



MEETING OF THE  
TRANSPORTATION AUTHORITY OF MARIN  
TAM

THURSDAY, OCTOBER 23, 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  
Susan Adams, Marin County Board of Supervisors  
Paul Albritton, Sausalito City Council  
Peter Breen, San Anselmo Town Council  
Alexandra Cock, Corte Madera Town Council  
Damon Connolly, San Rafael City Council, Alternate  
Sandra Donnell, Belvedere City Council  
Carole Dillon-Knutson, Novato City Council  
Joan Lundstrom, Larkspur City Council  
Mary Ann Maggiore, Fairfax Town Council  
Stephanie Moulton-Peters, Mill Valley City Council  
Michael Skall, Ross Town Council  
Judy Arnold, Marin County Board of Supervisors

Members Absent:

Al Boro, Vice Chair, City of San Rafael  
Hal Brown, Marin County Board of Supervisors  
Alice Fredericks, Tiburon Town Council  
Charles McGlashan, Marin County Board of Supervisors

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  
Dan Cherrier, TAM Project Delivery Manager

*Chair Kinsey called the Transportation Authority of Marin Meeting to order at 7:08 p.m.*

**1. Chair's Report**

Chair Kinsey welcomed Sandra Donnell, the new Commissioner from Belvedere. Chair Kinsey announced that there will be a presentation to the TAM Board on Doyle Drive in November. He reported to the Board that the Metropolitan Transportation Commission (MTC) approved bus funding through the RM2 funding program, the last dollar toll approved for state bridges. He reported that bus routes 40 and 42, which cross the Richmond-San Rafael Bridge, are doing well and will continue to be funded. However, bus route 75, which leaves Sonoma County, will be recommended for discontinuation of funding due to underperformance. Chair Kinsey reminded the Board that although TAM is not in a

position to act on this, it is important that the Board understand these issues. Chair Kinsey stated that he hopes the transit agencies will help the Board understand ridership issues in TAM's efforts to support public transit. MTC approved funding bus route 75 through the end of this fiscal year.

## **2. Commissioner Matters not on the Agenda**

Commissioner Lundstrom announced that today, for the first time, an all-agency meeting was held to discuss the next ten years of projects for the Larkspur Landing area. Executive Director Steinhauser and Bill Whitney of the TAM staff helped facilitate this. It was amazing to see the great number and variety of projects set to take place in that area. Commissioner Lundstrom reported that the Larkspur City Manager praised the event, and complimented staff and participating agencies for a job well done.

Commissioner Albritton reported that Marin Transit has tripled its number of accessible cabs in Marin County, due in large part to Chair Kinsey's efforts with MTC. This is an important first step for Marin Transit and MTC support is critical.

Commissioner Adams requested that the Marin Transit Update be moved up higher on the calendar. Chair Kinsey responded that it has been moved and will take place just after the Caltrans Report, before the Highway 101 Update. Commissioner Adams reported that she will be unable to attend the next Board meeting as she will be attending the Association of Bay Area Governments (ABAG) meeting.

Chair Kinsey reported that Will Travis, Executive Director of the San Francisco Bay Conservation and Development Commission (BCDC), asked whether TAM is interested in receiving communications from the Department of Corrections regarding mitigation funding. As there has been significant activity in that vicinity on bay trail issues, Chair Kinsey suggested that Mr. Travis contact Executive Director Steinhauser. Chair Kinsey encouraged any interested parties with other thoughts on this issue to contact Executive Director Steinhauser. Chair Kinsey was encouraged that the Department of Corrections may be contributing close to \$1 million in mitigation funds as part of the Shoreline Stabilization Project.

## **3. Executive Director's Report**

Executive Director Steinhauser reported that the supplemental packet includes a summary of Congress' transportation-related economic stimulus efforts to date. The Senate has recommended that they reconvene in a lame duck session after the November 4 election. If this happens, Congress may make additional economic stimulus efforts, including efforts to fund both highways and transit. Much will depend on the results of the November 4 election, but staff expects more transportation funding in an effort to stimulate jobs and infrastructure improvements, if not in a lame duck session, then after the new Congress is installed in January. As the bills call for project proposals within very short timeframes, staff will be working hard to find suitable projects within Marin County.

Staff will begin discussing SB 375 regularly with the Board. There is currently a high amount of activity surrounding this bill throughout the region, due to many unanswered questions and outstanding issues of concern. However, as it will be difficult for Senator Steinberg to open the bill for any major changes, the region, including TAM along with the other CMA's, will need to find a way to comply.

MTC's Draft Regional Transportation Plan (RTP) is scheduled for release on December 12. It will include the recommended commitments outlined in TAM's submittal in February 2007. Staff will report to the Board after the Draft RTP is released for public comment.

Executive Director Steinhauser announced that the Board has been provided with an update on Marin County's bike parking program, a county-wide effort to provide bicycle parking to businesses and local jurisdictions.

Executive Director Steinhauser announced that staff needs certificates of completion from all Board members for their participation in AB 1234 Ethics Training, to be completed by end of 2008.

