



MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
EXECUTIVE COMMITTEE

July 13, 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
Dan Cherrier, Project Delivery Manager
David Chan, Programming Manager
Li Zhang, Finance/Administration Manager
Karita Zimmerman, Planning Manager
Denise Merleno, Recording Secretary

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

1. Chair's Report (Discussion)

Chair Kinsey welcomed everyone to the meeting and immediately moved on to the next agenda item - Commissioner Comments.

2. Commissioner Comments (Discussion)

None.

3. Executive Director's Report (Discussion)

Executive Director Dianne Steinhauser reported on the following items: published draft federal transportation bill and TAM's Transportation, Planning and Land Use Solutions (TPLUS) Program.

Congress released a draft federal transportation bill and, after obtaining a summary report, she will report further on it at the upcoming board meeting.

Regarding the TPLUS Program - Transportation, Planning and Land Use Solutions – she stated that MTC is considering how to program the federal funds they receive annually. The Joint Policy Committee of the Bay Area implemented a development and conservation strategy for the nine

counties in the Bay Area called the Focus Program. Local agencies were encouraged to apply as priority development areas (PDA). This resulted in two potential PDAs; one is the unincorporated areas along Highway 101 submitted by the County of Marin in 2007 and the second was submitted by the City of San Rafael for the downtown area around the Bettini Transit Center. Of the 120 PDAs approved on a region-wide basis, Marin has only one approved, which was submitted by the County. ED Steinhauser went on to explain that the programming and allocation of federal funds will more and more be dedicated to these PDA areas, to link transportation funds with those jurisdictions willing to consider densified housing.

Commissioner Breen commented that the smaller cities/towns do not qualify due to the minimum developable acreage required.

ED Steinhauser responded that she has and will continue to state that fact with staff from ABAG and MTC and has raised the question if it may be acceptable, instead, to prove a "personal best" in showing density on the acreage that is available since most of TAM's local jurisdictions may not meet the standard 100-acre requirement.

The Regional Transportation Plan (RTP) has approximately \$31.6 billion in discretionary funds of which \$5.9 billion are considered "efficiency funds." This \$5.9 billion is divided amongst six different programs including \$2.2 billion for Transportation for Livable Communities (TLC). A proposal is being considered for adoption in the fall that requires all TLC projects to be located in PDAs.

It is the Executive Director's opinion that it is important to find more PDAs in Marin for approval by MTC. To that end, she will offer to meet with the local jurisdictions to encourage PDA identification and assist them in using the Pedestrian and Transit Oriented Design Toolkit (TOD/PeD Toolkit) in their design endeavors.

In response to a question from Commissioner Breen regarding what the locals can do since the size requirement will prohibit them from presenting eligible PDAs for consideration, ED Steinhauser said that smaller sites could be acceptable, and TAM can be both a messenger and information source on what can be done with the smaller acreage sites that exist. She stated that staff will continue to participate in regional discussions and research what options may exist, returning to the committee in the future.

Responding to Commissioner Kellner's question regarding the 100-acre requirement as part of the qualifying criteria, Ms. Zimmerman stated that she not found the exact criteria in the application format and is still researching it.

Commissioner Breen asked for the Executive Director's guidance as to what next steps should be taken by the cities and towns.

ED Steinhauser responded that staff needs to return to this Committee with an understanding as to how 120 communities managed to get on the list as well as what risks they're taking and the frame work for their densification. Additionally, staff will return with clarification as to whether a density requirement can be met with a smaller acreage size. This is an important point since Marin has developments with 19-25 units per acre near transit but do not sit on a 100-acre site. Lastly, staff will look into if the areas in the other 120 qualifying communities were already zoned and the communities then just spoke up and put their existing zoning in as a PDA.

Chair Kinsey commented that he is unclear whether the 100-acre requirement is, in fact, a defining line. However, he believes that spending regional discretionary dollars where they'll have the most impact is something that he does support. He added that communities who do not want density around their transit hubs will be second in line for these discretionary dollars.

4. Approval of Minutes from June 8, 2009 (Action)

Commissioner Fredericks motioned to approve the June 8, 2009 draft minutes which was seconded by Commissioner Kellner. The motion was approved by unanimous vote.

