



625 Burnell Street • Napa, CA 94559-3420  
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## Technical Advisory Committee (TAC)

### AGENDA

Thursday, June 6, 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. Pledge of Allegiance
3. Introductions
4. Approval of Meeting Minutes – April 4, 2013 & May 2, 2013
5. Public Comments
6. TAC Member and Staff Comments
7. Standing
  - Congestion Management Agency (CMA) Report
  - Project Monitoring Funding Programs

Member Agencies: Calistoga, St. Helena, Town of Yountville, City of Napa, American Canyon, County of Napa

Napa County Transportation & Planning Agency

Napa Valley Transportation Authority

- SR29 Improvement Plan Study Update
- Transit Dashboard (*Attachment 1*)
- Vine Trail Report
- Caltrans Report (*Attachment 2*)

**REGULAR AGENDA ITEMS**

**RECOMMENDATION**

**TIME\***

8.	Transportation Development Act- Article 3 (TDA-3) Call for Projects (Eliot Hurwitz) ( <i>Pages 8-24</i> )	APPROVE	2:15 PM
Review and comment on TDA-3 call for projects to be submitted for approval by the Board at their June 2013 meeting.			
9.	StreetSaver Software Program – License and Permission (Eliot Hurwitz) ( <i>Pages 25-26</i> )	APPROVE	2:30 PM
Review and discuss approval of obtaining limited access and/or permission by NCTPA to the Metropolitan Transportation Commission (MTC) StreetSaver Program.			
10.	Measure T Program and Processes – Appointment of Sub-committee (Kate Miller) ( <i>Pages 27-29</i> )	APPROVE	2:45 PM
Establish a sub-committee to develop Measure T process and programming ideas.			
11.	Legislative Update and State Bill Matrix (Kate Miller) ( <i>Pages 30-43</i> )	INFORMATION	3:00 PM
Staff will provide TAC with the latest Federal and State legislative update presented to the NCTPA Board.			
12.	NCTPA Board of Directors Agenda for June 19, 2013 (Draft)** (Kate Miller)	INFORMATION	3:05 PM
Preview draft version of the NCTPA Board of Directors Agenda for June 19, 2013.			
13.	Topics for Next Meeting <ul style="list-style-type: none"> <li>○ Discussion of topics for next meeting by TAC members</li> </ul>	DISCUSSION	3:10 PM

14.	Approval of Next Regular Meeting Date of July 11, 2013 and Adjournment	APPROVE	3:15 PM
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*\* Times shown are approximate only.*

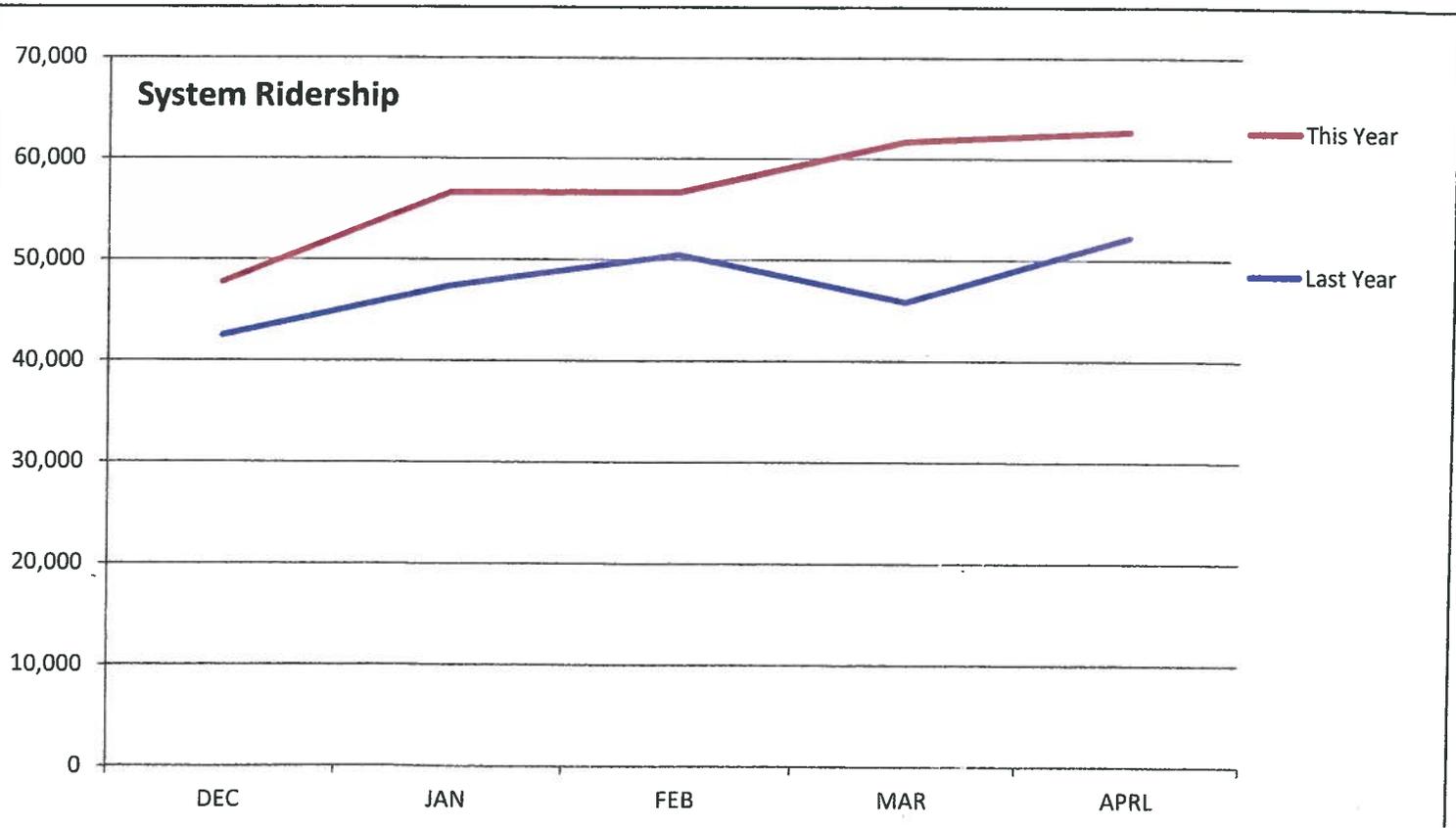
*\*\*Item to be made available at the meeting.*

<b>System Wide</b>			
	April 2012	April 2013	Change
Passenger Trips	52,227	62,686	+20%

<b>VINE Routes 1 - 8, 10 and 11</b>			
<p>In December 2012, local City of Napa routes 1 -6 became 1 -8, 10 and 11. The new system provides greater frequency, more direct connections and shorter travel times for most trips. The new, overlapping, Routes 10 and 11 are now the backbone of the City of Napa bus system creating a Rapid Transit Corridor for residents within the City of Napa while also improving county-wide connectivity.</p>			
	April 2012	April 2013	Change
Passenger Trips	43,456	51,593	+18.7%

<b>VINE Commuter and Regional Routes</b>			
Route 29 Express to the Vallejo Ferry and BART and Route 25 to Sonoma.			
	April 2012	April 2013	Change
Route 25 - Trips	Service began July 2012	563	n/a
Route 29 - Trips	2,072	2,787	+34.5%

<b>VINE Community Transit Services</b>			
	Passenger Trips		
	April 2012	April 2013	Change
Am Can Transit	3,443	3,208	-7.3%
Calistoga	453	1,392	+307.3%
St. Helena	742	666	-11.4%
Yountville	2,061	2,406	+16.7%



May 2013

Caltrans Report

**PROJECT INITIATION DOCUMENT**

**EA 0G650**

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

Scope: Scour Mitigation at Garnett Creek (Not programmed in 2012 SHOPP and No Preferred Alternative has been selected.)

