



MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
EXECUTIVE COMMITTEE

November 9, 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
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

Commissioner Members Absent: Albert Boro, City of San Rafael

Staff Members Present: Dianne Steinhauser, Executive Director
Bill Whitney, Project Delivery Manager
Dan Cherrier, Project Delivery Manager
David Chan, Programming Manager
Karita Zimmerman, Planning Manager
Denise Merleno, Recording Secretary

Chair Kinsey called the meeting to order at 2:20 p.m.

1. Chair's Report (Discussion)

Chair Kinsey thanked those commissioners who attended TAM's first Climate Workshop on Saturday, November 7, and commented that the agenda topics covered are only the tip of the iceberg in terms of addressing transportation and climate issues.

The Joint Policy Committee (JPC) comprised of four regional agencies – MTC, ABAG, BCDC, and BAAQMD – met last week with SB375 being the focus of discussion, specifically the Sustainable Community Strategy (SCS) that needs to be integrated into the 2013 Regional Transportation Plan (RTP). The challenge of integrating regional housing numbers into the RTP and determining how the land use component is addressed may become the responsibility of the CMAs. He noted that a snap poll conducted at the workshop last Saturday included a question about who should have the land use authority and the results suggested that there was no interest in forming a new agency.

He reported that MTC held a commissioner workshop last month to focus on the sustainability of the transit system and ways to consolidate it on a Bay Area-wide basis. He has requested that David Rzepinski, the General Manager of Marin Transit proactively look at different transit agencies and

determine what he envisions for MT's future rather than wait and be pressured, at a later date, to accept some other agency's vision.

He finalized his report by thanking staff for their efforts in organizing the climate workshop.

2. Commissioner Comments (Discussion)

Commissioner McGlashan expressed his thanks to staff and Chair Kinsey for the successful climate workshop.

3. Executive Director's Report (Discussion)

Executive Director (ED) Dianne Steinhauser reported on the following items: climate workshop, agency holiday party, December meetings, the Citizens' Oversight Committee Annual Report, and the Record of Decision for the Marin Sonoma Narrows project.

On the topic of the workshop, ED Steinhauser stated that staff will be synthesizing the information obtained from the workshop and return to this Committee with ideas for taking the next steps to address climate change. One thought includes holding a speaker series focusing on transit-oriented design.

She reported that the agency holiday party will be held on December 11 and that e-invitations will be mailed out in the coming days. All TAM commissioners are invited.

She advised that, while December meetings are usually cancelled, there may be a need for the Executive Committee to convene on December 14. Staff will send out ample notice if that is the case.

The Executive Director reported that the TAM Citizens' Oversight Committee (COC) is finalizing their draft Annual Report for Measure A fund expenditures and that this item will be agendaized for the November board meeting. She added that there will be a reception prior to the start of the January board meeting to recognize the COC's efforts.

She finalized her report by advising that the Record of Decision for the Marin Sonoma Narrows project was signed by the Federal Highway Administration on October 27. This action finalizes the EIS process for this project. Final design may now move forward for this project and staff will be returning to the board as early as January or February to discuss public outreach regarding ideas that have been raised to lessen the project footprint and environmental impacts.

4. Approval of Minutes from October 12, 2009 (Action)

Commissioner Kellner motioned to approve the October 12, 2009 draft minutes which was seconded by Commissioner Fredericks. The motion was approved by unanimous vote.

5. Hwy 101 Gap Closure Update – Status of Project and Funding (Discussion)

Project Manager Connie Fremier stated that, upon completion of Segment 3 in February 2009, staff reported to the TAM Board that this portion of the project was within budget, but over the summer,

Caltrans informed staff that after receiving final invoices it was determined that this segment came in over budget. Staff is working with Caltrans to resolve the issue and will report back in the future as to the resolution.

Chair Kinsey added that the Gap Closure subcommittee met and gave specific direction to staff to explain to Caltrans why the situation is not TAM's responsibility, that final costs being different than what was reported is unacceptable management of the project ; and to make the case that it is unacceptable to expect TAM to pay the overage.

Regarding the maintenance agreement for the bike/ped path associated with this project, Ms. Fremier reported that consensus on a maintenance agreement is close to being finalized between Caltrans, TAM, and the City of San Rafael.

