



MEETING OF THE  
TRANSPORTATION AUTHORITY OF MARIN  
TAM

THURSDAY, JUNE 25, 2009  
7:00 PM

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

**MEETING MINUTES**

Members Present: Steve Kinsey, Chair, Marin County Board of Supervisors  
Al Boro, Vice Chair, City of San Rafael  
Peter Breen, San Anselmo Town Council  
Joan Lundstrom, Larkspur City Council  
Alice Fredericks, Tiburon Town Council  
Judy Arnold, Marin County Board of Supervisors  
Michael Skall, Ross Town Council  
Sandra Donnell, Belvedere City Council  
Hal Brown, Marin County Board of Supervisors  
Stephanie Moulton-Peters, Mill Valley City Council  
Susan Adams, Marin County Board of Supervisors  
Madeline R. Kellner, Novato City Council  
Charles McGlashan, Marin County Board of Supervisors  
Lew Tremaine, Fairfax Town Council

Members Absent: Alexandra Cock, Corte Madera Town Council  
Herb Weiner, City of Sausalito

Staff Members Present: Dianne Steinhauser, TAM Executive Director  
Bill Whitney, TAM Project Delivery Manager  
Dan Cherrier, TAM Project Delivery Manager  
David Chan, TAM Programming Manager  
Li Zhang, TAM Manager of Finance and Administration  
Denise Merleno, Recording Secretary

*Chair Kinsey called the Transportation Authority of Marin Meeting to order at 7:10 p.m.*

**1. Public Hearing on the Proposed FY2009-10 Annual Budget**

The Chair opened the public hearing on the Proposed FY2009-10 Annual Budget and seeing no one wishing to speak, closed the public hearing.

## **2. Public Hearing on the 2009 Strategic Plan Update**

The Chair opened the public hearing on the 2009 Strategic Plan Update and seeing no one wishing to speak, closed the public hearing. He stated that the 45-day comment period will extend until July 5. Action will be taken at the meeting this evening but the final approval of the SPU and any subsequent allocations will be contingent on the close of the comment period and response to any substantial comments. Seeing no one wishing to speak, the Chair closed the public hearing.

## **3. Chair's Report (Discussion)**

Chair Kinsey thanked the Board members for nominating and appointing him as the TAM Chair at the May meeting. He acknowledged that yesterday, through the Metropolitan Transportation Commission (MTC), jurisdictions in Marin and Sonoma received \$2.5 million for station area plans around SMART station sites. This action will now allow communities that lie along the SMART corridor to apply for these funds to assist them in land use planning within the vicinity of proposed SMART stations. He reported that the federal reauthorization program for transportation funding is still in flux and he does not anticipate any action on it in the near term. He also noted that Will Kempton has resigned as the Director of Caltrans to take a position at the Orange County Transportation Authority. Randy Iwasaki will become the new Director.

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

Commissioner Brown asked the Executive Director to speak about the Emergency Ride Home (ERH) program.

ED Steinhauser said that funding for that program was approved by the TAM Board last fall but that item 7f on the agenda includes some additional funding for the program along with the vanpool and TDM web-based programs. She anticipates that the ERH program will be operational by this fall.

Commissioner Brown noted that the county's Guaranteed Ride Home program supports 1-2 people/year. He suggested that the money being spent on the ERH for private employers may be a bit excessive given the number of people that may use it.

ED Steinhauser replied that this reflects the need to develop a self-sustaining program. As reported last year, there will be up-front costs to develop a web-based system that is essentially sustainable at low labor costs. Staff expects the need for this service to be minimal which is why they prefer that it be a web-based program rather than a labor-based one.

Regarding TAM's Crossing Guard Program, Commissioner Brown asked staff to research and consider placing a guard in front of St. Rita's School in Fairfax. When ED Steinhauser stated that, with the drop in Measure A revenue, there is no additional money to add a guard, Commissioner Brown agreed to meet with staff and that he may be able to assist with funding for a guard at this location.

Commissioner Breen suggested that TAM acknowledge the service of Amy Belser who recently stepped down as a commissioner. Commissioner Belser is an original CMA member and has been dedicated to transportation for many years. The Chair agreed to recognize her many years of service at a future TAM meeting. A reception prior to a TAM Board meeting will be held in her honor.

