



Technical Advisory Committee

AGENDA

Thursday, February 2, 2012
2:00 p.m.

NCTPA Conference Room
707 Randolph Street, Suite 100
Napa CA 94559

General Information

All materials relating to an agenda item for an open session of a regular meeting of the 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, 707 Randolph Street, Suite 100, 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, click on Minutes and Agendas – TAC or go to www.nctpa.net/bod-c/adv-committees/tac.html

ITEMS

1. Call to Order
2. Approval of Meeting Minutes – January 5, 2012
3. Public Comment
4. TAC Member and Staff Comments
5. Standing
 - CalTrans Report (*Attachment 1*)
 - CMA Report

- SB 375/Sustainable Communities Strategy
 - RHNA/Sub-Region Formation
 - Housing/SCS Methodology Committee
 - Vine Trail Report
 - RTIP/STIP
6. Transportation Funding and Project Delivery Requirements – Presentation (Kenneth Kao & Theresa Romell, Metropolitan Transportation Commission) (Attachment 1)

REGULAR AGENDA ITEMS

RECOMMENDATION

7.	<p>Transportation Sales Tax Consideration (Paul W. Price) (pages 11-30)</p> <p>Review Transportation Sales Tax ballot language established in proposed Ordinance No. 12-01 and the Revenue and Expenditure Plan to be recommended for approval to the NCTPA Board of Directors on February 15, 2012.</p>	ACTION
8.	<p>State Route 29 Corridor Planning and Studies (Eliot Hurwitz) (pages 31-42)</p> <p>Review proposed scope of work for the Community-Based SR29 Gateway Corridor Improvement Plan to be recommended for approval to the NCTPA Board of Directors on February 15, 2012.</p>	ACTION
9.	<p>NCTPA Board of Directors Agenda for February 15, 2012 (Draft) (Paul W. Price) (pages 43-47)</p> <p>Preview draft version of the NCTPA Board of Directors Agenda for February 15, 2012.</p>	INFORMATION
10.	<p>Topics for Next Meeting</p> <ul style="list-style-type: none"> ○ Discussion of topics for next meeting by TAC members. 	DISCUSSION
11.	<p>Approval of Next Regular Meeting Date of March 1, 2012 and Adjournment</p>	APPROVE

TECHNICAL ADVISORY COMMITTEE

DELEGATES AND ALTERNATES

	<u>Agency</u>
Michael Throne, Delegate (Chair) Brent Cooper, Delegate Vacant, Alternate Vacant, Alternate	City of American Canyon
Ken MacNab, Delegate Dan Takasugi, Delegate Derek Rayner, Alternate Erik Lundquist, Alternate	City of Calistoga
Cassandra Walker, Delegate Eric Whan, Delegate Jason Holley, Alternate Rick Tooker, Alternate	City of Napa
John Ferons, Delegate Greg Desmond, Delegate Debra Hight, Alternate (Vice Chair) Vacant, Alternate	City of St. Helena
Rick Marshall, Delegate John McDowell, Delegate Paul Wilkinson, Alternate Hillary Gitelman, Alternate	County of Napa
Graham Wadsworth, Delegate Steve Rogers, Delegate Bob Tiernan, Alternate Sandra Smith, Alternate	Town of Yountville
JoAnn Busenbark, Delegate Vacant, Alternate	Paratransit Coordinating Council

Caltrans Report

PROJECT INITIATION DOCUMENT

EA 0A500

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

Scope: Repair curb ramps, cross walk and sidewalk

Cost Estimate: TBD

EA 0G650

Garnett Creek Bridge Replacement NAP 29-PM 39.1: In Napa County

Scope: Scour Mitigation at Garnett Creek

Cost Estimate: \$20M Capital

EA 1G430

Conn Creek Bridge Scour Mitigation NAP 128-PM R7.4: In Napa County

Scope: Repair the pier walls for scour at Conn Creek Bridge

Cost Estimate: \$5M Capital

EA 3G640

Napa River Bridge Scour Mitigation NAP 29 37.0: In City of Calistoga

Scope: Reconstruct a bridge at Napa River Bridge

Cost Estimate: \$10M Capital

EA 3G140

ADA Curb Ramps NAP 29 and 128 : In County of Napa

Scope: Update and Construct curb ramps at various locations.

Cost Estimate: \$1.5M Capital

ENVIRONMENTAL

EA 28120

Soscol Flyover NAP 221 PM 0.0/0.7 NAP 29 PM 5.0/7.1; In Napa County

Scope: Flyover Structure at SR 221/29/12, Alternative 5 Option 2

Cost Estimate: \$35M Construction Capital

Schedule DED 1/2012 PAED 7/2012

EA 2A320

Sarco Creek NAP 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 4/2012 PSE 12/2013 RWC 4/2014 RTL 4/2014 CCA 12/2018

EA 4A090

Troutdale Creek NAP 29-PM 47.0/47.2; In Napa County

Scope: Bridge replacement at Troutdale Creek

Cost Estimate: \$17M Construction Capital

Schedule: PAED 10/2012 PSE 11/2013 RWC 3/2014 RTL 4/2014 CCA 05/2017

PID (Project Initiation Document)

PAED (Project Approval/ Environmental Document)

RWC (Right of Way Certification)

ADV (Advertise Contract)

PSR (Project Study Report)

Document)

RTL (Ready to List)

BO (Bid Open)

DED (Draft Environmental Document)

PSE (Plans, Specifications, and Estimate)

CCA (Construction Contract Acceptance)

AWD (Award Contract)

DESIGN

EA 2E430

Pavement Repair NAP 29 PM 24.6/35.6; In Napa County

Scope: Pavement Digouts from SR 128 Junction to Diamond Mountain Creek

Cost Estimate: \$960K Construction Capital

Schedule: PAED 10/14/11 PSE 9/21/11 RWC 8/15/11 RTL 12/2011 CCA 5/2013

EA 2E580

Pavement Repair NAP 128 PM 19.1/34.2; In Napa County

Scope: Pavement Digouts from Knoxville Road to the County Line

Cost Estimate: \$1.4M Construction Capital

Schedule: PAED 9/1/11 PSE 10/15/11 RWC 10/15/11 RTL 12/2011 CCA 3/2013

EA 2E650

Pavement Repair NAP 121 PM 9.4/22.0; In Napa County

Scope: Place rubberized Bonded Wearing Course from Trancas Street to the County Line

Cost Estimate: \$3.2M Construction Capital

Schedule: PAED 10/3/11 PSE 11/2011 RWC 12/2011 RTL 1/2012 CCA 5/2013

EA 4S020

Storm Damage NAP 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 PSE 4/2012 RWC 6/2012 RTL 6/2012 CCA 11/2017

EA 4S030

Storm Damage NAP 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 PSE 2/2012 RWC 5/2012 RTL 5/2012 CCA 10/2017

EA 2A110

Capell Creek NAP 121-PM 20.2/20.4; In Napa County

Scope: Bridge replacement at Capell Creek

Cost Estimate: \$5M Construction Capital

Schedule: PAED 6/22/11 PSE 9/2012 RWC 3/2013 RTL 3/2013 CCA 08/2015

EA 25940

Channelization NAP 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 2/28/11 RWC 06/2014 RTL 06/2014 CCA 6/2016

EA 20940

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

Scope: Bridge Replacement

Cost Estimate: \$5.9M Construction Capital

Schedule: PAED 1/30/04 PSE Delayed RWC Delayed RTL Delayed CCA Delayed

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)

CONSTRUCTION

EA 4442A

Duhig Landscape Nap 12-PM 0.3/2.0 On route 121; in Napa County

Scope: Mitigation and tree Planting from 0 5km 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 4/2015

EA 2A541 ADA Vista Point NAP 29 PM 7.1; In Napa County near City of Napa

Scope: Upgrade the Vista Point to meet the latest ADA (American with Disability Act) at Grape Crusher Statute

Cost Estimate: \$360K Construction Capital

Schedule: PAED 3/30/07 RTL 12/17/09 AWD 6/24/10 (Fieldstone Construction) CCA 4/2012

EA 2G430 Wall Repair NAP 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 Bros Inc) CCA 12/2011

EA 26413

Jameson Canyon NAP 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: \$30M Construction Capital)

Schedule: PAED 1/31/08 RTL 12/1/2010 BO 12/6/11 (7bids) Lowest Synergy Inc. CCA 12/2013

EA 26414

Jameson Canyon SOL 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: \$61M Construction Capital)

Schedule: PAED 1/31/08 RTL 12/1/2010 BO 12/13/11(7bids) Lowest Ghilloti Const. CCA 12/2014

EA 4C351

Pavement Repair NAP 128 PM 4.0/4.6 Minor A; In City of Calistoga

Scope: Pavement Resurfacing and culvert repair from High Street to Lincoln Avenue

Cost Estimate: \$700K Construction Capital

Schedule: PAED 8/14/09 RTL 9/30/11 ADV 12/27/11 BO 2/2012 CCA 12/2012

EA 0G530

Pavement Maintenance NAP 29-PM 36.9/38.1; In Calistoga

Scope: Pavement resurfacing with asphalt from SR 128 Junction to Silverado Trail

Cost Estimate: \$810K Construction Capital

Schedule: PAED 9/20/11 RTL 9/30/11 ADV 1/2012 BO 2/2012 CCA 12/2012

ACTION ITEMS:

Oak Knoll Intersection at SR 29- bicycle signal detection and pavement condition.

