



MEETING OF THE  
TRANSPORTATION AUTHORITY OF MARIN  
TAM

THURSDAY, JANUARY 29, 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  
Susan Adams, Marin County Board of Supervisors  
Peter Breen, San Anselmo Town Council  
Hal Brown, Marin County Board of Supervisors  
Joan Lundstrom, Larkspur City Council  
Alexandra Cock, Corte Madera Town Council  
Larry Bragman, Fairfax Town Council - Alternate  
Charles McGlashan, Marin County Board of Supervisors  
Michael Skall, Ross Town Council  
Herb Weiner, Sausalito City Council, Alternate  
Madeline R. Kellner, Novato City Council  
Judy Arnold, Marin County Board of Supervisors  
Sandra Donnell, Belvedere City Council  
Stephanie Moulton-Peters, Mill Valley City Council

Members Absent:

Alice Fredericks, Tiburon Town Council

Staff Members Present:

Dianne Steinhauser, TAM Executive Director  
Bill Gamlen, TAM Project Delivery Manager  
Bill Whitney, TAM Project Delivery Manager  
David Chan, TAM Programming Manager  
Denise Merleno, Recording Secretary  
Li Zhang, TAM Manager of Finance and Administration

*Chair Kinsey called the Transportation Authority of Marin Meeting to order at 7:05 p.m.*

**1. Chair's Report**

Chair Kinsey began his report by thanking Carole Dillon-Knutson, TAM Commissioner representing the City of Novato for her service to TAM and welcomed Madeline Kellner as Ms. Dillon-Knutson's replacement.

Ms. Dillon-Knutson said that we she enjoyed being a member of this Board and serving with her fellow TAM Commissioners.

The Chair continued his report by thanking Executive Director Steinhauser and her staff for their work on applying for funding that may come out of the federal economic stimulus package. He added that

thanks to their efforts, he believes that Marin County has been well positioned to receive as much funding as possible.

He announced that the TAM Executive Committee will hold a special Executive Committee meeting in February in order to conduct the Executive Director's annual performance evaluation. He invited all commissioners to attend this closed session. (Since changed until March TAM Board meeting)

He reported that he contacted, over the past month, a small number of TAM commissioners and asked them to serve on an ad hoc planning committee to help set the agenda for a TAM climate action workshop to be held later in the Spring. This group will develop an agenda focusing on the role that transportation has in addressing our climate change future. He suggested that holding this workshop on a Saturday would make the most sense since it could span four to six hours and asked commissioners if they would be open to meeting on a Saturday. Seeing no objection, the Chair requested staff to begin preparations for this event to take place some time in April.

The Chair commented that he needed to correct a statement he made at the board meeting last month. At that meeting, he suggested bringing the cities and towns together for the purpose of developing a joint strategy for joint housing needs. Unfortunately, housing elements are due by early summer which would not allow enough time to accomplish this task this year. However, he would like to explore this idea, again, in the future.

He noted that there has been an increasing expression of frustration from users of Hwy 101 and I-580 as the Gap Closure Project draws to a close. Many requests have centered on the area of the 580/101 merge during the morning commute. The Chair has directed staff to meet with Caltrans to investigate using the shoulder as a means of congestion relief in the short term.

Chair Kinsey finalized his report by congratulating ED Steinhauser and her team for creating an exceptional and very user friendly website. He encouraged his fellow commissioners and the public to visit the site and said he believes it will prove to be a good communication tool on transportation matters.

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

None.

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

The Executive Director reported on the new board agenda format, the new AB32/SB375 committee, and the economic stimulus package.

ED Steinhauser explained that, in an attempt to streamline the board agenda and shorten the meetings, the agenda has been reformatted to include a category for "Executive Committee" items. Included under this category will be both discussion and action items that were discussed, thoroughly, at the committee level and where a recommended action was derived for the full TAM Board to consider. The reports will be much briefer for Executive Committee items, presented by Executive Committee members.

She reported that, this past week, the California Air Resources Board appointed members to its SB375 Regional Targets Advisory Committee whose goals are to recommend factors to be considered and methodologies to be used for setting regional targets regarding greenhouse gas reductions. Staff will monitor the committee's activities and report back to the TAM Board as it relates to the development of SB375.