## **5. Executive Director's Report (EDR)**

Executive Director Steinhauser introduced Karita Zimmerman as TAM's new planning manager. With education from USC and MIT, and years of planning experience, Karita will be a great addition to TAM. ED Steinhauser also introduced Marie Hood, a summer intern at TAM, coming to TAM through a program sponsored by MTC.

She noted that her Executive Director's Report was included in the supplemental packet distributed at the outset of the meeting and invited Commissioners to read the report. She reported on: the Marin-Sonoma Narrows Environmental Impact Report (EIR);

She noted that the MSN EIR is close to being complete and that her EDR contains a description of upcoming tasks needed to complete both the EIR and the Environmental Impact Statement (EIS). She reported that the Orange Avenue soundwall in Novato is not included as part of the final EIR. Staff is working with Caltrans to clarify some statements made by them at a previous TAM board meeting regarding funding that wall; she will report on this matter in the future.

She referred to attachments to her EDR in the supplemental packet which illustrate the job loss and funding loss associated with the proposed gas tax "raid" of the cities/counties by the state.

The Executive Director concluded her report by referring the Board to a chart in the supplemental packet which illustrates MTC's programming of federal funds and what TAM may expect to receive in the coming years.

## **6. Commissioner Reports**

### **a. Executive Committee**

Commissioner Fredericks reported on two items that were discussed at the Executive Committee meeting of June 8 and placed on the consent calendar for this meeting:

#### **1. Agenda Item 7e: State Legislation**

In the May Board meeting, the TAM Board discussed AB 266, AB 729, AB 1135, AB 1175, and SB 406. However, the TAM Board did not take action on these bills due to an erroneous listing on the agenda. The TAM Board requested this item be continued to the June Executive Committee meeting.

At its June 8 meeting, the Executive Committee discussed the newly introduced bills and directed staff to include additional columns on Attachment A that categorizes the five areas of focus per TAM's adopted legislative platform along with MTC's positions. The Executive Committee passed a motion to adopt the recommended positions as shown in Attachment A.

The Executive Committee recommended that the TAM Board adopt newly recommended positions on these bills consistent with TAM's 2009 Legislative Platform.

#### **2. Agenda Item 7f: Approve a Program of Projects for Allocation of FY2009-10 TFCA Funds**

The TFCA Program was established to fund the most effective transportation projects that achieve emission reductions from motor vehicles. For FY 2009/10, TAM has approximately \$920,000 available for programming. A Call for Projects was issued and 11 applications were received for a requested amount of \$1.6 million. The applications were evaluated in accordance with TFCA guidelines and the cost-effectiveness requirement.

Of the 11 applications received, 10 applications met TFCA eligibility requirements but one application did not meet such requirements. The 10 applications were recommended for either full or partial funding. The 10 eligible applications from five different jurisdictions in Marin recommended for funding include two bicycle projects, two transit connectivity projects, three alternative-fueled vehicle projects, one alternative-fueled infrastructure project, and two travel demand management projects.

The Executive Committee recommended that the TAM Board approve a Program of Projects, as shown in Attachment A, for allocation of FY 2009/10 TFCA funds.

Chair Kinsey reported that a closed session of the Executive Committee occurred prior to the regular meeting of June 8 to continue the annual performance evaluation of TAM's Executive Director. At the completion of the session, it was determined that ED Steinhauser's performance has been excellent and the Committee acknowledged the new, additional duties that ED Steinhauser and her staff have taken on as well as the special challenges that she has encountered in the past year including the review of SMART prior to the election, ARRA, and the Doyle Drive funding issue. The Committee will review her compensation package and return with a recommendation at the July Board meeting.

He noted that he, as an MTC Commissioner, has the opportunity to work with most of the Bay Area's CMA directors, and that ED Steinhauser remains one of the most engaged and productive and that TAM is lucky to have her as staff.

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

Commissioner Arnold reported that a meeting of this group took place in June and the group is working to refine the proposal to find a way to reduce the carbon footprint for this project. She added that the public will have an opportunity to comment on this in the future and said she'll report more as the project progresses.

#### **c. SMART**

Vice Chair Boro reported that SMART met yesterday and received four presentations by various car manufacturers. Three of the four manufacturers recommended purchasing a heavy diesel multiple unit (dmu) over a light dmu and this matter will be discussed at the next SMART meeting.