**EA 3G140**

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

Scope: Update and Construct curb ramps at various locations.

**EA1G030**

**Silverado/Lincoln Roundabout NAPA 29-PM 37.9: In City of Calistoga**

Scope: Modify intersection with a Roundabout Design at Silverado Intersection

**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

**EA4G920**

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

Scope: Bridge Repair

**EA4G840**

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

Scope: Bridge Repair/Replacement

**EA4G490**

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

Scope: Install Concrete Barrier (Type 60)

**EA4G540**

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

Scope: Install new traffic signals

**ENVIRONMENTAL**

**EA 28120**

**Soscol Flyover NAPA 221 PM 0.0/0.7 NAPA 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 9/2013 PAED 7/2014

**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 6/2013 PSE 3/2014 RWC 5/2014 RTL 5/2014 CCA 4/2016

**EA 1G430**

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

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

Cost Estimate: \$5M Construction Capital

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

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)

**■ = DENOTES CHANGE(S) FROM PREVIOUS REPORT**

**EA 3G640**

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

Scope: Reconstruct a 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 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 2A110**

**Capell Creek Bridge NAPA 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 8/16/12 **RWC 2/25/13** RTL 3/14/13 CCA 8/2015

**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 6/2014 RTL 6/2014 CCA 12/2016

**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 10/2012 CCA 12/2013

**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 10/2012 **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 11/2012 CCA 3/2014

**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 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 11/2012      CCA 3/2014

**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

**CONSTRUCTION**

**EA 4442A**

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

Scope: Mitigation and tree 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

**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 12/2013

**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 12/2014

**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

**ACTION ITEMS**

- HMA Quality issue on State Route 121, Monticello Road, NAPA.

**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)



June 6, 2013  
TAC Agenda Item 8  
Continued From: NEW  
**Action Requested: APPROVE**

## 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:** Eliot Hurwitz, Program Manager for Planning  
(707) 259-8782 / Email: [ehurwitz@nctpa.net](mailto:ehurwitz@nctpa.net)  
**SUBJECT:** Transportation Development Act-Article 3 (TDA-3) Call for Projects

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### **RECOMMENDATION**

Comment on TDA-3 call for projects.

### **EXECUTIVE SUMMARY**

The 2013 TDA-3 call for projects is expected to be approved by the NCTPA Board at its June 2013 meeting. The schedule calls for the Board to approve project selections in September 2013. TAC is requested to comment on and approve the provisions of the proposed call for projects.

### **FISCAL IMPACT**

Is there a Fiscal Impact? No, although once the call for projects is issued, approximately \$296,000 will be available for project allocation.

### **BACKGROUND AND DISCUSSION**

The TDA-3 program is funded by approximately 2% of the ¼ cent statewide sales tax for bicycle and pedestrian projects. This generates approximately \$120,000 per year in revenues for Napa County jurisdictions.

The TDA-3 program can fund a wide range of project types, including new capital construction, design, engineering of bike and pedestrian project or for the maintenance of class I bikeway, restriping class II bicycle lanes; development or support of a bicycle safety education program; and development of a comprehensive bicycle and/or pedestrian facilities plan (once every 5 years).

**PROPOSED TIMELINE**

<b>ITEM</b>	<b>DATE</b>
Board Approval	June 19, 2013
Issue Call For Projects	June 19, 2013
Applications - <i>due to NCTPA by 5:00 PM</i>	August 16, 2013
Draft Program Review by ATAC	August 26, 2013
Draft Program Review by TAC	September 5, 2013
Board Approval	September 18, 2013

**SUPPORTING DOCUMENTS**

Attachments: (1) Guide and Application for Transportation Development Act – Part 3  
(TDA-3) Funds for Napa County



Guide and Application for  
Transportation Development Act – Part 3 (TDA-3) Funds  
for Napa County

FY 2013-14 Applications Due to NCTPA: August 16, 2013

NCTPA  
625 Burnell Street  
Napa, CA 94559  
Phone: 707-259-8631  
Fax: 707-259-8638  
[www.nctpa.net](http://www.nctpa.net)

May 30, 2013

The Napa County Transportation and Planning Agency is pleased to announce a Call for Projects for Transportation Development Act, Part 3 (TDA-3) funds available to Napa County jurisdictions.

The TDA-3 program is a grant program, funded by approximately 2% of the 1/4cent Statewide Sales Tax. This generates approximately \$120,000 per year in revenues for Napa jurisdictions. The purpose of the TDA-3 program is to provide grants for local bicycle and pedestrian projects.

The TDA-3 program can fund a wide range of project types, including for capital construction and/or design engineering of bicycle and pedestrian projects; and/or for the maintenance of a Class I bikeway; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan (once every 5 years),

NCTPA is pleased that your agency or organization has chosen the TDA-3 program as a potential funding source to complete your eligible project. This packet has been created to help guide you in submitting a successful application for funding.

The available funding for Napa County TFCA projects for FY 2013-14 will be approximately \$296,000 dollars. The Applications for FY 2013-14 will be due to NCTPA by 5:00 PM on Friday, August 16, 2013<sup>th</sup>.

If you have any questions, you may contact Eliot Hurwitz, TDA-3 Program Manager at:  
625 Burnell Street  
Napa, CA 94559  
Phone: 707-259-8631

Sincerely,

Kate Miller  
Executive Director  
Napa County Transportation & Planning Agency

## **The TDA-3 Program**

The State Legislature passed the Transportation Development Act (TDA) in 1971. The TDA provides one of the major funding sources for public transportation in California. Transportation Development Act (TDA) funds are generated from a statewide ¼ cent sales tax. Article 3 of TDA is a set-aside of approximately 2% of those monies. Under Article 3 of the TDA, funds are also used by local jurisdictions for bicycle and pedestrian projects.

The Metropolitan Transportation Commission (MTC) administers TDA3, which is distributed based on population. Each year, an annual fund estimate or “entitlement” is developed for each jurisdiction. Unused “entitlement” is accumulated as credit. A jurisdiction’s claim in any given year cannot exceed the sum of their accumulated credit plus their projected entitlement for the following two years.