Next month, staff will introduce a discussion of High-Occupancy Toll (HOT) lanes, which could possibly allow revenue generation through the carpool lanes. As regional efforts take place, TAM must gain an understanding of this issue for Marin. On November 20, MTC and TAM staff will make a presentation on HOT lanes and answer any questions from the Board.

On October 20, TAM closed the Lifeline Program Call for Projects. Executive Director Steinhauser reminded the Board that Lifeline funding is for identified low-income communities in Marin County. Initially, TAM had very little funding to offer as a result of the planning efforts conducted in these communities. Staff developed a very detailed community-based transportation plan in the Canal Neighborhood, and is currently finishing another in Marin City. In the future, TAM will have the opportunity to examine the needs of other communities. Lifeline originally had \$300,000 - \$400,000, but Prop 1B and MTC policy dedication have made it possible for TAM to offer close to \$1.8 million in its Call for Projects. Four candidates came forward and staff will bring those to the Board for discussion and funding in November.

Regarding the 580-101 project, which will widen the Connector from westbound 580 to northbound 101, staff has been working very closely with Caltrans to retain all desired elements and develop a schedule that will begin construction late this spring. Executive Director Steinhauser reported that staff are very close to reaching an agreement with Caltrans that keeps all of the elements intact and provides an accelerated schedule for delivery as TAM prepares to move forward to the California Transportation Commission (CTC) for funding. Executive Director Steinhauser commended the efforts of TAM staff and Caltrans.

Chair Kinsey thanked Executive Director Steinhauser and Caltrans for their efforts. There were no questions from the Board.

#### **4. Commissioner Reports**

##### **a. Executive Committee**

Chair Kinsey reported that most of the items discussed during the Executive Committee meeting are included on tonight's agenda.

##### **b. Marin-Sonoma Narrows Policy Advisory Group**

Chair Kinsey reported that although the group has not met, a meeting will be scheduled in the future. Executive Director Steinhauser confirmed that the group intends to meet at least once more regarding the response to comments on the draft environmental document released a year ago. The final environmental document is set for release in late December or early January. The group will meet

closer to the release date in order to understand the final environmental document and examine the results of the comments that were made.

c. SMART

Commissioner Breen reported that the CalPark Tunnel Groundbreaking took place on September 24. Many attended, including four Commissioners, SMART representatives, and the Marin County Bicycle Coalition (MCBC). It was a monumental occasion. Commissioner Breen reported that the SMART Board passed a significant resolution last Wednesday to work closely with Larkspur regarding all activity near the Larkspur ferry terminal. Subsequently, the Larkspur Town Council passed a similar resolution. Commissioner Breen commented that the all-agency meeting mentioned by Commissioner Lundstrom will increase cooperation and could result in some additional funding for that area. Commissioner Breen commended Larkspur City Manager Jean Bonander for a job well done. Commissioner Breen reported that there is no news on Novato and the SMART situation.

Commissioner Dillon-Knutson echoed Commissioner Breen, commenting that SMART's resolution was very important as it will establish Larkspur as a regional hub. Commissioner Dillon-Knutson commented that this was a very important milestone.

Commissioner Lundstrom conveyed the appreciation of the Larkspur Town Council for the leadership of Marin SMART representatives, since when various transportation elements come together in small towns, local planning staff are often overwhelmed. Commissioner Lundstrom advocated supporting other small towns in a similar manner. An additional benefit of project collaboration is possibly sharing information or even some construction staging areas. The SMART Board initiated this helpful process and Larkspur looks forward to working together.

**5. Consent Calendar**

- a. Approval of TAM Minutes of September 25, 2008
- b. PBS&J Contract Adjustment

Commissioner Breen moved to approve the Consent Calendar and Commissioner Albritton seconded. Motion passed unanimously.

**6. Caltrans Report**

Doanh Nguyen conveyed regards from Jit Pandher who was unable to attend the meeting. Regarding the Gap Closure Project, Mr. Nguyen reported that the Puerto Suello Hill segment is approximately 60% complete. When the west soundwalls and retaining walls are complete, northbound traffic will be shifted to the west in order to provide more room to work on the median. Caltrans will then proceed with the median work, which will include removing the concrete barrier and laying new pavement, among other items. This will allow the northbound HOV to be built.

The Central San Rafael Project, Segment 3 of the Gap Closure Project, which began in 2006, is now 90% complete. Traffic has been shifted to the new pavement, and concrete work on the remaining section of the new flyover is being completed. Upcoming work includes striping the new northbound lane. Weather permitting, the new southbound High-Occupancy Vehicle (HOV) lane is expected to open in the next two weeks. Although the northbound lane will be complete, opening will be coordinated with the other northbound segments in order to maximize public benefit. Caltrans is not

recommending extending the northbound lane into the area near the San Rafael exit as this is already an area of traffic shifting lanes, due to the 580 connector entering Highway 101 and the San Rafael offramp traffic, and adding a lane drop is not recommended. Weather permitting, Caltrans expects to open all of the new HOV lanes in January 2009.

Executive Director Steinhauser clarified that in the next two weeks, a portion of the southbound HOV from near Mission to Highway 580 will be open, with the entire southbound stretch opening in mid-January. When the first portion is opened next week, traffic will still be constrained moving south over the hill at Lincoln.

