



MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
EXECUTIVE COMMITTEE

January 12, 2009
2:00 p.m.

TRANSPORTATION AUTHORITY OF MARIN
TAM ROOM on LOBBY LEVEL
750 LINDARO STREET
SAN RAFAEL, CALIFORNIA

MEETING MINUTES

Members Present: Steve Kinsey, Chair
Al Boro, City of San Rafael
Alice Fredericks, Town of Tiburon
Peter Breen, Town of San Anselmo
Charles McGlashan, Marin County Board of Supervisors
Joan Lundstrom, City of Larkspur

Commissioner Members Absent: Carole Dillon-Knutson, City of Novato

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

Chair Kinsey called the meeting to order at 2:10 p.m.

1. Chair's Report (Discussion)

Chair Kinsey reported that TAM is facing many challenges as it relates to transportation funding and the suspension of funding of its projects. A vigorous conversation took place at the Gap meeting which represents a microcosm of what's going on in transportation around the state. He noted that funding is tight but that identified funding has not been suspended as of today. He cautioned, however, that TAM's credibility is at risk given the various dates it has published for the opening of the HOV lane on Hwy 101 only to see those dates pass without the opening. He has requested staff to issue a moratorium on anyone announcing the opening of the lane until they are certain of a valid date.

2. Commissioner Comments (Discussion)

Commissioner Breen stated that he would like to see this committee take the helm in shaping the future of TAM as it relates to the delay in completion of the Gap Closure project.

Commissioner Boro added that at the meeting last month, the issue was raised about using Golden Gate buses to advertise the opening of the HOV lane and particularly, the use of transit, carpools and

vanpools to be able to gain the travel time savings. He reported that 20 buses will carry this advertising at no charge to TAM. Staff thanked the Bridge District for their great cooperation regarding this matter.

3. Executive Director's Report (Discussion)

ED Steinhauser presented the following items in her Executive Director's Report: State Budget Shortfall including delayed payments on Proposition 1B projects, and the Regional Transportation Plan

On December 19, 2008 the Pooled Money Investment Board sent a list of projects that may not be able to proceed or be reimbursed out of Prop. 1b funds. This list included the I580/101 project. Even though this project will be ready to advertise in March, it will be put on hold if sufficient funding is not available. Caltrans asked if TAM would be willing to front the funding and advertise this project but the reality is that TAM does not have any unrestricted funds in which to do this.

Regarding Proposition 1B work, and immediate cash flow needs, TAM has outstanding unpaid costs, the I580/101 connector project that is at risk of not receiving funding since the state has not been able to issue bonds for this and other 1B projects. The contractors on these projects are likely to be paid by the state controller if Caltrans wins an appeal to the PMIA Board. In TAM's case, there is a \$720,000 invoice sent to the state for design, environmental, and right of way work that Caltrans has yet to pay. TAM is delaying reimbursement to the project consultant for the outstanding unpaid work on the environmental and design activity. TAM also authorized PG&E to begin their utility relocation work; they will bill TAM at some point as well. While TAM is not out of pocket, yet, as staff is holding unpaid invoices, TAM will need to pay for work done soon.

When the state runs out of cash, it not only runs out of Prop 1b cash, but also likely the funding for any payments, including STIP, TDA, STA. Caltrans advised that, even though it is paying our contractors working on the Gap Closure project, there could come a time when they could struggle to continue paying. A bit of good news is that only about 20% of the project is funded through the state. Staff does not predict a work stoppage on the Gap Project.

The ED finalized her report by stating that the stimulus package could help end the state crisis. Will Kempton has expressed interest in moving projects listed on the Pooled Money Investment Board list into the federal economic stimulus train of funds, but this is still under consideration. There are a number of discussions going on concurrently on the stimulus package and things are still in a state of flux.

ED Steinhauser distributed to the committee and public, an Overview of the Governor's Budget Proposal. She also distributed the Obama/Biden Plan for Economic Stimulus (dated early December) She promised the group a copy of the House of Representatives Draft Proposal to Rebuild America. She stated that these documents will be posted on TAM's website.