### **7. Consent Calendar (Action)**

- a. Approval of TAM Minutes of May 21, 2009
- b. Annual Review of TAM's Investment Policy
- c. Annual Review of TAM's Debt Policy
- d. Memorandum of Understanding with the County of Marin regarding FY2009-10 Staffing

- e. State Legislation
- f. Approve a Program of Projects for Allocation of FY2009-10 TFCA Funds
- g. Appointment to Citizens' Oversight Committee
- h. Hwy 101 Greenbrae/Twin Cities Corridor Cooperative Agreement with Caltrans
- i. Review of Draft 2009 Strategic Plan Update and Open Public Comment Period

Commissioner Boro moved to approve the Consent Calendar and Commissioner Arnold seconded. Motion passed unanimously.

## **8. Caltrans Report (Discussion)**

The Executive Director stated that the Caltrans Report was included as part of the supplemental packet.

She noted that time savings on Hwy 101 as a result of opening the HOV lanes were listed in the EDR.

She stated that staff has received comments from the community about the slow process of retrofitting the east side soundwall. Caltrans has advised that, due to a contractor's error in the manufacturing of the panels, they have rejected over 4,000 panels. The crews are working as quickly as possible to manufacture more panels but the project may continue into October rather than conclude by September as originally projected.

Commissioner Adams stated that there is quite a bit of graffiti on the west side of the west wall on the neighborhood side and she asked about an abatement program.

ED Steinhauser said that TAM is working with Caltrans and the City of San Rafael on soundwall graffiti, but it is the responsibility of Caltrans until the project is complete.

Commissioner Tremaine stated that there is also a lot of graffiti on the highway side of the soundwall. The ED noted that TAM and the City are working on graffiti abatement along the new bike/ped path.

Commenting on another part of the Caltrans report, the Chair said that the TAM minutes from May indicated that the EIR would be out in July but this report indicates that the EIR may not be finished until the end of August. He stated that right-of-way discussions are being impacted due to the delay of this document and asked that the Executive Director to make every attempt to ensure that no further delays are experienced.

## **9. State Budget (Discussion)**

Gus Khouri, TAM's Legislative Analyst, referred the Board to his report that was included in the supplemental packet of information distributed at the outset of the meeting. He stated that the deficit, in the Governor's May revision to the state budget was at \$21 billion but the Legislative Analyst Office reported that it is more in the range of \$24 billion. The legislature has met but not been successful in addressing the problem. In the absence of raising taxes, the Governor wants to see "real" cuts made and has discouraged the borrowing and deferral of funds.

Today, however, the Assembly voted on a bipartisan basis, to allow some deferrals. Rather than suspend Proposition 42, first and second quarter payments will be deferred to the cities and counties. This deferral amounts to approximately \$1 million for the county of Marin. State Controller John

Chiang has advised that the state will begin issuing IOUs if a budget is not put in place by July 2, because the state will run out of cash by July 28.

Regarding the budget's impact on transportation, Proposition 1A funds remain intact for now, but the state is taking, without repayment, 6 cents of the 18 cent Highway Users Tax Account (HUTA) which funds local streets and roads (approximately \$6.5 million to the county of Marin, primarily made available to the County) for a period of two years. The League of Cities sought a legal opinion and was advised that it is unconstitutional to take this money due to protection under Article 19.

He finalized his report by summarizing that the budget issues remain unresolved at this point.

Commissioner Fredericks questioned if the budget process would be further delayed if litigation occurs regarding the unconstitutionality of the HUTA taking.

Mr. Khouri responded that he does not believe that it would cause a further delay. He said that the legislature would vote on the budget, wait for the adjudication to occur and then deal with it.

The Chair thanked Mr. Khouri for his report.

#### **10. Review and Approval of Draft 2008 TAM Annual Report (Action)**

Li Zhang presented this item which recommended that the TAM Board review and provide final comments on the TAM 2008 Annual Report; direct staff to finalize the report based on comments received and to release the final report to the citizens of Marin.

Commissioner Lundstrom commended staff on the format and write-ups of the report and described them as "reader friendly."

Commissioner Breen stated that this report is a demonstration of the benefit to having staff who is knowledgeable about the content do the writing versus hiring an outside firm. He said that it is useful and readable. He thanked Karen Nygren, member of the public, for her comment about the write up on the Marin-Sonoma Narrows and he pointed out the value of public comment.

Commissioner Boro moved to approve the recommendation which was seconded by Commissioner Lundstrom. Motion passed unanimously.

#### **11. Review and Adoption of the TAM FY2009-10 Annual Budget (Action)**

Ms. Zhang presented this item and recommended that the TAM Board review and incorporate recommended changes, and adopt the Proposed FY2009-10 Annual Budget.