PID (Project Initiation Document)

PAED (Project Approval/ Environmental

RWC (Right of Way Certification)

ADV (Advertise Contract)

PSR (Project Study Report)

Document)

RTL (Ready to List)

BO (Bid Open)

DED (Draft Environmental Document)

PSE (Plans, Specifications, and Estimate)

CCA (Construction Contract Acceptance)

AWD (Award Contract)



February 2, 2012
TAC Agenda Item 7
Action Requested: **ACTION**

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY Board Agenda Letter

TO: Technical Advisory Committee (TAC)
FROM: Paul W. Price, Executive Director
REPORT BY: Paul W. Price, Executive Director
(707) 259-8634 / Email: pprice@nctpa.net
SUBJECT: Transportation Sales Tax Consideration

RECOMMENDATION

That the TAC request that the NCTPA Board give staff direction to:

1. Circulate the draft Transportation Infrastructure Sales Tax Ballot language to our member jurisdictions for consideration and action.
2. Complete the Categorical Exemption for the project under CEQA.
3. Circulate the Expenditure Plan to our member agencies for their consideration.

EXECUTIVE SUMMARY

In its December Board meeting, staff was directed to undertake a number of tasks related to the potential for a Transportation Sales Tax vote by the citizens of Napa County. Attachments 1 and 2 were developed as a result of the Board's direction. Attachment 1 provides the proposed draft ballot language and attachment 2 is a draft Expenditure Plan.

Agency Counsel has researched the environmental documents requirements of the measure as drafted and has concluded that the tax measure is categorically exempt from the requirements of CEQA for the reasons set forth below.

FISCAL IMPACT

Is there a Fiscal Impact? Yes. The proposed action would require an investment in information and ballot preparation. The measure, if passed, would generate approximately \$11.4 million per year in today's dollars.

CEQA REQUIREMENTS

Categorical Exemption Class 1: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 1 (“Existing Facilities”), Guidelines for the Implementation of the California Environmental Quality Act at 14 CCR §15301]

General Rule: It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)]

It is unknown whether any particular project will be undertaken and therefore particular impacts are too speculative for evaluation. [See Guidelines for the Implementation of the California Environmental Quality Act, 14 CCR 15145]

BACKGROUND AND DISCUSSION

At its December Board meeting, the Board directed staff to:

1. Undertake the development and circulation of an updated Environmental Impact Report (EIR).
2. Develop a Revenue and Expenditure Plan in concert with our member jurisdictions.
3. Develop such a Revenue and Expenditure Plan consistent with the Napa Action Committee and Technical Advisory Committees’ recommendations as noted in Attachment 1.
4. Direct staff to work with legal counsel to develop proposed language for a transportation sales tax measure for NCTPA Board review.
5. Develop a cost estimate for Board consideration to undertake the necessary document development and public education in advance of requesting the County Board of Supervisors placement of such a measure on a countywide ballot.

As to item 1 (EIR), agency counsel reviewed the requirements and has concluded that the projects identified in the tax ordinance are either categorically exempt from CEQA, can be seen with certainty to have no effect on the environment and/or environmental impacts are too speculative at this time to evaluate. As specific projects are undertaken, the appropriate environmental review will be undertaken by the responsible agency.

As to item 2 (Revenue and Expenditure Plan), the TAC and the City Manager/County Executive group have met and recommended the Plan as proposed in Attachment 2. As to item 3, the proposed Plan is consistent with the recommendations made by the NAC and TAC.

As to item 4 (Draft Ballot Language), the ballot language was developed in concert with the County Counsel.

As to item 5 (Cost for Placing the Measure on the Ballot), the County estimates a cost of approximately \$110,000 to place the measure on the ballot. Additional potential costs of approximately \$55,000 might be considered to undertake any additional polling (\$23,000) and a public informational document (\$32,000).

SUPPORTING DOCUMENTS

- Attachments: (1) Ballot Language – Ordinance No. 12-01 (Draft)
 (2) Revenue and Expenditure Plan

ORDINANCE NO. 12-01

**NAPA VALLEY TRANSPORTATION AUTHORITY ORDINANCE AND
TRANSPORTATION IMPROVEMENT EXPENDITURE PLAN
IMPOSING A TRANSACTION AND USE TAX TO BE ADMINISTERED
BY THE STATE BOARD OF EQUALIZATION**

The Napa Valley Transportation Authority (Authority) ordains as follows:

SECTION 1. TITLE: This ordinance shall be known and may be cited as the Napa Valley Ordinance and Transportation Improvement Expenditure Plan (Authority Ordinance 12-01), hereinafter referred to as the Ordinance. This Ordinance establishes a retail transactions and use tax for a twenty-five year period commencing July 1, 2018, or upon expiration of the Measure A Flood Protection tax.

SECTION 2. EXPENDITURE PLAN PURPOSES: This Ordinance provides for the implementation of the Napa Valley Transportation Authority Transportation Improvement Expenditure Plan (Expenditure Plan) which will provide funding resulting in countywide local street and road improvements and alternative transportation projects. This funding program will ensure improved maintenance of currently underfunded local community streets and adjacent facilities within the public right-of-way (i.e., sidewalks, gutters, curbs) The purpose of this measure is to raise the Pavement Condition Index (PCI) countywide to a level of 75 or greater and maintain that level throughout the life of this ordinance. These needed improvements shall be funded by a one-half of one percent transactions and use tax established for a twenty-five year period commencing July 1, 2018, or upon expiration of the Measure A Flood Protection tax. The revenues shall be deposited in a special fund, used solely for the identified improvements as provided herein, and made available to the agencies responsible for the improvements for all purposes necessary for the approval and implementation of the tasks. The identified improvements that are eligible to receive revenues from the tax are described in the Expenditure Plan, which is hereby incorporated by reference as if fully set forth herein.

SECTION 3. EXPENDITURE PLAN SUMMARY: The revenues received by the Authority from this Ordinance, after deduction of required Board of Equalization costs for performing the functions specified in Section 180204(b) of the Public Utilities Code, reimbursing the County of Napa for its cost in conducting the election if the measure is approved per Section 180203(a) of the Public Utilities Code, administration (Section 13 A), and annual and biennial audits of the Independent Taxpayer Oversight Committee (Section 12 A), shall be used to fund the improvements set forth herein. In the event the measure does not pass, the costs in conducting the election shall be borne by the Authority. A summary of the projects and programs that are eligible to receive this funding is provided in the following sections. All funding and revenues are expressed in 2012 dollars. The annual revenues shall be allocated as follows:

- A. **Local Streets and Roads Maintenance Program:** Of the annual revenues available, ninety percent (90%) shall be allocated on a fair and equitable basis to each city, town and the county (hereinafter referred to individually as Agency and collectively as Agencies) to provide revenue for such projects and to supplement other revenues available for local streets and road maintenance and rehabilitation improvement projects. The revenues distributed to each Agency under this Section must be used for maintenance, rehabilitation and reconstruction of local streets and roads except as otherwise allowed by this Subsection. Total estimated funding = \$258.75 million.

If the submittal of the five-year list of projects required under Section 6 shows a Pavement Condition Index, as determined by the Metropolitan Transportation Commission's (MTC) Pavement Management System exceeding a jurisdictional cumulative total of 75 out of a total of 100 using the MTC system, and additionally, should the MTC pavement condition assessment is predicting that the Pavement Condition Index will remain in excess of 75, or equivalent score, over the five year period covered by the submission under Section 6, the Agency may program in that submittal and the Authority may approve expending revenues awarded under this Section for identified regional congestion relief projects as adopted in the Metropolitan Transportation Commission's Regional Transportation Plan As well as other local transportation projects that address capacity, safety, or operations of the local roadway system.