Funds are obtained by local jurisdictions via a three-step process: (1) apportionment, (2) allocation, and (3) payment (reimbursement). Apportionment in the San Francisco Bay Area follows a Metropolitan Transportation Commission (MTC) formula based upon population. Allocation is the discretionary action by MTC that designates funds for a specific claimant for a specific purpose. NCTPA submits TDA allocation requests to MTC on a regular basis, and unused TDA funds allocated to any project may be rolled over from one fiscal year to the next. No matching funds are required, but the project must meet the funding objectives and be developed in cooperation with the community. The basic objectives of the grant source are to fund projects that increase the safety, security, and efficiency of bicycle and pedestrian travel, and to provide for a coordinated system. The MTC requires supporting resolutions from the sponsoring Council.

There are no matching requirements with this funding source. TDA 3 projects are required to meet Caltrans safety design criteria and CEQA requirements; be completed within three years; be maintained; be consistent with adopted bicycle plans; and be authorized by a governing council or board.

This “Call for Projects” will be issued on May 15, 2013, upon approval by the NCTPA Board of Directors. In addition to the application, project sponsors must deliver documentation of environmental clearance and maps/documents showing project locations and design parameters. Projects must be approved by MTC.

As part of the grant process, MTC also requires the City Council to adopt a resolution making certain findings as follows:

- (i) the City is eligible to request grant funding under State law,
- (ii) there is no pending or threatened litigation that adversely affects the project
- (iii) the grant application is accurate,
- (iv) The jurisdiction has committed adequate staffing resources to complete the projects
- (v) The jurisdiction will comply with CEQA,
- (vi) the completed projects will be maintained by the jurisdiction for the benefit of the public, and
- (vii) the adopted resolution will be sent to NCTPA

## **Basic Eligibility for TDA-3 Funding**

TDA Article 3 funds may be used for the following activities relating to pedestrian and bicycle facilities (including sidewalk wheelchair ramps):

- Engineering expenses leading to construction.
- Right-of-way acquisition.

- Construction and reconstruction.
- Retrofitting existing bicycle and pedestrian facilities, including installation of signage, to comply with the Americans with Disabilities Act (ADA).
- Route improvements such as signal controls for cyclists, bicycle loop detectors, rubberized rail crossings and bicycle-friendly drainage grates.
- Purchase and installation of bicycle facilities such as
  - secure bicycle parking,
  - benches, drinking fountains, changing rooms, rest rooms and showers which are adjacent to bicycle trails, employment centers, park-and-ride lots, and/or transit terminals and are accessible to the general public.
- Maintenance of Class I bikeways (unlimited)
- Maintenance of Class II bikeways. Countywide, the total funds allocated to Class II bikeway maintenance cannot exceed 20% of the total countywide TDA estimate
- Bicycle Safety Education Programs (not more than 50% of the project's budget and not more 5% of the countywide TDA Article 3 funds)
- Comprehensive Bicycle & Pedestrian Facilities Plans (not more than once per jurisdiction every 5 years)
- Projects identified in a recent (within 5 years) comprehensive local bicycle or pedestrian plan
- Annual TDA Article 3 Audits

TDA Article 3 funds may not be used to fully fund the salary of any one person working on these programs.

**Bicycle Advisory Committee Requirement**

Cities and counties may not receive TDA Article 3 funds for bicycle projects unless the jurisdiction has established a Bicycle Advisory Committee (BAC) and the project is included in an adopted plan as stipulated in the MTC TDA Article 3 Rules and Procedures. This requirement does not apply to pedestrian projects. For Napa County, the NCTPA Active Transportation Advisory Committee is fulfills this requirement. However, for those jurisdictions with additional local Bicycle Advisory Committees, the approval of that committee is also required.

**Recent Project Examples in Napa County**

<b>Project Name</b>	<b>Sponsor</b>	<b>TDA-3 Funds</b>	<b>Total Project \$</b>	<b>Costs must be incurred by</b>
ADA Curb Ramps, CON	Calistoga	\$60,000	\$60,000	6/30/2015
Rowena Ave Sidewalk Improvements, CON	City of Napa	\$169,000	\$169,000	6/30/2015
SR29 Undercrossing, PE	City of Napa	\$72,000	\$72,000	6/30/2015
Vine Trail – Solano Ave, PE	NCTPA	\$50,000	\$504,000	6/30/2015

## **Project Selection Process**

The project selection process is as follows. NCTPA staff will run the prospective projects through an initial qualification process based on project eligibility, and present their findings to the NCTPA Active Transportation Advisory Committee (ATAC) which will serve as the initial selection and prioritization committee. The ATAC recommendations will be forwarded to the NCTPA Technical Advisory Committee (TAC) for their review and recommendation. The recommendation from both Committees will be forwarded to the NCTPA Board for their decision.

Projects will be evaluated on a cost effective and project readiness basis.

## **TDA-3 Project Selection Criteria for Napa County**

### For Bicycle Projects

- The project is listed in the jurisdiction's adopted Bicycle Plan
- The project priority level is "high" as indicated in the jurisdiction's Bicycle Plan
- Environmental Clearance is secured

### For Pedestrian Projects

- The project is listed in the jurisdiction's Capital Improvement Plan
- Environmental Clearance is secured

Additional credit will be given to projects that

- are on the Countywide "Primary Bikeway Network"
- provide additional local matching funds (not required)

## **Application Instructions:**

TDA-3 project applications for FY 2013-14 must be submitted to NCTPA no later than 5:00 pm on Friday August 16, 2013. Applications may be emailed to Eliot Hurwitz at [ehurwitz@nctpa.net](mailto:ehurwitz@nctpa.net). Applications must include:

- MTC project application (attached)
- Resolution of local support following MTC requirements (attached)

## **What Happens After Submission of the TDA-3 application?**

After applications are submitted to NCTPA the evaluation process will begin. NCTPA plans on the following action timeline:

- August 27, 2013 – NCTPA will take proposed 2013-14 TDA-3 projects to the NCTPA Active Transportation Advisory Committee (ATAC) for recommendation to NCTPA Board

- September 5, 2013 – NCTPA will take proposed 2013-14 TDA-3 projects to the NCTPA Technical Advisory Committee (TAC) for recommendation to NCTPA Board
- September 18, 2013 – NCTPA will take proposed final projects for FY 2013-14 to the NCTPA Board for approval (date tentative) and forwards the applications to MTC
- October 2013 – MTC sends out agreements to project sponsors (date tentative)

### **Contact Information**

Napa County TDA-3 Program Manager:

Eliot Hurwitz  
625 Burnell Street  
Napa, CA 94559  
Phone: (707) 259-8782  
[ehurwitz@nctpa.net](mailto:ehurwitz@nctpa.net)

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625 Burnell Street  
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[www.nctpa.net](http://www.nctpa.net)

Metropolitan Transportation Commission  
TDA & RM2 Operating Program Manager  
Cheryl Chi  
510-817-5939  
[cchi@mtc.ca.gov](mailto:cchi@mtc.ca.gov)

## Metropolitan Transportation Commission

### Transportation Development Act Article 3 Funds Bicycle and Pedestrian Projects

#### **Instructions for the Use of the Model Governing Body Resolution by Claimants**

*(A model resolution follows these instructions)*

The model resolution contains four parts:

1. Abstract of the purpose of the resolution (optional)
2. Body of the Resolution
3. Attachment A to the Resolution – Required Findings
4. Attachment B to the Resolution – MTC Claim Form(s)

All TDA Article 3 claimants should use this model resolution since it includes proper wording for findings to be made by the claimant.