She provided an update regarding Measure A revenue noting that, earlier in the week, staff prepared an updated memo on a further reduction of revenue, and e-mailed it to the Commission. On June 18, 2009, the Board of Equalization (BOE) released TAM's June sales tax statement, which includes the actual collection and cleanup payment for the first quarter (January to March) of 2009 and the advance payment for the second quarter. Compared to the first quarter of 2008, TAM's Measure A revenue collection decreased by 19.3% in 2009. The BOE further reduced TAM's future disbursement by 20% for the next three months. The 20% reduction may continue for the rest of the year and is dependent

on how the actual numbers look in September. Based on this new information, TAM's revised accrued Measure A revenue estimate (disbursements between September 2008 and August 2009) may only be \$19.5 million. This is a \$1.3 million reduction, or 6.3%, from the original estimated FY 2008-09 \$20.8 budgeted Measure A revenue. Since it is too late to make any adjustments for the current year, as allocations have been made and spent, staff proposes to reduce next year's allocation amount to make up for this year's shortfall.

She highlighted the following budget items:

- Budgeted FY2009-10 Measure A revenue was reduced by \$0.5 million from \$20 million to \$19.5 million to reflect the potential impacts.
- Funding amount for Strategy 1, Transit, was reduced by \$0.96 million to reflect the negative impact of both the downward adjustment of the current year revenue and the budgeted amount for FY2009-10.
- Additional budget of \$53,625 was added under the Other Capital Expenditures Category for the remaining TFCA funding that TAM will release to the County for the Calpark Project. While the County has already expended all of the TFCA funds and requested TAM provide reimbursement, per TFCA requirements from the Air District, 10% of the funding cannot be released until the project is fully completed, projected for December 2009.
- Additional budget of \$420,000 was added to the Interagency Agreements Category for the Old Redwood Highway Roadway Improvement portion of the Central Marin Ferry Connection Project, which will be managed by the City of Larkspur.

Commissioner Lundstrom offered, as a point of information, that the \$420,000 for the Redwood Highway Roadway will fund a safety enhancement for this regional connection which runs parallel to Hwy 101.

The Chair asked Ms. Zhang if she would present, at the next Executive Committee, the Measure A projection developed under the first Expenditure Plan and the assumptions that were made and then track it against the revenues received.

Commissioner Kellner moved to approve the recommendation that the TAM Board incorporate recommended changes, and adopt the Proposed FY2009-10 Annual Budget which was seconded by Commissioner Lundstrom. Motion passed unanimously.

## **12. Adoption of the 2009 Strategic Plan Update (Action)**

David Chan presented this item which recommended that the TAM Board adopt the 2009 Strategic Plan Update effective on July 5th, provided that any public comments received by July 5, 2009 are adequately addressed and do not substantially alter the Strategic Plan.

The primary early effect of the reduced revenue will affect two areas: the transit and local roads categories. He stated that there will not be a need to issue debt for major road projects this year since the three projects in question have delayed construction schedules. There is no need to issue debt for Hwy 101 due to staff's ability to secure funding elsewhere. He noted that Marin Transit's Short-Range Transit Plan (S RTP) was adopted by their board and, now, has been fully incorporated into TAM's Strategic Plan.

The Strategic Plan was reviewed, with no objections, by the TAM Executive Committee on May 11 and TAM's Citizens' Oversight Committee on June 15.

Commissioner Arnold moved to approve the recommendation that the TAM Board adopt the 2009 Strategic Plan Update effective on July 5th, provided that any public comments received by July 5, 2009 are adequately addressed and do not substantially alter the Strategic Plan. The motion was seconded by Commissioner Breen. Motion passed unanimously.

### **13. Central and Southern Marin Transit Study (Action)**

Jean Hart and David McCrossan, consultants to TAM, presented this item which recommended that the TAM Board accept the final Central and Southern Marin Transit Study including the study recommendations for prioritization of improvements and the Streetcar Feasibility Study.

Ms. Hart expressed her thanks to Golden Gate Transit and Marin Transit for partnering in this effort. In particular, she thanked Alan Zahradnik and John Eells, both present at this meeting, for their participation on the Study's Technical Advisory Committee. She apologized to Commissioner Lundstrom for erroneously omitting the City of Larkspur from the list of multimodal green hubs and assured her that her city will be included in the final report.

