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## Technical Advisory Committee (TAC)

### AGENDA

Thursday, December 5, 2013  
2:00 p.m.

625 Burnell Street  
Napa CA 94559

#### General Information

***All materials relating to an agenda item for an open session of a regular meeting of the Technical Advisory Committee (TAC) which are provided to a majority or all of the members of the TAC by TAC members, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, on and after at the time of such distribution, in the office of the Secretary of the TAC, 625 Burnell Street, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for NCTPA holidays. Materials distributed to a majority or all of the members of the TAC at the meeting will be available for public inspection at the public meeting if prepared by the members of the TAC or staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.***

***Members of the public may speak to the TAC on any item at the time the TAC is considering the item. Please complete a Speaker's Slip, which is located on the table near the entryway, and then present the slip to the TAC Secretary. Also, members of the public are invited to address the TAC on any issue not on today's agenda under Public Comment. Speakers are limited to three minutes.***

***This Agenda shall be made available upon request in alternate formats to persons with a disability. Persons requesting a disability-related modification or accommodation should contact the Administrative Assistant, at (707) 259-8631 during regular business hours, at least 48 hours prior to the time of the meeting.***

***This Agenda may also be viewed online by visiting the NCTPA website at [www.nctpa.net](http://www.nctpa.net), click on Minutes and Agendas – TAC or go to <http://www.nctpa.net/technical-advisory-committee-tac>.***

#### **ITEMS**

1. Call to Order
2. Introductions
3. Approval of Meeting Minutes
4. Public Comments
5. TAC Member and Staff Comments
6. Standing

- Congestion Management Agency (CMA) Report
  - Project Monitoring Funding Programs\*\*
  - Transit Report (*VINE Ridership – see Attachment 1*)
  - Vine Trail Report
- Caltrans Report (*Attachment 2*)

<b><u>REGULAR AGENDA ITEMS</u></b>	<b><u>RECOMMENDATION</u></b>	<b><u>TIME*</u></b>
7. State Route 29 Gateway Corridor Study Update** (Eliot Hurwitz)  Staff will provide TAC with an update on the State Route 29 Gateway Corridor Study.**	INFORMATION	2:20 PM
8. Measure T Program Update and Review of Master Agreement (Danielle Schmitz) ( <i>Pages 12-25</i> )  TAC will review and comment on the Measure T Master Agreement to be presented to the Board.	INFORMATION	2:30 PM
9. 2014 Technical Advisory Committee (TAC) Work Plan (Danielle Schmitz) ( <i>Pages 26-29</i> )  TAC will review and comment on the 2014 Work Plan. The 2013 Work Plan has been provided as a reference.	INFORMATION	2:45 PM
10. Countywide Strategic Transportation Plan Outline – DRAFT (Kate Miller) ( <i>Pages 30-34</i> )  TAC will review and comment on the proposed draft 2014 25-year Countywide Transportation Plan and presentation outline to be presented to the Board of Directors 2014 Retreat.	INFORMATION	3:00 PM
11. Legislative Update and State Bill Matrix (Kate Miller) ( <i>Pages 35-49</i> )  Staff will provide TAC with the latest Federal and State legislative update presented to the NCTPA Board.	INFORMATION	3:10 PM

- |     |  |             |         |
|-----|--|-------------|---------|
| 12. | Selection and Nomination of Chairperson and Vice Chairperson of the Technical Advisory Committee (TAC) (Renee Kulick) <b>(Pages 50-57)</b> | ACTION      | 3:20 PM |
|     | TAC will elect its Chair and Vice Chair for an annual term beginning at its 1 <sup>st</sup> meeting in January 2014.                       |             |         |
| 13. | NCTPA Board of Directors Agenda for December 18, 2013 (Draft)** (Kate Miller)  | INFORMATION | 3:35 PM |
|     | Preview draft version of the NCTPA Board of Directors Agenda for December 18, 2013.**  |             |         |
| 14. | Topics for Next Meeting <ul style="list-style-type: none"> <li>o Discussion of topics for next meeting by TAC members</li> </ul>           | DISCUSSION  | 3:40 PM |
| 15. | Approval of Next Regular Meeting Date of January 2, 2013 and Adjournment   | APPROVE     | 3:45 PM |

\* Times shown are approximate only.

\*\* Material made available at the meeting.

**Technical Advisory Committee  
(TAC)**

***MINUTES***

**Thursday, November 7, 2013**

**ITEMS**

**1. Call to Order.**

Chair Whan called the meeting to order at 2:05PM (local).

Brent Cooper	City of American Canyon
Eric Whan, Chair	City of Napa
Debra Hight, Vice Chair	City of St. Helena
Mike Kirn	City of Calistoga
Graham Wadsworth	Town of Yountville
Paul Wilkinson	County of Napa

**2. Introductions**

Mark van Gorder, PG&E Government Relations

**3. Approval of Meeting Minutes**

Meeting minutes for September 5, 2013 and October 3, 2013 were approved and amended with the following corrections to be made to the October 2013 minutes:

1. *Remove* from Item 1, Call to Order, *Paul Wilkinson* as member was not in attendance at the October 3, 2013, meeting.

2. *Remove* from Item 3, Approval of Meeting Minutes, *MSC TOOKER / WADSWORTH* for *APPROVAL* as no meeting minutes were made available for approval.

**MSC\* KIRN / WILKINSON** for **APPROVAL**

**4. Public Comments**

None.

**5. TAC Member and Staff Comments**

**County of Napa** – Member Wilkinson announced Steve Stangland as the new County Road Supervisor.

**City of St. Helena** – Vice Chair Hight announced that the 2013 Street Repair Project is near completion, and a recruitment action to fill the St. Helen Public Works Director position has been initiated.

**Town of Yountville** – Member Wadsworth reported that the Yountville Bike Project and Town Hall Renovation Project are nearing completion. RTIP application has been submitted to NCTPA. Further announced and invited all to visit the town's Annual Festival of Lights to be held on November 29, 2013.

**City of Napa** – Chair Whan announced that the City Council has awarded the e contract to design the Roundabout Project and will be meeting with Caltrans on 11/12/13.

**NCTPA** – Staff announced the following:

- OBAG Housing Element Update is due by 1/21/2014, and with this update the jurisdiction's General Plan must comply with the Complete Streets Act by 1/31/2015.
- Travel Behavior Study - An invitation to participate in an on-line survey to the Travel Behavior Study has been sent to all major employers, including the County. There were 650+ responses received to date. License plate scanners will be posted in various County locations next week with surveys being sent to registrants at random.
- PDA - Investment Growth Strategy submitted to ABAG in Spring 2013 with no feedback received to date. PDA/PCA designation applications to ABAG opens January 2014. Presentation on PDAs at MTC scheduled on 11/8/2013.

## 6. Standing

- **Congestion Management Agency (CMA) Report.** Staff attended latest CMA meeting. Staff provided a quick overview of SB 99, the Active Transportation Program.
  - *Project Monitoring Funding Program Report* – Staff provided TAC with the latest project reporting data and deadline updates.
  - *SR 29 Improvement Plan study Update* – A meeting of key city staff and the consultant teams was held with Caltrans on 10/02/2013. Next Adhoc meeting is scheduled on 11/21/2013.
  - *Transit Dashboard* – Staff provided TAC with the latest transit data report and ridership update. Vice Chair Hight requested a breakdown of ridership type utilizing public transit for the City of St. Helena.
  - *Vine Trail Report* –.

- **Caltrans Report.** TAC reviewed current project report provided by Caltrans.
7. **2014 State and Federal Legislative Program and Project Priorities**  
*Approve*  
TAC reviewed and recommended for approval with amendment(s) to include projects prioritized in the RTP to the NCTPA Board of Directors.  
**MSC\* COOPER / HIGHT for APPROVAL**
  8. **Amendment to Final One Bay Area Grant (OBAG) Project List for Napa County**  
*Approve*  
With TAC's review it recommended the amended OBAG project list under Resolution 13-06 for approval by the NCTPA Board.  
**MSC\* COOPER / WILKINSON for APPROVAL**
  9. **Measure T Program Update and Independent Tax Oversight Committee (ITOC)**  
*Information*  
Staff provided TAC with a Measure T update and reviewed ITOC reporting materials created for implementation.
  10. **NCTPA Board of Directors Agenda for November 20, 2013**  
*Information*  
TAC previewed draft version of the NCTPA Board of Directors Agenda for November 20, 2013.
  11. **Topics for Next Meeting**  
*Discussion*
    - Work Plan for 2013 and 2014
    - Election of new Chair and Vice Chair
  12. **Approval of Next Regular Meeting Date of January 2, 2013 and Adjournment.**  
*Approve*  
Meeting was adjourned 3:36PM (local).

# VINE Transit Services Ridership Report: October 2013

## Summary

Ridership for October was up virtually across the board. Of note is the new St. Helena service which broke 1,700 rides. On-time performance is up substantially (10 to 20 points) across all routes compared to a year ago with the exception of the Route 29 which was down 5%.

## System Wide

	Oct-12	Oct-13	
Passenger Trips	56,961	72,404	27.1%

## VINE Routes 1-8, 10, 11

	Oct-12	Oct-13	
Passenger Trips	46,169	58,657	27.0%

## VINE Commuter and Regional Routes

	Oct-12	Oct-13	
Route 21: Solano	0	935	
Route 25: Sonoma	479	674	40.7%
Route 29: Ferry/BART	2,809	3,305	17.7%

## VINE Community Transit Services

	Oct-12	Oct-13	
Am Canyon Transit	2,857	3,067	7.4%
Calistoga Shuttle	1,612	2,102	30.4%
St. Helena Shuttle	1,086	1,727	59.0%
Yountville Trolley	1,949	1,937	-0.6%

## On Time Performance (OTP)

Route	OTP
1	96.19%
2	90.12%
3	92.01%
4	95.55%
5	86.93%
6	89.87%
7	89.03%
8	87.57%
10N	72.49%
10S	75.82%
11N	77.96%
11S	72.74%
21E	94.66%
21W	92.23%
25E	93.22%
25W	88.97%
29N	74.05%
29S	77.02%

Draft  
NCTPA - Caltrans Report

**PROJECT INITIATION DOCUMENT**

**EA 0A500**

**Pedestrian Circulation from Rio Del Mar to Eucalyptus , NAPA 29-PM 1.6/1.8; In City of American Canyon**

Scope: Repair curb ramps, cross walk and sidewalk  
Cost Estimate: TBD

**EA 3G140**

**ADA Curb Ramps NAPA 29 and 128: In County of Napa**

Scope: Upgrade and Construct curb ramps at various locations.  
Cost Estimate: \$1.5M Construction Capital

**EA4G210**

**Widen Roadway at Huichica Creek NAPA 121-PM 0.75; In County of Napa**

Scope: Remove existing triple box culvert and replace with a new bridge  
Cost Estimate: \$6.4M Construction Capital

