

MEETING OF THE  
TRANSPORTATION AUTHORITY OF MARIN  
EXECUTIVE COMMITTEE

June 8, 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  
Charles McGlashan, Marin County Board of Supervisors  
Joan Lundstrom, City of Larkspur

Staff Members Present:

Dianne Steinhauser, Executive Director  
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 2:35 p.m.*

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

Chair Kinsey reported that the Executive Committee met in closed session at 12:30 pm today for the purpose of the annual performance evaluation of TAM's Executive Director. There was no action taken or specific information to report. He added that an ad-hoc subcommittee of the TAM Board will be formed for the purpose of determining a final compensation recommendation to be announced at a subsequent meeting.

The Chair announced that Therese McMillan, Deputy Director of the Metropolitan Transportation Commission (MTC) has accepted a position with the Federal Transit Administration in Washington DC

He reported that there is an effort underway which could manifest in legislation to do a public/private partnership on the Doyle Drive Project and added that, should this idea materialize, it will not affect the funding already secured earlier this year. This could allow for some form of financing through the private securities market that may not be available on the public side.

**2. Commissioner Comments (Discussion)**

None.

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

ED Steinhauser reported on: AB744 Torrico on High-Occupancy Toll Lanes, the Safe Routes to School Program, TAM's classification study, the I-580/Hwy 101 Project, the American Recovery and Reinvestment Act (ARRA) and the reduction in sales tax revenue.

She updated the Committee on AB744 Torrico on High-Occupancy Toll (HOT) Lanes. She noted that the TAM Board took a position to advise its legislative delegates that TAM wants a definitive role in determining implementation of HOT lanes in Marin. As the legislation reads now, TAM participates in a Corridor Working Group which is responsible for the implementation of HOT Lanes in each county. However, MTC has also noted in the legislation that BATA has the authority to implement or change elements of this program as is necessary to manage the financial structure of HOT lanes in relationship to the overall toll system. Staff continues to believe that there will be more than ample opportunity to investigate and manage the implementation of these lanes but want to emphasize that the language about BATA reserving the authority in the legislation is strong. She asked if the Committee had any other recommendations regarding how to proceed on this issue.

Responding to a question from Commissioner Kellner about the current status of the bill, ED Steinhauser said that it has made its way through the Assembly and is working its way through the Senate Transportation Committee with no known opposition to the bill.

Responding to a question from Commissioner Lundstrom about the position taken by our local legislative representatives, ED Steinhauser said that she understands that Assemblyman Huffman is not supportive of this bill and that she does not have a clear understanding of Senator Leno's position.

Gus Khouri, TAM's Legislative Analyst, said that Senator Leno's staff is currently studying the bill.

The Chair opened this item to public comment.

Karen Nygren noted that TAM's current position on this bill is to "Monitor, seek amendment" and she suggested that TAM take an "oppose unless amended" position on this bill.

ED Steinhauser replied that she believes the Board took the position to "Support if amended" and said that she will note that on the summary of bills to which Ms. Nygren referred.

ED Steinhauser reported that at the last Executive Committee meeting, Chair Kinsey reported the Department of Public Works at the County of Marin had reported a backlog of Safe Routes to School projects that the county is unable to implement. Since there were a number of other local jurisdictions in the same situation, TAM staff was requested to address the need to continue to develop safe pathway projects, which are developed thru locally developed travel plans.. Staff conducted an inventory of Marin's jurisdictions and in every case, with the exception of the county, all local cities and towns had between 66%-100% of their planned projects funded and either under design, construction or completed. The county only has roughly 0% of its projects funded or moving towards design and construction. Staff will be meeting with county staff later in the month to try to find a way to bring the county's progress more into line with the rest of the cities and towns. TAM will have at least \$2 million which will become available next spring for this type of project and wants to ensure that projects are ready to go when funding becomes available.

Since TAM's inception in 2004, neither workload nor position classifications have been reviewed. As a result, a classification study has been budgeted for and will be undertaken beginning in July 2009.