5. Hwy 101 Gap Closure Update (Discussion)

Connie Preston, TAM's Project Manager on the Highway 101 Gap Closure, stated that at the last board meeting it was reported that the project will be completed in November 2009. Work on the east side soundwall is underway. There are issues with tile production which is why work is a bit slower than anticipated. Work continues to complete the bike path along Los Ranchitos Road. Also, work is underway on the railway grade for relocation of the SMART tracks as well as paving of the path from Lincoln to Stevens Place.

The Chair asked for clarification regarding the production problem for the sound panels.

Ms. Preston said that, at first, the panels were formed in a monolithic core, but, for reasons unclear to both TAM and Caltrans, the manufacturer changed the method and put in a construction joint, whereupon they poured two separate forms and then joined and bonded them at the site. The tiles were separating under stress. The original method has since been reinstated.

Commissioner Boro expressed concern over how accessible the soundwall will be to graffiti.

Mr. Michael Birkhead, a resident of San Rafael and of the area where graffiti has occurred, added to the Commissioner's comment and said that the graffiti is already bad and getting worse. He stated that he has already spoken with Ms. Preston and Jeff Kress, Caltrans site manager on the project. He cited the area of the Coleman overpass which is where the graffiti is occurring and suggested that the proper authorities look at ways to prevent the problem, including the use of motion-triggered cameras, rather than abate it.

Chair Kinsey thanked Mr. Birkhead for his comments and assured him that TAM is concerned and working to address this problem. He stated that the project is currently under the jurisdiction of Caltrans, but that TAM and the City of San Rafael are discussing with Caltrans the roles for managing the bike/ped corridor in the future, including the graffiti responsibility.

Executive Director Steinhauser expressed her appreciation to Mr. Birkhead for his concern regarding this issue and expressed her desire for his continued involvement, as a private citizen.

Mr. Birkhead stated that Caltrans has its cameras positioned in the vicinity where the graffiti is occurring and the offenders could be caught on tape by simply redirecting the camera to the wall.

6. Transportation Demand Management (TDM) Software Contract Update (Action)

David Chan, along with Rick Ruvolo, TDM consultant to TAM, presented this item that requested the Committee forward to the full TAM Board the recommendation to authorize the Executive Director to enter into a contract with Transmetro for two years to provide TDM software at a cost not to exceed \$90,000. The cost covers hosting the web-based software tool, along with some refinement and ongoing maintenance, for a period of two years.

Mr. Ruvolo stated that this will make for a more efficient and cost effective program. Aside from assisting in the administration of programs already funded, it will also provide rideshare matching for TAM's school-pool program. It includes the ability for Marin employers to use it as they begin to quantify the commute behavior of their employees, and benefits to the environment through changing travel behaviors..

Commissioner McGlashan motioned to recommend to the full TAM Board to authorize the Executive Director to enter into a contract with Transmetro for two years to provide TDM software at a cost not to exceed \$90,000 which was seconded by Commissioner Lundstrom. The motion was approved by unanimous vote.

Responding to a question from Commissioner Boro regarding how this program will allow TAM to measure the number of people who use each program compared to the financial investment made for each program, ED Steinhauser said that the intent of this program is to invite and capture people who want to use the ERH program and the vanpool incentive and school pools. It is not meant to count bike and pedestrian use on bike trails nor will it count transit usage.

7. Traffic and Revenue Study Scope (Action)

Dan Cherrier and Chris Metzger, a consultant to TAM, presented this item which asked the Committee to provide input on prioritizing scope elements of the countywide high occupancy toll study on highway 101, in order to finalize a contract scope within available funds.

Mr. Cherrier noted that an RFP/RFQ process occurred and the firm of Parsons Brinckerhoff (PB) was selected to conduct the study.

