

MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
TAM

DECEMBER 17, 2009
7:00 PM

ROOM 330
MARIN COUNTY CIVIC CENTER
3501 CIVIC CENTER DRIVE
SAN RAFAEL, CALIFORNIA

MEETING MINUTES

Members Present: Steve Kinsey, Chair, Marin County Board of Supervisors
Al Boro, Vice Chair, City of San Rafael
Susan Adams, Marin County Board of Supervisors
Judy Arnold, Marin County Board of Supervisors
Hal Brown, Marin County Board of Supervisors
Alice Fredericks, Tiburon Town Council
Madeline Kellner, City of Novato
Joan Lundstrom, Larkspur City Council
Charles McGlashan, Marin County Board of Supervisors
Stephanie Moulton-Peters, Mill Valley City Council
Michael Skall, Ross Town Council
Ford Greene, San Anselmo Town Council
Diane Furst, Town of Corte Madera

Members Absent: Sandra Donnell, Belvedere City Council
Lew Tremaine, Town of Fairfax
Herb Weiner, Sausalito City Council

Staff Members Present Dianne Steinhauser, TAM Executive Director
David Chan, TAM Manager of Programming and Legislation
Dan Cherrier, TAM Project Delivery Manager
Bill Whitney, TAM Project Delivery Manager
Li Zhang, TAM Manager of Finance and Administration
Karita Zimmerman, TAM Planning Manager
Denise Merleno, Recording Secretary

Vice Chair Al Boro called the meeting to order at 7:15 p.m., noting that Chair Kinsey would be arriving momentarily. He noted there were two new members to the Board, Diane Furst and Ford Greene representing the towns of Corte Madera and San Anselmo respectively. Executive Director Dianne Steinhauser performed the swearing in of the new members.

1. Chair's Report (Discussion)

None presented.

2. Commissioner Matters not on the Agenda (Discussion)

Commissioner Adams noted that the Murphy's have expressed appreciation for the decrease in traffic noise with the completion of the highway paving and construction of the sound-absorbing soundwall, and the Lincoln community is grateful as well.

3. Executive Director's Report – EDR (Discussion)

ED Steinhauser noted that she did not prepare a written report but commented briefly on several upcoming items, to be discussed after the 1st of the year: MTC proposed legislation regarding HOT lanes for the Bay Area will be back for more discussion in the next legislative session; there is a potential second stimulus package from the federal government focusing on jobs creation; and MTC recently adopted two policy elements (1) redistribution of leftover ARRA funds and 2) new federal funding distribution..

Commissioner Arnold commented on stimulus federal funding that TAM did not qualify for because there were not enough funds and use of the funds did not meet the funding limits. She urged, in this instance, that staff ensure the project is going to be acceptable when the fund application is made. ED Steinhauser confirmed that MTC has agreed that the previous project Supervisor Arnold is talking about will be a top priority in the next round of stimulus funding.

4. Commissioner Reports

a. Executive Committee

No report was given since the Executive Committee meeting of December 14 , 2009 was cancelled.

b. SMART

Vice Chair Boro reported on SMART issues - \$2.5 million grant funding for SMART allocated through a recently-passed Senate bill, appropriations for a roof on the downtown Novato station, the date for the upcoming operations committee meeting and a discussion of the railcar workshop program.

Commissioner McGlashan discussed recent design contracts awarded for station design and for a maintenance facility. He noted that 70 different firms, including 20 local firms, are involved in the design, development and maintenance contracts, and the entire project will result in some economic stimulus for the area.

5. Consent Calendar (Action)

a. Award of Contract for Crossing Guard Vehicle and Pedestrian Counts

There was no public comment on the Consent Calendar. Commissioner Brown moved for approval. Commissioner Kellner seconded the motion, and the item carried unanimously.

Item #7 taken out of order.

7. Allocation of Capital Funding to Hwy 101 Gap Closure Puerto Suello Hill Segment 4

ED Steinhauser presented the staff report, discussing efforts by TAM to resolve issues between SMART and Caltrans, on technical details related to the northern conform of the Segment 4 Gap Closure Project – specifically drainage and the ability to build the full SMART rail footprint as planned. She stated that all parties involved in this discussion are close to agreement as to final design and cost for this work. She also discussed MTC/ARRA funding issues and a critical December 31st deadline, as well as the possible use of Measure A interest funds (up to \$300,000). On advice of counsel, this is an eligible use of interest funds and staff recommends taking this course of action.

Commissioner Lundstrom asked about the original staff report recommendation for up to \$400,000. ED Steinhauser clarified that the \$300,000 was ARRA funding that had recently been secured, but there are additional costs of up to \$300,000, which staff recommends be paid from Measure A interest funds. She added that when staff was preparing the report in the agenda packet, the cost for this change order was estimated at \$400,000. Staff now believes that the cost could be as much as \$600,000.

