

MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
TAM

THURSDAY, NOVEMBER 29, 2007
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
Paul Albritton, Sausalito City Council
Al Boro, Vice Chair, San Rafael City Council
Carole Dillon-Knutson, Novato City Council
Alice Fredericks, Tiburon Town Council
Melissa Gill, Corte Madera Town Council
Joan Lundstrom, Larkspur City Council
Mary Ann Maggiore, Fairfax Town Council
Michael Skall, Ross Town Council
Dick Swanson, Mill Valley City Council
Barbara Thornton, Alternate, San Anselmo Town Council

Members Absent:

Susan Adams, Marin County Board of Supervisors
Judy Arnold, Marin County Board of Supervisors
Peter Breen, San Anselmo City Council
Hal Brown, Marin County Board of Supervisors
Thomas Cromwell, Belvedere Town Council
Charles McGlashan, Marin County Board of Supervisors

Staff Members Present:

Dianne Steinhauser, TAM Executive Director
David Chan, TAM Programming Manager
Li Zhang, TAM Finance Manager
Bill Gamlen, TAM Project Delivery
Eric Schatmeier, TAM Planning Manager
Tracy Cook, TAM Recording Secretary

Chair Kinsey called the meeting to order at 7:03 p.m.

1. Chair's Report (Discussion)

Chair Kinsey noted that out of consideration for those present for Agenda Item 9, the item would follow the Executive Director's report.

He reported that he had provided all of the commissioners with a copy of the "ABCs of MTC,"

a guide to transportation planning and financing. Extra copies were made available to anyone interested in understanding funding mechanisms and sources.

Chair Kinsey reported that TAM is in the process of revising its 30-year Regional Transportation Plan (RTP), as required once every four years. TAM's Commissioners met yesterday with MTC staff ¿

to work on this plan and consider future policy issues. The development of this regional transportation plan included a survey of nine Bay-area counties. The results indicated that 69% of residents support an increase in the gasoline tax to fight global climate change. The Marin County Board of Supervisors completed a similar survey, which indicated that 68% of Marin County residents agreed that global warming is a very significant issue.

Chair Kinsey reported that one of the policy issues that MTC is evaluating is the creation of a new transportation revenue source through HOT lanes (High-Occupancy Toll) and Congestion Pricing, which would vary according to the time of day and level of congestion. He added that this funding source is supported at the federal level. Chair Kinsey stated that the customer survey also revealed that an extension of rail lines received the greatest support, specifically in Marin and Sonoma counties. Chair Kinsey reported that a list of transportation projects will be developed region-wide by late spring of 2008, with an environmental review to follow later in 2008 and adoption of the next RTP slated for early 2009.

Chair Kinsey acknowledged Commissioners Gill and Swanson for their service, as both members of the TAM Board did not seek re-election and would no longer be representing their jurisdictions, the Town of Corte Madera, and the City of Mill Valley, respectively.

2. Commissioner Matters not on the Agenda (Discussion)

Chair Kinsey asked if the commissioners had anything they wanted to bring to the attention of the TAM Board.

Commissioner Dillon-Knutson thanked Commissioners Gill and Swanson for their service and participation on the Board. Other Commissioners chimed in with their appreciation.

3. Executive Director's Report (Discussion)

ED Steinhauser stated that this year's federal appropriation for transportation continues to be unresolved, and that critical legislation (regarding federal appropriations) is expected to pass next year. She reported that federal funds for transportation allocated to the Bay Area by the California Transportation Commission (CTC) are expected to continue as planned, with no anticipated loss of funding. As the release of the State budget in January approaches, the CTC is beginning to address the declining revenues in transportation, particularly State Transportation Improvement (STIP) funds. This could put the CTC eventually into making only selective allocations to projects.

ED Steinhauser reported that an outreach meeting held last week in San Rafael by MTC on the RTP was well attended. One of the main topics of discussion was the interest in congestion pricing mechanisms. She stated that TAM will continue to participate in regional RTP activity. The RTP is required to be updated every four years and is tied to the availability of revenue. ED Steinhauser explained some of the challenges that MTC is facing in implementing federal and state air-quality goals and emissions reduction standards. She expects that they will make reasonable progress toward meeting those goals. She stated that the collective list of projects and programs recommended for funding through the RTP will be discussed at the January TAM Board meeting.

ED Steinhauser reported on MTC's approval of a loan to TAM in the amount of \$12.5 million dollars in federal congestion mitigation air-quality funds, or CMAQ funds, which will be available in January for the Highway 101 Gap Closure project. She stated that no debt financing will be required for that project. Staff will present recommendations in the Spring for debt financing options for upcoming major road projects.