She finalized her report by expressing her appreciation for staff's efforts to sort through the stimulus package documentation and deliver the most current information to the Board. She also mentioned the coordination between TAM and local jurisdictions in Marin to capture stimulus funds, and thanked the local agencies for their efforts.

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

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

The Chair indicated that he would ask Commissioner Breen to brief the Board on the items discussed at the Executive Committee meeting of January 12 and that this would occur later in this meeting during Agenda Item 6.

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

The Chair reported that this group has not met.

##### **c. SMART**

Commissioner Boro stated that he did not attend the meeting and asked Commissioner McGlashan to provide a brief update on SMART activities.

Commissioner McGlashan reported that SMART is anxious to attend a future TAM meeting for a briefing of new activities leading up to the construction phase. He added that Commissioner Judy Arnold is a new director on the SMART Board and replaces Commissioner Hal Brown. Commissioner McGlashan said that the process of rail car selection was discussed at the last meeting. He concluded his report by saying that the agreement w/Railroad Square LLC has been finalized.

#### **5. Consent Calendar**

- a. Approval of TAM Minutes of November 20, 2008**
- b. TAM to Certify Right of Way on I-580/101 Connector Project**
- c. Appoint Madeline Kellner to SMART Board**

Commissioner Arnold moved to approve the Consent Calendar and Commissioner Lundstrom seconded.

Motion passed unanimously.

## 6. Executive Committee

### a. Programming of TDA Article 3 Funds (Action)

TAM previously programmed \$510,500 in TDA funds to the Puerto Suello Hill Project, \$690,000 to the Pathway Major Maintenance Project, and \$305,000 to the Sir Francis Drake Boulevard Westbound Class II Bicycle Lane Project. The Board instructed staff to seek other fund sources, including NTPP funds, to fund the remaining shortfall on the Puerto Suello Hill Project. Since staff has not been able to secure other funds, the Executive Committee approved staff's recommendation to allocate the remaining \$324,000 in Measure A as well as redirecting the remaining TDA funds in the approximate amount of \$1.05 million to the Puerto Suello Hill Project. The two Marin County projects that would have received an allocation of TDA funds will be encouraged to apply for future funds as they become available.

### b. Vanpool Program Implementation (Action)

Staff has been working on developing a Travel Demand Management (TDM) program for Marin County after receiving TFCA grants from the Bay Area Air Quality Management District (BAAQMD). One of the projects in the program is the Vanpool Incentive Program, which is intended to encourage ridesharing and reduce congestion due to single occupant vehicles.

Staff has been coordinating with MTC's Regional Rideshare program to administer TAM's Vanpool Program that would provide incentives of \$3,600 over a period of two years per new vanpool that has a point of origin and/or destination in Marin County. The Executive Committee voted unanimously to recommend the Board to authorize that the Executive Director proceed with the implementation of TAM's new Vanpool Incentive Program as described.

### c. New Pass Through Recipient and State Budget Impacts on Lifeline Transportation Program (LTP) Funds (Action)

This item involves two issues. The first issue is that in November, TAM approved four projects for Lifeline funding and authorized allocating all Lifeline funds to Marin Transit as a pass-through conduit to manage the funding for all projects, including theirs. The State Controller's Office recently informed MTC and TAM that Marin Transit is not an eligible recipient of Prop 1B funds. As an eligible recipient, Golden Gate Transit has agreed to act as a conduit for funding these projects in place of Marin Transit. Golden Gate will receive the share of support funds that had been assigned to Marin Transit for their efforts.

The second issue is that Lifeline funds, funded with State STA and Prop 1B funds, may be impacted by the State Budget crisis. While still uncertain, MTC informed the CMAs that STA funds are likely to be reduced to alleviate the State budget deficit. If the State adopts reductions that would exceed our unprogrammed balance of \$195,000, TAM would need to react accordingly. One approach to deal with such a drastic reduction is to proportionally reduce each project by the same percentage of STA funds. Another approach is to defer to the project priorities established by the Review Panel and reduce the amount needed from the lowest prioritized project(s).

The Executive Committee voted unanimously to recommend adopting a revised resolution to assign Lifeline funds to Golden Gate Transit as the pass-through agent and approving an approach to reduce Lifeline funds from the lowest prioritized project and ensure complete delivery of higher prioritized projects.

Seeing no Commissioner wishing to comment on these items, The Chair opened it for public comment.

