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625 Burnell Street, Napa CA 94559

Napa County Transportation and Planning Agency (NCTPA)

Board of Directors

AGENDA

Wednesday, February 19, 2014
1:30 PM

NCTPA/NVTA Conference Room
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 NCTPA Board of Directors are posted on our website at www.nctpa.net/agendas-minutes/12 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, 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 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/agendas-minutes/12

Note: Where times are indicated for agenda items they are approximate and intended as estimates only, and may be shorter or longer, as needed.

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
Chris Canning, Mayor	City of Calistoga
James Barnes	City of Calistoga
Scott Sedgley	City of Napa
Jill Techel, Mayor	City of Napa
Keith Caldwell	County of Napa
Bill Dodd	County of Napa
Ann Nevero, Mayor	City of St. Helena
Peter White	City of St. Helena
Lewis Chilton	Town of Yountville
John F. Dunbar, Mayor	Town of Yountville
Beth Kahiga	Paratransit Coordinating Council

4. Public Comment
5. Chairperson's, Board Members' and Metropolitan Transportation Commission (MTC) Commissioner's Update
6. Director's Update
7. Caltrans' Update

Note: Where times are indicated for agenda items they are approximate and intended as estimates only, and may be shorter or longer, as needed.

8.	**CONSENT ITEMS (8.1 – 8.6)**	**RECOMMENDATION**	**TIME**
8.1	Approval of Meeting Minutes of December 18, 2013 and January 14, 2014 (Karrie Sanderlin) ***(Pages 9-18)***	APPROVE	1:45 PM
8.2	Proposed Organizational Restructure of NCTPA (Karrie Sanderlin) ***(Pages 19-23)*** Board action will approve the organizational restructure of NCTPA.	APPROVE	

8.3 Approval of Paratransit Coordinating Council (PCC) and VINE Consumer Advisory Committee (VCAC) Appointments (Tom Roberts) ***(Pages 24-26)*** APPROVE

Board action will approve the appointments to fill vacancies on the PCC and VCAC.

8.4 Approval of Resolution No. 14-02 Authorizing the City of American Canyon's Request for Abandoned Vehicle Abatement Authority (AVAA) Capital Purchase (Antonio Onorato) ***(Pages 27-30)*** APPROVE

Board action will authorize expenditure of up to $11,000 from the Abandoned Vehicle Abatement Authority (AVAA) fund for the City of American Canyon's request to purchase two (2) mobile data computers (MDC's) to further its efforts in reducing the number of abandon vehicles within the city limits of American Canyon

8.5 Resolution No. 14-03 Authorizing the Submittal of the FYE 2015 Transportation Fund for Clean Air (TFCA) Program Expenditure Plan and Approval of the TFCA Program Manager Selection Criteria (Danielle Schmitz) ***(Pages 31-61)*** APPROVE

Board action will (1) approve Resolution No. 14-03 accepting the FYE 2015 TFCA Expenditure Plan and (2) adopt the selection criteria and issue a call for projects consistent with the Bay Area Air Quality Management District (BAAQMD) Board Adopted TFCA County Program Manager Fund Policies for FYE 2015.

8.6 Approval of Resolution No. 14-04 Authorizing the Submittal of a Federal Transit Administration (FTA) Section 5339 Grant Application for FY 2012-13 (Antonio Onorato) ***(Pages 62-66)*** Board action will authorize the agency to submit a grant application for FTA Section 5339 funds in the amount of $170,991 to fund FY 2012-13 Bus and Bus Facilities grant for the purchase of 85 VINE Transit fareboxes and related farebox equipment.	APPROVE	

9. REGULAR AGENDA ITEMS	**RECOMMENDATION**	**TIME**
9.1 FY 2012-13 Independent External Fiscal and Single Audit Reports for NCTPA (Antonio Onorato) ***(Pages 67-150)*** Board action will (1) Approve acceptance and filing of the FY 2012-13 NCTPA Fiscal Audit and the NCTPA Single Audit Report-OMB Circular A-133; and (2) Return an allocation surplus of $3,517,107 to the County's Local Transportation Fund.	ACCEPT AND FILE	1:50 PM
9.2 Approval of Revised NCTPA Personnel Policies Manual (Karrie Sanderlin) ***(Pages 151-229)*** Board action will approve revisions to the Agency's Personnel policies manual.	APPROVE	2:00 PM

9.3	Resolution No. 14-05 Authorizing the Transportation Development Act-Article 3 (TDA-3) FY 2013-14 Project Submissions (Diana Meehan) ***(Pages 230-236)*** Board action will review the FY 2013-14 TDA-3 project applications and consider approving Resolution No. 14-05) authorizing the of programming the City of Napa's Tulocay Creek Bridge and Trail Completion Project for $163,125 in advance of programming the FY 2013-14 and FY 2014-15 programs.	APPROVE	2:15 PM
9.4	Approval of State Route 29 (SR 29) Gateway Corridor Improvement Plan (Kate Miller) ***(Pages 237-241)*** Board action will receive the Draft SR 29 Gateway Corridor Improvement Plan.	INFORMATION/ ACTION	2:30 PM
9.5	Legislative Update and State Bill Matrix (Kate Miller) ***(Pages 242-257)*** The Board will receive the monthly Federal and State Legislative Update, and approve staff recommendations on pending state bills.	INFORMATION/ ACTION	2:45 PM

10. CLOSED SESSION — TIME

10.1	**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** ***(Pages 258-259)*** Significant exposure to litigation pursuant to Government Code Section 54956.9(e)(3):	3:00 PM
10.2	**CONFERENCE WITH LABOR NEGOTIATOR** (**Government Code Section 54957.6)** Agency Designated Representative: Keith Caldwell, Chairman Employee: Executive Director	

11. ADJOURNMENT **RECOMMENDATION** 3:45PM

11.1 Approval of Regular Meeting Date of March 19, 2014 and Adjournment — APPROVE

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, 625 Burnell Street, Napa, CA, by 5:00 p.m., Friday February 14, 2014.

Karalyn Sanderlin

Karalyn E. Sanderlin, NCTPA Board Secretary

Glossary of Acronyms

AB 32	Global Warming Solutions Act
ABAG	Association of Bay Area Governments
ADA	American with Disabilities Act
BAAQMD	Bay Area Air Quality Management District
AVAA	Abandoned Vehicle Abatement Authority
BART	Bay Area Rapid Transit District
BATA	Bay Area Toll Authority
BRT	Bus Rapid Transit
Caltrans	California Department of Transportation
CEQA	California Environmental Quality Act
CIP	Capital Investment Program
CMA's	Congestion Management Agencies
CMAQ	Congestion Mitigation and Air Quality Improvement Program
CMP	Congestion Management Program
CTC	California Transportation Commission
EIR	Environmental Impact Report
FAS	Federal Aid Secondary
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FY	Fiscal Year
GHG	Greenhouse Gas
HBP	Highway Bridge Program
HBRR	Highway Bridge Replacement and Rehabilitation Program
HIP	Housing Incentive Program
HOT	High Occupancy Toll
HOV	High Occupancy Vehicle
HR3	High Risk Rural Roads
HSIP	Highway Safety Improvement Program
HTF	Highway Trust Fund
IFB	Invitation for Bid
ITIP	State Interregional Transportation Improvement Program
JARC	Job Access and Reverse Commute
LIFT	Low-Income Flexible Transportation
LOS	Level of Service
MPO	Metropolitan Planning Organization
MTC	Metropolitan Transportation Commission
MTS	Metropolitan Transportation System
NCTPA	Napa County Transportation and Planning Agency
NEPA	National Environmental Policy Act
NOC	Notice of Completion
NOD	Notice of Determination
NOP	Notice of Preparation
NVTA	Napa Valley Transportation Authority
OBAG	One Bay Area Grant
PCI	Pavement Condition Index
PDA	Priority Development Areas
PMS	Pavement Management System
Prop. 42	Statewide Initiative that requires a portion of gasoline sales tax revenues be designated to transportation purposes
PSR	Project Study Report
PTA	Public Transportation Account
RACC	Regional Agency Coordinating Committee
RFP	Request for Proposal
RFQ	Request for Qualifications
RHNA	Regional Housing Needs Allocation
RM2	Regional Measure 2 (Bridge Toll)
RTEP	Regional Transit Expansion Program
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
SAFE	Service Authority for Freeways and Expressways
SAFETEA-LU	Safe, Accountable, Flexible, and Efficient Transportation Equity Act-A Legacy for Users
SCS	Sustainable Community Strategy
SHOPP	State Highway Operation and Protection Program
SR	State Route
SRTS	Safe Routes to School
SOV	Single-Occupant Vehicle
STA	State Transit Assistance
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TCM	Transportation Control measure

Glossary of Acronyms

TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TDM	Transportation Demand Management Transportation Demand Model
TE	Transportation Enhancement
TEA	Transportation Enhancement Activities
TEA 21	Transportation Equity Act for the 21st Century
TFCA	Transportation Fund for Clean Air
TIP	Transportation Improvement Program
TLC	Transportation for Livable Communities
TMP	Traffic Management Plan
TMS	Transportation Management System
TOD	Transit-Oriented Development
TOS	Transportation Operations Systems
TPP	Transit Priority Project Areas
VHD	Vehicle hours of Delay
VMT	Vehicle Miles Traveled

625 Burnell Street, Napa CA 94559

Napa County Transportation and Planning Agency (NCTPA)

Board of Directors

MINUTES

Wednesday, December 18, 2013

ITEMS

1. Call to Order

Chair Caldwell called the meeting to order at1:34 P.M.

2. Pledge of Allegiance

The Pledge of Allegiance was recited at the preceding Napa Valley Transportation Authority (NVTA) Board of Directors Meeting

3. Roll Call

Members Present: Voting Power

Leon Garcia	City of American Canyon	(2)
Joan Bennett	City of American Canyon	(2)
James Barnes	City of Calistoga	(1)
Chris Canning	City of Calistoga	(1)
Scott Sedgley	City of Napa	(5)
Jill Techel	City of Napa	(5)
Keith Caldwell	County of Napa	(2)
Ann Nevero	City of St. Helena	(1)
Peter White	City of St. Helena	(1)
Marita Dorenbecher	Town of Yountville	(1)

Members Absent:

Bill Dodd	County of Napa	(2)
Lewis Chilton	Town of Yountville	(1)

Non-Voting Member Absent:

JoAnn Busenbark	Paratransit Coordinating Council	(0)

4. Public Comment

None

5. Chairperson's, Board Members' and Metropolitan Transportation Commission (MTC) Commissioner's Update

No reports were given.

6. Director's Update

Kate Miller, Executive Director

Provided a reminder that the board retreat is scheduled for January 15th from 9 a.m. to noon. The retreat will focus on the vision, goals, and objectives of the agency and the Countywide 25-year plan.

Reported that the VINE holiday canned food drive collected over 300 canned goods which were donated to the food bank.

Reported that the holiday bus which began operations on December 16th and will operate through the December 22nd. The decorated bus is being rotated to ensure everybody has an opportunity to ride for free.

Provided an update on the SR 29 Corridor Gateway Study

7. Caltrans' Update

No oral report given. The December 2013 Caltrans' Report was provided in the meeting handout packet.

8. <u>CONSENT ITEMS 8.1 – 8.8)</u>

MOTION MOVED by GARCIA, SECONDED by CANNING to **APPROVE** Consent Items 8.1, 8.3--8.6. **Motion Passed 21-0.**

MOTION MOVED by GARCIA, SECONDED by CANNING to **APPROVE** with **CALDWELL** and **DUNBAR ABSTAINING** to **APPROVE** Consent Item 8.1. **Motion Passed 18-0**

8.1 Approval of Meeting Minutes of November 20, 2013

8.2 Approval of Revised Title VI Program Policy

Board action approved the Agency's revised Title VI Program Policy.

8.3 Approval to Purchase Three (3) VINE Go Paratransit Vehicles and Two (2) American Canyon Transit Vehicles

Board action (1) approved the purchase of three VINE Go paratransit vehicles; (2) approved the purchase of two American Canyon Transit vehicles; and (3) authorized the Executive Director to issue purchase agreements with A-Z Bus Sales under NCTPA's membership with CalACT (California Association for Coordinated Transportation) and/or Morongo Basin Transit Authority's piggyback agreement.

8.4 Approval to Remove and Dispose of Twenty-One (21) Vehicles from NCTPA's Fixed Assets

Board action approved the removal of twenty-one (21) obsolete vehicles from the fixed asset inventory and disposal of the assets according to NCTPA policy.

8.5 Approval of Fourth Amendment to NCTPA Agreement No. 10-23 with Mark Thomas & Company, Inc. for Work Associated with On-Call Engineering and Project Delivery Services

Board action approved an amendment to the contract with Mark Thomas & Company, Inc. which extends the Period of Performance for NCTPA Agreement No. 10-23 and Work Authorization 4 to June 30, 2014 to allow for completion of the Hub Signage Project.

8.6 Approval of First Amendment to NCTPA Agreement No. 13-12 with ERBCO Construction Services Inc.

Board action approved an amendment to the contract with ERBCO Construction Services Inc. which extends the Period of Performance under NCTPA Agreement No. 13-12 to June 30, 2014 for Work on the Hub Signage Project.

8.7 Approval of Resolution No. 13-22 authorizing the City of Napa's request for Abandoned Vehicle Abatement Authority Capital Purchase

Board action approved Resolution 13-22 authorizing up to $31,300 from the Abandoned Vehicle Abatement Authority fund for the City of Napa's Police Department to purchase an "AVAA vehicle" for parking enforcement and abatement within the City of Napa.

8.8 Approval of Amendment No. 2 to Work Authorization 12-29P002 for Professional Engineering Services Agreement No. 12-20

Board action approved and authorized the Executive Director to sign Amendment No. 2 to Work Authorization 12-29002 for Professional Engineering Services Agreement No. 12-120 with Arup North America Ltd. in an amount not to exceed $199,996.00 for consulting services to assist staff in developing the 25-Year Countywide Transportation Plan.

9. REGULAR AGENDA ITEMS

9.1 Feasibility Study for a Bus Maintenance Yard and Fueling Facility

Consultants from Kimley-Horn Associates provided a presentation on the Bus Maintenance Yard and Fueling Facility Feasibility Study findings.

MOTION MOVED by BENNETT, SECONDED by GARCIA to **APPROVE** accepting the Bus Maintenance Yard and Fueling Facility Feasibility Study Final Report. **Motion Passed 21-0.**

9.2 NCTPA First Quarter FY 2013-14 Budget and 5 Year Forecast

Information Only / No Action Taken
Staff provided a review of NCTPA's financial performance against budget for the first quarter FY 2013-14 (July-September) period and 5 year forecast model.

9.3 Legislative Update and State Bill Matrix

Information Only / No Action Taken
The Board received the monthly Federal and State Legislative Update.

10. INTERJURISDICTIONAL ISSUES FORUM

10.1 Interjurisdictional Issues Discussion Forum and Information Exchange

No reports given.

11. FUTURE AGENDA ITEMS

11.1 Discussion of Topics for Future Meetings.

None.

12. CLOSED SESSION

Chair Caldwell, announced that the Board would be adjourning to closed session for the two item as noted in the agenda (Public Employee Performance Evaluation and Conference with Labor Negotiator).

Adjourned to Close Session at 3:00 p.m.

12.1 **PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)**

Title: Executive Director

12.2 **CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)**

Agency Designated Representative:
Keith Caldwell, Chairman

Employee: Executive Director

Adjourned to Open Session at 4:00 p.m.

Chair Caldwell announced that there was no reportable action taken during close session and that Closed Session Item 12.2 was to be continued to the January 15, 2014 meeting.

13. ADJOURNMENT

12.1 Approval to Cancel the Regular Meeting Date of January 15, 2014 and Approval of Special Meeting Date of January 15, 2014 at 9 a.m. and Adjournment

The Board cancelled the next Regular Meeting Date of January 15, 2014 at 1:30 p.m.

A Special Meeting will be held January 15, 2014 at 9 a.m.

The meeting was adjourned by Chair Chilton at 4:01 p.m.

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Karalyn E. Sanderlin, NCTPA Board Secretary

625 Burnell Street, Napa CA 94559

Napa County Transportation and Planning Agency (NCTPA)

Board of Directors

*************SPECIAL MEETING BOARD RETREAT**********

Minutes

Wednesday, January 15, 2014

ITEMS

1. Call to Order

Chair Caldwell called the meeting to order at 8:38 a.m.

2. Pledge of Allegiance

Chair Caldwell led the salute to the flag.

3. Roll Call

Members Present: Voting Power

Leon Garcia	City of American Canyon	(2)
Joan Bennett	City of American Canyon	(2)
James Barnes	City of Calistoga	(1)
Chris Canning	City of Calistoga	(1)
Scott Sedgley	City of Napa	(5)
Jill Techel	City of Napa	(5)
Keith Caldwell	County of Napa	(2)
Bill Dodd	County of Napa	(2)
Ann Nevero	City of St. Helena	(1)
Peter White	City of St. Helena	(1)
Lewis Chilton	Town of Yountville	(1)
John Dunbar	Town of Yountville	(1)

Members Absent: None

Non-Voting Member Absent:

JoAnn Busenbark	Paratransit Coordinating Council	(0)

4. Public Comment

Edith Schwartz, Napa Resident, commented on the lack of transportation in the evenings and on weekends especially in the southeast Napa area.

5. Chairperson's, Board Members' and Metropolitan Transportation Commission (MTC) Commissioner's Update

MTC Commission Update
Board Member Bill Dodd
Reported on MTC activities to date.

6. Director's Update

Kate Miller, Executive Director
Reported that this was JoAnn Busenbark's last meeting a PCC representative and that Beth Kahiga will the new PCC representative on the Board beginning at the February 19, 2014 meeting.

7. Caltrans' Update

No report provided.

8. <u>CLOSED SESSION</u>

Janice Killion, NCTPA Legal Counsel, announced that the Board would be adjourning to closed session for the item as noted in the agenda (Conference with Labor Negotiator).

Adjourned to Close Session at 8:39 a.m.

8.1 CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)

<u>Agency Designated Representative:</u>
Keith Caldwell, Chairman

<u>Employee:</u> Executive Director

Adjourned to Open Session at 9:23 a.m.

Janice Killion, NCTPA Legal Counsel, announced that there was no reportable action taken during close session and that Closed Session Item 8.1 was to remain open and to be continued after the regular meeting.

9. <u>CONSENT ITEMS 9.1 – 9.6)</u>

Consent Items 9.2 and 9.4 were pulled for discussion

MOTION MOVED by CANNING SECONDED by TECHEL to **APPROVE,** Items 9.1, 9.3, 9.5 & 9.6. **Motion Passed 24-0.**

9.1 Approval to Release Request for Proposals (RFP) # 2014-01 for Fueling Services

Board action approved the release of RFP # 2014-01 authorizing the Executive Director to issue the RFP seeking proposals for fueling services for NCTPA vehicles.

9.2 Approval of First Amendment to Napa County Transportation and Planning Agency Agreement No. 12-10

Vice Chair Dunsford questioned whether the impact of American Canyon's proposed housing development would be considered as part of the contract amendment.

Jason Holley, Public Works Director, City of American Canyon verified that the study included current modeling information.

MOTION MOVED by DUNBAR SECONDED by GARCIA to **APPROVE** the First Amendment to NCTPA Agreement No. 12-10 with Dyett and Bhatia in an amount not to exceed $33,582.40 and to extend the period of performance until June 30, 2014 for work associated with the Community-based SR-29 Gateway Corridor Improvement Plan Study. **Motion Passed 24-0.**

9.3 Approval of Insurance Renewals for Napa County Transportation and Planning Agency (NCTPA)

Board action authorized the Executive Director to procure insurance policy renewals for the NCTPA through Mackey and Mackey Insurance Agency.

9.4 Transportation Development Act – Article 3 (TDA-3) Call for Projects

Board Member Techel requested that there be no further delay in programming the Tulocay Creek Trail Project and requested that $163,125 in TDA-3 funds from FY 2013-14 be allocated for this project with the remainder of funds be for the FY 2014-15 Call for Project.

Public Comments were provided by Mike Castanza and Tim Thulin, both who were in support of the bike trail project.

Board requested staff to bring the City of Napa's request back to the Board with the other projects that were submitted as part of the initial FY 2013-14 call for project to the February meeting for approval.

MOTION MOVED by DODD SECONDED by CHILTON to **APPROVE** the FY 2013-14 and FY 2014-15 Transportation Development Act-Article 3 (TDA-3) Call for Projects. Further, the Board directed staff to bring the City of Napa's request for programming $163,125 for the Tulocay Creek Trail project and the other projects submitted for FY 2013-14 TDA-3 funding to the February Board meeting for approval.

9.5 Approval of Resolution No. 14-01 Authorizing the City of Calistoga's Request for Abandoned Vehicle Abatement Authority (AVAA) Capital Purchase

Board action approved Resolution 14-01 authorizing expenditure up to $18,088 from the Abandoned Vehicle Abatement Authority (AVAA) fund for the City of Calistoga to purchase of an "AVAA vehicle" for parking enforcement and abatement within the City of Calistoga.

9.6 Legislative Update and State Bill Matrix

Information Only / No Action Taken
The Board received the monthly Federal and State Legislative Update.

10. <u>BOARD RETREAT</u>

10.1 25 Year Countywide Transportation Plan Kick Off Presentation

The Board received a presentation providing information about conditions and projections for Napa County over the next 25 years to elicit direction on policy, projects, programs, and funding concepts and to receive public comment.

8 <u>CLOSED SESSION - CONTINUED</u>

Janice Killion, NCTPA Legal Counsel, announced that the Board would be adjourning to continue the closed session item as previously announced in the agenda (Conference with Labor Negotiator).

Adjourned to Close Session at 11:50 a.m.

8.1 CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)

<u>Agency Designated Representative:</u>
Keith Caldwell, Chairman

<u>Employee:</u> Executive Director

Adjourned to Open Session at 12:20 p.m.

Janice Killion, NCTPA Legal Counsel, announced that there was no reportable action taken during close session and that Closed Session Item 8.1 was to continued to the February 19, 2014 meeting.

11. ADJOURNMENT

11.1 Approval of Regular Meeting Date of February 19, 2014 and Adjournment

The next regular meeting will be held Wednesday February 19, 2014 at 1:30 p.m.

The meeting was adjourned by Chair Caldwell at 12:20 p.m.

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Karalyn E. Sanderlin, NCTPA Board Secretary

February 19, 2014
NCTPA Agenda Item 8.2
Continued From: New
Action Requested: APPROVE

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
Board Agenda Letter

TO: Board of Directors

FROM: Kate Miller, Executive Director

REPORT BY: Karrie Sanderlin, Program Manager-Human Resources, Civil Rights and Board Secretary
(707) 259-8633 / Email: ksanderlin@nctpa.net

SUBJECT: Proposed Organizational Restructure of NCTPA

RECOMMENDATION

That the Napa County Transportation and Planning Agency (NCTPA) Board approve (1) the proposed Organizational Restructure of NCTPA (Attachment 1); (2) Eliminate the Program Manager-Chief Procurement & Compliance Officer; (3) Create a Technical Planner/Senior Analyst position; (4) re-title the Program Manager-Human Resources, Civil Rights & Board Secretary position to a Program Manager-Administration, Procurement, & Civil Rights position; (5) Re-title one Assistant Program Planner/Administrator position to an Assistant Program Planner/Administrator-Public Transit position; and (6) appoint the Administrative Technician (Procurement & Contract Compliance) as the Disadvantage Business Enterprise Liaison Officer (DEBLO).

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

This revised organizational chart (Attachment 1) reflects recent staffing staff promotions, resonations and retirements and responds to Federal Transit Administration.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Motion, Second, Discussion and Vote

FISCAL IMPACT

Is there a Fiscal Impact? No

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

At the October 2011 meeting, the Board approved the NCTPA Organizational Chart as shown in Attachment 2. This revised organizational chart (Attachment 1) reflects recent staffing changes, FTA regulatory requirements for Disadvantaged Business Enterprise (DBE) and Civil Rights, and is more consistent with the actual functioning of the agency. Staff proposes to:

- Eliminate the Program Manager-Chief Procurement & Compliance Officer – these functions will now be performed by the procurement and contract administrator with oversight the Manager of Administration and Procurement, the executive director and the general counsel.

- Create a Technical Planner/Senior Analyst Position – this position will increase the agency's technical abilities in the areas of traffic modeling, geographic information systems, and data analysis.

- Re-title the Program Manager-Human Resources, Civil Rights & Board Secretary position to a Program Manager Administration, Procurement, & Civil Rights

- Re-title one Assistant Program Planner/Administrator position to an Assistant Program Planner/Administrator-Public Transit

- Appoint the Administrative Technician (Procurement & Contract Compliance) to also include Disadvantage Business Enterprise Liaison Officer (DEBLO)

- Update the Associate Program Planner/Administrator position to a Senior Program Planner/Administrator position

- That the Administrative Technician (Office Coordinator) report directly to the Program Manager-Administration, Procurement, & Civil Rights

- That the Administrative Technician (Procurement & Contract Compliance) position report directly to the Program Manager-Administration, Procurement, & Civil Rights

- That the Assistant Program Planner/Administrator position report directly to the Senior Program Planner/Administrator position

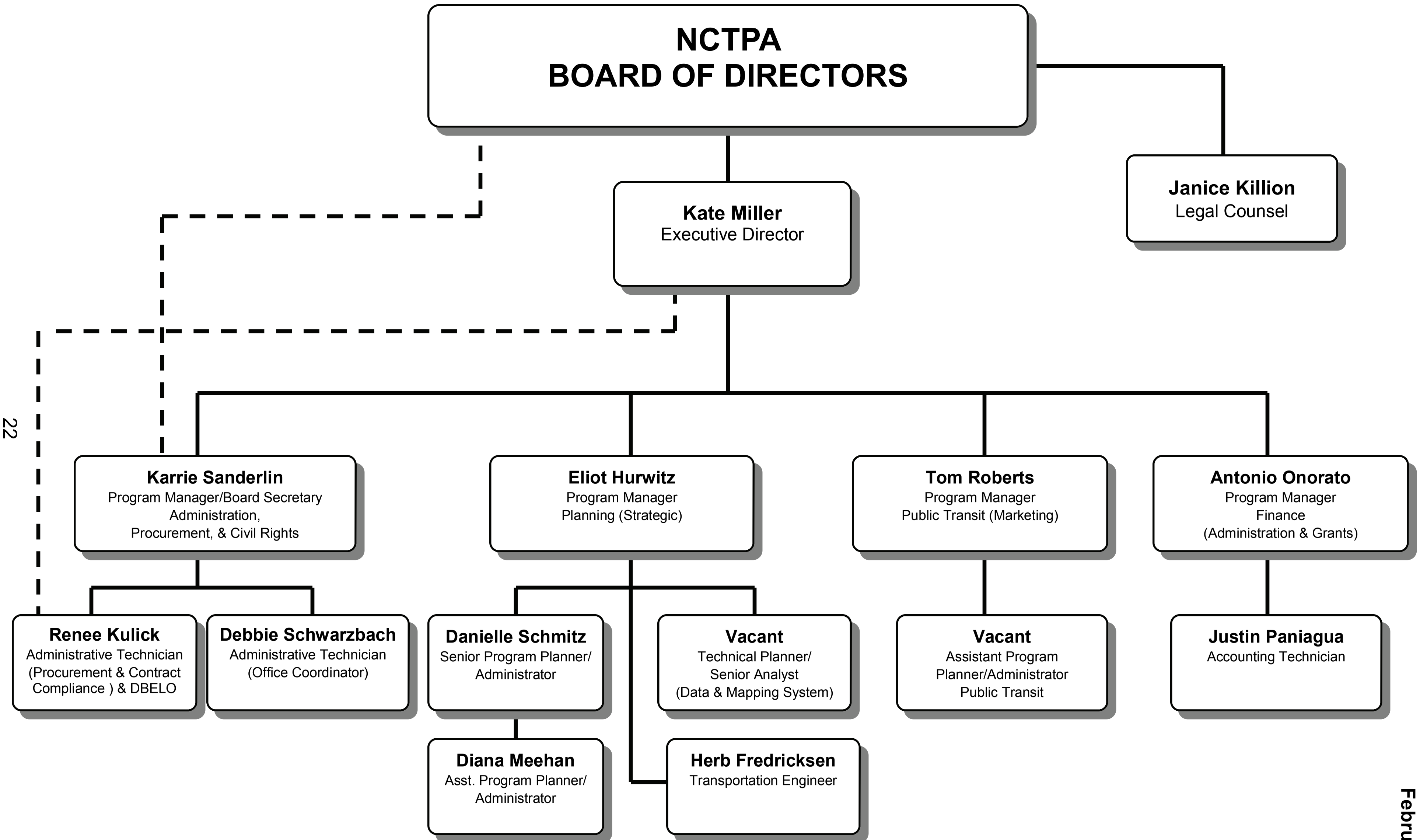
Including the Director, NCTPA has twelve (two vacancies) full time employees and one limited-term extra-help positions. The reorganization proposal will not add any additional positions.