ED Steinhauser reported on the Marin-Sonoma Narrows Project Open House/ Public Meetings held in November to solicit public comments on the Draft EIR/S. Information regarding an upcoming Novato meeting will be available on TAM's website.

ED Steinhauser discussed some of TAM's efforts to expand Transportation Demand Management (TDM) activities in Marin County. She described the agency's work with MTC's 511.org program, Golden Gate and Marin Transit, and the North Bay Leadership Council, to brainstorm ideas on how to develop a focused outreach to Marin employers regarding the opening of the carpool lane on Highway 101. The County has recently adopted a County Wide Plan with strong recommendations for an expanded TDM effort. This is also being discussed on the federal and regional levels as another vehicle to address congestion. ED Steinhauser reported that MTC has an active program that can be expanded to Marin. She stated that her staff is looking forward to discussing ideas and incentives for an expanded program with the Executive Committee and the full Board in January. She also reported that a round table forum has been arranged for next week by the North Bay Leadership Council, to include our fellow participating agencies (MTC) to discuss best practices and to solicit feedback from employers.

Chair Kinsey thanked ED Steinhauser and her staff for their work with MTC on the loan.

4. Commissioner Reports (Discussion)

a) Executive Committee – Chair Kinsey

Chair Kinsey reported that the minutes of the Executive Committee were included in the meeting packet and apologized to his colleagues because he had to leave that meeting before it concluded. He stated that the discussion had included an agreement to extend the time period for the Executive Director's performance review, to now be done in January or February. He also said that one of the issues the commissioners will be asked to consider in the future is whether there is interest in developing more

committees to support TAM's work and to share some of the responsibilities of the Executive Committee. This will also require making decisions with regard to balancing the commissioners' availability and workload.

Chair Kinsey reported that the Lifeline Program was also discussed at the Executive Committee meeting and it was agreed that TAM should continue working with the two communities that were identified by MTC and that were pre-qualified as economically disadvantaged based on the 2000 Census. He stated that Commissioner Dillon-Knutson has been encouraged to work with the City of Novato to develop an evaluation of their Census tracts to determine if portions of that community may be eligible for future consideration.

Chair Kinsey reported that the Executive Committee also discussed the idea of creating a working group to review the availability of material on the SMART proposal, in anticipation that TAM's Board of Commissioners may confirm their support stance on this project. He stated that the goal will be to determine how to make the working group effective. Chair Kinsey stated that he will make designations for that working group in January, and that the makeup of that group, as discussed at the Executive Committee meeting, will include two SMART members- Commissioner Breen, Commissioner Dillon-Knutson, as well as Commissioner Adams, and Commissioner Lundstrom. Chair Kinsey stated that by January the appropriate format will have been developed for this group and encouraged any commissioners with an interest in serving to let him know. He concluded by stating that he anticipates the commitment will include four to five meetings between February and May of next year.

b) Marin-Sonoma Narrows Policy Advisory Group

Chair Kinsey reported that this group is currently waiting for completion of the public comment period on the Draft EIR/S for that project. They have therefore not met and there is nothing to report.

c) SMART – Commissioner Boro

Commissioner Boro reported that SMART did not hold a meeting this month. The Executive Committee met yesterday to approve the sublease agreement for shared office space. In his Golden Gate Bridge Board director role, he stated that he wanted to report on a recent change in the contract between the Marin County Transit District (MCTD) and the Golden Gate Bridge Highway and Transportation District (GGBHTD), resulting in a reduction in rates of approximately \$1.3 million per year and the extension of the contract through the year 2017. This matter will be coming before the Marin County Transit District Board for consideration the following week. Commissioner Boro commented that his goal for transit in Marin County using GGBHTD is to make it as seamless as possible. He also reported on recent negotiations with the bus drivers union extending their contract for six years. The union members have agreed to make a contribution through a concession in their wages of \$300,000 dollars per year to offset the cost.

Chair Kinsey thanked Commissioner Boro and the other bridge board members from Marin and Sonoma County who united to support the endeavor to extend the GGBHTD contract with Marin Transit. He reported that the MCTD, in Measure A, made a promise to its constituents to maintain and improve service -- providing an opportunity for improved service. This contract will provide a long-term relationship with GGBHTD and make the seamless quality of service much more apparent to the users of the bus transit system.

Commissioner Lundstrom commented that SMART held public workshops in Larkspur with the city council regarding the Larkspur train station site. The dialog between the elected officials was very productive. This was a first step in the process and the first opportunity for a dialog with the SMART Board members so they had many questions, especially concerning how these issues may be addressed in the revised supplemental EIR. She concluded by expressing her appreciation for the other commissioners who had participated in this event.

Chair Kinsey opened the floor for public comment and recognized a public speaker.