Deb Hubsmith, Advocacy Director for the Marin County Bicycle Coalition, (MCBC), commented on Item 6a and said that MCBC appreciates the importance and need to finish projects including the Gap Closure Project. She stated that MCBC will not oppose the TDA funds being used on this project. However, MCBC suggests that these two projects, that the Board originally voted to fund, be included in the list of projects that will be funded through the stimulus package.

Commissioner Boro moved and Commissioner Donnell seconded. Motion passed unanimously.

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

Chair Kinsey stated that he had been alerted prior to the start of the meeting that a number of constituents from Novato were in the audience and wished to address the Board. Since their concern is highway related, the Chair granted them the opportunity to voice their concerns so that Caltrans staff would have the chance to respond.

Ms. Diane Schaumleffel, a Novato resident, distributed a letter addressed to the commissioners and thanked the Novato City Council and Supervisor Arnold for their support of Ms. Schaumleffel's efforts. She then read portions of the letter which requested that a soundwall be constructed on Highway 101 northbound along East Orange Avenue to mitigate increased freeway noise that will occur as part of the Marin Sonoma Narrows highway project. Ms. Schaumleffel requested that Caltrans conduct a 24-hour, 7-day sound test which she believes will prove that a soundwall is warranted. Her letter states that she has obtained over 100 signatures from residents of that neighborhood who agree that a soundwall is needed. Additionally, her letter requests that the TAM Board declare the environmental impact report incomplete until "valid" sound tests and projections are completed and/or the soundwalls for this neighborhood are planned into the project.

Mr. Jonathan Kopp, a resident of East Orange Avenue, reiterated the previous speaker's request and stressed that the residents are asking for a "fair" test to determine that a soundwall is needed.

Mr. Dan McElhinney, Chief Deputy District Director from Caltrans, began his report by thanking ED Steinhauser and her staff for the agreeable partnering relationship that exists between these two agencies. He responded to the speakers' comments by stating that Caltrans staff has reviewed the EIR comment cards and the formal request for a soundwall from the south end of Orange Avenue to the north end of Kenwood and from south of West Orange Avenue to north of Elmwood. He said that Caltrans has the ability to conduct additional studies to collect field data over the next 6-8 weeks which will be included as part of the noise study model. It is intended to have a report within 8 weeks on the findings from that study.

Commissioner Cock asked if the study, as requested by the residents, will be conducted 24 hours per day.

Mr. McElhinny said that the protocol for a noise study is to conduct testing along the first row of houses next to the freeway and place receptors and monitored for 24 hours during good weather with spot receptors being placed randomly throughout the area for additional information for the computer

modeling work. Typically, this testing is done for no more than 24 hours but he'll ensure that enough testing is done to obtain good data for the model.

The Chair thanked Mr. McElhinny for this report and comments.

## **8. State Budget Update**

### **a. Legislative Update (Discussion) – Shaw/Yoder**

Gus Khouri of Shaw/Yoder Inc., TAM's legislative consultant, provided a brief overview of current activity taking place in Sacramento. He noted that there is movement on the state budget and it is anticipated that, next week, the legislature will be addressing the 18 month, \$42 billion deficit and make additional adjustments in anticipation of further declining revenues when the May revision to the budget is issued.

General impacts to the budget include: the court has found in favor of the Governor's attempt to furlough state workers thereby issuing a 10% pay cut which amounts to \$1.5 billion in savings; the suspension of annual cost of living as approved through Proposition 98 to those in the education sector would save approximately \$2.5 billion; talk continues of suspending Proposition 42; and the Governor called for elimination of the State Transit Assistance (STA) Program which funds public transportation, but the Democrats are fighting this so it may remain in the budget.

The Republicans are asking for policy changes in exchange for voting for a tax increase. This could lead to expanded authority to do design build for projects as well as exemptions to CEQA. Additionally, there was a discussion about allowing the locals to go to the ballot by reducing the voter thresholds for local sales tax measures. While this will not be part of the package, Assemblyman Huffman wants to make this a priority in order to allow local jurisdictions some flexibility if the state does cut funding.

Mr. Khouri stated that the Democrats put forth a proposal that would replace the current Prop. 42 sales tax and the excise tax funds with a gas fee but this proposal has been tabled. The 1.5 cent sales tax that the Governor proposed in November is still alive and could well become part of the budget package. The last item Mr. Khouri reported on was language set forth by the administration to create cash flow. It would defer gas tax revenue for local street and road rehab until September when it would be distributed in a lump sum.