Work on the final three elements of Segment 4 continues: finishing the east soundwall retrofit, SMART track relocation; and the bike path by Los Ranchitos. A February/March completion date is anticipated but this will be determined by the severity of the winter weather.

Commissioner McGlashan asked for an update on resolving the soundwall issue in the SMART right of way near the portal.

ED Steinhauser said that SMART requested technical information on the stability of the slope which included analysis on the retaining wall, information which TAM staff provided several months ago. The Executive Director said that she has seen no evidence that it continues to be an outstanding issue. However, there is a disagreement on railroad layout and associated drainage in the same vicinity at the southern portal entrance to the Lincoln Tunnel, and that TAM, along with a third-party outside team is conducting an evaluation in hopes of diffusing the fight.

Chair Kinsey added that he requested ED Steinhauser to arrange a meeting with the TAM Commissioners who also sit on the SMART Board to conduct a field trip to illustrate the issues. He said he believes that TAM owes it to SMART to meet Caltrans' obligation.

The Chair opened this item to public comment.

Don Wilhelm stated that he attended a recent SMART real estate meeting where this matter was discussed, and that SMART identified the issues with the solutions coming at TAM's expense. Mr. Wilhelm questioned this responsibility.

The Chair said that Caltrans manages the project but TAM is paying for most of it, so, ultimately TAM will be responsible for paying for the solutions.

Karen Nygren asked if the retaining wall is a safe structure in event of an earthquake.

ED Steinhauser replied that it was constructed in compliance with standard engineering practices, was approved by professional engineers hired by TAM and also approved by Caltrans, and staff is assured that it is not in danger of collapsing.

6. Hwy 101 Greenbrae/Twin Cities Corridor Improvement Project Status Update (Action)

Executive Director Steinhauser acknowledged that Commissioner Alexandra Cock from Corte Madera was in the audience.

Bill Whitney presented this item which asked the Committee to recommend that the full TAM Board take the following actions relative to the environmental scoping phase: 1) Confirm and consider modifying previous actions of the TAM Board that adopts the conclusion of the Context Sensitive Design efforts, 2) Accept scoping comments from the City of Larkspur and the Town of Corte Madera, and 3) Provide direction to Caltrans on the scope of the environmental document alternatives in response to comments received from the Town of Corte Madera and City of Larkspur.

Mr. Whitney began his presentation by noting that a context-sensitive design approach was implemented for this project and that over the past three years, there have been 25 opportunities for the public to comment via public meetings, open houses or workshops.

With the assistance of a PowerPoint presentation, Mr. Whitney provided a brief review of decisions that the TAM Board made to date on this project including the following highlights:

- Caltrans is the lead agency and has released the NOP for the Draft EIR
- Currently in the scoping phase, comments will be accepted until November 30, 2009
- Existing conditions in this corridor indicate safety and operational deficiencies
- Traffic Collision Data for the period 2001-2005 indicate higher than average accidents
- Modeling studies projecting increased traffic by year 2035
- Potential Bicycle, Pedestrian and Transit Improvements are needed
- Consensus is on preferred northbound option E – Wornum Braid
- Three-Phased approach to Southbound Option C – Lucky/Fifer Braid
- Environmental Resources to be Assessed
- Key Issues and Public Input Voiced by the Community

Mr. Whitney stated that the Corte Madera Town Council is scheduled to consider a resolution relating to this project at their November 17 meeting. He added that one issue that the council is concerned about is the proposal to close direct access to Madera Blvd. He then said that any action taken to alter the Tamalpais ramp will necessitate a change to the Madera ramp. Mr. Whitney questioned whether the TAM Board would want to consider changing the scope of the proposal to respect the comments of the Corte Madera and Larkspur Councils.

ED Steinhauser added that Caltrans has advised that they cannot support reconstruction of the Tamalpais interchange and allow the Madera ramp to remain open. From a prioritization standpoint, TAM staff recommends that the Board look at weave areas in the northern part of the corridor for highest safety issues and address those in the first phase of funding. Staff made that recommendation in the RTP. Staff is interested in bringing to the TAM board the comments provided by the Corte Madera and Larkspur councils.