David Schonbrunn stated that he was surprised that a presentation including an analysis on the alternatives for bus transit service had not been made available to the public. He commented that contracting for transit service with a single provider has profound implications and he was unable to access how the staff and elected officials evaluated this as they negotiated the contract. He concluded by stating that this was a subject that should be of great importance to TAM.

5. Consent Calendar (Action) - Attachments

- a) Approval of Minutes of September 27 and October 25, 2007**
- b) Contract Amendment for CD&A (TOD/PED Outreach)**
- c) Allocation of \$170,000 in Measure A Funds for Swapped TLC Funds to the Town of Fairfax to Construct the Center Boulevard Project**
- d) Executive Director existing contract extension**
- e) Marin-Sonoma Narrows Project Delivery Strategy**

Chair Kinsey asked for a motion of approval for the Consent Calendar, which was moved by Commissioner Dillon-Knutson and seconded by Commissioner Lundstrom

Item 5e:

Chair Kinsey asked ED Steinhauser to briefly explain what was involved in this strategy and to describe the work accomplished to date. Ms. Nygren then asked Chair Kinsey if her question might be heard before ED Steinhauser's response. Ms. Nygren stated that she is pleased to see that the Marin-Sonoma Narrows project is moving forward, but questioned several points in the staff report regarding TAM's intention to issue an RFP for work by the end of the year. She stated that she understood the need to move this project forward, but questioned whether an RFP should be issued when the scope of work has yet to be determined for the four available alternatives in the draft EIR/EIS.

ED Steinhauser explained that the action before the Board is to authorize the Executive Director to take the necessary actions for TAM to assume the lead in developing the design of the funded components of the Marin-Sonoma Narrows project. What Ms. Nygren referenced with regard to the CMIA funding received by the project, is a direct action that Sonoma and Marin have taken, as recommended by the corridor's Policy Advisory Group, to begin looking at how to develop the early phases of the project. (The advisory group asked that both safety and congestion relief elements be considered for funding early in the overall project.) The CTC took action based on a recommendation from MTC and Caltrans in July, and will be finalizing details of the scope of work over the next few months.

This is independent of the environmental review document that addresses the maximum impacts associated with the 17-mile project. ED Steinhauser stated that the initial phasing and scoping elements will introduce no new impacts. She further stated that in reference to the action before the board this evening; no recommendation is being made on which alternative should be selected in the environmental document; it will only authorize TAM to begin searching for design consultant teams. Actions are being finalized with Caltrans to enable TAM and SCTA to manage the design of these project components, which are wholly contained within the footprint of the Environmental Document.

Commissioner Swanson stated this approach can serve as a model for agencies that have CMIA projects in progress.

- f) Accept TAM's FY 2007-08 Work Plans**
- g) Amendment of LGS Management and Administrative Services Agreement**
- h) TAM 2008 Meeting Schedule**

The Consent Calendar was unanimously approved.

6. ~~Caltrans Report~~ – ~~(Discussion) Doanh Nguyen~~ – ~~Doyle Drive~~

Chair Kinsey stated that the Caltrans report was included in the Executive Director's report and acknowledged that a new Item 6 pertaining to Doyle Drive toll funding legislation would replace this agenda item. (Revised Agenda posted Monday November 26th) He stated that this was an action item and since no information was included in the supplemental packet, he asked that ED Steinhauser explain the requested action.

ED Steinhauser stated that this past Summer, based on a DOT grant to five metropolitan areas, including MTC, the Urban Partnership Program was established. A total of \$159 million dollars is scheduled to come to the region for 15 projects which are described in the supplemental packet. Conditional to MTC receiving the funding are two important requirements: 1) There must be authorization for the appropriate agencies to establish a toll to relieve congestion on Doyle Drive; 2) All projects must be implemented by September 30, 2009, with the exception of Doyle Drive construction, which is not required to be completed until 2015. She stated that there are a number of projects within this program which are of interest to TAM, especially the tolling on Doyle Drive; and the \$12.7 million dollars scheduled for the Marin-San Francisco Ferry Network- GGBHTD's plans to improve parking in the vicinity of the Larkspur Ferry Terminal, which would be a boost to transportation options in Marin.

ED Steinhauser explained the USDOT's UPP concept of the four T's: Tolling, Technology, Transit and TDM and that nearly all of the successful candidates have proposed some kind of congestion pricing. In this case, it would be the institution of a toll on Doyle Drive. The majority of those funds will go toward reconstruction of Doyle Drive, which, like many large infrastructure projects, has experienced escalating project costs and a funding shortfall; the toll funding will allow for replacement of the facility. TAM has had some discussions with MTC and the transportation authority in San Francisco regarding the contribution of Marin commuters, which in the southbound peak period averages more than 70 percent of the tolls paid to cross the Golden Gate Bridge. The project has a approximately \$150 million shortfall.