(1) The Local Streets and Roads Maintenance Program shall be allocated and expended pursuant to the following distribution formula:

- a. To the City of American Canyon X.X% of the annual revenues available under this subdivision. Total estimated funding = \$X.X million.
- b. To the City of Calistoga X.X% of the annual revenues available under this subdivision. Total estimated funding = \$X.X million.
- c. To the City of Napa X.X% of the annual revenues available under this subdivision. Total estimated funding = \$X.X million.
- d. To the County of Napa X.X% of the annual revenues available under this subdivision. Total estimated funding = \$X.X million.
- e. To the City of St. Helena X.X% of the annual revenues available under this subdivision. Total estimated funding = \$X.X million.
- f. To the Town of Yountville X.X% of the annual revenues available under this subdivision. Total estimated funding = \$X.X million.

Net revenues, plus interest earned, shall be apportioned to the Agencies transportation improvement account on a quarterly basis.

B. Alternative Transportation Projects: Of the annual revenues available, ten percent (10%) shall be allocated for alternative transportation projects - Total estimated funding = \$28.75 million.

1. **Safe Routes to Transit and Schools:** Grants will be awarded by the Authority on a competitive basis for pedestrian and bicycle facilities designed and intended to improve the safety and access of individuals accessing schools and/or transit facilities and services. Grants to be awarded to only the Cities, Town and County within Napa County based on requests submitted to and awarded by the Authority.
2. Senior citizen Fixed Route Transit pass buy-down, up to seventy-five percent (75%) off regular pass price.
3. Bicycle elements as identified in the approved Napa County Bicycle Plan.
4. Pedestrian projects that provide major linkages that do not have safe pedestrian access. Such funding will be awarded on a competitive regional grant process submitted annually by the cities, town and county to NCTPA for ranking and funding. The NCTPA ranking will be forwarded to the Authority for fund allocation.
5. Actual costs, not to exceed 1% of the annual revenue, may be used for administration of this ordinance by the Authority.

SECTION 4. IMPOSITION OF RETAIL TRANSACTIONS AND USE TAX: In addition to any other taxes authorized by law, there is hereby imposed in the incorporated and unincorporated territory of the County of Napa, in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 and Section 7261 and 7262 of the Revenue and Taxation Code, which provisions are adopted by reference, and Division 19 of the Public Utilities Code commencing with Code Section 180000, a retail transactions and use tax at the rate of one-half of one percent (1/2%) for a twenty-five year period commencing July 1, 2018, or upon expiration of the Measure A Flood Protection tax, in addition to any existing or future authorized state or local transactions and use tax.

SECTION 5. CONTRACT WITH STATE: Prior to the operative date, the Authority shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the Authority shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date

shall be the first day of the first calendar quarter following the execution of such a contract.

SECTION 6. EXPENDITURE PLAN PROCEDURES:

- A. Each Agency shall biennially develop and submit to the Authority a five-year list of projects to be funded with revenues made available for the Local Streets and Roads Maintenance Program (Section 3(A)), and the Alternative Transportation Projects (Section 3(B)). A local public hearing on the proposed list of projects shall be held by each Agency prior to submitting the project list to the Authority pursuant to Section 7. The performance audit of Agencies implementing this section shall be part of the Independent Taxpayers Oversight Committee audit (Section 12(B)).
- B. In the allocation of all revenues made available under Section 3, the Authority shall make every effort to maximize state, federal, and local transportation funding to the Agencies. The Authority may amend the Expenditure Plan in accordance with Section 17 as needed to maximize the transportation funding available throughout the County. It is also the intent of the Authority to encourage the purchase of goods and services for the projects described in Section 3 from suppliers based in Napa County.
- C. The Agencies and the Authority shall fully consider the needs of non-motorized travelers, including pedestrians, bicyclists and persons with disabilities, in all planning, maintenance, construction, operations and project development activities and products. Projects funded in full or in part with Authority revenues shall not remove or reduce existing facilities for bicycling or pedestrians.

SECTION 7. PROJECT PROGRAMMING APPROVAL: The Authority shall biennially approve a five-year list of projects eligible to be funded with the revenues made available under Section 3 herein, provided that the submittal meets all of the requirements of this ordinance and funding is, or is estimated to be, available. The Independent Taxpayer Oversight Committee shall consider the biennial five-year list of projects and make a finding that such lists are consistent with the intent of the measure and make a recommendation on those lists to the Authority.

SECTION 8. COOPERATIVE FUNDING AGREEMENTS: To maximize the effectiveness of the retail transactions and use tax revenues, the Authority and/or Agency (ies) may loan revenues or exchange revenues for federal, state, or other local funds allocated or granted to any public agency within or outside the area of jurisdiction of the Authority provided that the percentage of revenues allocated for each purpose as provided in Section 3 is maintained over the duration of the Ordinance. The periods run consecutively with the first beginning on the effective date of the ordinance as described in Section 16. All proposed exchanges, including agreements between Agencies to exchange or loan revenues, must include detailed repayment provisions, including appropriate interest earnings, such that the Authority suffers no loss of revenue as a

result of the exchange or loan. All loans and /or exchanges must be approved by the Authority by a majority vote and shall be consistent with any and all rules approved by the Authority relating thereto.

SECTION 9. MAINTENANCE OF EFFORT: It is the intent of the State Legislature and the Authority that revenues provided from this Ordinance be used to supplement, not replace, existing revenues being used for transportation improvements and programs as set forth in Section 3 herein. Each Agency receiving revenues pursuant to Section 3(A) shall annually maintain, as a minimum, the same level of local discretionary revenues expended for the maintenance and rehabilitation of roads and infrastructure within the public right-of-way as the annual average of three fiscal years selected by the Agency from among fiscal years 2007, 2008, 2009, 2010, and 2011, for pavement sealing, overlays, reconstruction, and associated under drainage, 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 street and highway purposes, but which may not be available on an ongoing basis may not be considered when calculating an Agency's level of local discretionary revenues expended for road and infrastructure rehabilitation and maintenance purposes. The Authority shall not allocate any revenues pursuant to Section 3(A) to any eligible Agency in any fiscal year until that Agency has certified to the Authority that it will meet the maintenance of effort requirement included in this Section. Any Agency which does not meet its local maintenance of effort requirement for a three year average floating period shall have its funding under Section 3(A) the following year reduced by the amount the Agency did not meet its required average maintenance of effort level for the three prior years. Any funds not allocated due to failure to meet the maintenance of effort requirement shall be held for the Agency until any and all maintenance of effort expenditures are fulfilled. The maintenance of effort must also be met prior to the programming, award or distribution by the Authority to the Agencies of any funds under Sections 3(B) and 3(C).

SECTION 10. PRIVATE SECTOR FUNDING: Revenues provided from this measure shall not be used to replace private developer funding that has been or will be committed for any project to help alleviate the direct traffic impacts of any new or redeveloped residential, commercial or industrial development in Napa County or its cities.

SECTION 11. BONDING AUTHORITY: "Pay as you go" is the preferred method of financing transportation improvements and programs. However, the Authority may use bond financing as an alternative method if it determines that the scope of the planned expenditures makes "pay as you go" financing unfeasible or uneconomical when compared to bond financing or when the safety and/or congestion relief benefits of a project appear to the Authority to outweigh the costs of bonding. Upon voter approval of the Ordinance, the Authority shall have the authority to issue bonds payable from the proceeds of the tax and secured by a pledge of revenues from the proceeds of the tax, in order to finance and refinance improvements authorized by this Ordinance (including bond reserves and financing costs). The Authority, in allocating the annual revenues

from the measure, shall meet all debt service requirements and other financing costs prior to allocating revenues for other purposes or projects.

SECTION 12. INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE:

A. ITOC Goal and Functions

Voter adoption of this transportation retail transactions and use tax ordinance shall result in creation of the Independent Taxpayer Oversight Committee (ITOC) which shall remain in existence for so long as the tax herein exists. The ITOC shall review the fiscal and program performance of the retail transactions and use tax transportation program through a biennial audit to ensure that all transportation retail transactions and use tax revenues are spent by the Authority in accordance with all provisions of the voter-approved Expenditure Plan and Ordinance. The ITOC's secondary mission is to provide positive, constructive advice to the Authority on how to improve implementation over the twenty-five year course of the program; this role shall include consideration by the ITOC of the biennial program of projects submitted by the Agencies under Section 6 and projects submitted under Sections 3. Up to \$70,000 per year, with adjustments for inflation based on the Consumer Price Index, may be used for activities necessary to the ITOC as described in this Section 12, including financial and performance audits of the Authority and the Agencies receiving revenue from the Authority.