SUPPORTING DOCUMENTS

Attachment: (1) Proposed NCTPA Organizational Chart February 19 2014
(2) NCTPA Organizational Chart Approved October 2011 (Updated July 2013)

ATTACHMENT 1
NCTPA Board Agenda Item 8.2
February 19, 2014

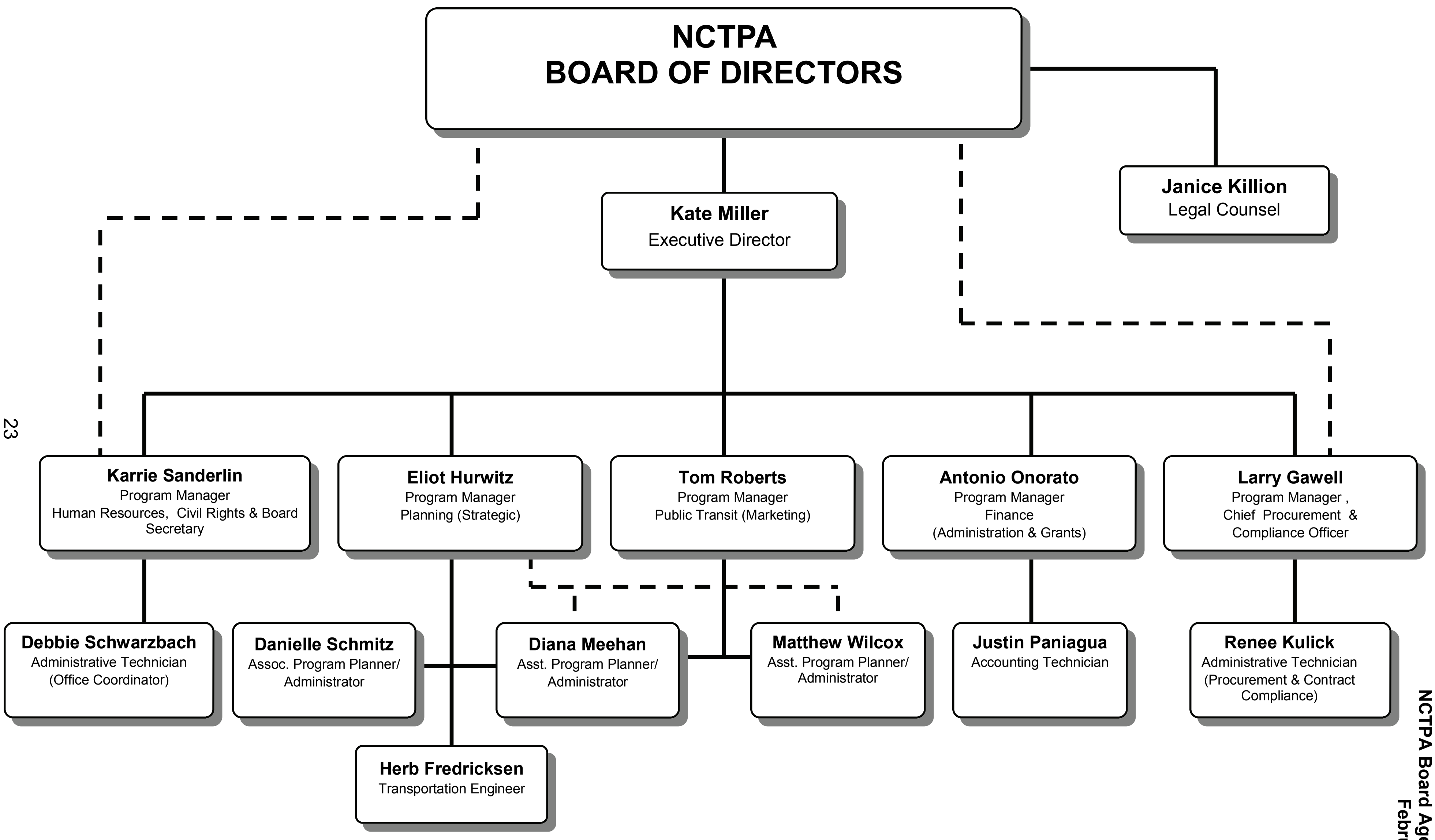
Proposed NCTPA Organizational Chart



Proposed February 19, 2014

ATTACHMENT 2
NCTPA Board Agenda Item 8.2
February 19, 2014

NCTPA Organizational Chart



Board Approved October 19, 2011
Effective October 20, 2011
Updated July 22, 2013

February 19, 2014
NCTPA Agenda Item 8.3
Continued From: New
Action Requested: APPROVE

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
Board Agenda Letter

TO: Board of Directors

FROM: Kate Miller, Executive Director

REPORT BY: Tom Roberts, Program Manager-Public Transit
(707) 259-8635 / Email: troberts@nctpa.net

SUBJECT: Paratransit Coordinating Council (PCC) and VINE Consumer Advisory Committee (VCAC) Appointments

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RECOMMENDATION

That the Napa County Transportation and Planning Agency (NCTPA) Board approve the appointment of Fran Rosenberg, Julie Spencer, James Tomlinson, JoAnn Busenbark and Randy Kitch to fill vacancies on the Paratransit Coordinating Council (PCC) and Daniel Leachman, Genji Schmeder and Doug Weir to fill vacancies on the VINE Consumer Advisory Committee (VCAC).

COMMITTEE RECOMMENDATION

The PCC recommends that the NCTPA Board appoint Doug Weir to fill the designated seat on the VCAC.

EXECUTIVE SUMMARY

Six seats on the PCC are open for appointment/reappointment and the agency has received five applications from qualified individuals. Three seats on the VCAC are open for appointment/reappointment (one to be nominated by the PCC) and the agency has received three applications from qualified individuals.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Motion, Second, Discussion and Vote

FISCAL IMPACT

Is there a Fiscal Impact? No

Consequences if not approved: Other applicants will be sought.

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The nine-member VINE Paratransit Coordinating Council serves as an advisory committee to the Napa County Transportation Planning Agency (NCTPA) Board, the Metropolitan Transportation Commission (MTC), and NCTPA staff regarding transportation services for special needs populations and persons of limited means. Appointments are made in distinct categories. The categories are:

- Consumer/user 60 years of age or older (1)
- Consumer/user persons with disabilities (1)
- Social services provider for seniors (1)
- Social services providers for persons with disabilities (2)
- Social services provider for persons of limited means (1)
- Member of the public residing within an urbanized area (2)
- Member of the public residing within a non-urbanized area (1)

The nine-member VINE Consumer Advisory Committee (VCAC) serves as an advisory committee to Napa County Transportation Planning Agency (NCTPA) Board and staff regarding issues of importance to the consumers of public transit. Appointees must be active users of public transit, and represent a cross section of the VINE ridership in one or more of the following categories:

- Public transit consumer/user who uses the VINE for commute purposes
- Public transit consumer/user from the City of Napa
- Public transit consumer/user at large from Up-Valley
- Public transit consumer/user at large from South County
- Public transit consumer/user under age 21
- Public transit consumer/user representing the Latino community
- Public transit consumer/user over age 60, nominated by the PCC
- Public transit consumer/user with a physical disability, nominated by the PCC

Members of the PCC and VCAC serve 3-year terms.

PCC Nominees

JoAnn Busenbark (reappointment): Ms. Busenbark is a retired community college administrator of disabled services, former Napa City Councilmember, current Trustee at Napa Valley College and former Chair of the PCC.

Randy Kitch (reappointment): A former director of an Independent Living Center, Mr. Kitch is a long-time advocate for persons with disabilities who presently works for the North Bay Regional Center.

Fran Rosenberg: Ms. Rosenberg is President of Molly's Angels and long time advocate for the needs of mobility dependent seniors.

Julie Spencer: Ms. Spencer is the Executive Director of Rianda House Senior Activity Center in St. Helena and brings insight into the unique needs of up-valley seniors and persons of limited means.

James Tomlinson: Mr. Tomlinson has been recognized for his years of service with Queen of the Valley Medical Center and the Napa County Office of Education. He is presently the Executive Director of the Volunteer Center of Napa Valley.

VCAC Nominees

Daniel Leachman: Mr. Leachman lives in American Canyon and rides the bus daily to attend Liberty High School in Napa. He is the Community Arts President for his school and in 2013 was the recipient of a Humanitarian Award by the Napa County Office of Education for helping people in need.

Genji Schmeder (reappointment): Mr. Schmeder is a long time transit and bicycle rider and advocate and former Chair of the VCAC. He presently sits on the Measure A Financial Advisory Committee and SR29 Corridor Vision Plan Citizens Advisory Committee among others.

Doug Weir (reappointment): Mr. Weir is a long-time transit rider and advocate for persons with disabilities. He is presently the Chair of the PCC and has been nominated by that body to fill the designated position on the VCAC.

SUPPORTING DOCUMENTS

None

February 19, 2014
NCTPA Agenda Item 8.4
Continued From: New
Action Requested: APPROVE

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
Board Agenda Letter

TO: Board of Directors

FROM: Kate Miller, Executive Director

REPORT BY: Antonio Onorato, Program Manager- Finance
(707) 259-8779 / Email: aonorato@nctpa.net

SUBJECT: Approval of Resolution No. 14-02 Authorizing the City of American Canyon's Request for Abandoned Vehicle Abatement Authority (AVAA) Capital Purchase

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RECOMMENDATION

That the Napa County Transportation and Planning Agency (NCTPA) Board approve Resolution 14-02 (Attachment 1) authorizing expenditure of up to $11,000 from the Abandoned Vehicle Abatement Authority (AVAA) fund for the City of American Canyon request to purchase two (2) mobile data computers (MDC's) to further its efforts in reducing the number of abandon vehicles within the city limits of American Canyon

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

NCTPA serves as the Abandoned Vehicle Abatement Authority (AVAA) on behalf of Napa County. This involves collecting the funds from the state and distributing them to the member jurisdictions based on a mandated formula. The City of American Canyon has requested AVAA funds to purchase two (2) MDCs to further its efforts in reducing the number of abandoned vehicles within the city limits of American Canyon. The purchase request is capped at $11,000.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Motion, Second, Discussion and Vote

FISCAL IMPACT

Is there a fiscal impact? Yes, up to $11,000 will be used in AVAA funds to purchase an abatement vehicle.

Is it Currently Budgeted? The AVAA fund is a fiduciary fund managed by NCTPA and does not have a formal budget. All incoming funds are passed through to the six jurisdictions in Napa County. Capital purchases are allowable expenses for this program.

Where is it budgeted? NA

Is it Mandatory or Discretionary? Discretionary

Future Fiscal Impact: No

Consequences if not approved: The City of American Canyon will not be able to manage its AVAA program effectively.

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The AVAA funds are derived from a $1.00 charge on the vehicle registration fee. Funds are distributed on an annual basis by a formula adopted by the Board that allocates 50% of the money based on the number vehicles towed, 1% based on number of acres within a jurisdiction, and 49% based on population. The revenues must be used for capital purchases and certain operating costs associated with the removal and impoundment of abandoned vehicles.

Funds can be used for activities that relate to abating abandoned vehicles. In the past, Member agencies have used the funds for administrative support, towing services, maintenance vehicles, cameras and computers.

As the AVAA, NCTPA is statutorily required to approve capital expenditures by the member jurisdictions in excess of $2,500.

The City of American Canyon has requested AVAA funds to purchase two MDCs to dispatch units to calls, run license plates, track vehicle identification numbers (VIN), track down vehicle owners, and further its efforts in reducing the number of abandon vehicles within the city limits of American Canyon. The purchase request is capped at $11,000.

The City’s project is an eligible expense in the AVAA program and has sufficient funds in its account to cover this expenditure.

SUPPORTING DOCUMENTS

Attachment: (1) Resolution No. 14-02

RESOLUTION NO. 14-02

A RESOLUTION OF THE NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY (NCTPA) APPROVING CAPITAL PURCHASE OF ABANDONED VEHICLE ABATEMENT (AVAA) FUNDS BY THE CITY OF AMERICAN CANYON

WHEREAS, the Napa County Transportation and Planning Agency is the Abandoned Vehicle Abatement Authority (AVAA) for the Napa County communities; and

WHEREAS, the City of American Canyon is a participant in the abandoned vehicle program funded by the NCTPA; and

WHEREAS, the AVAA is required to approve all capital purchases made with abandoned vehicle abatement funds in excess of twenty-five hundred dollars (>$2,500); and

WHEREAS, the City of American Canyon wishes to purchase two mobile data computers up to a purchase price of $11,000 (eleven thousand dollars) as part of their program to abate abandoned vehicles.

NOW THEREFORE BE IT RESOLVED that the Napa County Transportation and Planning Agency acting as the Abandoned Vehicle Abatement Authority hereby approves the capital purchase by the City of American Canyon using AVAA funds in an amount not to exceed $11,000.

Passed and Adopted on the 19th day of February 2014.

____
Keith Caldwell, NCTPA Chair

Ayes:

Noes:

Absent:

ATTEST:

____
Karalyn Sanderlin, NCTPA Board Secretary

APPROVED:

____
Janice Killion, NCTPA Legal Counsel

Febraury 19, 2014
NCTPA Agenda Item 8.5
Continued From: New
Action Requested: APPROVE

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
Board Agenda Letter

TO: Board of Directors

FROM: Kate Miller, Executive Director

REPORT BY: Danielle Schmitz, Senior Program Planner/Administrator
(707) 259-5968 / Email: dschmitz@nctpa.net

SUBJECT: Resolution No. 14-03 Authorizing the Submittal of the FYE 2015 Transportation Fund for Clean Air (TFCA) Program Expenditure Plan and Approval of the TFCA Program Manager Selection Criteria

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RECOMMENDATION

That the Napa County Transportation and Planning Agency (NCTPA) Board (1) approve Resolution No. 14-03 (Attachment 1) accepting the FYE 2015 Transportation Fund for Clean Air (TFCA) Expenditure Plan and (2) adopt the selection criteria (Attachment 2) and issue a call for projects consistent with the Bay Area Air Quality Management District (BAAQMD) Board Adopted TFCA County Program Manager Fund Policies for FYE 2015.

COMMITTEE RECOMMENDATION

The Technical Advisory Committee (TAC) recommended at their February 6th meeting that the NCTPA Board approve the TFCA Expenditure Plan for the FYE 2015 and open a call for TFCA Projects for the 2014-15 cycle using the project selection criteria in Attachment 2.

EXECUTIVE SUMMARY

NCTPA annually allocates funds generated under AB 434. The revenues are generated from a four-dollar vehicle license fee imposed by the Bay Area Air Quality Management District (BAAQMD) and are known as Transportation Fund for Clean Air (TFCA). Forty percent of the funds generated in Napa County are returned to NCTPA for distribution to local projects. Projects must be beneficial to air quality and be cost effective. The remaining sixty percent is allocated by the BAAQMD on an area wide competitive basis. The Program Manager Expenditure Plan application is due to BAAQMD by March 3, 2014.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comments
3. Motion, Second, Discussion and Vote

FISCAL IMPACT

Is there a Fiscal Impact? Yes, approximately $219,455 dollars of FYE 2015 TFCA Program Manager Revenues.

Is it Mandatory or Discretionary? Discretionary

Future Fiscal Impact: No

Consequences if not approved: BAAQMD will rescind the FYE 2015 Program Manager Funds designated for Napa County and will reallocate them to the Regional TFCA Program distributed by the Air District on a competitive basis.

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Each year NCTPA adopts a list of projects for the TFCA Program Manager funds. NCTPA receives about $185,000 each year from AB 434 funds. Up to 5% of the program funds can be allocated to NCTPA for administrative costs. The final date for project applicants to submit a project is April 4, 2014. The list of projects will be taken to the NCTPA Technical Advisory Committee (TAC) for prioritization. A final list of projects will then be submitted to the NCTPA Board for approval.

TFCA project applications for FYE 2015 must be submitted to NCTPA by **5:00 pm on Friday, April 4, 2014**. Applications may be emailed to Danielle Schmitz at dschmitz@nctpa.net or sent to the NCTPA office at 625 Burnell Street, Napa, CA 94559. Applications may be in the form of a completed Project Information Form (template found in Application package).

Basic Eligibility

1. The proposed project must reduce emissions
2. The proposed project must meet the TFCA cost-effectiveness criteria
3. The proposed project sponsors must be an eligible recipient of TFCA funds
4. The proposed project must be consistent with existing plans and programs
5. The proposed project must be submitted in partnership with an eligible public agency

TFCA Project Types

1. Bicycle Facility Improvements
2. Arterial Management
3. Transit or Vanpool Incentive Programs
4. Shuttle/Vanpool Feeder Program
5. Smart Growth

SUPPORTING DOCUMENTS

Attachments: (1) Resolution No. 14-03
(2) TFCA Program Manger Expenditure Plan Application FYE 2015
(3) NCTPA Guide and Application for the FYE 2015 Napa County TFCA Program

RESOLUTION No. 14-03

A RESOLUTION OF THE NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY (NCTPA) ADOPTING THE TRANSPORTATION FUND FOR CLEAN AIR (TFCA) PROGRAM MANAGER EXPENDITURE PROGRAM FOR FYE 2015 AND AUTHORIZING ISSUANCE OF A CALL FOR PROJECTS

WHEREAS, the Bay Area Air Quality Management District (BAAQMD) has imposed a vehicle license fee as allowed under Assembly Bill 434 to implement actions that will help clean the air; and

WHEREAS, that program is known as the Transportation Fund for Clean Air Program Manager funds; and

WHEREAS, Assembly Bill 434 calls for the designation of an overall program manager to receive forty percent of the fees generated in the county to be expended for the improvement of air quality; and

WHEREAS, the Napa County Transportation and Planning Agency (NCTPA) has been designated the overall program manager for Napa; and

WHEREAS, the TFCA Program requires at least one public meeting each year for the purpose of adopting criteria for the expenditure of funds consistent with BAAQMD's Adopted TFCA County Program Manager Fund Policies; and

WHEREAS, the NCTPA held one public meeting in the form of the Technical Advisory Committee in addition to this meeting to adopt the criteria for the expenditure of TFCA funds:

NOW THEREFORE BE IT RESOLVED by the Board of Directors that:

1. The foregoing recitals are true and correct.

2. The Napa County Transportation and Planning Agency adopts the criteria in Exhibit A for the purpose of issuing a call for projects consistent with the BAAQMD Board Adopted TFCA County Program Manager Fund Policies for FYE 2015.

3. The Napa County Transportation and Planning Agency directs staff to prepare and submit the FYE 2015 Expenditure Plan for Napa County by March 3, 2014.

4. The Executive Director or her designee is authorized to submit or request all necessary information to or from other agencies on behalf of the NCTPA, and to execute any other documents or certifications to gain and expend these funds as directed by the NCTPA Board.

Passed and adopted this 19th day of February, 2014.

____
Keith Caldwell, NCTPA Chair

Ayes

Noes:

Absent:

ATTEST:

____
Karalyn E. Sanderlin, NCTPA Board Secretary

APPROVED:

____
Janice Killion, NCTPA Legal Counsel

Project Selection Process

The project selection process is as follows. The NCTPA Technical Advisory Committee (TAC), with representation from all six Napa County jurisdictions, will serve as the selection and prioritization committee. NCTPA staff will run the prospective projects through an initial qualification process based on project eligibility, and present their findings to the TAC. TAC's recommendations will be forwarded to the NCTPA Board.

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

TFCA Program Manager Selection Criteria for Napa County

1) The proposed project must improve the quality of the air as determined by the BAAQMD.

2) The project must fall into one or more of the statutory expenditure categories, which are:
   * The implementation of ridesharing programs.
   * The purchase or lease of clean fuel buses for school districts and transit operators.
   * The provision of local feeder bus or shuttle service to rail and ferry stations and to airports.
   * Implementation and maintenance of local arterial traffic management.
   * Implementation of rail-bus integration and regional transit information systems.
   * Implementation of low-emission and zero-emission vehicle programs and of demonstration projects in telecommuting and in congestion pricing of highways, bridges, and public transit.
   * Implementation of a smoking vehicles program (Air District project).
   * Implementation of an automobile buy-back scrappage program operated by a governmental agency (Air District project).
   * Implementation of bicycle facility improvement projects that are included in an adopted countywide bicycle plan or congestion management program.
   * The design and construction by local public agencies of physical improvements that support development projects that achieve motor vehicle emission reductions.

3) Geographic equity in the Napa region.

4) The project proponent has expended past allocations of funds in a timely manner.

5) Meet the requirements of the Air District Board-Approved TFCA County Program Manager Fund Policies (Attachment 1).

Appendix D: Board-Adopted TFCA County Program Manager Fund Policies for FYE 2015

Adopted December 18, 2013

The following Policies apply only to the Transportation Fund for Clean Air (TFCA) County Program Manager Fund.

BASIC ELIGIBILITY

1. **Reduction of Emissions**: Only projects that result in the reduction of motor vehicle emissions within the Air District's jurisdiction are eligible.

   Projects must conform to the provisions of the California Health and Safety Code (HSC) sections 44220 et seq. and these Air District Board of Directors adopted TFCA County Program Manager Fund Policies for FYE 2015.

   Projects must achieve surplus emission reductions, i.e., reductions that are beyond what is required through regulations, ordinances, contracts, and other legally binding obligations at the time of the execution of a grant agreement between the County Program Manager and the grantee. Projects must also achieve surplus emission reductions at the time of an amendment to a grant agreement if the amendment modifies the project scope or extends the project completion deadline.

2. **TFCA Cost-Effectiveness:** Projects must achieve TFCA cost-effectiveness, on an individual project basis, equal to or less than $90,000 of TFCA funds per ton of total emissions reduced, unless a different value is specified in the policy for that project type. (See "Eligible Project Categories" below.) Cost-effectiveness is based on the ratio of TFCA funds divided by the sum total tons of reactive organic gases (ROG), oxides of nitrogen (NOx), and weighted particulate matter 10 microns in diameter and smaller (PM10) reduced ($/ton). All TFCA-generated funds (e.g., TFCA Regional Funds, reprogrammed TFCA funds) that are awarded or applied to a project must be included in the evaluation. For projects that involve more than one independent component (e.g., more than one vehicle purchased, more than one shuttle route, etc.), each component must achieve this cost-effectiveness requirement.

   County Program Manager administrative costs are excluded from the calculation of a project's TFCA cost-effectiveness.

3. **Eligible Projects, and Case-by-Case Approval**: Eligible projects are those that conform to the provisions of the HSC section 44241, Air District Board adopted policies and Air District guidance. On a case-by-case basis, County Program Managers must receive approval by the Air District for projects that are authorized by the HSC section 44241 and achieve Board-adopted TFCA cost-effectiveness but do not fully meet other Board-adopted Policies.

4. **Consistent with Existing Plans and Programs:** All projects must comply with the transportation control measures and mobile source measures included in the Air District's most recently approved plan for achieving and maintaining State and national ambient air quality standards,

which are adopted pursuant to HSC sections 40233, 40717 and 40919, and, when specified, with other adopted State, regional, and local plans and programs.

5. **Eligible Recipients:** Grant recipients must be responsible for the implementation of the project, have the authority and capability to complete the project, and be an applicant in good standing with the Air District (Policy #8).

   A. Public agencies are eligible to apply for all project categories.

   B. Non-public entities are only eligible to apply for new alternative-fuel (light, medium, and heavy-duty) vehicle and infrastructure projects, and advanced technology demonstrations that are permitted pursuant to HSC section 44241(b)(7).

6. **Readiness:** Projects must commence by the end of calendar year 2015. "Commence" includes any preparatory actions in connection with the project's operation or implementation. For purposes of this policy, "commence" can mean the issuance of a purchase order to secure project vehicles and equipment, commencement of shuttle/feeder bus and ridesharing service, or the delivery of the award letter for a construction contract.

7. **Maximum Two Years Operating Costs:** Projects that provide a service, such as ridesharing programs and shuttle and feeder bus projects, are eligible to apply for a period of up to two (2) years. Grant applicants that seek TFCA funds for additional years must reapply for funding in the subsequent funding cycles.

APPLICANT IN GOOD STANDING

8. **Independent Air District Audit Findings and Determinations:** Grantees who have failed either the fiscal audit or the performance audit for a prior TFCA-funded project awarded by either County Program Managers or the Air District are excluded from receiving an award of any TFCA funds for five (5) years from the date of the Air District's final audit determination in accordance with HSC section 44242, or duration determined by the Air District Air Pollution Control Officer (APCO). Existing TFCA funds already awarded to the project sponsor will not be released until all audit recommendations and remedies have been satisfactorily implemented. A failed fiscal audit means a final audit report that includes an uncorrected audit finding that confirms an ineligible expenditure of TFCA funds. A failed performance audit means that the program or project was not implemented in accordance with the applicable Funding Agreement or grant agreement.

   A failed fiscal or performance audit of the County Program Manager or its grantee may subject the County Program Manager to a reduction of future revenue in an amount equal to the amount which was inappropriately expended pursuant to the provisions of HSC section 44242(c)(3).

9. **Authorization for County Program Manager to Proceed**: Only a fully executed Funding Agreement (i.e., signed by both the Air District and the County Program Manager) constitutes the Air District's award of County Program Manager Funds. County Program Managers may only incur costs (i.e., contractually obligate itself to allocate County Program Manager Funds) after the Funding Agreement with the Air District has been executed.

10. **Insurance:** Both the County Program Manager and each grantee must maintain general liability insurance, workers compensation insurance, and additional insurance as appropriate for specific projects, with required coverage amounts provided in Air District guidance and final amounts specified in the respective grant agreements.

INELIGIBLE PROJECTS

11. **Duplication:** Grant applications for projects that provide additional TFCA funding for existing TFCA-funded projects (e.g., Bicycle Facility Program projects) that do not achieve additional emission reductions are ineligible. Combining TFCA County Program Manager Funds with other TFCA-generated funds that broaden the scope of the existing project to achieve greater emission reductions is not considered project duplication.
12. **Planning Activities:** A grantee may not use any TFCA funds for planning related activities unless they are directly related to the implementation of a project or program that results in emission reductions.
13. **Employee Subsidies**: Projects that provide a direct or indirect financial transit or rideshare subsidy or shuttle/feeder bus service exclusively to the grantee's employees are not eligible.

USE OF TFCA FUNDS

14. **Cost of Developing Proposals:** Grantees may not use TFCA funds to cover the costs of developing grant applications for TFCA funds.
15. **Combined Funds:** TFCA fund may be combined with other grants (e.g., with TFCA Regional Funds or State funds) to fund a project that is eligible and meets the criteria for all funding sources.
16. **Administrative Costs:** The County Program Manager may not expend more than five percent (5%) of its County Program Manager Funds for its administrative costs. The County Program Manager's costs to prepare and execute its Funding Agreement with the Air District are eligible administrative costs. Interest earned on County Program Manager Funds shall not be included in the calculation of the administrative costs. To be eligible for reimbursement, administrative costs must be clearly identified in the expenditure plan application and in the Funding Agreement, and must be reported to the Air District.
17. **Expend Funds within Two Years:** County Program Manager Funds must be expended within two (2) years of receipt of the first transfer of funds from the Air District to the County Program Manager in the applicable fiscal year, unless a County Program Manager has made the determination based on an application for funding that the eligible project will take longer than two years to implement. Additionally, a County Program Manager may, if it finds that significant progress has been made on a project, approve no more than two one-year schedule extensions for a project. Any subsequent schedule extensions for projects can only be given on a case-by-case basis, if the Air District finds that significant progress has been made on a project, and the Funding Agreement is amended to reflect the revised schedule.
18. **Unallocated Funds:** Pursuant to HSC 44241(f), any County Program Manager Funds that are not allocated to a project within six months of the Air District Board of Directors approval of the County Program Manager's Expenditure Plan may be allocated to eligible projects by the Air District. The Air District shall make reasonable effort to award these funds to eligible projects in the Air District within the same county from which the funds originated.
19. **Incremental Cost (for the purchase or lease of new vehicles):** For new vehicles, TFCA funds awarded may not exceed the incremental cost of a vehicle after all rebates, credits,

and other incentives are applied. Such financial incentives include manufacturer and local/state/federal rebates, tax credits, and cash equivalent incentives. Incremental cost is the difference in cost between the purchase or lease price of the new vehicle, and its new conventional vehicle counterpart that meets the most current emissions standards at the time that the project is evaluated.

20. **Reserved.**

21. **Reserved.**

ELIGIBLE PROJECT CATEGORIES

22. **Alternative Fuel Light-Duty Vehicles:**

Eligibility: For TFCA purposes, light-duty vehicles are those with a gross vehicle weight rating (GVWR) of 8,500 lbs. or lighter. Eligible alternative light-duty vehicle types and equipment eligible for funding are:

A. Purchase or lease of new hybrid-electric, electric, fuel cell, and CNG/LNG vehicles certified by the CARB as meeting established super ultra low emission vehicle (SULEV), partial zero emission vehicle (PZEV), advanced technology-partial zero emission vehicle (AT-PZEV), or zero emission vehicle (ZEV) standards.

B. Purchase or lease of new electric neighborhood vehicles (NEV) as defined in the California Vehicle Code.

C. CARB emissions-compliant vehicle system retrofits that result in reduced petroleum use (e.g., plug-in hybrid systems).

Gasoline and diesel (non-hybrid) vehicles are not eligible for TFCA funds. Funds are not available for non-fuel system upgrades, such as transmission and exhaust systems, and should not be included in the incremental cost of the project.

23. **Alternative Fuel Medium Heavy-Duty and Heavy Heavy-Duty Service Replacement Vehicles (low-mileage utility trucks in idling service):**

Eligibility: For TFCA purposes, medium and heavy-duty service vehicles are on-road motor vehicles with a GVWR of 14,001 lbs. or heavier. Eligible alternative fuel service vehicles are only those vehicles in which engine idling is required to perform the vehicles' primary service function (for example, trucks with engines to operate cranes or aerial buckets). In order to qualify for this incentive, each new vehicle must be placed into a service route that has a minimum idling time of 520 hours/year, and a minimum mileage of 500 miles/year. Eligible MHDV and HHDV vehicle types for purchase or lease are:

A. New hybrid-electric, electric, and CNG/LNG vehicles certified by the CARB or that are listed by the IRS as eligible for a federal tax credit pursuant to the Energy Policy Act of 2005.

Scrapping Requirements: Grantees with a fleet that includes model year 1998 or older heavy-duty diesel vehicles must scrap one model year 1998 or older heavy-duty diesel vehicle for each new vehicle purchased or leased under this grant . Costs related to the scrapping of heavy-duty vehicles are not eligible for reimbursement with TFCA funds.

24. **Alternative Fuel Heavy-Duty Replacement Vehicles (high mileage):**

Eligibility: For TFCA purposes, Alternative Fuel Heavy-Duty Vehicles are defined as follows: Light-heavy-duty vehicles (LHDV) are those with a GVWR between 8,501 lbs. and 14,000 lbs., medium-heavy-duty vehicles (MHDV) are those with a GVWR between 14,001 lbs. and 33,000 lbs., and heavy-heavy-duty vehicles (HHDV) are those with a GVWR equal to or greater than 33,001 lbs. Eligible LHDV, MHDV and HHDV vehicle types for purchase or lease are:

A. New hybrid-electric, electric, and CNG/LNG vehicles certified by the CARB or that are listed by the IRS as eligible for a federal tax credit pursuant to the Energy Policy Act of 2005.

TFCA funds may not be used to pay for non-fuel system upgrades such as transmission and exhaust systems.

Scrapping requirements are the same as those in Policy #23.

25. **Alternative Fuel Bus Replacement:**

Eligibility: For purposes of transit and school bus replacement projects, a bus is any vehicle designed, used, or maintained for carrying more than 15 persons, including the driver. A vehicle designed, used, or maintained for carrying more than 10 persons, including the driver, which is used to transport persons for compensation or profit, or is used by any nonprofit organization or group, is also a bus. A vanpool vehicle is not considered a bus. Buses are subject to the same eligibility requirements listed in Policy #24 and the same scrapping requirements listed in Policy #23.