Mr. Metzger provided a PowerPoint presentation which included the following highlights:

Study Overview:

Two premises for consideration

- o Manage the facility
- o Potential source of revenue

Two Conditions:

- o Convert existing HOV lanes to HOT Lanes
- o New construction

Traffic and Revenue Study Process

- o Parsons Brinckerhoff was selected to conduct the study

Study Scope of Work: 11 Tasks

1. Review Recent Work
2. Traffic Counts
3. Update Travel Demand Model
4. Traffic Projections
5. Project Revenues – HOV to HOT Conversion

6. Project Revenues – Construct New Lanes
7. Preliminary Geometrics/Cost
- 7a. Green House Gas Impacts
8. Public Outreach
9. Draft Report
10. Present to Board
11. Final Report

Based on the scope TAM staff asked for, the initial proposal from PB was for \$245,000. PB was requested to provide options to reduce cost to \$150,000, the original amount approved by the TAM Board.

The scope is broken into 11 tasks but the conversation centered on the four tasks that would allow for the most flexibility.

Task 3: Update Travel Demand Model (\$17,000 variance)

Task 4: Project Traffic Demand to Future Years (\$18,000 variance)

Task 7: Preliminary Geometrics and Cost (\$37,000 variance)

Task 8: Public Outreach (\$12,000 variance)

Mr. Metzger finalized his presentation and asked the Committee for feedback in terms of what they would like to see prioritized.

The Chair asked staff if they have worked closely with MTC, to date, to see if they're interested in synchronizing TAM's work with theirs to which Mr. Metzger replied, affirmatively, and added that there has been no duplication of effort.

Responding to the Chair's question regarding the consulting group that MTC is using, Mr. Metzger responded that PB is their consultant but TAM is using a different project manager.

The Chair then asked if a discussion had occurred regarding the possibility of MTC contributing to the cost of TAM's study and participating in the review.

ED Steinhauser stated that an MTC staff person sat on TAM's selection/review committee. Regarding funding from MTC staff presented that idea in a conversation with senior staff, MTC has not expressed any interest in contributing to fund this study. However, they did contribute in terms of staff involvement and will continue to be part of TAM's management team as products are developed. TAM and its team will also continue to coordinate with the MTC model.

The Executive Director, attempting to narrow the focus of the discussion, stated that she would like to hear the Committee's comments regarding 1) whether or not weekends should be included the study; 2) outreach should occur aside from the Executive Committee and Board meetings; and 3) independent analysis centering around count updates to the model, modeling a number of alternatives. She added that the purpose of this study is to provide a strong technical analysis from an independent source which will then allow the TAM Board to discuss policy on this issue. It may prove challenging to accomplish that goal with the revised proposal cost of \$150,000.

Commissioner McGlashan asked if there is a risk to updating the counts while in the middle of an economic recession and questioned whether using older count data, which would also save money, might be more analogous to those of a normal economic cycle.

Mr. Metzger responded that the answer is two fold: consideration is given to the current economic condition; the older counts do not reflect current conditions now that the HOV lane has opened. Consequently, the relationship between some of the patterns may be different but may not be different enough to matter in this type of study.

Mr. Cherrier added that this model will project out 25 years and, so, would show what the growth will be like and so even if it is currently lower because of the economic times, the study centers around traffic projecting forward.

Commissioner Breen said he believes that heavy focus should be placed on extensive public outreach and would like to see it take place in different locations and at different times during the day.

The Chair commented that while he supports Commissioner Breen's goal to increase community engagement, he is not convinced that additional public meetings will accomplish that. Rather, he would like to explore other ways to achieve a higher level of participation and cited the possibility of a well-done video produced by the new Marin telecommunications agency which explains the study and concepts. He also suggested a broad sweeping mailing to reach those that, typically, may not attend TAM's meetings.

Mr. Cherrier responded that one of the team members is a professional consultant who specializes in outreach and he will explore what has been suggested as well as seek other ideas.

Commissioner Boro agreed that outreach is important but wants to ensure it is interactive and that it is conducted before the details of the plan are already in place. He asked why the study needs to be conducted now if, as stated in a previous meeting, it will be another nine years before HOT Lanes will be implemented in Marin and Sonoma counties. He added that, with the idea of adding a new HOV lane to the corridor as well as the topic of revenue generated remaining in this county, policy issues need to be in place before proceeding with this study.