B. Audit Requirement

The ITOC shall oversee the independent financial audit of the Authority and the financial and performance audits of the Authority and Agencies, which shall be performed in accordance with generally accepted auditing standards and Government Auditing Standards issued by the Comptroller General of the United States and performance goals adopted by the Authority consistent with Public Utilities Code Section 180000 et seq. The audits shall include the basic financial statements of the Authority as defined by the Governmental Accounting Standard Board pronouncement No. 34 and the performance of all aspects of the program based on the specific performance goals adopted by the Authority. The ITOC audit shall not relieve the Authority from performing its auditing obligations as imposed by law.

1. Role of Fiscal and Performance Audit and the ITOC

- (a) The ITOC shall, under the procurement rules of the Authority, jointly recommend with the active involvement of the Executive Director and the Authority Auditor, an independent external California Certified Public Accountant to conduct an annual financial audit of the Authority pursuant to the provisions of this Ordinance; to report findings based on the audit to the Authority; and to recommend any additional considerations which the ITOC believes may improve the financial operation, while meeting all voter mandates.

- (b) The ITOC shall, under the procurement rules of the Authority jointly recommend with the active involvement of the Executive Director and the Authority Auditor, an independent external California Certified Public Accountant to conduct a biennial performance audit of the Agencies, pursuant to the provisions of this Ordinance; to report findings based on the audits to the Authority; and to recommend any additional considerations with the ITOC believes may improve the integrity of program implementation, while meeting all voter mandates.
- (c) The ITOC shall receive copies of each Agency's annual financial audit for review; report relevant findings based on the audits to the Authority; and recommend any additional considerations which the ITOC believes may improve the financial operations, while meeting all voter mandates.
- (d) The Authority shall hold a publicly noticed meeting, which may be a regular or special Authority Board meeting, with the direct participation of the ITOC, to consider the findings and recommendations of the audits. A report of the findings and recommendations of each audit by the ITOC shall be made readily available to the public in print and on the Authority's electronic website.

C. Membership and Selection Process

1. The Authority shall develop an open selection process, actively recruit, and appoint five committee members who shall be residents of the County of Napa possessing the following credentials:
 - (a) One member who is a professional, retired or active, in the field of municipal audit, finance and/or budgeting with a minimum of five years in a relevant and senior decision-making position in the public or private sector.
 - (b) One member who is a licensed civil engineer or trained transportation planner, retired or active, with at least five years of demonstrated experience in the fields of transportation and/or urban design in government and/or the private sector.
 - (c) One member who is a current or retired manager of major public and/or privately financed development or construction projects, who by training and experience would understand the complexity, costs and implementation issues in building large scale infrastructure improvements.

(d) Two "at large" Members

2. The Chair, Executive Director of the Authority, and the County Auditor-Controller shall serve as non-voting ex-officio members of the ITOC.

D. Terms and Conditions for Committees

1. The initial Committee members shall serve a two, three, and four year term, determined by the drawing of lots. Thereafter, Committee members shall serve four-year terms.
2. Committee members shall serve without compensation, except they shall be reimbursed for authorized travel when traveling outside of Napa County and other expenses directly related to the work of the ITOC as may be approved by the Authority.
3. Committee members cannot be a current local elected official in Napa County or a full time staff member of any city, town, or County government, a local transit operator, or state transportation agency.
4. Non-voting ex-officio committee members shall serve only as long as they remain incumbents in their respective positions and shall be automatically replaced by their successors in those positions.
5. If and when vacancies on the ITOC occur on the part of voting committee members, either due to expiration of term, death or resignation the Authority shall appoint an appropriate replacement within 90 days of the vacancy to fill the remainder of the term.

E. ITOC Operation Protocols

1. Given the twenty-five year duration of the retail transactions and use tax, the ITOC shall be appointed within 180 days after the effective date of the retail transactions and use tax and continue as long as retail transactions and use tax revenues from the current voter authorization are available for expenditure.
2. The Authority Board and staff shall fully cooperate with and provide necessary financial and staff support to ensure the ITOC successfully carries out its duties and obligations.

F. Conflict of Interest

1. ITOC voting members shall have no legal action pending against the Authority and are prohibited from participating in any commercial activity

directly or indirectly involving the Authority or Napa County Transportation and Planning Agency (NCTPA), such as being a consultant or vendor to the Authority or NCTPA during their tenure on the ITOC.

2. ITOC voting members shall not have direct and/or indirect commercial interest or employment with any public or private entity which receives transportation retail transactions and use tax revenues authorized by this Ordinance.

SECTION 13. ADMINISTRATIVE FUNCTIONS AND EXPENSES:

- A. Revenues may be expended by the Authority for the actual expense of salaries, wages, benefits, overhead, and those services, including contractual services, necessary to administer the Ordinance; however, in no case shall such administrative expenditures exceed one percent of the annual revenues provided by the Ordinance.
- B. Administrative functions include providing overall program direction and management necessary to implement Authority policy; formulating organizational goals and objectives; coordinating activities with other agencies and organizations; performing finance, accounting, purchasing, personnel, government and community relations; and legal matters. Performing or contracting for project related work shall be paid from the revenues allocated to the appropriate purpose as set forth in Section 3 herein.

SECTION 14. ESTABLISHMENT OF SEPARATE ACCOUNTS: Each entity receiving revenues pursuant to Section 3 shall have its revenues deposited in a separate interest bearing Transportation Improvement Account. Interest earned on revenues allocated pursuant to this Ordinance shall be expended only for those purposes for which the revenues were allocated.

SECTION 15. IMPLEMENTING ORDINANCES: Upon approval of this Ordinance by the voters the Authority shall, in addition to the rules required to be provided pursuant to this Ordinance, adopt implementing ordinances, rules, and policies and take such other actions as may be necessary and appropriate to carry out its responsibilities.

SECTION 16. EFFECTIVE AND OPERATIVE DATES: This Ordinance shall be effective on November 6, 2012, if two-thirds of the electors voting on the ballot proposition approving the ordinance vote to approve the ballot proposition on November 6, 2012. The imposition of the tax authorized by this Ordinance shall be operative on July 1, 2018, or upon expiration of the Measure A Flood tax.

SECTION 17. AMENDMENTS: This Ordinance and Expenditure Plan may be amended to provide for the use of additional federal, state, and local revenues or to account for unexpected revenues by approval of a majority vote of the members of the Authority; the majority must include the City of Napa, the County of Napa, and at least

three other jurisdictions. No amendment may, in the aggregate, reduce the level of funding directed to roadway projects as apportioned in Section 3. No amendment shall operate so as to affect the rate of tax imposed by this ordinance.

Amendments constituting expenditures for new programs or new projects that were not a part of the voter approved Expenditure Plan or generally referred to in the Local Streets and Roads Maintenance Program may only be approved with the subsequent consent of the electorate.

SECTION 18. TEN-YEAR PROGRAM REVIEW: The Authority shall conduct a comprehensive review of all revenues, projects, and programs under the Expenditure Plan to evaluate the performance of the overall program over the previous ten-year period and to make revisions to the Expenditure Plan to improve its performance and allow for changed demographic conditions, transportation needs, revenues, and technology over the subsequent ten years. Revisions to the Ordinance and Expenditure Plan required as a result of the ten-year review shall be subject to the amendment process in Section 17 and/or the remaindered revenues provisions set forth in Section 22.

SECTION 19. DESIGNATION OF FACILITIES: Each project or program receiving in excess of \$250,000 funded in whole or in part by revenues from the Ordinance shall be clearly designated with project signage at the project site during its construction or implementation as being provided by revenues from the Ordinance.

SECTION 20. SEVERABILITY: If any section, part, clause, or phrase of this ordinance is for any reason held invalid or unconstitutional, the remaining portions shall not be affected but shall remain in full force and effect.