26. **Alternative Fuel Infrastructure:**

Eligibility: Eligible refueling infrastructure projects include new dispensing and charging facilities, or additional equipment or upgrades and improvements that expand access to existing alternative fuel fueling/charging sites (e.g., electric vehicle, CNG). This includes upgrading or modifying private fueling/charging sites or stations to allow public and/or shared fleet access. TFCA funds may be used to cover the cost of equipment and installation. TFCA funds may also be used to upgrade infrastructure projects previously funded with TFCA-generated funds as long as the equipment was maintained and has exceeded the duration of its years of effectiveness after being placed into service.

TFCA-funded infrastructure projects must be available to and accessible by the public. Equipment and infrastructure must be designed, installed and maintained as required by the existing recognized codes and standards and approved by the local/state authority.

TFCA funds may not be used to pay for fuel, electricity, operation, and maintenance costs.

27. **Ridesharing Projects:** Eligible ridesharing projects provide carpool, vanpool or other rideshare services. Projects that provide a direct or indirect financial transit or rideshare subsidy are also eligible under this category.

28. **Shuttle/Feeder Bus Service:**

These projects are intended to reduce single-occupancy vehicle commute-hour trips by providing the short-distance connection between a mass transit hub and one or more commercial or employment centers. All of the following conditions must be met for a project to be eligible for TFCA funds:

a. The project's route must provide connections only between mass transit hubs, e.g., a rail or Bus Rapid Transit (BRT) station, ferry or bus terminal or airport, and distinct commercial or employment areas.

b. The project's schedule must coordinate with the transit schedules of the connecting mass transit services.

c. The project may not replace or duplicate existing local transit service or service that ceased to operate within the past five years. Any proposed service that would transport commuters along any segment of an existing or any such previous service is not eligible for funding.

d. The project must include only commuter peak-hour service, i.e., 5:00-10:00 AM and/or 3:00-7:00 PM.

Shuttle/feeder bus service applicants must be either:(1) a public transit agency or transit district that directly operates the shuttle/feeder bus service; or (2) a city, county, or any other public agency.

Project applicants that were awarded FYE 2014 TFCA County Program Manager Funds that propose identical routes in FYE 2015 may request an exemption from the requirements of Policy 28. c. These applicants would have to submit a plan demonstrating how they will come into compliance with this requirement within the next three years.

Pilot shuttle/feeder bus service projects are defined as new routes that are at least 70% unique and have not been in operation in the past five years. In addition to meeting the conditions listed above, pilot projects must also comply with the following:

a. Applicants must provide data supporting the demand for the service, including letters of support from potential users and providers;

b. Applicants must provide written documentation of plans for financing the service in the future;

c. Projects located in Highly Impacted Communities as defined in the Air District Community Air Risk Evaluation (CARE) Program must not exceed a cost-effectiveness of $500,000/ton during the first year of operation, $125,000/ton for the second year of operation, and $90,000 by the end of the third year of operation (see Policy #2);

d. Projects located outside of CARE areas must not exceed a cost-effectiveness of $125,000 per ton of emissions reduced for the first two years of project operation.

e. Projects located in CARE areas may receive a maximum of three years of TFCA funds under the Pilot designation; projects located outside of CARE areas may receive a maximum of two years of TFCA funds under this designation. After these time periods, applicants must apply for subsequent funding under the shuttle/feeder bus service designation, described above.

29. **Bicycle Projects:**

New bicycle facility projects that are included in an adopted countywide bicycle plan or Congestion Management Program (CMP) are eligible to receive TFCA funds. Eligible projects are limited to the following types of bicycle facilities for public use that result in motor vehicle emission reductions:

A. New Class-1 bicycle paths;
B. New Class-2 bicycle lanes;
C. New Class-3 bicycle routes;
D. New bicycle boulevards;
E. Bicycle racks, including bicycle racks on transit buses, trains, shuttle vehicles, and ferry vessels;
F. Bicycle lockers;
G. Capital costs for attended bicycle storage facilities;
H. Purchase of two-wheeled or three-wheeled vehicles (self-propelled or electric), plus mounted equipment required for the intended service and helmets; and
I. Development of a region-wide web-based bicycle trip planning system.

All bicycle facility projects must, where applicable, be consistent with design standards published in the California Highway Design Manual.

30. **Bay Area Bike Share**

These projects make bicycles available to individuals for shared use for completing first- and last-mile trips in conjunction with regional transit and stand-alone short distance trips. To be eligible for TFCA funds, bicycle share projects must work in unison with the existing Bay Area Bike Share Project by either increasing the fleet size within the initial participating service areas or expanding the existing service area to include additional Bay Area communities. Projects must have a completed and approved environmental plan and a suitability study demonstrating the viability of bicycle sharing. Projects must not exceed a cost-effectiveness of $500,000/ton.

31. **Arterial Management:**

Arterial management grant applications must identify a specific arterial segment and define what improvement(s) will be made to affect traffic flow on the identified arterial segment. Projects that provide routine maintenance (e.g., responding to citizen complaints about malfunctioning signal equipment) are not eligible to receive TFCA funds. Incident management projects on arterials are eligible to receive TFCA funds. Transit improvement projects include, but are not limited to, bus rapid transit and transit priority projects. For signal timing projects, TFCA funds may only be used for local arterial management projects where the affected arterial has an average daily traffic volume of 20,000 motor vehicles or more, or an average peak hour traffic volume of 2,000 motor vehicles or more (counting volume in both directions). Each arterial segment must meet the cost-effectiveness requirement in Policy #2.

32. **Smart Growth/Traffic Calming:**

Physical improvements that support development projects and/or calm traffic, resulting in motor vehicle emission reductions, are eligible for TFCA funds, subject to the following conditions:

A. The development project and the physical improvements must be identified in an approved area-specific plan, redevelopment plan, general plan, bicycle plan, pedestrian plan, traffic-calming plan, or other similar plan; and

B. The project must implement one or more transportation control measures (TCMs) in the most recently adopted Air District plan for State and national ambient air quality standards. Pedestrian projects are eligible to receive TFCA funds.

C. The project must have a completed and approved environmental plan.

Traffic calming projects are limited to physical improvements that reduce vehicular speed by design and improve safety conditions for pedestrians, bicyclists or transit riders in residential retail, and employment areas.

SUMMARY INFORMATION

County Program Manager Agency Name: Napa County Transportation and Planning Agency

Address: 625 Burnell St., Napa, CA 94559

PART A: NEW TFCA FUNDS

1. Estimated FYE 2015 DMV revenues (based on projected CY2013 revenues): Line 1: $192,311.00
2. Difference between prior-year estimate and actual revenue: Line 2: $2,854.88
   a. Actual FYE 2013 DMV revenues (based on CY2012): $188,571.88
   b. Estimated FYE 2013 DMV revenues (based on CY2012): $185,717.00
   ('a' minus 'b' equals Line 2.)
3. Estimated New Allocation *(Sum of Lines 1 and 2)*: Line 3: $195,165.88
4. Interest income. List interest earned on TFCA funds in calendar year 2013. Line 4: $1,830.46
5. Estimated TFCA funds budgeted for administration:[1] Line 5: $9,758.30
   (Note: This amount may not exceed 5% of Line 3.)
6. **Total new TFCA funds available in FYE 2015 for projects and administration Line 6:** $196,996.34
   (Add Lines 3 and 4. These funds are subject to the six-month allocation deadline.)

PART B: TFCA FUNDS AVAILABLE FOR REPROGRAMMING

7. **Total amount from previously funded projects available for reprogramming to other projects.** *(Enter zero (0) if none.)* **Line 7:** $32,216.64
   (Note: Reprogrammed funds originating from pre-2006 projects are not subject to the six-month allocation deadline.)

PART C: TOTAL AVAILABLE TFCA FUNDS

8. **Total Available TFCA Funds** *(Sum of Lines 6 and 7)* **Line 8:** **$229,212.98**
9. Estimated Total TFCA funds available for projects *(Line 8 minus Line 5)* Line 9: $219,454.68

I certify that, to the best of my knowledge, the information contained in this application is complete and accurate.

Executive Director Signature: ______________________________ Date: ________________

[1] The "Estimated TFCA funds budgeted for administration" amount is listed for informational purposes only. Per California Health and Safety Code Section 44233, County Program Managers must limit their administrative costs to no more than 5% of the actual total revenue received from the Air District.

SUMMARY INFORMATION - ADDENDUM

Complete if there are TFCA Funds available for reprogramming.

Project #	Project Sponsor/Grantee	Project Name	$ TFCA Funds Allocated	$ TFCA Funds Expended	$ TFCA Funds Available	Code*
10NAP01	City of Napa	Lincoln Class II bike lane	$71,750	$39,405.26	$32,344.74	UB
12NAP00	NCTPA	Program Admin	$9,300.90	$9,429	-$128.10	

TOTAL TFCA FUNDS AVAILABLE FOR REPROGRAMMING $ 32,216.64

(Enter this amount in Part B, Line 7 of Summary Information form)

** Enter UB (for projects that were completed under budget) and CP (for cancelled project).*

NC TPA Napa County Transportation & Planning Agency

Guide and Application for the

Transportation Fund for Clean Air Program (TFCA) for Napa County Program Manager Funds

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

FYE 2015 Applications Due to NCTPA: April 4, 2014

NCTPA
625 Burnell Street
Napa, CA 94559
Phone: 707-259-8631
Fax: 707-259-8638
www.nctpa.net

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January 13, 2014

Greetings Participants!

The Napa County Transportation and Planning Agency is pleased to announce a “Call for Projects” for the Transportation Fund for Clean Air, Program Manager Funds.

The Transportation Fund for Clean Air (TFCA) is a grant program, funded by a $4 surcharge on motor vehicles registered in the Bay Area. This generates approximately $22 million per year in revenues. The purpose of the TFCA program is to provide grants to implement the most cost-effective projects in the Bay Area that will decrease motor vehicle emissions, and thereby improve air quality. Projects must be consistent with the 1988 California Clean Air Act and the Bay Area Ozone Strategy.

The TFCA program can fund a wide range of project types, including the construction of new bicycle lanes; shuttle and feeder bus services to train stations; ridesharing programs to encourage carpool and transit use; bicycle facility improvements such as bicycle racks and lockers; and arterial management projects that reduce traffic congestion such as signal interconnect projects.

NCTPA is pleased that your agency or organization has chosen the TFCA 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 FYE 2015 will be approximately $219,455 dollars. The TFCA Applications for FYE 2015 will be due to NCTPA by 5:00 PM on Friday, April 4th.

If you have any questions, you may contact Danielle Schmitz, TFCA Program Manager at: NCTPA TFCA Program
625 Burnell Street
Napa, CA 94559
Phone: 707-259-8631

Sincerely,

Kate Miller
Executive Director
Napa County Transportation & Planning Agency

Introduction

On-road motor vehicles, including cars, trucks, and buses, constitute the most significant source of air pollution in the Bay Area. Vehicle emissions contribute to unhealthy levels of ozone (summertime "smog") and particulate matter.

To protect public health, the State Legislature enacted the California Clean Air Act in 1988. As part of the requirements, the Air District prepared the Bay Area Clean Air Plan (CAP) and the Bay Area 2005 Ozone Strategy, which describes how the region will work toward compliance with the State one-hour ozone standard. To reduce emissions from motor vehicles, the Bay Area 2005 Ozone Strategy contains transportation control measures (TCMs) and mobile source measures (MSMs). A TCM is defined as "any strategy to reduce vehicle trips, vehicle use, vehicle miles traveled, vehicle idling, or traffic congestion for the purpose of reducing motor vehicle emissions." MSMs encourage the retirement of older, more polluting vehicles and the introduction of newer, less polluting motor vehicle technologies, which result not only in the reduction of ozone precursor emissions, but also of greenhouse gas emissions.

The TFCA Program

To fund the implementation of TCMs and MSMs, the State Legislature authorized the Bay Area Air Quality Management District to impose a $4 surcharge on motor vehicle registration fees paid within the San Francisco Bay Area. These revenues are allocated by the Air District through the Transportation Fund for Clean Air (TFCA). TFCA grants are awarded to public and private entities to implement eligible projects.

TFCA-funded projects have many benefits, including the following:

- Conserving energy and helping to reduce greenhouse gas emissions
- Reducing air pollution, including air toxics such as benzene and diesel particulates
- Improving water quality by decreasing contaminated runoff from roadways
- Improving transportation options
- Reducing traffic congestion

Forty percent (40%) of these funds are allocated to the designated program manager within each county and are referred to as the TFCA Program Manager Fund. Sixty percent (60%) of these funds are awarded directly by the Air District through the TFCA Regional Fund.

Your Responsibilities as Project Sponsor:

1. Submit projects to the Program Manager that comply with Air District policies.
2. Prepare and submit your project's information form and cost-effectiveness worksheet to the Program Manager.
3. Adhere to the Program Manager's timeline and submit deliverables on time.
4. Submit project status report forms on time.
5. Complete your TFCA project two years from the effective date of the Master Agreement between the Program Manager and the Air District.
6. Provide proof of Air District credit for vehicles purchased, published materials, and construction funded or partially funded through the TFCA program.
7. Provide itemized invoices to the Program Manager for reimbursement of your project.
8. Provide proof of general liability insurance with a limit of not less than $1,000,000 per occurrence.

NCTPA's Responsibilities as Program Manager:

1. Provide guidance, offer technical support to project sponsors.
2. Review Project Sponsor's Project Information forms, cost-effectiveness sheets, and reporting forms.
3. Administer program in accordance with applicable legislation, including Health and Safety Code Sections 44233, 44241, and 44242, and with Air District Board-Adopted TFCA County Program Manager Fund Policies
4. Hold one or more public meeting each year for the purpose of adopting criteria for the expenditure of the funds and to review expenditure of revenues received.
5. Provide funds only to projects that comply with Air District Policies and Procedures.
6. Encumber and expend funds within two years of the receipt of funds.
7. Provide information to the Air District and to auditors on the expenditures of TFCA funds.

Basic Eligibility

Reduction of Emissions: Only projects that result in the reduction of motor vehicle emissions within the Air District's jurisdiction are eligible. Projects must conform to the provisions of the California Health and Safety Code (HSC) sections 44220 et seq. and the Air District Board of Directors adopted TFCA County Program Manager Fund Policies for FYE 2015. Projects must achieve surplus emission reductions, i.e., reductions that are beyond what is required through regulations, ordinances, contracts, and other legally binding obligations at the time of the execution of a grant agreement between the County Program Manager and the grantee. Projects must also achieve surplus emission reductions at the time of an amendment to a grant agreement if the amendment modifies the project scope or extends the project completion deadline.

TFCA Cost-Effectiveness: Projects must achieve TFCA cost-effectiveness, on an individual project basis, equal to or less than $90,000 of TFCA funds per ton of total emissions reduced, unless a different value is specified in the policy for that project type. (See "Eligible Project Categories" below.) Cost-effectiveness is based on the ratio of TFCA funds divided by the sum total tons of reactive organic gases (ROG), oxides of nitrogen (NOx), and weighted particulate matter 10 microns in diameter and smaller (PM10) reduced ($/ton). All TFCA-generated funds (e.g., TFCA Regional Funds, reprogrammed TFCA funds) that are awarded or applied to a project must be included in the evaluation. For projects that involve more than one independent component (e.g., more than one vehicle purchased, more than one shuttle route, etc.), each component must achieve this cost-effectiveness requirement.

Eligible Projects, and Case-by-Case Approval: Eligible projects are those that conform to the provisions of the HSC section 44241, Air District Board adopted policies and Air District guidance. On a case-by-case basis, County Program Managers must receive approval by the Air District for projects that are authorized by the HSC section 44241 and achieve Board-adopted TFCA cost-effectiveness but do not fully meet other Board-adopted Policies.

Consistent with Existing Plans and Programs: All projects must comply with the transportation control measures and mobile source measures included in the Air District's most recently approved plan for achieving and maintaining State and national ambient air quality standards, which are adopted pursuant to HSC sections 40233, 40717 and 40919, and, when specified, with other adopted State, regional, and local plans and programs.

Eligible Recipients: Grant recipients must be responsible for the implementation of the project, have the authority and capability to complete the project, and be an applicant in good standing with the Air District (Policy #8).

A. Public agencies are eligible to apply for all project categories.
B. Non-public entities are only eligible to apply for new alternative-fuel (light, medium, and heavy-duty) vehicle and infrastructure projects, and advanced technology demonstrations that are permitted pursuant to HSC section 44241(b)(7).

Readiness: Projects must commence by the end of calendar year 2015. "Commence" includes any preparatory actions in connection with the project's operation or implementation. For purposes of this policy, "commence" can mean the issuance of a purchase order to secure project vehicles and equipment, commencement of shuttle/feeder bus and ridesharing service, or the delivery of the award letter for a construction contract.

Maximum Two Years Operating Costs: Projects that provide a service, such as ridesharing programs and shuttle and feeder bus projects, are eligible to apply for a period of up to two (2) years. Grant applicants that seek TFCA funds for additional years must reapply for funding in the subsequent funding cycles.

APPLICANT IN GOOD STANDING

Independent Air District Audit Findings and Determinations: Grantees who have failed either the fiscal audit or the performance audit for a prior TFCA-funded project awarded by either County Program Managers or the Air District are excluded from receiving an award of any TFCA funds for five (5) years from the date of the Air District's final audit determination in accordance with HSC section 44242, or duration determined by the Air District Air Pollution Control Officer (APCO). Existing TFCA funds already awarded to the project sponsor will not be released until all audit recommendations and remedies have been satisfactorily implemented. A failed fiscal audit means a final audit report that includes an uncorrected audit finding that confirms an ineligible expenditure of TFCA funds. A failed performance audit means that the program or project was not implemented in accordance with the applicable Funding Agreement or grant agreement.

A failed fiscal or performance audit of the County Program Manager or its grantee may subject the County Program Manager to a reduction of future revenue in an amount equal to the amount which was inappropriately expended pursuant to the provisions of HSC section 44242(c)(3).

Authorization for County Program Manager to Proceed: Only a fully executed Funding Agreement (i.e., signed by both the Air District and the County Program Manager) constitutes the Air District's award of County Program Manager Funds. County Program Managers may only incur costs (i.e., contractually obligate itself to allocate County Program Manager Funds) after the Funding Agreement with the Air District has been executed.

Insurance: Both the County Program Manager and each grantee must maintain general liability insurance, workers compensation insurance, and additional insurance as appropriate for specific projects, with required coverage amounts provided in Air District guidance and final amounts specified in the respective grant agreements.

Use of TFCA Funds

1. Cost of Developing Proposals: The costs of developing grant applications for TFCA funding are not eligible to be reimbursed with TFCA funds.

2. Combined Funds: TFCA County Program Manager Funds may be combined with TFCA Regional Funds for the funding of an eligible project with the exception of clean air vehicle projects. For the purpose of calculating TFCA cost-effectiveness, the combined sum of TFCA County Program Manager Funds and TFCA Regional Funds shall be used to calculate the TFCA cost of the project.

3. Expend Funds within Two Years: County Program Manager Funds must be expended within two (2) years of receipt of the first transfer of funds from the Air District to the County Program Manager in the applicable fiscal year. A County Program Manager may, if it finds that significant progress has been made on a project, approve no more than two (2) one-year (1-year) schedule extensions for a project. Any subsequent schedule extensions for projects can only be given on a case-by-case basis, if the Air District finds that significant progress has been made on a project, and the funding agreement between the Program Manager and the Air District is amended to reflect the revised schedule.

TFCA Project Types

1. **Ridesharing projects**
2. **Shuttle/Feeder Bus**
3. **Bicycle Facility Improvements**
4. **Smart Growth**
5. **Clean Air Vehicle Purchase**
6. **Arterial Management**

Ineligible Project Types

1. Duplication: Grant applications for projects that duplicate existing TFCA-funded projects (including Bicycle Facility Program projects) and therefore do not achieve additional emission reductions are ineligible. Combining TFCA County Program Manager Funds with TFCA Regional Funds to achieve greater emission reductions for a single project is not considered project duplication.

2. Planning Activities: Feasibility studies are not eligible, nor are projects that only involve planning activities and that do not include an implementation phase.

3. Employee Subsidies: Projects that provide a direct or indirect financial transit or rideshare subsidy or shuttle/feeder bus service exclusively to employees of the project sponsor are not eligible.

Recent Project Examples in Napa County

Project Name	Sponsor	TFCA Funds	Total Project $
Bicycle Incentive Program	City of Calistoga	$8,500	$13,000
Signal Timing Project	City of Napa	$177,693	$195,000
Class II Bike Lane	County of Napa	$51,000	$89,000
Commuter Incentives & Marketing Materials	SNCI	$40,000	$40,000

Dates of Importance

April 4, 2014 **Project submittals are due to NCTPA**

Aug. 7, 2014 Deadline: Within three months of Board approval, Program Manager submits request for Air District approval of any projects that do not conform to TFCA policies (date tentative)

Nov. 7, 2014 Deadline: Within six months of Board approval, Program Manager (NCTPA) provides Cost-Effectiveness Worksheets and Project Information forms for new FYE 2015 projects to the Air District (date tentative)

Project Selection Process

The project selection process is as follows. The NCTPA Technical Advisory Committee (TAC), with representation from all six Napa County jurisdictions, will serve as the selection and prioritization committee. NCTPA staff will run the prospective projects through an initial qualification process based on project eligibility, and present their findings to the TAC. TAC's recommendations will be forwarded to the NCTPA Board.

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

TFCA Program Manager Selection Criteria for Napa County

1) The proposed project must improve the quality of the air as determined by the BAAQMD.

2) The project must fall into one or more of the statutory expenditure categories, which are:

- The implementation of ridesharing programs.
- The purchase or lease of clean fuel buses for school districts and transit operators.
- The provision of local feeder bus or shuttle service to rail and ferry stations and to airports.
- Implementation and maintenance of local arterial traffic management.
- Implementation of rail-bus integration and regional transit information systems.
- Implementation of low-emission and zero-emission vehicle programs and of demonstration projects in telecommuting and in congestion pricing of highways, bridges, and public transit.
- Implementation of a smoking vehicles program (Air District project).
- Implementation of an automobile buy-back scrappage program operated by a governmental agency (Air District project).
- Implementation of bicycle facility improvement projects that are included in an adopted countywide bicycle plan or congestion management program.
- The design and construction by local public agencies of physical improvements that support development projects that achieve motor vehicle emission reductions.

3) Geographic equity in the Napa region.

4) The project proponent has expended past allocations of funds in a timely manner.

5) Meet the requirements of the Air District Board-Approved TFCA County Program Manager Fund Policies.

Application Instructions:

TFCA project applications for FYE 2015 must be submitted to NCTPA no later than 5:00 pm on Friday, April 4, 2014. Applications may be emailed to Danielle Schmitz at dschmitz@nctpa.net. Applications may be in the form of a completed Project Information Form that provides a detailed project scope and includes a cost effectiveness calculation. To obtain a cost effectiveness calculation worksheet contact Danielle Schmitz.

What Happens After Submission?

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

- April – May 2014 – NCTPA will evaluate the potential FYE 2015 TFCA projects
- May 1, 2014 – NCTPA will take proposed projects to the NCTPA Technical Advisory Committee (TAC) for recommendation to NCTPA Board (date tentative)
- May 21, 2014 – NCTPA will take proposed final projects for FYE 2015 to the NCTPA Board for approval (date tentative)
- July- August 2014 – NCTPA sends out agreements to project sponsors (date tentative)

TFCA Do's and Don'ts

Do

- Establish a clear link to the air quality benefits of your project
- Provide clear and detailed cost estimates
- Have good back-up documentation including maps and pictures
- Have a clearly defined project scope and timeline
- Keep NCTPA in "the loop" the greater understanding the Program Manager has of your project, the better

Don't

- Bite off more than you can chew – if the project cannot be completed in two years apply for funding in phases, it will not hurt your chances of eligibility
- Scope creep – when you fill out your **Project Information Form** this is your application. You have to adhere to the project description you write on this form
- Forget to ask for help – NCTPA is here as a resource, do not assume, rather ask for clarification
- Apply for the TFCA funds now, and figure out where the rest of your project's funding is going to come from later

Frequently Asked Questions

1. **Is there a local match requirement to apply for TFCA funding?**
   No, there is no requirement for a local match.

2. **Can TFCA Program Manager Funds be combined with TFCA Regional Funds?**
   Yes, TFCA Program Manager Funds may be combined with Regional Funds for the funding of an eligible project with the exception of clean air vehicle projects.

3. **What is the TFCA funding limit for alternative fuel vehicles?**
   TFCA funds awarded to alternative fuel vehicle projects may not exceed incremental cost after all other applicable manufacturer and local/state rebates, tax credits, and cash equivalent incentives are applied. Incremental cost is the difference in cost between the purchase or lease price of the vehicle and/or retrofit and its new conventional vehicle counterpart that meets, but does not exceed 2011 emissions standards.

Contact Information

Napa County TFCA Program Manager:
Danielle Schmitz
625 Burnell Street
Napa, CA 94559
Phone: (707) 259-5968
dschmitz@nctpa.net

NCTPA Main Office
625 Burnell Street
Napa, CA 94559
Phone: (707) 259-8631
Fax: (707) 259-8638
www.nctpa.net

Bay Area Air Quality Management District:
Strategic Incentives Division
Karen Schkolnick
Phone: (415) 749-5070
kschkolnick@baaqmd.gov

Appendix A

PROJECT INFORMATION

A. Project Number: 15XX01
Use consecutive numbers for projects funded, with year, county code, and number, e.g., 15MAR01, 15MAR02 for Marin County. Zero (e.g., 15MAR00) is reserved for County Program Manager TFCA funds allocated for administration costs.

B. Project Title: ________________________________
Provide a concise, descriptive title for the project (e.g., "Elm Ave. Signal Interconnect" or "Purchase Ten Gasoline-Electric Hybrid Light-Duty Vehicles").

C. TFCA County Program Manager Funds Allocated: $__________________

D. TFCA Regional Funds Awarded (if applicable):$______________

E. Total TFCA Funds Allocated (sum of C and D):$______________

F. Total Project Cost: $________________

Indicate the TFCA dollars allocated (C, D and E) and total project cost (D). Data from Line E (Total TFCA Funds) should be used to calculate C-E.

G. Project Description:

Grantee will use TFCA funds to _________. *Include information sufficient to evaluate the eligibility and cost-effectiveness of the project. Ex. of the information needed include but are not limited to: what will be accomplished by whom, how many pieces of equipment are involved, how frequently it is used, the location, the length of roadway segments, the size of target population, etc. Background information should be brief. For shuttle/feeder bus projects, indicate the hours of operation, frequency of service, and rail station and employment areas served.*

H. Final Report Content: Final Report form and final Cost Effectiveness Worksheet

Reference the appropriate Final Report form that will be completed and submitted after project completion. See http://www.baaqmd.gov/Divisions/Strategic-Incentives/Funding-Sources/TFCA/County-Program-Manager-Fund.aspx for a listing of the following forms:
☐*Form for Ridesharing, Shuttles, Transit Information, Rail/Bus Integration, Smart Growth, and Traffic Calming Projects. (Includes Transit Bus Signal Priority.)*
☐*Form for Clean Air Vehicle and Infrastructure Projects*
☐*Form for Bicycle Projects*
☐*Form for Arterial Management Projects*

I. Attach a completed Cost-effectiveness Worksheet and any other information used to evaluate the proposed project. *For example, for vehicle projects, include the California Air Resources Board Executive Orders for all engines and diesel emission control systems. Note, Cost-effectiveness Worksheets are not needed for TFCA County Program Managers' own administrative costs.*

J. Comments (if any):
Add any relevant clarifying information in this section.

February 19, 2014
NCTPA Agenda Item 8.6
Continued From: New
Action Requested: APPROVE

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
Board Agenda Letter

TO: Board of Directors

FROM: Kate Miller, Executive Director

REPORT BY: Antonio Onorato, Program Manager - Finance
(707) 259-8779 / Email: aonorato@nctpa.net

SUBJECT: Approval of Resolution No. 14-04 Authorizing the Submittal of a Federal Transit Administration (FTA) Section 5339 Grant Application for FY 2012-13

RECOMMENDATION

That the Napa County Transportation and Planning Agency (NCTPA) Board approve Resolution No. 14-04 (Attachment 1) authorizing the executive director, or her designee, to submit a grant application for FY 2012-13 Federal Transit Administration (FTA) Section 5339 Bus and Bus Facilities funds in the amount of $170,991 for the purchase of 85 VINE Transit fareboxes and related farebox equipment.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

The U.S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support capital and operating assistance projects to public transportation systems under FTA Section 5339 bus and bus facilities program. The California Department of Transportation (Caltrans) has been designated by the Governor of the State of California to administer small urbanized area Section 5339 grants for public transportation projects. This action authorizes NCTPA to submit a grant application in the amount of $170,991 operating assistance for the purchase of 85 VINE Transit fareboxes and related farebox equipment.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Motion, Second, Discussion and Vote

FINANCIAL IMPACT

Is there a fiscal impact? Yes. $170,991. The fiscal impact was in FY12-13

Is it Currently Budgeted? Yes - last year

Where is it budgeted? Public Transit Fund - capital projects

Is it Mandatory or Discretionary? Discretionary

Future Fiscal Impact: No.

Consequences if not approved: The agency would be required to use an equivalent amount of local funds to pay for the farebox modernization project.

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Section 5339 is a new grant program authorized by 49 United States Code (U.S.C) as specified under the Federal Reauthorization Moving Ahead for Progress in the 21st Century or “MAP 21”. The Program provides capital funding to replace, rehabilitate and purchase buses, vans, and related equipment, and to construct bus-related facilities. FTA apportions a discretionary component and a small urban (population 50,000 to 199,999) formula component to governors of each State annually. The California State Department of Transportation, Division of Mass Transportation (DMT) has been delegated the designated recipient responsibilities by the Governor. DMT administers these funding components to eligible sub-recipients which include: public agencies and private nonprofit organizations engaged in public transportation.

The state-wide amount of Section 5339 Small Urbanized Area Formula revenues available to areas with populations between 50,000 and 200,000 for Federal Fiscal Year (FFY) 2012-2013 is $7,381,525 of which, $170,991 has been programmed to NCTPA.

Applications for Section 5339 funding is limited to projects to replace, rehabilitate, and purchase buses and bus-related equipment and facilities.