The issue of how and who will collect the tolls on the facility has not yet been addressed. The GGBHTD Board will study this issue at a special meeting on December 7th. ED Steinhauser reported that the preferred option is for San Francisco to enact this toll through state legislation. Assemblyman Leland

Yee in San Francisco has agreed to try and push this through as urgent legislation after the first of the year. The legislation must be enacted and in effect by March 31, 2008 in order to receive funding, this ability to do congestion pricing is the trigger for any of the 15 projects in the Bay Area. This will be beneficial for many counties, including Marin County; however, Marin will be one of the first communities in the Bay Area that will be paying a toll for improvements in another jurisdiction.

ED Steinhauser stated that TAM is concerned about the tolling option. Staff is interested in exploring whether any of this money could come back to Marin to look at better quality transit options so as not to pay the toll, to help address congestion during the peak period commute, in addition to recreational needs. The item before the Board is to authorize the Executive Director, in conjunction with the Chair or the Executive Committee, to coordinate with the SFCTA and MTC in order to be included in this legislation as a coordinating entity. ED Steinhauser stated that TAM's goal is to be included in the process of considering a toll, to be part of the development of any expenditure plan and in particular to establish a nexus between the toll payers and revenue flow; with specific attention to issues of equity and ways to help meet the greenhouse gas emissions goals established for Marin County. She stated that this is a critical period, as the beginning of the legislative session approaches, to discuss how Marin will be affected by this toll legislation and determine if any benefit can be derived.

Commissioner Swanson asked for clarification on the funding restrictions for the Doyle Drive project and asked whether the tolling was defined as bonds strictly to finance the rebuilding of Doyle Drive. ED Steinhauser responded that it was decided earlier this year that these funds would be used to finance the reconstruction of Doyle Drive. There is a nexus with the federal grant and the funding of Doyle.

Commissioner Swanson delineated the issues related to the expiration of the bonds and stated that there are other projects that could potentially benefit from this approach. ED Steinhauser responded that the improvements on Dole Drive will benefit Marin commuters; however, this same funding could be useful in helping to alleviate traffic congestion in Marin.

Chair Kinsey explained that the Executive Committee discussed this subject. He stated that if 73% of the morning commute tolls are being paid for by Marin residents, TAM needs to have a seat at the table, with one interest being an ability to provide alternatives to the toll stream, and addressing congestion through improving bus service, which would also support the commission's goals for lifeline equity issues. Chair Kinsey urged the Board to approve this item.

Commissioner Fredericks asked what the incentive would be for MTC to give TAM any money that would essentially reduce the congestion management tolls they would be collecting. Chair Kinsey responded that MTC will be challenged to achieve legislation in the time remaining available, before they become ineligible to receive the funds. The nexus between toll payers and the benefit we receive must still be established.

Commissioner Maggiore asked for confirmation of the toll amount and how it will be collected. ED Steinhauser responded that the toll is expected to be one or two dollars and will be collected electronically, perhaps multi-directionally, on the Doyle Drive facility; however, based on discussions with the GGBHTD and MTC over the past six months, it has been decided that as a fall-back measure, this toll may be collected as part of the toll stream through the Golden Gate Bridge gateway. She stated that this issue has yet to be decided. She stated that there is a great deal to be decided in a short time, in order to build consensus before the March 2008 deadline. TAM was seeking to insert its interests into the efforts.

Commissioner Dillon-Knutson stated that this will increase toll costs for Marin commuters and agreed that Marin County should definitely be getting money back from this toll, because the toll is the wrong approach for funding this construction.

ED Steinhauser stated that the intention is to ensure that all users of the facility pay to help offset the traffic impacts in San Francisco and they are studying this in a larger context through their mobility access pricing study. As stated by SFCTA, this will be only one of the entrances to San Francisco that will eventually be considered for a congestion-priced toll strategy. She further stated that some of the first indications of requirements may come from the Bridge Board's actions on December 7th.

Commissioner Maggiore asked if there is a possibility that Marin County does not get a share of this toll. Chair Kinsey responded in the affirmative and recognized Commissioner Boro, who commented that part of the package SMART received from the San Francisco County Transportation Authority regarding the federal grant referred to funding for the Larkspur Landing project, which appears to be designed to relieve congestion in downtown San Francisco. He cited traffic statistics and stated that this toll was prejudicial to Marin County residents as he suggested other ways to relieve the congestion in downtown San Francisco without Marin County residents having to pay a majority of the tolls.

ED Steinhauser commented that TAM began discussions with MCTD and GGBHTD in July regarding the possibility of developing a set of priority projects for this revenue stream, so the Southern Marin Transit Study that will be presented to the Board in January represents a coordinated effort between MCTD, GGBHTD and TAM to look at transit improvement options that may fit into this toll-revenue strategy. She stated TAM staff has been exploring options around equity and emissions issues and the three agencies have been very proactive in this area.