The I-580/101 connector project is scheduled to be advertised on June 22 with bids opened on August 18. Work may begin as early as November.

At the request of ED Steinhauser, Bill Whitney provided an update on ARRA funding and referred the group to an agency progress checklist spreadsheet that was distributed at the outset of the meeting. He said that all agencies have submitted their projects to Caltrans who approved them and forwarded them to Caltrans' headquarters. The next step on the checklist is the approval of the race-conscious DBE program; three agencies have yet to receive approval. Approval is necessary before federal funds can be obligated. Mr. Whitney noted a new monthly employment record reporting requirement which corroborates one of the purposes of the stimulus package which is to create jobs.

ED Steinhauser advised that the Board of Equalization notified TAM last Thursday of a reduced estimate of sales tax available to this agency in the first quarter of next year (July-September 2009). She asked Li Zhang to provide a brief report on this piece of news.

Ms. Zhang stated that in January 2009, the State released a projection that revenue would be down by 7% compared to the prior year. The letter received last week projects that revenues will decrease by 15%. Ms. Zhang said that she does not believe that Marin will experience that big of a dip; however, staff proposed to reduce next year's budget revenue projections from \$20 million to \$19.5 million. Marin Transit, under Strategy 1, will be most heavily impacted since MT receives 55% of TAM's Measure A revenues. The other Strategies are well situated and will not be impacted to any great degree.

ED Steinhauser added that the BOE will provide a report of the actual numbers for the period January – March, 2009 by mid-June and staff will report on this at the June Board meeting. She said that it may be necessary to conduct a mid-year budget adjustment depending on how tax revenues trend.

Responding to a question from Chair Kinsey about having a conversation with Marin Transit on how they intend to develop their criteria for handling the financial challenges they're being faced with, ED Steinhauser said that TAM staff has been communicating with MT staff and that she believes that by October - December 2009, Marin Transit will need to analyze their next steps for FY 2010/11 if recovery in revenues is not likely. She added that Marin Transit is due to provide a quarterly report to the TAM Board in July.

She finalized her report by reporting that Caltrans has released another version of the Business Express Lane Plan and that she would report on this at the upcoming board meeting.

#### **4. Approval of Minutes from May 11, 2009 (Action)**

Commissioner Lundstrom motioned to approve the May 11, 2009 draft minutes which was seconded by Commissioner Fredericks. The motion was approved by unanimous vote.

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

Connie Preston provided an update on the project. Work is progressing on the last items of the project: including the new railroad alignment as well as the bike path grading and paving. The work on the path may be completed from Mission to the Lincoln on-ramp by July but will not yet be open to the public due to other work continuing in the area. A few missing transition panels need to be installed on the

west side soundwall and the retrofitting of that soundwall is almost complete. Work has begun, also, to retrofit the east side wall. She anticipates that the entire project should be completed by early fall.

The Chair asked for the time line for the open grade paving.

Ms. Preston said that the work will be done at a point near the end of the project to avoid damage which could occur during the retrofitting of the east soundwall.

The Chair asked why two-foot sized soundsorb panels were chosen over larger ones.

Ms. Preston said that the manufacturer recommended that size since larger ones are more difficult to manage and place.

He said that the larger panels do have chunks and chips in them and asked about repairing them.

Ms. Preston responded that the contractor is responsible for fixing them.

The Chair opened the item to public comment.

Don Wilhelm asked about the process to remove graffiti from the walls and who will be responsible for that task.

Ms. Preston said that the technique for graffiti removal on panels is to stain over them. This has been tested and proven to work well on the panels without affecting the sound-absorbing quality.

The Chair added that Caltrans, TAM and the City of San Rafael are in discussions about who will assume responsibility for graffiti removal.

Chair Kinsey asked the Executive Director to speak on the funding gap for this project.