The Chair asked if the Governor has presented an ideological view as to why the state should not be investing in transit. Mr. Khouri responded that while many see transit as a means of reducing greenhouse gas emissions which would be consistent with one of the Governor's goals, others think that transit is not a popular mode of transportation and ridership is low. Mr. Khouri added that he believes it comes down to how a list of priorities is established and that education and health and human services are considered a higher priority than transit.

This concluded Mr. Khouri's report.

ED Steinhauser addressed the issue of TAM's Draft 2009 Legislative Platform document included in the supplemental packet. The draft has five general categories: bond implementation, transportation funding, project delivery, air quality, and alternative modes. She suggested that staff discuss this document, first, with the Executive Committee in order to focus on a couple of items that are likely to

be topics included in the legislative session. Then, she would bring those items back to the Board for a larger discussion.

The Chair agreed with taking this approach. He added that he believes the number one priority for anyone in local government should be to take on the structural inadequacy of the two-thirds vote that is required to pass a budget. He said that he would like to see this idea added to the list and that Assemblyman Huffman has developed legislation that is attempting to bring that back to the legislature.

Commissioner McGlashan applauded the reform efforts put forth by Assemblyman Huffman and also registered his dissatisfaction with the Governor's performance. The commissioner went on to say that the funding cuts being considered will do serious harm to Marin County's streets and transportation programs. He finds it ironic how this administration talks about AB32 (Global Warming Solutions Act) and climate change when 50% of greenhouse gas emissions is transportation driven, yet it is on the chopping block.

ED Steinhauser asked if it would be appropriate to draft a letter to our legislators on this topic. The Chair polled the Board to see if anyone would be opposed to sending a letter to the Governor expressing the Board's profound concern about these issues and seeing none, he directed staff to prepare a letter for the Chair's signature. Mr. Khouri offered his assistance in this task.

**b. State Budget Impacts to 580/101 Connector Project (Action)**

ED Steinhauser reminded the Board that this project is currently funded through Proposition 1B for the design, environmental and right-of-way work. TAM submitted an invoice to the state in the amount of \$725,000 which they have been unable to pay based on the actions of the Pooled Money Investment Board (PMIB) in December. Staff received a letter and a phone call which advised that TAM would not be reimbursed due to the project being frozen. In mid-January the PMIB met and re-evaluated their ability to use state funding and agreed to make payments for work done through early February 2009, so staff hopes to be reimbursed the three-quarters of a million dollars in the near future. This project will be completed through the design phase and will be ready to advertise in March. The question that arises is whether or not there will be money enough for The construction to take place.

The State has requested that sponsors of Prop. 1B projects consider using their own funds to advertise their projects. Staff from Caltrans and MTC have asked the Executive Director if she would be willing to consider fronting the funding if there was an iron-clad agreement for being reimbursed by the state. Most agencies in similar situations that the Executive Director has discussed the matter with are not willing to take this step. She believes that there is a misconception of excess or available funds, under the self-help counties authority, when in fact, most measure money is strictly regulated as to how it can be used. Staff recommends that the TAM Board reject the request made by Caltrans and MTC to loan the money to the Westbound 580 to Northbound 101 Connector Project for construction. Staff is to complete the design and obtain State approval for advertisement. Staff is to monitor the situation and return to the TAM Board with any evidence that this may be a feasible option.

The Chair, who sits on the MTC Commission as well, said that yesterday MTC voted to continue funding projects that are already under construction by taking up to \$200 million of toll authority money and purchasing bonds from the state.

Commissioner Adams motioned to support staff's recommendation to reject the request made by Caltrans and MTC to loan the money to the Westbound 580 to Northbound 101 Connector Project for construction. Additionally, staff is to complete the design and obtain State approval for advertisement. Staff is to monitor the situation and return to the TAM Board with any evidence that this may be a feasible option. The motion was seconded by Commissioner Breen. Motion passed unanimously.

## **9. Federal Economic Stimulus Proposal for Local Streets and Roads (Action)**

David Chan provided an overview of the stimulus proposal and Bill Whitney provided a summary of staff's efforts to capture candidate projects for Marin and submit them for the Board's acceptance.