Commissioner Dillon-Knutson commented that during her recent re-election, she met two families that were moving down the Peninsula because the combination of traffic congestion, the bridge tolls, and high gas prices had become so burdensome that they thought they would enjoy a better quality of life if they moved. She stated her agreement with Commissioner Boro's assessment that the toll on Doyle Drive was unfair if other congestion points in San Francisco were not treated equally with regard to toll requirements. Chair Kinsey responded that San Francisco's intent appears to be to add a congestion pricing mechanism at every access point, but this is the first one, due to the construction schedule.

Chair Kinsey recognized Karen Nygren for public comment and she inquired whether the GGBHTD was planning to do a study regarding what impact this will have on the Golden Gate Bridge. She stated that there is not enough time for the community to consider these impacts and suggested that the state may need to contribute a larger portion of the funding for these kinds of projects.

Chair Kinsey agreed that it is imperative for TAM to have a voice in this discussion and asked for a motion to approve this item. Commissioner Fredericks moved and Commissioner Albritton seconded. There was one opposition vote from Fairfax (dissenting vote by Commissioner Maggiore).

7. Acceptance of TAM's FY2006-07 Financial Audit Report (Action) - Attachment

Chair Kinsey stated that this agenda item provided an opportunity to review the acceptance of TAM's Financial Audit for the 2006-2007 Fiscal Year, which was recommended for approval by the Executive Committee. He then welcomed TAM's Manager of Finance and Administration, Li Zhang to make a presentation. Ms. Zhang presented a draft financial report for the 2006-2007 Fiscal Year for Board acceptance. She stated that the audit team has been working on this audit since August to ensure a

timely completion and to ensure that TAM was able to close its books in September. She stated that TAM had not yet received the final interest revenue from the County on the investment pool and that the estimate for this interest revenue was reflected in the financial statement being presented. Ms. Zhang reported that TAM's Citizen Oversight Committee had reviewed the report and provided some minor edits. Also, as described in the staff report, there were adequate staff resources to manage the audit process. She introduced Michael O'Conner from TAM's local auditing firm and stated that he would provide highlights of the report and a summary of the new auditing standards implemented during the auditing process.

Mr. O'Conner introduced himself as the lead auditor and reported that the opinion TAM had received on its financial audit statement was an unqualified opinion, which is the best rating available. He reiterated that this was a draft report and stated that the final report would appear on letterhead. He offered to be available to the commissioners to answer any questions they might have on the report or the auditing process. He then reported on the progress of the draft report, referring to specific pages in the report containing the breakdown of net assets, funding and a summary of activities.

Commissioner Swanson commented that the restricted net assets listed in the report were quite high and asked if all of the net assets, at the conclusion of the year, represented funds that were obligated and restricted to components of the expenditure plan. He also asked if the assets were being held pending disbursement, since the lagging expenditures would explain why the net assets were so high. ED Steinhauser responded that these funds were obligated to various components of major projects, such as the Highway 101 GAP Closure, and that these expenditures will be drawn down as the actual cost of the work is incurred.

Commissioner Boro thanked Mr. O'Conner for his comment in the audit report clarifying a change in the time sequence for the new audit standards. He also asked if there were any significant findings that were not reported. Mr. O'Conner responded that there were none.

Chair Kinsey called for a motion. Commissioner Boro moved and Commissioner Swanson seconded.

ED Steinhauser pointed out that on page 109 of the supplemental packet, it was reported that between FY2005-06 and FY2006-07 TAM's total sales tax revenue collection increased 15%, and that funding is built into the strategic plan updates on an annual basis, which makes it immediately available to sponsors. This was reflective of some growth in revenue but moreso of an initial very conservative estimate of revenue by TAM. She stated that this may be one of the reasons, in terms of employment growth, that there has been such a significant increase in congestion. ED Steinhauser stated that staff does not anticipate any decrease in revenue.

Motion to accept the staff recommendation to accept the FY2006-07 Financial Audit Report was unanimously approved.

8. Acceptance of Citizens' Oversight Committee FY2006-07 Annual Report (Action) - Attachment

Chair Kinsey recognized Don Wilhelm, Chair of the Citizens' Oversight Committee (COC), who reported that the COC has reviewed TAM's operations and funding related to Measure A projects and has found them to be in accordance with the expenditure plan. He stated that these findings were included in the COC's recently released third annual report and that the staff report for this item outlines a distribution plan for sharing this annual report with all interested parties.

Mr. Wilhelm reported that the COC's work becomes more complex and challenging each year, because there are more projects being considered and approved, citing several examples. He stated that the auditor had also outlined additional steps that will be required for future audits. Mr. Wilhelm reported that the COC is planning to carry out a training session for all of its committee members next year. He concluded by expressing his appreciation to the TAM staff.

