

MEETING OF THE  
TRANSPORTATION AUTHORITY OF MARIN  
EXECUTIVE COMMITTEE

May 11, 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  
Madeline Kellner, City of Novato  
Joan Lundstrom, City of Larkspur

Commissioner Members Absent: Charles McGlashan, Marin County Board of Supervisors

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

Staff Members Absent: Dianne Steinhauser, Executive Director

*Chair Kinsey called the meeting to order at 2:05 p.m.*

**1. Chair's Report (Discussion)**

Chair Kinsey reported two informational items: Funding for electric vehicles and the coordination of the connector project between the SMART train and the Larkspur Ferry.

He reported that he participated in TAM's Electric Vehicle (EV) workshop in late April and that he has been advised that there is quite a bit of funding available for projects related to EV's. This technology is part of a climate change program and he suggested that the TAM Board may request TAM's ED to look into available funding opportunities.

Commissioner Boro and Breen stated that San Rafael and San Anselmo are each applying for a 3 car/3 station grant.

He reported, also, that some of TAM's commissioners serve on the Twin Cities/Greenbrae multimodal project committee and that at the last meeting, they looked at the connector from the SMART station in Larkspur to the greenway over Sir Francis Drake (SFD) Blvd which will provide the most direct way for people to move from the SMART train to the ferry. Given that the bike/ped facility is working its way through the station and over SFD, he believes that it is a project that should be a coordinated responsibility of SMART. It is currently a project of TAM's and he believes that having two agencies

working on one capital project could be counterproductive. The Chair has requested ED Steinhauser to bring TAM and SMART together for a plan in which both agencies are comfortable. The Chair thanked Bill Whitney for his efforts on the project and asked Mr. Whitney if he might provide a brief update to the committee.

Mr. Whitney said that this issue was raised at the SMART Executive Committee meeting last week and that he and Lillian Hames, SMART's General Manager, will be meeting later this week to coordinate on the project.

## **2. Commissioner Comments (Discussion)**

Regarding the length of the TAM Board meetings, Commissioner Breen suggested that the Executive Director be tasked with restructuring the monthly meeting to shorten its duration.

Chair Kinsey agreed and suggested that this item be agendaized for the next Executive Committee meeting for further discussion.

## **3. Executive Director's Report (Discussion)**

Li Zhang, Acting Executive Director and other staff reported on the following items: Update on the hiring of a planning manager, ARRA, TAM's HOT Lane Workshop along with the latest version of the Caltrans HOV Express Lane Business Plan and an update on the I-580/101 Connector Project.

Ms. Zhang advised that the hiring process for TAM's Planning Manager position is nearing its conclusion and staff expect to extend an offer in the coming week.

Mr. Whitney reported on the American Recovery and Reinvestment Act (ARRA). He noted that the local agencies have been working hard to meet the deadlines imposed in order to retain the funding provided by the ARRA. The Town of Corte Madera is still finalizing the required Plans Specifications & Estimates (PS&E) paperwork for submission to Caltrans but advised that they will submit this prior to the deadline. On May 20, MTC will amend into the TIP the Tier 2 ARRA funds after which Caltrans will certify that and then process E76s. He added that one of the requirements is the submission of a checklist for routine accommodations. This has been done but TAM staff were advised, recently, that TAM must post this information on the website. That has been done and the list has been forwarded to TAM's Bicycle/Pedestrian Advisory Committee (BPAC).

Responding to a question from Commissioner Breen for clarification on the term, "routine accommodations" Mr. Whitney said that this requirement ensures that bike/ped needs and improvements are given consideration in a project.

The Chair added that "routine accommodation" is an MTC policy identified in the 2001 RTP but was only finalized into a checklist earlier this year. He said that the key point to bring forward is that the cities, towns and the county need to become aware of this as part of the process because it also involves reviewing the project in the early part of a project's development.

The Chair asked Mr. Whitney if TAM staff is raising the issue, with local agencies, about the change to the Disadvantaged Business Enterprises (DBE) requirements made by MTC under federal requirements.

Mr. Whitney said that this has been a stumbling block over the past couple of weeks but that, to his knowledge, all agencies have updated their programs.

The Chair thanked Mr. Whitney for his report.

Dan Cherrier reported that Caltrans has restriped the I-580 connector to Hwy 101 northbound which created two continuous lanes on Westbound 580 coming off the Richmond-San Rafael Bridge to the downtown San Rafael/ Irwin off ramp. He said that this restriping will remain in place until the main project is underway.