Mr. Chan began with a brief overview of the current proposal intended to create 3-4 million jobs and to breathe life back into the economy. The House and Senate have passed separate bills that would infuse approximately \$800-900 million in the form of expenditures or tax cuts; however, these two bills are undergoing numerous amendments so could look quite differently by the time they're finalized. He referred the Board to tables in the Supplemental packet which compare the two bills and how the money would be distributed on the national, state, and regional levels. If the \$47 billion proposed by the House and the \$46 billion proposed by the Senate for transportation projects remain unchanged the Bay Area could receive in the range of \$550-640 million in formula funds. Mr. Chan noted that while the proposal set forth by the House and Senate may vary slightly, in terms of the programs that are included in each, both proposals emphasize that projects must be ready to obligate funds and award a construction contract within the prescribed timeline or risk the loss of funding.

MTC is estimating that Marin County could receive approximately \$5.5 million, which MTC has preliminarily set aside for local street and road rehab. Given the timeline of 90 or 120 days to deliver a complete project for federal obligation, only simple street resurfacing types of projects will likely be able to meet deadlines. Projects must be environmentally cleared or clearance must be imminent or the project will be excluded. Additionally, projects must be design complete or close to it. Mr. Chan finalized his report by stating that TAM staff has been working with the Public Works Directors in Marin to develop a project list. He was joined by Bill Whitney who reported on this list.

Mr. Whitney reported that he met with each of the Directors of Public Works in Marin to review the requirements of the program and to compile a project list that, realistically, is deliverable. Mr. Whitney referred the Board to that list contained in a table on page 38 of the supplemental packet. He noted that the total project dollar amount that could be ready falls in the range of \$51 million whereas TAM is expecting only \$5.5 million in stimulus funds. As a result, staff is suggesting that the funding be distributed according to a formula accepted by the TAM Board and DPW directors in the past which is based on 50% population and 50% road miles. Using that formula, and acknowledging that some local jurisdictions did not submit a project due to the lack of readiness of a project, the funds were programmed. The result is the distribution as noted in the table. Staff then asked the local directors if they could still deliver their projects if the stimulus funding is less than their total cost and they all responded affirmatively.

Mr. Whitney cautioned that there are many requisites that must be met when receiving federal funding and that local jurisdictions should plan to make it a top priority to meet and satisfy these requirements.

Mr. Whitney went on to say that TAM staff has been asked by MTC to submit this list as soon as the TAM Board has approved it. Additionally, the local jurisdictions will need to provide MTC with information related to their specific project and Mr. Whitney strongly urged that these jurisdictions act

immediately on this transmittal which they have all received rather than waiting until the February 9 deadline. He acknowledged that TAM staff are concerned about delivery of some of these projects and plans to monitor their progress. Staff is requesting the Board to grant the Executive Director the ability to reallocate funds from a project that is falling short of the requirements; this would occur if Marin is in jeopardy of losing funding. Funds will be re-assigned to another jurisdiction that is in compliance.

Executive Director Steinhauser added that funding from the economic stimulus package is restricted to construction capital and that these projects have to be designed, environmentally cleared, packaged and administered locally. As a result, she requested that the Board approve, simultaneously, for the local jurisdictions that request it, an advance of Measure A funds that are made available annually for local infrastructure improvements. TAM collects and administers those funds in July each year. Six months worth of this funding could be made available at this time to help manage the engineering and delivery of these projects. Along with the funding, staff has also made available to the local cities/towns the use of an on-call consultant contract that TAM assembled over a year ago.

ED Steinhauser stressed that staff is making the request to be authorized to redirect funding with the sole purpose of preventing funding from being forfeited to another county. The redistribution would occur, first, to another project within the jurisdiction, and if none are ready then, second, to another jurisdiction. Additionally, staff will meet with MTC and Caltrans next week to discuss submitting additional projects to capture monies that could, possibly, come to Marin in the event that another county is forced to forfeit their funding.

She finalized her comments by summarizing the action before the board which is to: 1) approve the initial list; 2) approve advancing the Measure A local funds if a city/town requests them, 3) authorize the Executive Director to redirect stimulus funding in order to avoid forfeiture.

Commissioner Lundstrom agreed that staff at the local level will need to act quickly on this matter and that TAM staff has proven, in the past, to be a good resource to local governments in helping them meet the requirements. She added that she hopes that TAM staff will set guidelines and checklists to help everyone on the local staff level benefit from the funding.