Chair Kinsey emphasized that, weather permitting, Caltrans anticipates opening all of the new HOV lanes in January.

Commissioner Moulton-Peters asked for details on how hours of operation are determined for the HOV lanes. Executive Director Steinhauser reported that staff has been discussing this issue with Caltrans and MTC for the past year, and the team has agreed to open the HOV lanes and see how traffic adjusts. After six months, the hours of operation will be reassessed. Mr. Nguyen added that Caltrans works very closely with MTC on the specifications for the HOV lanes, including hours and number of occupants.

Mr. Nguyen reported that the freeway will be closed this Friday night and Saturday night in the vicinity of the 580-101 interchange. Work will include paving to smooth out the area approaching CalPark Hill. The southbound side work will take place on Friday night and the northbound side work will take place on Saturday night. Commissioner Adams asked for clarification of the closure hours. Mr. Nguyen stated that the closures will run from midnight to 9 am on both Saturday and Sunday.

Environmental clearance for the Marin-Sonoma Narrows Project had been targeted for the end of this month. However, Caltrans has been working very closely with the resource agencies in terms of project impacts and mitigations, and that process is taking much longer than expected. Therefore the revised environmental clearance target is January. As the clearances obtained now will have a significant impact on the next phases of the project, there are a number of issues that must be resolved. Caltrans will keep the Board updated on the project and will schedule another Policy Advisory Group meeting as it progresses. Chair Kinsey asked for clarification on whether January is the expected date of release of the draft and response to comments. Mr. Nguyen said that the response to comments has been completed but not released, and January is the projected date of the Record of Decision for final environmental approval.

Mr. Nguyen reported that Caltrans has been working closely with TAM to ensure the delivery of Highway 580 and 101 improvements in as effective and timely a fashion as possible. The team looks forward to completing the design and bringing it to construction, and expects to advertise the project in the spring of 2009.

Executive Director Steinhauser commented that over 25 years and \$200 million have been invested in the five mile stretch of Highway 101 from North San Pedro to Lucky Drive, a tremendous feat that is near completion. The lanes are expected to open in January, which is very close to the original target date of December 2008 that was set four years ago. Staff will plan a celebration to thank the Board and its constituents for dedicating funds to this effort and tolerating the work for so long.

Mr. Nguyen commented that this work could not have happened without the close partnership between Caltrans and the County of Marin, TAM staff, and the elected officials. The contractors have

worked hard to overcome many challenges during construction. Mr. Nguyen introduced the construction manager, Farhad Farazmand, who oversees all construction on the projects, mobilizing additional crews with extended shifts and other measures. The project is in the final stages and is expected to be completed within only one month of the original goal which is a tremendous achievement.

Chair Kinsey invited the public to comment. Scott Stokes of MarinBackup.com commented that he is looking forward to the completion of the 580 overpass and HOV lanes. Mr. Stokes showed the Board a photo of a 700-foot trench near the Linden Lane underpass, commenting urging the Board to investigate the issue. Mr. Stokes commented that the Board has not requested a prospective of this trench and related features, and most people were unaware that the trench was going to be built. Mr. Stokes commented that although he attempted to obtain a rendering of what would be built, he was refused several times and was told nothing could be done about it. Mr. Stokes commented that the trench is one of the aspects of the Phase 4 Project that defies common sense, with others including the bike path on the freeway side of the western access ramps to the Coleman Drive pedestrian overpass; the irrational placement, appearance and wasteful construction of soundwalls along Highway 101; and the 150-foot tunnel at the top of Puerto Suello Hill. Mr. Stokes reiterated that there have been no pictures or artists' renderings of the projected work. Mr. Stokes read a statement criticizing the project.

Deb Hubsmith, MCBC Advocacy Director, commented that she has been attending TAM Board meetings for 11 years to advocate for a pedestrian and bicycle pathway as part of the HOV Gap Closure Project, so she was very happy to see the project included in the Measure A transportation sales tax that passed in November 2004. The day after the sales tax passed, the TAM Board began planning the bicycle and pedestrian pathway, the tunnel at the top of Lincoln Avenue, and the Linden Lane work. Ms. Hubsmith commented that TAM staff has been working very hard on this project and added that there have been many presentations on it. These have included monthly reports to this Board as well as many drawings, pictures and updates up until the point when the designs were finalized. Ms. Hubsmith commented that Mr. Stokes did not attend any of these meetings until the design plans were already finalized, and that she sees his words as a personal rampage that goes outside of the public process. Ms. Hubsmith thanked the TAM Board for including the bicycle and pedestrian pathway, which will greatly improve safety.