**EA4G920**

**Tulucay Creek Bridge NAPA 121-PM 6.1/6.2; In City of Napa**

Scope: Bridge Repair  
Cost Estimate: TBD

**EA4G840**

**Capell Creek NAPA 128-PM 20.2; In County of Napa**

Scope: Bridge Repair/Replacement  
Cost Estimate: \$9.5 M Construction Capital

**EA4G490**

**Concrete Barrier at Solano Ave SB Onramp NAPA 29-PM 11.9; In City of Napa**

Scope: Install Concrete Barrier (Type 60)  
Cost Estimate: \$1.3M Construction Capital

**EA4G540**

**Signals at First Street Off Ramp NAPA 29-PM 11.4; In City of Napa**

Scope: Install new traffic signals  
Cost Estimate: \$712K Construction Capital

**EA 4H200**

**Pavement Reservation from 0.4 mile north of Trancas St to Mee Ln, NAPA 29-PM 13.5/25.5; In County of Napa**

Scope: Resurface the existing pavement  
Cost Estimate: \$15M Construction Capital

**EA 4G490**

**Install Concrete Barrier SB SR 29 Solano Avenue Onramp , NAPA 29-PM 11.9; In City of Napa**

Scope: Construct Concrete Barrier  
Cost Estimate: \$9.5M Construction Capital

PID (Project Initiation Document)

PSR (Project Study Report)

DED (Draft Environmental Document)

PAED (Project Approval/ Environmental Document)

PSE (Plans, Specifications, and Estimate)

RWC (Right of Way Certification)

RTL (Ready to List)

CCA (Construction Contract Acceptance)

ADV (Advertise Contract)

BO (Bid Open)

AWD (Award Contract)

XXX = DENOTES CHANGES/ADDITIONS TO PREVIOUS REPORT

**ENVIRONMENTAL**

**EA 28120**

**Soscol Junction NAPA 221 PM 0.0/0.7 NAPA 29-PM 5.0/7.1; In Napa County**

Scope: Construct Flyover Structure at SR 221/29/12

Cost Estimate: \$35M Construction Capital

Schedule: DED 2/2014 PAED 7/2014 PSE 8/2018 RWC 1/2018 RTL 12/2018 CCA 12/2020

**EA 1G430**

**Conn Creek Bridge Scour Mitigation NAPA 128-PM R7.4; In Napa County**

Scope: Replace bridge at Conn Creek

Cost Estimate: \$5M Construction Capital

Schedule: PAED 7/2015 PSE 12/2016 RWC 4/2017 RTL 4/2017 CCA 11/2019

**EA 3G640**

**Napa River Bridge Scour Mitigation NAPA 29-PM37.0; In City of Calistoga**

Scope: Reconstruct bridge at Napa River Bridge

Cost Estimate: \$10M Construction Capital

Schedule: PAED 6/2014 PSE 11/2015 RWC 3/2016 RTL 3/2016 CCA 12/2017

**EA 2G940**

**W. of Knoxville Road Storm Damage NAPA 128-PM17.9 Near Rutherford**

Scope: Construct Roadway Retaining System

Cost Estimate: \$1M Construction Capital

Schedule: PAED 5/2014 PSE 8/2015 RWC 11/2015 RTL 11/2015 CCA 11/2020

**DESIGN**

**EA 25941**

**Channelization NAPA 29-PM 25.5/28.4; In and Near City of St. Helena**

Scope: Left-turn channelization and pavement rehabilitation from Mee Lane to Charter Oak Avenue

Cost Estimate: \$24M Construction Capital

Schedule: PAED 6/29/07 PSE 2/2014 RWC 5/2014 RTL 5/2014 CCA 8/2017

**EA 4A090**

**Troutdale Creek Bridge NAPA 29-PM 47.0/47.2; In Napa County**

Scope: Bridge replacement at Troutdale Creek

Cost Estimate: \$17M Construction Capital

Schedule: PAED 6/28/13 PSE 3/2014 RWC 6/2014 RTL 6/2014 CCA 12/2016

**EA 2A320**

**Sarco Creek Bridge NAPA 121-PM 9.3/9.5; In Napa County Near City of Napa**

Scope: Bridge replacement at Sarco Creek

Cost Estimate: \$8M Construction Capital

Schedule: PAED 6/28/12 PSE 12/2015 RWC 4/2016 RTL 4/2016 CCA 12/2020

**EA 2G950**

**East of Wragg Canyon Road Storm Damage NAPA 128-PM29.7 Near Rutherford**

Scope: Construct Roadway Retaining System

Cost Estimate: \$1.6M Construction Capital

Schedule: PAED 12/06/2012 PSE 10/2014 RWC 2/2015 RTL 2/2015 CCA 4/2019

PID (Project Initiation Document)

PAED (Project Approval/ Environmental Document)

RWC (Right of Way Certification)

ADV (Advertise Contract)

PSR (Project Study Report)

RTL (Ready to List)

BO (Bid Open)

DED (Draft Environmental Document)

PSE (Plans, Specifications, and Estimate)

CCA (Construction Contract Acceptance)

AWD (Award Contract)

**EA 3E220**

**Pavement Digouts NAPA-29-PM 13.5/19.8: In City of Napa and Town of Yountville**

Scope: AC digouts from 0.5 Mile North of Trancas Street to Madison Street

Cost Estimate: \$1.1M Construction Capital

Schedule: PAED 7/2012                      PSE 9/2012                      RWC 8/2012                      RTL 11/2013                      CCA 12/2014

**EA 3E270**

**Pavement Overlay NAPA 29-PM29.3/36.9 RHMA Overlay: In Napa County**

Scope: Pavement Resurfacing with Rubberized Asphalt from north of York Creek to Myrtle Street

Cost Estimate: \$2M Construction Capital

Schedule:    PSE 8/2012    RTL 1/2014    CCA 12/2014

**EA 3E370**

**Pavement Digouts NAPA 29-PM 0.0/5.1: In and Near City of American Canyon**

Scope: AC Digouts from Solano County Line to north of SR12 Junction (Jameson Canyon/Airport)

Cost Estimate: \$700K Construction Capital

Schedule: PAED 7/2012                      PSE 8/2012                      RWC 9/2012                      RTL 10/2012                      CCA 12/2014

**EA 3E400**

**Pavement Seal Coat NAPA 128-PM19.0/34.2 Asphalt Rubber Seal Coat: In Napa County**

Scope: Place asphalt rubber seal coat from Knoxville Road to the County Line

Cost Estimate: \$2.7M Construction Capital

Schedule: PAED 07/2012                      PSE 8/2012                      RWC 9/2012                      RTL 09/2013                      CCA 12/2014

**CONSTRUCTION**

**EA 4442A**

**Duhig Landscape NAPA 12/121-PM 0.3/2.0 in Napa County**

Scope: Highway Planting from 0.3 mile North of Sonoma County line to Duhig Road

Cost Estimate: \$920K Construction Capital

Schedule: PAED 8/26/05                      RTL 11/10/10                      AWD 9/23/11(Parker Landscape Inc.)                      CCA 6/2015

Bid Open on 8/30, 4 bids range \$415K to \$515K, Lowest Parker Landscape Development , 32 % below EE

**EA 1E400**

**Bridge Repair NAPA 29-PM R6.6/19.0; In Napa County**

Scope: Place Polyester Concrete at 5th Ave Undercrossing, 1<sup>st</sup> St Overcrossing, California Dr Undercrossing, and Dry Creek.

Cost Estimate: \$960K Construction Capital

Schedule: PAED 5/11/10                      RTL 2/11                      AWD 6/3/11(Myers and Sons Construction)                      CCA 1/2014

Construction on hold, HQ and Bonding Agency are in negotiation.

**EA 2G430**

**Wall Repair NAPA 121-PM 0.3/2.0; In County of Napa**

Scope: Slope Repair/ Construct Soldier Pile Wall.

Cost Estimate: \$5M Construction Capital

Schedule:    AWD 1/20/2011 (Ghilotti Bro.)    CCA 12/2011

Director's Order as a follow up from Duhig

PID (Project Initiation Document)

PAED (Project Approval/ Environmental Document)

RWC (Right of Way Certification)

ADV (Advertise Contract)

PSR (Project Study Report)

RTL (Ready to List)

BO (Bid Open)

DED (Draft Environmental Document)

PSE (Plans, Specifications, and Estimate)

CCA (Construction Contract Acceptance)

AWD (Award Contract)

**EA 26413**

**Jameson Canyon NAPA 12-PM 0.2/3.3; In Napa County**

Scope: Jameson Canyon: Widen 2 lane to 4 lanes, construct a concrete median from SR 29 to the County Line.

Cost Estimate: \$29.2M

Schedule: PAED 1/31/08                      RTL 11/19/10      AWD 1/26/12 (Ghillotti Bros.)                      CCA 12/2015

**EA 26414**

**Jameson Canyon SOLANO 12-PM 0.0/2.6; In Solano County**

Scope: Jameson Canyon: Widen 2 lane to 4 lanes, construct a concrete median from the County Line to Red Top.

Cost Estimate: \$52M

Schedule: PAED 1/31/08                      RTL 12/1/10      AWD 1/11/12 (Ghillotti Const.)                      CCA 12/2015

**EA 4S020**

**Storm Damage NAPA 29-PM 41.0; In Napa County**

Scope: Reconstruct slope and replace culvert, 1.6 miles north of Tubbs Lane,

Cost Estimate: \$2.4M Construction Capital

Schedule: PAED 8/2/10                      RTL 6/21/12      AWD 12/27/12 (Gordon Ball)                      CCA 11/2018

**EA 4S030**

**Storm Damage NAPA 128-PM 10.3; In Napa County near Lake Hennessy**

Scope: Construct sheet pile wall at 2.8 miles east of Silverado Trail

Cost Estimate: \$1.3M Construction Capital

Schedule: PAED 8/2/10                      RTL 5/1/12      AWD 2/6/2013 (Gordon Ball)                      CCA 10/2017

**EA 2A110**

**Capell Creek Bridge NAPA 121-PM 20.2/20.4; In Napa County**

Scope: Bridge replacement at Capell Creek

Cost Estimate: \$3.4M Construction Capital

Schedule: PAED 6/22/11                      RTL 3/14/13      BO 7/24/13 (Current low bidder Gordon Ball) CCA 8/2015

***ACTION ITEMS***

PID (Project Initiation Document)

PAED (Project Approval/ Environmental Document)

RWC (Right of Way Certification)

ADV (Advertise Contract)

PSR (Project Study Report)

RTL (Ready to List)

BO (Bid Open)

DED (Draft Environmental Document)

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December 5, 2013  
TAC Agenda Item 8  
Continued From: November 2013  
**Action Requested: INFORMATION**

## NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY TAC Agenda Letter

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**TO:** Technical Advisory Committee (TAC)  
**FROM:** Kate Miller, Executive Director  
**REPORT BY:** Danielle Schmitz, Senior Planner  
(707) 259-5968 / Email: [dschmitz@nctpa.net](mailto:dschmitz@nctpa.net)  
**SUBJECT:** Measure T Program Update and Review of Master Agreement

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### **RECOMMENDATION**

That the TAC review the Measure T Master Agreement and provide comments to Napa County Transportation and Planning Agency (NCTPA) staff.