Chair Kinsey said that he intends to provide the *Marin Independent Journal* with a thank you note acknowledging Caltrans Director Sartipi's willingness to create a design exception allowing this temporary restriping. He added that the opening of the northbound HOV lane on Hwy 101 also helped to alleviate the backup normally created on the I-580 connector.

Continuing to report on the I-580 project, Mr. Cherrier stated that ARRA funds were secured to allow the project to proceed since the state was unable to issue, on a temporary basis, Proposition 1B bonds. However, last month the state was able to issue the initial round of bonds totaling \$6 billion. As a result, funding for this project will switch back to Prop 1B rather than ARRA. The Prop 1B funding will be voted on by the California Transportation Commission later this week.

Responding to a question from Commissioner Fredericks who asked if the ARRA funds intended for the project will remain in the region or be lost, Mr. Cherrier said that they will remain within the region.

Mr. Cherrier then changed topics and reported on the subject of High Occupancy Toll Lanes (HOT).

He stated that TAM held a HOT Lane workshop on April 28 at Redwood High School in Corte Madera and that Commissioners Fredericks, Boro and Kinsey were in attendance. He said that it was not as well attended as anticipated but valuable input from the audience was received nonetheless. Comments and questions included: will funding remain in the county; would it be spent on increasing capacity or increasing transit; will it help fund low-emission vehicles; will it encourage more long-distance commuting; what impact will it have on the mixed flow lanes; the environmental process should include a larger look at air quality issues; and the suggestion was put forth to have a more robust outreach effort on this topic.

The Chair added that the legislation is an attempt to create an enabling opportunity but it is new territory as to how it will be employed.

Mr. Cherrier referred the committee to the Caltrans HOV/Express Lane Business Plan v2 and stated that staff just received the plan, and so have not issued comments yet.

He noted that several TAM commissioners had previously expressed that they felt this document is not the appropriate vehicle for the state to announce a major shift in policy from generating revenue based on gas sales tax to direct user-based fees. TAM staff relayed this comment but it has not been addressed in this revised version.

In the first draft of this document, there was language that required a two-lane express network. That language has been removed and replaced with language that express lanes can be configured to best fit the freeway.

He cited a statement in the Plan which states that increasing the definition of a carpool from 2+ to 3+ riders may be required to reduce congestion in express lanes.

He noted that Caltrans and regional transportation agencies have been called out when defining roles and responsibilities but that CMAs are not identified. Staff believes that CMAs should be included and have an integral role.

He finalized his comments by noting that the plan has been renamed.

Karen Nygren asked if the Plan references SB375/AB32 legislation or if it is a stand alone document without considering other actions by the state. She added that these should be linked documents and referenced.

Mr. Cherrier said that one of the goals is to reduce congestion in all lanes, but since he only recently received the report, he has not had a chance to read it in depth yet to see if it actually addresses the matter.

Commissioner Boro stated that the prior draft plan indicated that the purpose of HOT lanes was to generate revenue to maintain freeways and that this revenue replaces the erosion of the gasoline tax. He asked how this document will move forward and what will the policy makers' roles be in this plan.

Chair Kinsey responded that his sense is that the legislators are going to be informed that the sales tax on gas has not met the needs of transportation funding and that with the increased efficiencies of autos, the gas tax will further erode. As a result, new funding sources are being sought. He thinks that this is what will be presented to the legislature but that there has not been a robust policy debate as to whether it is a good or bad idea.

#### **4. Approval of Minutes from April 13, 2009 (Action)**

Commissioner Fredericks requested rewording of comments made by Commissioner Kellner regarding the Central/Southern Marin Transit Study in order to clarify the two questions that had been asked. The revision should read, "Commissioner Kellner asked when northern Marin would be included in such a study. ED Steinhauser responded that the northern Marin area was not included in as part of this initial study because SMART had conducted, in that area, an independent analysis of capturing numbers for their transit shuttles and that TAM staff did not want to trip over SMART's efforts. This is the main reason for choosing the central and southern part of the county to kick off this study. Commissioner Kellner also asked about the inclusion of the Tiburon area in the study since Mill Valley seemed to be the focus in southern Marin. Mr. McCrossan stated that Tiburon Boulevard has been included in the scope of this study.