## **7. Marin Transit Quarterly Update**

Chair Kinsey introduced Marin Transit District General Manager David Rzepinski and Director of Transit Operations Amy Van Doren. Mr. Rzepinski apologized for not coming before the Board sooner, and reported that Marin Transit has been working closely with TAM staff. Marin Transit hopes to begin making quarterly reports, particularly on issues relevant to Measure A funding. Mr. Rzepinski commented that Measure A dollars represent about a third of Marin Transit's overall budget of \$32 million. Marin Transit is fortunate to have this dedicated funding source, which has helped it to grow significantly as an agency. The district has taken on a lot of exciting new challenges, especially in service improvements, resulting in a 3% increase in ridership over the last two quarters of this fiscal year. The September numbers are expected to be up about 6% overall in the local fixed-route operations. Measure A has also helped the district to more aggressively pursue grant funding opportunities without fearing a lack of local matching funds. Over the past two years, the district has only lost one grant, which it subsequently received. Marin Transit currently has seven active grants, with two having been awarded very recently. As a result, Marin Transit has been able to buy replacement vehicles for the West Marin Stagecoach, which will demonstrate new hybrid electric

vehicle technology in the near future, provide bus stop enhancements in Marin City and Novato, and create a Mobility Manager position to focus on special needs in Marin County.

Amy Van Doren reported that Marin Transit staff has begun to implement improvements based on a cost reduction in the Golden Gate contract. These include all-day service on the Route 233 Santa Venetia Shuttle as well as expanding Bus Route 17 (San Rafael to Mill Valley) and Bus Route 29 (San Rafael to Marin General and College of Marin). The two bus routes will have extended half-hour service beginning in December.

Ms. Van Doren reported that a passenger survey is currently being conducted for all Golden Gate Transit's regional services and Marin Transit services, including shuttles. The West Marin Stagecoach will be surveyed in the context of a West Marin Needs Assessment made possible by a Caltrans grant. This survey will be conducted during the first week of November. Extensive public outreach and input will be included in the development of that plan. Marin Transit will use survey results to determine how best to use extra funding from its rural budget. The passenger survey will also provide updated information for reporting on Measure A performance criteria before the TAM Board. Marin Transit measures quantitative statistics on a monthly basis, but the survey will gather other information. Marin Transit is working on an update of its Short Range Transit Plan – the TAM Board approved the last plan in 2006. The plan will include an evaluation of ongoing activities and expected changes as well as a revision of the long-range financial forecast.

Ms. Van Doren reported that Marin Transit has applied to TAM for a Lifeline grant for a shuttle within Marin City to carry passengers to the Transit Center in Marin City and medical facilities in Greenbrae. This will fill a service gap by providing access to the hospital from southern Marin.

Commissioner Maggiore asked for clarification of the various shuttle schedules. Ms. Van Doren clarified that the 233, formerly a peak period shuttle, is now being expanded to all-day service. She added that the West Marin Stagecoach service has been expanded to seven days per week on the north and south routes. The coastal route will operate three days per week and provide an additional midday trip on the north route from Point Reyes Station to San Rafael. An additional vehicle on the south route during the extended peak season will absorb more passenger demand.

Commissioner Moulton-Peters asked for clarification of Route 17's extended half-hour service. Ms. Van Doren clarified that Route 17, currently an hourly bus route, will be expanded to half-hour service during morning and afternoon peak periods. Commissioner Moulton-Peters asked for the afternoon hours, and Ms. Van Doren said that she would get back to her with the information.

Commissioner Maggiore asked for clarification of the Marin City community-based transportation plan shuttle, as it is something Fairfax may look into as well. Ms. Van Doren clarified that the shuttle will travel up into the hills and bring passengers back down to the bus depot.

Chair Kinsey clarified that this Marin Transit has applied for the shuttle under the Lifeline funds. While other communities may apply as well, there are specific demographic requirements outlined by MTC and it is a program targeted at low-income communities. At this time, the 2000 Census has qualified only Marin City and the Canal. However, MTC will allow communities not qualified under the 2000 Census to qualify using current demographic information.

Commissioner Maggiore commented that it could still be a good model for other communities such as Fairfax, which may consider building a system like this on its own.

Commissioner Albritton commented that Measure A includes local incentive service funds, so a community like Fairfax may be able to get 50% match funds through a Marin Transit call for projects. Commissioner Albritton added that it has been an honor to work with Mr. Rzepinski and Ms. Van Doren. The state budget resulted in a \$400,000 shortfall (translating to 13,000 fixed-route hours), but as staff had set aside an appropriate amount of funds, no service cuts are necessary. TAM is being well-served by Marin Transit staff. Although it is a difficult service to run, it will continue to improve under this staff.

Commissioner Dillon-Knutson confirmed that the surveys are of current passengers and asked how new routes are determined, and Ms. Van Doren clarified that this is done through market research techniques. Ms. Van Doren commented that Marin Transit is very interested in these techniques. However, due to a current staffing shortage, it is not possible to engage in this type effort at this time. Golden Gate Transit is engaged in such efforts, but Marin Transit did not see an economy of scale in doing so at this time. Commissioner Dillon-Knutson expressed hope that the upcoming transit plan will include looking at new areas to be served. Ms. Van Doren said the district will be looking at that, however time is limited as they are due to report to the Board on the plan by the end of the year. Marin Transit will be conducting much more research in West Marin than before. Commissioner Dillon-Knutson requested particular attention be paid to Novato, which has experienced transit cuts. Mr. Rzepinski assured the Board that Marin Transit will work closely with TAM staff to ensure that all areas of Marin County are included. Ms. Van Doren added that district staff expects to receive updated modeling information in three months and will provide as much information as possible to the board before year end.