ED Steinhauser responded that since November 2008, the Board has raised major concerns regarding HOT Lanes. Staff has expressed those major concerns in comments written on both the Caltrans Business Plan and to TAM's local legislative delegation regarding the legislation. Discussions regarding the legislation have also taken place with MTC. Staff wanted to do an independent analysis to determine the viability of this in Marin's corridors. While staff is not pursuing the idea of adding another HOV lane through most of Marin, there are concepts that do need to be investigated (times of operation - 24 hours/day, weekends or only during peak times; effect of raising the carpool requirement from 2 to 3 riders; and what impact HOT lanes would have on local roads) to help achieve TAM's goal of reducing congestion. Staff has those answers on a regional level, but the TAM Board questioned how implementation in the Marin corridor would fare. This study is intended to assist the Board in getting those answers and addressing policy issues.. She stated that the "urgency" of this study is associated with the MSN project since design for that project is underway and Perhaps HOT Lane features should be included in that corridor, if funding can be found.

Commissioner Boro thanked the Executive Director for her response but asserted that the Board needs to make decisions on certain key principles including restricting conversation to new lanes to the MSN project rather than Hwy 101 as a whole.

Mr. Metzger stated that those policy decisions can be supported by the efforts put forth in this study.

ED Steinhauser said that a statement will be added to the scope which clearly states that the addition of an HOV lane will be studied only for the MSN portion of Hwy 101 and not for the portion of Hwy 101

in the rest of the county. She offered to return to this group after having reviewed the policy statements to date.

Chair Kinsey summarized the exchange by stating that there are some policies relative to the Hwy 101 corridor regarding freeway configurations that would provide direction to the study. These issues would have to be explored and converted into policy choices but it should not be a significant challenge to think these issues through.

Commissioner Boro suggested that a second policy issue would be to determine how to conduct the public outreach.

The Chair said he believes that conducting outreach would be considered more of a strategic approach issue than of a policy issue.

Commissioner Kellner said she would support the idea of conducting more extensive outreach. Her concern was that cutting costs could result in shortchanging critical modeling and data results.

Commissioner McGlashan stated that he supports comments made by both the Chair and Commissioner Boro that it is important to speak early and frequently with the public and to use all communications modes at TAM's disposal, and would support spending more money on that effort. He would not support adding more study dollars to *Task 7: Develop Preliminary Geometrics* to assist completing this study on budget. He would support more emphasis in the travel demand aspect of the study. Finally, he would support some language in the scope that would clearly identify those obvious design issues that are not being studied for feasibility reasons.

Commissioner Breen said that it needs to be made clear that this is a TAM study meant to obtain a better understanding of HOT Lanes by TAM but that TAM does not have final decision making authority. Additionally, it is important to frame outreach to provide a clear understanding that the results of the study do not directly correlate with implementation.

Commissioner Fredericks stated that, in her opinion, one problem associated with assessing the scope of work comes from dealing with models. It is difficult to look at the difference between one proposed set of data collections and another in order to decide how it will affect whether TAM Gets the best information on those particular variables.

Commissioner Lundstrom agreed with comments made by Commissioner Breen regarding framing the context of the study for the public. She said that a clear message needs to be given regarding the purpose of the study.

Commissioner Boro said that given the state of the economy, currently, TAM needs to set the stage and explain that this study is intended to provide information for TAM to better understand the HOT Lane concept.

The Chair stated that he believes there are two purposes to spending this money: 1) to test the validity of the HOT concept in the Marin corridor; and 2) provide TAM with better information in order to negotiate the best outcome possible for Marin as part of HOT Lane development both through Caltrans and MTC's Corridor Working Groups. He added that he believes this study will serve the purpose of both skeptics and advocates.

The Chair opened this item to public comment.

Karen Nygren commented that the tasks as stated do not reflect any of the items the committee members have deemed necessary to learn more about in order to help shape their position. She believes that the Board needs to obtain more information and determine: 1) if HOT lanes in Central Marin or through the Narrows is financially beneficial; 2) if it is necessary to change carpools ridership from 3 to 2 in order to make it beneficial; or 3) if there a way to find funding through this program to help construct the Narrows. Ms. Nygren emphasized that the study should include data regarding the congestion and environmental impacts on mixed flow lanes of increasing carpool requirements to 3 riders. She emphasized the importance of broader advertising for future outreach endeavors.