One resolution may be used for requesting allocations for multiple projects.

A claimant may reformat the resolution for administrative purposes, but any wording changes should be approved by MTC in advance.

Attachment A, the “Findings,” must be included as part of the resolution. If you have questions about revising any of the text in the resolution or in Attachment A, or altering any of the findings, please contact MTC for prior approval.

For attachment B – local Congestion Management agency or county-approved forms may be used in lieu of MTC’s standard format if basic identifying information about the project and the project sponsor is included. A separate “Project Application” form must be used for each project. If the claim covers multiple projects, the multiple claim forms still constitute only one Attachment B. In other words, Attachment B can be one to “n” number of claim forms, and the total number of pages of Attachment B is the total number of pages of all of the claim forms (including any accompanying pages).

Where you see INSERT NUMBER, insert – in black type – the number you assign to the resolution.

Where you see INSERT NAME OF CLAIMANT, insert – in upper and lower case black type – the official name of the city or county (e.g., “the City of Oakland,” “the County of Solano”).

Where you see INSERT NAME OF COUNTY, insert – in upper and lower case black type – the name of the county from which the claim is being submitted (e.g., “Napa County”).

Resolution No. INSERT NUMBER  
Abstract [Optional]

This resolution approves the request to the Metropolitan Transportation Commission by the INSERT NAME OF CLAIMANT for an allocation of Transportation Development Act Article 3 Pedestrian and Bicycle Project funding for fiscal year INSERT FISCAL YEAR.

Resolution No. **INSERT NUMBER**

Re: Request to the Metropolitan Transportation Commission for the allocation of fiscal year **INSERT FISCAL YEAR** Transportation Development Act Article 3 Pedestrian/Bicycle project funding

WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No. 875, Revised, entitled "Transportation Development Act, Article 3, Pedestrian/Bicycle Projects," which delineates procedures and criteria for submission of requests for the allocation of "TDA Article 3" funding; and

WHEREAS, MTC Resolution No. 875, Revised requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

WHEREAS, the **INSERT NAME OF CLAIMANT** desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Attachment B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists; now, therefore, be it

RESOLVED, that the **INSERT NAME OF CLAIMANT** declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code, and furthermore, be it

RESOLVED, that there is no pending or threatened litigation that might adversely affect the project or projects described in Attachment B to this resolution, or that might impair the ability of the **INSERT NAME OF CLAIMANT** to carry out the project; and furthermore, be it

RESOLVED, that the **INSERT NAME OF CLAIMANT** attests to the accuracy of and approves the statements in Attachment A to this resolution; and furthermore, be it

RESOLVED, that a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the congestion management agency, countywide transportation planning agency, or county association of governments, as the case may be, of **INSERT NAME OF COUNTY** for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

The **INSERT NAME OF CLAIMANT** adopted this resolution on **INSERT DATE**.

AYES:

NAYS:

Certified to by (signature): \_\_\_\_\_  
**TYPE NAME OF CERTIFYING INDIVIDUAL HERE**

Resolution No. **INSERT NUMBER**  
Attachment A

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year **INSERT FISCAL YEAR** Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

**Findings**

Page 1 of 1

1. That the **INSERT NAME OF CLAIMANT** is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of Transportation Development Act (TDA) Article 3 funds, nor is the **INSERT NAME OF CLAIMANT** legally impeded from undertaking the project(s) described in “Attachment B” of this resolution.
2. That the **INSERT NAME OF CLAIMANT** has committed adequate staffing resources to complete the project(s) described in Attachment B.
3. A review of the project(s) described in Attachment B has resulted in the consideration of all pertinent matters, including those related to environmental and right-of-way permits and clearances, attendant to the successful completion of the project(s).
4. Issues attendant to securing environmental and right-of-way permits and clearances for the projects described in Attachment B have been reviewed and will be concluded in a manner and on a schedule that will not jeopardize the deadline for the use of the TDA funds being requested.
5. That the project(s) described in Attachment B comply with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.).
6. That as portrayed in the budgetary description(s) of the project(s) in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project(s).
7. That the project(s) described in Attachment B are for capital construction and/or design engineering; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by the **INSERT NAME OF CLAIMANT** within the prior five fiscal years.
8. That the project(s) described in Attachment B which are bicycle projects have been included in a detailed bicycle circulation element included in an adopted general plan, or included in an adopted comprehensive bikeway plan (such as outlined in Section 2377 of the California Bikeways Act, Streets and Highways Code section 2370 et seq.).
9. That any project described in Attachment B that is a “Class I Bikeway,” meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.
10. That the project(s) described in Attachment B are ready to commence implementation during the fiscal year of the requested allocation.
11. That the **INSERT NAME OF CLAIMANT** agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in Attachment B, for the benefit of and use by the public.

Resolution No. INSERT NUMBER  
Attachment B  
page INSERT PAGE NUMBER of INSERT TOTAL PAGE NUMBERS

**TDA Article 3 Project Application Form**

Fiscal Year of this Claim: \_\_\_\_\_ Applicant: \_\_\_\_\_

Contact person: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Secondary Contact (in event primary not available) \_\_\_\_\_

E-Mail Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

**Short Title Description of Project:** \_\_\_\_\_

Amount of claim: \$ \_\_\_\_\_

**Functional Description of Project:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Financial Plan:**

List the project elements for which TDA funding is being requested (e.g., planning, environmental, engineering, right-of-way, construction, inspection, contingency, audit). Use the table below to show the project budget. Include prior and proposed future funding of the project. If the project is a segment of a larger project, include prior and proposed funding sources for the other segments.

**Project Elements:** \_\_\_\_\_

\_\_\_\_\_

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3					
list all other sources:					
1.					
2.					
3.					
4.					
<b>Totals</b>					

Project Eligibility:	YES?/NO?
A. Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated).	
B. Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	
C. For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual? (Available on the internet via: <a href="http://www.dot.ca.gov">http://www.dot.ca.gov</a> ).	
D. Has the project been reviewed by a Bicycle Advisory Committee? (If "NO," provide an explanation).	
E. Has the public availability of the environmental compliance documentation for the project (pursuant to CEQA) been evidenced by the dated stamping of the document by the county clerk or county recorder? (required only for projects that include construction).	
F. Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) _____	
G. Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such maintenance by another agency? (If an agency other than the Claimant is to maintain the facility provide its name: _____ )	

**Instructions for the Use of the Model Resolution for Use by Countywide Agencies for Submittal of the Countywide Coordinated Claim**

A copy of the resolution follows these instructions.