Regarding the Federal Economic Stimulus, the distribution of funding from the package will most likely follow a formula already in state statute, currently at 37.2% to Caltrans (State) and the balance going to the regions. CSAC and the cities want a directly proportional share of this funding. The regional agencies are lobbying to get two-thirds to the regions who will then decide how best to spend it. MTC, has proposed taking their share, estimated to be in the range of \$150-400 million, and reserving 20% for freeway performance and operational improvements on the freeway system. The other 80% would be dedicated to local streets and roads on a formula basis to the cities and counties in the Bay Area. Under the current best guesstimate of the rules, Marin would receive approximately 5%, a range of \$7-

30 million. The CMAs are expected to produce a priority project list after contacting their jurisdictions. She distributed a list that TAM staff has compiled based on various lists that it has collected since last fall. The current rules, and these may change, are that all projects need to be NEPA cleared, designed, construction packaged, and obligate the funds in 90 days. A contract must be awarded in 120 days. If these timelines are not met, MTC will take the money back and offer it to another county. If MTC doesn't reallocate the money in 150 days, the state will take it back and give it to another region. After 180 days, the state will lose the funding.

Staff will pour through the projects with sponsors to determine whether or not these projects are truly ready to go onto the list. A list of true, ready to go projects will be presented to the TAM Board at its January 29 meeting. MTC estimates that the funding will be available by mid-February.

TAM has a funding shortfall on the Gap project and staff hopes to fund it with federal stimulus money as well as the I580 Connector project, whose status in receiving state funds is very much in question due to the state's budget crisis. .

Commissioner Fredericks said she thought that funds are probably already identified if the project is truly a "shovel-ready" project and that one of the conditions to receive stimulus money was the project had to be shovel ready and unfunded.

ED Steinhauser noted that her question was valid but the list before this committee is made up of projects that are unfunded. She added that many regions of the county may experience a shortfall of funding given that many revenue sources are down, including the likely decline in our transportation sales tax, Measure A.

The Executive Director moved on to report that the Regional Transportation Plan (RTP) Plan and EIR has been published for comment. Staff has been reviewing it to make sure TAM's adopted priority projects are included and will provide an updated report at the January 29 meeting.

ED Steinhauser finalized her report by stating that she is recommending a re-structured format for the TAM board agenda in an attempt to shorten the monthly meeting. A new agenda item, Executive Committee, will be added which will include any action items presented at the Executive Committee that are to be presented to the Board for a vote. Staff will prepare a complete report on an item, as they currently do, and this report will become part of the agenda packet. Staff will also prepare a paragraph summarizing this item along with the committee's consideration, which will be read at the board meeting by, ideally, a member of the Executive Committee.

Commissioner Lundstrom said she thought this approach was a good one.

Chair Kinsey agreed and asked if any of the members had any objection to this change. Seeing none, he directed ED Steinhauser to move forward with this change in format.

This concluded the Executive Director's Report.

Chair Kinsey stated that this group should prepare for a special Executive Committee meeting, prior to the TAM Board in February to conduct the Executive Director's annual performance review.

He also stated that TAM will conduct a board planning workshop in March and that he will be asking various TAM commissioners to participate in an ad-hoc working group to assist in formulating an agenda for this workshop.

4. Approval of Minutes from November 10, 2008 (Action)

Commissioner Boro motioned to approve the November 10, 2008 draft minutes which was seconded by Commissioner Breen. The motion was approved by unanimous vote.

5. Hwy 101 Gap Closure

a. Progress Update (Discussion)

Bill Gamlen, reported that Segment 3 is almost completed. Regarding Segment 4, Caltrans reported that the southbound HOV will likely open in late February/early March. The major work to be done includes shifting traffic to the west so median work can be done after which the lanes will be put into a permanent configuration on the west side. That will allow the northbound HOV lane to open throughout Segment 3 and 4.

He added that Rick Ruvolo, a consultant to TAM, has been developing a TDM outreach effort to coordinate with the opening of the HOV lanes. Print ads, using Golden Gate Transit as mentioned earlier, and utilizing Caltrans CMS signs will be employed.

b. Programming of TDA Article 3 Funds (Action)

David Chan presented this item requesting that the Committee recommend forwarding to the full TAM Board the approval of programming the remaining TDA Article 3 funds totaling approximately \$1.05 million to the Puerto Suello Hill Project.