### **EXECUTIVE SUMMARY**

On November 6, 2012, the voters in Napa County approved Measure T, the Napa Countywide Road Maintenance Act. Measure T is a ½% sales tax expected to generate roughly \$300 million over a 25 year period beginning July 1, 2018, when the Measure A Flood Tax expires, and is to be used for the rehabilitation of local streets and roads.

NCTPA staff have been working with all six (6) jurisdictions eligible to receive Measure T funds to solidify a proposed process for consideration of the Measure T Independent Taxpayer Oversight Committee (ITOC) and the Napa Valley Transportation Authority (NVTA) Board.

### **FISCAL IMPACT**

Is there a Fiscal Impact? None.

### **BACKGROUND AND DISCUSSION**

On May 2, 2013, NCTPA staff presented a proposed call for projects to TAC for consideration. It was determined that a refined process be developed prior to requesting the ITOC and NVTA board approval to issue a call for projects. It was also staff's recommendation that a sub-committee of the TAC be formed to develop proposed processes.

On June 6, 2013, TAC approved the formation of the Measure T subcommittee made up of the City of Napa, Town of Yountville, County of Napa, and NCTPA staff. The Measure T subcommittee met on June 21, 2013 to discuss the Measure T application process. On July 23, 2013, the subcommittee met with the utility companies Comcast and AT&T to discuss how local jurisdictions and the utility providers can better communicate to allow for improved project planning and delivery. The committee also met with PG&E on August 23, 2013. NCTPA staff also met with Measure A staff to review invoicing processes and procedures. Also, on November 4, 2013 NCTPA staff met with jurisdiction's finance department to review and seek feedback on the proposed process and procedures.

The Measure T Expenditure Plan (Expenditure Plan) tasks NVTa to develop an inventory of projects and to ensure adherence with certain compliance elements in the plan. Even though the revenues are not anticipated to flow until 2018, there are a number of requirements and potential opportunities that have prompted staff to recommend moving forward with gathering data.

The subcommittee has tentatively agreed on the following conditions:

The ITOC is required by Measure T to review the minimum maintenance of effort, and the 5-year expenditure plan for each jurisdiction. They will also review the countywide goal of spending at least 6.67% of the amount of yearly Measure T allocations on Class I multipurpose paths. To meet the maintenance of effort requirements, each jurisdiction will submit its FY 2007-08, FY 2008-09, and FY 2009-10 State Controller's Street Report when submitting its five year proposed expenditure plan and related audits to validate expenditures. Thereafter, jurisdictions will submit its annual State Controller's Street Report and Comprehensive Annual Financial Report.

NCTPA has acquired the Street Saver Software to assist in the Measure T planning process.

#### Jurisdictions' Responsibilities:

- Provide the ITOC with the street report and Comprehensive Annual Financial Report to meet the maintenance of effort requirement
- Biennially, submit to NCTPA a 5-year expenditure plan
- Once a year (or more frequently if needed), submit any updates to the 5-year plan
- Provide NCTPA with their expenditures in meeting the Class I multipurpose path goal. Since this is not a part of the State Controller's report, a separate audit validation will be required,
- Provide proof of project expenditures (e.g. invoices along with quarterly report, working with Finance staff as noted below).

#### NCTPA's Responsibilities:

- Recommend approval of jurisdictions' draft expenditure plan to ITOC and the NVTa Board for their approval

- Allocate Measure T revenues
- Seek approval from the NVTA Board and ITOC on expenditure plans and allocations
- Validate maintenance of effort and Class I Multipurpose Path requirements and provide quarterly Measure T reports to the NVTA Board and ITOC
- Review and validate expenditures are consistent with 5-year expenditure plans
- Coordinate meetings with the utility providers

A final step prior to meeting with ITOC is to receive comment from Measure T-eligible jurisdictions on the Measure T Master Agreement. The Master Agreement summarizes requirements outlined in the Measure T Expenditure Plan and the procedures developed in partnership with the TAC and City, County, Town finance staff. The Draft Measure T Master Agreement is included as Attachment 1 to this memo. **TAC** members are asked to **provide comments** on the draft agreement **by Friday, December 13, 2013**.

### **SUPPORTING DOCUMENTS**

Attachments: (1) Draft Measure T Master Agreement

**MASTER FUNDING AGREEMENT  
THE NAPA VALLEY TRANSPORTATION AUTHORITY  
AND**

**NVTA AGREEMENT NO. \_\_\_\_\_**

This Agreement is made this \_\_\_\_ day of \_\_\_\_\_, 201\_, by and between the Napa Valley Transportation Authority, a California Joint Powers Authority, hereinafter referred to as "NVTA", and \_\_\_\_\_, hereinafter referred to as "Recipient."

**SECTION 1. RECITALS**

1. The voters of Napa County approved Measure T at the General Election held on November 6, 2012, thereby authorizing NVTA to administer the proceeds from a one-half cent transaction and use tax.
2. The tax proceeds will be used to pay for the projects outlined in the Measure T Expenditure Plan allocated to the County of Napa and the cities and town within Napa County ("Local Agencies") as set forth in Measure T.
3. Under the Measure T Expenditure Plan, Measure T funds are provided to the Local Agencies to be used for streets and roads projects as defined in the Measure.

**SECTION 2. PURPOSE OF FUNDING AGREEMENT**

This Agreement is entered into by and between NVTA and Recipient to document the funding conditions necessary for the Recipient to receive sales tax disbursements. This Agreement consists of additional documents which are incorporated in the Agreement by reference.

**TERMS**

**SECTION 3. BIKE LANE FUNDING.** Prior to any disbursements under this Agreement, the Local Agencies must demonstrate to NVTA that they have committed a collective 6.67% in eligible revenues of the value of the total annual allocations of Measure T funds to Class 1 Bike Lane projects identified in the adopted Countywide Bicycle Plan, as that Plan may be amended from time to time and as provided in the Measure.

**SECTION 4. MAINTENANCE OF EFFORT.** Prior to December 1, 2013, Recipient shall provide a copy of its Fiscal Year 2007-08, 2008-09 and 2009-10 Comprehensive Annual Financial Report and Street Report as submitted to the State Controller so that its average fiscal year street and roads costs can be determined. That amount will be deemed Recipient's "Maintenance of Effort," which must be maintained annually throughout the term of the Measure from sources other than Measure T revenues. At the beginning of each fiscal year, Recipient must certify to NVTA that it will meet its Maintenance of Effort expenditures that fiscal year, and

must provide a copy of its Comprehensive Annual Financial Report and Street Report by January 1 each calendar year showing that the Maintenance of Effort was met the prior fiscal year. In the event Recipient does not meet its annual expenditure for local Maintenance of Effort for three years, Recipient's allocation the following year shall be reduced by the difference between the Maintenance of Effort amount and the amount actually spent until the Maintenance of Effort requirement is met.

**SECTION 5. EXPENDITURE PLAN.** No later than January 1, 2018, and at least biennially thereafter, Recipient shall provide NVTA its five-year expenditure plan which outlines projects for maintenance, reconstruction or rehabilitation of its streets, roads, and related infrastructure within the public right of way.

#### **SECTION 6. ALLOCATION**

NVTA shall allocate to the Recipient on a quarterly basis by the 20<sup>th</sup> day following the end of each quarter a sum allotted to Recipient under Measure T provided Recipient has complied with the terms of this Agreement. The allocated funds will be disbursed to Recipient upon application certifying that the project will commence within six months following the disbursement. In the event the project is not commenced within six months following disbursement, future disbursements may be withheld.

#### **SECTION 7. COST ELIGIBILITY**

Cost eligibility shall be determined by NVTA based upon Recipient's approved biennial five-year project list. Funds may be expended only for streets and roads projects included on the project list.

#### **SECTION 8. BUDGET AND SCOPE**

Recipient shall maintain a project or program budget. Recipient shall carry out the project and shall incur obligations against and make disbursements of the grant in conformity with NVTA's requirements and the budget.

#### **SECTION 9. PROJECT MANAGEMENT**

Recipient shall be responsible for the project and provide for the management of consultant and contractor activities for which Recipient contracts, including responsibility for schedule, scope and budget.

#### **SECTION 10. PROJECT OVERSIGHT**

Recipient shall cooperate with NVTA staff or Measure T consultant team and shall timely provide any requested project information.

#### **SECTION 11. ATTRIBUTION AND SIGNAGE**

If any portion of grant funds is used for production of reports, acknowledgment of the NVTA's role shall be included in the documents. If any project funding receives \$250,000 or more, Recipient shall, upon initiation of field work or at the earliest feasible time thereafter, install and maintain a sign at the construction site identifying Measure T Napa County Road Maintenance

Act Tax Funds and NVTA (e.g., NVTA, Measure T and Recipient's logos – "Your Measure T Sales Tax Dollars at Work"). Recipient shall demonstrate compliance with attribution and signage requirements as an indispensable condition for authorization of future Measure T allocations.

## **SECTION 12. PRESS RELEASES**

Recipient shall notify NVTA in advance of any press releases about project and program activities, particularly groundbreakings and ribbon cuttings, in connection to grant funds expended from this Agreement.

## **SECTION 13. COMPLIANCE WITH LAW**

In the performance of its obligations pursuant to this Agreement, Recipient shall keep itself fully informed of the federal, state and local laws, ordinances and regulations in any manner affecting the performance of this Agreement, and must at all times comply with such laws, ordinances, and regulations as they may be amended from time to time.

## **SECTION 14. ENVIRONMENTAL COMPLIANCE**

Recipient shall undertake all environmental mitigation measures that may be identified as commitments in applicable documents (such as environmental assessments, environmental impact statements and reports, and memoranda of agreement) and comply with any conditions imposed as a part of a finding of no significant impact or a record of decision; all such mitigation measures are incorporated in this Agreement by reference. Recipient shall be responsible for obtaining all necessary environmental permits for performance of work.

## **SECTION 15. FINANCES**

All costs charged to the project shall be supported by properly prepared and documented time records, invoices, or vouchers evidencing in detail the nature and propriety of the charges.

## **SECTION 16. RECORDS**

All checks, payrolls, invoices, contracts, vouchers, journal entries, work orders, or other accounting documents pertaining in whole or in part to the project shall be maintained by Recipient for a period of five (5) years after the later of project closeout or termination of Agreement. Such project documents shall be clearly identified, readily accessible, and, to the extent feasible, kept separate and apart from all other similar documents not pertaining to the project.

## **SECTION 17. ELIGIBLE EXPENSES**

Recipient shall expend funds only on eligible direct expenses as follows: operating costs, direct staff time (salary and benefits), consultants; right of way engineering and acquisition costs (including permitting), and competitively bid construction contracts. Indirect costs (as defined by OMB Circular A-87) will not be considered an eligible expense. Funds shall also be expended according to the applicable provisions of the Expenditure Plan and of the Public Utilities Code Section 180000 et seq.

NVTA shall provide notice to Recipient of any audit determination if any expenditure made by Recipient is found not to comply with this Agreement, the Expenditure Plan or Measure T promptly after NVTA becomes aware of any such finding.