Mr. McCrossan thanked the Board as well as the TAC assembled for this study for the level of engagement that both groups showed during this process. He then presented PowerPoint with the following highlights:

- Recommendations for the Five Transit Improvement Programs
  - Multi-modal Green Hubs
  - Hwy 101 Key Pads & Ramp Transit Program
  - Arterial Speed and Reliability Program
  - Local Stop Enhancement Program
  - Key Bidirectional Corridor Enhancements
- Key Understandings for the Recommendations
- Recommended Pilot Programs
- Prioritized Transit Improvement Programs
- Detailed Recommendations and Evaluations
- Potential Multi-Modal Green Hub
- Potential Bus Pad northbound at the Tiburon Wye
- Potential Bus Pad southbound at the Tiburon Wye
- Potential Tiburon Blvd. Local Stop Enhancement
- Timeline Recommendations
- Federal Funding Opportunities
- State Funding Opportunities
- Regional/Local Funding Opportunities

Chair Kinsey asked Mr. McCrossan for his assessment of the condition of the Central and Southern Marin areas to make these kinds of improvements compared to other communities.

Mr. McCrossan stated that in a more robust economic time, these recommendations would not be as difficult to implement as in other parts of the state. To the extent that the strategy is revenue neutral with respect to transit operating, it assumes that improvements can be delivered through investing in capital improvements using existing operating funds and hours. Mr. McCrossan believes it could be very cost effective and achievable.

Commissioner McGlashan thanked Mr. McCrossan and Ms. Hart for their work and innovative solutions included in both this study as well as the streetcar feasibility study.

The Chair opened the item to public comment.

Karen Nygren said that she is pleased to see the suggested Tiburon Wye improvements. She asked that the final study include comment regarding Corte Madera, Belvedere and Tiburon in the area of bidirectional enhancements.

ED Steinhauser commented on the thoroughness of the report and suggested that it is a good launching point for TAM in capturing upcoming regional revenue. She cited the relevance of this study as it relates to the MTC federal programming document she cited earlier this evening which shows a large part of their climate change initiatives center around transit priority development. She thanked Mr. McCrossan and his staff at HDR as well as Ms. Hart for her leading this study.

Chair Kinsey suggested to the Executive Director to think about what would be appropriate next steps for the local jurisdictions to take to partner with TAM in making these recommendations a reality.

ED Steinhauser said that it will be important to meet with MT and GGT for a better understanding as to which of these recommendations would be the most effective and cost effective in meeting their needs.

Commissioner Tremaine moved to approve the recommendation that the TAM Board accept the final Central and Southern Marin Transit Study including the study recommendations for prioritization of improvements and the Streetcar Feasibility Study which was seconded by Commissioner Brown. Motion passed unanimously.

#### **14. Measure A Allocation to Local Infrastructure Projects in Strategy 3.2 (Action)**

David Chan presented this item and recommended that the Board allocate \$2,482,464 in Measure A funds to cities, towns, and Marin County for local roads and related infrastructure projects in Strategy 3.2 of the Measure A Strategic Plan for FY 09/10.

Mr. Chan pointed out that, with the reduction of Measure A revenue, the revenue for this strategy has been revised for a reduction of \$168,000. The recipients of these funds have been notified of the reduction.

ED Steinhauser stated that, according to the Expenditure Plan, funds in this category can be used for maintaining local roads. She asked that Board members keep this in mind in the event of loss of gas tax subvention or Prop 1A funds.

Commissioner Arnold moved to approve the recommendation that the TAM Board allocate \$2,482,464 in Measure A funds to cities, towns, and Marin County for local roads and related infrastructure projects in Strategy 3.2 of the Measure A Strategic Plan for FY 09/10 which was seconded by Commissioner Breen. Motion passed unanimously.

Responding to a question from Commissioner Brown who asked if local transit was an entirely separate component, Chair Kinsey confirmed that Marin Transit is funded from Strategy 1 and that Strategy 3.2 funding cannot be moved to assist Strategy 1.

**15. Open time for items not on the agenda**

Karen Nygren stated that, at a previous TAM Executive Committee meeting, the Executive Director said she would speak at this meeting on the topic of HOT Lanes vs. Caltrans Express Lanes. Ms. Nygren was hoping that this topic would be discussed.

The Executive Director advised that she had nothing specific to report but will be addressing the traffic and revenue study at the July Executive Committee meeting.

*By Order of Chair Kinsey, the TAM meeting adjourned at 8:40 p.m.*

Approved on:

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