ED Steinhauser stated that the \$4 million shortfall was funded by the CTC in May by an advance of TAM STIP funds along with a contribution from Caltrans of TE funds through the ARRA. As of this moment, the project is fully funded to completion. Once the project is finished, the contractor could have remaining claims but staff will look at this issue if and when it arises.

The Chair asked if the issues related to SMART have been resolved with the funding currently available for this project.

Ms. Preston advised that a couple of additional issues are near resolution and that another meeting with SMART staff is scheduled for this Wednesday. However, the issues should be covered by this project.

## **6. Approve a Program of projects for the Allocation of FY2009-10 TFCA Funds (Action)**

David Chan presented his report and requested that the Committee move this item to the full TAM Board with the recommendation to approve a Program of Projects for the allocation of FY2009/10 TFCA funds.

Funds are generated from a \$4 surcharge on the vehicle registration fee collected by the Department of Motor Vehicles. The objective of the program is to fund projects that help reduce emissions. The fee is divided so that 60% of it goes to a regional pot and 40% are returned to source.

On March 25, 2009, TAM issued a Call for Projects for these funds. The initial deadline for applications was set for April 27, 2009, but was later extended to May 6, 2009 in response to the Air District's effort to compile a Bay Area application for alternative fueled vehicle projects under the Federal Stimulus Program and allow potential applicants to consider TFCA as a possible match. TAM received 11 applications from five applicants by the May 6 deadline for a requested amount of \$1.6 million. The applications were evaluated in accordance with TFCA guidelines and the cost-effectiveness (CE) requirement for the \$919,507 in available funds for programming.

Of the 11 applications received, 10 applications met TFCA eligibility requirements. The 10 applications were recommended for either full or partial funding. The 10 eligible applications recommended for funding include two bicycle projects, two transit connectivity projects, three alternative-fueled vehicle project, one alternative-fueled infrastructure project, and two travel demand management (TDM) projects.

Commissioner McGlashan motioned to move this item to the full TAM Board with the recommendation to approve a Program of Projects for the allocation of FY2009/10 TFCA funds which was seconded by Commissioner Lundstrom. The motion was approved by unanimous vote.

ED Steinhauser stated that electric vehicle and infrastructure opportunities through a state grant program is upcoming but that little details on it are currently available. If the upcoming grant program has a "match" requirement, TAM will not be able to provide it to local governments since all of the TFCA funding is being expended with the above mentioned program of projects.

Chair Kinsey asked whether TAM's contract with Richard Schorske is through the Marin Climate and Energy Partnership or as a private contract.

ED Steinhauser stated that the contract is a private contract, and that TAM is working with Mr. Schorske on a task-order basis although, to date, none have been issued.

Responding to the Chair's question whether TAM should be taking steps to heighten awareness of the local agencies regarding the funding that is available for electric vehicle programs, the Executive Director said that staff recently met with Mr. Schorske in order to capture the opportunities, i.e., track the grants and their cycles, getting the word out about them.

## **7. TAM Board Meeting Structure (Discussion)**

ED Steinhauser presented this discussion item and asked for the Committee's assistance in determining ways in which to streamline the monthly board meeting.

Chair Kinsey noted that the previous suggestion of taking action items discussed during the Executive Committee and placing them on the Board's consent calendar has already been implemented and proven helpful.

ED Steinhauser suggested that allotting an approximate discussion time to each agenda item might be helpful in keeping the meeting on track. She clarified that this idea is different from a timed agenda where items are scheduled to be discussed at a specific time during the meeting.

Commissioner Breen expressed his support for this idea.

Commissioner Kellner said that she would like to see notation on the agenda indicating the items that staff believes the board and public will consider of key importance.

Commissioner Lundstrom said that she would support either idea.

*Commissioner Boro joined the meeting at 3:25 p.m.*

The Committee agreed to move forward with allotting an approximate time duration to each agenda item. Staff will continue keeping items on consent if appropriate, and limiting general agenda items to only a few of importance.