In response to Chair Kinsey who asked for clarification that committing this funding will complete TAM's obligation with Caltrans, Mr. Chan answered in the affirmative.

Chair Kinsey directed ED Steinhauser to compile the remaining elements of this project that could be delayed or eliminated should additional funding shortfalls occur.

Commissioner Boro noted that there is a structural issue beyond TAM's control and that is how the project is administered and paid for. He added that some of the cost increases may be attributable to TAM, while others have been caused by Caltrans, yet TAM has to pay regardless of who is responsible.

Don Magdanz who sits on the TAM BPAC said that he is disappointed with this recommendation since TDA funds are limited for bike/ped projects and that few other similar sources exist. He requested that part of the resolution would include a statement that TAM will attempt to locate other funding through the stimulus package and that staff will report back to the BPAC and this committee within 6-9 months as to how to fund these projects outside of TDA.

David Schonbrunn suggested a detailed account be made as to the contingency fund to show how it was used.

David Hoffman stated that MCBC wished to echoes the comments made by Mr. Magdanz. He added that it is important to remember that the projects that are programmed thru TDA are projects in need. When that funding is used elsewhere, those projects will become more expensive in terms of

maintenance, etc. He also asked TAM to consider a statement in the resolution about reimbursement or payback of the funds.

Rocky Birdsey said he agreed with Mssrs. Hoffman and Magdanz comments.

Chair Kinsey stated that the east/west projects are very important, but at the same time, it would be inappropriate for TAM to condition this action today because of the uncertainty surrounding both funding in the future, as well as whether other projects may become known that also need future funds. He said that he would personally make the commitment to try to find funding elsewhere as soon as possible for both of the TDA projects. The interest money from Measure A has been preserved for maintenance of new projects and he added that he would consider reviewing this policy for a possible change in the coming months.

Commissioner Lundstrom motioned to recommend forwarding to the full TAM Board the approval of programming the remaining TDA Article 3 funds totaling approximately \$1.05 million to the Puerto Suello Hill Project which was seconded by Commissioner Fredericks. The vote was unanimous. Chair Kinsey directed staff to take this recommendation to the full TAM Board.

Commissioner McGlashan stated that he was angry that freeways are eating up so much funding and creating problems for non-motorized projects. He asked if maintenance items could be included on the stimulus list and ED Steinhauser said she would pursue this request.

Commissioner Boro noted that residents who live in close proximity to Highway 101 have been heavily impacted by the ongoing work and it is important to do whatever is needed to finish the project.

6. Vanpool Program Implementation (Action)

Rick Ruvolo presented this item requesting that the Committee recommend forwarding to the full TAM Board authorizing the Executive Director to proceed with the implementation of TAM's new Vanpool Incentive Program which includes subsidies to be offered to eligible, newly formed vans with a point of origin or destination in Marin County. Subsidies offered by TAM would not exceed \$3,600 over a period of two years, payable in \$600 increments every four months. This program would be administered in partnership with MTC's 511 Rideshare Program.

Mr. Ruvolo stated that MTC's Regional Vanpool/Rideshare Program has agreed to partner with TAM to assist in administration of this effort. The incentives as proposed are \$3600 to new vanpools with a point of origin or destination in Marin County. This money would be paid over a two-year period.

Commissioner Breen said he is supportive of this program but thinks it may be difficult to sell to the public given that it costs TAM \$75,000 to put \$28,000 on the street. He said that he'd rather see more pools than spending approximately 75% of the funding on administration.

Mr. Ruvolo said that will not cost \$75,000 to put 8 vanpools on the street, rather 8 was simply the starting commitment to the Air District made in order to receive the grant.

In response to a question from Commissioner Fredericks who asked if some of the costs should be considered as "start up" and not recurring in subsequent years, ED Steinhauser answered in the affirmative. She added that Mr. Ruvolo is developing program parameters, researching the program, and in negotiations with 511. The staff of 511 has agreed to manage this program at little to no cost. There are early costs that will be minimized over time. Staff is not spending the remainder of the

\$75,000 on administration. There are substantial funds remaining to fund more vanpools if the program is successful.

Commissioner Breen asked staff to state this in the staff report that will be presented to the Board and ED Steinhauser agreed.