The exact text of the body of the model resolution must be submitted to MTC; however, a claimant may reformat the resolution for administrative purposes.

Attachment A, the prioritized list of projects, must be completed and included as part of the resolution.

Where you see INSERT NUMBER, insert – in black type – the number you assign to the resolution.

Where you see INSERT NAME OF COUNTY, insert – in upper and lower case black type – the name of the county from which the claim is being submitted. (e.g., “Napa County”).

Where you see INSERT NAME OF COUNTYWIDE AGENCY, insert – in upper and lower case black type – the name of the agency from which the claim is being submitted. (e.g., “Napa County Transportation Planning Agency,” “Solano Transportation Authority,” “Contra Costa County Board of Supervisors,” “Santa Clara Valley Transportation Authority”).

Resolution No. INSERT NUMBER

Re: Submittal of Countywide Coordinated Claim to the Metropolitan Transportation Commission for the Allocation of Fiscal Year INSERT FISCAL YEAR TDA Article 3 Pedestrian/Bicycle Project Funds to Claimants in INSERT NAME OF COUNTY

WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No. 875, Revised, which delineates procedures and criteria for submission of requests for the allocation of TDA Article 3 funds; and

WHEREAS, MTC Resolution No. 875, Revised requires that requests from eligible claimants for the allocation of TDA Article 3 funds be submitted as part of a single, countywide coordinated claim, composed of certain required documents; and

WHEREAS, the INSERT NAME OF COUNTYWIDE AGENCY has undertaken a process in compliance with MTC Resolution No. 875, Revised for consideration of project proposals submitted by eligible claimants of TDA Article 3 funds in INSERT NAME OF COUNTY, and a prioritized list of projects, included as Attachment A of this resolution, was developed as a result of this process; and

WHEREAS, each claimant in INSERT NAME OF COUNTY whose project or projects have been prioritized for inclusion in the fiscal year INSERT FISCAL YEAR TDA Article 3 countywide coordinated claim, has forwarded to the INSERT NAME OF COUNTYWIDE AGENCY a certified copy of its governing body resolution for submittal to MTC requesting an allocation of TDA Article 3 funds; now, therefore, be it

RESOLVED, that the INSERT NAME OF COUNTYWIDE AGENCY approves the prioritized list of projects included as Attachment A to this resolution; and furthermore, be it

RESOLVED, that the INSERT NAME OF COUNTYWIDE AGENCY approves the submittal to MTC, of the INSERT NAME OF COUNTY fiscal year INSERT FISCAL YEAR TDA Article 3 countywide, coordinated claim, composed of the following required documents:

- A. transmittal letter
- B. a certified copy of this resolution, including Attachment A;
- C. one copy of the governing body resolution and required attachments, for each claimant whose project or projects are the subject of the coordinated claim;
- D. a description of the process for public and staff review of all proposed projects submitted by eligible claimants for prioritization and inclusion in the countywide, coordinated claim;

- E. confirmation that each project meets Caltrans' minimum safety design criteria and is ready to implement within the next fiscal year.

This resolution was adopted by **INSERT NAME OF COUNTYWIDE AGENCY** on **INSERT DATE**.

AYES:

NAYS:

Certified to by (signature): \_\_\_\_\_  
TYPE NAME OF CERTIFYING INDIVIDUAL HERE

Resolution No. **INSERT NUMBER**  
Attachment A

Re: Submittal of Countywide Coordinated Claim to the Metropolitan Transportation Commission for the Allocation of Fiscal Year **INSERT FISCAL YEAR** TDA Article 3 Pedestrian/Bicycle Project Funds to Claimants in **INSERT NAME OF COUNTY**

**Prioritized List of Projects**

	Short Title Description of Project	TDA Article 3 Amount	Total Project Cost
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	<b>Totals</b>		



June 6, 2013  
TAC Agenda Item 9  
Continued From: NEW  
**Action Requested: APPROVE**

## 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:** Eliot Hurwitz, Program Manager Planning (Strategic)  
(707) 259-8782 / Email: ehurwitz@nctpa.nett  
**SUBJECT:** StreetSaver Software – Subscription and Permission

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### **RECOMMENDATION**

That the TAC members approve read-only access to the Metropolitan Transportation Commission (MTC) StreetSaver data by the Napa County Transportation and Planning Agency (NCTPA) for planning purposes.

### **EXECUTIVE SUMMARY**

NCTPA will use data from MTC's StreetSaver program to manage Measure T funding, and download information directly for publications, reports and monitoring.

### **FISCAL IMPACT**

Is there a Fiscal Impact? Yes, the software package is \$3,000.

### **BACKGROUND AND DISCUSSION**

MTC's StreetSaver program is a decision making system that helps make cost-effective decisions concerning the maintenance and rehabilitation of pavement assets. While organizational staff manages pavements and make decisions the StreetSaver software assists in information management and decision support, providing a means to organize the massive amounts of data that develops about a pavement network. StreetSaver automates data storage and analysis, making multiple complex calculations quickly and efficiently, providing results in easily understandable reports.

The information provided by StreetSaver will be used for NCTPA's planning and publication purposes.

**SUPPORTING DOCUMENTS**

Attachments: None



June 6, 2013  
TAC Agenda Item 10  
Continued From: May 2, 2013  
**Action Requested: APPROVE**

## 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) 259-8632 / Email: [kmiller@nctpa.net](mailto:kmiller@nctpa.net)  
**SUBJECT:** Measure T Program and Processes - Appointment of Sub-committee

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### **RECOMMENDATION**

Establish a sub-committee consisting of three (3) Technical Advisory Committee (TAC) members to develop Measure T process and programming ideas.

### **EXECUTIVE SUMMARY**

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

For reference, the Background and Discussion section below contains the May 2, 2013 memo in its entirety.

### **FISCAL IMPACT**

Is there a Fiscal Impact? None.

### **BACKGROUND AND DISCUSSION**

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.

The Measure T Expenditure Plan (Expenditure Plan) tasks NVTA to develop an

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inventory of projects and to ensure adherence with certain compliance elements in the plan. Staff is requesting that the TAC review the proposed call for projects and process for ensuring compliance with various Measure T *maintenance of effort* requirements and refer it to the NVTA Board for approval.

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.

In preparation of the Measure T Ballot measure, NCTPA developed an Expenditure Plan which was approved by NVTA. The Expenditure Plan can be viewed at <http://www.nctpa.net/measure-t>.