Commissioner Arnold agreed with the previous Commissioner's suggestion but requested the formation of an ad-hoc committee of commissioners to review any redirection of funding under consideration by the Executive Director.

Executive Director Steinhauser responded that while she agrees with this idea of a subcommittee to redirect funds on a conceptual level, decisions will need to be made swiftly, perhaps in as little as a day, leaving little time for a committee to weigh in.

Commissioner Arnold asked that staff phone the TAM representative from the jurisdiction who is going to lose the funding so they can speak with their city/town staff.

ED Steinhauser said that she would agree to consult with the appropriate TAM Commissioner but, as a precautionary measure against losing funding, would like to reserve the right for TAM staff to have the authority to react to any potential loss of funds.

Chair Kinsey reassured that Board that he is confident that notification as requested by Commissioner Arnold could occur. He added that the Marin Public Works Association is actively engaged in this effort.

In response to Commissioner McGlashan who asked if the two TDA projects – resurfacing of the Sir Francis Drake bike path and the Sausalito bike path – could be included on this list, ED Steinhauser said that the County did not submit those projects and it was reported to her that those projects would not be ready on time, but she agreed to make additional inquiries on the readiness of those projects for this list or a list compiled for funding through the Transportation Enhancement (TE) Program.

Commissioner Cock asked if the Executive Director would advise board members, after the meeting this evening, of any projects in which she has immediate concern. She said that staff is taking the word of the local directors and would prefer to monitor these projects at different check points to determine the progress of each. She added that Caltrans and MTC will advise TAM staff if delivery requirements are not being met by a local agency.

Responding to a question from Commissioner Adams as to why Caltrans would have anything to say about a local street project, ED Steinhauser said that all funding will be funneled through Caltrans' Local Assistance. The local sponsor will be responsible for working directly with Caltrans to provide documentation on its project. She added that it is her understanding that each Council will need to act on these projects regarding a commitment to delivery and a commitment that routine accommodation has been considered.

Commissioner Adams supported the suggestion that TAM staff notify the appropriate TAM representative of a possible loss of funding with the hope that they may be able to act on the notification and avoid forfeiture.

Commissioner McGlashan added that TAM staff should also make every attempt to notify the Supervisor whose area the funds will be lost from, before the funds are moved.

Commissioner Lundstrom requested staff to provide a summary of bullet points of what is required so that each commissioner could take back the same checklist to their agency and advise their staff.

The chair opened up the time for public comment.

Deb Hubsmith of MCBC noted that the routine accommodation checklist is a requirement that MTC is putting on all funding so that cities have to check their bike/ped master plans. This ensures that bike/ped needs are considered when an agency looks to resurface a road. She then turned her comments to Transportation Enhancement (TE) funding and said that it was unclear to her if the commissioners were being asked to take action tonight as to which project would be selected. She suggested that making a selection tonight would be a good idea given the speed with which everything is occurring. She added that while the Parks and Open Space District may not have submitted the pathway rehabilitation project for consideration, she recommends moving forward with it since it would cost the same amount of money that is estimated to come to Marin County through the stimulus package. Ms. Hubsmith reminded the Commission that they voted to fund it out of another source of funding as a priority project. She finalized her comments by stating that TE money applied to this project would serve the countywide network and urged the commission to act on this tonight.

In response to Commissioner McGlashan asking the Executive Director to clarify comments made by the previous speaker, the ED explained that staff divided the Local Street and Road pot of money on a jurisdictional basis and the county would receive approximately \$2 million, but that the funds are primarily directed to local street and road rehab. Staff is not aware of the process related to obtaining TE funding, nor is she aware if any other TE projects exist among the local agencies. MTC is not focusing on the TE process at the moment but the CTC has called for a special meeting on February

10 to discuss the stimulus package. She said that staff is open to whatever the board recommends and that if TE money does come to Marin, staff would suggest funding the two TDA projects that were set aside in order to use the TDA money for the Gap Closure Project.

Responding to Commissioner McGlashan's question about the possibility of deferring a decision about projects to include for TE funding, the Executive Director said that she would hope to bring this item back, given the lack of information about the TE program.

Jerry Novak, a resident of Novato and employee of the Public Works Department for the City of Novato, spoke as a citizen. He said he was of the understanding that these projects that will receive federal funding must be in the federal TIP in order to be eligible for funding. He added that an agency cannot send a request for authorization to proceed unless the project is listed in the Federal TIP.