A call for projects for this new program was supposed to occur in April 2012 for FY 2012-13. However, the procedures for carrying out this new program were not completed until December 2012. The call for projects was announced on January 9, 2014 with a deadline for submission on March 15, 2014.

NCTPA programmed the $170,991 funding allocation for this program for the farebox modernization project, which was completed on September 16, 2013. Pre-award contract authority was granted to FTA Section 5339 recipients allowing us to use these funds to pay for a portion of the farebox replacement program.

SUPPORTING DOCUMENTS

Attachment: (1) Resolution No. 14-04

RESOLUTION No. 14-04

A RESOLUTION OF THE NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY (NCTPA) AUTHORIZING FEDERAL FUNDING UNDER FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5339 WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION

WHEREAS, the U. S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support capital projects for non-urbanized public transportation systems under 49 U.S.C. Section 5339 / MAP-21 Section 20029; and

WHEREAS, the California Department of Transportation (Department) has been designated by the Governor of the State of California to administer the Federal Transit Administration (FTA) Section 5339 grants for transportation projects for bus and bus facilities in small urbanized areas; and

WHEREAS, Napa County Transportation and Planning Agency is an eligible recipient of FTA Section 5339 funds; and

WHEREAS, the Napa County Transportation and Planning Agency has, to the maximum extent feasible, coordinated with other transportation providers and users in the region (including social service agencies).

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Napa County Transportation and Planning Agency does hereby:

(1) Authorize the Executive Director, to file and execute applications on behalf of Napa County Transportation and Planning Agency with the Department to aid in the financing of capital assistance projects pursuant to FTA Section 5339; as amended.

(2) Authorize the executive director or her designee to file all certifications of assurance, contracts or agreements, or any other document required by the Department.

(3) Authorizes the Executive Director, or her designee, to provide additional information as the Department may require in connection with the application for the Section 5339 projects.

(4) Authorizes the Executive Director, or her designee, to approve and submit requests for reimbursement of funds from the Department for the Section 5339 project(s).

/ / /

/ / /

Passed and Adopted on the 19th day of February 2014.

____
Keith Caldwell, NCTPA Chair

Ayes

Nays:

Absent:

ATTEST:

____
Karalyn E. Sanderlin, NCTPA Board Secretary

APPROVED:

____
Janice Killion, NCTPA Legal Counsel

February 19, 2014
NCTPA Agenda Item 9.1
Continued From: New
Action Requested: ACCEPT AND FILE

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
Board Agenda Letter

TO: Board of Directors

FROM: Kate Miller, Executive Director

REPORT BY: Antonio Onorato- Program Manager, Finance
(707) 259-8779 / Email: aonorato@nctpa.net

SUBJECT: FY 2012-13 Independent External Fiscal and Single Audit Reports for NCTPA

RECOMMENDATION

That the Napa County Transportation and Planning Agency (NCTPA) Board: (1) Accept and file the FY 2012-13 NCTPA Fiscal Audit and the NCTPA Single Audit Report - OMB Circular A-133; and (2) Return an allocation surplus of $3,517,107 to the County's Local Transportation Fund.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

Brown Armstrong Certified Public Accountants have completed the annual financial audit and federal single audit report for NCTPA for FY 2012-13, which is required by statute.

Attachment 1 is the SAS114 management letter to the NCTPA Board of Directors communicating the outcome of the Audit and any findings. Attachment 2 is the Fiscal Audit Report for the FY June 30, 2013 and 2012. Attachment 3 is the Single Audit Report section for the year ending June 30, 2013.

No findings were identified.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Motion, Second, Discussion and Vote

FINANCIAL IMPACT

Is there a fiscal impact? No

Is it Currently Budgeted?
Where is it budgeted? Audit and Accounting in the CMA department.

Is it Mandatory or Discretionary? Mandatory

Future Fiscal Impact: No

Consequences if not approved: Future revenues could be withheld. Annual fiscal audit is required by Federal, State, and Local authorities.

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

NCTPA's Audit for FY 2012-13 was prepared by Brown Armstrong, Certified Public Accountants, in accordance with auditing standards generally accepted in the United States. The report includes a Management Discussion and Analysis section, basic financial statements, including government-wide and three separate fund financial statements, notes to the statements, and other required supplementary information. Additionally, Brown Armstrong prepared a separate Single Audit Report for discussing findings of weakness and deficiencies in internal controls. The Audit for the fiscal year ending June 30, 2013 is the sixth audit performed by Brown Armstrong for NCTPA.

NCTPA Financial Activities

NCTPA financial activities are separated into three fund types:

1. **Governmental Fund Type:** This fund type accounts for all of the non-trust, non-transit, non-capital activities of NCTPA - considered the General Fund. It includes Agency administration, pass through activities and planning costs. The Governmental Fund balance as of June 30, 2013 was $1,048,630, a slight decrease of $1,791 over the previous fiscal year.

2. **Proprietary Fund Type (or Enterprise Fund)**: This fund accounts for the financial activity of all public transit services and taxi scrip program. At the end of FY 2012-13, the enterprise fund increased assets by $9,110,448, and will return an allocation surplus to the Local Transportation Fund (LTF) trust account of $3,517,107.

3. **Fiduciary Funds (or Expendable Trust Funds)**: This fund type accounts for the Abandoned Vehicles Abatement Authority Trust Fund (AVAA) and the Bay Area Air Quality Management (BAAQMD) Fund. These funds pass through NCTPA to other agencies. NCTPA charges an administration fee to the BAAQMD program of 5%. At the end of FY 2012-13, the Fiduciary Fund Type shows net assets of $835,752 due to the carryover of projects into later years.

Changes in Net Assets

In FY 2013-14, NCTPA net assets, governmental and business type combined, increased by $9,108,657 or 59.3%. The proprietary fund (public transit) added net assets for the year due to capital investments of sixteen (16) buses, new passenger amenities, new equipment, and completed construction of the Soscol Gateway Transit Center.

Farebox Ratio

The auditors validate the farebox ratio for the services and ascertain compliance with the Transportation Development Act (TDA) statute, which mandates a minimum farebox recovery ratio. Transit agencies are given a one-year grace period if they are out of compliance with the farebox ratio requirement. Penalties may apply to transit services that are unable to meet the requirement after one year.

VINE Transit including regional Route 10 and American Canyon Transit are required to make a 16% farebox recovery. The actual farebox recovery ratio was 15.27%. The Agency was in compliance with the minimum farebox ratio required for Article 4 transit operations for the fiscal year ended June 30, 2013, but did not meet the 16% requirement set for NCTPA's services. An additional $36,000 in revenue would have brought VINE into compliance with the mandated farebox recovery calculation.

TDA statute 99268.8 allows transit operators to delay reporting farebox ratios on new services for two years after the end of the fiscal year in which the new service was put into operation. This is because there are a number of costs associated with launching new services that would otherwise not be incurred in a normal year. NCTPA has opted to utilize this exemption for operating costs associated with newly launched VINE Route 25 to Sonoma service.

Also, Transportation Development Act Sections 6633.2, 6633.5 and 6633.9 allows for calculation exemptions for fare revenues and operating cost attributable to an extension of public transportation services, as defined in Section 6619.1. Service expansion revenue and costs shall be excluded if all of the following conditions are met:

(a) The extension of services has been in operation for less than two full fiscal years. The two year extension of services exclusion applies until two years after the end of the fiscal year in which the extension of services was put into operation.

(b) The claimant submits a report on the extension of services to the transportation planning agency and, where applicable, to the county transportation commission or metropolitan transit development board, within 90 days after the end of the fiscal year. The report shall include, but not be limited to, the following information:

   (1) Description of the area served and the routes included.

   (2) The amount of fare revenues generated by the extension and the method used to derive that amount.

   (3) The amount of the operating cost for the extension and the method used to allocate costs between the extension of services and the claimant's other services.

a) There are two distinct reasons why the VINE did not meet the minimum requirements. Extraordinary costs: i) Bus parking at the fairgrounds of $24,000 and payment to New Flyer to improve the operations of the hybrid buses of $150,000, ii) malfunctioning fareboxes which prevented patrons from paying fares.

The New Flyer expenses are a non-recurring cost and the fare revenues have been up consistently since the new farebox equipment was installed. Based on this, staff is confident that the minimum farebox ratio will be met in FY 2013-14.

The combined Article 8 services, including VINE Go, the Yountville Shuttle, the Calistoga HandyVan, the St. Helena VINE Shuttle and the Taxi Scrip Program are required to make 10% and achieved a 10.89% ratio.

Findings

Financial: There were no financial findings in the FY 2012-13 audit.

Federal Award Findings and Questioned Costs: There were no findings in the FY 2012-13 audit.

Material Weakness: No material weaknesses were noted in FY 2012-13.

The complete audits are available on request and will be distributed to Board members at the meeting. The financial audit and single audit will also be available on NCTPA's website.

Recommendations: There were no recommendations noted in FY 2012-13.

SUPPORTING DOCUMENTS

Attachments:
(1) SAS 114 Letter to NCTPA's Board of Directors
(2) NCTPA Audit Report for Fiscal Years Ended June 30, 2013 and 2012
(3) NCTPA Single Audit Report for Fiscal Years Ended June 30, 2013 and 2012

NOTE: The audit reports are provided in Board Member packets only. Copies will be available for review on the NCTPA website at http://www.nctpa.net/agendas-minutes/12, at the February 19, 2014 Board meeting, and at the NCTPA office, 625 Burnell Street Napa CA.

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PKF North America

REGISTERED with the Public Company Accounting Oversight Board and MEMBER of the American Institute of Certified Public Accountants

BROWN ARMSTRONG
Certified Public Accountants

To the Board of Directors
Napa County Transportation and Planning Agency

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Napa County Transportation and Planning Agency (NCTPA) for the years ended June 30, 2013. Professional standards require that we provide you with information about our responsibilities under auditing standards generally accepted in the United States of America, *Government Auditing Standards,* and OMB Circular A-133, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated August 27, 2013. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices
Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by NCTPA are described in Note 1 to the financial statements.

As described in Note 1 to the financial statements, the NCTPA changed accounting policies related to financial reporting of deferred outflows of resources, deferred inflows of resources, and net position by adopting Governmental Accounting Standards Board (GASB) Statement No. 63. The implementation of this standard did not have a net effect on net position, but merely modified the current financial reporting of those elements. We noted no transactions entered into by the NCTPA during the years for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate(s) affecting the financial statements was:

> Management's estimate of the Postemployment Benefits Other Than pensions (OPEB) is based on the most recent actuarial study prepared as of June 30, 2013. We evaluated the key factors and assumptions used to develop the Annual OPEB Cost in determining that it is reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit
We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements
Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate

them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

Disagreements with Management
For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations
We have requested certain representations from management that are included in the management representation letter dated December 30, 2013.

Management Consultations with Other Independent Accountants
In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the NCTPA's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues
We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the NCTPA's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters
With respect to the supplementary information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

****

This information is intended solely for the use of the Board of Directors and management of NCTPA and is not intended to be, and should not be, used by anyone other than these specified parties.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
December 30, 2013

NC TPA Napa County Transportation & Planning Agency

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY

AUDIT REPORT

FOR THE FISCAL YEARS ENDED JUNE 30, 2013 AND 2012

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
JUNE 30, 2013 AND 2012

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BROWN ARMSTRONG
Certified Public Accountants

INDEPENDENT AUDITOR'S REPORT

To the Honorable Members
of the Board of Directors
Napa County Transportation and Planning Agency
Napa, California

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Napa County Transportation and Planning Agency (NCTPA), as of and for the years ended June 30, 2013 and 2012, and the related notes to the financial statements, which collectively comprise the NCTPA's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement.

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of NCTPA as of June 30, 2013 and 2012, and the respective changes in financial position and, where applicable, cash flows thereof for the years then ended in conformity with accounting principles generally accepted in the United States of America.

Emphasis of Matter

As discussed in Note 1 to the financial statements, during the year ended June 30, 2013, NCTPA implemented Governmental Accounting Standards Board (GASB) Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*, which modified the current financial reporting of those elements. Our opinion is not modified with respect to the matter.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information, and the schedule of funding progress on pages 4 through 8, 44 through 45, and 46 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the GASB, which considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise NCTPA's basic financial statements. The combining and individual nonmajor fund financial statements are presented for purposes of additional analysis and are not a required part of the financial statements.

The combining and individual nonmajor fund financial statements as well as the statement of revenues, expenses, and changes in fund net position enterprise fund – transit related by operation are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements are fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated December 30, 2013, on our consideration of the NCTPA's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering NCTPA's internal control over financial reporting and compliance.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
December 30, 2013

MANAGEMENT'S DISCUSSION AND ANALYSIS

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE YEARS ENDED JUNE 30, 2013 AND 2012

This section of the Napa County Transportation and Planning Agency's (NCTPA) annual financial report presents our discussion and analysis of NCTPA's financial performance during the years that ended on June 30, 2013 and 2012. It should be read in conjunction with the basic financial statements contained in the independent auditor's report.

Financial Highlights

- At the close of the fiscal year 2012-2013, total assets of NCTPA exceeded liabilities by $24,477,375. Of this amount, $22,490,170 is the net investment in capital assets. The remaining $1,987,205 represents unrestricted Net Position.

- As of June 30, 2013, NCTPA's governmental fund reported an ending fund balance of $938,194 or 38.09% of total governmental fund expenditures.

- Capital contributions in the form of grants from the Federal and State governments increased from $2,683,432 in fiscal year 2011-2012 to $7,498,113 in fiscal year 2012-2013 for the procurement of 16 public transit vehicles, 12 new bus shelters and related passenger amenities, farebox replacements, equipment, and construction of the Soscol Gateway Transit Center.

- NCTPA successfully completed and took occupancy of the Soscol Gateway Transit Center and administrative offices located at 625 Burnell St. in the City of Napa. All NCTPA administrative, finance, human resources, and transit planning staff have been relocated to the new building. The new Transit Center replaces the old center located on Pearl St.

- After 20 years, VINE Transit- NCTPA's transit services arm procured and installed 85 new fareboxes and related equipment using Public Transportation Modernization, Improvement, and Service Enhancement Agency (PTMISEA) funds, Federal Transit Administration State of Good Repair grant funds, and Transportation Development Act (TDA) funds.

- Significant investments were made in VINE Transit by adding service, increasing frequency, enhancing connectivity and transferability, and improved on-time performance. Approximately 2,500 hours of additional service was added to the transit system monthly.

- The Agency continues to improve operation performance, compliance and accountability during fiscal year 2012-2013 by making investments in professional management, fiscal controls, and accounting.

Overview of the Financial Statements

This annual report consists of three parts – management's discussion and analysis (this section), the basic financial statements, and required supplementary information. The basic financial statements include two kinds of statements that present different views of NCTPA's financial position and activity.

- The first two statements are *government-wide* financial statements that provide both *long-term* and *short-term* information about NCTPA's overall financial status.

- The remaining statements are *fund* financial statements that focus on individual parts of NCTPA's organization. These statements report NCTPA's financial position and activity.

The financial statement also includes notes that explain some of the information in the financial statements and provide more detailed data. The statements are followed by a section of *required supplementary information* that includes budgetary comparison information for NCTPA's governmental fund.

Government-Wide Financial Statements

The government-wide financial statements report information about NCTPA as a whole using accounting methods similar to those used by private-sector companies. The statement of Net Position includes all of NCTPA's assets and liabilities including long-term debt. All of the current year's revenues and expenses are accounted for in the statement of activities regardless of when cash is received or paid.

The two government-wide financial statements report NCTPA's Net Position and how they have changed. Net Position – the difference between NCTPA's assets and liabilities – is one way to measure NCTPA's financial health, or position. Over time, increases or decreases in NCTPA's Net Position are indicators of whether its financial health is improving or deteriorating, respectively.

Fund Financial Statements

The fund financial statements provide a detailed short-term view and do not include information related to NCTPA's long-term liabilities. Additional information is provided on separate schedules that reconcile the differences between the government-wide financial statements and the fund financial statements.

Financial Analysis of NCTPA

Net Position

The governmental activities Net Position decreased by $1,791 in local funds. The business type activities Net Position increased $9,110,448 due to new capital investments in the form of sixteen (16) fuel efficient public transit vehicles, new passenger amenities, new equipment, and completion of the Soscol Gateway Transit Center. The result is an overall increase in Net Position of $9,108,657 or 59.27%.

The following schedule is a summary of NCTPA's Statement of Net Position.

	As of June 30, 2013			As of June 30, 2012			As of June 30, 2011		
	Governmental Activities	Business-Type Activities	Total	Governmental Activities	Business-Type Activities	Total	Governmental Activities	Business-Type Activities	Total
Current and other assets	$ 1,290,618	$ 7,644,136	$ 8,934,754	$ 1,235,019	$ 3,845,765	$ 5,080,784	$ 710,001	$ 4,522,632	$ 5,232,633
Capital assets	184,214	22,305,956	22,490,170	6,495	13,404,699	13,411,194	52,250	9,311,166	9,363,416
Total assets	1,474,832	29,950,092	31,424,924	1,241,514	17,250,464	18,491,978	762,251	13,833,798	14,596,049
Current and other liabilities	426,202	6,521,347	6,947,549	191,093	2,932,167	3,123,260	267,220	3,609,034	3,876,254
Total liabilities	426,202	6,521,347	6,947,549	191,093	2,932,167	3,123,260	267,220	3,609,034	3,876,254
Net Position:									
Net investment in capital assets	184,214	22,305,956	22,490,170	6,495	13,404,699	13,411,194	52,250	9,311,166	9,363,416
Unrestricted Net Position	864,416	1,122,789	1,987,205	1,043,926	913,598	1,957,524	442,781	913,598	1,356,379
Total Net Position	$ 1,048,630	$ 23,428,745	$ 24,477,375	$ 1,050,421	$ 14,318,297	$ 15,368,718	$ 495,031	$ 10,224,764	$ 10,719,795

Changes in Net Position

A summary of NCTPA's Statement of Activities, recapping NCTPA's revenues earned during the fiscal years ended June 30, 2013, 2012, and 2011, and the expenses incurred are as follows:

	As of June 30, 2013			As of June 30, 2012			As of June 30, 2011		
	Governmental Activities	Business-Type Activities	Total	Governmental Activities	Business-Type Activities	Total	Governmental Activities	Business-Type Activities	Total
Revenues:									
Program revenues:									
Fees, fines, and charges for services	$ -	$ 966,429	$ 966,429	$ -	$ 1,088,876	$ 1,088,876	$ -	$ 978,625	$ 978,625
Operating grants and contributions	2,281,030	10,487,025	12,768,055	2,193,893	8,533,295	10,727,188	1,978,630	10,447,953	12,426,583
Capital grants and contributions	-	7,498,113	7,498,113	-	2,683,432	2,683,432	-	1,285,836	1,285,836
General revenues:									
Unrestricted interest and investment earnings	4,619	15,820	20,439	6,251	13,255	19,506	4,788	22,457	27,245
Miscellaneous	29,620	-	29,620	122,194	99	122,293	47,246	-	47,246
Total revenues	2,315,269	18,967,387	21,282,656	2,322,338	12,318,957	14,641,295	2,030,664	12,734,871	14,765,535
Expenses:									
Transportation Planning	2,317,060	-	2,317,060	1,766,948	-	1,766,948	1,875,256	-	1,875,256
Transit	-	9,856,939	9,856,939	-	8,225,424	8,225,424	-	9,919,665	9,919,665
Total expenses	2,317,060	9,856,939	12,173,999	1,766,948	8,225,424	9,992,372	1,875,256	9,919,665	11,794,921
Change in Net Position	(1,791)	9,110,448	9,108,657	555,390	4,093,533	4,648,923	155,408	2,815,206	2,970,614
Net Position, beginning	1,050,421	14,318,297	15,368,718	495,031	10,224,764	10,719,795	339,623	7,409,558	7,749,181
Net Position, ending	$ 1,048,630	$ 23,428,745	$ 24,477,375	$ 1,050,421	$ 14,318,297	$ 15,368,718	$ 495,031	$ 10,224,764	$ 10,719,795

Governmental Activities

NCTPA's governmental activities financial reports capture the financial information for NCTPA's administration, transportation planning, coordinating of transportation and land use in the region and programming of regional funding activities.

Governmental activity expenses increased from $1,766,948 in fiscal year 2011-2012 to $2,317,060 in fiscal year 2012-2013, a difference of $550,112 or 31.13%. The increase is attributable to increased costs associated with:

1. Administration Costs

   An increase in spending on special studies and reports by $622,272, offset by decreases in spending for insurance, miscellaneous expenses, and administration costs of $109,912.

2. Salary and Benefits

   An increase in spending on salary and benefits for the Congestion Management Agency by $37,752. The increase is accounted by adding a part-time transportation engineer position.

Governmental activities are supported by a variety of funding sources which include:

- Federal Highway Administration (FHWA) Funds
- Federal Transit Administration (FTA) Funds
- State Programming, Planning and Monitoring Funds
- TDA Funds
- Local Support from Member Agencies
- Various Grants

The Metropolitan Transportation Commission (MTC) provides NCTPA with FHWA funds to support regional transportation planning and programming and to support the coordination of transportation and land use activities throughout the Napa County. In fiscal year 2012-2013, the level of this funding was $638,000.

TDA funds derive from ¼ cent of the local sales tax collected. TDA is used to support transit planning, administration and the Paratransit Coordinating Council. TDA funds which are not spent within the year they are drawn must either be returned to the Napa County Local Transportation Fund (LTF (trust account for TDA)) or designated as advances for a specific project. Funds returned to the LTF become available to NCTPA again in the fiscal year following their return. The LTF is not a fund under the control of the NCTPA; it is administered by the MTC through the Napa County Auditor-Controller.

Local funds which are provided by the member agencies are unrestricted and may be placed in net position balance if not used in the fiscal year they are collected. Currently, the NCTPA has a net position balance of $1,048,630 which is held in reserve for future regional planning projects or necessary administrative costs.

Business-Type Activities

NCTPA's Business-Type Activities encompass the financial reports for public transit services provided by NCTPA including the VINE (fixed route transit), VINE Go (complimentary Americans with Disabilities Act (ADA) required paratransit service), American Canyon Transit (fixed deviated transit), the Yountville Trolley (fixed deviated transit), the St. Helena Shuttle (fixed deviated transit), the Calistoga Shuttle (dial-a-ride transit), and the Taxi Scrip program.

Business-type activity expenses increased considerably from $8,225,424 in fiscal year 2011-2012 to $9,856,939 in fiscal year 2012-2013 which is an overall increase of 19.84%. The significant growth is accounted for by VINE Transit's service expansion of hours which increased vehicle fuel costs, purchased transportation services costs, administrative cost for supplies, rents and leases, marketing, vehicle maintenance, security, and general planning and administration.

Transit operating expenses are supported by a variety of funding sources which include:

- TDA funds
- FTA funds
- Fare Revenues collected
- Various grants

Any TDA operating revenue received which is not spent on transit operations is returned to the LTF as described in the Governmental Activities section. As a result, there is no fund balance or reserve set aside for transit operations.

BUDGETARY HIGHLIGHTS

NCTPA adopts an annual operating budget that includes proposed expenditures and the means of financing them. NCTPA's budget is adopted by the Board of Directors (the Board) before June 30th of each year. Subsequent increases or decreases to the original budget must be approved by the Board. Page 44 provides a budget to actual comparison of the Governmental Fund.

For NCTPA's Governmental Fund, the budget for revenues was $4,088,100 and for expenditures was $4,088,100. When comparing actual expenditures and revenue to the final budget, NCTPA was within budget.

CAPITAL ASSETS

The governmental activities financial statements list capital assets at $184,214 and unrestricted Net Position at $864,416. Capital assets in total are composed of one vehicle for agency use and office furniture located at NCTPA's administrative headquarters at the Soscol Gateway Transit Center.

The business-type activities financial statements list capital assets at $22,305,956 and unrestricted Net Position at $1,122,789. Capital assets in total are predominantly made up of buses and other transit related equipment as well as the Soscol Gateway Transit Center. Construction of the transit center began in November 2011 and placed into service on December 3rd, 2012. Unrestricted net position primarily represent the dollar amount to maintain the VINE fleet.

Other than the Soscol Gateway Transit Center, the major additions during the year included purchases of sixteen (16) public transit vehicles, purchase of the Yountville Park and Ride lot parcel, twelve (12) bus shelters and passenger related amenities, security equipment at the vehicle maintenance yard, vehicle maintenance equipment, and purchases of eighty-five fareboxes and related farebox equipment.

For additional information on the NCTPA's capital assets and capital asset activity, please refer to Note 4 in the notes to the financial statements.

DEBT ADMINISTRATION

As of June 30, 2013, NCTPA had debt for compensated absences in the amount of $73,778. For additional information on the NCTPA's debt activity, please refer to Note 5 in the notes to the financial statements.

CONTACTING NCTPA

This financial report is designed to provide citizens, taxpayers, investors and creditors with a general overview of NCTPA's finances and to demonstrate NCTPA's accountability for the money it receives. For questions about this report or any additional information needed, contact the NCTPA's administrative headquarters at 625 Burnell Street, Napa, California 94559-3420.

BASIC FINANCIAL STATEMENTS –
GOVERNMENT-WIDE FINANCIAL STATEMENTS

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENT OF NET POSITION
JUNE 30, 2013

	Primary Government		
	Governmental Activities	Business-Type Activities	Totals
ASSETS			
Cash and Investments in County Treasury	$ 620,170	$ 2,912,589	$ 3,532,759
Imprest Cash	500	-	500
Due from Other Government Agencies	250,226	1,685,905	1,936,131
Grants Receivable	375,558	2,523,240	2,898,798
Prepaid Expenses	44,164	146,977	191,141
Inventory	-	375,425	375,425
Capital Assets:			
Land	-	1,353,692	1,353,692
Construction in Progress	-	1,221,645	1,221,645
Capital Assets, Net of Accumulated Depreciation	184,214	19,730,619	19,914,833
Total Assets	$ 1,474,832	$ 29,950,092	$ 31,424,924
LIABILITIES			
Accounts Payable	$ 277,242	$ 2,402,456	$ 2,679,698
Accrued Salaries	75,182	-	75,182
Unearned Revenue	-	601,784	601,784
Due to Other Government Agencies	-	3,517,107	3,517,107
Compensated Absences	73,778	-	73,778
Total Liabilities	426,202	6,521,347	6,947,549
NET POSITION			
Net Investment in Capital Assets	184,214	22,305,956	22,490,170
Unrestricted	864,416	1,122,789	1,987,205
Total Net Position	1,048,630	23,428,745	24,477,375
Total Liabilities and Net Position	$ 1,474,832	$ 29,950,092	$ 31,424,924

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENT OF NET POSITION
JUNE 30, 2012

	Primary Government		
	Governmental Activities	Business-Type Activities	Totals
ASSETS			
Cash and Investments in County Treasury	$ 782,935	$ 1,091,135	$ 1,874,070
Imprest Cash	300	-	300
Grants Receivable	399,992	1,718,688	2,118,680
Due from Other Government Agencies	28,119	679,266	707,385
Prepaid Expenses	23,673	7,787	31,460
Inventory	-	348,889	348,889
Capital Assets:			
Land	-	1,190,000	1,190,000
Construction in Progress	-	5,221,609	5,221,609
Capital Assets, Net of Accumulated Depreciation	6,495	6,993,090	6,999,585
Total Assets	$ 1,241,514	$ 17,250,464	$ 18,491,978
LIABILITIES			
Accounts Payable	$ 66,394	$ 998,290	$ 1,064,684
Accrued Salaries	61,883	-	61,883
Unearned Revenues	13,300	259,713	273,013
Due to Other Government Agencies	7,526	1,674,164	1,681,690
Compensated Absences	41,990	-	41,990
Total Liabilities	191,093	2,932,167	3,123,260
NET POSITION			
Net Investment in Capital Assets	6,495	13,404,699	13,411,194
Unrestricted	1,043,926	913,598	1,957,524
Total Net Position	1,050,421	14,318,297	15,368,718
Total Liabilities and Net Position	$ 1,241,514	$ 17,250,464	$ 18,491,978

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2013

		Program Revenues			Net (Expense) Revenue and Changes in Net Position		
Functions/Programs	Expenses	Fees, Fines, and Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-Type Activities	Total
Primary Government:							
Governmental Activities							
Transportation Planning	$ 2,317,060	$ -	$ 2,281,030	$ -	$ (36,030)	$ -	$ (36,030)
Business-Type Activities:							
Transit	9,856,939	966,429	10,487,025	7,498,113	-	9,094,628	9,094,628
Total Primary Government	$ 12,173,999	$ 966,429	$ 12,768,055	$ 7,498,113	(36,030)	9,094,628	9,058,598
		General Revenues					
		Unrestricted Interest and Investment Earnings			4,619	15,820	20,439
		Miscellaneous			29,620	-	29,620
		Change in Net Position			(1,791)	9,110,448	9,108,657
		Net Position July 1, 2012			1,050,421	14,318,297	15,368,718
		Net Position June 30, 2013			$ 1,048,630	$ 23,428,745	$ 24,477,375

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2012

		Program Revenues			Net (Expense) Revenue and Changes in Net Position		
Functions/Programs	Expenses	Fees, Fines, and Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-Type Activities	Total
Primary Government:							
Governmental Activities							
Transportation Planning	$ 1,766,948	$ -	$ 2,193,893	$ -	$ 426,945	$ -	$ 426,945
Business-Type Activities:							
Transit	8,225,424	1,088,876	8,533,295	2,683,432	-	4,080,179	4,080,179
Total Primary Government	$ 9,992,372	$ 1,088,876	$ 10,727,188	$ 2,683,432	426,945	4,080,179	4,507,124
		General Revenues					
		Unrestricted Interest and Investment Earnings			6,251	13,255	19,506
		Miscellaneous			122,194	99	122,293
		Change in Net Position			555,390	4,093,533	4,648,923
		Net Position July 1, 2011			495,031	10,224,764	10,719,795
		Net Position June 30, 2012			$ 1,050,421	$ 14,318,297	$ 15,368,718

The accompanying notes are an integral part of these financial statements.