Chair Kinsey thanked Chair Wilhelm and the COC for their work and asked for any additional comments or questions. Seeing none, he called for a motion.

Commissioner Fredericks moved and Commissioner Boro seconded to accept the Citizens' Oversight Committee's FY2006-07 Annual Report. Motion carried unanimously.

9. Approve Agreements for Lease and Sublease of a Suite in the San Rafael Corporate Center (Action) - Attachment

ED Steinhauser reported on TAM's success in negotiating a lease on a new office suite after more than two years of looking for a suitable location and coordinating to include Marin Transit and now SMART staff. This lease is being presented to the Board for consideration. (The copy included in the meeting packet contains some minor modifications.) Sonoma Marin Area Rail Transit (SMART) and Marin County Transit District (MCTD) will be sharing the office space and copies of the sub-lease agreement with them were also presented. ED Steinhauser acknowledged members of TAM, as well as Commissioner Boro, who contributed to the successful negotiation of the lease agreements. She reported that the lease is for approximately 9,000 square feet and will provide an excellent space for the three agencies to share. TAM will be receiving a check for \$178,000 from the savings achieved in tenant improvement costs attained by occupying an existing built-out suite. These savings will be applied to offset rent. ED Steinhauser described other favorable terms of the lease and stated that it was scheduled to take effect on December 1st. Staff's recommendation to the Board was to sign the lease and the sub-lease agreements.

Chair Kinsey opened the floor for comments or suggestions and Commissioner Albritton pointed out a small typographical error on the cover page. After soliciting further comment and hearing none, Chair Kinsey moved to accept a motion of approval. Commissioner Fredericks moved and Commissioner Swanson seconded the motion to authorize the Executive Director to sign the Lease Agreement with Seagate Properties for Suite 200 in the San Rafael Corporate Center at 750 Lindero, San Rafael, and Sublease Agreement with Marin Transit and SMART. Motion carried unanimously.

10. Program STIP/TE Funds in the 2008 State Transportation Improvement Program (STIP) (Action) – Attachment

Chair Kinsey recognized David Chan, Manager of Programming and Legislation, who stated that this action item was twofold, involving the programming of STIP and federal Transportation Enhancement (TE) funds, as well as PPM funds. He reported on historical STIP funding levels and stated that although TAM had no new STIP funds to program for this cycle, it still had to go through the process of assessing candidates, as required by MTC. Mr. Chan referred the commissioners to Attachment A, which provides a summary of the recommended staff action.

Mr. Chan stated that while there was an overall decrease in the state budget for Planning Programming and Monitoring, PPM funds, the CTC added a year in the STIP cycle, which resulted in a net increase of \$270,000, to be used to augment staff and administration activities. He also stated that Attachment A highlights all of the activities that TAM will be proposing to MTC in December for STIP funding.

Mr. Chan stated that the second part of this item was related to federal Transportation Enhancement (TE) funds, which have been incorporated into the STIP cycle. He reported that Marin County generally receives approximately \$743,000, half of which goes to MTC's regional programs. The rest comes back to TAM for programming. He stated that TAM normally does not program many projects with federal funds because of the resulting administrative burden placed on sponsors, but they did issue a call for projects covering TE, TDA article 3, and TFCA funds. Mr. Chan reported that TAM received eight applications and referred to Attachment B for a list of the applications received. He stated that three of the projects were determined to be eligible for funding, and referred to Attachment C for a description of the three projects prioritized according to the evaluation criteria, and to Attachments D and E for a listing of their respective eligibility determinations and staff recommendations for funding. He concluded by reporting that based on the limited funds available, \$300,000 had been recommended for Novato's bicycle commute project and for moving the remaining \$71,500 dollars to the reserve. He explained that TE money is not subject to a "use it or lose it" restriction, so the money can be set aside for future projects.

Chair Kinsey thanked Mr. Chan and called for a motion to program the funds. Commissioner Dillon-Knutson moved and Commissioner Maggiore seconded approval for TAM to adopt project priorities for the 2008 STIP in accordance to Attachment A, and with the acknowledgement that future calls for STIP-funded projects will not be issued until new revenues are available. The Executive Director was authorized to make minor STIP adjustments provided that the adjustments do not involve significant changes to schedule, scope or cost increases to any project. The Commission also adopted project priorities for TE funds that program \$300,000 to the Novato's Commute Bike Connection Project and the remaining funds to the TE reserve. Motion carried unanimously.