Commissioner Kellner motioned to approve the April 13, 2009 draft minutes as amended which was seconded by Commissioner Fredericks. The motion was approved by unanimous vote.

#### **5. Hwy 101 Gap Closure Update (Discussion)**

In the absence of Bill Gamlen and Connie Preston who regularly present this item, Chair Kinsey provided a brief report. The restriping has taken place on the Hwy 101/I-580 connector. The landscaping on the Gap Closure project has been broken into the various phases of this project and

approximately \$3 million is the balance of funding remaining to landscape the entire project. Linden Lane will re-open on May 22. The remaining work on Puerto Suello is being organized and Caltrans is expected to provide a completion schedule by the end May. Currently, it is anticipated that the work should be completed by late September or early October and a celebration will take place at that time.

The Chair thanked Tho Do for providing a spreadsheet which shows the cumulative benefit of savings since the HOV lanes opened. He cited travel time savings as well as greenhouse gas reduction and gas saved.

Chair Kinsey reported that he and Vice-Chair Boro are meeting with Bijan Sartipi, Caltrans District 4 Director later today regarding resolving the maintenance agreement on the bike/pedestrian facility.

Karen Nygren asked if the data provided by Mr. Do will be compared and related to the data provided at the conclusion of the HOT Lane study in order to establish a baseline.

The Chair responded affirmatively and said that there has been a discussion, already, about evaluating the impacts of a HOT lane on the HOT lane itself, the HOV lane, the mixed flow lanes as well as the local streets.

Ms. Nygren suggested that Mr. Do's data should be supplied to the people doing the study.

## **6. Central/Southern Marin Transit Study Update (Discussion)**

Jean Hart and David McCrossan and Joe Story presented this item and provided a PowerPoint which highlighted:

- 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
- Improvement Concept Assumptions:
- More attractive to transit riders who are:
  - pedestrians including those with disabilities
  - bicyclists
  - dropped off or picked up
  - transferring
  - park and ride users
- Environmentally sustainable amenities
- Programs Provide Interrelated Benefits to Each Other
- Benefits Methodology
- Multi-Modal Green Hub Benefits
- Hwy 101 Key Pads & Ramp Transit Program Benefits
- Arterial Speed and Reliability Program Benefits
- Local Stop Enhancement Program Benefits
- Key Bidirectional Corridor Enhancement Benefits
- Comparative Summary of Benefit Results (Aggregate)
- Comparative Summary of Benefit Results (Individual Components)

- Transit Improvements: Cost Estimate Summary (upper end of range)
- Transit Improvements: Benefit-Cost Per Transit Passenger
- Potential Transit Service Improvement Concepts
  - Regional Commute Service
  - Local Transit Service
- Next Steps
  - TAC Meeting review benefit results: 5/12/2009
  - MTD/GGT Staff review/discussion of results
  - TAC Meeting review benefit results: week of 5/26/2009
  - TAM Executive Committee Meeting: Final Report: 6/8/2009
  - TAM Board Meeting: Final Report: 6/25/2009

On the topic of green hubs, Commissioner Breen Peter remarked that parking is a significant issue in Ross Valley area and he asked if that was given consideration in this study.

Mr. McCrossan responded that a field review of every site was conducted and found that only 8 of the 17 locations have formal potential for a “park and ride” situation. However, the site visits did identify space in some lots and potential curb sites outside those lots where the “guaranteed transit parking program” idea might be implemented. The report will include a profile of each of the potential sites.

Commissioner Kellner encouraged coordinating this planning process with similar efforts being done by SMART.

Regarding the estimated costs of these improvements, Chair Kinsey asked Mr. McCrossan if his group has identified funding programs for implementation or if that task would rest on TAM's shoulders.

Mr. McCrossan said that Ms. Hart's team will be researching funding sources and eligibility over the next couple of weeks.

Ms. Hart asked the Committee if they had a preferred format for presenting the information in the final report.

The Chair suggested presenting prioritized recommendations, at a minimum, so that the Committee can respond to them.

Commissioner Breen stated that this would be a good way to start a discussion between the Commissioners and their individual jurisdictions.

Ms. Hart agreed to prepare the report with the prioritization within the study context.

The Chair opened the item to public comment.

Ms. Nygren said that she would like the report to show what the benefits are in terms of how many people will gravitate towards transit and away from their cars. She also suggested that connectivity times and wait times should be kept to a minimum in order to encourage people to take transit.