SECTION 21. DISTRIBUTION OF REMAINDERED REVENUES: In the event that the retail transactions and use tax revenues generated by this Ordinance, in combination with other revenues, are greater than needed to meet the funding requirements necessary to complete the projects and support the programs as identified in Section 3(B), the remaindered transactions and use tax revenues shall be distributed to the Agencies for the purposes and under the requirements of Section 3. Such funds shall be distributed by the following formula: the distributed amount is equal to the sum total of the remaindered amount multiplied by the distribution formula percentage for each Agency under Section 3. Determination of when remaindered revenues become available will be made as part of each Five (5)-Year Expenditure period.

SECTION 22. ANNUAL APPROPRIATIONS LIMIT: Article XIII (B) of the California Constitution requires the establishment of an annual appropriations limit for certain governmental entities. The maximum annual appropriations limit for the Authority is hereby established as \$40 million. The appropriations limit shall be subject to adjustment as provided by law. All expenditures of the retail transactions and use tax revenues imposed in Section 4 are subject to the appropriations limit of the Authority.

SECTION 23. ENJOINING COLLECTION FORBIDDEN: No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the Authority, or against any officer of the State or the Authority, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

SECTION 24. DEFINITIONS:

- A. *Authority.* Means the Napa Valley Transportation Authority created by the Napa County Board of Supervisors with the concurrence of a majority of cities having a majority of the incorporated population of the County.
- B. *Bonds.* Mean indebtedness and securities of any kind or class, including but not limited to bonds, notes, revenue anticipation notes, commercial paper, leasor and installment sales agreements, credit enhancement, swaps and certificates of participation.
- C. *Expenditure Plan.* Expenditure Plan means the expenditure plan required by Section 180206 of the Public Utilities Code to be adopted prior to the call of an election on this Ordinance. The expenditure plan includes the allocation of revenues for each authorized purpose.
- D. *Highways.* Means all purposes necessary and convenient to the design, right-of-way acquisition, and construction of highway facilities, including all state highway routes and any other facilities so designated in the Expenditure Plan.
- E. *Maintenance* means repair, reconstruction, rehabilitation and/or replacement of streets, roadways, and other infrastructure within the public right-of-way.
- F. *Project* is a single effort with a beginning and an end that would cause the construction or maintenance or reconstruction of some tangible portion of a transportation asset owned or operated by public agency. A *project* is not repeated on an annual basis, it does not appear without a detailed description as to cost and location in a local agency budget, and it must appear in a capital budget.
- G. *Reconstruction or Rehabilitation* includes any overlay, including the placement or replacement of base materials and any sub-layer work or widening of the roadway, if the widening is necessary to bring the roadway width to the desirable minimum width consistent with the geometric design criteria of the State for 3R (reconstruction, resurfacing, and rehabilitation). This does not include widening for the purpose of increasing the traffic capacity of a street or highway. This does include additions, changes or reconstruction of drainage directly associated with the function of a street or roadway. It also includes

additions necessary to incorporate and/or maintain bicycle facilities called for in the Napa County Transportation and Planning Agency's Countywide Bicycle Plan or adopted bicycle plans of the Agencies and any improvements or alterations necessary to the roadway and or pedestrian or bicycle travel ways to improve overall circulation and to meet American's with Disabilities Act requirements.

- H. *Regional Transportation Improvement Program Submission.* Means any program of projects sent or otherwise caused to be delivered to the Regional Transportation Planning Agency for Napa County by the entity designated by the Regional Transportation Planning Agency with the submission of that program for the local agencies for consideration by the Regional Transportation Planning Agency for inclusion in the Regional Transportation Improvement Program or its related documents.
- I. *Roadways* means the pavement facilities and supporting facilities within the street, road or highway right-of-way.
- J. *Storm damage repair* is repair or reconstruction of local streets and highways and related drainage improvements that have been damaged due to storms and flooding, in those jurisdictions that have been declared disaster areas by the President of the United States and/or by the Governor of California.

SECTION 25. PUBLICATION OF ORDINANCE: A summary of this Ordinance shall be published at least five days before its passage in the Napa Valley Register, a newspaper of general circulation published in the County of Napa, and at least once before the expiration of 15 days after its passage together with the names of the Directors voting for and against the same.

The foregoing Ordinance was introduced and read at a regular meeting of the Napa Valley Transportation Authority, held on _____ and passed at a regular meeting of the Napa Valley Transportation Authority held on _____ by the following vote:

, NVTA Chair

Ayes:

ATTEST:

Karalyn E. Sanderlin, NVTA Board Secretary

Noes:

APPROVED:

Absent:

Janice D. Killion, NVTA Legal Counsel

Attachment (1) Napa Valley Transportation Authority Transportation Improvement
Expenditure Plan

ATTACHMENT 1

Napa Valley Transportation Authority Transportation Improvement Expenditure Plan

The revenues received by the Authority from the proposed transactions and use tax shall be distributed following the requirements of ordinance for the following projects, after deduction of required Board of Equalization costs for performing the functions specified in Section 180204(b) of the Public Utilities Code, reimbursing the County of Napa for its cost in conducting the special election if the measure is approved per Section 180203(a) of the Public Utilities Code, administration, and annual and biennial audits of the Independent Taxpayer Oversight Committee. . All funding and revenues are expressed in 2012 dollars over the twenty-five year life of the program.

Local Streets and Roads Maintenance Program

Description:

Under the ordinance the funds must be used for maintenance, rehabilitation and reconstruction of local streets, roads, and infrastructure within the public right-of-way. Exceptions will be approved only as allowed by ordinance for jurisdictions which meet and will continue to meet the pavement maintenance index set by the ordinance; such funds may be used by each agency for any transportation related project purpose including, but not limited to, additional expenditures for maintenance, safety, bike and pedestrian projects, signal timing, roundabout installation, signal installation, intelligent transportation systems, operational projects, and local system congestion relief projects, including transit, and environmental and design costs for the projects.

The estimated funding for the project is (millions of dollars):

Project	Transaction and Use Tax			
American Canyon				
Calistoga				
Napa				
Napa County				
St. Helena				
Yountville				
Total				

Alternative Transportation Projects

Description:

1. Safe Routes to Transit and Schools: Grants to be released by the Authority on a competitive basis, following the latest version of the State of California Safe Routes to School program guidelines for pedestrian and bicycle facilities designed and intended to improve the safety and access of individuals accessing schools and/or transit facilities and services. Grants to be awarded to only the Cities, Town and County within Napa County based on requests submitted to and awarded by the Authority. This program may also provide funding to support a coordinator to work with the schools to promote bicycling and walking to and from school and related educational materials.
2. Senior citizen Fixed Route Transit pass buy-down, up to seventy-five percent (75%) off regular pass price.
3. Bicycle elements as identified in the approved Napa County Bicycle Plan.
4. Pedestrian projects.

The estimated funding for the alternative transportation project is (28.75 million dollars):

Amendments

This Ordinance and Expenditure Plan may be amended to provide for the use of additional federal, state, and local revenues or to account for unexpected revenues by approval of a majority vote of the members of the Authority; the majority must include the City of Napa, the County of Napa, and at least three other jurisdictions. No amendment shall operate so as to affect the rate of tax imposed by this ordinance.

Amendments constituting expenditures for new programs or new projects that were not a part of the voter approved Expenditure Plan or generally referred to in the Local Streets and Roads Maintenance Program may only be approved with the subsequent consent of the electorate.