## **8. Central/Southern Marin Transit Study – Final Draft Report (Action)**

Jean Hart and David McCrossan, consultants to TAM, presented the item and requested that the Committee recommend to the full TAM Board the acceptance of the final Central and Southern Marin Transit Study including the study recommendations for prioritization of improvements.

Based on the study, Ms. Hart provided recommendations for 5 improvement programs: multimodal green hubs program, Hwy 101 key pads and ramp transit program; arterial speed and reliability program, local stop enhancement program, and a key bidirectional corridor enhancement program. The total cost of improvements is estimated in the range of \$35 million. She added that two pilot programs are recommended for the Multi-Modal Green Hubs and the Key Pads and Ramps Program. The pilots will provide an opportunity to test the proposed improvement concepts with Marin County Transit, Golden Gate Transit, local jurisdictions and Caltrans. It is also recommended that a detailed traffic study of Sir Francis Drake Boulevard be conducted to establish the potential for transit priority measures as a first step towards bus rapid transit.

David McCrossan provided a PowerPoint which highlighted:

- Recommendations for Five Transit Improvement Programs
- Key Understanding for the Recommendations
- Recommended Pilot Programs
- Prioritized Transit Improvement Programs and recommended actions:
  1. Multi-Modal Green Hubs
  2. Arterial Speed and Reliability Program
  3. Hwy 101 Key Pads and Ramps Program
  4. Local Stop Enhancement Program
  - X Key (Bidirectional) Corridor Enhancements
- Detailed Recommendations and Evaluations
- Individual Timelines for Each Improvement Program
- Federal Funding Opportunities
- State Funding Opportunities
- Regional/Local Funding Opportunities
- Recommendations: Timeline

Mr. McCrossan concluded his presentation by stating that this study has resulted in a set of improvements that deliver significant mobility enhancements for those that need to use transit,, ability of operators to provide express service to enhance travel times, and the best possible foundation to shift trips from the automobile to transit. Finally, these improvements would result in a major reduction in Marin's carbon footprint.

Responding to a question from Commissioner McGlashan regarding whether the benefits are listed in the Executive Summary, Mr. McCrossan referred the Commissioner to page ES-9 of the Executive Summary.

Commissioner Lundstrom asked Ms. Hart to correct the study name to read, "Central and Southern Marin Transit Study". Regarding the recommended action for the Key Bidirectional Corridors program, she asked that language be changed from, "the Larkspur SMART Station Area" to, "the Larkspur SMART/Ferry Terminal Station" and delete "Area". She finalized her comments by asked that the report include language that indicates the benefits of walking to busses as a health issue.

Commissioner Kellner asked for the logic behind selecting one location over another (Tiburon Wye or Paradise) for the Key Bus Pads Pilot Program.

Mr. McCrossan said that the Tiburon Wye best meets the criteria for ramp volumes, connectivity and service level. Additionally, it is perceived as the most difficult in terms of safety. The Paradise Drive cloverleaf is configured similarly to the Tiburon Wye, which is why it would be considered a good secondary site.

Responding to a question of prioritizing from Commissioner Kellner regarding how the four dozen local stop enhancements are prioritized, Mr. McCrossan said that the prioritization of the green hubs locations removes 17 of the locations from the list leaving approximately 22 locations. From there, five or six stops would be enhanced on each arterial corridor. Participation by the local jurisdictions would assist in the prioritization.

Commissioner asked Mr. McCrossan how usage would be measured if these improvements were implemented.

Mr. McCrossan said that the improvements identified in this study reflect multiple hours of dialogue with users, jurisdictions, and transit operators as to the types of barriers that exist to ridership. Each of these improvements tackles at least one barrier to using transit; so, to that extent, solutions have been identified. He added that the Guaranteed Parking Program has evidence that it would be successful.

Ms. Hart added that reliability of transit is a huge barrier to ridership and that recommendations listed in this study save on travel time.

Commissioner Fredericks drew attention to the grammar error listed in the footnote on page ES-3.