Mr. Chan said that Mr. Novak is correct but that MTC is going to fast track and include a lump sum of money into the TIP so that this will not become an issue.

Chair Kinsey said that he believes the action that should be considered is to approve the concept that the lists need to be developed and delivered within the time constraints rather than approve a list of specific projects. He added that he is uncomfortable with approving a list when there are so many unknowns that still exist.

ED Steinhauser stated that staff has met with all of the DPW Directors within the past 72 hours to explain the process and they all understood it. Some submitted projects but three, Sausalito, Belvedere, and Ross, advised staff they had no projects that would fit the criteria. She then reviewed the timeline of activities that staff underwent to understand the program and conduct outreach to the local agencies. She acknowledged that there is some lack of clarity as to the process, but she reiterated that staff got all the DPW directors to agree to this list, so she urged the Board to give staff direction to proceed. She commented that the entire process has gone ridiculously fast.

Commissioner Breen confirmed that he spoke with his director of public works and that the director confirmed that the DPW staff from the three jurisdictions mentioned previously opted out of the program.

Commissioner Donnell said that Belvedere's city manager was not completely aware of this program but acknowledged that he did not have a project that was ready to go.

Mr. Whitney stated that: Bob Branz of Belvedere was aware of the process and he chose not to submit a project.

ED Steinhauser told the Board that the local DPW directors are ready to proceed and that they are waiting on this Board to authorize the dollar amounts.

Commissioner Arnold moved to: 1) adopt the list of proposed streets and roads projects in Marin County for the American Recovery and Reinvestment Act of 2009 with the provision that staff will make every effort to notify the TAM representative and the affected Supervisor if their jurisdiction is about to lose its funding to a project in another jurisdiction, 2) authorizing the Executive Director to forward this list to MTC, and approve an advance allocation of approximately ½ of Measure A Local Infrastructure funds available in FY 2009-10 per the attached list of funding, for the purpose of developing the stimulus bill projects. The motion was seconded by Commissioner Breen. Motion passed unanimously.

Commissioner Skull noted that the list in the original agenda packet listed projects from all Marin cities and towns and asked when the list in the supplemental packet was compiled.

ED Steinhauser said that the original list contained a list of projects asked for back in late November/early December with up to two years to deliver the project. . At that point in time, the details related to the stimulus package had yet to be ironed out. That list was narrowed down to the one in the supplemental packet after the local DPW directors determined whether or not they could deliver the projects in the short span of time allowed.

Commissioner Skull said that when he spoke with his staff, he was advised to vote affirmatively for the action since they assumed that it would mean that the Town of Ross would receive a certain amount of money.

Commissioner McGlashan proposed an amendment to the motion and asked that it include a proviso that in such time that the two TDA projects that lost their funding to the Gap Closure be reprioritized to the top of the list once the CTC clarifies the process for distribution of TE funding.

The commission agreed to accept the proposed amendment as a separate action which was seconded by Commissioner Cock. Motion passed unanimously.

#### **10. Programming Strategies for the State/Local Partnership Program (SLPP) (Action)**

Mr. Chan presented his report which requested that the Board support staff's recommendation to utilize State Local Partnership Program funds swapped into a series of Measure A funded projects in Marin County, specifically projects managed by the City of San Rafael and the County of Marin. Ultimate placement of the SLPP/ Measure swapped funds is deferred until project needs for a number of key projects and programs in Marin are better understood.

Commissioner Adams moved to approve staff's recommendation which was seconded by Commissioner McGlashan. Motion passed unanimously.

#### **11. Safe Routes Program**

##### **a. Safe Routes to School Update (Discussion) – Parisi Associates**

David Parisi and Wendi Kallins presented a PowerPoint presentation on the Safe Routes to Schools program status currently and the Street Smarts program. Highlights include:

- Forty-five schools participated in the International Walk to School Day and some had record turnouts
- Forty-three schools have registered for the Spring Contests. Marin Bikes and Kaiser Permanente are partners in this effort with Kaiser funding the cost of the bikes.
- The Miller Creek Eco-Challenge involves the Miller Creek School who, as part of a national contest to improve air quality, have gathered 70 donated bikes which they will refurbish and give to needy students.
- The Teen Transit Program, as part of the "Teens Go Green" Program, teaches kids how to use transit.