Chair Kinsey clarified that the short staffing is due not to funding issues but to family circumstances and job opportunities that have moved staff away. Mr. Rzepinski confirmed, adding that one staff member's return from maternity leave should help, but that there are several other positions to fill.

Commissioner Albritton commented that the Transit Board shares Commissioner Maggiore's concerns. However, resources are limited and cuts are being made according to monthly ridership reports. As Marin Transit is very restrained by funding, Commissioner Albritton urged the Board members to find a way locally to contribute to the transit system.

## **8. Highway 101 Update**

Chair Kinsey commented that this item had been covered during an earlier agenda item and elected to move on.

## **9. Program TDA Article 3 Funds**

Executive Director Steinhauser introduced David Chan, Manager of Programming, to give a summary of staff recommendations. Mr. Chan reminded the Board that earlier this year, TAM issued a Call for Projects for a little over \$1 million in TDA funds. After extensive screening, staff recommended programming \$19,000 to the Bolinas Multi-Use Path Project, \$690,000 to the Marin Pathways Major Maintenance Project, and \$305,000 to Marin's Sir Francis Drake Bike Lane Project. At the May Board meeting, the TAM Board programmed \$19,000 to the Bolinas project but postponed programming the other funding pending the resolution of the Hwy 101 Gap Closure Puerto Suello Hill Project budget. The Bolinas project is now nearly complete and opened for public use today.

Mr. Chan reported that the Bicycle Pedestrian Advisory Committee (BPAC) convened on September 17 to discuss the Puerto Suello Hill Project's eligibility for TDA funds. At the meeting, staff informed the BPAC that due to increased revenue, TDA funds available has risen \$1.5055 million. Subsequently, the BPAC decided to fund the two Marin projects at the recommended levels and allocate the excess funds to the Puerto Suello Hill Project. However, staff was urged to seek out non-TDA funds such as the Non-Motorized Transportation Pilot Program (NTPP) to make up the difference. The recommendation before the Board today is to program \$510,500 to the Puerto Suello Hill Project, \$690,000 to the Marin Pathway Major Maintenance Project, and \$305,000 to the Marin Sir Francis Drake Project. Staff recommends programming the funds now to facilitate future requests for immediate allocation. However, at this time staff recommends that the Board seek allocation of funds from MTC only for the Puerto Suello Hill Project, postponing allocation for the two Marin projects, until suitable additional funding is found to further close the gap in the Puerto Suello Hill project.

Chair Kinsey asked for confirmation that the Puerto Suello Hill Project refers to the Gap Closure portion of Puerto Suello Hill. Executive Director Steinhauser confirmed that it is the current path under construction over Puerto Suello Hill, the Class 1 Bike Facility that is part of the major highway project. It is not the part that is being managed by the City of San Rafael, from the TAM path to the transit center, under the Non-Motorized Transportation Pilot Program.

Commissioner Adams moved to accept staff recommendations, and Commissioner Arnold seconded. Motion passed unanimously.

## **10. Legislative Update**

### State Local Partnership Program

David Chan highlighted the long-awaited guidelines to the State and Local Partnership Program, which was approved by voters under Prop 1B in 2006 and authorized \$1 billion over a five-year period to match local approved transportation taxes. The primary purpose of the program is to reward agencies and jurisdictions that generate local transportation revenues, particularly local transportation sales tax "self-help" counties. The Legislature enacted AB268 that approved funding for the first time from the Prop 1B bond program and to provide guidelines to the State & Local Partnership Program. 95% of funds will be distributed by formula to match voter-approved transportation revenues, including tolls, and the remaining 5% will be distributed to match uniform developer fees on a competitive basis. Voter-approved toll measures like Measure 1 and Measure 2 are eligible.

TAM expects to receive approximately \$6.5 million over the five-year period, including \$1.262 million for Fiscal Year 2008-09. A local match is required, such as local sales tax. Mr. Chan reported that the process will be very rapid. The guidelines will be adopted in January and recipients will be asked to submit projects by February 17 for adoption in April 2009. Funds that are not programmed will be carried over to the next year. Projects that receive allocations must encumber the funds within a little less than 3 years. If a project does not meet its scope or budget, it must be amended by the CTC. Eligible projects include improvements to the state highway system, transit facilities, local roads, bicycle and safety projects, and improvements to mitigate environmental impacts of new transportation infrastructure. Staff is working with MTC to gain clarity on some key questions, including whether the funds can be used for any phase of a project; whether state money can be advanced for larger projects; and whether the state will guarantee reimbursement of local money spent in advance for projects. MTC believes that the funds can be used for any phase of a project. However, MTC believes that neither advance funding nor guaranteed reimbursement are likely, as there is no guarantee that

the state will issue bonds each year over the next five years. The state budget process will annually determine funding levels.