Referencing SB375 which aims to control greenhouse gas emissions and supports dense, sustainable housing development close to transit hubs, Don Wilhelm asked if the final report will address housing issues.

Ms. Hart stated that land issues will not be addressed in this report.

The Chair thanked Ms. Hart and her team for their report.

## **7. Review of Draft TAM FY2009-10 Annual Budget (Action)**

Li Zhang presented her report which requested that the Committee provide comments on the Draft TAM FY2009-10 Annual Budget and refer it to the TAM Board for further review and release for public comment.

### **a. Draft FY2009-10 Budget**

### **b. Draft FY2009-10 Work Plans**

She referred the Committee to Attachment 1 – Draft FY2009/10 Annual Budget and highlighted the following items:

#### Revenue:

The Measure A Sales Tax line item will be reduced by 4% to \$20 million due to the current economic climate. The STP/CMAQ and T-Plus line items, reflecting support funds from MTC, while unchanged on this report may be increased. TAM staff is working with MTC on a new funding agreement since the current one expires on June 30, 2009. The current revenue, \$525,000 per year; does not cover all efforts that MTC mandates. Ms. Zhang commented that most of the remaining revenue line items are reimbursement based.

#### Expenditures:

##### Administration

The Salaries and Benefit line item indicates a 10% reduction from the previous year. This is due to two staff vacancies that will not be filled at the beginning of the budget year as full-time positions, the Associate/Senior Transportation Planner position and Public Information Coordinator position. TAM's ED, along with the new planning manager that may be on board soon will evaluate the planning work plan/work load and determine how to address it, including if it is necessary to hire an Associate/Senior Planner for FY2009-10. As of now, this position is budget at 50% only. No budget is assumed for the Public Information Coordinator position. Instead, budget for an on-call public relations consultant team is included, which is assumed to take on most of the responsibilities.

The Document Reproduction line item has been increased due to rising production costs for the TAM and the COC Annual Report (TAM and COC) and the TOD/ PeD Toolkit. The Membership line item is increased by 100%, \$10,000, since TAM will be joining MarinMap at an annual cost of \$10,000.

In response to a question from Commissioner Kellner who asked how PR consultant costs will be charged, Ms. Zhang said that it will be charged to the "On-call Public Outreach Contract" line item under Professional Services.

The Chair asked if any money has been expended for Federal Legislative Assistance line item, and Ms. Zhang responded that none has been. He then said that he would like to revisit this line item, at some point, in order to make sure that it is an effective use of funds.

Ms. Zhang continued to highlight certain items in the Expenditure portion of the budget:

Professional Services:

Regarding the MSN Congestion Pricing Study line item, she noted that that this line item may need to increase from \$200,000 to \$250,000 since two additional items may be added to the study. The 101 Construction Management Oversight line item has been removed from the Measure A expenditure categories since that fund source for the 101 Gap Closure project has been depleted. The \$75,000 will be covered under STIP/PPM funding.

All other items represent a continuation of work already begun.

Responding to a question from Commissioner Boro who asked for an estimated expenditure on the MSN San Antonio Interchange and Curve Design line items, Ms. Zhang said that approximately \$400,000 has been spent as per TAM's Q3 report.

Ms. Zhang highlighted certain items in the Measure A Programs including:

Strategy 1: A 6% decrease in the allocation to Transit due to the decrease in Measure A revenue.

Strategy 2: Most of the reserve will be spent to repay MTC their loan of federal funds to the Gap Closure, Caltrans, and the swap projects.

Strategy 3: Cash needs for all road projects will be reviewed to evaluate the need for bond financing in FY 2010/11.

Strategy 4: There will be \$2.3 million budgeted for the Safe Routes to School, Crossing Guard Program and Safe Pathway Projects.

The Chair asked what the basis is for the significant increase in the NUSD Agreement budget line and Dan Cherrier said that it is a placeholder since staff is unclear as to the status of the NUSD adopting the Marin living wage. If they do adopt it, the increase will be in the range of \$6/hour.

The Chair suggested that since Measure A will be five-years old next year, a true up audit of the various Measure A categories should be planned for the end of the next fiscal year.

Ms. Zhang responded that revenue share is allocated as dictated in TAM's Expenditure Plan. The Board has the option of allowing borrowing among strategies, but, to date, there has been no need for that.

The Chair then asked the process for a true up of the substrategies.