- Task Force Work is ongoing to eradicate obstacles which prevent students from walking/biking to school.
- Travel Plans – 25 have been completed to date.
- New Task Forces are being formed.

*Faith and Fantasia, A Fable on Safety*, is a new book related to concepts from the Street Smarts Program. Children will take this book home and read it with their parents. Ms. Kallins passed a copy of the book out for TAM board members to review.

#### **b. Implementation of Street Smarts (Action)**

Mr. Parisi provided an update on the Street Smarts Program, a public education campaign designed to target unsafe behaviors of drivers, bicyclists, and pedestrians. It was implemented in Corte Madera, Larkspur, and Mill Valley as a pilot program. Five specific behavioral issues were identified in all three communities: speeding, red light violations, right-of-way violations (for all three modes of travel), distracted driving, and bicyclist violations and safety. Nine different messages on signs were developed to address those behavioral issues and displayed in the three localities. A website has been developed, [www.streetsmarts.org](http://www.streetsmarts.org), and has been successful in attracting visitors to the site.

The current recommended staff strategy is to redeploy the program in the pilot communities in the spring of 2009 and extend the program to the Ross Valley, Tiburon and Belvedere in 2009-10. In 2010-11, the program could be extended to Novato, San Rafael, and Sausalito if funding becomes available. The County of Marin has chosen to wait for further monitoring information before deploying on County jurisdictional roads.

The Chair asked what form of evaluation will be available on the first year's results. Mr. Parisi responded he plans to continue to collect evidence from the local jurisdictions, and perhaps look at police reports containing "before and after" data this spring.

Commissioner Donnell expressed delight that this program is coming to Belvedere.

Commissioner Lundstrom commended Ms. Kallins for her work on this project.

Commissioner Breen motioned to authorize staff to proceed with implementation of the Street Smarts program in Marin County in accordance with the current recommended schedule and to accelerate the program if additional funds become available which was seconded by Commissioner Lundstrom. The vote was unanimous.

#### **12. FY2008-09 2<sup>nd</sup> Quarterly Financial Report (Discussion)**

Li Zhang reported that Measure A revenues continue to be higher than the amount in the budget but is trending approximately 3% lower than last year. Expenditure actual to budget ratios are trending lower as well. Staff has experienced difficulty receiving reimbursement from the state and is waiting, currently, for a \$700,000 payment from them.

ED Steinhauser stressed that in March staff will be estimating sales tax revenue for next year. This is when a "true-up" payment comes in from the Board of Equalization that represents actual revenues for the October-December 2008 period. Staff is forecasting that next year's revenue could dip below the historical \$20.8 million level.

Ms. Zhang attended a regional ABAG forum earlier in the day on the Bay Area economy and referred the Board to a handout entitled, "Have We Hit Bottom? Bay Area Economic Outlook" produced by the Association of Bay Area Governments. She reviewed a number of the handouts with the Board, and pointed out statistics which all point to a continued slumping economy.

**13. RTP Update (Discussion)**

ED Steinhauser referred the Board to the list that was handed out during this meeting of projects that staff have identified as not included in the Draft RTP currently out for public comment.. In talking with MTC staff, staff learned that some general programs listed in the RTP have these "omitted" items included in them. She pointed out that there are three projects which do not have a presence in the RTP: Signalizing Andersen/East Sir Francis Drake intersection; improving the US 101/Lucas Valley Road interchange, and routine bike maintenance. She stated that these projects can be put into the RTP but only if one of TAM's other projects has an equal amount of funding removed. Fund levels are fixed, so adding a project must result in reducing by a similar amount. In speaking with the Chair and Vice Chair on this topic, it was decided that staff should present the matter to TAM's Executive Committee next month for a discussion.

The item was tabled from further discussion.

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

Executive Director Steinhauser announced that she will forward information to the Board about a climate action workshop on SB375 and AB32 that MTC is conducting on February 24. She also announced that the southbound HOV lane is scheduled to open this Sunday.

Scott Stokes presented a slide show of photographs of Hwy 101's HOV lane that he took during construction.

Deb Hubsmith stated that she is looking forward to using the bike path next to Hwy 101. She also noted that BCDC will conduct a hearing on February 5 regarding granting bike access on the Richmond/San Rafael bridge.

*By Order of Chair Kinsey, the TAM meeting adjourned at 10:05 p.m.*

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

\_\_\_\_\_  
Dianne Steinhauser