FUND FINANCIAL STATEMENTS

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
BALANCE SHEETS
PLANNING FUND
JUNE 30, 2013 AND 2012

	2013	2012
ASSETS		
Current Assets		
Cash and Investments in County Treasury	$ 620,170	$ 782,935
Imprest Cash	500	300
Grants Receivable	375,558	399,992
Due from Other Government Agencies	250,226	28,119
Prepaid Expenses	44,164	23,673
Total Current Assets	1,290,618	1,235,019
Total Assets	$ 1,290,618	$ 1,235,019
LIABILITIES		
Current Liabilities		
Accounts Payable	$ 277,242	$ 66,394
Accrued Salaries and Benefits	75,182	61,883
Unearned Revenue	-	13,300
Due to Other Governments	-	7,526
Total Current Liabilities	352,424	149,103
Total Liabilities	352,424	149,103
FUND BALANCE		
Unassigned	938,194	1,085,916
Total Fund Balance	938,194	1,085,916
Total Liabilities and Fund Balance	$ 1,290,618	$ 1,235,019

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
RECONCILIATION OF THE PLANNING FUND
BALANCE SHEETS TO THE STATEMENTS OF NET POSITION
JUNE 30, 2013 AND 2012

	2013	2012
Total Fund Balance - Governmental Fund	$ 938,194	$ 1,085,916
Amounts Reported for Governmental Activities in the Statement of Net Position are different because:		
Capital Assets used in governmental activities are not financial resources and, therefore, are deferred in the funds. The cost of assets were $224,813 and $27,214 and the accumulated depreciation was $40,600 and $20,719 at June 30, 2013 and 2012, respectively.	184,214	6,495
Compensated Absence Liability is not reported in the Governmental Fund.	(73,778)	(41,990)
Total Net Position - Governmental Activities	$ 1,048,630	$ 1,050,421

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENTS OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
PLANNING FUND
FOR THE YEARS ENDED JUNE 30, 2013 AND 2012

	2013	2012
Revenues		
Local Transportation Fund Allocation	$ 746,300	$ 996,900
Federal Highway Allocations	825,594	1,022,008
Programming Planning and Monitoring	363,324	-
Other Grants	46,858	109,780
Local Support	298,954	65,205
Interest	4,619	6,251
Other Revenues	29,620	122,194
Total Revenues	2,315,269	2,322,338
Expenditures		
Communications	10,023	6,168
Insurance	27,871	29,085
Office Expense	24,549	28,657
Rents and Leases	44,733	71,782
Transportation	11,151	4,850
Salary and Benefits	1,113,059	1,075,307
Miscellaneous Expense	84,234	15,556
Professional Services	1,147,371	525,099
Total Expenditures	2,462,991	1,756,504
Net Change in Fund Balance	(147,722)	565,834
Fund Balance, Beginning of Year	1,085,916	520,082
Fund Balance, End of Year	$ 938,194	$ 1,085,916

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
RECONCILIATION OF THE STATEMENTS OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE OF THE PLANNING FUND TO THE GOVERNMENT-WIDE STATEMENT OF ACTIVITIES – GOVERNMENTAL ACTIVITIES
FOR THE YEARS ENDED JUNE 30, 2013 AND 2012

	2013	2012
Net Change in Fund Balance - Governmental General Fund	$ (147,722)	$ 565,834
Amounts reported for governmental activities in the Statement of Activities are different because:		
Capital outlays are reported in governmental funds as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense. This is the amount by which capital outlay exceeded depreciation in the current period.	177,719	6,495
Disposal of donated capital assets decreases Net Position in the Statement of Activities, but do not appear in the governmental funds because they are not financial resources.	-	(52,250)
In the Statement of Activities, compensated absences are measured by the amounts earned during the year. In the Governmental Fund, however, expenditures for these items are measured by the amount of financial resources used (essentially the amounts paid). The difference between the amounts earned and benefits paid was:	(31,788)	35,311
Total Change in Net Position - Governmental Activities	$ (1,791)	$ 555,390

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENTS OF FUND NET POSITION
TRANSIT FUND
JUNE 30, 2013 AND 2012

	2013	2012
ASSETS		
Current Assets		
Cash and Investments in County Treasury	$ 2,912,589	$ 1,091,135
Grants Receivable	2,523,240	1,718,688
Due from Other Government Agencies	1,685,905	679,266
Prepaid Expenses	146,977	7,787
Inventory	375,425	348,889
Total Current Assets	7,644,136	3,845,765
Noncurrent Assets		
Land	1,353,692	1,190,000
Capital Assets, Net of Accumulated Depreciation	20,952,264	12,214,699
Total Noncurrent Assets	22,305,956	13,404,699
Total Assets	$ 29,950,092	$ 17,250,464
LIABILITIES		
Current Liabilities		
Accounts Payable	$ 2,402,456	$ 998,290
Unearned Revenue	601,784	259,713
Due to Other Government Agencies	3,517,107	1,674,164
Total Current Liabilities	6,521,347	2,932,167
Total Liabilities	6,521,347	2,932,167
NET POSITION		
Net Investment in Capital Assets	22,305,956	13,404,699
Unrestricted	1,122,789	913,598
Total Net Position	23,428,745	14,318,297
Total Liabilities and Net Position	$ 29,950,092	$ 17,250,464

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENTS OF REVENUES, EXPENSES,
AND CHANGES IN FUND NET POSITION
TRANSIT FUND
FOR THE YEARS ENDED JUNE 30, 2013 AND 2012

	2013	2012
Operating Revenues		
Farebox Revenues	$ 966,429	$ 1,088,876
Total Operating Revenues	966,429	1,088,876
Operating Expenses		
Marketing	234,967	99,855
Vehicle Maintenance	81,600	418
Other Maintenance	173,302	5,295
Fuel and Lubricants	1,275,667	1,078,565
Insurance	21,598	9,691
Planning and Administration	4,691	-
Security	16,954	11,012
Services	69,334	43,608
Supplies	53,179	212,196
Purchased Transportation	6,319,666	5,606,912
Rents and Leases	44,653	48,142
Utilities	3,611	3,707
Miscellaneous	13,354	12,145
Depreciation	1,210,769	830,615
Personnel Costs	333,594	263,263
Total Operating Expenses	9,856,939	8,225,424
Operating Loss	(8,890,510)	(7,136,548)
Nonoperating Revenue, Net		
Local Transportation Funds	7,152,784	5,203,356
Loss: Returned Local Transportation Fund Allocations	(3,517,107)	(1,674,164)
State Transit Assistance	1,240,123	1,194,231
Federal Transit Assistance - Operating	1,830,151	1,617,266
Other Federal Grants	373,239	303,252
Other Operating Grants	3,407,835	1,889,354
Interest Income	15,820	13,255
Other Revenues	-	99
Total Nonoperating Revenue, Net	10,502,845	8,546,649
Change in Net Position Before Contributions	1,612,335	1,410,101
Capital Contributions		
Federal Transit Assistance	2,599,127	86,604
Prop 1B Funds	1,013,172	-
Local Transportation Funds	3,885,814	2,596,828
Excess of Revenues over Expenses	9,110,448	4,093,533
Net Position, Beginning of Year	14,318,297	10,224,764
Net Position, End of Year	$ 23,428,745	$ 14,318,297

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENTS OF CASH FLOWS
TRANSIT FUND
FOR THE YEARS ENDED JUNE 30, 2013 AND 2012

	2013	2012
CASH FLOWS FROM OPERATING ACTIVITIES:		
Cash Received from Passengers	$ 966,429	$ 1,088,876
Cash Payments for General and Administrative Expenses	(713,247)	(647,865)
Cash Payments to Suppliers for Operations	(6,352,412)	(6,525,232)
Net Cash Used in Operating Activities	(6,099,230)	(6,084,221)
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES:		
Local Transportation Fund	5,941,158	4,875,307
Federal Operating Grants	996,780	1,462,619
State Transit Assistance	1,217,785	1,402,847
Other Federal Grants	373,239	230,649
Other Operating Grants	1,992,906	1,958,744
Other Revenues	(3,091)	9,914
Net Cash Provided by Noncapital Financing Activities	10,518,777	9,940,080
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:		
Capital Contributions	7,498,113	86,604
Payments for the acquisition of Capital Assets	(10,112,026)	(4,924,149)
Net Cash Used in Capital and Related Financing Activities	(2,613,913)	(4,837,545)
CASH FLOWS FROM INVESTING ACTIVITIES:		
Interest Received	15,820	13,255
Net Increase (Decrease) in Cash and Investments in County Treasury	1,821,454	(968,431)
Cash and Investments in County Treasury at Beginning of Year	1,091,135	2,059,566
Cash and Investments in County Treasury at End of Year	$ 2,912,589	$ 1,091,135
RECONCILIATION OF OPERATING LOSS TO NET CASH PROVIDED BY OPERATING ACTIVITIES:		
Operating Loss	$ (8,890,510)	$ (7,136,548)
Adjustments to Reconcile Net Operating Loss to Net Cash Used in Operating Activities:		
Depreciation	1,210,769	830,616
Changes in Assets and Liabilities:		
(Increase) Decrease in Inventory	(26,536)	-
(Decrease) in Unearned Revenue	342,071	(150,853)
Increase in Prepaid Expenses	(139,190)	(3,881)
Increase in Accounts Payable and Accrued Expenses	1,404,166	376,445
Net Cash Used in Operating Activities	$ (6,099,230)	$ (6,084,221)

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENTS OF FIDUCIARY NET POSITION
FIDUCIARY FUNDS
JUNE 30, 2013 AND 2012

	2013	2012
ASSETS		
Current Assets		
Cash and Investments in County Treasury	$ 545,236	$ 739,614
Due from Other Government Agencies	98,759	96,138
Total Current Assets	643,995	835,752
Total Assets	$ 643,995	$ 835,752
LIABILITIES		
Current Liabilities		
Accounts Payable	$ 67,340	$ 8,650
Due to Other Governments	100,026	10,298
Total Current Liabilities	167,366	18,948
Total Liabilities	167,366	18,948
NET POSITION		
Net Position Held in Trust for Other Purposes	476,629	816,804
Total Net Position	476,629	816,804
Total Liabilities and Net Position	$ 643,995	$ 835,752

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENTS OF CHANGES IN FIDUCIARY NET POSITION
FIDUCIARY FUNDS
FOR THE YEARS ENDED JUNE 30, 2013 AND 2012

	2013	2012
ADDITIONS		
Aid from Other Governmental Agencies	$ 321,813	$ 387,115
Interest Income	3,063	5,454
Total Additions	324,876	392,569
DEDUCTIONS		
Program Expenses	665,051	488,309
Total Deductions	665,051	488,309
CHANGE IN NET POSITION	(340,175)	(95,740)
Net Position, Beginning of Year	816,804	912,544
Net Position, End of Year	$ 476,629	$ 816,804

The accompanying notes are an integral part of these financial statements.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Reporting Entity

Napa County Transportation and Planning Agency (NCTPA), formerly known as the Napa County Congestion Management Agency, was formed on September 3, 1991, under a Joint Powers Agreement to provide coordinated, continuous and comprehensive transportation planning for the County of Napa (the County) and the cities of the County. NCTPA consists of six member agencies with the voting power of each in parenthesis; the Cities of American Canyon (2), Calistoga (2), Napa (10), St. Helena (2), the Town of Yountville (2), and the County (4).

The work program for the activities of the NCTPA is defined by the Board of Directors (the Board) made up of elected officials from the respective member agencies and a member of the Paratransit Coordinating Council (PCC). The PCC member is ex-officio and does not have a vote.

The NCTPA was formed to serve as the countywide transportation planning body for the incorporated and unincorporated areas of the County. NCTPA is charged with coordinating short and long-term planning and funding within an intermodal policy framework in the areas of highways, streets and roads, transit and paratransit, and bicycle improvements.

NCTPA's Joint Powers Agreement was amended effective January 1, 2001, to facilitate the consolidation of transit planning and to allow transfer of Transportation Development Act (TDA) funds directly to NCTPA as claimant for transit use to the extent allowed by TDA regulations. The amendment enables NCTPA to claim all TDA funds under Articles 4, 4.5 and/or 8 of Chapter 4 of the Public Utilities Code apportioned within the County by the Metropolitan Transportation Commission. NCTPA is authorized to claim all apportionments to transit services on behalf of the jurisdictions of the County. In January 2007, the agreement was amended further to change NCTPA's name from Napa County Transportation Planning Agency to Napa County Transportation and Planning Agency. Voting powers were also amended.

Beginning July 1, 2001, NCTPA began administering all transit-related activities on behalf of the Cities of Calistoga, Napa, St. Helena, the Town of Yountville, and the County of Napa. The City of American Canyon receives funding from NCTPA for American Canyon Transit (ACT). Until June 30, 2006, American Canyon administered ACT directly. Effective July 1, 2006, the NCTPA assumed direct management of ACT.

B. Basis of Presentation

The financial statements of the NCTPA are prepared in accordance with accounting principles generally accepted in the United States of America.

Government-Wide Financial Statements

The Statement of Net Position and Statement of Activities display information about the primary government (NCTPA). These statements include the financial activities of the overall government, except for fiduciary activities. Eliminations have been made to minimize the double counting of internal activities. These statements distinguish between the *governmental* and *business-type* activities of the NCTPA. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees charged to external parties.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

B. Basis of Presentation (Continued)

The Statement of Activities demonstrates the degree to which the program expenses of a given function are offset by program revenues. Program expenses include direct expenses, which are clearly identifiable with a specific function, and allocated indirect expenses. Program revenues include 1) charges paid by the recipients of goods or services offered by the programs and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including taxes and unrestricted interest earnings, are presented instead as general revenues.

When both restricted and unrestricted Net Position are available, restricted resources are used for non-restricted purposes only after unrestricted resources are depleted.

Fund Financial Statements

The fund financial statements provide information about NCTPA's funds, including fiduciary funds. Separate statements for each fund category – *governmental, proprietary, and fiduciary* – are presented. The emphasis of fund financial statements is on major governmental and enterprise funds, each displayed in a separate column. All remaining governmental and enterprise funds are separately aggregated and reported as nonmajor funds. For the years ended June 30, 2013 and June 30, 2012, NCTPA did not have any nonmajor funds.

Proprietary funds distinguish operating revenues and expenses from nonoperating items. Proprietary fund *operating* revenues result from exchange transactions. Exchange transactions are those in which each party receives and gives up essentially equal values. Operating revenues generally result from charges to passengers for public transit services. Operating expenses include the cost of transit service, administrative expenses and depreciation on capital assets. All revenues and expenses not meeting the definition of operating revenues and expenses are reported as nonoperating.

NCTPA reports the following major governmental fund:

Planning Fund is used as the general fund for NCTPA and all planning and administrative activities are accounted for in this fund.

NCTPA reports the following major enterprise fund:

Transit Fund is used to account for the revenues and expenses necessary to provide public transit services. Transit operations include the VINE, VINE GO, American Canyon Transit, the Yountville Trolley, the St. Helena Shuttle, the Calistoga Shuttle, and the Taxi Scrip program.

NCTPA reports the following additional fund types:

Private Purpose Trust Funds account for assets, primarily cash and investments, held by NCTPA in a trustee capacity for other governmental agencies. NCTPA is responsible for the administration of two private purpose trust funds. They are used to account for activities of the Abandoned Vehicle Abatement Authority trust fund and the Bay Area Air Quality Management trust fund.

C. Basis of Accounting

The government-wide, proprietary, and fiduciary fund financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flows take place.

Nonexchange transactions, in which NCTPA gives (or receives) value without directly receiving (or giving) equal value in exchange, include grants, entitlements and donations. Revenues from grants, entitlements and donations are recognized in the fiscal year in which all eligible requirements have been satisfied.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

C. Basis of Accounting (Continued)

Governmental funds are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. Interest, state, federal and local grants and charges for services are accrued when their receipt occurs within one year after the end of the accounting period so as to be measurable and available. Expenditures are generally recorded when a liability is incurred, as under accrual accounting.

D. Cash and Investments

NCTPA maintains nearly all of its cash and investments with the County Treasurer in a cash and investment pool. A small independent bank account is used to pay some employee benefits. On a quarterly basis, the Treasurer allocates interest to participants based upon their average daily balances. For purposes of the accompanying Statement of Cash Flows, the enterprise fund considers all highly liquid investments with a maturity of three months or less when purchased, and their equity in the County Treasurer's investment pool, to be cash equivalents. The fair value of investments is obtained by using quotations obtained from independent published sources.

Required disclosure information regarding the categorization of investments and other deposit and investment risk disclosures can be found in the County's financial statements. The County of Napa's financial statements may be obtained by contacting the County of Napa's Auditor-Controller's office at 1195 Third Street, Room B-10, Napa, California 94559. The County Treasury Oversight Committee oversees the Treasurer's investments and policies.

E. Receivables

NCTPA's receivables are mostly related to grants and vehicle registration fees. Management has determined NCTPA's receivables to be fully collectable. Accordingly, no allowance for doubtful accounts has been made.

F. Inventories

On August 31, 2009, NCTPA's multiyear agreement (the Agreement) with the purchased transportation contractor (the Contractor) provided the Contractor with an initial inventory of equipment, tools, and other property to be used to provide services. The Contractor shall be responsible for returning to NCTPA, at the termination of the Agreement, property, and equipment of equivalent type and value (as of date acquired) and conditions as that identified in the updated initial inventory list, subject to normal wear and tear.

During the last month of the Agreement, NCTPA shall conduct a final inventory. The Contractor will be responsible for either replacing property of equipment determined from the inventory list to be missing, damaged, or otherwise unavailable for use, or in a condition that is in excess of ordinary wear and tear or compensating NCTPA for its replacement value. NCTPA procured inventory parts for fareboxes in June 2013. These parts are not included in the multiyear agreement with the purchased transportation provider. Farebox inventory parts will be tracked separately.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

G. Capital Assets

Capital assets are recorded at historical cost or estimated historical cost if actual historical cost is not available. Contributed capital assets are valued at their estimated fair market value on the date contributed. NCTPA defines capital assets as assets with an initial, individual cost of more than $5,000 and an estimated useful life in excess of one year. Capital assets used in operations are depreciated using the straight-line method over their estimated useful lives in the government-wide statements and proprietary funds.

The estimated useful lives are as follows:

Structures	20 years
Vehicles	1-12 years
Equipment	5 years

NCTPA has acquired certain assets with funding provided by federal assistance from various grant programs. NCTPA holds title to these assets; however, the federal government retains an interest in these assets should the assets no longer be used for transit purposes.

H. Compensated Absences

NCTPA has adopted Governmental Accounting Standards Board (GASB) Statement No. 16, *Accounting for Compensated Absences*. The earned vacation payable upon termination is reported at the current balance of the liability, and may be accumulated up to a maximum of 600 hours by personnel.

I. Interfund Transactions

Interfund transactions are reflected as either loans, services provided, reimbursements or transfers. Loans are reported as receivables and payables as appropriate, are subject to elimination upon consolidation and are referred to as either "due to/from other funds" (i.e., the current portion of interfund loans) or "advances to/from other funds" (i.e., the noncurrent portion of interfund loans). Any residual balances outstanding between the governmental activities and the business-type activities are reported in the government-wide financial statements as "internal balances". Advances between funds, as reported in the fund financial statements, are offset by a fund balance reserve account in applicable governmental funds to indicate that they are not available for appropriation and are not available financial resources.

Services provided, deemed to be at market or near market rates, are treated as revenues and expenditures/expenses. Reimbursements are when one fund incurs a cost, charges the appropriate benefiting fund and reduces its related cost as a reimbursement. All other interfund transactions are treated as transfers. Transfers between governmental or proprietary funds are netted as part of the reconciliation to the government-wide presentation.

J. Advances

Advances arise when resources are received by NCTPA before it has a legal claim to them, e.g. when grant monies are received prior to the incurrence of qualifying expenses. In subsequent periods, when both revenue recognition criteria are met, or when NCTPA has a legal claim to the resources, the liability is removed from the balance sheet and revenue is recognized.

K. Use of Estimates

The preparation of the financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and the reported amount of revenue and expenditures/expenses during the reporting period. Actual results could differ from these estimates.

NOTE 1 – <u>SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES</u> (Continued)

L. Reclassifications

Certain amounts in the prior-year financial statements have been reclassified for comparative purposes to conform with the presentation in the current-year financial statements.

M. Net Position

The government-wide financial statements utilize a Net Position presentation. Net Position is categorized as net investment in capital assets, restricted, and unrestricted.

Net Investment in Capital Assets – This amount consists of capital assets net of accumulated depreciation and reduced by outstanding debt that is attributed to the acquisition, construction, or improvement of the asset.

Restricted Net Position – This amount is restricted by external creditors, grantors, contributors, or laws or regulations of other governments, of which there is none.

Unrestricted Net Position – This amount is all net position that does not meet the definition of "net investment in capital assets" or "restricted net position".

N. Fund Balance

In the fund financial statements, governmental funds report fund balance as nonspendable, restricted, committed, assigned, or unassigned based primarily on the extent to which NCTPA is bound to honor constraints on how specific amounts can be spent.

- *Nonspendable fund balance* – amounts that cannot be spent because they are either (a) not spendable in form or (b) legally or contractually required to be maintained intact.

- *Restricted fund balance* – amounts with constraints placed on their use that are either (a) externally imposed by creditors, grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation.

- *Committed fund balance* – amounts that can only be used for specific purposes determined by formal action of NCTPA's highest level of decision-making authority (the Board) and that remain binding unless removed in the same manner. Committed fund balance does not lapse at year-end. The formal action must occur prior to the end of the reporting period. However, the amount which will be subject to the constraint may be determined in the subsequent period. The formal action required to commit fund balance shall be Board resolution.

- *Assigned fund balance* – amounts that are constrained by NCTPA's *intent* to be used for specific purposes. The intent can be established at either the highest level of decision making, or by a body or an official designated for that purpose. The Board delegated authority to assign fund balance for a specific purpose to the Manager of Finance.

- *Unassigned fund balance* – the residual classification for NCTPA's General Fund that includes amounts not contained in the other classifications. In other funds, the unassigned classification is used only if expenditures incurred for specific purposes exceed the amounts restricted, committed, or assigned to those purposes.

When both restricted and unrestricted resources are available for use, it is NCTPA's policy to use restricted resources first, followed by the unrestricted committed, assigned, and unassigned resources as they are needed.

Minimum Fund Balance Policy:

NCTPA has not adopted and does not maintain a minimum fund balance policy.

NOTE 1 – <u>SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES</u> (Continued)

O. New Accounting Pronouncements – Implemented

GASB Statement No. 62 – *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements* incorporates into the GASB's authoritative literature certain accounting and financial reporting guidance that is included in the following pronouncements issued on or before November 30, 1989, which does not conflict with or contradict GASB pronouncements – Financial Accounting Standard Board (FASB) Statements and Interpretations, Accounting Principles Board Opinions and Accounting Research Bulletins of the American Institute of Certified Public Accountants' (AICPA) Committee on Accounting Procedure. The statement is effective for periods beginning after December 15, 2011. However, as the statement codifies what is in current practice, there is no net effect on NCTPA's accounting or financial reporting upon the statement's implementation.

GASB Statement No. 63 – *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position* modifies current financial reporting of those elements. The statement is effective for periods beginning after December 15, 2011. NCTPA has implemented the change for the fiscal year ended June 30, 2013.

GASB Statement No. 66 – *Technical Corrections 2012—An Amendment of GASB Statements No. 10 and No. 62* improves accounting and financial reporting for a governmental financial reporting entity by resolving conflicting guidance that resulted from the issuance of two pronouncements, Statements No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions,* and No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements.* This statement is effective for periods beginning after December 15, 2012, although earlier application is encouraged. GASB Statement No. 66 will not have an effect on NCTPA's financial statements.

GASB Statement No. 69 – *Government Combinations and Disposals of Government Operations.* This statement establishes accounting and financial reporting standards related to government combinations and disposals of government operations. As used in this statement, the term *government combinations* includes a variety of transactions referred to as mergers, acquisitions, and transfers of operations. The provisions of Statement No. 69 are effective for government combinations and disposals of government operations occurring in financial reporting periods beginning after December 15, 2013, and should be applied on a prospective basis. Early application is encouraged. NCTPA has fully implemented GASB Statement No. 69.

P. Future GASB Statements

GASB Statement No. 67 – *Financial Reporting for Pension Plans – An Amendment of GASB Statement No. 25* improves financial reporting by state and local governmental pension plans. This Statement results from a compressive review of the effectiveness of existing standards of accounting and financial reporting for pensions with regard to providing decision-useful information, supporting assessments of accountability and interperiod equity, and creating additional transparency. This statement is effective for periods beginning after June 15, 2013, although earlier application is encouraged. GASB Statement No. 67 will not have an effect on NCTPA's financial statements.

GASB Statement No. 68 – *Financial Accounting and Financial Reporting for Pensions – An Amendment of GASB Statement No. 27* improves financial reporting by state and local governments for pensions. It also improves information provided by state and local governmental employers about financial support for pensions that is provided by other entities. This statement is effective for periods beginning after June 15, 2014, although earlier application is encouraged. NCTPA is assessing, but has not yet determined, the effects the implementation of this standard will have on the financial statements.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

P. Future GASB Statements (Continued)

GASB Statement No. 70 – *Accounting and Financial Reporting for Nonexchange Financial Guarantees.* This statement specifies the information required to be disclosed by governments that extended nonexchange financial guarantees. In addition, this statement requires new information to be disclosed by governments that receive nonexchange financial guarantees. The provisions of this statement are effective for reporting periods beginning after June 15, 2013. NCTPA has not fully judged the effect of the implementation of GASB Statement No. 70 as of the date of the basic financial statements.

NOTE 2 – CASH AND INVESTMENTS IN COUNTY TREASURY/IMPREST CASH

General

NCTPA has adopted GASB Statement No. 31 which requires investments of governmental agencies to be reported at fair value. However, investment pools, such as a state or county treasury, may report the value of short-term investments with remaining maturities of less than 90 days at amortized cost. The majority of the County Treasury investments have a remaining maturity of less than 90 days. In addition, GASB Statement No. 31 does not apply to immaterial cost/value differences.

NCTPA has adopted GASB Statement No. 40, *Deposit and Investment Risk Disclosures*. GASB Statement No. 40 requires governmental entities to assess categories of risk associated with their deposits and disclose these risks.

Cash and investments consisted of the following at June 30, 2013 and 2012:

	June 30, 2013			
	Governmental Activities	Business-Type Activities	Government-Wide Totals	Fiduciary Funds
Cash on Hand and in Banks	$ 9,001	$ -	$ 9,001	$ -
Pooled Investments	611,669	2,912,589	3,524,258	545,236
	$ 620,670	$ 2,912,589	$ 3,533,259	$ 545,236

	June 30, 2012			
	Governmental Activities	Business-Type Activities	Government-Wide Totals	Fiduciary Funds
Cash on Hand and in Banks	$ 3,382	$ -	$ 3,382	$ -
Pooled Investments	779,853	1,091,135	1,870,988	739,614
	$ 783,235	$ 1,091,135	$ 1,874,370	$ 739,614

All deposits are fully collateralized in accordance with Section 53652 of the California Government Code. The California Government Code requires California banks and savings and loan associations to secure NCTPA's deposits by pledging government securities as collateral.

The market value of pledged securities must equal at least 110% of NCTPA's deposits. California law also allows financial institutions to secure NCTPA's deposits by pledging first trust deed mortgage notes having a value of 150% of NCTPA's total deposits. Collateral is held by the pledging financial institution's trust department and is considered held in NCTPA's name. NCTPA may waive collateral requirements for deposits that are fully insured up to $250,000 by federal depository insurance. NCTPA has $250,000 that is covered by federal depository insurance as of June 30, 2013 and 2012.

NOTE 2 – CASH AND INVESTMENTS IN COUNTY TREASURY/IMPREST CASH (Continued)

General (Continued)

NCTPA had no deposit or investment policy that addressed a specific type of risk. Required disclosures for NCTPA's deposit and investment risks held in the County's Investment Pool at June 30, 2013 and 2012, were as follows:

Credit risk

State law and the County's Investment Policy limit investments in commercial paper to the rating of A1 by Standards & Poor's or P-1 by Moody's Investors Service. State law and the County's Investment Policy also limit investments in corporate bonds to the rating of A by Standard & Poor's and Moody's Investment Service. NCTPA establishes their credit limits based on the County's Investment Policy.

Custodial risk

For investments and deposits held with fiscal agents, custodial credit risk is the risk that, in the event of the failure of the counterparty, NCTPA will not be able to recover the value of its investments or deposits that are in the possession of an outside party. At year-end, NCTPA's funds in the County's investment pool and cash with fiscal agents had no securities exposed to custodial credit risk.

Concentration of credit risk

At June 30, 2013 and 2012, in accordance with State law and the County's Investment Policy, NCTPA did not have 5% or more of its net investment in commercial paper, corporate bonds or medium-term notes of a single organization, nor did it have 10% or more of its net investment in any one money market mutual fund within the County's Investment Pool. Investments in obligations of the U.S. government, U.S. government agencies, or government-sponsored enterprises are exempt from these limitations.

Interest rate risk

The County manages NCTPA's exposure to declines in fair values by limiting the weighted average maturity of its investment portfolio to five years or less in accordance with the County's Investment Policy.

Investments held in the County's investment pool are available on demand and are stated at cost plus accrued interest, which approximates fair value.

Investment in the County of Napa Investment Pool

NCTPA maintains all of its cash and investments with the County Treasurer in a cash and investment pool. NCTPA is considered to be an involuntary participant in the external investment pool. On a quarterly basis, the Treasurer allocates interest to participants based upon their average daily balances. For purposes of the accompanying statement of cash flows, the enterprise fund considers all highly liquid investments with a maturity of three months or less when purchased, and their equity in the County Treasurer's investment pool, to be cash equivalents. The fair value of investments is obtained by using quotations obtained from independent published sources.

NOTE 2 – CASH AND INVESTMENTS IN COUNTY TREASURY/IMPREST CASH (Continued)

Investments Authorized by the California Government Code and the County's Investment Policy

The table on the next page identifies the **investment types** that are authorized for NCTPA by the California Government Code (or the County's investment policy, where more restrictive). The table also identifies certain provisions of the California Government Code (or NCTPA's investment policy, where more restrictive) that address **interest rate risk, credit risk**, and **concentration of credit risk**.