Executive Director Steinhauser reported that the 3 most likely sources of funding for the Gap Closure Class 1 bicycle-pedestrian facility over Puerto Suello Hill are the TDA funds, the Non-Motorized Transportation Pilot Program, and the State & Local Partnership Program. At the November Board meeting, staff will most likely recommend that the Board hold this money until there is more clarity on the cost of projects to which we have already committed. As the Gap Closure Project already has a considerable amount of Measure A funds, this would be a good fit. Staff worked to ensure that major road rehabilitation and transit would be eligible, allowing flexibility in what can be funded. However, since several cost overruns on Measure A projects are likely, staff may recommend that the Board prioritize funding the projects to which it has committed.

Chair Kinsey opened this item to public comment.

Karen Nygren commented that it's very exciting to receive \$6.5 million. She expressed support for ongoing projects but urged the Board to consider funding local communities or different types of transit. Ms. Nygren advocated setting criteria or priorities within the TAM Board for spending the funds.

#### SB 375

James O'Brien, a TAM consultant working on TAM's Project Management Oversight Team, reported that SB 375 follows up on AB 32 in an effort to correlate land use and transportation policies as a framework for reaching AB 32 goals. A Sustainable Communities Strategy element must be developed as part of each region's RTP, redefining the statutory definition of the RTP. CTC is revising the RTP guidelines to be consistent with the new definition, and the California Air Resources Board (ARB) has to set up an advisory committee to develop the factors and methodology used to determine targets and establish performance measures.

Commissioner Maggiore asked for clarification of the CEQA exemption. Mr. O'Brien clarified that the exemption includes housing projects. If a project is consistent with the Sustainable Communities Strategy, it is rewarded with the CEQA exemption. The criteria have not yet been specified.

Commissioner Lundstrom asked for confirmation that the League of California Cities and the Association of California State Supervisors initially opposed the bill because it threatens local control over planning. Executive Director Steinhauser clarified that after modifying the bill with Senator Steinberg and his staff, both the League of California Cities and California State Association of Counties (CSAC) now support the bill. The only opposition at the time of signature was the Chamber of Commerce, which had not been an active participant in negotiating the details. The bill does not remove local decision authority with respect to housing, zoning, and improvements. The challenge will be whether or not the Sustainable Communities Strategies meet the ARB targets. There are several unanswered questions that must be worked out. Mr. O'Brien added that since the law specifies that general plan land use zoning laws currently in place will not be changed, control will remain at the local level.

Commissioner Lundstrom expressed concern regarding targets. When the Association of Bay Area Governments (ABAG) set targets for housing units, the City of Larkspur with its 12,400 residents was assigned more units than the County of Marin. Commissioner Lundstrom urged that the setting of targets be handled with great care, as should the appeal process.

Executive Director Steinhauser commented that staff can request that MTC and ABAG attend a Board meeting to provide more expertise on this topic.

Chair Kinsey commented that this effort synchronizes the Regional Housing Needs Assessment (RHNA) with the RTP process, which will encourage discussion of transportation and land use at the same time.

Commissioner Arnold asked for clarification on whether the CEQA exemption is only applicable to housing projects rather than transportation projects. Mr. O'Brien clarified that the language refers to housing projects in conjunction with transit, since the exemption is an incentive for that proximity.

Commissioner Maggiore requested an update on current status. Mr. O'Brien reported that although there are a few years left, the schedule for target establishment is spelled out in detail. A committee will be formed in January to produce a report in September and draft targets by the following June. Some unintended conflicts in the bill are now being resolved, and CTC has begun revising the statutory guidelines for the RTP accordingly.

Commissioner Maggiore announced that at 7:30 on November 5, Henry Gardner of ABAG will attend the Fairfax Town Meeting to provide clarity on this issue. Commissioner Maggiore welcomed everyone to attend. The Commissioner commented that while this bill may be appropriate for urban areas, for less urban areas it may seem like a command to grow and develop.

Commissioner Dillon-Knutson commented that the small cities in Marin are concerned about tying transportation money to RHNA numbers. It can be difficult for small cities to deal with legislation that ties land use to transportation money because RHNA numbers pressure cities to grow. The Commissioner expressed surprise that the bill was supported by the League of California Cities and CSAC.

Mr. O'Brien commented that it has been challenging to predict the law's impact on transportation funding and the programming of that funding. Currently, transportation funding and programming activities are required to be consistent with the Sustainable Communities Strategy, and staff will be closely monitoring the situation to determine how this will affect priorities.

Commissioner Dillon-Knutson commented that if the RHNA numbers are enforced as the Sustainable Community Strategy numbers, small cities will face difficulty.

Chair Kinsey commented that some counties in the region are also unhappy with the push to develop unincorporated areas. As a result, the cities and towns of San Mateo County elected to work together to come up with a RHNA-compliant countywide plan. This may be a viable option for Marin County as well. Chair Kinsey encouraged any TAM members interested in working on this issue to express interest.

Commissioner Lundstrom commented that as the Ross Valley is built almost to capacity, it faces a challenge with legislation calling for further development.

Commissioner Maggiore announced that this Saturday, from 9:00 a.m. – 12:00 p.m., a number of mayors and town council members from cities with a population under 20,000 will meet to discuss possible collaboration. The Commissioner extended the invitation to any others who would like to attend.