Chair Kinsey asked if the 511.org program has a list of the registered, current vanpools and Mr. Ruvolo reported that there are 9 in Marin County.

The Chair suggested that staff find a way to acknowledge those current vanpoolers for their effort and suggested a gift certificate to a local restaurant or something similar. Mr. Ruvolo said that this suggestion was noted.

David Schonbrunn suggested that in the summary, a "per van" subsidy be included since this number was not clearly noted in the staff report. He suggested, also, that it would be helpful for a more detailed explanation as to the procedure such as who pays the lease and who receives the subsidy. Mr. Ruvolo agreed that these were good ideas and would incorporate these explanations.

Commissioner Breen motioned to recommend forwarding to the full TAM Board the authorization for the Executive Director to proceed with the implementation of TAM's new Vanpool Incentive Program which includes subsidies to be offered to eligible, newly formed vans with a point of origin or destination in Marin County and that these subsidies offered by TAM are not to exceed \$3,600 over a period of two years, payable in \$600 increments every four months and that this program would be administered in partnership with MTC's 511 Rideshare Program which was seconded by Commissioner Lundstrom. The vote was unanimous. Chair Kinsey directed staff to take this recommendation to the full TAM Board.

7. Central/Southern Marin Transit Study Report (Discussion)

Jean Hart, consultant to TAM, presented this information item and requested the Executive Committee to provide input on the accuracy and initial findings of the updated Existing Conditions Report.

Ms. Hart stated that this report is approximately 90% complete and that the piece that has yet to be finalized relies on the ridership survey data collected by Golden Gate and Marin Transit. While the survey has been completed, the data analysis will not be available until the end of January. The TAC for this study met last Thursday and useful input was received. They asked that additional information be included on bike/ped and ADA access for existing transit sites along the corridors as well as conditions (parking and turn around space for the busses) at the termini at the major bus trunk routes. Additionally, TAC members agreed to provide information on formal and informal parking facilities off Hwy 101.

David McCrossan presented a PowerPoint presentation, "Summary of the Existing Conditions Report" which recapped the study objectives, reviewed existing transit services, looking at the hub and transfer facilities, travel conditions on the major transit corridors as well as demand objectives and travel forecasts, and an explanation of the next steps for this study.

Chair Kinsey opened this item to comment and also acknowledged Commissioner Moulton-Peters for her attendance at this meeting.

Commissioner Lundstrom applauded the consultants for reviewing conditions of the bus pads and available parking which will spell out ways to make alternative transportation more user friendly.

In response to a question from Commissioner Breen about using streetcars as an alternative, Mr. McCrossan stated that that portion of the study is still under analysis.

Chair Kinsey asked for confirmation that ferry usage is not being included in this study, and Mr. McCrossan responded that it is only being considered to the extent that is considered a transit connection to Golden Gate Transit.

The Chair asked if data exists to understand private transit that is being provided and cited private contractors who transport senior assisted living complexes such as Aegis as well as various youth organizations.. He raised this topic to stress that public transit is not the only transit we're talking about.

Ms. Hart said that she would search for possible resources that may have that data.

Karen Nygren stated that some residents use the Marin Airporter to reach a transfer point en route to their destinations in the Silicon Valley. She added that taxi service is extremely difficult to access in the afternoon due to heavy student trip usage. Referring to the reporting of current of bus pads in this study, she stated that the bus pad in Marin City was omitted and that the pad, at least in the past, was a major transfer point for riders.

Mr. McCrossan responded that the TAC noted this omission as well and that it will be incorporated into the study.

David Schonbrunn stated that the highway pads were an afterthought installed on the brink of the paving of Hwy 101 and he believes that they were never analyzed after that point. He would like this study to review their functionality and if there may be some alternatives to using these pads. He finalized his comment by saying that he hopes the study will take into account that the Marin City bus pad involves a long detour off the highway.

ED Steinhauser suggested that staff's plan is to bring both the Existing Conditions and Recommended Improvements to both the TAM Board and the Marin Transit District Board in February or March if this was agreeable with the Committee.

The Chair agreed with this timeline.

Commissioner McGlashan stepped out of the meeting at 4:25 p.m.