Authorized Investment Type	Maximum Maturity	Maximum Percentage of Portfolio	Maximum Investment in One Issuer
Local Agency Bonds	5 years	None	None
U.S. Treasury Obligations	5 years	None	None
U.S. Agency Obligations	5 years	None	None
State of California Obligations	5 years	None	None
Bankers' Acceptances	180 days	40%	30%
Commercial Paper - Select Agencies	180 days	25%	10%
Commercial Paper - Other Agencies	180 days	40%	10%
Negotiable Certificates of Deposit	5 years	30%	None
Repurchase Agreements	30 days	5%	None
Reverse Repurchase Agreements	92 days	20% of base value	None
Medium-Term Notes	5 years	30%	None
Mutual Funds/Money Market Mutual Funds	N/A	20%	10%
Collateralized Bank Deposits	5 years	None	None
Mortgage Pass-Through Securities	5 years	20%	None
Time Deposits	5 years	None	None
County Pooled Investment Funds	N/A	None	None
Joint Powers Agreement (JPA) Pools (other investment pools)	N/A	None	None
Local Agency Investment Fund (LAIF)	N/A	None	None

NOTE 3 – DUE FROM OTHER GOVERNMENTAL AGENCIES

Amounts due from other governmental agencies consisted of the following at June 30, 2013 and 2012:

	2013	2012
Federal (FTA)		
Capital	$ 318,265	$ 72,603
Operating	2,504,783	1,969,258
State		
STA	193,211	160,091
Grants - Capital	1,391,678	68,585
Grants - Operating	120,000	32,946
State - Other	21,750	3,220
Local		
Local Transportation Fund (LTF)	-	462,538
Cities and Country	275,178	51,925
Local - Other	108,823	101,037
Total	$ 4,933,688	$ 2,922,203

NOTE 3 – DUE FROM OTHER GOVERNMENTAL AGENCIES (Continued)

Reconciliation to Financial Statements		2013	2012
Planning fund	Grants Receivable	$ 375,558	$ 399,992
Planning fund	Due from Other Gov Agencies	250,226	28,119
Transit	Grants Receivable	2,523,240	1,718,688
Transit	Due from Other Gov Agencies	1,685,905	679,266
Fiduciary	Due from Other Gov Agencies	98,759	96,138
		$ 4,933,688	$ 2,922,203

NOTE 4 – CAPITAL ASSETS

Capital asset activity for the year ended June 30, 2013, was as follows:

	Balance July 1, 2012	Additions	Disposals	Balance June 30, 2013
Governmental Activities:				
Capital Assets, Being Depreciated				
Vehicles and Equipment	$ 27,214	$ 207,297	$ (9,697)	$ 224,814
Less Accumulated Depreciation for:				
Vehicles and Equipment	(20,719)	(29,578)	9,697	(40,600)
Governmental Activities Capital Assets, Net	$ 6,495	$ 177,719	$ -	$ 184,214
Business-Type Activities:				
Capital Assets, Not Being Depreciated				
Land	$ 1,190,000	$ 163,692	$ -	$ 1,353,692
Construction in Progress	5,221,609	4,966,471	(8,966,435)	1,221,645
Total Capital Assets, Not Being Depreciated	6,411,609	5,130,163	(8,966,435)	2,575,337
Capital Assets, Being Depreciated:				
Vehicles and Equipment	12,317,414	13,948,298	-	26,265,712
Less Accumulated Depreciation for:				
Vehicles and Equipment	(5,324,324)	(1,210,769)	-	(6,535,093)
Total Capital Assets, Being Depreciated, Net	6,993,090	12,737,529	-	19,730,619
Business-Type Activities, Capital Assets, Net	$ 13,404,699	$ 17,867,692	$ (8,966,435)	$ 22,305,956

Government-wide depreciation expense for the year ended June 30, 2013, was $1,240,347.

NOTE 4 – CAPITAL ASSETS (Continued)

Capital asset activity for the year ended June 30, 2012, was as follows:

	Balance July 1, 2011	Additions	Disposals	Balance June 30, 2012
Governmental Activities:				
Capital Assets, Not Being Depreciated				
Donated Assets - Not in Service	$ 52,250	$ -	$ (52,250)	$ -
Capital Assets, Being Depreciated				
Vehicles and Equipment	9,698	17,516	-	27,214
Less Accumulated Depreciation for:				
Vehicles and Equipment	(9,698)	(11,021)	-	(20,719)
Governmental Activities Capital Assets, Net	$ 52,250	$ 6,495	$ (52,250)	$ 6,495
Business-Type Activities:				
Capital Assets, Not Being Depreciated				
Land	$ 1,190,000	$ -	$ -	$ 1,190,000
Construction in Progress	1,734,740	3,486,869	-	5,221,609
Total Capital Assets, Not Being Depreciated	2,924,740	3,486,869	-	6,411,609
Capital Assets, Being Depreciated:				
Vehicles and Equipment	10,880,134	1,437,280	-	12,317,414
Less Accumulated Depreciation for:				
Vehicles and Equipment	(4,493,708)	(841,637)	11,021	(5,324,324)
Total Capital Assets, Being Depreciated, Net	6,386,426	595,643	11,021	6,993,090
Business-Type Activities, Capital Assets, Net	$ 9,311,166	$ 4,082,512	$ 11,021	$ 13,404,699

Government wide depreciation expense for the year ended June 30, 2012, was $852,658.

NOTE 5 – COMPENSATED ABSENCES

The following is a summary of current and long-term compensated absences for the years ended June 30:

	2013	2012
Beginning Balance July 1	$ 41,990	$ 77,301
Additions	34,142	13,903
Reductions	(2,354)	(49,214)
Ending Balance June 30	$ 73,778	$ 41,990
Amounts Due Within 1 Year	$ 73,778	$ 41,990

NOTE 6 – OPERATING LEASES

NCTPA has a commitment under a noncancelable long-term operating lease agreement. Future minimum operating lease commitments as of June 30, 2013, are as follows:

Year Ending June 30,		
2014	$	1,439
2015		1,440
2016		-
Total	$	2,879

Rent expenditures were $89,386 and $119,924 for the years ended June 30, 2013 and 2012, respectively.

NOTE 7 – DUE TO OTHER GOVERNMENTAL AGENCIES

Business-Type Activities – Due to LTF

TDA funds are apportioned, allocated and disbursed in accordance with allocation instructions from the Metropolitan Transportation Commission (MTC) for specific transportation purposes. The Local Transportation Fund (LTF) allocates monies to the transit system to support operations. The TDA, which governs the use of these funds, requires that any funds not used must be returned to their sources. LTF allocations are considered earned when they are properly spent for operations by the transit system.

It is the current practice of the MTC to have excess revenue returned to the funding agency. There were excess revenues of $3,517,107 and $1,674,164 at June 30, 2013 and 2012, respectively. NCTPA returned $1,674,164 and $2,576,622 of excess capital funds not used for its intended purpose during the years ended June 30, 2013 and 2012, respectively. Money returned to LTF will be reallocated for future capital purchases.

NOTE 7 – DUE TO OTHER GOVERNMENTAL AGENCIES (Continued)

Allocations received but not earned were recorded as due to Other Governmental Agencies as follows:

	2013	2012
Balance - Beginning of Year	$ 1,674,164	$ 2,576,623
LTF - Operating	6,383,003	5,203,356
LTF - Capital	4,659,187	2,596,828
Total Local Transportation Funds	11,042,190	7,800,184
Operating Expenses	9,884,465	8,225,424
Adjustments:		
Add Back Depreciation	(1,210,769)	(830,615)
Farebox Revenues	(966,429)	(1,088,876)
State Transit Assistance	(1,264,056)	(1,194,231)
Other Revenues	(4,421,006)	(1,889,453)
Interest Income	(15,820)	(13,255)
FTA Grant Revenues	(2,204,290)	(1,617,266)
Other Federal Grants	(2,495,661)	(389,856)
Capital Asset Purchases	10,218,649	4,924,149
Net Operating Expenses	7,525,083	6,126,021
Net Increase	3,517,107	1,674,163
Return of LTF Capital	(1,674,164)	(2,576,622)
Balance - End of Year	$ 3,517,107	$ 1,674,164

NOTE 8 – PUBLIC TRANSPORTATION MODERNIZATION, IMPROVEMENT, AND SERVICE ENHANCEMENT ACCOUNT (PTMISEA)

In November 2006, California voters passed a bond measure enacting the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. Of the $19.925 billion of State general obligation bonds authorized, $4 billion was set aside by the State as instructed by the statute as the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA). These funds are available to the California Department of Transportation for intercity rail projects and to transit operators in California for rehabilitation, safety, or modernization improvements; capital service enhancements or expansions; new capital projects; bus rapid transit improvements; or for rolling stock procurement, rehabilitation, or replacement.

During the fiscal years ended June 30, 2013, NCTPA received for $1,348,072 in PTMISEA funds for farebox replacement and vehicle purchases.

NOTE 8 – PUBLIC TRANSPORTATION MODERNIZATION, IMPROVEMENT, AND SERVICE ENHANCEMENT ACCOUNT (PTMISEA) (Continued)

As of June 30, 2013 and 2012, PTMISEA funds received and expended were verified in the course of our audit as follows:

	2013	2012
Balance - Beginning of Year	$ 242,331	$ 389,292
Receipts:		
Receipts Deposited	1,348,072	178,743
Interest Accrued	1,233	1,625
Expenses:		
Transit Capital	(993,777)	(327,329)
Balance - End of Year	$ 597,859	$ 242,331

NOTE 9 – UNEARNED REVENUE

Advances associated with multi-year projects, capital projects, and operating grants were reported in the following fund at June 30, 2013 and 2012, as follows:

	2013	2012
Proprietary Fund		
Prop 1B - Operating Funds	$ 597,859	$ 242,278
Cal-EMA Capital Grants	-	16,903
Pass Sales	3,925	-
Regional Measure 2 Capital Grant	-	532
Total Advances - Proprietary Fund	$ 601,784	$ 259,713

NCTPA received grants from various sources. At June 30, 2013 and 2012, eligibility requirements for recognizing the revenue had not been met. Therefore, the unexpended balance has been deferred to the next fiscal year.

NOTE 10 – AGREEMENTS AND COMMITMENTS

Bay Area Air Quality Management District Agreement

The NCTPA entered into an agreement with the Bay Area Air Quality Management District (the District) to implement specified measures to improve air quality in the County. The funding for this agreement comes from Assembly Bill (AB) 434 allowing the District to levy a surcharge on motor vehicle registration fees. Quarterly, the District must transfer 40% of the surcharge, less management fees and audit costs, to the NCTPA, as the selected Program Manager. However, the agreement may be terminated at any time by either party and there are no assurances of annual renewal. As program manager, NCTPA allocates 5% of these funds to itself to administer the program.

NOTE 10 – AGREEMENTS AND COMMITMENTS (Continued)

Abandoned Vehicle Abatement Program

The California legislature has enacted legislation to allow local governments to assess a fee on vehicle registration for the purpose of aiding local governments in the recovery of costs associated with the disposition of abandoned vehicles. The NCTPA is the designated agency to manage and distribute abandoned vehicle fees to participating jurisdictions within the County. These fees are collected by NCTPA and distributed to the jurisdictions based on a formula.

Metropolitan Transportation Commission

The NCTPA received a highway planning grant from the MTC. The purpose of the grant was to implement congestion planning for the County and its surrounding cities. Amounts received or receivable from the MTC are subject to audit and adjustment by the MTC. Any disallowed claims including amounts already collected, may constitute a liability of the NCTPA. The amount, if any, of expenditures which may be disallowed by MTC cannot be determined at this time although the NCTPA expects such amounts, if any, to be immaterial.

NOTE 11 – EMPLOYEES RETIREMENT PLAN (DEFINED BENEFIT PENSION PLAN)

A. Plan Description

NCTPA contributes to the California Public Employees Retirement System (CalPERS), an agent multiple-employer public employee retirement system that acts as a common investment and administrative agent for participating public entities within the State of California. CalPERS provides retirement and disability benefits, annual cost-of-living adjustments and death benefits to plan members and beneficiaries. Benefit provisions and other requirements are established by statute. Copies of CalPERS annual financial report may be obtained from their Executive Office – 400 P Street, Sacramento, California 95814.

On May 18, 2011, NCTPA Resolution 11-12 approved an amendment to the contract between the Board of Administration of CalPERS and the NCTPA's Board to provide Section 20475 (Different Level of Benefits), Section 21353 (2% at 60 full formula) effective May 21, 2011. The NCTPA established two tiers, which determine both employer and employee contribution rates. Employees joining the plan after May 21, 2011, will join into Tier 2, while all existing employees remain in Tier 1.

B. Funding Policy

Per NCTPA's draft Personnel Policies accepted by the Board on June 18, 2008, NCTPA contributes a portion of the employee share of retirement contributions for local miscellaneous members. For Tier 1, the employee's contribution rate was 8% and NCTPA's contribution rates were 13.307% and 12.749% at June 30, 2013 and 2012, respectively. For Tier 2, the employee's contribution rate was 7% and NCTPA's contribution rates were 7.846% and 7.733% at June 30, 2013 and 2012, respectively.

The contract also provides for final compensation to be determined in accordance with Section 21354.4 of Retirement Law (2.5% at age 55).

The contribution requirements of the plan members are established by State statutes and the employer contribution rate is established and may be amended by CalPERS.

NOTE 11 – EMPLOYEES RETIREMENT PLAN (DEFINED BENEFIT PENSION PLAN) (Continued)

C. Annual Pension Cost

For the fiscal years ended June 30, 2013 and 2012, NCTPA's annual pension cost of $114,863 and $108,131, respectively, for CalPERS was equal to NCTPA's required and actual contributions. The required contributions were determined as part of the June 30, 2013 and 2012, actuarial valuations using the entry age normal actuarial cost method. The actuarial assumptions included (a) 7.75% investment rate of return (net of administrative expenses), (b) projected annual salary increases that vary by duration of service, and (c) 2% per year cost-of-living adjustments. Both (a) and (b) included an inflation component of 3.00%. The actuarial value of CalPERS assets was determined using techniques that smooth the effects of short-term volatility in the market value of investments over a 15 year period (smoothed market value). CalPERS unfunded actuarial accrued liability is being amortized as a level percentage of projected payroll on a closed basis. Initial plan unfunded liabilities are amortized over a closed period equal to the average amortization period at the plan's date of entry into the CalPERS Risk Pool. Subsequent plan amendments are amortized as a level percentage of pay over a closed 20-year period. Gains and losses that occur in the operation of the risk pool are amortized over a rolling 30-year period. If the plan's accrued liability exceeds the actuarial value of plan assets, then the amortization payment on the total unfunded liability may not be lower than the payment calculated over a 30-year amortization period.

Year Ended	Annual Pension Cost (APC)	Percentage of APC Contributed	Net Pension Obligation
6/30/2013	$ 114,863	100%	$ -
6/30/2012	$ 108,131	100%	$ -
6/30/2011	$ 108,258	100%	$ -

Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability (AAL) Entry Age (b)	Unfunded AAL (UAAL) (b - a)	Funded Ratio (a/b)	Covered Payroll (c)	UAAL as a Percentage of Covered Payroll (b - a)/c
6/30/2012	$ 1,837,489,422	$ 2,254,622,362	$ 417,132,940	81.5%	$ 339,228,272	123.0%
6/30/2011	$ 1,724,200,585	$ 2,135,350,204	$ 411,149,619	80.7%	$ 350,121,750	117.4%
6/30/2010	$ 1,603,482,152	$ 1,972,910,641	$ 369,428,489	81.3%	$ 352,637,380	104.8%

* Effective with the June 30, 2003, valuation, risk pools were established by CalPERS for plans containing less than 100 active members as of the valuation date. In general, plans satisfying this criterion were lumped into pools based on their benefit formula and membership category (safety/miscellaneous). NCTPA is participating in the Miscellaneous 2.5% at 55 Risk Pool plan. The plan actuarial valuation as of June 30, 2004, no longer provides the plan members' stand-alone valuation; instead it provides the valuation for the plan's Risk Pool.

NOTE 12 – POST-EMPLOYMENT BENEFITS OTHER THAN PENSIONS

In addition to the pension benefits described on the previous page, NCTPA provides postretirement health care benefits to all employees meeting certain selected criteria. Employees on the payroll as of June 30, 2013, who retire from the NCTPA with 3 years of Agency service and 25 years of CalPERS service will receive 1.3 times the Public Employees' Medical and Hospital Care Act (PEMHCA) minimum dollar amounts who retire from NCTPA at or after age 50.

The GASB issued Statement No. 43, *Financial Reporting for Post-Employment Benefit Plans Other than Pension Plans,* and Statement No. 45, *Accounting and Financial Reporting by Employers for Post-Employment Benefits*. The basic premise of the statement is that Other Post-Employment Benefits (OPEB) are earned by employees and should be recognized by the employer as the employee provides services. GASB Statement No. 45 requires employers to account for and report the annual cost of OPEB and the outstanding obligations and commitments related to them in the same manner as they currently do for pensions. NCTPA implemented the provisions of GASB Statement No. 45 in the fiscal year beginning July 1, 2009, on a one-year retroactive basis.

For the GASB Statement No. 45 actuarial valuation dated June 30, 2012, NCTPA chose a new allocation strategy. In March 2011, CalPERS Board approved changes to the CERBT to allow a choice between three different asset allocations strategies with different equity vs. fixed income and base the prescribed discount rate on the asset allocation. NCTPA chose Option 3, a 6.39% discount limit based upon the 50th percentile return.

In accordance with GASB Statement No. 43, CalPERS issues a publicly available financial report that includes financial statements and required supplementary information for the plan. That annual financial report may be obtained by writing to the Napa County Transportation and Planning Agency's Finance Department at 707 Randolph Street, Napa, California 94553.

Plan Description: NCTPA participates in the California Employers' Retiree Benefit Trust (CERBT), a trust established by Chapter 331 of the 1988 Statutes and initially funded in 2007. The purpose of the trust is to receive contributions from participating employers and establish separate employer prefunding accounts to pay for health care postemployment benefits. The CERBT is an agent multiple-employer plan as defined in GASB Statement No. 43 and is administered by the CalPERS. The Plan has 1 retirees receiving benefits and a total of 12 active participants, all of which are not currently eligible to receive benefits.

The following is a description of the current retiree benefit plan:

Benefit Types Provided	Medical only
Duration of Benefits	Lifetime
Required Service	CalPERS retirement and 5 years Agency
Minimum Age	50
Dependent Coverage	Family eligible
NCTPA Contribution %	Up to 100%
NCTPA Cap Highest	1.3 times PEMCHA minimum dollar amounts

NOTE 12 – POST-EMPLOYMENT BENEFITS OTHER THAN PENSIONS (Continued)

Annual OPEB Cost and Net OPEB Obligation: NCTPA's annual OPEB cost (expense) is calculated based on the annual required contribution (ARC) of the employer, an amount actuarially determined in accordance with the parameters of GASB Statement No. 45. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover the normal cost each year and amortize any unfunded actuarial liabilities (of funding excess) over a period not to exceed thirty years. For fiscal years 2011-12 and 2012-13, the net OPEB obligation (asset) was determined as follows:

	2013	2012
Annual required contribution	$ 22,000	$ 22,000
Contributions made	(22,000)	-
Change in net OPEB obligation	-	22,000
Net OPEB asset, beginning of year	-	(22,000)
Net OPEB asset, end of year	$ -	$ -

Year Ended	Annual OPEB Cost	Actual Employer Contribution	Percentage Contributed	Net OPEB Obligation (Asset)
6/30/2013	$ 22,000	$ 22,000	100%	$ -
6/30/2012	$ 22,000	$ -	0%	$ -
6/30/2011	$ 22,000	$ -	0%	$ (22,000)

Funded Status and Funding Progress: The funded status of the plan as of June 30, 2013, was as follows:

Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability (AAL) Entry Age (b)	Unfunded AAL (UAAL) (b - a)	Funded Ratio (a/b)	Covered Payroll (c)	UAAL as a Percentage of Covered Payroll (b - a)/c
June 30, 2013	$ 109,000	$ 218,000	$ 109,000	50.0%	$ 1,031,000	10.6%
June 30, 2011	$ 77,000	$ 78,000	$ 1,000	98.7%	$ 993,000	0.1%
June 30, 2009	$ -	$ 44,000	$ 44,000	0.0%	$ 988,000	4.5%

NCTPA's ARC is based on the pre-funding method. For fiscal year 2012-2013, NCTPA contributed $22,000 to the plan.

As of June 30, 2013, the most recent actuarial valuation date, the actuarial accrued liability for benefits was $218,000, and the actuarial value of assets was $109,000 resulting in an unfunded actuarial accrued liability of $109,000. The covered payroll (annual payroll of active employees covered) was $1,031,000.

Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend. Amounts determined regarding the funded status of the plan and the ARC of NCTPA are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future. The schedule of funding progress, presented as required supplementary information following the notes to the financial statements, will present multiyear trend information that shows whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability for benefits.

NOTE 12 – POST-EMPLOYMENT BENEFITS OTHER THAN PENSIONS (Continued)

Actuarial Methods and Assumptions: Actuarial valuations for an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Actuarially determined amounts are subject to continuous revision as actual results are compared to past expectations and new estimates are made about the future. Although the valuation results are based on values NCTPA's actuarial consultant believes are reasonable assumptions, the valuation result is only an estimate of what future costs may actually be and reflect a long-term perspective.

Deviations in any of several factors, such as future interest rate discounts, medical cost inflation, Medicare coverage risk, and changes in marital status, could result in actual costs being greater or less than estimated.

In the actuarial valuation for the Plan as of June 30, 2013, the entry age normal cost method was used. The allocation of OPEB cost is based on years of service. NCTPA used the level percentage of payroll method to allocate OPEB cost over years of service. Entry age is based on the average age at hire for eligible employees. The attribution period is determined as the difference between the average retirement age and the average age at hire. The present value of future benefits and present value of future normal costs are determined on an employee by employee basis and then aggregated. To the extent that different benefit formulas apply to different employees of the same class, the normal cost is based on the benefit plan applicable to the most recently hired employees (including future hires if a new benefit formula has been agreed to and communicated to employees).

The actuarial assumptions included a 6.25% discount rate (net of administrative expenses), which is based on an assumed long-term return on plan assets and 100% funding through the CalPERS CERBT program, and an annual healthcare cost trend rate of 4.5% including a 3% inflation assumption. The actuarial value of assets were determined using fair value (as provided by CalPERS). The UAAL will be amortized as a level percentage of projected payroll assuming a 3.25% increase per year and no increases in staff or merit increases. The remaining amortization period is 30 years.

Funding Policy: The contribution requirements of Plan members and NCTPA are established and may be amended by NCTPA Board. These contributions are neither mandated nor guaranteed. NCTPA has retained the right to unilaterally modify its payment for retiree health care benefits.

NOTE 13 – EMPLOYEE BENEFITS – DEFERRED COMPENSATION PLAN

Employees of NCTPA may participate in a deferred compensation plan adopted under the provisions of the Internal Revenue Code Section 457 (Deferred Compensation Plans with Respect to Service for State and Local Governments).

The deferred compensation plan is available to all employees of NCTPA. Under the plan, employees may elect to defer a portion of their salaries and avoid paying taxes on the deferred portion until the withdrawal date. The deferred compensation amount is not available for withdrawal by employees until termination, retirement, death or unforeseeable emergency.

The deferred compensation plan is administered by an unrelated financial institution through CalPERS. Under the terms of the Internal Revenue Code (IRC) Section 457 deferred compensation plan, all deferred compensation and income attributable to the investment of the deferred compensation amounts held by the financial institution, until paid or made available to the employees or beneficiaries, are the property of the employee.

NOTE 14 – INSURANCE AND RISK OF LOSS

NCTPA is exposed to various risks of loss related to torts, theft or damage to and destruction of assets, errors and omissions, injuries to employees and natural disasters. NCTPA maintains various insurance policies for directors and officers, property and liability, commercial liability and workers compensation against potential risk of loss through private insurance carriers. NCTPA secures vehicular and liability coverage for business-type activities of up to $5,000,000 per incident through its purchased transportation contractor.

NOTE 15 – RELATED PARTY TRANSACTIONS

The County personnel provides administration services to NCTPA. The County also provides legal counsel. During the fiscal years ended June 30, 2013 and 2012, NCTPA paid to the County, a related party, the following amounts:

	2013	2012
Accounting and Legal Services	$ 56,056	$ 147,361
Other Services and Supplies	109,311	85,553
Total Related Party Transactions	$ 165,367	$ 232,914

NOTE 16 – FAREBOX RATIO

Article 4

Article 4 transit operations include VINE, American Canyon Transit and the Downtown Trolley. As agreed to by MTC, the combined farebox ratio requirement is 16%. The farebox ratios for the years ended June 30, 2013 and 2012, were 15.27% and 16.52%, respectively, as follows:

June 30, 2013			
Article 4	Total Article 4 Services	VINE	ACT
Farebox Subject to Farebox Ratio	$ 737,288	$ 700,377	$ 36,911
Operating Cost, Net of Depreciation and Insurance	$ 4,828,663	$ 4,459,933	$ 368,730
Farebox Ratio	15.27%		

June 30, 2012			
Article 4	Total Article 4 Services	VINE	ACT
Farebox Subject to Farebox Ratio	$ 874,318	$ 840,024	$ 34,294
Operating Cost, Net of Depreciation and Insurance	$ 5,290,913	$ 4,935,617	$ 355,296
Farebox Ratio	16.52%		

NOTE 16 – FAREBOX RATIO (Continued)

Article 4 (Continued)

Farebox revenue and operating cost used for farebox ratio calculation will not agree to the Statement of Revenues, Expenses, and Changes in Fund Net Position for the Proprietary Fund (see page 17). Transportation Development Act Statute 99268.8 allows for extension of service to be excluded from farebox ratio calculations in determining a claimant's compliance with the launch of redesigned services commencing on December 3, 2012, and the expansion into mid-day service for VINE 29 Express. The farebox ratio calculation is exclusive of these costs services until two years after the end of the fiscal year in which the new service was put into operation.

For the fiscal year ended June 30, 2013, NCTPA was not in compliance with the minimum farebox ratio required of 16% for Article 4 transit operations. For the fiscal year ended June 30, 2012, NCTPA was in compliance with the minimum farebox ratio required of 16% for Article 4 transit operations.

Article 8

Article 8 transit operations include VINE GO, Calistoga Shuttle, St. Helena Shuttle, Yountville Trolley, and the Taxi Scrip program. TDA Section 6633.2 requires NCTPA to meet a 10% farebox revenue to total operating expenses ratio. The farebox revenue ratio for the years ended June 30, 2013 and 2012, for Article 8 transit operations were 10.89% and 11.50%, respectively, as follows:

June 30, 2013			
Article 8	Total Article 8 Services	Taxi and VINE GO	Calistoga, Yountville, and St. Helena
Farebox Subject to Farebox Ratio	$ 199,757	$ 97,422	$ 102,335
Operating Cost, Net of Depreciation and Insurance	$ 1,834,940	$ 1,114,441	$ 720,499
Farebox Ratio	10.89%		

June 30, 2012			
Article 8	Total Article 8 Services	Taxi and VINE GO	Calistoga, Yountville, and St. Helena
Farebox Subject to Farebox Ratio	$ 213,318	$ 155,050	$ 58,268
Operating Cost, Net of Depreciation and Insurance	$ 1,855,562	$ 1,311,885	$ 543,677
Farebox Ratio	11.50%		

For the fiscal years ended June 30, 2013 and 2012, NCTPA was in compliance with the minimum farebox ratio required for Article 8 transit operations.

NOTE 17 – EXCESS OF EXPENDITURES OVER APPROPRIATIONS

For the years ended June 30, 2013 and 2012, expenditures exceeded appropriations in the Planning fund as follows:

Appropriations Category		Excess Expenditures 2013	Excess Expenditures 2012
Planning Fund:	Communications	$ -	$ 668
	Insurance	-	4,085
	Miscellaneous Expense	15,834	-

NOTE 18 – SUBSEQUENT EVENTS

Subsequent events have been evaluated through December 30, 2013, which is the date the financial statements were available to be issued.

REQUIRED SUPPLEMENTARY INFORMATION

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE – BUDGET AND ACTUAL
GOVERNMENTAL FUND – PLANNING FUND
FOR THE YEAR ENDED JUNE 30, 2013

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues:				
Local Transportation Fund Allocation	$ 746,300	$ 746,300	$ 746,300	$ -
Federal Highway Allocations	2,087,000	2,087,000	825,594	(1,261,406)
Programming, Planning, and Monitoring	24,000	24,000	363,324	339,324
Other Grants	1,015,800	1,090,800	46,858	(1,043,942)
Local Support	211,000	211,000	298,954	87,954
Interest	4,000	4,000	4,619	619
Other Revenues	-	-	29,620	29,620
Total Revenues	4,088,100	4,163,100	2,315,269	(1,847,831)
Expenditures				
Communications	24,000	24,000	10,023	13,977
Insurance	35,000	35,000	27,871	7,129
Office Expense	44,000	44,000	24,549	19,451
Rents and Leases	54,700	54,700	44,733	9,967
Transportation	14,000	14,000	11,151	2,849
Salary and Benefits	1,391,000	1,441,000	1,113,059	327,941
Miscellaneous Expense	43,400	68,400	84,234	(15,834)
Professional Services	2,482,000	2,482,000	1,147,371	1,334,629
Total Expenditures	4,088,100	4,163,100	2,462,991	1,700,109
Net Change in Fund Balance	-	-	(147,722)	(147,722)
Fund Balance, Beginning of Fiscal Year	1,085,916	1,085,916	1,085,916	-
Fund Balance, End of Fiscal Year	$ 1,085,916	$ 1,085,916	$ 938,194	$ (147,722)

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE – BUDGET AND ACTUAL
GOVERNMENTAL FUND – PLANNING FUND
FOR THE YEAR ENDED JUNE 30, 2012

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues:				
Local Transportation Fund Allocation	$ 996,900	$ 996,900	$ 996,900	$ -
Programming, Planning, and Monitoring	24,000	24,000	24,000	-
Federal Highway Allocations	800,000	800,000	1,022,008	222,008
Federal Transit Administration 5303				
Planning Grant	200,000	200,000	-	(200,000)
Other Grants	745,300	745,300	85,780	(659,520)
Local Support	65,000	65,000	65,205	205
Interest	3,000	3,000	6,251	3,251
Other Revenues	-	-	122,194	122,194
Total Revenues	2,834,200	2,834,200	2,322,338	(511,862)
Expenditures				
Communications	5,500	5,500	6,168	(668)
Insurance	25,000	25,000	29,085	(4,085)
Office Expense	48,700	48,700	28,657	20,043
Rents and Leases	77,000	77,000	71,782	5,218
Transportation	17,000	17,000	4,850	12,150
Salary and Benefits	1,307,400	1,307,400	1,075,307	232,093
Miscellaneous Expense	82,789	82,789	15,556	67,233
Professional Services	1,270,811	1,270,811	525,099	745,712
Total Expenditures	2,834,200	2,834,200	1,756,504	1,077,696
Net Change in Fund Balance	-	-	565,834	565,834
Fund Balance, Beginning of Fiscal Year	520,082	520,082	520,082	-
Fund Balance, End of Fiscal Year	$ 520,082	$ 520,082	$ 1,085,916	$ 565,834

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
SCHEDULE OF FUNDING PROGRESS
OTHER POSTEMPLOYMENT BENEFITS
JUNE 30, 2013

Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability (AAL) Entry Age (b)	Unfunded AAL (UAAL) (b - a)	Funded Ratio (a/b)	Covered Payroll (c)	UAAL as a Percentage of Covered Payroll (b - a)/c
June 30, 2013	$ 109,000	$ 218,000	$ 109,000	50.0%	$ 1,031,000	10.6%
June 30, 2011	$ 77,000	$ 78,000	$ 1,000	98.7%	$ 993,000	0.1%
June 30, 2009	$ -	$ 44,000	$ 44,000	0.0%	$ 988,000	4.5%

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
NOTE TO REQUIRED SUPPLEMENTARY INFORMATION
FOR THE FISCAL YEARS ENDED JUNE 30, 2013 AND 2012

BUDGETS AND BUDGETARY ACCOUNTING

Formal budgetary accounting is employed as a management control by NCTPA. An annual budget is adopted each fiscal year by the Board of Directors (the Board). The accounting method used to prepare the budget is consistent with accounting principles generally accepted in the United States of America. All changes or amendments to the budget require prior approval of the Board. Unused appropriations lapse at the end of the fiscal year.