Comparing the difference in output between the \$150,000 and the \$245,000 proposal, Don Wilhelm stated that the Board should want to see all alternatives studied through the items listed under the \$245K proposal

Don Wilhelm stated that he believes the proposal costing \$150,000 will not study the wide range of alternatives as provided for in the \$245,000 proposal, so he would support spending more money for this study which would enable the Board to make a more informed determination.

Regarding public outreach, Michael Birkhead asked what primary methods are used to collect input.

ED Steinhauser said that this has not yet been determined but that, after today's discussion, staff will return to this group with a slate of options and opportunities.

Mr. Birkhead referred to the PowerPoint slide - Task 8: Public Outreach – which says, “Early Outreach to help influence work...” and asked why TAM would want to “influence” the collection of information for this study.

Mr. Metzger clarified that the phrase is referring to the public influencing the study through the outreach process. It is not intended for the study to influence the public.

ED Steinhauser recommended that staff return to this Committee in September with policy principles guiding the study, a layout of the scope for the study, a clear purpose and intent, and more detail on a public outreach campaign. At that point, this Committee can decide if they want to spend more money than originally planned.

The Committee agreed to this recommendation.

The Chair stated that he has asked the Executive Director to accompany him to meet with MTC staff to discuss this study and he extended this invitation to the members of the Executive Committee as well.

8. Old Redwood Highway Pedestrian and Bicycle Improvements Funding Agreement with the City of Larkspur (Action)

ED Steinhauser presented this item which requested the Executive Committee to recommend to the full TAM Board to approve the Funding Agreement with the City of Larkspur related to the implementation of pedestrian and bicycling improvements to a portion of Old Redwood Highway and to authorize the Executive Director to execute the agreement.

Commissioner Lundstrom commented that this Old Redwood Highway bike/ped improvement is a safety element that links Larkspur, Corte Madera and the county to connect riders to the ferry connection.

Chair Kinsey motioned to recommend to the full TAM Board to approve the Funding Agreement with the City of Larkspur related to the implementation of pedestrian and bicycling improvements to a portion of Old Redwood Highway and to authorize the Executive Director to execute the agreement which was seconded by Commissioner Kellner. The motion was approved by unanimous vote.

The Chair noted that he attended a community meeting for the Greenbrae boardwalk last week and they expressed concern regarding the loss of the overcrossing commonly referred to as "the corkscrew." He asked that the Executive Director pass that comment to Project Manager Bill Whitney-that neither he nor the residents of that area believe that it would be a good thing to lose that walkway.

9. Crossing Guard Program Update (Discussion)

Dan Cherrier, along with James O'Brien, consultant to TAM, presented this discussion item.

ED Steinhauser reported that the corresponding staff report addresses three efforts. The first is a biennial re-evaluation of the Safe Routes program as a compliance requirement of the TAM Expenditure Plan, a major survey effort to assess TAM's Crossing Guard program. This effort has been completed. The second is a reassessment of guard locations every three to six years. This analysis is in progress, but data gathered to date indicates that staff may recommend changing some locations. It should be noted that the number of guards cannot be increased due to lack of any additional funding. The third effort, currently underway, is the process to bring to the TAM Board a recommendation for a Crossing Guard contract; the contract with the current provider has expired.

Regarding the survey, Mr. O'Brien explained the process used to gather data to assess the guard locations. Approximately 3,000 "hard copy" surveys were distributed to schools and of the 554 that were returned, 448 were considered complete (lacking abnormalities). Additionally, the survey was made available on the web with approximately 537 users logging on but 510 surveys considered complete. The combined total of completed surveys was 958.

Highlights of the survey:

- 99% have seen Crossing Guards
- 11% are aware that Measure A funds most guards
- 35% walk or ride a bicycle to school on most days
- 31% changed from driving in a car to walking or riding
- 91% consider the Crossing Guard Program a good way to spend funds

In summary, approximately one-third of the 35% of students are walking or riding bikes to school represents the delta - the change in mode.

Regarding the crossing guard contract, Mr. Cherrier reported that staff issued an RFP for a new contract and that three proposals were received, interviews were held, and negotiations have begun with the company who will be awarded the contract.