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 elements of the draft call for projects and maintenance of effort compliance criteria include:

1) 10-Year Inventory of Projects:

The Expenditure Plan tasks NVTA to develop a 5-year inventory of projects. For the purposes of this call for projects, staff is recommending that jurisdictions develop a 10 year inventory of projects (FY 2013-14 through FY 2022-23) in order to evaluate opportunities for advancing funds should mechanisms be made available to accomplish this.

2) Maintenance of Effort – There are two (2) maintenance of effort requirements associated with Measure T:

- i. Maintaining Current Level of Expenditures on Local Streets and Road Maintenance - The Expenditure Plan requires that agencies receiving Measure T revenues maintain a level of expenditures made from each jurisdiction's general fund, or other eligible revenue sources, as a minimum of what was expended on average for FY 2007-08, FY 2008-09, and FY 2009-10 on Local Streets and Roads Maintenance and supporting infrastructure within the public right of way for pavement sealing, overlays, reconstruction, associated infrastructure 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 Roads Maintenance, but which may not be available on an ongoing basis shall not be considered when calculating an agency's annual maintenance of effort. NCTPA staff is proposing to use jurisdictions' Local Street and Road reports required for submittal to the State Controller's office to validate this requirement. Your application for funding should include the State Controller Reports for FY 2007-08, FY 2008-09, and FY 2009-10.

Further, staff is required to submit its fiscal audit for each of the three (3) years validating that the report is true and correct.

- ii. Expenditures on Class I Bike/Pedestrian Facilities - Jurisdictions (collectively) must demonstrate that at least six and sixty-seven one-hundredths percent (6.67%) of the value of the allocations each year under Section 3(A) of the Expenditure Plan has been committed to Class I Bike lane project(s) identified in the adopted Countywide Bicycle Plan, as that Plan may be amended from time to time, through funding not derived from this Ordinance. This obligation may be fulfilled by the NCTPA and NVTa in programming Congestion Mitigation and Air Quality Improvement (CMAQ) funding (or its successor), plus other local or formula specific funds, in an amount that equals 6.67% over the term of this ordinance. Funding for Class I Bike lane projects that are funded by philanthropy, state or federal discretionary funding shall not count toward the six and sixty-seven one-hundredths percent (6.67%). For the purposes of this section, discretionary funding means any funding that is not tied to a specific state or federal program or formula. Jurisdictions should work together to ensure that applications includes sufficient projects to meet the requirement for each of the 10 years.

Applications are located on NCTPA's website: <http://www.nctpa.net/measure-t-funding-application>

### **PROPOSED TIMELINE**

<b>ITEM</b>	<b>DATE</b>
Board Approval	May 15, 2013
Issue Call For Projects	May 20, 2013
Applications - <i>due to NCTPA by 5:00 PM</i>	June 28, 2013
Draft Program Review by TAC	July 11, 2013
Board Approval	September 18, 2013

### **SUPPORTING DOCUMENTS**

Attachments: None



June 6, 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 NCTPA Board received a Federal legislative update and State legislative update (Attachment 1) from Platinum Associates and considered taking action on various state bills on Attachment 2 that could affect NCTPA.

### **FINANCIAL IMPACT**

Is there a fiscal impact? No.

### **BACKGROUND AND DISCUSSION**

#### *Federal Update*

#### Obama Nomination for Secretary of Transportation

President Obama nominated Charlotte Mayor Anthony Foxx as transportation secretary to replace Ray LaHood. Mayor Foxx hosted the Democratic National Convention last year and has been an advocate of expanding Charlotte's public transit system emphasizing transportation oriented developments around rail station. Mr. Foxx is an attorney, and has served in the capacity as Charlotte's mayor since 2009. Mr. Foxx's senate hearing is anticipated as early as sometime in May.

**President's FY 2014 Budget**

The president released his FY 2014 budget on April 10<sup>th</sup>. The budget funds MAP-21, authorized funding levels and reserves funding for a MAP-21 successor bill at a 25% increase. MAP-21 will expire on September 30, 2014. The budget also includes \$9 billion for transit infrastructure improvements.

**Highway Trust Fund – House Budget Committee Hearing**

A budget hearing on the solvency of the Highway Trust Fund (HTF) was held on April 24<sup>th</sup>. Authorized expenditures are expected to exceed the revenues that flow to the HTF by the end of 2014. Issues raised included Congress' resistance to increase user taxes, that HTF revenues are inequitably distributed, federal regulations increase project costs, and the transportation program is focused on new capital investments rather than maintaining the existing system.

**SUPPORTING DOCUMENTS**

Attachments: (1) May 6, 2013 Legislative Update  
(2) State Bill Matrix



May 6, 2013

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

FR: Steve Wallauch  
Platinum Advisors

RE: **Legislative Update**

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***Budget***

**April Numbers:** April is the biggest revenue month. However, given the large bump in January, the expectation was April would drop well below the \$13.3 billion projected for the month. The LAO estimated that personal income tax collections in April must only reach \$8.5 billion in order to keep on track with the budget estimates. Over half of the \$8.5 billion target was collected in just two days in April with back-to-back daily records of \$2.6 billion of income tax each day. The preliminary tally from the Franchise Tax Board estimates personal income tax collections at \$13.018 billion, which exceed estimates by about \$4.5 billion.

The Department of Finance is now updating its revenue forecast and trying to determine how much of this "surplus" revenue is unanticipated growth and how much is accelerated income. The revised forecast will be released as part of the May Revise that is due on May 14<sup>th</sup>. In either case the benefit to the state's general fund will be limited, because the Prop. 98 calculation will divert a large portion of these funds to education. However, if it is considered accelerated income then the revenue forecast for 2013-14 will be adjusted downward.

These forecasts, as always, are judgment calls, open to interpretations. Many interest groups and legislators will see this surplus as an opportunity to begin to restore years of cuts to health and welfare programs. While the Governor and legislative leadership are urging restraint, it will be difficult to hold back efforts to restore funds to safety net programs.

**Cap & Trade Expenditure Plan:** The Air Resources Board released the draft Cap & Trade Investment Plan. While the Air Resources Board adopted a resolution in support of the plan, the final say on the expenditure lies with the Department of Finance and the Legislature. The May Revise will include the Administration's proposal, which then must be approved by the Legislature as part of the budget negotiations.

Given the uncertainty of the cap & trade revenue, the draft plan is less of an expenditure plan and more of an outline that identifies priority programs. The plan does not specify any dollar or percentage amounts for the funding categories identified, but it identifies three priority

investment sectors. These sectors include -- from largest to smallest --: Sustainable Communities & Clean Transportation, Energy Efficiency & Clean Energy, and Natural Resources & Water Diversion. The Sustainable Communities & Clean Transportation sector prioritizes funding for livable communities investments such as funding to increase transit mode share, rail modernization, active transportation, and infrastructure investments in complete streets, traffic management, and pavement improvements. Details about the funding programs included in each sector can be found in Appendix B. Also within Appendix B the description of each sector specifies a percentage goal for projects benefiting disadvantaged communities.