11. Amendment of Carter & Burgess Contract for the Central Marin Ferry Connection (Action) – Attachment

Bill Whitney, Project Manager for the consulting firm contracted through TAM for the Twin Cities/Greenbrae project explained the contract amendment request for the Central Marin Ferry Connection project. Mr. Whitney stated that he was present to offer a few brief comments to supplement his staff report. He stated that the general scope of this project is to promote the concept of the North-South Greenway and to encourage alternative forms of transportation in Marin County. He further stated that the scope is to create a multi-use path to connect to the future Cal Park Hill multi-use path and described the overall project, which is estimated to cost \$23 million dollars. Mr. Whitney explained that staff is proposing a phased approach that is fundable. He outlined the elements of each phase, Phase A crossing Sir Francis Drake Boulevard and Phase B crossing Corte Madera Creek, and whether or not they had identified funding. He stated that Phase A is funded and will be environmentally cleared. He explained that the project schedule is very aggressive, with construction scheduled to start in 2010, so the TAM consultant team plans to present TAM with a draft environmental document on Phase A in the spring of 2009. He also explained that they received a letter from the bicycle coalition and other environmental groups requesting the study of some additional alignments, which they are willing to consider. In addition, Mr. Whitney stated that the GGBHTD is also willing to work with them on further access to their facility.

Chair Kinsey asked for clarification on whether the scope of the work and budget as currently defined were sufficient to allow the additional design evaluations that had been requested for the ferry terminal. Mr. Whitney replied in the affirmative. Chair Kinsey also asked whether there was sufficient budget to allow for coordination with SMART over the design and alignment of the pathway relative to their interests across Corte Madera Creek, since this project is within their right-of-way. Mr. Whitney again responded in the affirmative, stating that they have been in consultation with the SMART staff and they are very aware of the project. Chair Kinsey then asked if there was budget available for some preliminary conceptual evaluations of Phase B alternatives, while the preliminary engineering for Phase A was being developed. Mr. Whitney replied that that was correct. Chair Kinsey next asked Mr. Whitney to confirm that TAM would see alternative alignments for Phase B as part of the work performed under this contract, but that these alternatives would not be evaluated as part of the environmental document. Mr. Whitney stated that this was correct, in the interest of trying not to complicate the environmental analysis any further at this time. Chair Kinsey concluded by asking if the budget for Phase A had been defined. Mr. Whitney responded that the current budget for Phase A is estimated at \$10.7 million dollars.

Commissioner Lundstrom commented on the need for clarification on the existing pathway that comes into the Ferry over Sir Francis Drake Blvd. and the various alternatives to go over the creek. She stated that the alternative phase that goes over the creek is extremely expensive and not yet funded. She also pointed out that in the staff report, the phases were listed as Phases A and B, but in the document itself, they are defined as Phases 1 and 2.

Chair Kinsey recognized a public commenter from the Association for Bay Area Governments and the San Francisco Bay Trail Project, who presented some maps to the commissioners and offered a brief explanation of the Bay Trail Project. She stated that this project had previously provided a \$75,000 grant to identify the Corte Madera Creek crossing in order to improve the Bay Trail in this critical location in Marin. She further stated that a key goal of the San Francisco Bay Trail is to provide alternative transportation options and that the Central Marin Ferry Project is a critically important project in meeting that objective. She expressed satisfaction that this project was moving forward and reported that they had been working with TAM staff and Bill Whitney on this project. She stated that the San Francisco Bay Trail requests that the relatively short portion of trail that will lie between the Sir Francis Drake overcrossing touchdown and the actual entrance to the ferry be included in the scope of work for the project. She stated that there is a wide well-used sidewalk in place now, but that they would like the entire pathway to connect in a manner that will better accommodate the new structure.

Chair Kinsey recognized David Hoffman, Planning Director for the Marin County Bicycle Coalition. Mr Hoffman stated that he wanted to echo the comments previously made regarding the Bay Trail and thank everyone for helping move this project forward. He reiterated its importance in the realm of multi-modal connection and multi-modal use and concluded his remarks by stating that his organization was very excited about this project.

Chair Kinsey thanked everyone for their comments and called for a motion to approve. Commissioner Lundstrom moved and Commissioner Maggiore seconded to approve a contract amendment with Carter & Burgess, Inc. in the amount of \$1,396,083 for professional services related to the Central Marin Ferry Connection Project. Motion carried unanimously.

Commissioner Albritton asked for clarification from the consultant on what the (financial) impact would be of the proposed amendment on his contract. Chair Kinsey stated that he had asked Project Manager Bill Whitney about that issue and was told that it was available within the scope and estimate for the budget as presented. Chair Kinsey asked Mr. Whitney to clarify the motion and he responded that this

was the preliminary engineering phase, so they could certainly study it in this phase, but could not commit to the construction that might come out of that study. Chair Kinsey stated that for the record, TAM supports an evaluation at the preliminary engineering and the environmental review levels for this segment of the project.