#### **SECTION 18. AUDITS**

Recipient shall cooperate with and allow NVTA's Auditor, or any of its duly authorized representatives, to inspect all work, materials, payrolls, and other data and records with regard to the Measure T projects, and to audit the books, records, and accounts of the Recipient and its contractors. Recipient shall provide NVTA its annual independent financial audit.

#### **SECTION 19. THIRD PARTY CONTRACT AUDITS**

NVTA reserves the right to request an audit of other third party contracts for any reason. If Recipient is subject to third party financial audit requirements imposed by another funding source, copies of audits performed in fulfillment of such requirements shall be provided to the NVTA.

#### **SECTION 20. PROJECT REPORTING AND CLOSEOUT PROCEDURES**

Recipient shall provide to NVTA a Quarterly Progress Report as shown in Exhibit C. This report shall include the total expenditures for the approved scope and an accounting of all revenues from all funding sources applied to the approved scope of work. Recipient shall provide supporting documentation for expenditures and revenues from its accounting and financial management system. Recipient shall certify that the amounts sought are only for project elements included in the Measure T Sales Tax Program Allocation Request Form.

#### **SECTION 21. REPAYMENT OF INELIGIBLE COSTS**

NVTA reserves the right to offset ineligible costs against future allocations.

#### **SECTION 22. RIGHT TO WITHHOLD**

If the above items are not provided to NVTA by the annual due date and/or such items are found not to be in compliance with this Agreement, Public Utilities Code Section 180000 et seq., the ballot measure or the Expenditure Plan, NVTA may withhold funds for future allocations from Recipient until Recipient has corrected any noted deficiencies to NVTA's satisfaction. While funds are being withheld, all interest on withheld funds shall be retained by NVTA as an administrative fee.

#### **SECTION 23. RESCISSION OF AUTHORIZATION OF FUNDS**

NVTA reserves the right to rescind its authorization of unneeded grant funds prior to, or at the time of, project closeout. Funds are determined to be unneeded if they are uncommitted at time of project closeout.

#### **SECTION 24. TERMINATION FOR CAUSE**

Recipient agrees that, upon ten (10) working days written notice, NVTA may suspend or terminate all or part of the allocations provided herein for failure to correct a breach of this Agreement. Any failure to make reasonable progress, inconsistency with the Expenditure Plan or Measure T Sales Tax Program Allocation Request Form, unauthorized use of grant funds as specified in this Agreement, or other violation of the Agreement that significantly endangers substantial performance of the project shall be deemed to be a breach of this Agreement and cause for termination. Upon such termination Recipient will repay NVTA any unexpended funds originally provided under this Agreement.

#### **SECTION 25. CORRECTION OF BREACH**

With respect to any breach which is reasonably capable of being cured Recipient shall have thirty (30) days from the date of notice of breach to initiate steps to cure. If Recipient diligently pursues cure, Recipient shall be allowed a reasonable time to cure or by a time established in writing by NVTA.

#### **SECTION 26. INDEMNIFICATION**

To the fullest extent permitted by law, NVTA and Recipient shall each defend, indemnify and hold harmless each other as well as their respective officers, agents, employees, volunteers or representatives from and against any and all liability, claims, actions, proceedings, losses, injuries, damages or expenses of every name, kind and description, including litigation costs and reasonable attorney's fees incurred in connection therewith, brought for or on account of personal injury (including death) or damage to property, arising out of or connected with any acts or omissions of that party or its officers, agents, employees, volunteers, or contractors or their subcontractors, when performing any activities or obligations required of that party under this Agreement. Each party shall notify the other party immediately in writing of any claim or damage related to activities performed under this Agreement. The parties shall cooperate with each other in the investigation and disposition of any claim arising out of the activities under this Agreement, providing that nothing shall require either party to disclose any documents, records or communications that are protected under peer review privilege, attorney-client privilege, or attorney work product privilege.

#### **SECTION 27. OBLIGATIONS**

In general, termination of financial assistance under this Agreement will not invalidate obligations properly incurred by Recipient before the termination date to the extent those obligations cannot be canceled.

#### **SECTION 28. INTEGRATION**

This Agreement represents the entire agreement of the parties with respect to the subject matter thereof. No representations, warranties, inducements or oral agreements have been

made by any of the parties except as expressly set forth herein, or in other contemporaneous written agreements.

**SECTION 29. AMENDMENT**

Except as otherwise provided herein, this Agreement may not be changed, modified or rescinded except in writing, signed by all parties hereto, and any attempt at oral modification of this Agreement shall be void and of no effect.

**SECTION 30. INDEPENDENT AGENCY**

Recipient performs the terms and conditions of this Agreement as an entity independent of NVTA. None of Recipient's agents or employees shall be agents or employees of NVTA.

**SECTION 31. ASSIGNMENT**

The Agreement may not be assigned, transferred, hypothecated, or pledged by any party without the express written consent of the other party.

**SECTION 32. BINDING ON SUCCESSORS, ASSIGNEES OR TRANSFEREES**

This Agreement shall be binding upon the successor(s), assignee(s) or transferee(s) of NVTA or Recipient, as may be the case. This provision shall not be construed as an authorization to assign, transfer, hypothecate or pledge this Agreement other than as provided above.

**SECTION 33. LEGAL EXPENSES**

Each party shall be solely responsible for and shall bear all of its own respective legal expenses in connection with any dispute arising out of this Agreement and the transactions hereby contemplated. Recipient may not use Measure T funds, or other NVTA or NCTPA programmed funds, for the aforementioned purpose.

**SECTION 34. SEVERABILITY**

Should any part of this Agreement be declared unconstitutional, invalid, or beyond the authority of either party to enter into or carry out, such decisions shall not affect the validity of the remainder of this Agreement, which shall continue in full force and effect; provided that the remainder of this Agreement can, absent the excised portion, be reasonably interpreted to give effect to the intentions of the parties.

**SECTION 35. ACCEPTANCE OF ALLOCATION**

Recipient does hereby declare that all written statements, representations, covenants, and materials submitted as a condition of this Agreement are true and correct and does hereby accept NVTA's allocations and agrees to all of the terms and conditions of this Agreement. The parties have executed this Agreement as of the date first written above.

**SECTION 36. EXHIBITS**

The following Exhibits are hereby made part of this AGREEMENT:

EXHIBIT A: Project Application Form

EXHIBIT B: Project Expenditure List

EXHIBIT C: Progress Report

Jurisdiction Name:

Primary Contract #1  Email:  Phone:

Secondary Contract #2  Email:  Phone:

Staff Member Completing S&R State Controller  Email:  Phone:

**Maintenance of Effort (MOE)**

Please provide the following information to establish MOE amounts and to validate information:

- Attach copies of Local Streets and Roads State Controller Reports for three years - FY 2007-08, FY 2008-09, FY 2009-10
- Attach independent auditors validation for each Local Streets and Roads State Controller Report
- Enter MOE Amounts Claiming: FY 2007-08  FY 2008-09  FY 2009-10

**MOE note:** Eligible expenses include local streets and roads maintenance and supporting infrastructure within the public right of way for pavement, sealing, overlays, reconstruction, associated infrastructure, as required, excluding any local revenues expended for the purpose of storm damage repair as verified by an independent auditor. One time allocations that have been expended for local streets and road maintenance, but which may not be available on an ongoing basis shall not be considered when calculating an agency's annual maintenance of effort.



# EXHIBIT B

## Measure T: Quarterly Expenditure List

Jurisdiction:

Qtr:

Project Name	Program	Measure T Request	Other Funds	Total Project Cost	Start Date	Location
	surface treatment					
	surface treatment					
	surface treatment					
	surface treatment					
	surface treatment					
	surface treatment					
	surface treatment					
	surface treatment					
	surface treatment					
	surface treatment					
<b>TOTALS</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		

EXHIBIT C

Measure T: Progress Report Form

Jurisdiction:  
Qtr:

Project Name	Program	Measure T Funds	Other Funds	Total Project Cost	Project Start Date	Location	Project Status	Estimated Completion Date	Backup Documentation Attached Y/N
	surface treatment								
	surface treatment								
	surface treatment								
	surface treatment								
	surface treatment								
	surface treatment								
	surface treatment								
	surface treatment								
<b>TOTALS</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>					



December 5, 2013  
TAC Agenda Item 9  
Continued From: NEW  
**Action Requested: INFORMATION/ACTION**

## NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY TAC Agenda Letter

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**TO:** Technical Advisory Committee (TAC)  
**FROM:** Kate Miller, Executive Director  
**REPORT BY:** Danielle Schmitz, Senior Planner  
(707) 259-5968 / Email: [dschmitz@nctpa.net](mailto:dschmitz@nctpa.net)  
**SUBJECT:** 2014 Technical Advisory Committee (TAC) Work Plan

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### **RECOMMENDATION**

That the TAC adopt the draft 2014 Work Plan.

### **EXECUTIVE SUMMARY**

NCTPA staff proposes the attached 2014 Work TAC Plan, featuring regular agenda items, transportation project funding cycles and special projects. A copy of the 2013 Work Plan has been provided for reference.

### **FISCAL IMPACT**

Is there a Fiscal Impact? No, this item only establishes the work program for the coming year. Individual budget items will be considered separately.

### **BACKGROUND AND DISCUSSION**

The NCTPA TAC is responsible for making recommendations to the NCTPA Board on the technical issues involved in transportation planning, funding, and related policies. NCTPA staff envision that 2014 will include both a familiar range of regular program monitoring in addition to the long range transportation plan, outlined in the draft 2014 TAC Work Plan, attached.

### **SUPPORTING DOCUMENTS**

Attachments: (1) NCTPA TAC 2014 Work Plan – DRAFT  
(2) NCTPA TAC 2013 Work Plan

NCTPA Technical Advisory Committee (TAC)  
Draft 2014 Work Plan

Item	Period
1. Review and approve monthly agenda for the NCTPA Board of Directors	Monthly
2. Review and Maintain Project Monitoring Reports for Federal and State Programs	Monthly
3. Review monthly Caltrans updates	Monthly
4. Review progress on development of the Napa Valley Vine Trail	Monthly
5. Review and approve elements of Measure T expenditure program	As needed
6. Partner in the development of NCTPA Countywide Transportation Plan	Monthly
7. Monitor progress of the Regional Transportation Plan (RTP), OBAG, PDA and PCA projects in Napa County.	Ongoing
8. Review and approve Active Transportation Advisory Committee (ATAC) appointments	As needed
9. Review ATAC findings relative to "complete streets" compliance of state and federally funded projects	As needed
10. Review and approve Transportation Development Act, part 3 (TDA-3) call for projects and project selection	January-February
11. Review and approve Transportation Fund for Clean Air (TFCA) call for projects and project selection	February-May
12. Review work products from the SR29 Gateway Corridor Study	As needed
13. Receive regular briefings on status of the countywide "Vine" transit system	Monthly
14. Receive briefing on the Travel Behavior Study Report	Spring
15. Consider and advise on development of new NCTPA fleet maintenance facility and CNG fueling depot	As needed
16. Appoint chair and vice-chair for 2015	December 2014
17. Receive State and Federal legislative updates	Monthly
18. Review and approve consultant contracts as necessary	As needed
19. Review work products of studies	As needed
20. Vine System overview	As needed
21. Other items as required	As needed