SUPPLEMENTARY INFORMATION

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
COMBINING STATEMENT OF FIDUCIARY NET POSITION
PRIVATE PURPOSE TRUST FUNDS
JUNE 30, 2013

	Abandoned Vehicle Abatement	Air Quality Management	Total
ASSETS			
Current Assets			
Cash and Investments in County Treasury	$ 45,515	$ 499,721	$ 545,236
Due from Other Government Agencies	-	98,759	98,759
Total Current Assets	45,515	598,480	643,995
Total Assets	$ 45,515	$ 598,480	$ 643,995
LIABILITIES			
Current Liabilities			
Accounts Payable	$ -	$ 67,340	$ 67,340
Due to Other Governments	-	100,026	100,026
Total Current Liabilities	-	167,366	167,366
Total Liabilities	-	167,366	167,366
NET POSITION			
Net Position Held in Trust for Other Purposes	45,515	431,114	476,629
Total Net Position	45,515	431,114	476,629
Total Liabilities and Net Position	$ 45,515	$ 598,480	$ 643,995

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
COMBINING STATEMENT OF FIDUCIARY NET POSITION
PRIVATE PURPOSE TRUST FUNDS
JUNE 30, 2012

	Abandoned Vehicle Abatement	Air Quality Management	Total
ASSETS			
Current Assets			
Cash and Investments in County Treasury	$ 43,404	$ 696,210	$ 739,614
Due from Other Government Agencies	-	96,138	96,138
Total Current Assets	43,404	792,348	835,752
Total Assets	$ 43,404	$ 792,348	$ 835,752
LIABILITIES			
Current Liabilities			
Accounts Payable	$ -	$ 8,650	$ 8,650
Due to Other Governments	-	10,298	10,298
Total Current Liabilities	-	18,948	18,948
Total Liabilities	-	18,948	18,948
NET POSITION			
Net Position Held in Trust for Other Purposes	43,404	773,400	816,804
Total Net Position	43,404	773,400	816,804
Total Liabilities and Net Position	$ 43,404	$ 792,348	$ 835,752

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
COMBINING STATEMENT OF CHANGES IN FIDUCIARY NET POSITION
PRIVATE PURPOSE TRUST FUNDS
FOR THE YEAR ENDED JUNE 30, 2013

	Abandoned Vehicle Abatement	Air Quality Management	Total
ADDITIONS			
Aid from Other Governmental Agencies	$ 130,619	$ 191,194	$ 321,813
Interest Income	268	2,795	3,063
Total Additions	130,887	193,989	324,876
DEDUCTIONS			
Program Expenses	128,776	536,275	665,051
Total Deductions	128,776	536,275	665,051
CHANGE IN NET POSITION	2,111	(342,286)	(340,175)
Net Position, Beginning of Year	43,404	773,400	816,804
Net Position, End of Year	$ 45,515	$ 431,114	$ 476,629

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
COMBINING STATEMENT OF CHANGES IN FIDUCIARY NET POSITION
PRIVATE PURPOSE TRUST FUNDS
FOR THE YEAR ENDED JUNE 30, 2012

	Abandoned Vehicle Abatement	Air Quality Management	Total
ADDITIONS			
Aid from Other Governmental Agencies	$ 129,357	$ 257,758	$ 387,115
Interest Income	245	5,209	5,454
Total Additions	129,602	262,967	392,569
DEDUCTIONS			
Program Expenses	150,265	338,044	488,309
Total Deductions	150,265	338,044	488,309
CHANGE IN NET POSITION	(20,663)	(75,077)	(95,740)
Net Position, Beginning of Year	64,067	848,477	912,544
Net Position, End of Year	$ 43,404	$ 773,400	$ 816,804

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET POSITION
ENTERPRISE FUND – TRANSIT RELATED BY OPERATION
FOR THE YEAR ENDED JUNE 30, 2013

	VINE Go	VINE	Taxi	American Canyon	Yountville
Operating Revenues:					
Farebox Revenues	$ 57,654	$ 729,762	$ 39,768	$ 36,911	$ 25,602
Operating Expenses:					
Marketing	614	230,485	-	-	1,098
Vehicle Maintenance	-	81,600	-	-	-
Other Maintenance	-	173,302	-	-	-
Fuel and Lubricants	169,455	973,569	-	67,387	19,179
Insurance	991	19,332	159	377	272
Planning and Administration	-	4,691	-	-	-
Security	-	16,954	-	-	-
Services	7,893	50,961	1,499	2,533	2,918
Supplies	866	50,288	1,179	131	553
Purchased Transportation	843,072	4,485,178	81,219	290,332	228,639
Rents and Leases	4,363	32,193	1,658	2,468	1,364
Utilities	-	3,611	-	-	-
Miscellaneous Expense	1,317	10,786	156	370	267
Depreciation	89,400	1,066,734	-	-	13,607
Personnel Costs	37,829	263,224	7,381	5,509	5,875
Total Operating Expenses	1,155,800	7,462,908	93,251	369,107	273,772
Operating Loss	(1,098,146)	(6,733,146)	(53,483)	(332,196)	(248,170)
Nonoperating Revenues (Expenses):					
Local Transportation Funds	679,311	6,071,373	58,500	200,000	77,100
State Transit Assistance	161,890	651,699	-	110,000	-
FTA Grant Revenues - Operating	300,000	1,166,724	-	60,000	101,143
Other Federal Grants	-	373,239	-	-	-
Other Operating Grants	-	3,407,835	-	-	-
Interest Income	1,598	10,545	612	797	1,153
Other Revenues	-	-	-	-	-
Returned LTF Allocations	(291,784)	(3,052,610)	(25,127)	(85,906)	(33,117)
Total Nonoperating Revenues	851,015	8,628,805	33,985	284,891	146,279
Change in Net Position Before Contributions	(247,131)	1,895,659	(19,498)	(47,305)	(101,891)
Capital Contributions:					
Federal Transit Assistance	-	2,488,464	-	-	110,663
Other Capital	-	1,013,172	-	-	-
Local Transportation Funds	-	3,885,814	-	-	-
Change in Net Position	(247,131)	9,283,109	(19,498)	(47,305)	8,772
Net Position, Beginning of Year	445,005	13,643,402	(2,302)	(163,253)	60,849
Net Position, End of the Year	$ 197,874	$ 22,926,511	$ (21,800)	$ (210,558)	$ 69,621

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENT OF REVENUES, EXPENSES, AND
CHANGES IN FUND NET POSITION (Continued)
ENTERPRISE FUND – TRANSIT RELATED
BY OPERATION
FOR THE YEAR ENDED JUNE 30, 2013

	St. Helena	Calistoga	Totals
Operating Revenues:			
Farebox Revenues	$ 20,188	$ 56,544	$ 966,429
Operating Expenses:			
Marketing	1,541	1,229	234,967
Vehicle Maintenance	-	-	81,600
Other Maintenance	-	-	173,302
Fuel and Lubricants	26,643	19,434	1,275,667
Insurance	184	283	21,598
Planning and Administration	-	-	4,691
Security	-	-	16,954
Services	1,438	2,092	69,334
Supplies	64	98	53,179
Purchased Transportation	141,168	250,058	6,319,666
Rents and Leases	1,226	1,381	44,653
Utilities	-	-	3,611
Miscellaneous Expense	180	278	13,354
Depreciation	20,514	20,514	1,210,769
Personnel Costs	8,801	4,975	333,594
Total Operating Expenses	201,759	300,342	9,856,939
Operating Loss	(181,571)	(243,798)	(8,890,510)
Nonoperating Revenues (Expenses):			
Local Transportation Funds	10,000	56,500	7,152,784
State Transit Assistance	156,929	159,605	1,240,123
FTA Grant Revenues - Operating	101,142	101,142	1,830,151
Other Federal Grants	-	-	373,239
Other Operating Grants	-	-	3,407,835
Interest Income	647	468	15,820
Returned LTF Allocations	(4,295)	(24,268)	(3,517,107)
Total Nonoperating Revenues	264,423	293,447	10,502,845
Change in Net Position Before Contributions	82,852	49,649	1,612,335
Capital Contributions:			
Federal Transit Assistance	-	-	2,599,127
Other Capital	-	-	1,013,172
Local Transportation Funds	-	-	3,885,814
Change in Net Position	82,852	49,649	9,110,448
Net Position, Beginning of Year	86,590	248,006	14,318,297
Net Position, End of the Year	$ 169,442	$ 297,655	$ 23,428,745

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET POSITION
ENTERPRISE FUND – TRANSIT RELATED
BY OPERATION
FOR THE YEAR ENDED JUNE 30, 2012

	VINE Go	VINE	Taxi	American Canyon	Yountville
Operating Revenues:					
Farebox Revenues	$ 87,837	$ 841,264	$ 67,213	$ 34,294	$ 19,660
Operating Expenses:					
Marketing	-	91,143	-	196	-
Vehicle Maintenance	-	418	-	-	-
Other Maintenance	-	5,295	-	-	-
Fuel and Lubricants	145,229	821,054	-	70,239	13,306
Insurance	-	9,691	-	-	-
Planning and Administration	-	-	-	-	-
Security	-	11,012	-	-	-
Services	4,871	35,387	833	553	990
Supplies	125	52,145	3,613	154,261	100
Purchased Transportation	996,502	3,745,457	123,176	276,202	178,276
Rents and Leases	6,768	26,710	3,384	4,512	2,256
Utilities	-	3,707	-	-	-
Miscellaneous Expense	-	700	-	-	-
Depreciation	88,014	661,532	-	8,665	1
Personnel Costs	21,488	230,126	5,896	439	1,218
Total Operating Expenses	1,262,997	5,694,377	136,902	515,067	196,147
Operating Loss	(1,175,160)	(4,853,113)	(69,689)	(480,773)	(176,487)
Nonoperating Revenues (Expenses):					
Local Transportation Funds	859,343	3,620,384	1,111	266,602	288,287
State Transit Assistance	463,848	418,504	-	210,885	54,398
FTA Grant Revenues - Operating	151,685	1,087,180	-	113,400	98,333
Other Federal Grants	-	303,252	-	-	-
Other Operating Grants	342,550	1,292,550	-	-	-
Interest Income	1,214	7,616	1,376	424	680
Other Revenues	-	99	-	-	-
Returned LTF Allocations	(274,790)	(1,167,981)	(355)	(85,251)	(92,185)
Total Nonoperating Revenues	1,543,850	5,561,604	2,132	506,060	349,513
Change in Net Position Before Contributions	368,690	708,491	(67,557)	25,287	173,026
Capital Contributions:					
Federal Transit Assistance	-	86,604	-	-	-
Local Transportation Funds	23,508	2,495,002	-	30,221	15,156
Change in Net Position	392,198	3,290,097	(67,557)	55,508	188,182
Net Position, Beginning of Year	52,807	10,581,189	65,255	(218,761)	(127,333)
Net Position, End of the Year	$ 445,005	$ 13,871,286	$ (2,302)	$ (163,253)	$ 60,849

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENT OF REVENUES, EXPENSES, AND
CHANGES IN FUND NET POSITION (Continued)
ENTERPRISE FUND – TRANSIT RELATED
BY OPERATION
FOR THE YEAR ENDED JUNE 30, 2012

	St. Helena	Downtown Trolley	Calistoga	Totals
Operating Revenues:				
Farebox Revenues	$ 18,272	$ -	$ 20,336	$ 1,088,876
Operating Expenses:				
Marketing	-	-	8,516	99,855
Vehicle Maintenance	-	-	-	418
Other Maintenance	-	-	-	5,295
Fuel and Lubricants	20,957	-	7,780	1,078,565
Insurance	-	-	-	9,691
Planning and Administration	-	-	-	-
Security	-	-	-	11,012
Services	589	-	385	43,608
Supplies	1,645	-	307	212,196
Purchased Transportation	136,528	-	150,771	5,606,912
Rents and Leases	2,256	-	2,256	48,142
Utilities	-	-	-	3,707
Miscellaneous Expense	-	-	11,445	12,145
Depreciation	20,571	39,748	12,084	830,615
Personnel Costs	200	-	3,896	263,263
Total Operating Expenses	182,746	39,748	197,440	8,225,424
Operating Loss	(164,474)	(39,748)	(177,104)	(7,136,548)
Nonoperating Revenues (Expenses):				
Local Transportation Funds	48,319	-	119,310	5,203,356
State Transit Assistance	46,596	-	-	1,194,231
FTA Grant Revenues - Operating	88,334	-	78,334	1,617,266
Other Federal Grants	-	-	-	303,252
Other Operating Grants	127,127	-	127,127	1,889,354
Interest Income	1,171	-	774	13,255
Other Revenues	-	-	-	99
Returned LTF Allocations	(15,451)	-	(38,151)	(1,674,164)
Total Nonoperating Revenues	296,096	-	287,394	8,546,649
Change in Net Position Before Contributions	131,622	(39,748)	110,290	1,410,101
Capital Contributions:				
Federal Transit Assistance	-	-	-	86,604
Local Transportation Funds	16,470	-	16,471	2,596,828
Change in Net Position	148,092	(39,748)	126,761	4,093,533
Net Position, Beginning of Year	(61,502)	(188,136)	121,245	10,224,764
Net Position, End of the Year	$ 86,590	$ (227,884)	$ 248,006	$ 14,318,297

OTHER REPORTS

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BROWN ARMSTRONG

Certified Public Accountants

INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE OVER FINANCIAL REPORTING BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH THE STATUTES, RULES, AND REGULATIONS OF THE CALIFORNIA TRANSPORTATION DEVELOPMENT ACT AND THE ALLOCATION INSTRUCTIONS AND RESOLUTIONS OF THE METROPOLITAN TRANSPORTATION COMMISSION

To the Honorable Members
of the Board of Directors
Napa County Transportation and Planning Agency
Napa, California

We have audited the financial statements of the Napa County Transportation and Planning Agency as of and for the years ended June 30, 2013 and 2012, and have issued our report thereon dated December 30, 2013. We conducted our audit in accordance with auditing standards generally accepted in the United States of America, and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

As part of obtaining reasonable assurance about whether the Napa County Transportation and Planning Agency's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. Additionally, we performed tests to determine that allocations received and expenditures incurred were in accordance with the allocation instructions and resolutions of the Metropolitan Transportation Commission and in conformance with the California Transportation Development Act. Specifically, we performed the tasks identified in the California Code of Regulations Sections 6666 and 6667 that are applicable to the Napa County Transportation and Planning Agency. As noted in Note 16 to the financial statements, for the fiscal year ended June 30, 2013, NCTPA's farebox ratio for Article 4 transit operations was 15.27%, while the requirement was at least 16%. Therefore, NCTPA was not in compliance with this requirement for the year ended June 30, 2013. Based on our procedures, no other instances of non compliance with applicable statutes, rules, and regulations of the Transportation Development Act and the allocation instructions and resolutions of the Metropolitan Transportation Commission were noted.

This report is intended solely for the information and use of the Board of Directors, management, the County of Napa, the Metropolitan Transportation Commission, the California Department of Transportation, and the State Controller's Office and is not intended to be, and should not be, used by anyone other than these specified parties.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
December 30, 2013

BROWN
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BROWN ARMSTRONG

Certified Public Accountants

INDEPENDENT AUDITOR'S COMPLIANCE REPORT

To the Honorable Members
of the Board of Directors
Napa County Transportation and Planning Agency
Napa, California

We have audited the compliance of the Napa County Transportation and Planning Agency Transportation and Development Act Article III Funds (TDA Funds) with the types of compliance requirements described in Section 6666 of the *Rules and Regulations of the California Administrative Code in the Transportation Development Act Statutes and Administrative Code for 1987* (the Act) and the allocation instructions and resolutions of the Napa County Transportation and Planning Agency. Compliance with the requirements of laws, regulations, contracts, and grants applicable to the TDA funds is the responsibility of Napa County Transportation and Planning Agency's management. Our responsibility is to express an opinion on Napa County Transportation and Planning Agency compliance based on our audit.

As part of the audit, we performed testing of the following program:

Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA)

In November 2006, California voters passed a bond measure enacting the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. Of the $19.925 billion of state general obligation bonds authorized, $4 billion was set aside by the State as instructed by statute as the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA). These funds are available to the California Department of Transportation for intercity rail projects and to transit operators in California for rehabilitation, safety, or modernization improvements; capital service enhancements or expansions; new capital projects; bus rapid transit improvements; or for rolling stock procurement, rehabilitation, or replacement.

During the fiscal years ended June 30, 2013, NCTPA received for $1,348,072 in PTMISEA funds for farebox replacement and vehicle purchases.

As of June 30, 2013 and 2012, PTMISEA funds received and expended were verified in the course of our audit as follows:

Schedule of PTMISEA Bond 1B Funds
For the Year Ended June 30, 2013

Description	Amount
Balance – Beginning of Year	$ 242,331
Receipts:	
Receivables	1,348,072
Interest Accrued	1,233
Expenses:	
Transit Capital	(993,777)
Balance – End of Year	$ 597,859

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States; the standards applicable to financial audits contained in *Government Audit Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on the TDA Funds. An audit includes examining, on a test basis, evidence about Napa County Transportation and Planning Agency's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of Napa County Transportation and Planning Agency's compliance with those requirements.

In our opinion, the TDA funds allocated to and received by Napa County Transportation and Planning Agency pursuant to the Act were expended in conformance with the applicable statutes, rules and regulations of the Act and the allocation instructions and resolutions of Napa County Transportation and Planning Agency.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong Accountancy Corporation

Bakersfield, California
December 30, 2013

NCTPA Napa County Transportation & Planning Agency

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY

SINGLE AUDIT REPORT

FOR THE FISCAL YEARS ENDED JUNE 30, 2013 AND 2012

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
JUNE 30, 2013 AND 2012

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BROWN ARMSTRONG

Certified Public Accountants

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

Board of Directors
Napa County Transportation and Planning Agency
Napa, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Napa County Transportation and Planning Agency (NCTPA), as of and for the years ended June 30, 2013 and 2012, and the related notes to the financial statements, which collectively comprise the NCTPA's basic financial statements, and have issued our report thereon dated December 30, 2013.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the NCTPA's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the NCTPA's internal control. Accordingly, we do not express an opinion on the effectiveness of the NCTPA's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the NCTPA's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. For the fiscal year ended June 30, 2013, NCTPA's farebox ratio for Article 4 transit operations was 15.27%, while the requirement was at least 16%. Therefore, NCTPA was not in compliance with this requirement for the year ended June 30, 2013.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the NCTPA's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the NCTPA's internal control and compliance. Accordingly, this report is not suitable for any other purpose.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
December 30, 2013

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BROWN ARMSTRONG
Certified Public Accountants

INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH REQUIREMENTS THAT COULD HAVE A DIRECT AND MATERIAL EFFECT ON EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133

Board of Directors
Napa County Transportation and Planning Agency
Napa, California

Report on Compliance for Each Major Federal Program

We have audited the Napa County Transportation and Planning Agency's (NCTPA) compliance with the types of compliance requirements described in the OMB Circular A-133 *Compliance Supplement* that could have a direct and material effect on each of the NCTPA's major federal programs for the year ended June 30, 2013. The NCTPA's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of the NCTPA's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the NCTPA's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the NCTPA's compliance.

Opinion on Each Major Federal Program

In our opinion, the NCTPA complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2013.

Report on Internal Control Over Compliance

Management of the NCTPA is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the NCTPA's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the NCTPA's internal control over compliance.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Report on the Schedule of Expenditures of Federal Awards Required by OMB Circular A-133

We have audited the financial statements of the NCTPA as of and for the year ended June 30, 2013, and the related notes to the financial statements, which collectively comprise the NCTPA's basic financial statements. We issued our report thereon dated December 30, 2013, which contained unmodified opinions on those financial statements. Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by OMB Circular A-133 and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures we applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated in all material respects in relation to the basic financial statements as a whole.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of OMB Circular A-133. Accordingly, this report is not suitable for any other purpose.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
December 30, 2013

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
FOR THE YEAR ENDED JUNE 30, 2013

Federal Grantor/Pass-Through Grantor/Program Title	Federal CFDA Number	Pass-Through Grantor's Number	Disbursements/ Expenditures
U.S. Department of Transportation			
Direct Programs:			
Federal Transit Administration	20.507*	CA-90-Z056	$ 1,876,965
Federal Transit Administration	20.507*	CA-90-Y321	91,652
Federal Transit Administration	20.507*	CA-04-0182	1,935,999
Federal Transit Administration	20.507*	CA-90-Y927	5,378
Federal Transit Administration	20.507*	CA-04-0217	243,008
Total Direct Programs			4,153,002
Passed through Metropolitan Transportation Commission			
Highway Planning and Construction	20.205	--	722,499
Federal Transit Administration	20.205	04-6429R	243,521
Federal Transit Administration	20.516	640668	6,401
Federal Transit Administration	20.509	643149	303,427
Federal Transit Administration	20.509	641003	110,663
Federal Transit Administration	20.509	640416	69,812
Federal Transit Administration	20.526*	Pending	170,991
Congestion Management Air Quality	20.219	CML-6429(008)	74,695
Total Metropolitan Transportation Commission			979,510
Total U.S. Department of Transportation			5,855,011
Total Expenditures of Federal Awards			$ 5,855,011

* Denotes a major program

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
NOTE TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
FOR THE YEAR ENDED JUNE 30, 2013

NOTE 1 – BASIS OF ACCOUNTING

The accompanying Schedule of Expenditures of Federal Awards is presented using the accrual basis of accounting. The information in this schedule is presented in accordance with the requirements of U.S. Office of Management and Budget (OMB) Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations.* Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in the preparation of, the financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED JUNE 30, 2013

SECTION I

Summary of Auditor's Results

Financial Statements

1. Type of auditor's report issued:	Unmodified
2. Internal control over financial reporting:	
a. Material weaknesses identified?	No
b. Significant deficiencies identified not considered to be material weaknesses?	No
3. Noncompliance material to financial statements noted?	No

Federal Awards

1. Internal controls over major program:	
a. Material weaknesses identified?	No
b. Significant deficiencies identified not considered to be material weaknesses	No
2. Type of auditor's report issued on compliance for major program:	Unmodified
3. Any audit findings disclosed that are required to be reported in accordance with Circular OMB A-133, Section 510(a)?	No
4. Identification of major program:	

CFDA Number	Name of Federal Program
20.507	Federal Transit Administration-Formula Grant
20.526	Bus and Bus Facilities Formula Grants

5. Dollar threshold used to distinguish between type A and Type B programs:	$300,000
6. Auditee qualified as a low-risk auditee under OMB Circular A-133, Section 530?	No

SECTION II

Financial Statement Findings

No matters were reported.

SECTION III

Federal Award Findings and Questioned Costs

No matters were reported.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS
FOR THE YEAR ENDED JUNE 30, 2013

No matters were reported.

February 19, 2014
NCTPA Agenda Item 9.2
Continued From: New
Action Requested: APPROVE

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
Board Agenda Letter

TO: Board of Directors

FROM: Kate Miller, Executive Director

REPORT BY: Karrie Sanderlin, Program Manager - Human Resources, Civil Rights, and Board Secretary
(707) 259-8633 / Email: ksanderlin@nctpa.net

SUBJECT: Revised NCTPA Personnel Policies Manual

RECOMMENDATION

That the NCTPA Board approve the revised NCTPA Personnel Policies Manual (Attachment 1)

EXECUTIVE SUMMARY

A refinement of NCTPA Personnel Policy Manual is being proposed to better serve the needs of the Agency. This revised Manual was developed to be more consistent with policies and benefits offered by NCTPA and to improve the function of the agency.

The revised Personnel Policies and Procedure Manuel contains updated information on the following topics:

- At Will employment status
- Probationary Period definition
- Section 2.10 Performance Evaluations
- Section 3.3.2 Wage Rates
- Addition of Section 4.3 Mutual Respect and Courtesy Rule
- Addition of Section 6.4 Employee Purchase Program
- Revision to Section 7.10 Leave of Absence without Pay-Accrual of Vacation and Sick Leave
- Revision to Section 8.2 Retirement

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Motion, Second, Discussion and Vote

FISCAL IMPACT

Is there a Fiscal Impact? No

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

A refinement of NCTPA Personnel Policy Manual is being proposed to better serve the needs of the Agency. This revised Manual was developed to be more consistent with policies and benefits offered by the NCTPA and to improve the function of the agency.

The revised Personnel Policies and Procedure Manuel contains updated information on the following topics:

1. **At Will employment:** At Will employment status is redefined to include the following:
   a. Executive Director
   b. Part time, temporary, and special status hires separate from a regular, full-time, permanent staff member and dependent on specific hiring conditions

   At Will employment status for employees hired after August 22, 2010 and before February 19, 2014 has been rescinded and employment status has been reclassified to For Cause.

2. **Probationary**
   Definition of probationary has been expanded to include the following language: Employees may also be subject to a performance related probationary period if an employee's performance is not meeting the employee expectations and job requirements of a position regardless of how long that person has been employed by the agency. The length of the probationary period is at the discretion of the supervisor and/or the executive director.

3. **Section 3.3.2 Wage Rates**
   Salary ranges may be adjusted by the Bay Area Consumer Price Index, and/or the average of salary adjustments for Napa County, Sonoma County Transportation

Authority, and Solano County Transportation Authority as published at the time of the Executive director's development of the recommended annual Salary and Benefits package. Actual salary increases given to an employee within a salary range will be determined by the employee's manager and/or executive director based upon performance.

4. Section 4.3 Mutual Respect and Courtesy Rule

Section 4.3 Mutual Respect and Courtesy Rule was added to Chapter 4 Standards of Conduct. It is the Agency's philosophy and practice to treat one another with respect. Examples of behavior that is not tolerated include but are not limited to the following:

- Personal insults
- Invading one's "personal territory"
- Uninvited physical contact
- Threats and intimidation, both verbal and nonverbal
- "Sarcastic jokes" and "teasing" used as an insult delivery system
- Withering Email flames
- Status slaps intended to humiliate other employees
- Public shaming or "status degradation"
- Rude interruptions
- Two-faced attacks
- Dirty looks
- Treating people as if they are invisible
- Raised voices so as to intimidate, belittle or humiliate

These behaviors damage fellow human beings and undermine organizational performance which result in poor production and have a bigger impact on ones mood than positive interactions.

5. Section 6.4 Employee Purchase Program

NCTPA will reimburse managers and exempt employees for up to $599 plus tax for the purchase of a mobile device to encourage the proficiency of its management and exempt employees and for interfacing with Granicus or like software to access and maintain Board and advisory committee packets. NCTPA will **not** reimburse employees for costs of data plans, additional software, extra equipment, extra warranties or other peripheral equipment. Mobile devices are eligible to be replaced on a three-year cycle from the date of purchase. This is done to ensure that systems used for daily business are up-to-date and under warranty.

6. Section 7.10 Leave of Absence without Pay-Accrual of Vacation and Sick Leave

As NCTPA contracts with the County of Napa for payroll services, this section updates the Leave of Absence without Pay accrual of vacation and sick leave percentages to be consistent with that of the County of Napa payroll program.

An employee taking leave without pay shall earn vacation leave and sick leave during the week in which the leave of absence occurs according to the following weekly schedule. Such vacation leave and sick leave shall be calculated to the nearest tenths as shown in the chart below:

HOURS OF LWOP	PERCENTAGE OF ACCRUAL
2 – 3.9	90
4 – 7.9	80
8 – 11.9	70
12 – 15.9	60
16 – 19.9	50
20 – 23.9	40
24 – 27.9	30
28 – 31.9	20
32 – 35.9	10
36 – 40.0	0

7. **Section 8.2 Retirement**
This section was updated to include the three benefit formulas for which NCTPA is currently under contract with CalPERS. Benefit formulas are as follows:
   - For employees hired prior to May 21, 2011 the minimum retirement age is 55 with a benefit formula of 2.5% at 55 (Tier 1)
   - For employees hired between May 21, 2011 and December 31, 2012 the minimum retirement age is 60 with a benefit formula of 2.0% at 60 (Tier 2)
   - For employees hired on or after January 1, 2103 the minimum retirement age is 62 with a benefit formula of 2% at 62 (PEPRA New Members)

Also included in this updated section are the current contribution rates as follows:
The Agency pays the employer’s contribution share at the current rate of:
   - 14.083% for Tier 1 members of reportable earnings
   - 8.049% for Tier 2 members of reportable earnings
   - 6.25% for PEPRA members of reportable earnings

The Employee pays the employee’s contribution share at the current rate of:
   - 8% for Tier 1 members of reportable earnings
   - 7% for Tier 2 members of reportable earnings
   - 6.25% for PEPRA members of reportable earnings

In some instances language was either clarified or updated to be consistent with current federal and state laws.