Commissioner Breen asked what percentage of the growing senior population would use transit if these improvements are made. He asked Mr. McCrossan to list some examples of improvements to the arterial speed and reliability program that lead to the \$13.6 million price tag.

Mr. McCrossan stated that many of the arterial improvements could involve changes to the public right of way limits and there are also funds for new equipment such as controllers for signal priority.

Commissioner Boro, referring to the local stop enhancement program, asked for the process that would be employed to involve the local communities.

Mr. McCrossan replied that a new technical advisory committee would need to be established to continue to work on individual elements of the project.

ED Steinhauser stated that included in the report are a number of recommendations for further action. Development of a TAC is one of them. However, she recommended that, since the study was a joint effort with GGT and MT, those two agencies should be consulted as to specific recommendations they would want to move forward with and work together on ways to implement them. She added that no funding has been identified yet to move forward with any additional action. She noted that this is a good vision document but that before she would ask the TAM Board to work to implement any of these recommendations, it is important to understand what the two transit agencies are doing with these.

Commissioner Boro suggested that, prior to presenting this to the TAM Board, a short press release should be made available as to where the \$35 million will come from as well as the time line for funding this.

Ms. Hart advised that GGBHTD staff will be presenting the study to their Board in June and Marin Transit will present it to their board, probably, in July.

Commissioner Breen requested that the logos of all three agencies be placed on the cover of the study.

Chair Kinsey asked about the level of engagement with the local jurisdictions in the development of the plan.

Mr. McCrossan said that it occurred on several levels; the TAC on the staff level; extensive one-on-one sessions with staff from individual jurisdictions; and regular reports both directly to as well as through staff of transit operators.

Responding to Chair Kinsey's question as to whether the TAC had any formalized review and acceptance of this report or were they used primarily as a resource to develop ideas.

Ms. Hart said that they provided input at the meetings and advised how they wanted the plan to go forward, but it was not formally conducted in terms of votes taken or motions.

The Chair stated that he wanted to ensure that there is a "buy-in" on the part of the local jurisdictions at the outset of this endeavor. He added that it is important to get the policy bodies involved, that activity is conveyed to them, and that it is appropriate for their staff to go to these TAC meetings.

Ms. Hart commented that one of the reasons pilot programs were recommended is to be able to have projects that she believes will be successful from jurisdictions who have already expressed some support. After that success is measurable, she thinks that other jurisdictions will sign on.

Commissioner Breen suggested that this presentation be made to the city/town managers as a group.

Commissioner Lundstrom suggested packaging this as a conceptual plan so that once adopted applications could be submitted for grand funding. She added that it could be used as a road map for future opportunities.

ED Steinhauser asked if the Committee would like this study to be presented to MT and GGBHTD for input prior to presenting it to the TAM Board.

Chair Kinsey responded that he liked that idea provided there is no deadline looming.

Ms. Hart said that GGBHTD staff want the TAM Board to accept the study prior to being presented to their board, but that MT has no issue with the timing.

The Chair opened the item to public comment.

Karen Nygren suggested calling this report a transit vision study.

The Chair thanked Ms. Nygren for her comment and mentioned that the study was more specific than a vision document, citing the specific recommendations listed within the report.

Commissioner Breen motioned to recommend to the full TAM Board the acceptance of the final Central and Southern Marin Transit Study including the study recommendations for prioritization of improvements which was seconded by Commissioner Fredericks. The motion was approved by unanimous vote.

## **9. State Legislation (Action)**

Gus Khouri, TAM's legislative analyst consultant, presented this item and requested the Committee to recommend to the full TAM Board to adopt newly recommended positions on bills, attached, consistent with TAM's 2009 Legislative Platform.

Mr. Khouri provided an update on the state's budget. The Governor, on May 14, reported that the state had a \$21 billion deficit. The Legislative Analyst's Office subsequently reported that the deficit is more in the range of \$24 billion. Controller John Chiang issued a letter stating that the legislature must agree on a budget to correct the problem by June 15 since the state will run out of money by July 29. The conference committee has been meeting since last week taking public testimony. Some of the proposals on the chopping block include: Proposition 1A suspension (local governments) and a \$5 billion cut to Proposition 98.