Other topics and issues of interest for the TAC in 2014

- Pavement Management Plans
- Congestion Management Planning
- The Napa-Solano Travel Demand Model
- Regional Housing Needs Allocation
- Other Infrastructure issues

**NCTPA Technical Advisory Committee (TAC)**  
**2013 Work Plan**  
**Revised 2/1/2013**

Item	Period	Complete(X) /In-Progress (x)
1. Appoint chair and vice-chair for 2013	January	X
2. Review and approve monthly agenda for the NCTPA Board of Directors	Monthly	X
3. Create and maintain consolidated transportation Capital Improvement Project listing for all jurisdictions	March	
4. Review monthly Caltrans updates	Monthly	X
5. Review progress on development of the Napa Valley Vine Trail	Monthly	X
6. Review and approve elements of Measure T expenditure program	April (if moved forward)	X
7. Review and approve Scope of Work, consultant selection and consultant reports for an update to the NCTPA Community Based Transportation Plan (transit).	Spring	
8. Review and approve elements of the 2013 Regional Transportation Plan (RTP) a. OBAG grant project selections b. PDA Development Strategy	February-June	X
9. Review and approve Active Transportation Advisory Committee (ATAC) appointments	As needed	X
10. Review ATAC findings relative to "complete streets" compliance of state and federally funded projects	As needed	X
11. Review and approve Transportation Development Act, part 3 (TDA-3) call for projects and project selection	April-June	x
12. Review and approve Transportation Fund for Clean Air (TFCA) call for projects and project selection	February-April	X
13. Review work products from the SR29 Gateway Corridor Study	March-September	x
14. Review and approve Scope of Work and consultant selection for update to NCTPA Strategic Transportation Plan, "Napa's Transportation Future" and partner in Plan Development	Fall	
15. Receive presentations and training on regional transportation planning	Spring	
16. Receive presentations and training on transportation funding process	Spring	
17. Receive regular briefings on status of the countywide "Vine" transit system	Monthly	X
18. Consider and advise on development of new NCTPA	March-June	x

**ATTACHMENT 2**  
**TAC Agenda Item 9**  
**December 5, 2013**

<b>fleet maintenance facility and CNG fueling depot</b>		
<b>19. Review and approve consultant contracts as necessary</b>	<b>As needed</b>	<b>X</b>
<b>20. Review work products of studies</b>	<b>As needed</b>	<b>X</b>
<b>21. Vine System overview</b>	<b>Monthly</b>	<b>X</b>
<b>22. Other Items as required</b>	<b>As needed</b>	<b>X</b>

**Other topics and issues of interest for the TAC in 2013**

- **Public Private Partnerships**
- **Pavement Management Plans**
- **Greenhouse Gas reduction**
- **Congestion Management Planning**
- **The Napa-Solano Travel Demand Model**
- **Regional Housing Needs Allocation**
- **Other infrastructure issues**



December 5, 2013  
TAC Agenda Item 10  
Continued From: NEW  
**Action Requested: INFORMATION**

## NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY TAC Agenda Letter

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**TO:** Technical Advisory Committee (TAC)  
**FROM:** Kate Miller, Executive Director  
**REPORT BY:** Kate Miller, Executive Director  
(707) 259-8634 / Email: [kmiller@nctpa.net](mailto:kmiller@nctpa.net)  
**SUBJECT:** DRAFT Countywide Strategic Transportation Plan Outline

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### **RECOMMENDATION**

That the TAC review and comment on the proposed structure of the 2014 25-year Countywide Transportation Plan and proposed presentation outline which will be presented to the Board at its January Board Retreat.

### **EXECUTIVE SUMMARY**

At the request of the Technical Advisory Committee Chair, Eric Whan, and in preparation of the January Board Retreat, staff has included as Attachment 1 a preliminary outline of the 2014-15 Countywide Plan. The plan will cover 25 years, will consider expansion and rehabilitation of Napa County's transportation infrastructure and its influence on the environment, development, and the economy.

### **FINANCIAL IMPACT**

Is there a fiscal impact? None.

### **BACKGROUND AND DISCUSSION**

Attachment 1 is a draft of the table of contents of the 2014-2015 Countywide Plan. Staff is requesting that the TAC review and provide comments on the proposed contents and structure of the plan.

Also, below is an outline that staff is using to prepare a slide presentation for the January Board Retreat.

- 
- Agency Goals and Objectives
    - Review existing Vision, Goals and Objectives
    - What has changed and is it still a good fit
  
  - Countywide Plan
    - Big Picture
      - Influence of SB 375
      - Balancing rehabilitation with increasing capacity
      - Diminishing revenues state/federal level – emphasis on self reliance
      - Need to be smart and creative to compete
      - United voice on priorities
    - Where we are now and what have we accomplished in the last plan?
      - Local Streets & Roads
      - Highways
      - Transit
      - Active Transportation
      - Land Use (PDA & RHNA)
    - Projections
      - Population
        - Age, income, ethnicity, language
      - Jobs and Housing
      - Climate changes
      - Traffic on major corridors/travel patterns
    - Key Needs
      - Rehabilitation of existing infrastructure
      - Improvements to 29
      - Maintenance/Fueling Facility
      - Active Transportation Improvements

### **SUPPORTING DOCUMENTS**

Attachments: (1) Napa's Transportation Future 2014 Update - DRAFT

*Draft Outline: NCTPA Countywide Strategic Transportation Plan*  
**Napa's Transportation Future**  
Update 2014

**I. Introduction**

**"Economy, Environment, and Equity"**

- a. **Transportation and the Economy**
  - i. **The Cost of Congestion**
  - ii. **Supporting a diverse market place**
    - 1. **Goods Movement**
    - 2. **Farm to Market**
  - iii. **Improving the jobs/housing balance**
    - 1. **Economic Diversity**
- b. **Transportation and the Environment**
  - i. **Auto emissions in Napa**
  - ii. **Reducing auto use (emission reduction results)**
    - 1. **Improving Active Transportation Network**
    - 2. **Encouraging Transit**
    - 3. **Travel Demand Management**
      - a. **Altering Work/School Times**
      - b. **Car/Van Pools**
      - c. **Other**
  - iii. **Investing in Alternative Fuel Infrastructure/Technologies**
  - iv. **Improved Land Use Coordination**
- c. **Equity**
  - i. **Access to jobs and housing for disadvantaged**
  - ii. **Safety and mobility for elderly, disabled, and youth**

**II. Preparing for the Future**

- i. **Demographics**
  - 1. **Age**
  - 2. **Race**
  - 3. **Income/ Poverty Status – Disadvantaged Communities and "Communities of Concern"**
  - 4. **Household characteristics**
- ii. **Travel Behavior –**
  - 1. **New Travel Behavior Study**
  - 2. **Commuting in Napa County**
  - 3. **Other Local trips**
  - 4. **Visitors**
- iii. **Economy**
- iv. **Land Use**

- III. Transportation Challenges**
  - a. Congested corridors**
  - b. Local Streets & Roads**
  - c. Other**
  
- IV. Existing Infrastructure and System Maintenance**
  - i. Street and Roads**
  - ii. Highways**
  - iii. Transit**
  - iv. Bicycle**
  - v. Pedestrian**
  - vi. Other**
  
- V. Improving Mobility – System Expansion**
  - i. Key infrastructure improvements (note: systems to be included within each category)**
    - 1. Highway**
    - 2. Local Streets and Roads**
    - 3. Transit**
    - 4. Bicycle**
    - 5. Pedestrian**
    - 6. Other**
      - a. Commute Alternatives**
      - b. Demand Management**
  
- VI. Planned Development**
  - a. Priority Development Areas**
    - i. American Canyon**
    - ii. City of Napa**
  - b. Other Projects/Developments**
  
- VII. Project development and Evaluation**
  - i. System Expansion**
    - 1. Highways**
    - 2. Transit**
    - 3. Active Transportation**
    - 4. Other**
  - ii. Nomination by jurisdictions**
    - 1. Constrained Project List**
    - 2. Wish List**
  - iii. Project Evaluation, Readiness, and Funding, Regional/Local Goals**
  - iv. Evaluation Results**
  
- VIII. Funding Projections**
  - i. Federal –**
  - ii. State**
  - iii. Local**

- IX. Appendix**
  - a. Modeling results**
  - b. Community Based Transportation Plan**
  - c. Active Transportation**
  - d. Bike Plan**
  - e. Travel Behavior Study**

DRAFT



December 5, 2013  
TAC Agenda Item 11  
Continued From: NEW  
**Action Requested: INFORMATION**

## NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY TAC Agenda Letter

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**TO:** Technical Advisory Committee (TAC)  
**FROM:** Kate Miller, Executive Director  
**REPORT BY:** Kate Miller, Executive Director  
(707) 259-8634 / Email: [kmiller@nctpa.net](mailto:kmiller@nctpa.net)  
**SUBJECT:** Legislative Update and State Bill Matrix

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### **RECOMMENDATION**

Information only.

### **EXECUTIVE SUMMARY**

The Board received a Federal legislative update and State legislative update (Attachment 1) from Platinum Advisors.

### **FINANCIAL IMPACT**

Is there a fiscal impact? None.

### **BACKGROUND AND DISCUSSION**

#### *Federal Update*

#### Government Shutdown

Last month, staff presented an oral report to the board that a deal was reached to resolve issues between House Republicans and Democrats over the budget and demands made by House Republicans to modify the Affordable Care Act. Specifically, an agreement was reached between Senate leaders Harry Reid (D-Nevada) and Mitch McConnell (R-Kentucky) that ended the 16-day federal government shutdown and averted defaulting on the federal government's \$16.7 trillion debt.

The agreement funds the federal government at post-sequestration spending levels through January 15, and extends its borrowing authority to February 7. The deal did not

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result in changes to the Affordable Care Act as demanded by House Republicans. The deal, did however, require that the House and Senate create a process for future budget negotiations by December 13th in order to avoid future shutdowns. The Reid-McConnell compromise resulted in an 81-18 vote in the Senate and 285-144 vote in the House to approve the Senate plan. President Obama signed the bill into law shortly thereafter.

Insiders are optimistic that Congress will pass an omnibus appropriations bill before the January 15 deadline when the continuing resolution will expire.

### *State Update*

See attached report from Platinum Advisors

### **SUPPORTING DOCUMENTS**

Attachments: (1) November 7, 2013 State Legislative Update  
(2) November 7, 2013 State Bill Matrix



November 7, 2013

TO: Kate Miller, Executive Director  
Napa County Transportation Planning Agency

FR: Steve Wallauch  
Platinum Advisors

**RE: Legislative Update**

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**The End:** The Legislature is in recess until January 6, 2014, and Governor Brown completed his actions on all bills sent to his desk. The sign veto tally is 800 bills signed and 96 bills vetoed. While the veto rate was low when compared to many other Administrations, the 11% veto rate is consistent with Governor Brown's prior veto rates of 12% in 2012 and 14% in 2011. Governor Brown still owns the record for the lowest veto rate of 1.8% set in 1982. The highest veto rate was by Governor Schwarzenegger in 2008 at 35%.