Vice Chair Boro opened public comment on the item.

Don Wilhelm said he thought using Measure A interest funds to complete this project is inappropriate given that a fixed dollar amount eligible for Strategy 2 (the Gap project) was defined in the Expenditure Plan. He also commented on information presented at the SMART meeting that said aligning the new track with the old would result in a decrease in the speed of the train from 40 mph to 20 mph, a fact that was not mentioned here tonight. He also questioned why TAM is financially responsible for making the corrections.

Chair Kinsey joined the meeting at 7:40 p.m.

ED Steinhauser responded that the design of the SMART rail (as proposed by SMART) will not require a slow-down in speed.

Vice Chair Boro added that the reason for the corrections was because the final design did not meet the specifications of what was originally agreed to by Caltrans and SMART. ED Steinhauser clarified that legal arguments have been made on both sides, but she believes these details were not clearly stated in the original agreement. She added that there are no other sources for funding of the recommended corrections.

Chair Kinsey noted that Caltrans made a commitment to the Golden Gate Bridge District which was then passed to SMART at the beginning of the Gap Closure project. Caltrans responsibilities on the project are shared with TAM with respect to construction features and their cost.

Commissioner Fredericks moved to approve staff's recommendation to authorize the Executive Director to dedicate between \$0 and \$300,000 in Measure A interest funds, as costs are finalized, to the

Highway 101 4 Gap Closure project for a change order for new work addressing drainage and the required SMART footprint issue at the northern conform area where the relocated SMART line enters the south portal of the Lincoln Tunnel. Commissioner Lundstrom seconded the motion, and it carried unanimously.

Vice Chair Boro turned the meeting over to Chair Kinsey, who welcomed the new Commissioners.

6. Reprogramming State Transportation Improvement Program (STIP) Funds from Cost Savings

ED Steinhauser introduced Programming Manager Dave Chan who presented the staff report and referred the Board to supplemental documentation – PowerPoint note pages - distributed at the beginning of this meeting. Mr. Chan reviewed the STIP process, milestones for the development and adoption of the 2010 STIP, the STIP schedule, Call for Projects, and applications received. ED Steinhauser discussed the screening process for the four project applications, the lack of reliability of State funds, the CTC STIP allocation process, and TAM's prioritization of projects: the Golden Gate Bridge District's Highway 101 Bus Pad Improvement project and the Marin Transit Muir Woods Bus Purchase program. She listed the other projects in need of funding: the West Sir Francis Drake local rehab project and the San Anselmo rehab/bike-pedestrian project. She also briefly discussed the State Local Partnership Program.

Commissioner Brown left the meeting at 7:45 p.m.

Commissioner Adams asked for more information on the proposed bus pad improvements and why the Golden Gate Bridge District would get funding through TAM while a county road project would not be considered a higher priority. ED Steinhauser explained that the goal of the bus pad improvements was to facilitate access as well as to begin providing real-time scheduling information for passengers, and it was a joint project with Golden Gate/Marin Transit. The Central/Southern Marin Transit Study, conducted by TAM in 2009 indicated that there is a safety issue associated with bus pad access which helped this project gain a higher rating.

Chair Kinsey opened public comment on the item.

Don Wilhelm expressed concerns of the environmental community regarding elements of the Sir Francis Drake project, whether the use of federal funds could impact design elements, and then asked about the anticipated release date for the EIR.

ED Steinhauser said this is a county project and that TAM staff did not have information to respond to these questions other than the county's intention is to have the draft EIR released by February 2010. Chair Kinsey noted that the county is not planning to use federal funds for the project, and the final preferred alternative has not been released yet but that the final document should address the concerns that many have regarding the loss of trees.

Commissioner Arnold asked if there is a standard set of guidelines that can be used to evaluate projects as they come to the Board, as that could be helpful especially for newer commissioners. ED Steinhauser indicated that there are specific guidelines for each funding source, but sometimes projects have to be adapted to fit the sources that are available. She mentioned that the bus stop project scored highest utilizing the scoring criteria TAM regularly uses for project evaluation. She also noted the critical factor that the CTC is most likely to fund State Highway projects, given the current state budget crises, the CTC has established state highways as getting funds first. She also noted that a representative of

the Bridge District was available to answer questions about the bus pad improvements, who had indicated that the improvements are focused on safety and accessibility and hopefully will address all the bus stops along the 101 corridor in Marin.

Commissioner Greene commented on the importance of Sir Francis Drake Blvd. as a bicycle route to West Marin and the degraded, unsafe conditions, which, to him, would make it a higher priority than providing a bus for tourists at Muir Woods. Chair Kinsey agreed with him about the need for improvements on that section of Sir Francis Drake, but he clarified that the CTC is the final decision-maker in allocating the funds and staff is trying to put forth the projects that would have the greatest appeal to the CTC. He suggested that the state/local partnership funds would be a good source for bicycle/pedestrian projects.