Distribution of a 25-Year 1/2 Cent Transportation Sales Tax

Over 25 years \$285,000,000 dollars (In 2011 dollars)
 90% - to Local Streets and Roads - \$256.5 million
 9% - to senior citizen bus pass, bicycle and pedestrian projects, SR2S and SR2T - \$25.65 million
 1% - to administration - \$2.85 million

Jurisdiction	Population 2010	Street Area (square feet)	Sales Tax Revenue 2010-11	Total Need (Pavement + Non Pavement)
County of Napa	26,213	57,326,281	\$5,142,256	\$567,000,000
American Canyon	19,454	9,779,085	\$1,965,610	\$63,000,000
Calistoga	5,155	2,397,609	\$796,563	\$21,000,000
Napa	76,915	42,369,158	\$11,459,178	\$381,000,000
St. Helena	5,814	4,111,652	\$2,073,118	\$46,000,000
Yountville	2,933	1,377,332	\$826,417	\$9,000,000
Total	136,484	117,361,117	\$22,263,142	\$1,087,000,000

Starting Data

Jurisdiction	Population 2010	Street Area (square feet)	Sales Tax Revenue 2010-11	Total Need (Pavement + Non Pavement)	Averaged Equally
Napa County	19%	49%	23%	52%	36%
American Canyon	14%	8%	9%	6%	9%
Calistoga	4%	2%	4%	2%	3%
Napa	56%	36%	51%	35%	45%
St. Helena	4%	4%	9%	4%	5%
Yountville	2%	1%	4%	1%	2%
Total	100%	100%	100%	100%	100%

Option 1

Option 2

Jurisdiction	Population 2010	Street Area (square feet)	Sales Tax Revenue 2010-11	Averaged Equally
Napa County	19%	49%	23%	30%
American Canyon	14%	8%	9%	10%
Calistoga	4%	2%	4%	3%
Napa	56%	36%	51%	48%
St. Helena	4%	4%	9%	6%
Yountville	2%	1%	4%	2%
Total	100%	100%	100%	100%

Option 3

Jurisdiction	Sales Tax Revenue 2010-11	Street Area (square feet)	Averaged Equally
Napa County	23%	49%	36%
American Canyon	9%	8%	9%
Calistoga	4%	2%	3%
Napa	51%	36%	44%
St. Helena	9%	4%	6%
Yountville	4%	1%	2%
Total	100%	100%	100%



February 2, 2011
TAC Agenda Item 8
Continued From: October 12, 2011
Action Requested: ACTION

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY TAC Agenda Letter

TO: Technical Advisory Committee (TAC)
FROM: Paul W. Price, Executive Director
REPORT BY: Eliot Hurwitz, Program Manager, Planning
(707) 259-8782 / Email: ehurwitz@nctpa.net
SUBJECT: State Route 29 Corridor Planning and Studies

RECOMMENDATION

That the TAC recommend to the NCTPA Board for NCTPA to execute a work authorization with the on-call engineering contractor Mark Thomas and Company, to provide services outlined in the scope of work for the "Community-Based SR29 Corridor Improvement Plan" and for NCTPA to coordinate this work with the City of American Canyon's work on its Circulation Element update and its PDA Planning Grant to realize maximum efficiencies.

EXECUTIVE SUMMARY

There are presently three planning projects underway in the SR 29 Corridor in the southern portion of Napa County:

1. City of American Canyon General Plan Circulation Element update.
2. Caltrans "Community Based Transportation Planning" (CBTP) grant to NCTPA to develop a "Community-Based SR29 Corridor Improvement Plan".
3. MTC planning grant to the City of American Canyon to advance the American Canyon "Priority Development Area".

NCTPA proposes that these projects coordinate their scopes of work and timelines to provide maximum value and efficiency from these projects.

FISCAL IMPACT

Board approval will commit \$300,000 in CBTP grant funds.

BACKGROUND AND DISCUSSION

Congestion on the SR29 Corridor, especially in the southern portion of Napa County, is currently one of the most challenging transportation issues in the County. It is the most active transportation corridor in Napa County and also provides a major point of access between the rest of the Bay Area region and Napa County. This corridor is also the most rapidly changing area in Napa County.

The Caltrans "Community Based Transportation Planning" (CBTP) grant to develop a "Community-Based SR29 Corridor Improvement Plan" will create a "Gateway Corridor Improvement Plan" for 13.3 miles of the SR29 corridor between the City of American Canyon and the multi-modal transit center in north Napa. Two thirds of the project effort will be devoted to SR 29 in American Canyon. The objective of this project is to make sure that future planning in this corridor is aligned with the vision of the community and that Caltrans has also understood and agreed with this vision.

SUPPORTING DOCUMENTS

- Attachments:
- (1) Resolution No.11-19 - Authorizing the Acceptance and Execution of a Community-Based Planning Transportation Planning Grant from Caltrans
 - (2) Scope of Work for "Community-Based SR29 Corridor Improvement Plan" - Draft
 - (3) Amendment to Mark Thomas and Co. On-Call Engineering Contract - Draft



RESOLUTION No. 11-19

**A RESOLUTION OF THE
NAPA COUNTY TRANSPORTATION PLANNING AGENCY (NCTPA)
AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A
COMMUNITY-BASED TRANSPORTATION PLANNING GRANT FROM THE
CALIFORNIA DEPARTMENT OF TRANSPORTATION**

WHEREAS, the Napa County Transportation Planning Agency (NCTPA) is the designated countywide transportation planning agency responsible for Highway, Street and Road, Transit, and Bicycle planning and programming within Napa County; and

WHEREAS, the NCTPA has been awarded financial support for the "Community – Based State Route 29 Gateway Corridor Improvement Plan"; and

WHEREAS, the Project will develop through public outreach, a plan that will define the State Route 29 transportation goals, objectives, policies, and actions over the next 20 to 30 years; and

WHEREAS, the State Route 29 Plan is intended to present a road map of recommended transportation improvements for all forms of transportation in the corridor; and

WHEREAS, NCTPA has been granted an amount of \$300,000 in grant funds from Caltrans and will use \$33,334 in in-kind participation or local match from Transportation Development Act – Article 8 Planning Funds to develop the plan; and

WHEREAS, NCTPA wishes to engage consultant services to perform the Scope of Work specified in the grant award; and

WHEREAS, authorization is now being requested to accept and administer the grant funds, and execute the agreement between NCTPA and the State of California Department of Transportation:

NOW THEREFORE BE IT RESOLVED that the Napa County Transportation Planning Agency does hereby authorize the Executive Director, to file and execute applications on behalf of NCTPA with the State of California Department of Transportation for a Community Based Transportation Planning Grant for the Project.

BE IT FURTHER RESOLVED that the Executive Director is authorized to execute and file all assurances or any other document(s) required by the State of California Department of Transportation.

BE IT FURTHER RESOLVED that the Executive Director or his/her designee is authorized to conduct all negotiations, execute and submit all documents, including but not limited to, request for proposals, contracts, subcontracts, applications, agreements, extensions, renewals, payment requests, and amendments of funding provided by the California Department of Transportation which may be necessary for the completion of the project.

BE IT FURTHER RESOLVED that the Executive Director or his/her designee is authorized, for and on behalf of NCTPA, to accept, appropriate, expend, and administer the grant funds, if secured, in accordance with the terms and conditions set forth in the approved grant for the project.

Passed and adopted this 7th day of September, 2011

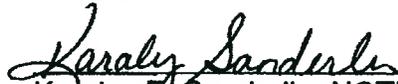

Keith Caldwell, NCTPA Chair

Ayes: **GARCIA, BENNETT,
DUNSFORD, GINGLES,
KRIDER, TECHEL,
DODD, CALDWELL,
BRITTON, WHITE,
MOHLER**

Noes: **NONE**

Absent: **CHILTON**

ATTEST:


Karalyn E. Sanderlin, NCTPA Board Secretary

APPROVED:


Janice Killion, NCTPA Legal Counsel

**Community-Based SR29
Gateway Corridor Improvement Plan
Scope of Work
DRAFT Revision – February 2012**

Task 1: Project Startup

Task 1.1: Meet with Caltrans to review the approved application and discuss expectations.

Task 1.2: Prepare RFP and select consultant.

Task 1.3: Conduct a kick-off meeting with the consultant, NCTPA, and other stakeholders in order to refine final details of the project.

Deliverable	Documentation
Signed contract between consultant and NCTPA	Copy of signed contract
Conduct kick-off meeting	Meeting notes

Task 2: Ongoing Community and Stakeholder Outreach and Project Oversight

Task 2.1: Outreach to community based organizations. Individual outreach will be extended to the full spectrum (100+) of community groups, including meetings with leadership and presentations to membership and board meetings.

Task 2.2: Public information/outreach/education program via CBOs and local media

To maximize public participation, educational materials will be prepared, and distributed including multilingual versions, that outline the scope of the project, the issues involved and the choices to be considered by the project. A local media and social media campaign to raise local awareness and a project website will be developed with links cultivated throughout the community.

Task 2.3: Identify Corridor stakeholders and establish Community Advisory Committee (CAC).

There are numerous interest groups and individuals who will wish to have input on the Corridor Study including environmental advocacy groups, merchant and business associations, homeowner groups, and social justice advocacy and environmental justice organizations. The Consultant with assistance from the Corridor Staff Working Group (see below) will develop a unified contact list from

the involved jurisdictions in order to initiate a public outreach program. A Community Advisory Committee will be established to meet approximately 4 times during the course of the project. The Committee will review project progress and submit comments to the Staff Working Group and the Corridor Steering Committee.