Further the plan states that inclusion in this plan does not guarantee funding. In fact, they expect only a small subset of the programs identified would be funded in the first year. In addition, the plan recognizes that legislation, such as AB 574, may be enacted creating new allocation pots aimed at implementing the expenditure plan.

Additional information about the hearing, including links to the draft plan, or to submit comments can be found here:

<http://www.arb.ca.gov/cc/capandtrade/auctionproceeds/auctionproceeds.htm>

### **Policy**

**Transportation Finance Working Group:** The Business, Transportation & Housing Agency convened the first meeting of the Transportation Finance Working Group. This first meeting was attended by nearly 60 individuals representing a wide range of organizations and state agencies, but it does not include a single representative from the legislature. The complete roster of those participating is listed at the end of the report.

The goal of this group is to explore long-term funding options and evaluate the best ways to deliver transportation needs in California. At the first meeting four subgroups were formed to examine highways, mass transit, local roads, and active transportation. These subgroups are expected to start meeting in May. The entire working group will meet periodically, and be informed by the work of subgroups. In addition, a status reports will also be provided during the California Transportation Commission's monthly meetings.

To start off the first meeting BT&H Secretary Brian Kelly outlined the outcomes he was looking for which included prioritizing infrastructure needs, identifying funding options, identifying the appropriate level of government for delivery of projects, and establishing performance measures. Integrating into all of these issues will be the implementation of SB 375. Identifying new funding for transportation was not a high priority at this time, but exploring funding options will likely be pursued by the subgroups.

The results or findings made by this group are not expected to be completed until much later this year, and will likely not influence the budget or legislation until next year at the earliest.

### **Legislation:**

**Cap & Trade Bill:** AB 574 (Lowenthal) was gutted and amended to include the Transportation Coalition for Livable Communities proposal for the expenditure of cap and trade auction revenue. In short, the bill would create a regional competitive grant program for funding

projects related to the sustainable communities strategies plan. Overall the contents of AB 574 match with the funding priorities outlined in the draft Cap & Trade Expenditure Plan.

AB 574 directs the CTC to work with ARB to identify the "regional granting authority" within each region, which according to the bill would be the regional entity responsible for developing the regional transportation plan. The funds would be allocated to each region on a per capita basis. The bill does not specify a dollar amount, but it creates the allocation process for funds allocated to this process through the cap & trade expenditure plan. The bill also allows for funds to be allocated to an "interregional investments" for rail modernization that have regional and interregional benefits and for other statewide priorities. These interregional funds would be administered by BT&H in consultation with the CTC and the High Speed Rail Authority.

The bill also directs the ARB, in consultation with the CTC and the Strategic Growth Council, to develop guidelines for the regional grant program. These guidelines must include a public participation process, and it requires consultation with air quality districts. However, the bill currently does not specify consultation with countywide agencies or other local governments.

**CEQA REFORM:** While the Governor expressed doubt that any substantive CEQA reform measures would be enacted this year, the Senate is trying to prove him wrong. Last week the Senate Environmental Quality Committee approved several CEQA bills. The Committee approved 8 bills that makes various changes to CEQA, and rejected the sole Republican proposal, SB 787 (Berryhill). The most far reaching bill approved is SB 731 (Steinberg), which is called the CEQA Modernization Act of 2013, and it is being supported by local governments, infill developers, and to a limited extent some labor groups. SB 731 was unanimously approved as a work in progress. While SB 731 makes numerous changes the following highlight the most significant changes:

- Authorizes the appropriation of \$30 million in the annual state budget to the Strategic Growth Council for Sustainable Communities Strategy project grants to local governments.
- Expands the exemption for a residential development project that is undertaken to implement a specific plan by providing that "new information" triggering an environmental review does not include "new information consisting solely of argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly inaccurate or erroneous, or evidence of social or economic impacts that do not contribute to, or are caused by, physical impacts on the environment."
- In making a finding of overriding considerations, requires those findings to be made available in draft form for review by the public at least 15 days prior to approval of the proposed project. Requires the lead agency to provide notice of the draft findings through specified methods, including electronically.
- Provides that aesthetic impacts of a residential, mixed-use residential, or employment center project within a transit priority area shall not be considered significant impacts on the environment. Clarifies that this provision does not affect or change the authority a lead agency's authority to consider aesthetic impacts pursuant to local design review ordinances or other discretionary powers.

- Requires the Office of Planning and Research to prepare revisions to the CEQA guidelines establishing thresholds of significance for noise, and for transportation and parking impacts on residential, mixed-use residential or employment centers within transit priority areas. Provides that this provision does not affect the authority of a public agency from establishing transportation or parking standards applicable to projects requiring more stringent thresholds of significance.

**AB 160:** AB 160 was approved by the Assembly Public Employee, Retirement & Social Security Committee on a party line vote. The bill was not amended in Committee and it now moves to the Assembly Appropriations Committee.

The author stated that this bill needs to move forward while discussions between the state and federal Departments of Labor continue on whether Public Employee Pension Reform Act of 2013 (PEPRA) violates protections in federal law. In addition, Assemblyman Alejo stated he would drop the bill if an agreement is reached that does not require amending PEPRA.

Union representatives testified that the closed door negotiations on PEPRA prevented them knowing about this conflict until it was too late. Had they known about the structure of PEPRA an exemption could have been added last year that would avoid the current crisis. Testimony in support was also given by Monterey Salinas Transit, while Josh Shaw from the California Transit Association explained to the Committee that the CTA remains neutral while state and federal discussions continue. No testimony opposing the bill was given.

AB 160 by Assemblyman Luis Alejo is sponsored by the Teamsters and the Amalgamated Transit Union. In short, AB 160 would exempt from PEPRA specified employees with a pension plan authorized by the Taft-Hartley Act, or employees whose collective bargaining rights are protected in Title 49 of the U.S. Code, otherwise known as 13(c) employees.