Again, all two-year bills must be out of their house of origin by the end of January in order to remain alive. In addition, bills held on the Suspense Files in either the Senate or Assembly Appropriations Committees are also considered two-year bills, but these measures rarely move forward once they are held.

**The Numbers:** The State received \$8.5 billion in tax revenues in September, beating expectations by \$427 million. The numbers for October should be available next week. Personal income taxes in September were up \$460 million, or 9.5%, primarily fueled by higher than forecasted capital gains taxes. Sales taxes were also up by \$167 million, or 9.7%. However, corporate tax receipts were below estimates by \$80 million, or 9.0%. For the first three months of the fiscal year general fund revenues reached \$20.2 billion, about \$100 million more than the Budget Act estimate.

**Mega-Projects:** The Senate Committee on Transportation & Housing will hold the first in a series of three hearings on November 13 in Sacramento to examine the delivery of "mega-projects." The hearings will build on Senator DeSaulnier's legislative efforts this past year. Governor Brown signed SB 425 (DeSaulnier), a scaled back proposal that which allows a public agency to create a peer review group for any project. Prior versions of the bill required establishing a peer review group for any project with a cost exceeding \$1 billion. In addition, the Governor vetoed SB 110 (DeSaulnier), which would have created a safety review task force for the east span of the Bay Bridge.

The planned series of hearings will focus on improving the oversight and minimizing risks associated with mega-projects. The November 13<sup>th</sup> hearing in Sacramento will provide background on prior mega-project experiences such as Boston's Big Dig. The remaining two hearings will look at the Bay Bridge project, and Caltrans management. The remaining two hearing have not been scheduled yet. The outcome of these hearings will help draft legislation for managing future mega-projects, such as High Speed Rail and the Delta water diversion project.

**Infrastructure Bank:** The Infrastructure and Economic Development Bank (I-Bank) adopted changes to its Infrastructure State Revolving Fund Program. The most significant changes are expanding the range of loans, and adding "Economic Expansion Projects" to the list of eligible projects. Prior loans ranged from \$250,000 to \$10 million. The new range is from \$50,000 to \$25 million, and larger loans can be approved if conditions warrant. The new category of Economic Expansion Projects includes educational, industrial, commercial, recreational, and social welfare projects. Infrastructure projects already eligible for loans, but will benefit from the higher limits, include city streets, county highways, as well as drainage, water supply and flood control projects.

**SGC Draft Guidelines:** The Strategic Growth Counsel (SGC) adopted the revised guidelines for the next round of grants from the Sustainable Communities Planning Grant & Incentive Program. The changes primarily focus the grant program on implementation of SB 375 and evaluation of project outcomes. The Department of Conservation it expected to open the solicitation process by the end of November, followed by a series of workshops. Applications would be due in February, and the SGC will award the funds at its May 19, 2014 meeting. Additional information and a copy of the guidelines can be found at: [http://sgc.ca.gov/planning\\_grants.html](http://sgc.ca.gov/planning_grants.html)

**Coordination:** The Governor's Reorganization Plan created the California State Transportation Agency (CalSTA), but it separated the Department of Housing & Community Development (HCD) from transportation. Given the increasingly important link between transportation and housing, the Reorganization Plan directed the CalSTA and the Business, Consumer Services & Housing Agency (BCSH) to coordinate policy and programs, but the Plan provided little direction on how to carry that out. Recently, the CalSTA and the BCSH Agency agreed to a "charter" outlining the coordination process. One of the objectives of the charter is to determine opportunities for integrated housing and transportation planning and investment.

The charter creates a Steering Committee that will meet quarterly to establish direction and goals, and monitor progress of meeting those priorities. This group includes the Secretaries from both agencies as well as the Directors from HCD, Caltrans, the CTC, and the California Housing Finance Agency. A subgroup, or Workgroup, will be formed consisting of the deputies as well as representatives from the Office of Planning & Research and the High Speed Rail Authority. While the charter mentions "transparency" these meetings will likely not be open to the public.

**Zero Emission Vehicles:** California signed on to an MOU with the states of New York, Massachusetts, Maryland, Connecticut, Rhode Island, Maryland, and Oregon to get 3.3 million zero emission vehicles on the road by 2025. These states will convene a taskforce to share

ideas on expanding the fueling and charging network for electric and hydrogen vehicles. The main purpose of this MOU is to pool each state's policy resources, share solutions, and primarily raise awareness about expanding the use of zero emission vehicles.

**Climate Agreement:** Governor Brown joined via teleconference Governor Kitzhaber of Oregon, Governor Inslee of Washington and the British Columbia Premier to announce what is being called an historic partnership that will align each state's policies on combating climate change and promoting clean energy. The transportation section of the compact seeks to harmonize 2050 greenhouse gas reduction targets, sets a goal of 10% zero emission vehicles for public and private fleets by 2016, adopting low carbon fuel standards, deploying high speed rail across the region, and support emerging markets and innovation for alternative fuels.

**Economic Summit:** This week LA will host the second California Economic Summit. The first Summit was held last year in Santa Clara. The focus of this summit will be investing in people and infrastructure and streamlining the regulatory process. While the "charters" for the "action teams" are posted, the Infrastructure Action Team is the only report available so far. Its main points include lowering the voter threshold to approve local taxes, increasing the fuel excise tax, expanding the use of design-build contracting, and enacting a new form of tax increment financing. *With the goal of increasing the use of zero emission vehicles and the reported decline in the use of gasoline, at some point these reports will need to start focusing on new methods to finance our transportation infrastructure that does not rely on the fuel excise tax.*

**AB 32 Scoping Plan:** Following a series of workshops this summer, the California Air Resources Board released a discussion draft of its AB 32 Scoping Plan update. The Board was provided a brief updated at the October 24<sup>th</sup> meeting, and a more in depth Board discussion on the Scoping Plan is set for the December meeting, which will provide an additional opportunity for public comment. The Board is not expected to adopt the updated Plan until spring 2014.

The discussion plan continues to focus on the same six areas – Energy, Transportation-Land Use-Fuels & Infrastructure, Agriculture, Water, Waste Management, and Natural & Working Lands. While the transportation piece focuses the implementation of sustainable communities strategies and goods movement, the new report also mentions several times the need to provide easy and equitable access to public transit and the need to expand the use of zero or near zero emission transit vehicles. A copy of the discussion draft AB 32 Scoping Plan can be found at: [http://www.arb.ca.gov/cc/scopingplan/2013\\_update/discussion\\_draft.pdf](http://www.arb.ca.gov/cc/scopingplan/2013_update/discussion_draft.pdf)

**Pension Reform Initiative:** A group of Mayors lead by San Jose Mayor Chuck Reed submitted an initiative proposal to enact the Pension Reform Act of 2014. Title and summary are expected to be complete by December 5, at which time signature gathering process may start in order to place this proposal on the November 2014 ballot.

The proposal would amend the California Constitution to remove the contractual right that pension and retiree health care benefits cannot be changed once the employee is hired. A copy of the draft initiative can be found here: <https://oag.ca.gov/system/files/initiatives/pdfs/13-0026%20%2813-0026%20%28Pension%20Reform%29%29.pdf>

**AB 1222 Implementation:** CalPERS is expected to send a notice to all affected transit operators explaining the implementation of AB 1222. This notice will be followed by an Employer Circular. The notice and circular will provide details to operators on how AB 1222 should be implemented, including what transit operators should do with any employee contributions collected under PEPRAs. This information will also be posted on CalPERS' Pension Reform Impact webpage at:

<http://www.calpers.ca.gov/index.jsp?bc=/member/retirement/pension-reform-impacts.xml&pst=ACT&pca=ST>

AB 1222 (Bloom & Dickinson) reflects an agreement reached between Governor Brown and US Department of Labor on a path forward on resolving whether California's recently enacted Public Employees' Pension Reform Act (PEPRA) conflicts with federal law. As you are aware USDOL notified transit operators in California that it is refusing to certify transit grants due to objections raised by labor groups that PEPRA infringes on federal law that protects the collective bargaining rights of transit employees.



November 7, 2013

*All two-year bills must be out of their house of origin by the end of January in order to remain alive. In addition, bills held on the Suspense Files in either the Senate or Assembly Appropriations Committees are also considered two-year bills, but these measures rarely move forward once they are held.*

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b>AB 431</b> <b>(Mullin D)</b> Regional transportation plan: sustainable communities</p>	<p>Although AB 431 was approved by the Assembly Local Government Committee, the author has agreed to make this a two-year bill due to concerns expressed by Self Help Counties and others.</p> <p>This bill is sponsored by the Nonprofit Housing Association of Northern California. This bill would authorize a transportation planning agency to place a sales tax measure covering a portion of its planning area. The expenditure plan must allocate 25% of the funds to each of the following: transportation, housing and parks &amp; recreation.</p>	<p>ASSEMBLY TRANSP – Two Year Bill</p>	<p>WATCH</p>
<p><b>AB 513</b> <b>(Frazier D)</b> Tire recycling program: rubberized asphalt.</p>	<p>AB 513 establishes the Rubberized Asphalt Concrete (RAC) Market Development Act, which expands and codifies CalRecycle’s existing RAC grant program. This bill would provide state and local entities increased funding for paving projects that use waste tires. AB 513 directs CalRecycle to allocate \$10 million annually for these grants.</p>	<p>Signed Into Law Chapter 499</p>	<p>SUPPORT</p>

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b>AB 574</b> <b>(Lowenthal D)</b> California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: sustainable communities strategies.</p>	<p>AB 574 was held on the Assembly Appropriations Committee's Suspense File. This essentially means this bill is dead. However, efforts are being pursued to incorporate AB 574 or a similar proposal into the budget process. The other measures, AB 416 and AB 1051, which also created grant programs for cap &amp; trade revenues were also held on the Suspense File.</p> <p>AB 574 establishes a regional competitive grant programs for projects that combine transportation investments with local land use changes. It is designed to implement regional GHG reducing plans in the most cost effective way while encouraging innovation, collaboration, and flexibility to address local needs and achieve the greatest GHG emission reductions.</p> <p>Eligible investments under the program include:</p> <ul style="list-style-type: none"> <li>• Funding for transit operations, maintenance, and infrastructure;</li> <li>• Clean transportation fueling infrastructure;</li> <li>• Transportation demand management;</li> <li>• Road and bridge maintenance and retrofits for complete streets, bike and pedestrian enhancements;</li> <li>• Safe routes to schools;</li> <li>• Regional and interregional rail modernization;</li> <li>• Community infrastructure to support transit oriented developments, affordable housing, infill, and walkable communities, and</li> <li>• Other uses that reduce GHG emissions.</li> </ul>	<p>ASSEMBLY APPR – Held on Suspense  Two Year Bill</p>	<p>SUPPORT</p>