Commissioner McGlashan added that the Muir Woods transit shuttle will provide a service to the people of Marin because it will improve traffic conditions in the area.

Commissioner Arnold also noted that the Board of Supervisors had given specific instructions to the public works director that he was to look for funding for road and bridge improvements from any source possible. She asked that staff keep the TAM Board informed as to changes that need to be made to make the projects more eligible.

Nancy Ocata, a member of the public, expressed concern about the purchase of a diesel-fuel bus for the Muir Woods shuttle. She suggested that an alternative, environmentally friendly vehicle be purchased instead, even if it costs more. ED Steinhauser noted that there are no hybrid electric vehicles in the size needed, and the bus will use "clean" diesel, which some believe to be as environmentally-friendly as hybrid electric vehicles. Commissioner McGlashan added that the size and type of bus being purchased is the best for the terrain, and the vendor has agreed to look into the possibility of a diesel hybrid bus.

Commissioner Adams said she was conflicted about the recommendations because she could see how a case could be made for the improvements on Sir Francis Drake Blvd., as it is such a main thoroughfare in the area.

Commissioner Greene added that he was not convinced that the rating of the two projects was accurate, and if the Sir Francis Drake improvements had a better environmental rating it would score higher than the Muir Woods bus purchase..

Commissioner Fredericks asked, and ED Steinhauser confirmed that there are other funding alternatives for the Sir Francis Drake project. ED Steinhauser also clarified that staff is very aware of the need for the Sir Francis Drake improvements, but they believe it is a better candidate for the use of other funds, including substantial local funds made available to the County in the next year, as well as state/local partnership funds.

Chair Kinsey reiterated that he, too, believes the Sir Francis Drake improvements are very necessary, but he indicated that staff's recommendation to consider future partnership funds makes sense. He expressed the hope, however, that those supporting the Muir Woods shuttle will be equally supportive of the Sir Francis Drake improvements when the time comes.

Commissioner Arnold asked for confirmation that the time and effort staff put into analyzing the Sir Francis Drake improvement project will be beneficial in completing the application for the state/local partnership funds. ED Steinhauser responded affirmatively.

Commissioner McGlashan_ moved to approve the staff recommendation to program savings from the Hwy 101 Gap Closure Landscaping and Mitigation project to two projects - the Golden Gate Bridge District's Highway 101 Bus Pad Improvement project and the Marin Transit Muir Woods Bus Purchase program, and Commissioner Fredericks seconded the motion. The motion carried by a vote of 10:2, with Commissioners Greene and Adams voting no.

8. Resolve to Seek Funds for Major Damage to Sound-absorbing Soundwall Features on East Side of Hwy 101

ED Steinhauser presented a brief staff report which requested that the TAM Board resolves that if major damage occurs to the sound-absorbing panels and related murals on the soundwall along Northbound Highway 101 from the Irwin onramp to the North San Pedro offramp in San Rafael, TAM will seek funds and sponsor a project to repair those features; the repair project will be subject to the availability of funds at that time.

Commissioner Greene asked whether TAM will be responsible for repairing any damage to the soundwall features. ED Steinhauser clarified that the agreement is that TAM will seek funds for the repairs. .

Chair Kinsey opened public comment on the item.

Scott Stokes gave some background on early discussions of the issue, noting that Caltrans made it clear they would be responsible for repairs on the east side, but not the west side.

Commissioner Kellner made a motion to approve the staff recommendation that the TAM Board resolves that if major damage occurs to the sound-absorbing panels and related murals on the soundwall along Northbound Highway 101 from the Irwin onramp to the North San Pedro offramp in San Rafael, TAM will seek funds and sponsor a project to repair those features; a repair project will be subject to the availability of funds at that time. The motion was seconded by Commissioner Fredericks. The motion carried unanimously.

9. Authorize Grant Application for Electric Vehicle Charging Stations

Planning Manager Karita Zimmerman presented the staff report, noting that staff had learned that TAM would not qualify for the BAAQMD grant program recently announced, which provides funding for electric vehicle charging stations- only property owners/ government agency facility owners can apply. , While the AB 118 application would not be made, the CEC AB118 funding application would go ahead as planned, with a deadline of January 11th.

The Chair opened the item to public comment.

Scott Stokes noted that he spoke with Seagate Properties to see if they would be interested in installing charging stations at their property but they were not.

Commissioner McGlashan moved to approve the staff recommendation that the Board identifies the Executive Director as authorized to submit the CEC/AB118 grant application and carry out the proposed EV Infrastructure Project, should the funds be awarded and approved., and Commissioner Boro seconded the motion. The motion passed unanimously.

10. Open time for items not on the agenda

Scott Stokes gave an update on area traffic conditions, as well as a suggested plan for improving congestion.

By Order of Chair Kinsey, the TAM meeting adjourned at 8:35 p.m.

Approved on:

DRAFT