Task 2.4: Public Meetings

Task 2.4.1: Promote/Advertise/Conduct 2-3 initial kick off public design charrettes at different locations/times through a multi media campaign (including use of newspaper and radio), through the Community Advisory Committee and other stakeholders to gain public involvement and refine initial plan concepts

Task 2.4.2: Promote/Advertise/Conduct 2-3 additional public design charrettes to review draft Gateway Corridor Improvement Plan at different locations/times through a multi media campaign (including use of newspaper and radio), through the Community Advisory Committee and other stakeholders to continue public involvement and critique plan concepts

Task 2.5: Create "Gateway Corridor Improvement Plan Steering Committee" (CSC) and Staff Working Group (SWG)

The overall policy direction of the Corridor Study will be guided by elected officials from the involved agencies: the County of Napa, the City of Napa, the City of American Canyon and the Napa County Transportation and Planning Agency. Representatives from the County of Solano, the City of Vallejo and the Solano Transportation Authority will also be invited to attend CSC meetings. It is expected that this Steering Committee will meet to formally kick off the Corridor Study and have two or three additional meetings after that to review milestone documents. The CSC will consider input from the SWG and CAC.

Prior to publication of milestone documents, draft documents and supporting data will be reviewed by a Corridor Study Staff Working Group (SWG), made up of senior staff from the involved agencies, as well as the Metropolitan Transportation Commission and the California Department of Transportation and CAC representatives. This group is expected to meet approximately 4 times at key points in the process: to review and accept the Vision, to review the existing corridor studies results; potential improvement programs, review CAC comments and the draft Corridor Implementation Plan. Day-to-day work on project documents and meetings will be carried out by a consultant, with direct staff support from the NCTPA. It is expected that the consultant team will consist of a transportation engineering firm that has an emphasis on multi modal planning assisted by urban design and/or landscape design professionals with significant

**ATTACHMENT 2
TAC Agenda Item 8
February 2, 2012**

assistance from planning staff experienced in complex community involvement processes and a familiarity with the study area community.

Deliverable	Documentation
Outreach to CBO's	Contact lists and meeting logs
Public Information/Social Media/Website	Press clips, Website (with screenshots), Blog posts, Facebook page, etc.
Community Advisory Committee meetings	Roster, Agendas and Minutes
Public Meetings/charrettes	Attendance lists, agendas, meeting notes, advertisements, press clippings
Corridor Steering Committee	Roster, Agendas and Minutes
Staff Working Group	Roster, Agendas and Minutes

Task 3: Develop Plan Components

The SR 29 Gateway Corridor Improvement Study, to be managed by Napa County Transportation and Planning Agency, will consist of the following subtasks:

Task 3.1: Develop a vision for the Gateway Corridor

Working with the CAC and based on community input, the Corridor Staff Working Group will develop a draft vision for the corridor. The vision will establish broad thematic guidelines and policies with supportive graphics, with emphasis on context sensitive designs for each of four corridor segments, which may be adjusted as part of the initial project design work:

- 1. City of Napa** - North Napa transit center at SR29 and Redwood Road to the intersection of SR29 and SR221. This segment will also look at links within the City of Napa to the downtown multimodal transit center.
- 2. City of Napa and Unincorporated Napa County** - SR 29 from SR221 to S. Kelley Road. This segment includes a mix of business park/industrial park/warehousing, agricultural areas and undeveloped land.
- 3. City of American Canyon** - S. Kelly Road to Mini Drive. This segment consists of commercial centers and includes multiple signalized intersections and driveway access to individual businesses and commercial centers. The roadway is divided by a landscaped median. This segment will be the most intensive and focused portion of the project, accounting for two thirds of the project resources.

4. City of Vallejo - This segment will integrate work from the Sonoma Boulevard Plan, currently under development by the City of Vallejo, and examine linkages to the BayLink Ferry Terminal.

The vision will act as an anchor for future policy and implementation plan development; specific to the corridor segment perspectives and will be presented to the Steering Committee for acceptance.

Task 3.2: Summarize Corridor Existing Studies and Plans

The Consultant with assistance from the Corridor Staff Working Group will identify all existing circulation, transit, bicycle and pedestrian studies and plans that apply to the Corridor as well as jurisdictional General Plan policies. The consultant will then create a summary, documenting what is known about the corridor and relevant, adopted plans. The consultant will also develop a matrix showing all of the adopted policies that apply to the Corridor. Special emphasis will be given to identification of context sensitive design policies that address the needs of individual Corridor segments. The matrix will also identify policies that conflict with one another.

Task 3.3: Identify potential programs and projects to improve the corridor, focusing on strategies to:

1. Provide more transportation choices
2. Enhance economic competitiveness
3. Value communities and neighborhoods
4. Coordinate policies and leverage investment
5. Integrate development with regional strategies to reduce Greenhouse Gas (GHG) emissions, including the Sustainable Communities Strategy (SCS)
6. Leverage the Priority Development Area (PDA) status of segment 3 of the study area
7. Promote "Complete Street" development, especially in segments 1 and 3 of the study area.
8. Improve corridor safety for all travel modes

The Consultant and Corridor Staff Working Group will develop, and the CAC will review, a catalog of physical improvements and programs that can advance the goal of realizing the corridor Vision. This will include a range of non-construction measures including Transportation Demand Management (TDM) and Intelligent Transportation System programs (ITS). The catalog of projects will consider existing projects or programs that have not been fully implemented as well as new projects and policies. The consultant will develop a matrix to project the ability of each existing or new project or policy to advance the Vision and to improve the corridor by advancing one or more of the 8 strategies listed above.

ATTACHMENT 2
TAC Agenda Item 8
February 2, 2012

The consultant will create an estimate of the cost of each project or program, including costs to build facilities or acquire program materials, annual operation and maintenance costs, and funding options.

Task 3.4: Develop a Corridor improvement Implementation Plan, covering the following topics:

- a. Recommended programs and projects
- b. Funding options and strategy
- c. Governance options for multi-jurisdictional programs or projects
- d. Urban design strategy and potential design solutions

The Consultant and Corridor Staff Working Group will prepare, and the Committed Stakeholders will review, a draft implementation plan for corridor improvement projects and programs to address the study's varied objectives. The implementation plan will recommend steps for immediate, short term (1 to 3 years) and long-term (4 years and beyond) implementation. The implementation plan will identify a funding strategy of existing and potential new funds available to initiate and operate the recommended programs and projects, and will recommend a governance option for the multi-jurisdictional projects or programs.

Deliverable	Documentation
Develop "Vision" for Corridor	Copy of draft Vision Plan
Develop Summary of Existing Studies and Plans	Copy of draft Summary and Conflict policy Matrix
Identify Potential Program and Projects	Copy of Cost Estimate and Funding options for each project or program
Develop context sensitive roadway design standards for each Corridor segment	Roadway cross section for each Corridor segment
Designate responsibility for Caltrans and Local Jurisdictions	Copy of matrix that identifies maintenance components that will be implemented by Caltrans and Local Jurisdictions
Develop a Corridor improvement implementation Plan	Copy of Draft Corridor improvement implementation Plan
Develop urban design strategy and potential design solutions	Copy of Draft Design Strategy, including draft plans and representative designs.

Task 4: Final Plan Preparation & Hearings

Task 4.1: Prepare final plans based on CSC, CAC, SWG and community input.

ATTACHMENT 2
TAC Agenda Item 8
February 2, 2012

Task 4.2: Present final plans at a public hearing before the American Canyon Park and Recreation Commission, Open Space Advisory Committee, Planning Commission and City Council, The Napa City Council, The Napa County Board of Supervisors and the NCTPA Board of Directors for acceptance.

Deliverable	Documentation
Preparation of final plan(s) for hearing	Copy of final plan(s)
Presentation of plans to, American Canyon, Napa County, City of Napa and NCTPA	Meeting agendas, staff reports, minutes

Task 5: Administration

Task 5.1: Monitor ongoing progress of project and prepare and provide quarterly reports to Caltrans District 4 project manager as required. Oversee ongoing contract management.

Task 5.2: Act as fiscal manager for project, including providing invoicing and ensuring proper documentation of expenditures and timely use of funds.