## **Members of the Transportation Infrastructure Priorities Workgroup**

**David Ackerman**, Associated General Contractors of California  
**Orson Aguilar**, Greenlining Institute  
**Bruce Blanning**, Professional Engineers in California Government  
**Andre Boutros**, California Transportation Commission  
**Barry Broad**, California Teamsters Public Affairs Council  
**Kianna Buss**, California State Association of Counties  
**Stuart Cohen**, TransForm  
**Richard Corey**, California Air Resources Board  
**Tim Cremins**, California-Nevada Conference of Operating Engineers  
**Danny Curtin**, California Conference of Carpenters  
**Tony Dang**, California WALKS  
**Randy Deems**, California Department of Housing and Community Development  
**Cesar Diaz**, State Building & Construction Trades Council of California  
**Malcolm Dougherty**, California Department of Transportation  
**Amanda Eaken**, Natural Resources Defense Council  
**Jim Earp**, California Alliance for Jobs  
**Gary Gallegos**, San Diego Association of Governments  
**Richard Gates**, United Contractors  
**Billie Greer**, Southern California Leadership Council  
**Carl Guardino**, Silicon Valley Leadership Group  
**Steve Heminger**, Metropolitan Transportation Commission  
**Bill Higgins**, California Association of Council of Governments  
**Hasan Ikhata**, Southern California Association of Governments  
**Will Kempton**, Transportation California  
**David Kutrosky**, Capitol Corridor Joint Powers Authority  
**Art Leahy**, Los Angeles County Metropolitan Transportation Authority  
**Vince Mammano**, Federal Highway Administration  
**Robert Massman**, California Trucking Association  
**Mike McCoy**, California Strategic Growth Council  
**Mike McKeever**, Sacramento Area Council of Governments  
**Jose Mejia**, California State Council of Laborers  
**Jeff Morales**, California High-Speed Rail Authority  
**Stacey Mortensen**, San Joaquin Regional Rail Commission  
**Joe Myers**, National Indian Justice Center Inc.  
**Liz O'Donoghue**, The Nature Conservancy - California Chapter  
**Peter Osborn**, Federal Railroad Administration  
**Kathryn Phillips**, Sierra Club California  
**Joel Rogers**, State Smart Transportation Initiative  
**Craig Scott**, Automobile Club of Southern California  
**Josh Shaw**, California Transit Association  
**Kristin Shelton**, California Department of Finance  
**Sharon Scherzinger**, El Dorado County Transportation Commission

**Suzanne Smith**, Self-Help Counties Coalition  
**Dave Snyder**, California Bicycling Coalition  
**Daniel Sperling**, UC Davis  
**Jeanie Ward-Waller**, Safe Routes to School National Partnership  
**Jane Warner**, American Lung Association in California  
**Mark Watts**, Southern California Regional Rail Authority  
**Jennifer Whiting**, League of California Cities  
**Mike Wiley**, Sacramento Regional Transit  
**Jim Wunderman**, Bay Area Council  
**Allen Zaremborg**, California Chamber of Commerce



Bills	Subject	Status	NCTPA STAFF RECOMMENDATION
<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>ASSEMBLY APPR</p>	<p>Recommended Position: SUPPORT</p>
<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 establishes a program to fund sustainable communities strategies using cap and trade auction proceeds. Funding would be dependent on annual appropriations as part of the cap &amp; trade expenditure plan.</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</li> </ul>	<p>ASSEMBLY APPR.</p>	<p>Recommended Position: SUPPORT</p>

Bills	Subject	Status	NCTPA STAFF RECCOMENDATION
<p><b>AB 574</b> <b>(Lowenthal D)</b> California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: sustainable communities strategies - continued</p>	<ul style="list-style-type: none"> <li>• 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><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>	ASSEMBLY APPR.	Recommended Position: SUPPORT

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b>AB 935</b> <b>(Frazier D)</b> San Francisco Bay Area Water Emergency Transportation Authority: terms of board members.</p>	<p>AB 935 was amended to expand the Water Emergency Transportation Authority board and specify that the seats represent specified counties</p> <p>AB 935 would divvy up the appointments to WETA as follows:</p> <ul style="list-style-type: none"> <li>• Of the Governor’s three appointees one shall be a resident of San Francisco.</li> <li>• The Senate Rules Committee will have two appointees that shall include a resident of Contra Costa County and a resident of San Mateo County</li> <li>• The Speaker of the Assembly will have two appointees that shall include a resident of Solano County and a resident of Alameda County.</li> <li>• Each of the County appointees shall be selected from a list of three nominees provided by the transportation authority from each county.</li> <li>• If a transportation authority does not submit a list of three names within 45 days of a vacancy then the Governor shall appoint a resident from the specified county.</li> </ul>	ASSEMBLY FLOOR	WATCH
<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>	ASSEMBLY TRANSP	WATCH

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 was recently amended to propose adding a \$6 fee to the registration of each vehicle register in a county where the metropolitan planning organization is required to prepare a sustainable communities strategies. The revenue would be deposited into the Sustainable Communities Subaccount, 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 to be used for competitive grants for implementing sustainable communities strategy programs.</li> </ul>	ASSEMBLY LOC GOV	WATCH
<p><b>AB 1290</b> <b>(John A. Pérez D)</b> Transportation planning.</p>	<p>AB 1290 would make significant changes to the oversight authority of the California Transportation Commission. First, it would expand the number of Commissioners from 13 to 18 members by increasing the members appointed by the Senate and the Assembly from one to two each, but one from each house would be a nonvoting ex-officio member and one from each house would be a voting member. The bill would also specify that the Secretary of Transportation, the Chairperson of CARB, and the Director of HCD would also be ex-officio members of the CTC.</p> <p>The bill also directs the CTC to include in its guidelines for regional transportation plans an assessment of alternative land use scenarios and transportation system leading to the adoption of the sustainable communities strategy. The guidelines would also require annual updates from the transportation planning agencies describing progress made toward implementing the sustainable communities strategy. A summary of these assessments would be included in the CTC's annual report.</p>	ASSEMBLY APPR	WATCH

Bills	Subject	Status	NCTPA ADOPTED POSITION
<b>SB 1</b> <b>(Steinberg D)</b> Sustainable Communities Investment Authority.	SB 1 was approved by the Senate Committee on Governance & Finance. 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.	SENATE APPR	WATCH
<b>SB 469</b> <b>(Corbett D)</b> Public contracts: local agencies: public transit vehicles.	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.	SENATE T. & H	
<b>SB 613</b> <b>(DeSaulnier D)</b> Bay Area Toll Authority	SB 613 was approved by the Senate, and the bill now moves to the Assembly.  This bill 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.	Assembly Desk	WATCH
<b>SB 791</b> <b>(Wyland R)</b> Motor vehicle fuel tax: rate adjustment	SB 791 remains in the Senate Committee on Transportation & Housing. The author pulled the bill from the April 30 <sup>th</sup> agenda.  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.  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.	SENATE T. & H	OPPOSE

Bills	Subject	Status	NCTPA ADOPTED POSITION
<b>SB 792</b> <b>(DeSaulnier D)</b> Regional entities: Bay Area.	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.  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.	SENATE APPR.	WATCH
<b>SCA 4</b> <b>(Liu D)</b> Local government transportation projects: special taxes: voter approval.	SCA 4 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 is one of several Constitutional amendments introduced aimed at lowering the voter threshold to enact local taxes for specific purposes.	SENATE G & F – 5/15/13	SUPPORT
<b>SCA 8</b> <b>(Corbett D)</b> Local government transportation projects: special taxes: voter approval.	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.  Senator Corbett has also introduced SCA 9, which would allow for a sales tax to be imposed with a 55% voter approval if the funding is used for local community and economic development projects.	SENATE G & F – 5/15/13	SUPPORT
<b>SCA 11</b> <b>(Hancock D)</b> Local government: special taxes: voter approval.	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.	SENATE G & F – 5/15/13	SUPPORT