Commissioner Alexandra Cock stated that this matter was agendized at the Corte Madera Council meeting last month and the council directed the town manager to change the resolution as it was originally proposed. The major change was to include a provision that the town would not support any action to close direct access to Madera Blvd. She said that she believes that the resolution as revised will be adopted at the next council meeting. Additionally, the resolution would be amended to show that the council will support the northbound option E as a separate option since there is consensus on that. There were a couple other requests to consider alternative designs. She reiterated comments she made previously that she did not believe it made sense to consider studying all the alternatives if the council is not willing to consider closing Madera. However, the challenge is that the council wants the Tamalpais exchange repaired due to the safety issues associated with it. She finalized her comments

by stating that, clearly, there is opposition to closing Madera Blvd., but it is difficult to gauge the level of opposition since those that are opposed are extremely vocal.

Chair Kinsey asked if the Corte Madera Council has been made aware of the bike/ped elements associated with this project including the plan to change Tamal Vista into a class 2 bike path. Commissioner Cock said that she believes they are aware of this but not to the degree that they could be.

The Chair expressed his appreciation for Commissioner Cock's participation in this discussion.

Commissioner Lundstrom advised that the Larkspur City Council discussed this matter at their meeting last week. The council prefers the northbound option E. Regarding the southbound phase option C, the council believes that phase 1 and 2 should be built at the same time. Lastly, regarding phase 3 of southbound option c, the council recognizes that this phase is unfunded at this time and decided to defer to the Town of Corte Madera on that issue. In the letter that Larkspur wrote to Caltrans, they commented on the impact that these changes will have on local roads, that the bike/ped portion of this project needs to be connected to Central Marin Ferry Connection project, and that busses need to stop by Redwood High. The Council will meet again on November 18 to adopt a resolution.

Commissioner Kellner expressed concern that the Tamalpais exchange has safety issues associated with it, which the funding source for this project will not allow to be addressed if the decision is made to leave the Madera ramps intact.

ED Steinhauser responded that a funding issue exists regardless of choices. She added that, with regard to the Tamalpais and Madera interchanges, staff had hoped to provide enough design and planning layout lines to help guide the Town of Corte Madera with any future improvements from a land-use perspective. The difficult decision that needs to be made is to decide whether or not to invest that money to do that, given the lack of local acceptance and the funding shortfalls that already exist in the other two phases. Both jurisdictions have authority to insist that local ramps remain open and Caltrans must have the approval of Larkspur and Corte Madera to close them. So, staff had the good intent to deliver a package that included the two elements but based on input from Corte Madera, staff is now unsure whether or not to proceed with the study as planned.

Commissioner McGlashan asked Commissioner Cock to clarify the safety concerns that her council has expressed regarding the Tamalpais interchange.

Commissioner Cock reported issues existed with the line of sight and continued maintenance problems due to the sinking road next to the bridge on either end. The Town has to resurface it every few years but the reality is that it is a structural problem. Lastly there is concern about changing the configuration to accommodate traffic going to both the Town Center and the Village shopping malls.

The Chair opened this item to public comment.

Karen Nygren stated that the October 3 staff report stated erroneously that there is consensus among all stake holders on southbound Option C since the environmental communities did not agree to that. She added that she encouraged reviewing other options for the southbound improvements.

The Chair closed this item by stating that this Committee will not take action on this item. Rather, that will occur when the full board meets later this month. Responding to a question that staff made about the committee being satisfied with the staff recommendation for this item, the Chair said that the Board

will need to review the actual resolutions adopted by both the Town of Corte Madera and the City of Larkspur after which the board will decide whether to shrink the envelope of the study.

7. Central Marin Ferry Connection Project Status Update (Discussion)

Bill Whitney provided an update on the status of this project. The general scope is to build a bike/ped facility along the north/south greenway. It begins where the CalPark pathway ends in the vicinity of the future SMART Larkspur train station, and continues south over Sir Francis Drake Blvd. The ultimate project is divided into two phases based on funding. Ultimately, this project will take the user south to meet the existing Class 1 path at Redwood and Wornum. Due to the environmentally sensitive issues, the path will begin on the east side of the SMART tracks where the CalPark portion of the path ends but will switch to the west side near the trestle to distance it from the ecological reserve. Staff from TAM and SMART are working closely together to resolve other project-related issues.