Deliverable	Documentation
Monitoring of project and contract management	Quarterly reports to District project manager
Fiscal management	Copies of Invoices

FIRST AMENDMENT TO
NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY (NCTPA)
AGREEMENT NO. 10-23

THIS FIRST AMENDMENT TO NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY (NCTPA) AGREEMENT NO. 10-23 "Agreement" is made and entered into as of this _____ day of _____ 2012, between the NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY, herein after referred to as "NCTPA", and Mark Thomas & Company, whose mailing address is 1243 Alpine Road, Suite 222, Walnut Creek, CA 94596, herein after referred to as "CONTRACTOR."

RECITALS

WHEREAS in March 2010 NCTPA contracted for specialized services, as authorized by Government Code Section 31000, in order to provide NCTPA with on-call Engineering and Project Delivery services; and

WHEREAS, the Agreement term was scheduled to expire in March 2012; and

WHEREAS, the parties desire to amend the Agreement to extend the term in order to provide CONTRACTOR with the opportunity to complete the services as set forth in the Agreement.

TERMS

NOW THEREFORE, the NCTPA and CONTRACTOR agree to amend the Agreement as follow:

1. Paragraph 1 of the Agreement is replaced in its entirety to read

1. **Term of the Agreement.** The term of this Agreement shall commence on the date first above written and shall expire on **March 31, 2013** unless terminated earlier in accordance with Paragraphs 9 (Termination for Cause), 10 (Termination for Convenience) or 23(a) (Covenant of No Undisclosed Conflict); except that the obligations of the parties under Paragraphs 7 (Insurance) and 8 (Indemnification) shall continue in full force and effect after said expiration date or early termination in relation to actions or omissions occurring prior to such dates during the term of the agreement and the obligations of CONTRACTOR to NCTPA shall also continue after said expiration date or early termination in relation to the

obligations prescribed by Paragraphs 15 (Confidentiality), 20 (Taxes) and 21 (Access to Records/Retention).

2. Exhibit B is amended to include the charge rate schedule for Design Community and Environment, Inc.

3. Except as set forth above, the terms and conditions of the Agreement shall remain in full force and effect as previously approved.

IN WITNESS WHEREOF, this Agreement was executed by the parties hereto as of the date first above written.

“NCTPA”

CONTRACTOR”

NCTPA, a joint powers authority organized under the laws of the State of California

Mark Thomas & Company

By _____
Paul Pice, Executive Director

By _____
Sasha Dansky, Principal

ATTEST:

By _____
Karalyn E. Sanderin, NCTPA Board Secretary

Approved as to Form:

By _____

Janice Killion, NCTPA Legal Counsel

Napa County Transportation and Planning Agency (NCTPA)

Board of Directors

AGENDA
Wednesday, February 15, 2012
1:30 p.m.

NCTPA/NVTA Conference Room
707 Randolph Street, Suite 100
Napa CA 94559

General Information

All materials relating to an agenda item for an open session of a regular meeting of the NCTPA Board of Directors are posted on our website at www.nctpa.net/m_a.cfm at least 72 hours prior to the meeting and will be available for public inspection, on and after at the time of such distribution, in the office of the Secretary of the NCTPA Board of Directors, 707 Randolph Street, Suite 100, 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 the present members of the Board at the meeting will be available for public inspection at the public meeting if prepared by the members of the NCTPA Board 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 Board on any item at the time the Board 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 Board Secretary. Also, members of the public are invited to address the Board 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 Karrie Sanderlin, NCTPA Board Secretary, 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, click on Minutes and Agendas – NCTPA Board or go to www.nctpa.net/bod-c/bod/curr-am.html

ITEMS

1. Call to Order – Chair Keith Caldwell
2. Pledge of Allegiance
3. Roll Call

Members:

Joan Bennett	City of American Canyon
Leon Garcia, Mayor	City of American Canyon
Michael Dunsford	City of Calistoga
Jack Gingles, Mayor	City of Calistoga
Jim Krider	City of Napa
Jill Techel, Mayor	City of Napa
Keith Caldwell	County of Napa
Bill Dodd, BOS Chair	County of Napa
Del Britton, Mayor	City of St. Helena
Peter White	City of St. Helena
Lewis Chilton	Town of Yountville
John F. Dunbar, Mayor	Town of Yountville
JoAnn Busenbark	Paratransit Coordinating Council

- 4. Modifications to / Setting of the Agenda
- 5. Public Comment
- 6. Chairperson, Board Members' and Metropolitan Transportation Commission (MTC) Update
- 7. Directors Update
- 8. Caltrans Update

9. **CONSENT ITEMS (9.0)**

RECOMMENDATION

- | | |
|--|----------------|
| <p>9.1 Approval of Resolution 12-02 Authorizing the submission of a Federal Transit Administration (FTA) Section 5311 grant application with the California Department of Transportation (Caltrans). (Antonio Onorato) <i>(Pages xx-xx)</i></p> <p style="margin-left: 40px;">Board action will a approve Resolution No. 12-02 Authorizing the agency to submit a grant application for FTA 5311 funds in the amount of \$175,001 for rural routes operating assistance in northern Napa County.</p> | <p>APPROVE</p> |
| <p>9.2 Approval of Amendment No.8 to the Joint Powers Agreement (JPA). (Antonio Onorato) <i>(Pages xx-xx)</i></p> <p style="margin-left: 40px;">Board action will approve Amendment No. 8 to the Joint Powers Agreement.</p> | <p>APPROVE</p> |
| <p>9.3 PCC and VCAC By Laws and Appointments (Tom Roberts) <i>(Pages xx-xx)</i></p> | <p>APPROVE</p> |

Board action will approve the appointments to the PCC and VCAC.

- 9.4 Transit Performance (Tom Roberts) *(xx-xx)* INFORMATION

Board will review the revised Transit Performance Matrix.

- 9.5 Amendment to JPA Cal Vans Agreement (Diana Meehan) *(xx-xx)* APPROVE

Board action will approve the Amendment to the Cal Vans Agreement.

- 9.6 Destruction of NCTPA purged documents (Paul Price) *(pages xx-xx)* APPROVE

Board action will approve the destruction of old documents which have been reviewed by legal counsel.

- 9.7 Approval of Resolution 12-03 Jameson Canyon Co-Op Agreement (Paul Price) *(xx-xx)* APPROVE

Board action will approve Resolution 12-03 for the Jameson Canyon Co-Op Agreement.

10. **REGULAR AGENDA ITEMS** **RECOMMENDATION**

- 10.1 CEQA Bike Path Public Hearing (Eliot Hurwitz) *(pages xx-xx)* APPROVE

Board action will approve

- 10.2 SR 29 Corridor Planning and Studies (Eliot Hurwitz) *(pages xx-xx)* APPROVE

Board action will approve the SR 29 Corridor Study.

- 10.2 Approval of Resolution No. 12-03 (Antonio Onorato) *(pages xx-xx)* APPROVE

Board action will approve electing NCTPA to become subject to the Uniform Public Construction Cost Accounting Act and

Establishing Uniform Public Construction Cost Account Act procedures set forth at the California Public Contract Code Section 22000 et seq.

- 10.3 Call for Projects Lifeline Program Announcement (Antonio Onorato) *(pages xx-xx)* INFORMATION

Board action will approve

- 10.4 Recommend Advanced Fare Box Consultant (Antonio Onorato) *(pages xx-xx)* APPROVE

Board Action will approve

- 10.5 Sales Tax Draft Ordinance. CEQA investigation recommended jurisdictional expenditure component (Paul Price) *(pages xx-xx)* APPROVE

Board action will approve

- 10.6 Board Appoint Ad Hoc Committee to work with Napa Transit Investors. (Paul Price) *(pages xx-xx)* APPROVE

Board action will approve

11. **INTERJURISDICTIONAL ISSUES FORUM** **RECOMMENDATION**

INFORMATION

- 11.1 Interjurisdictional Issues Discussion Forum and Information Exchange

Board Members are encouraged to share specific new projects with Interjurisdictional impacts.

- 11.2 Dissolution of the Napa County Commission for Arts and Culture from the NCTPA. (Paul Price) *(pages xx-xx)* INFORMATION/
APPROVE

Board approval will

12. **ADJOURNMENT** **RECOMMENDATION**

- 12.1 Approval of Meeting Date of March 21, 2012 and Adjournment. APPROVE

**ATTACHMENT 1
TAC Agenda Item 9
February 2, 2012**

I hereby certify that the agenda for the above stated meeting was posted at a location freely accessible to members of the public at the NCTPA offices, 707 Randolph Street Suite 100 Napa CA, by 5:00 p.m., Friday February 8, 2012

Karalyn E. Sanderlin, NCTPA Board Secretary