Regarding the biennial evaluation of the Crossing Guard program, Mr. Cherrier reported that staff is proposing to fund the 63 guards currently being funded through the beginning of the 2009/10 school year. In the meantime, staff will issue an RFP for counts with TAM staff performing the "order of magnitude" pedestrian counts. Criteria used will be taken from the California Manual of Uniform Traffic

Control Devices. The TAM Technical Advisory Committee will make their recommendations for guard placements as well as a proposed implementation date at their December 2009 meeting.

The Chair opened the item to public comment.

Karen Nygren speaking as a member of the TAM TAC said that that group does not believe that it would be a good idea to disrupt the program in February when the days are short and it gets dark quickly. She said that there was a consensus that it would be better to maintain things as they are through the entire school year but then make changes at the beginning of the following year.

The Chair thanked staff for their presentation.

10. Measure A Allocation to Marin Transit (Action)

David Chan presented this item which requested the Committee to recommend to the full TAM Board to allocate \$9,475,697 in Measure A funds to Marin Transit for Strategy 1, Transit, as programmed in the FY 2009-10 update of the TAM Strategic Plan. The funds will be reimbursed quarterly upon request and each quarterly reimbursement request will not exceed one quarter of the total annual allocation.

Mr. Chan noted that this allocation will fund the work included in Strategy 1 of TAM's Strategic Plan. Due to reduced sales tax revenues, the revenue that Marin Transit is eligible to receive now stands at \$9.475 million. MT has requested an allocation for the full amount and staff supports that request.

The Chair thanked Mr. Chan for his presentation and added that given the difficult funding environment that transit is experiencing, he suggested that TAM may want to consider providing some additional support for transit by using some of the 5% reserve money. He added that this could be a conversation for some future date.

Commissioner Lundstrom motioned to recommend to the full TAM Board to allocate \$9,475,697 in Measure A funds to Marin Transit for Strategy 1, Transit, as programmed in the FY 2009-10 update of the TAM Strategic Plan and that those funds will be reimbursed quarterly upon request and each quarterly reimbursement request will not exceed one quarter of the total annual allocation which was seconded by Commissioner Fredericks. The motion was approved by unanimous vote.

11. Final Draft of Caltrans Express Lane Business Plan (Discussion)

Chair Kinsey, noting that the Plan had been distributed as part of the agenda packet, opened the item to comments.

Executive Director Steinhauser stated that one issue that was raised on this topic was that pursuing transportation revenue by this means constitutes a policy change. While this Plan does not address this, the current legislation (AB744) has a few paragraphs on the policy aspects of HOT lanes and collecting revenue in that manner. Staff make a strong attempt to have the Board's concerns addressed in the Plan and believes that the Plan is "much better" than the original version.

The Chair added that TAM's legislative delegation is continually bringing TAM's concerns forward.

Ms. Nygren raised the following questions and concerns:

Does the Plan supersede MTC's plan, and if not, how does it work with it?

How will the plan be approved and implemented – through the Legislature or Caltrans?

Does the Plan need an EIR? If not, why not?

The Plan does not mention who collects the revenue or where it goes.
There is only one sentence about greenhouse gas reduction.
There is very minimal discussion on the impact to mixed flow lanes.

The Chair encouraged Ms. Nygren to speak with TAM staff for the answers to the issues she raised.

Responding to a question from Commissioner Boro regarding whether this item will be presented to the TAM Board, ED Steinhauser said that it is not an action item and that it will not be presented to the Board. However, she agreed to provide the Committee with an update at the next meeting.

Mr. Cherrier noted that the final version of the Plan is due out later in the summer.

Commissioner McGlashan asked if any progress was made regarding ensuring that revenue generated would be kept in the corridor.

ED Steinhauser responded that the Plan was merged with MTC's legislative language and they are supposed to work together rather than counter to each other. It will be approved internally by Caltrans and does not need CEQA clearance since, at this time, it is considered a planning document. She cannot answer the question regarding who collects the revenue but she will transmit the final Plan to the Committee and report on it at the next Executive Committee meeting in September.

12. Open Time for Items Not on the Agenda

Seeing no others wishing to speak, the meeting was adjourned at 4:20 p.m.