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b>AB 1002</b> <b>(Bloom D)</b> Vehicles: registration fee: sustainable communities strategies.</p>	<p>AB 1002 remains in the Assembly Local Government Committee. Because this bill is a “tax” measure, it is exempt from the hearing deadlines and technically can be heard at any time. However, passage of this bill does require a 2/3 vote on the Floor, and movement is unlikely.</p> <p>This bill includes a proposal to impose a \$6 tax to the registration of each vehicle. The revenue would be deposited into the Sustainable Communities Subaccount, which the bill creates, and the proceeds would be distributed as follows:</p> <ul style="list-style-type: none"> <li>• 50% appropriated to cities and counties on a per capita basis for planning and implementation of sustainable communities strategies.</li> <li>• 40% appropriated to transportation commissions and transit operators to support transit operations and expand reduced fare programs. The bill does not specify how the funds would be allocated.</li> <li>• 10% appropriated to MPOs and RTPAs to be used for competitive grants for implementing sustainable communities strategy programs.</li> </ul>	<p>ASSEMBLY LOC GOV Two-Year Bill</p>	<p>WATCH</p>
<p><b>AB 1222</b> <b>(Bloom D)</b> Public employees' retirement: collective bargaining: transit workers: transportation.</p>	<p>AB 1222 creates a one year exemption from PEPR (January 1 2015) for transit employees covered under the federal law. If the court determines PEPR is in compliance with the Section 13(c) of the Federal Transit Act then the 1 year exemption will sunset. If the court says PEPR is not in compliance then the exemption will be permanent. The one year exemption should allow other transit districts to receive federal funds while the litigation is proceeding.</p>	<p>Signed Into Law Chapter 527</p>	<p>WATCH</p>

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b>AB 1290</b> <b>(John A. Pérez D)</b> Transportation planning.</p>	<p>Governor Brown Vetoed AB 1290.</p> <p>The veto message stated, <i>“The author's intent for this bill is to ensure the state's transportation planning policy focuses on air quality and land use issues. The Governor's Reorganization Plan that went into effect July 1 of this year requires the Department of Transportation, the Department of Housing and Community Development, and the Commission to coordinate housing and transportation policies and programs. I think these changes will fully satisfy the author's objectives for this bill.”</i></p> <p>The bill proposed to expand the number of Commissioners from 13 to 15 members. Appointments made by the Senate and Assembly would increase from one to two each. However, one of the appointees made by the Senate and one by the Assembly would be a voting member. The other would be a nonvoting ex-officio member. The bill would also specify that the Chairperson of CARB would be an ex-officio member of the CTC.</p> <p>The bill also directs the CTC to monitor outcomes from land development and transportation investments pursuant to the sustainable communities strategies (SCS). The bill also requires RTPA's that prepare a SCS to report to the CTC on the progress in implementing the SCS, and the CTC must include an assessment of the SCS reports in the CTC's annual report.</p>	Vetoed	WATCH

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b>AB 1371</b> <b>(Bradford D)</b> Vehicles: bicycles: passing distance</p>	<p>AB 1371 would enact the "Three Feet for Safety Act." The purpose of this bill is to enable motorists to pass bicyclist at a safe distance of at least 3 feet. This proposal is similar to SB 910 (Lowenthal), which was vetoed by the Governor.</p> <p>AB 1371 authorizes drivers on two-lane highways to drive to the left of double solid yellow or other similar pavement markings to pass a bicyclist proceeding in the same direction if:</p> <ul style="list-style-type: none"> <li>• The left side of the road is clearly visible and free of oncoming traffic for a sufficient distance to permit the passing without interfering with the safe operation of vehicles approaching from the opposite direction, and,</li> <li>• The driver operates to the left of the pavement markings only as long as reasonable necessary to complete the passing maneuver.</li> </ul>	<p>Signed Into Law Chapter 331</p>	<p>SUPPORT</p>
<p><b>SB 1</b> <b>(Steinberg D)</b> Sustainable Communities Investment Authority.</p>	<p>SB 1 as approved by the Senate with a vote of 27-11. The bill is now awaiting referral to a policy committee on the Assembly.</p> <p>This bill would create a new form of tax increment financing that would allow local governments to create a Sustainable Communities Investment Authority to finance specified activities within a sustainable communities investment area.</p>	<p>Senate Floor -- Inactive File Two-Year Bill</p>	<p>WATCH</p>
<p><b>SB 469</b> <b>(Corbett D)</b> Public contracts: local agencies: public transit vehicles.</p>	<p>SB 469 would require a local entity when awarding a contract to procure public transit buses to give a 10% preference to any bidder that agrees to manufacture the vehicles in California.</p>	<p>SENATE T. &amp; H – Two-Year Bill</p>	<p>WATCH</p>

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b>SB 556</b> <b>(Corbett D)</b> Agency: ostensible: nongovernmental entities.</p>	<p>Previously SB 556 would prohibit nongovernmental person or entity contracting with a public agency from displaying a seal or emblem of that public agency on a uniform or vehicle unless a disclosure statement is also conspicuously displayed identifying the uniform wearer or vehicle operator as not a government employee.</p> <p>SB 566 was amended on September 4th to limit the application of the disclosure requirements to contracts dealing with public health or safety services. The bill no longer applies to any transit service contracts.</p>	<p>Assembly Floor – Inactive File  Two-Year Bill</p>	<p>WATCH</p>
<p><b>SB 613</b> <b>(DeSaulnier D)</b> Bay Area Toll Authority</p>	<p>SB 613 would generally prohibit the use of Bay Area Toll Authority (BATA) revenues from being used to invest in real estate. In addition, the bill would limit direct contributions from BATA to MTC to 1% of gross annual toll bridge revenues. The bill would allow additional contributions from BATA to MTC in the form of a loan to be repaid with interest. The total amount of loans could not exceed 1% of gross annual bridge toll revenue.</p>	<p>Signed Into Law Chapter 603</p>	<p>WATCH</p>
<p><b>SB 791</b> <b>(Wyland R)</b> Motor vehicle fuel tax: rate adjustment</p>	<p>SB 791 remains in the Senate Committee on Transportation &amp; Housing. The author pulled the bill from the April 30<sup>th</sup> agenda.</p> <p>SB 791 would eliminate the requirement for the BOE to adjust the “fuel swap” excise tax on annual basis, and instead require any calculated increase to be approved by a 2/3 vote of the legislature.</p> <p>SB 791 would strip this responsibility from the BOE, and require the Department of Finance to perform this calculation. If the calculation shows that the swap excise tax should be reduced then that adjustment if automatically made. If, however, the calculation results in an increase in the swap excise tax rate, the DOF must report that outcome to the Joint Legislative Budget Committee by March 1 each year. The proposed increase must be approved by a 2/3 vote of each house in order to take effect.</p>	<p>SENATE T &amp; H – Two Year Bill</p>	<p>OPPOSE</p>

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b>SB 792</b> <b>(DeSaulnier D)</b> Regional entities: Bay Area.</p>	<p>SB 792 directs the Joint Policy Committee to prepare a regional organization plan with the goal of reducing overhead costs and integration of regional planning requirements. The plan shall be submitted to the JPC by December 31, 2014, and the JPC shall hold hearings in each county before adopting the plan by June 30, 2015.</p> <p>The bill also directs the JPC to develop community outreach policies, maintain a website, and beginning on January 1, 2014, the JPC shall review the plans and policies for implementing the sustainable communities strategy.</p>	<p>SENATE APPR. – Held of Suspense  Two Year Bill</p>	<p>WATCH</p>
<p><b>SCA 4</b> <b>(Liu D)</b> Local government transportation projects: special taxes: voter approval.</p>	<p>SCA 4 was approved by the Senate Committee on Transportation &amp; Housing, and has since been referred to the Senate Committee on Appropriations.</p> <p><i>Senator Liu accepted as author's amendments two suggested amendments listed in the Senate Transportation Committee analysis for SCA 4 and SCA 8. This first change would require a percentage of the sales tax revenue be used for projects the reduce GHG emissions from transportation sources. The second change would require a portion of the funds used on state highway project be given to the state for future maintenance needs. Senator Corbett did not accept these amendments, but committed to continue discussions about these proposed changes.</i></p> <p>This measure would amend the Constitution to lower the voter approval threshold to 55% for the imposition, extension, or renewal of a local tax for transportation projects. SCA 4 was amended to require a local measure to include the following in order to be approved with a 55% vote:</p> <ul style="list-style-type: none"> <li>• Includes a specific list of projects and programs that will be funded and limits the use of the funds for those purposes,</li> <li>• Includes a requirement for annual audits, and</li> <li>• Requires the creation of a citizens' oversight committee.</li> </ul>	<p>SENATE APPRS – Two-Year Bill</p>	<p>SUPPORT &amp; SEEK AMENDMENTS</p>

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b>SCA 8</b> <b>(Corbett D)</b> Local government transportation projects: special taxes: voter approval.</p>	<p>SCA 8 was approved by the Senate Committee on Transportation &amp; Housing, and has since been referred to the Senate Committee on Appropriations.</p> <p><i>The Senate Transportation Committee analysis for SCA 4 and SCA 8 propose two amendments. While Senator Liu agreed to amend SCA 4 to include these changes, Senator Corbett declined to make these change.</i></p> <p><i>This first suggested change would require a percentage of the sales tax revenue be used for projects the reduce GHG emissions from transportation sources. The second change would require a portion of the funds used on state highway project be given to the state for future maintenance needs. In addition, at the hearing housing advocates requested an amendment allowing the use of these sales tax funds for low income infill housing.</i></p> <p>SCA 8 is another measure that would amend the Constitution to lower the voter approval threshold to 55% for the imposition, extension, or renewal of a local tax for transportation projects. SCA 8 was also amended to require a local measure to include the following in order to be approved with a 55% vote:</p> <ul style="list-style-type: none"> <li>• Includes a specific list of projects and programs that will be funded and limits the use of the funds for those purposes,</li> <li>• Includes a requirement for annual audits, and</li> <li>• Requires the creation of a citizens' oversight committee.</li> </ul>	<p>SENATE APPRS – Two-Year Bill</p>	<p>SUPPORT</p>

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b>SCA 11</b> <b>(Hancock D)</b> Local government: special taxes: voter approval.</p>	<p>SCA 11 was approved by the Senate Committee on Elections &amp; Constitutional Amendments. The measure has since been referred to the Senate Committee on Appropriations.</p> <p>SCA 11 is an “umbrella measure” on lowering the voter threshold from 2/3 to 55% for local sales taxes and parcel taxes. This measure would lower the vote threshold for any purpose. Since it applies to any special tax, this measure was not sent to Senate Transportation &amp; Housing.</p> <p>Similar to SCA 4 and SCA 8, SCA 11 was also amended to require the following elements in the local measure in order to be approved by 55%:</p> <ul style="list-style-type: none"> <li>• Includes a specific list of projects and programs that will be funded and limits the use of the funds for those purposes,</li> <li>• Includes a requirement for annual audits, and</li> <li>• Requires the creation of a citizens’ oversight committee.</li> </ul>	<p>SENATE APPRS – Two-Year Bill</p>	<p>SUPPORT</p>



December 5, 2013  
TAC Agenda Item 12  
Continued From: NEW  
**Action Requested: ACTION**

## NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY TAC Agenda Letter

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**TO:** Technical Advisory Committee (TAC)  
**FROM:** Kate Miller, Executive Director  
**REPORT BY:** Renee Kulick, Administrative Technician  
(707) 259-8780 / Email: rkulick@nctpa.net  
**SUBJECT:** Selection and Nomination of Chairperson and Vice Chairperson of  
the Technical Advisory Committee (TAC)

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### **RECOMMENDATION**

By Motion: Select and nominate a new Chair and Vice Chair of the Technical advisory Committee (TAC) for an annual term beginning on January 1<sup>st</sup> of each year.