8. New Pass Through Agent and State Budget Impacts on Lifeline Transportation Program (LTP) Funds (Action)

David Chan presented this item and requested the Committee to recommend moving to the full TAM Board: 1) The approval of a revised resolution on LTP programming that assigns LTP funds to Golden Gate Transit as the pass through agent in lieu of Marin Transit; and 2) the approval of an approach to reduce previously approved funding levels if LTP funds are affected by the State Budget that eliminates funding from the lowest priority project.

Commissioner Breen motioned to recommend forwarding to the full TAM Board 1) The approval of a revised resolution on LTP programming that assigns LTP funds to Golden Gate Transit as the pass through agent in lieu of Marin Transit; and 2) the approval of an approach to reduce previously

approved funding levels if LTP funds are affected by the State Budget that eliminates funding from the lowest priority project which was seconded by Commissioner Lundstrom. The vote count was 5-0 in support of the motion. Chair Kinsey directed staff to take this recommendation to the full TAM Board.

Commissioner McGlashan returned to the meeting at 4:30 p.m.

9. Programming Strategies for the State/Local Partnership Program (SLPP) (Action)

In the interest of time, Chair Kinsey summarized this item which requested the Committee to recommend moving to the full TAM Board to support staff's recommendation to utilize State Local Partnership Program funds to free up Measure A cash. Ultimate placement of the SLPP funds is deferred until project needs for a number of key projects in Marin are better understood.

In response to a question from Chair Kinsey, ED Steinhauser confirmed that, the same degree of flexibility currently held with by Measure A funding will continue if this recommendation is approved as long as it is used on a Measure A-eligible activity.

Commissioner Lundstrom motioned to recommend moving to the full TAM Board support for staff's recommendation to utilize State Local Partnership Program funds to free up Measure A cash which was seconded by Commissioner Boro. The vote was unanimous. Chair Kinsey directed staff to take this recommendation to the full TAM Board.

10. FY2008-2009 2nd Quarterly Financial Report (Discussion)

Li Zhang presented this information item and focused on Measure A revenue which she said is expected to decline an estimated 3-4% compared with last year. TAM received approximately \$22.3 million last year and will probably receive approximately \$21 million this year which is still over the budgeted amount of \$20.8 million.

Regarding revenue, she stated that \$247,000 was received in interest revenue for the first quarter and approximately \$242,000 of it is from Measure A reserves.

In response to a question from Chair Kinsey as to the balance for all interest earned to date that has not been spent, Ms. Zhang relied that it is approximately \$1.5 million and this figure should reach approximately \$2.5 million by the end of the year.

Regarding expenditures, she noted that all items are trending below the budgeted amount.

She referred the group to Attachment 4: FY2007-08 and FY2008-09 Monthly Measure A Disbursement Comparison. She pointed out that, to date, TAM has received slightly more than \$11 million in cash disbursements for the first 6 months (July – December 2008). Overall there is a 3% decline over the same period last year. The month of March will be crucial as this is the month when the state conducts a "true up" and the actual sales tax numbers for December 2008 will be known. She anticipates a 3% decrease and said that if this trend continues into next year, revenue will dip below the \$20.8 million budgeted amount.

The Chair asked staff to compile a graph that illustrates the trend line that Measure A laid out and compare that with the existing history of actual revenue.

ED Steinhauser said that staff has reported to the cities, towns, Marin Transit, and the County of Marin that staff will project a budget amount for next year when the March true up number is received. She added that all counties are experiencing a reduction in sales tax, some much greater than what Marin is experiencing.

In relation to how an item such as this one would be forwarded to the TAM Board, Commissioner Boro, speaking on the topic of a reformatted board agenda discussed during the Executive Director's Report, said that he supports this new format. He suggested that each item should be considered on a case-by-case basis to be sensitive to the needs of commissioners that may not have been able to attend the Executive Committee and in some instances, more than a brief paragraph on a given item may be warranted.

The Chair agreed with this approach.

11. State Budget Impacts (Discussion)

The Chair noted that this item had already been addressed in the Executive Director's Report.

12. Open Time for Items Not on the Agenda

None.

Seeing no others wishing to speak, the meeting was adjourned at 4:40 p.m.