Specific to transportation, while Proposition 42 suspension has not been recommended, however, it is Mr. Khouri's understanding that one of the two - Prop 1A or Prop 42 - will be suspended. Additionally, there is a proposal to divert, in perpetuity, \$700,000 of the \$1 billion made available to local streets and roads. The LAO recommends that this diversion occur for only one year. The League of California Cities and California State Association of Counties (CSAC) are working against both a Proposition 42 suspension and a deferral of Proposition 1A. There seems to be consensus to cut \$15 million. Of the \$24 billion, a \$4 billion reserve is built into the number, so the deficit is actually \$20 billion.

Regarding Proposition 1A, Commissioner Boro commented that, from a local point of view it would be better to have Prop 42 suspended over Prop 1A since federal money will be available from the local roads program.

He then asked about TDA funding, and Mr. Khouri said that that funding program is not on the table nor is it being discussed.

The discussion turned to the legislative platform.

Mr. Khouri stated that the items presented in the staff report were presented to the Board at its meeting of May 21, but only as discussion items, and so are returning to the Executive Committee for action.

ED Steinhauser stated that a recommendation for SB406 was not listed in the report. This bill prescribes funds for locals to carry out SB375 by imposing a \$1-\$2 VLF surcharge.

Mr. Khouri added that other CMA's are seeking an amendment to allow the CMA to impose the fee.

ED Steinhauser said that the CMA's spoke with DeSaulnier's staff and they are open to support funding to cities and counties or to a CMA representing the cities and counties in the development of this planning activity.

Commissioner Fredericks suggested supporting the proposed amendment if the legislation does not say, specifically, that the money would go to any one jurisdictional level.

Chair Kinsey said that he knows that MTC supports this bill but was unclear whether they have asked for or support any amendments.

Mr. Khouri said that he will follow up with MTC staff to resolve that question.

The Chair stated that he believes it is important to know where TAM stands with respect to the other CMAs in the region.

Commissioner McGlashan asked for confirmation that, as stated in the staff report, AB118 would repeal the Global Warming Act of 2006.

Mr. Khouri responded that this is a two-year bill and is still alive but it is a bit early to take a position on it since language could change.

ED Steinhauser advised that our platform assumes support of AB32 and climate change activities, so if the need arises to act quickly on AB118, staff would issue an "oppose" position.

Commissioner Lundstrom asked why TAM is following the status of AB1135.

ED Steinhauser stated that this bill is a VMT monitoring program and it could set the stage for VMT related controls in the future.

Mr. Khouri added that it is a two-year bill and it will not be up for more consideration until next January.

ED Steinhauser noted that the revised legislative bills summary will be updated for the June TAM Board meeting.

Commissioner Lundstrom thanked staff for adding the two columns which show the position taken by CSAC and the League of Cities.

Commissioner Lundstrom motioned to recommend to the full TAM Board to adopt newly recommended positions on bills, attached, consistent with TAM's 2009 Legislative Platform which was seconded by Commissioner Fredericks. The motion was approved by unanimous vote.

**10. Review of the Draft 2008 TAM Annual Report (Action)**

Li Zhang presented this item requesting the Committee to review and provide comments on the TAM 2008 Annual Report; direct staff to finalize the report based on comments received and bring the final draft back for approval at the June TAM Board meeting.

The Chair asked staff to send the draft report to the entire board as soon as possible for their comments.

After a discussion, it was decided that the roster of TAM Commissioners listed in the report will reflect those sitting on the Board as of December 31, 2008. This is consistent with the period covered by the report, which is Calendar Year 2008.

The Chair commended staff on the look of the report.

Staff was directed to present this item to the full TAM Board.

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

Karen Nygren asked for an update on the Marin-Sonoma Narrows Project.

The Chair stated that there will be a report at the June 25 Board meeting.

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