### **EXECUTIVE SUMMARY**

On May 1, 2011, the NCTPA Board of Directors approved changes to the TAC by-laws. The changes did not alter the composition or structure of the committee but appointed its members to take on a more active role to among other things, oversee the proceedings of the Committee. At their first meeting of the year, the by-laws require that committee members appoint a new Chair and Vice Chair.

### **FISCAL IMPACT**

Is there a Fiscal Impact? None

### **BACKGROUND AND DISCUSSION**

On May 5, 2011, the TAC action and recommended approval of revisions made to the TAC by-laws to the NCTPA Board of Directors. Below is the section pertaining to the election of officers:

## **Article IV OFFICERS**

### **§4.1 Chairperson and Vice Chairperson**

The Committee shall elect from its membership a chairperson and a vice chairperson at its first meeting of the calendar year, to serve for a one-year term. The chairperson shall preside at all meetings of the Committee and represent the Committee before the Board of Directors. The vice chairperson shall perform the duties of the chairperson when the chairperson is absent. In the event of a vacancy in the chairperson's position, the vice chairperson shall succeed as chairperson for the balance of the chairperson's term, and the Committee shall elect a successor to fill the vacancy in the vice chairperson's position as provided below.

The Committee may appoint a nominating committee to nominate Committee members for the positions of chairperson and vice chairperson. Members willing to serve in either of these positions may submit their names to the nominating committee for nomination. Members may also submit names of other members for nomination. The nominating committee shall verify that members whose names have been submitted are willing to serve in those positions. The nominating committee may submit to the Committee the names of those members whom it has nominated and recommends for election. Notwithstanding these procedures, any member may nominate a member from the floor.

The Chairperson shall appoint a Secretary who will be responsible for preparing meeting minutes.

### **SUPPORTING DOCUMENTS**

Attachments: (1) TAC By-laws

## BYLAWS FOR THE TECHNICAL ADVISORY COMMITTEE

### Article I GENERAL PROVISIONS

#### §1.1 Purpose

These Bylaws govern the proceedings of the Technical Advisory Committee (TAC), an advisory committee established by the Board of Directors of the Napa County Transportation and Planning Agency (NCTPA).

### Article II DUTIES AND AUTHORITY

#### §2.1 Duties

The Committee shall advise the NCTPA Board of Directors on transit and roadway issues, including planning, project, and policy aspects which are referred to the Committee either by the Board or the Executive Director.. It shall be the members' responsibility to keep their respective appointing agencies informed of key issues, facilitate communication between those agencies and NCTPA, and to help build the consensus necessary to advise the NCTPA regarding policy decisions.

#### §2.2 Limitations on Authority

The Committee shall serve in an advisory capacity to the Board of Directors. It shall have no independent duties and no authority to take actions that bind NCTPA or the Board of Directors. No expenditures or requisitions for services and supplies shall be made by the Committee and no individual member thereof shall be entitled to reimbursement for travel or other expenses except as authorized by the Board of Directors.

### Article III MEMBERSHIP

#### §3.1 Membership

The Committee shall be composed of the NCTPA Executive Director, serving ex-officio, one member nominated by the Paratransit Coordinating Council (PCC) and appointed by the NCTPA Board, and 12 members and their alternates, each of whom shall be a staff member of each Member Agency. Two members and two alternates shall be appointed by the chief administrative officer of each Member Agency and shall serve at the pleasure of the Member Agency. In addition the Metropolitan

Transportation Commission and the California Department of Transportation (Caltrans) may each appoint one ex-officio member and one alternate, who shall not be counted for purposes of establishing a quorum and who shall have no voting rights.

<u>Agency</u>	<u>Delegates (Alternates)</u>	
City of American Canyon	2	(2)
City of Calistoga	2	(2)
City of Napa	2	(2)
City of St. Helena	2	(2)
County of Napa County	2	(2)
Town of Yountville	2	(2)
Paratransit Coordinating Council	1	(1)
NCTPA Executive Director	1	
Metropolitan Transportation Commission	1	(1)
Caltrans	1	(1)

**§3.2 Member Terms**

Members and alternates of the Committee shall serve continuously until resignation or replacement by their respective appointing authorities.

**§3.3 Vacancies**

Vacancies shall be filled by the body that made the original appointment.

**Article IV  
OFFICERS**

**§4.1 Chairperson and Vice Chairperson**

The Committee shall elect from its membership a chairperson and a vice chairperson at its first meeting of the calendar year, to serve for a one-year term. The chairperson shall preside at all meetings of the Committee and represent the Committee before the Board of Directors. The vice chairperson shall perform the duties of the chairperson when the chairperson is absent. In the event of a vacancy in the chairperson’s position, the vice chairperson shall succeed as chairperson for the balance of the chairperson’s term, and the Committee shall elect a successor to fill the vacancy in the vice chairperson’s position as provided below.

The Committee may appoint a nominating committee to nominate Committee members for the positions of chairperson and vice chairperson. Members willing to serve in either of these positions may submit their names to the nominating committee for nomination. Members may also submit names of other members for nomination.

The nominating committee shall verify that members whose names have been submitted are willing to serve in those positions. The nominating committee may submit to the Committee the names of those members whom it has nominated and recommends for election. Notwithstanding these procedures, any member may nominate a member from the floor.

The Chairperson shall appoint a Secretary who will be responsible for preparing meeting minutes.

#### **§4.2 Staff Resources**

The NCTPA shall furnish clerical services to prepare and distribute the Committee's agendas, notices, minutes, correspondence and other documents and shall assign an employee to attend each meeting of the Committee to serve in the capacity as the Committee's staff. The NCTPA shall maintain a record of all proceedings of the Committee as required by law and shall perform other duties as provided in these Bylaws.

### **Article V MEETINGS**

#### **§5.1 Regular Meetings**

Regular meetings shall be held at such time and place and may from time to time be determined by the TAC.

#### **§5.2 Special Meetings**

A special meeting may be called by the chairperson. The meeting may be called and noticed as provided in Section 5.3 below. (For a general description of the noticing procedures, see the Rules of Procedure of the Board of Directors.)

#### **§5.3 Calling and Noticing of Meetings**

All meetings shall be called, noticed and conducted in accordance with the applicable provisions of the Ralph M. Brown Act (commencing with Section 54950 of the Government Code). The Executive Director and General Counsel shall be given notice of all meetings. The Committee shall meet at least once a month, unless the Committee's activities are suspended.

#### **§5.4 Quorum; Vote**

Six Committee members representing four member agencies shall constitute a quorum for the transaction of business at any meeting of the TAC. All acts of the

Committee shall require the presence of a quorum and the affirmative vote of a majority of the total membership present.

#### **§5.5 Alternates**

If a Committee member represented by an alternate is absent from all or a portion of a meeting, the alternate shall be seated in that Committee member's seat and vote in the place of the absent member. An alternate shall be counted as part of the Committee quorum only when seated in the place of an absent member.

#### **§5.6 Thirty Minute Rule**

If a quorum has not been established within thirty minutes of the noticed starting time for the meeting, the meeting shall be cancelled..

#### **§5.7 [Reserved]**

#### **§5.8 [Reserved]**

#### **§5.9 Time Limits for Public Speakers**

Each member of the public appearing at a Committee meeting may be limited to three minutes in his or her presentation, unless the chairperson, at his or her discretion, permits further remarks to be made. Any person addressing the Committee may submit written statements, petitions or other documents to complement his or her presentation.

#### **§5.10 Impertinence; Disturbance of Meeting**

Any person making personal, impertinent or indecorous remarks while addressing the Committee may be barred by the chairperson from further appearance before the Committee at that meeting, unless permission to continue is granted by an affirmative vote of the Committee. The chairperson may order any person removed from the Committee meeting who causes a disturbance or interferes with the conduct of the meeting, and the chairperson may direct the meeting room cleared when deemed necessary to maintain order.

#### **§5.11 Access to Public Records Distributed at Meeting**

Writings distributed during a Committee meeting shall be made available for public inspection at the meeting if prepared by NCTPA or a member of the Committee, or after the meeting if prepared by some other person.

### **Article VI AGENDAS AND MEETING NOTICES**

## **§6.1 Agenda Format and Content**

The agenda shall specify the starting time and location of the meeting and shall contain a brief general description of each item of business to be transacted or discussed at the meeting. The description shall be reasonably calculated to adequately inform the public of the subject matter of each agenda item.

Items may be referred for inclusion on an agenda by: (1) the NCTPA Board of Directors; (2) the NCTPA Executive Director; or (3) the Committee Chairperson. The order of business shall be established by the chair and vice chair with the approval of the NCTPA Executive Director.

## **§6.2 Public Comments**

Each agenda for a regular meeting shall provide an opportunity for members of the public to address the Committee on matters within the Committee's purview, either before or during the Committee's consideration of the item if it is listed on the agenda, or during "Public Comment" if it is not listed on the agenda. The Committee shall not act upon an item that is not listed on the agenda..

## **§6.3 Agenda Preparation**

The NCTPA Administrative Assistant shall prepare the agenda for each meeting in consultation with NCTPA staff and the chairperson. Material intended for placement on the agenda shall be delivered to the NCTPA Administrative Assistant on or before 12:00 Noon on the date established as the agenda deadline for the forthcoming meeting. The NCTPA Executive Director may withhold placement on the agenda of any matter which is not timely received, lacks sufficient information or is in need of staff review and report prior to Committee consideration.

## **§6.4 Agenda Posting and Delivery**

The written agenda for each regular meeting and each meeting continued for more than five calendar days shall be posted by the NCTPA Administrative Assistant at least 72 hours before the meeting is scheduled to begin. The written agenda for every special meeting shall be posted by the NCTPA Administrative Assistant at least 24 hours before the special meeting is scheduled to begin. The agenda shall be posted in a location that is freely accessible to members of the public. The agenda, together with supporting documents, shall be delivered to each Committee member, the Executive Director and General Counsel at least five days before each regular meeting and at least 24 hours before each special meeting.

## **§6.5 Meeting Notices**

The NCTPA Administrative Assistant shall mail notice of every meeting to each person who has filed with NCTPA a written request for notice as provided in Section

54954.1 of the Government Code. The notice shall be mailed at least one week prior to the date set for the meeting. Notice of special meetings called less than seven days prior to the date set for the meeting shall be given at least 24 hours in advance.

**Article VII**  
**MISCELLANEOUS**

**§7.1 Adoption and Amendment of Bylaws**

These Bylaws shall be adopted and amended by the Committee by the affirmative vote of a majority of its total membership and with the approval of the Board of Directors.

**§7.2 Parliamentary Procedure**

The rules contained in the "Standard Code of Parliamentary Procedure", by A. Sturgis, shall govern the Committee in all cases to which they are applicable and not inconsistent with the Bylaws of the Committee.