Prop 1B Corridor Mobility Improvement Account (CMIA) project, and TAM worked hard to secure the funds amongst stiff competition.. The CTC has made a major effort to monitor these projects and has adopted nearly a zero tolerance policy for changes to project scope cost or schedule, reserving the right to allocate funds to other projects if the project is not delivered as originally promised. Staff is trying to mitigate schedule impacts and stay within the dollar limits.

Commissioner Brown asked for clarification of the schedule. Executive Director Steinhauser reported that the 580-101 project is set to begin in March 2009. The design and environmental work are complete, and staff would be ready to advertise if there were no budget issues. Staff is trying to start construction in the spring in order to take advantage of the current bid environment, in which other counties are opening bids on projects 40% or more under the estimate. Commissioner Brown asked how long construction would take. Executive Director Steinhauser reported that the project would take one full construction season and extend slightly into the next, ending around June or July 2010, spanning 16 months.

Dan Cherrier reported that the project will increase the number of lanes from westbound 580 to northbound 101, changing the existing one-lane bottleneck at the Bellam Blvd. undercrossing to two lanes moving onto 101 and then exiting into downtown San Rafael at Irwin. The major project components are the replacement of the Bellam Blvd. undercrossing columned structure with a new one-span bridge. This will provide a wider structure underneath, providing room for sidewalk expansion. The removal of the columns will also offer better access for local street improvements. The scope also includes the extended auxiliary lane from westbound 101 to the Bellam off-ramp, and local

adjacent bicycle and pedestrian improvements. Mr. Cherrier provided an overview of project milestones to date, also highlighting the raised profile of Highway 101,

Mr. Cherrier noted that the project is currently about \$7 million over budget on a \$20 million project. Because it is a Prop 1B project, there will be no increased funding, so staff is currently developing a reduced scope, retaining as many of the most important components of the original project as possible. Every effort is being made to maintain the completion schedule, even if it means affecting some of the important milestone dates. As doing so may require CTC action, Board approval may be sought in the coming months.

Chair Kinsey noted that the Executive Committee has been tracking this project closely due to the budget pressures and the desire to retain both the local and congestion benefits. Chair Kinsey commented that the committee looks forward to an on-time, on-budget project next month.

Commissioner Maggiore asked for clarification of the cause of the major increase in project cost. Mr. Cherrier reported that the major element is geotechnical site conditions. The retaining walls and the structure costs are more than twice what was originally expected. The type of soil requires extensive foundations and key piles, which are very expensive. In compliance with MTC policy, the ramp connections must be metered, and this has also been incorporated into the project at an increased cost of nearly \$1 million.

10. Open time for items not on the agenda

None.

By Order of Chair Kinsey, the TAM meeting adjourned at 8:14 p.m.