## **11. Acceptance of FY2007-08 Financial Audit Report**

Executive Director Steinhauser reported that the Fiscal Year 2007-08 Financial Audit is complete, and introduced Derek Rampone of Moss Levy & Hartzheim Certified Public Accountants. She noted that there were no negative findings from the 07-08 TAM Financial Audit.

Mr. Rampone reported the firm's opinion that the numbers presented in the financial audit are not materially misstated, which is the best possible opinion. He highlighted the elements of the report, including Management's Discussion and Analysis and the Entity-Wide Balance Sheet. Most of TAM's assets are in cash and investments with the County, totaling \$30 million at year end. The highest revenue was in sales tax from Measure A, totaling \$22.4 million. Net assets increased \$6.9 million for the year, and revenues exceeded expenditures. Mr. Rampone highlighted the Fund-by-Fund Analysis, Notes, and Budget. Mr. Rampone noted that expenditures were \$16 million lower than expected. The report also includes some information on compliance as well as a Management Report, which provides some general non-mandatory advice on operations.

Mr. Rampone commented that TAM staff was very cooperative in the firm's required search for fraud, and this first experience working together went very well. Mr. Rampone commended Li Zhang for her efforts to keep the process moving.

When the Board asked about Li, Executive Director Steinhauser announced that on October 13, Li Zhang gave birth to a son. Both are doing very well.

Commissioner Lundstrom commented that she is pleased that TAM has no deposits with financial institutions in excess of federal deposit insurance limits.

Executive Director Steinhauser reported that Marin County was just upgraded from AA to AA+, so the pool of funds TAM invests through Marin County is in good hands.

Commissioner Adams asked for clarification of TAM's cash reserves. Mr. Rampone responded that the audit report focuses on programming and policy and does not cover cash reserves. Executive Director Steinhauser clarified that the reserves are indicated in the balance sheet, and reported that TAM staff continues to implement the Board's policy of 5% reserves from Measure A.

Commissioner Adams asked whether staff expects to issue long-term debt in the future. Executive Director Steinhauser clarified that TAM avoided this by acquiring a loan for the Gap Closure from MTC. TAM may need to consider this for Major Road projects, and staff will know more after getting sponsor updates in the spring. As of now, TAM will not need to consider issuing debt until 2010 or 2011 at the earliest. Commissioner Adams asked for confirmation that the TAM budget is able to handle the 3% drop in revenue. Executive Director Steinhauser confirmed, reporting that although staff anticipates a 3-5% drop in revenue over the coming year, TAM's conservative approach to available revenues, as evidenced in the TAM Strategic Plan has ensured the availability of funds relied upon by local jurisdictions.

Commissioner Adams moved to accept the report, and Commissioner Connolly seconded. Motion passed unanimously.

## **12. Review and Approve TAM COC FY 07-08 Annual Report**

Citizens' Oversight Committee (COC) Chair Don Wilhelm presented the draft annual report for Board review. Mr. Wilhelm thanked staff, especially Li Zhang and David Chan, for their responsiveness and assistance in producing this report on a timely basis. Mr. Wilhelm commented that COC members have very impressive expertise and congeniality, and expressed his pleasure in working with them. Mr. Wilhelm announced that some positions will be available soon and welcomed new member applications.

Executive Director Steinhauser commented that the report format is very similar to last year's report. COC reviews and validates the audit findings, particularly as they relate to Measure A. This year the auditor found that the amount of funding spent for administration and program management was within the allowances for the Measure A program with 1% for administration, and 4% for program management.

Chair Kinsey thanked Mr. Wilhelm and the COC for helping TAM maintain trust with the community by ensuring that commitments are kept.

Commissioner Adams moved to accept the report, and Commissioner Lundstrom seconded. Motion passed unanimously.

## **13. FY2008-09 Quarterly Financial Report**

Chair Kinsey reported that the Executive Committee reviewed the financial report for the quarter and recommended acceptance.

Executive Director Steinhauser reported that although revenues are down 3% compared to this period last year, TAM is still collecting more than its very conservative estimate. The second quarter will be an important indicator of this trend. TAM's current expenditures are trending mostly under the budgeted amount.

Chair Kinsey commended the Board members who were involved in the development of the expenditure plan and strategic plan and incorporated the conservative revenue estimates.

## **14. Highway 101 Greenbrae/ Twin Cities Corridor Preliminary Project Screening Results**

Bill Whitney introduced Dina Potter of Jacobs Carter Burgess, TAM's project consultant who was available to answer technical questions. Mr. Whitney reported that a study session was held tonight just prior to the Board meeting, to present and discuss the options to be recommended to the Board. Staff has dedicated many resources to developing a series of multi-modal improvements that will reduce congestion and improve mobility for walkers and bikers in the Greenbrae/ Twin Cities Corridor. Mr. Whitney clarified that this is not a capacity-increasing project; rather, it addresses the operational efficiency of the transportation system as a whole. Staff approached the project using context-sensitive design, a process that involves reaching out to stakeholders and developing a Purpose and Needs Statement through the identification of community issues. Staff has identified the causes of traffic congestion and forecasted future conditions based on various solutions, holding many public workshops for community input.