12. Lifeline Funds Programming (Action) – Attachment

Chair Kinsey introduced ED Steinhauser, who reported that MTC has increased the amount of Lifeline Funds that could be programmed this year as part of the Proposition 1B transit funds. She recommended that TAM take advantage of these funds, which totals approximately \$502,000 dollars for Marin County. (The historical range has been closer to \$200,000 dollars.) The purpose of the discussion with the Executive Committee and full Board is to confirm the Lifeline communities in Marin County that would be immediately eligible for the use of these funds. She reported that one of the communities has completed a detailed community-based transportation plan that was accepted by TAM last year and that a second plan is under way. Depending upon MTC's timing requirements for programming these funds, TAM would like to include improvements in Marin City and that staff plans to come back to the Board with more information on this topic as it becomes available after the first of the year. She recommended that for this year, however, due to the capricious nature of state funding recently, funds are dedicated to known improvements in the Canal neighborhoods. She stated that the second aspect of this recommendation was related to the language in MTC's May adoption of policy regarding these funds, which created an opportunity for TAM to add other Lifeline elements in Marin County that have been formally adopted. ED Steinhauser stated that at this time, because of the long list of unmet needs for the Canal Plan, and the likely list of unmet needs in Marin City, it was staff's recommendation to use this year's funds for improvements in either of these two communities. She further stated that staff would be coming back to the Board with more information on the development of the Marin City Plan and how it fits in with the use of these funds. She concluded by stating that TAM must make sure to assign these funds, because it is likely that these funds can be claimed this year and that the opportunity may not exist in the future.

Chair Kinsey called for a motion. Commissioner Maggiore moved and Commissioner Fredericks seconded. Chair Kinsey reiterated his previous suggestion that Novato should work on developing its Census tract information to support the low-income, disadvantaged community status for future years. Chair Kinsey called for a vote on the recommendation to adopt programming for a higher level of Lifeline funds that are now available to TAM. The motion was carried unanimously.

13. Hwy. 101 Update (Discussion) – Connie Preston

Connie Preston reported that there had been several full freeway closures on the Highway 101 Gap Closure Project, Central San Rafael segment over the last few weeks. The freeway closures allowed falsework beams to be set into place over the freeway to construct the center portion of the Highway 101/580 connector, and that work will be ongoing in that area to complete construction of the connector by about February of 2008. Ms. Preston reported that with regard to the Puerto Suello Hill Project, the Lincoln Avenue under-crossing was closed this week and will remain closed for 180 days, with detour routes already in place. She concluded by stating that the remaining critical path work on that project involves the installation of the new retaining and sound walls to the west of the existing west-side sound wall.

Chair Kinsey asked if there were any additional questions or comments and seeing none, opened the floor for any additional public comment.

14. Open time for items not on the agenda

Chair Kinsey recognized Scott Stokes, a resident of Terra Linda, as the first public commenter. Mr. Stokes expressed his concerns regarding the weekday morning southbound commute congestion on Highway 101 from just before Miller Avenue to Route 37 in Novato. He asserted that the congestion will not be eliminated by TAM's Phase Four construction plans and expressed concern regarding the lack of an auxiliary lane from the North San Pedro on-ramp to Mission Avenue in Central San Rafael. He questioned whether anyone had produced a rendering, and commented that a shoulder constructed to the same standards as the roadbed, should not be used as an auxiliary lane, with no shoulder remaining.

Chair Kinsey next recognized Karen Nygren, who reported that San Francisco Mayor Gavin Newsom had announced on the evening news that the entire bus system and all fire and police department vehicles in San Francisco would now be required to use biodiesel fuels. She commended this and questioned whether Marin County could implement a similar plan. She concluded by stating that San Francisco is collecting restaurant waste for conversion to fuel and urged TAM to consider a similar plan.

Chair Kinsey next recognized David Schonbrunn from TRANSDEF. He noted that TAM had submitted comments to SMART on the Notice of Preparation and questioned whether TAM was planning to provide comments to Caltrans regarding the Marin-Sonoma Narrows (MSN) Project Draft EIR/EIS. ED Steinhauser responded in the affirmative. Mr. Schonbrunn stated that TAM should be most concerned with the (Caltrans') addition of another lane of traffic to the north, which would undo TAM's work and urged TAM to request an extensive analysis of the project impacts. He added that there was no greenhouse gas analysis in the MSN DEIR/S and that this indicated a lack of awareness at Caltrans. He concluded his remarks by offering a brief history of how the project came to be included on the list of projects and previous Marin County recommendations.

ED Steinhauser concluded by stating that there would be no Executive Committee or regular Board meeting in December and wished everyone a happy holiday.

Chair Kinsey adjourned the meeting at 9:10 p.m.