8. SB83 Vehicle License Fee (Discussion)

Chair Kinsey provided a summary of this piece of legislation that was passed by the state legislature and signed by the Governor. It allows for countywide transportation agencies (TAM) to identify through an expenditure plan process transportation improvements funded by an increase of up to \$10 on motor vehicle license fees, with a majority vote approval being required. He asked that, in order to take maximum advantage of 2010 and maintain the potential for putting this on the November ballot, the committees agree to agendize the matter of authorizing the Executive Director to recruit consultants to facilitate and guide TAM through this process. He would like to appoint a subset of the Board to act as an ad-hoc committee to determine the process, timeline, polling and budget.

Responding to a question from Commissioner Breen about the revenue potential associated with this fee, the Chair said approximately \$2 million maximum annually.

Commissioner Kellner asked if an ad-hoc committee would guide the planning to bring the matter forward as opposed to planning the actual substance of the process. The ED responded that the Ad-Hoc would address planning, not content. Content would be the subject of an open public planning process.

The members agreed with the Chair's suggestion to agendize this matter for the Board's consideration at the November meeting.

The Chair opened this item to public comment.

Karen Nygren suggested that TAM seek counsel for a clear understanding as to how far the agency can proceed, legally, and how much money it can spend on this measure to which the Chair responded that TAM members/staff can work on this until the decision is made to place it on the ballot.

David Hoffman of MCBC stated that, should this idea become a reality, his advocacy group would be interested in seeing some of the revenue spent on pathway maintenance.

9. Adopt Project Priorities for 2010 State Transportation Improvement Program (STIP) Funds (Action)

ED Steinhauser and David Chan presented this item which requested that the Committee recommend to the full TAM Board to adopt project priorities for the 2010 STIP that programs STIP funds in accordance with staff's written report.

ED Steinhauser stated that the 2010 STIP Fund Estimate predicts a shortfall in previously committed state funds, resulting in a "negative STIP".

David Chan referred the Committee to Attachment A of the staff report which explains the existing funding as well as the staff proposed programming recommendations. He noted that the only movements in STIP funding are \$ 4 million from TAM to the Doyle Drive/ Presidio Parkway project, previously authorized by the TAM board, which is coming from the Marin Transit Novato Bus Stop Improvement Program and a minor \$6,000 adjustment under PPM. Regarding Transportation Enhancement (TE) Funding, there is available new funding, and this funding program has recently been incorporated into the STIP process. Staff anticipates receiving \$867,000 in new TE funds and are required to issue a call for projects to expend this funding. He then directed the Committee's attention to revised attachments to this report which were distributed at the outset of this meeting which showed the applications received as a result of the call for projects made in September. He noted that six applications were received – two from Larkspur, two from the County, one from Mill Valley, and one from Fairfax. Staff confirmed that all six were eligible to receive TE funding, scored them in accordance to TE guidelines and funding needs, and assigned scores to each application. Staff rated the applications as: 1) County of Marin - Sir Francis Drake Boulevard, Westbound Class II Bike Lane; 2) Mill Valley - Sycamore Avenue Improvements; 3a) Larkspur - Citywide Median Landscaping & Heatherwood/Meadow Pathway Extension; 3b) Larkspur - Doherty Drive Reconstruction - Class II Bike Lane; 3c) County of Marin - Olive Avenue Class II Bicycle Lane Improvements; 4) Fairfax - Bolinas Sidewalk Enhancement.

Staff asked the Committee to provide a recommendation for this limited funding. She added that the top rated project for this funding – Sir Francis Drake Blvd. – was in line to receive TDA Article 3 funding last year until that money was redirected to the Gap Closure project. At that time, the TAM Board requested that staff search for a way to fund this project in the future and TE funding could accomplish that request. The county requested TDA money for this project but have agreed to accept TE funding so that the TDA funding can be used on another project in southern Marin since the other project involves path maintenance which is only possible through the TDA program.

Mr. Chan stated that he has advised applicants that most of this funding is programmed for the outer years of the five year STIP, which covers FY 2010-11 through FY 2014-15, but an advance allocation could be requested. He said that after receiving clarification from each sponsor on priorities, staff recommends funding one project per sponsor with the exception of Fairfax who was excluded due to the low score.

Commissioner Lundstrom stated that she would like to speak with staff from her public works department to see which of Larkspur's equally-weighted projects they would prefer to see funded.