The TAM Board accepted this process and its draft results in April, but requested further screening of potential solutions based on four principles: traffic operations, cost, community acceptance, and general environmental impact. As a result, staff is now recommending two solutions: Option E, a braided ramp that separates northbound traffic, and Option C, a braided southbound ramp in the area of Lucky Drive and Fifer Street. Option E satisfied all four principles, but while Option C was best in terms of traffic operations and cost, it initially lacked community support. As a result, staff altered the project to be implemented in three phases. The first phase will address the area of conflict: Sir Francis Drake and Fifer Street, the top public concern. The second phase will address additional traffic demand in the future. The third phase will provide the best overall traffic operations for both local and regional traffic, providing transit access as well as safe bicycle and pedestrian pathways. The Environmental Document programmatically clears the entire footprint, but only fundable phases will be cleared for construction. When the Paradise/Tamalpais Interchange is substantially reconstructed including a two-way frontage road to Madera from Tamalpais will the Madera Ramps be closed. This is a later phase of the corridor work. The City Managers and Councils of both jurisdictions, Corte Madera and Larkspur, have accepted this. The Technical Advisory Committee also supports the approach and would like to see southbound Phases 1 and 2 implemented as one phase. The TAM Executive Committee supports this approach as well. Staff has also been working with the Department of Transportation. The Department of Transportation has interest in northbound Option D, which would result in highway improvements similar to the other options. Staff prefers Option E, but will work with the State to ensure its support. The request before the Board is to approve the opening of negotiations regarding scope and cost of the project approval /environmental document. Staff also requests that the Board support the results of the contact-sensitive design identifying Option C and Option E as the preferred options.

Commissioner Cock commented that the Corte Madera Town Council was very pleased with the incorporation of its concerns into the redesign of the project.

Commissioner Maggiore commended staff's work with the community, but commented that this project continues the habit of building bigger and bigger roads when gas prices are rising and the fossil fuel era is ending. The Commissioner stated that as a result, she will vote against this as a minority position.

Commissioner Lundstrom clarified that this project adds frontage roads, not added freeway lanes. There are tremendous safety issues related to the current route to Sir Francis Drake Boulevard. This project will also relieve congestion on local streets. The project is designed to improve access to the Ross Valley, not to add more capacity for people going north. The Commissioner commented that this is more a local project than a Highway 101 project.

When public comment was invited, Karen Nygren commented that the northbound and southbound options should be shown together in order to clarify the interplay between them. The southbound option includes a concrete braided structure above freeway level slightly north of Wornum Drive, but the height of the structure is unclear. The northbound project creates another raised, braided structure almost directly across the freeway from the southbound overpass. As a result, that part of the freeway will be surrounded on both sides with new concrete structures of unknown heights. Ms. Nygren expressed concern for the community's visual quality of life and added that Phase 3 of the southbound option needs to consider the wetlands preserve along the freeway.

Commissioner Breen moved to accept the recommendations as presented by Bill Whitney, and Commissioner Lundstrom seconded.

Commissioner Albritton commented that before this gets built, it would be helpful to see a three-dimensional model of what the project will look like.

Motion passed with Commissioner Maggiore opposing.

#### **15. TAM Website Update**

Chair Kinsey announced that in honor of Commissioner Donnell's first meeting, the Board will not discuss the website tonight. Chair Kinsey asked Commissioner Albritton whether he would be able to attend the Board's next meeting in November, as this would be his last meeting, and Commissioner Albritton confirmed that he would.

Executive Director Steinhauser reported that the website is nearly complete and staff is eager to report lessons learned.

#### **16. Open time for items not on the agenda**

Deb Hubsmith congratulated TAM on its successful application for Safe Routes to School (SR2S), awarded by Caltrans for improvements to access Mill Valley Middle School and the high school at Camino Alto and Miller Avenue. AB 1358, the Complete Streets Act for California, was signed by the Governor last month, requiring that as every city and county updates their general plans, they include a Complete Streets policy that indicates how plans will consider the needs of bicyclists and pedestrians in all projects. As the County of Marin already has a similar directive, MCBC recommends that the cities and counties incorporate a Complete Streets policy into their Bicycle & Pedestrian Master Plans, then incorporate the Bicycle Pedestrian Master Plans by reference into their General Plans. Ms. Hubsmith also announced the release of a Rails to Trails Conservancy report called "Active Transportation for America," which quantifies the national economic benefits of bicycling and walking. The report specifies that currently 10% of all trips in the country are made by walking and biking, and calculates how much money could be saved if this number were increased to 13% or 25%. Ms. Hubsmith commented that 13.8% of Marin's trips are made by biking or walking. Raising the national average to 13% would result in an annual reduction of 70 billion miles of auto travel per year, cutting oil dependence and greenhouse gas emissions from passenger vehicles by 3%. To achieve the same savings using electric and hybrid vehicles, the current passenger fleet of electric and hybrid vehicles would have to increase from its current 1% to 8%. It is much easier to make that shift through increased walking and biking. Ms. Hubsmith added that the report mentions Marin County's SR2S program, and Congressman Oberstar mentioned it on CSPAN and CNN.

*By Order of Chair Kinsey, the TAM meeting adjourned at 9:10 p.m.*

Approved on: \_\_\_\_\_

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Dianne Steinhauser