Ms. Zhang responded that there are 10 substrategies and each has its own share of funding based on the Expenditure Plan. Other than Strategy 1 which had some borrowing between substrategies 1.4 and 1.1, there has not been a need to move money around. In fact, revenues and expenditures for each substrategy are reported as part of TAM's quarterly financial report in the Measure A Detail Table, which illustrates the revenues that came in and expenditures that occurred for each substrategy. As part of this year's financial audit, staff can extract this information and work with TAM's audit team to make sure that the books are in order. Staff will provide a summary to the Board showing the exact revenue that each sub strategy received and expended.

The Chair clarified that he is not calling for a special audit, but wants to ensure that all funds are accounted for and that no true up is needed.

Commissioner Boro asked if maintenance of the bike path on the hill in San Rafael will come from the interest income and Ms. Zhang responded affirmatively as approved by the Board. She said that it is not listed in the budget but that if this expenditure is expected for FY2009/10, she will add it in. Commissioner Boro said that he would like that line item added and Ms. Zhang agreed to do so.

Ms. Zhang stated that the rest of the line items are clear and straight forward.

Commissioner Boro asked why there is a significant decrease in expenditures for Strategy 4.3 – Safe Pathways.

David Chan responded that the \$2.1 million represents a carryover of the funding allocation for the first phases of projects when staff allocated three years of Safe Pathways funding all at one time. The FY2009/10 amount of \$821,528 represents the estimated annual reimbursement needs.

Chair Kinsey said that the county's Director of Public Works has reported that his department is experiencing a backlog of Safe Routes to School projects that the county cannot implement. Since other jurisdictions are also experiencing this problem, he asked Ms. Zhang to make a note to speak with the Executive Director about putting some planning efforts on hold for a period of time.

Ms. Zhang finalized her report by noting that the Assumptions, City/Town/County Fee Schedule, and Appropriation Limit, and Work Plans attachments are straight forward she did not feel the need to go into any of these in detail.

Commissioner Breen motioned to recommend moving the Draft FY2009/10 Annual Budget to the full TAM Board for review and to TAM FY2009-10 Annual Budget and to release it for a 30-day public comment period which was seconded by Commissioner Kellner. The vote was unanimous.

## **8. Draft Strategic Plan Update (Action) - Attachment**

David Chan presented this item which asks the Committee to recommend to the full TAM Board to open a public comment period for the 2009 Strategic Plan Update.

He stated that the SPU was first adopted in 2006 and is updated every year and that it is a roadmap as to how to spend Measure A funds over its 20-year life. He highlighted three changes to the Plan:

- 1) The revenue assumption has decreased but since staff has been conservative in estimating this number, the impact has not impacted the local agencies.
- 2) Debt financing will not be required until FY2010/11 at the earliest since two major road projects – Novato Blvd. and Sir Francis Drake Blvd. in West Marin – have been delayed. In the event that they do come in as planned, State Local Partnership Funding could be used to push the issue of debt issuance to an even more distant time frame.
- 3) Marin Transit's Short-Range Transit Plan Update has been adopted by their Board and will be incorporated into TAM's Strategic Plan Update.

The Chair said that, at the time that Measure A was passed, it was anticipated that up to \$30 million in bond financing would be required. He asked what the SPU anticipates as it relates to the cost of that bond financing and what would be the impact on the funds reserved for financing if an amount less than \$30 million is financed?

Ms. Zhang stated that \$2.35 million has been taken off the top for the \$30 million bond financing annually. Over a 20-year period, that amounts to \$46 million. The purpose of the annual \$2.35 million debt reserve was to meet the cash flow needs of the 101 Gap Closure Project. However, since TAM was able to borrow \$12.5 million from MTC at a much lower cost to the Measure A program, the annual debt reserve will be used to repay MTC and Caltrans until the MTC loan is paid off. TAM may need to enter into bond financing for the Major Road project if all projects stay on schedule. As of now, the bond financing is not needed until FY2010/11 as stated in the Strategic Plan. The details of the bond financing will then be addressed and discussed.

Commissioner Boro motioned to recommend to the full TAM Board to open a public comment period for the 2009 Strategic Plan Update which was seconded by Commissioner Kellner. The vote was unanimous.

**9. Open Time for Items Not on the Agenda**

*Seeing no others wishing to speak, the meeting was adjourned at 4:25 p.m.*

DRAFT