Commissioner McGlashan motioned to recommend to the TAM Board to approve one project from County of Marin, the City of Mill Valley and the City of Larkspur with Larkspur's selected project subject to that City's confirmation which was seconded by Commissioner Fredericks. Motion passed unanimously.

The Chair opened this item to public comment.

David Hoffman expressed his appreciation to staff for recommending the Sir Francis Drake Blvd. project and moving this project forward.

10. Programming of Additional Lifeline Transportation Program (LTP) Funds (Action)

David Chan presented this item which requested the Committee to recommend to the full TAM Board approving the programming of additional LTP funds to the Marin City Community Shuttle and Marin City Transit Hub.

He stated that staff conducted a call for projects last year and funded four projects with \$1.46 million. In September 2009, after Lifeline funds were reduced last spring, staff was informed by MTC that TAM is eligible to receive recently returned lifeline money including \$112,000 from STA funds, \$82,000 from JARC, and \$3,200 from Proposition 1B. Staff had been advised to program this additional funding to existing projects rather than conduct a new call for projects. Two of the four existing projects are fully funded but the other two have shortfalls. Staff recommends providing the additional Prop 1B and JARC money to the Marin City Transit Hub and Donohue Street ADA Improvements. This project is already being funded out of these respective categories of funds, so adding funds is straightforward. Additionally, staff recommends funding the Marin City Community Shuttle Loop and Service to Marin General with the additional STA money since this project is already being funded from that category.

Commissioner Fredericks motioned to recommend to the full TAM Board approving the programming of additional LTP funds to the Marin City Community Shuttle and Marin City Transit Hub which was seconded by Commissioner Kellner. Motion passed unanimously.

11. Crossing Guard Program Evaluation (Action)

Dan Cherrier and consultant James O'Brien presented this item which requested the Committee recommend to the full TAM Board the acceptance of the 2006 to 2009 Crossing Guard Program Evaluation.

Mr. O'Brien explained that the methodology for this evaluation was vetted through TAM's TAC, the Marin County Public Works Association and the Marin County Schools Superintendents. Approximately 3,000 copies of a survey were distributed to 7 schools and an on-line version of the survey was also made available which resulted in 977 complete surveys. Some key findings include:

- most of the respondents were aware of the crossing guards but were not aware that this program was funded by TAM's half-cent Measure A sales tax
- approximately 33% of the respondents walk or ride to school
- Of the 33%, the majority reported using a crossing where a crossing guard has been installed
- The majority of respondents reported an increased comfort level by having the guard present
- Approximately one-third of that 33% reported that they changed their behavior from being driven to school to walking/biking to school as a result of the presence of crossing guards.
- When asked if the crossing guard program is a good use of Measure A funds, 96.2% responded affirmatively.

The survey provided a field for adding a comment and all were included in the 2009 Assessment Report.

Mr. O'Brien finalized his presentation by noting that the overall feedback was positive but staff included suggestions to increase the awareness that this is a TAM program. Crossing guard performance was a concern expressed by some who added comments. Mr. O'Brien explained that an RFP for Crossing Guard Services was issued and a new contract awarded since this survey was conducted and language was added to the contract to address performance that is less than satisfactory.

Commissioner Kellner noted that the schools in Novato schools received the survey but do not use the same company that TAM uses to employ its crossing guards.

Mr. O'Brien explained that, at that time, it was the same contractor but they worked under a different contract.

ED Steinhauser added that staff would be happy to share the survey results with the Novato Unified School District to use when that District conducts its own evaluation during their contract renewal process.

Commissioner Fredericks said that it would be useful to have the responses sorted and aggregated by town or by school.

The Chair thanked Mr. Cherrier and Mr. O'Brien for their report and suggested providing guards with a tee-shirt displaying the TAM logo and that this may help increase awareness that TAM sponsors the guards.

Commissioner Fredericks motioned to recommend to the full TAM Board the acceptance of the 2006 to 2009 Crossing Guard Program Evaluation which was seconded by Commissioner Lundstrom. Motion passed unanimously.

Chair Kinsey asked staff to place this on the consent portion of the November 19 TAM Board agenda.

12. Open Time for Items Not on the Agenda

Seeing no others wishing to speak, the meeting was adjourned at 4:15 p.m.