SUPPORTING DOCUMENTS

Attachment: (1) NCTPA Personnel Policies Manual Revised February 19, 2014

NCTPA
POLICIES, PRACTICES AND PROCEDURES MANUAL

PERSONNEL

CHAPTER 1 INTRODUCTION

Section 1.1. Overview of Personnel Policies

1.1.1 Statement of Policy

The following employment policies, procedures and rules for the administration of employer/employee relations will be referred to as these "Personnel Policies and Procedures." These Personnel Policies and Procedures are for the guidance of the management and supervisory staff and for employees of the Agency and their employee organizations.

1.1.2 Construction and Limitations

The Personnel Policies and Procedures shall be subject to the following limitations, conditions, constructions and interpretations:

A. The Agency reserves the right to rescind, revise or supplement the Personnel Policies and Procedures at any time and from time to time.

B. The Personnel Policies and Procedures do not constitute a contract with with any employee.

C. Employees who are appointed and serve "At Will" have the right to terminate employment with NCTPA at any time, with or without advance notice and with or without cause. NCTPA, as the employer, likewise has the right to terminate the employment of an At Will employee at any time, with or without advance notice and with or without cause. No one in the Agency other than the appointing authority, e.g. either the NCTPA Board of Directors or Executive Director, may alter that At Will arrangement, or enter into an agreement for employment for a specified period of time, or make any agreement contrary to this provision. To the extent any Personnel Policies and Procedures set forth in this document are contrary to or inconsistent with the At Will status of an employee, such policies and/or procedures shall not apply to such employee.

D. These Personnel Policies and Procedures supersede and replace any earlier policies, rules, regulations, handbooks, manuals, guidelines and practices relating to employment with the Agency.

E. In the event any section or provision of this manual is declared invalid by a court of competent jurisdiction or is contradictory to any federal or state law or regulation, the remaining provisions shall not be invalidated and shall remain in full force and effect.

1.1.3 Implementation of the Policies

The Executive Director is responsible for developing and amending the administrative procedures that provide the steps and guidelines for carrying out the policies contained in this document. Administrative procedures, which could significantly affect employees or financially impact the NCTPA, will be referred to the NCTPA Board for approval.

CHAPTER 2 EMPLOYMENT STATUS

Section 2.1. Definitions

For the purposes of these rules the following definitions shall apply:

Agency: Napa County Transportation and Planning Agency

Applicant: A person who has made a formal request on a prescribed form in order to qualify for Agency employment.

Appointment: The offer to a person, and his/her acceptance of a position in accordance with the provision of these rules.

At Will: An employment relationship which either party (employer or employee) has the right to terminate at any time, with or without prior notice and with or without cause. This arrangement is called “employment At Will”. An At Will employee serves at the pleasure of the appointing authority (in the case of the Executive Director, the appointing authority is the NCTPA Board of Directors; in the case of all other At Will employees, the appointing authority is the Executive Director, unless otherwise appointed by the NCTPA Board of Directors). An At Will employee is not afforded probationary or permanent employee status. At Will employment status is defined as follows:

a. At Will employees include the Executive Director.
b. Part time, temporary, and special status hires separate from a regular, full-time, permanent staff member and dependent on specific hiring conditions.

Board: The NCTPA Board of Directors Members.

Candidate: Any applicant who has been admitted to an examination.

Compensation: Any salary, wage or other emolument paid to an employee for performing the duties of a position.

Continuous Employment: Employment uninterrupted from the date of appointment, except for authorized absence.

Demotion: A change from a position in one class to a position in a lower class.

Discharge: The termination of employment of an employee for disciplinary purposes.

ED: Executive Director

Eligibility List: A list of names of candidates who have been qualified for a specific job.

Employee: Any person who occupies a position in the Agency service and receives compensation for services performed for the Agency.

Employee Representative: An individual who appears on behalf of the employee.

Examination: A test or group of tests to determine the fitness and relative ability of persons seeking employment or promotion.

Exempt Employee: An employee who is not subject to the overtime provisions of the federal Fair Labor Standards Act.

Grievance: A complaint of an alleged violation of a rule or regulation upon which he/she desires official action to be taken.

Layoff: An actual separation from Agency service, an involuntary permanent reduction in work hours, or a demotion in lieu of layoff.

Leave-of-Absence: Permitted absence from duty for a specified period of time.

Minimum Qualifications: Standards of education and experience, knowledge, skills and abilities, and personal and physical characteristics as are prescribed in the class specifications.

Position: A group of current duties and responsibilities assigned or delegated by competent authority requiring the full-time or part-time employment of one person.

Permanent: The status of an employee who is lawfully retained in his/her position after the completion of the probationary period as provided in these rules.

Probationary: The status of an employee who has been certified and appointed as a probationary employee in accordance to these rules. Probationary status constitutes a trial period of six (6) months full employment and is to be considered part of the selection process. Employees receiving a promotion are also subject to a probationary period of six months. A probationary employee may be separated by the Agency from employment service at any time during the probationary period without right of appeal or hearing. Employees may also be subject to a performance related probationary period if an employee performance is not meeting the job requirements of a position regardless of how long that person has been employed by the agency. The length of the probationary period is at the discretion of the supervisor and/or the executive director.

Promotion: Changing from a position in one class to a vacant position in a higher class with a higher salary range without a break in service.

Re-employment Eligibility Lists: Lists established as a result of laying off probationary or permanent employees.

Regular Position: A budgeted position.

Resignation: Separation of an employee made at the request of the employee.

Salary Merit Increase: An increase in salary within the salary range prescribed for the class, based upon performance during the first six months of employment, unless initially appointed above the minimum step, and annual adjustments thereafter (based on the Performance Evaluation) until attainment of the top step of the salary range.

Separation: Any termination of employment.

State: The State of California.

Status: The condition of an employee's appointment, such as part-time, At Will, or probationary, permanent, or temporary.

Suspension: An enforced leave of absence without pay for disciplinary purposes.

Temporary: "Temporary" is the status of those persons employed for a temporary period (limited term) to perform a specific task, job or assignment. Such employees are not entitled to holiday pay and shall not earn vacation, personal or sick leave. In addition temporary employees shall not be eligible for salary merit increases nor entitled to participate in the Agency's retirement program. Temporary employees serve At Will.

Termination: Ending the employment of an employee by the agency.

Transfer: A change from one position to another in the same or similar class without any break in service. Such change in classes must have the same salary range and similar qualifications.

Vacancy or Vacant Position: Any unfilled allocated position in the Agency. A position shall be deemed vacant when it is not filled by an employee in the class to which the position has been allocated.

Year: A twelve (12) month period unless otherwise designated.

Section 2.2. Hiring Process

2.2.1 Statement of Policy

This process sets forth procedures to follow when filling position vacancies other than the Executive Director. A vacancy occurs when a job opening will be filled by adding staff or by replacing an employee by either hiring an employee from outside the Agency or by transfer of an existing employee.

2.2.2 Personnel Request

A. Initiation

A request for personnel will be initiated by the Executive Director when a vacancy is to be filled.

2.2.3 Employee Selection

A. Job Vacancy Posted

Job vacancies will be posted on appropriate Agency bulletin board for the purpose of informing existing employees who may wish to submit an application.

B. Advertising

The Executive Director may advertise the job vacancy and, if necessary, list the vacancy with the California Employment Development Department. Temporary and/or part-time openings may be listed with the local colleges, or other appropriate educational institutions.

C. Employment Application

All applicants, internal and external, will be required to complete an employment application for each vacancy applied. Employment applications are available in the Agency's Human Resources office and on the NCTPA web page.

D. Screening Applicants

The Human Resources department shall submit appropriate screening criteria and interview questions to the ED for approval. The ED will screen the applications to identify those that meet the criteria.

E. Interviewing

The ED, or his/her designee, and an additional panel of interviewers if appropriate, will interview employees and applicants that have been selected from the screening process. Interviewers not able to fairly assess the applicant due to a personal relationship or other reason will be disqualified from participating on the panel.

F. Documenting the Interview

During or immediately after each interview, each interviewer shall complete the Interview Rating Sheet which is provided to assist in arriving at a final decision. Appropriate numerical values representing the degree of each evaluation factor, based on the interview, job-related experiences or skills, or other pertinent criteria depicting the candidate's qualifications, shall be entered on the Interview Rating Sheet form. The order of qualified candidates shall be from the highest to the lowest total point value.

G. Selection

The decision concerning which candidate to select rests with the ED.

H. Notification.

Once the decision to hire or promote has been approved, it will be the responsibility of the Human Resources department to notify the prospective employee of his/her acceptance (pending any required background check and the unsuccessful applicants of their rejection.

2.2.4 Placing Employee on the Payroll

A. Duties of the Executive Director or Designee:

1. The prospective employee will be given a conditional offer of employment conditioned upon the successful completion of a background check.
2. A background check may be conducted. If the prospective employee passes this part of the screening process, he or she may be required to take a a medical exam
3. Upon successful completion of the background check and medical exam, the following steps will be taken:

   (a) The ED will send an offer letter to the prospective employee, which must be signed and returned.

   (b) A start date is coordinated with the Human Resources department.

   (c) The prospective employee will be given an orientation interview covering the information identified in Section 2.3.2 of these Policies and Procedures.

Section 2.3. New Employee Orientation

2.3.1 Statement of Policy

All new employees will participate in a new employee orientation meeting with representatives from Agency administration and the employee's Supervisor.

2.3.2 Content of Orientation

The subjects that should be covered during such orientation, as applicable, include the following:

A. Information to Be Covered By Administration

- Job description
- Workplace harassment policies/training
- Personnel Policies and Procedures
- Personnel records and files
- The probationary period and extension (applicable to rehires, promotions, and transfers, as well as for new hires (other than At Will hires).
- Wages and salaries
- Performance evaluation
- Safety
- Employee communications and office decorum
- General working conditions
- Organizational chart

B. Information to Be Covered Regarding Benefits:

- Group insurance programs
- Employee's retirement and deferred compensation plans
- Workers' Compensation medical and disability coverage
- Payroll forms such as W-4, automatic deposits, etc.

C. Information to Be Covered By Human Resources

When the employee reports to work, the Human Resources department will review with the employee the general employment conditions, as applicable, including but not limited to:

- Introduction to fellow workers
- Organization and purpose of the Agency
- Specific job duties, training and performance standards
- Attendance
- Safety
- Other related policies and procedures applicable to the employee
- Employee assignments

Section 2.4. Probationary Period

2.4.1 Statement of Policy

The probationary period is the final and most important phase of the selection process and is used for assessing the performance, ability, conduct and fit of the employee in the position to which appointed. During the probationary period the employee may be separated by the Agency at any time and for any reason, with or without cause.

All appointments to full-time and part-time positions, other than At Will appointments, are subject to the provisions of Section 2.4 and serving a probationary period.

2.4.2 Duration of Probationary Period

A probationary period shall be for six (6) months for all employees, and shall begin on the first date of employment or promotion. An employee shall not attain regular full-time status in the new position until he or she has completed a probationary period of six (6) months continuous service in that position.

The term "continuous service" as used in this section means a period of six (6) months of work uninterrupted by a leave of absence. Where such interruptions occur, the Agency may extend the probationary period.

2.4.3 Termination of Probationary Period

Permanent status of the probationary employee shall begin after receipt of a positive evaluation no sooner than the end of the probationary period.

A probationary employee may be separated by the Agency from service at any time during the probationary period without right of appeal or hearing.

2.4.4 Rejection of Probationer Following Promotion

For any employee who fails to satisfactorily complete the probationary period following a promotion, the provisions of Section 2.8.5, Procedure When Employee Does Not Pass Probation, shall apply.

2.4.5 Effect of Leaves of Absence on Probationary Period

An employee who is on leave of absence without pay during his/her probationary period may have the probationary period extended by his/her supervisor. The extension may be up to the amount of time of the leave without pay. The Agency shall notify the employee of the extension in writing prior to the end of the probationary period as provided in Section 2.4.2.

Section 2.5. Job Classification

It is recognized that the creation and/or redesign of job classifications for all Employees, including the establishment of duties and the qualifications required therefore, are exclusive functions of Agency management.

All positions are evaluated according to necessity, relative skills required to do the work, and in some case, the market. Positions that are similar in type of work, level of difficulty and level of responsibility are grouped together in the same class. All positions in the same class are treated alike in such matters as salary and minimum qualifications.

The ED and Human Resources will periodically review the work performed by employees to determine whether they are appropriately classified. If the duties of a position are found to have changed substantially, or the need for maintaining the position is at issue, the supervisor may recommend that the position be re-evaluated, reclassified, or abolished. Similarly, job descriptions will be prepared for any new positions which will be evaluated and classified according to their relative worth.

Section 2.6. Job Descriptions

Job descriptions define essential and other duties that an employee is required to perform in each classification as a condition of continued employment. They are not intended to limit the work which may be performed since other tasks may be assigned that are similar in nature or as needed.

Full job descriptions and salary ranges are available for review on the Agency H drive in the following location; H:\NCTPA\1300_Human Resources\Job Description & Org Chart\2013\Job Descriptions FY 2013-14

Section 2.7. Assignment and Transfer

2.7.1 Statement of Policy

While it is management's intent to schedule work and assign personnel in such a manner as to achieve maximum utilization of the respective employee's abilities, and while it is management's intent to encourage an employee's progression upward in the same line of work, it is recognized that conditions which affect Agency's operations will require flexibility in work assignments to permit cross-training and to stabilize the workload among departments. It is therefore also recognized that as conditions require, management will assign, and Management Employees and Non-Management Employees will perform, duties which may not be within the usual scope of classification responsibilities.

2.7.2 Temporary Assignments

If an employee is temporarily assigned to the full duties and responsibilities of a higher classification, he /she will be paid a higher rate for the entire period when working in the higher wage classification. If assigned to a lower wage classification, the employee will not earn less than he or /she would normally earn in a pay period in his/her regular classification.

A temporary job classification assessment form must be submitted to and approved by the ED in advance.

Section 2.8. Promotion

2.8.1 Statement of Policy

It is the intent of the Agency that vacancies shall be filled by internal promotion of qualified Agency employees when feasible.

2.8.2 Application Procedure

When the Agency intends to fill a job opening, a notice of such opening listing essential qualifications and functions of the job shall be placed on appropriate Agency bulletin board. Employees shall have five (5) working days to apply for the position from the date of posting. All interested employees must file an application to be considered for the open position. In the event that no employees apply or are qualified for the position, the Agency may seek other applicants. The five (5) day in-house posting period may be reduced or waived when management is faced with emergency circumstances.

2.8.3 Criteria for Selection

A. Minimum Qualifications

To be considered a qualified applicant for any opening, an applicant must possess the minimum qualifications established for the position and, if applicable, pass any physical examination or drug and alcohol test that may be required as a conditional offer of employment.

B. Other Qualifications

The employee's qualifications will also be assessed in accordance with the priorities listed below:

- Test score, if test is given
- Related experience
- Ability to progress in position
- Documented performance
- Oral interview
- Experience and performance in previous Agency employment; and
- If all else is equal, upon length of employment with the Agency.

2.8.4 Probationary Period

Employees promoted to another position within the Agency shall serve a probationary period in the new position for the purpose of allowing the Agency to assess the employee's performance, ability, conduct and fit in the new position as provided in Section 2.4.2.

2.8.5 Procedure When Employee Does Not Pass Probation

If the employee is unsuccessful in the new position, the following procedure will apply:

A. If a Vacancy Exists

The employee will be returned to his or her former position provided a vacancy still exists.

B. If a Vacancy Does Not Exist in the Former Position

1. The employee will be afforded the opportunity to compete in a vacancy for another position for which the Agency determines he or she is qualified.

2. If no other vacancy exists, or if the employee is unsuccessful in the bidding process for a vacant position, the employee may be laid off. Layoff; however, for a period of one year following layoff, the employee will be eligible to be rehired in the first available opening for which he or she is determined to be qualified.

Section 2.9. Anti-Nepotism Policy and Non-Fraternization Policy

2.9.1 Statement of Policy

The Agency's policy is to hire, promote and transfer employees on the basis of individual merit and to avoid any hint of favoritism, conflict of interest or discrimination in making such decisions. The employment of relatives, spouses or domestic partners is regarded as a potential violation of this policy. Even if favoritism, an actual conflict of interest, or discrimination is not shown, the existence of the situation may precipitate an appearance of unfairness or conflict of interest.

2.9.2 Relatives, Spouses or Domestic Partners in Same Department, Work Area or Facility

An employee's relatives, spouses or registered domestic partners (as defined under state law) may only be employed within the same work area, department or Agency facility when the following criteria are met:

1. Such employment does not adversely affect safety, morale, security, internal financial control, or supervision and the individuals involved do not work in direct supervision of each other.
2. An employee neither initiates nor participates in making institutional recommendations or decisions which would directly affect employment status of his/her spouse, registered domestic partner or relative(s). These recommendations/ decisions include, but are not limited to, selection, appointment, retention, tenure, work assignments, promotion, demotion or salary.

The Agency may prohibit assignment or reassign employees if, in its sole discretion, it finds that any of the above criteria are not met.

2.9.3 Application of the Policy

1. "Relatives" refer to persons related by blood or marriage, or any relative residing in the immediate household of the employee (including, but not limited to: wife, husband, parent, child, grandparent, brother, sister, in-laws, aunt, uncle, step relatives).
2. This policy also applies to persons who are registered domestic partners as defined under state law.

2.9.4 Marriage or Registered Domestic Partnership Arising Between Employees While Employed.

1. Should two employees marry or form a registered domestic partnership while both are employed by the Agency, they may

continue their employment in the same jobs provided that the criteria set forth in Section 2.9.2 are met.

2. If the criteria are not met, one of the employees in the marriage, or registered domestic partnership, must change jobs, work locations or leave the Agency. The couple will make a decision within thirty (30) days of the marriage or partnership, as to which of the two of them will change positions. If this decision is not made within 30 days, based upon its business needs, the Agency reserves the right to determine which employee will be transferred or whose employment will be terminated based upon the operational interests and needs of the Agency.

2.9.5 Non-Fraternization

In order to promote the efficient operation of the Agency and its business and to avoid misunderstandings, complaints of favoritism, other problems of supervision, security and morale, and possible claims of sexual harassment – managers and supervisors are forbidden from dating or pursuing romantic or sexual relationships with employees whom they supervise, directly or indirectly. Employees who violate this provision will be subject to discipline, up to and including discharge.

Section 2.10. Performance Evaluation

An employee serving a six (6) month probationary period shall receive evaluations from their immediate supervisor at the end of three (3) months and also prior to the completion of the employee's probationary period. If the employee's performance review at the end of the three month period is at “Does Not Exhibit”, then that employee shall not pass probation. If an employee has more than two areas of “Building Competencies” in specific categories, such employee will have an interim review at four months from hire. Failure to reach an overall “Fully Exhibits” rating for management employees or “Meets Standards” rating for non-management employees, by the six month review will be considered as failing probation. An employee may be released from employment upon failing probation.

Evaluations for permanent employees shall be completed annually.

Such evaluations shall be on forms and under procedures prescribed by the Executive Director.

Salary movement through a pay grade will be based on performance which is reviewed on an annual basis on the employee's anniversary date.

Pay grade ranges are approximately 20% from beginning step to the top of the pay grade. An employee may receive an increase within their pay grade based upon their performance and NCTPA Board allocation of a salary pool. Once an employee reaches the top of their pay grade they will still be subject to annual performance reviews.

The pay grades will be adjusted annually and indexed to the average of County of Napa, Sonoma County Transportation Authority, and Solano County Transportation Authority increases for a given year or Bay Area Consumer Price Index (CPI) for all labor within Napa County, whichever is greater.

The results of the performance evaluation shall be taken into account in the following ways:

1. A discretionary leave of absence will be granted only to an employee whose last evaluation was at least satisfactory.
2. The general record of service as well as specific and immediate disciplinary charges will be taken into account when disciplinary action against an employee is proposed and the discipline, if any, is assessed.
3. Merit salary increases will be determined by the ED and can be awarded only to those employees whose current overall evaluation is at least “Fully Exhibits” or above for management positions, and at least a “Meets Standards” or above for non-management positions.
4. If a non probationary employee is at “Does Not Exhibit or Building Competencies” in two or more specific areas, or receives an overall rating of “Does Not Exhibit” that employee will be evaluated again within three months. Continued failure to meet performance expectations will lead to further disciplinary action up to and including discharge.

Section 2.11. Resignation

Any employee, other than the ED or At Will employees, wishing to leave service in good standing shall file with the Agency a signed written resignation giving at least two weeks notice of his/her intention to leave the service, unless the Agency consents to an earlier separation.

The written resignation shall be forwarded to the ED. The ED may request an exit interview with the separating employee.

Any employee who leaves service without so filing a written resignation shall have such fact entered in his/her service record and may, by action of the ED, be denied employment opportunities with the Agency in the future.

Section 2.12. Layoff

2.12.1 Statement of Policy

When it is necessary to reduce the working staff of the Agency for lack of work or lack of funds or for other causes outside of the worker’s control, the Agency shall determine the classes of positions in which the reduction is to be made and the number of positions to be affected, except that this Section 2.12 shall not apply to At Will employees. Reduction in staff within the designated classes of positions shall occur in the following order:

1. Employees who have temporary status.
2. Employees who are probationary.
3. Part-time regular employees.
4. Full-time regular employees.

2.12.2 Layoff Order

The Agency shall determine the employees to be laid off within a class of positions on the basis of an employee's performance and/or special qualifications needed by the Agency.

2.12.3 Notice

The Agency will give employees notice of any reduction in staff at least two weeks prior to the effective date.

2.12.4 Reinstatement from Layoff

Full-time employees who are laid off will be given the right of first refusal in filling future vacancies in the position from which he/she was laid off for a period of one year.

2.12.5 Benefits

During periods of lay off, health care coverage remains available if premiums are paid by the employee in accordance with carrier regulations and limitations and COBRA/Cal-COBRA laws as applicable. Such benefit will be available for a period of time consistent with COBRA/Cal-COBRA.

Section 2.13. Personnel Files

2.13.1 Statement of Policy

The Agency maintains personnel files on all employees. The files contain confidential information such as job applications, resumes, documentation of performance, salary changes, benefit elections and other employment records.

2.13.2 Employee Responsibility to Ensure Accuracy of Personnel Records

The accuracy of personnel records is essential for the proper handling of many items of great importance to employees, including the emergency notification of family, income tax deductions, insurance coverage, and other fringe benefits from the Agency. It is the employee's responsibility to keep the Agency updated on personal information so that the Agency may effectively handle those programs and tasks which are for the employee's benefit.

In order that the Agency may keep complete and current records, it is mandatory that the employee notify the Agency office immediately whenever there is a change in the employee's following information:

1. Address
2. Telephone Number (Note: As a condition of employment, it is necessary that the employee present a telephone number where he

can be reached by his Supervisor directly without having to go through other parties.)

3. Person to notify in the event of an emergency.
4. Name, through marriage or otherwise.
5. Marital status
6. Number of dependents
7. Insurance beneficiary
8. Military Status
9. Driver's license number and date of expiration when a condition of employment.

2.13.3 Duty to Provide Accurate Information

Any misrepresentations, falsifications, or material omissions by an employee on his or employment documents may result in disciplinary action up to and including termination of employment.

2.13.4 Access to Personnel Files

An employee may request to review his or her personnel file by submitting a written request twenty-four hours in advance to the Executive Director or designee. If an employee disagrees with any item contained in his or her personnel file, the employee may add a document containing his or her version of the disputed item.

CHAPTER 3 HOURS OF WORK AND COMPENSATION

Section 3.1. Work Schedules

3.1.1 Work Schedules

New employees will be advised of their work schedules when they commence employment with the Agency. From time to time, it may be necessary for the Agency to change employee work schedules. Employees are expected to cooperate with these changes and are expected to arrange their personal schedules to comply with their assigned work hours.

3.1.2 Standard Work Schedule

The standard work schedule is forty (40) hours. The core work hours are 10:00 a.m. to 4:00 p.m. with at least 30 minutes for lunch. The standard hours and/or days of a standard work schedule may be altered upon request by the supervisor and with approval of the ED. ALTERNATE WORK SCHEDULES (9-80's AND 4-10's) may be authorized by the ED and approval of such will be placed in the employees personnel file.

3.1.3 Standard Work Week

The Standard workweek is a seven-day period beginning at 12:00 a.m. on Wednesday and ending at 11:59 p.m. on Tuesday.

3.1.4 Flex Time

"Flex time" occurs where an employee varies his or her regularly scheduled start or end time. It is confined to a normal work week as defined above.

Flex time for employees is subject to prior approval by the ED. Prior written approval from the ED shall be obtained no later than the conclusion of the previous work shift.

Management and Supervisory employees are expected to be on duty at the times they can most efficiently discharge those tasks relative to supervising their employees and interacting with other Agency personnel and members of the public. If this is at a time other than normal business hours they can notify the ED and have their normal duty hours changed to so reflect.

Section 3.2. Meal and Rest Breaks

3.2.1 Meal Breaks

Employees shall take an unpaid 30 or 60 minute meal break. Such meal break shall be scheduled at approximately mid-way through the workday.

3.2.2 Rest Periods

Employees are permitted one 15-minute rest period for each four (4) hour work period. These breaks shall be scheduled about midway through each four (4) hour period.

3.2.3 Meal and Rest Breaks May Not Be Combined or Postponed

Rest and meal periods are provided so the employees may rest, obtain nourishment and rejuvenate during the workday. Employees may not combine rest periods or add them to meal breaks. Nor may employees postpone their rest or meal periods to the end of the workday in order to leave earlier.

Section 3.3. Compensation

3.3.1 Statement of Policy

As a public entity, the Agency is committed to rendering the highest level of service possible at a fair and reasonable cost. The Agency's ability to achieve this objective is affected by a number of factors, one of which is the quality performance of Agency employees. In order to attract and retain highly competent employees, promote continuous superior performance, and give full recognition to Agency financial constraints, the following criteria will be considered in establishing employee compensation:

1. The impact of compensation on the cost of services, financial position of the Agency, and overall operational cost.
2. Compensation paid for similar work in other public and private organizations.
3. The relative value of individual employee's services to the success of the Agency.
4. The general and specific performance of employees.
5. Status of the labor force, economic conditions, recruitment and retention experience, and other factors influencing the maintenance of a stable and efficient work force.

The Executive Director or his/her designee shall develop an annual Salary and Benefits package for submission to the Board each year. The schedule shall set forth the positions approved by the Board, together with proposed salary ranges and employee benefits, for the upcoming fiscal year beginning July 1. Salary ranges and employee benefits are to be reviewed and considered by the Board for adjustment for each fiscal year as part of the budget adoption.

3.3.2 Wage Rates

Employees will be paid within the salary range established for their job classification. A list of job classifications and applicable salary rates is maintained in the Agency's business office.

From time to time, salary rates may be adjusted to reflect inflation, deflation or other cost of living changes. The Bay Area Consumer Price Index, and/or the average of salary adjustments for Napa County, Sonoma County Transportation Authority, and Solano County Transportation Authority as published at the time of the ED's development of the recommended annual Salary and Benefits package shall be referred to in considering the possible adjustment of salary rates. Nothing herein shall constitute an implied or specific agreement by Agency to grant cost of living increases or as to the amount of any such increase. The purpose of this provision is to provide a framework for the development of the annual Salary and Benefits package that is subject to review and approval by the Board.

3.3.3 Pay Schedule

Wages will be paid on a bi-weekly basis. Wages will be paid within fourteen (14) calendar days following the end of the pay period. If paid by check in lieu of direct deposit, such paychecks not picked up by 4:00 p.m. on payday will be mailed.

3.3.4 Payroll Deductions

An employee's earnings and payroll deductions are shown on a check stub with the employee's paycheck. The check stub should be examined and retained for personal records.

The Agency will make the following deductions from an employee's earnings:

A. Mandatory Deductions

1. Federal Income Tax (Withhold Tax)
2. State Income Tax
3. State Disability Insurance (S.D.I.)
4. Garnishments/Wage Attachments

B. Employee Authorized Deductions

1. Employee deferred compensation contributions
2. Medical and dental insurance contributions
3. Jury duty payments to an employee who was provided paid time off for jury service
4. Other Deductions Agreed Upon in Writing by the Employee and permitted by law.

3.3.5 Updating Payroll Information

During the course of employment, changes affecting payroll status will probably occur from time to time. Examples are changes in marital status, name change due to marriage, changes in number of dependents and changes required to adjust an excessive or insufficient tax withholding situation. Questions concerning these changes should be directed to the Human Resources department.

Section 3.4. Timekeeping

3.4.1 Employees

A. Time Sheet

Each employee is responsible for preparing an individual time sheet weekly. The employee should accurately record regular and authorized overtime hours worked and leave usages. Time sheets must also show all of the following for each job performed during the week:

1. Work locations such as lateral name or improvement Agency number.
2. Job or task number.

B. Submission of Time Sheets

Each employee must electronically submit his or her time card, verifying its accuracy, and have the time sheet reviewed and approved by his/her supervisor. Employees are expected to submit their time sheets promptly as directed by the ED, or ED's Designee.

3.4.2 Consequences of Falsifying Time Records

Falsification of time sheets, recording time for another or signing the timesheet of another will result in disciplinary action up to and including discharge.

Section 3.5. Overtime

3.5.1 Statement of Policy

From time to time, overtime work may be necessary to complete a work assignment or tend to the public's needs. Overtime must be required by and authorized by the ED. All employees will be expected to work overtime under specific circumstances which shall be defined by the ED. Refusal to work, after requested to do so under those circumstances, will be grounds for disciplinary action.

3.5.2 Exclusion from Policy

For purposes of determining entitlement to overtime pay under the federal Fair Labor Standards Act (FLSA), employees will be either classified as exempt or non-exempt based upon the nature of their duties. Exempt employees, such as management positions, are not entitled to overtime pay.

3.5.3 Overtime Pay

An employee who works overtime shall be compensated at a rate of one and one half (1 ½) time the employee's standard hourly rate in cash or compensatory time off. Employees may elect to be compensated in cash or compensatory time off for any overtime worked and must make the election on the time card for the pay period in which it was worked.

Unless otherwise provided below, overtime is defined as any time actually worked in excess of orty (40) hours in an employee's standard workweek. For employees on an alternate work schedule (including four (4)-tem (10) and nine (9)-eighty (80) schedules), overtime is defined as any time actually worked in excess of an employee's standard work day in a consecutive twenty-four (24) hour period or forty (40) hours in an employee's standard workweek.

An employee who works more than the normal number of workdays during a normal workweek based on their assigned work schedule shall receive overtime compensation provided that the employee was not absent from work for more than one normal work day in that workweek due to vacation, compensatory time, holiday, sick leave, any other paid leave or a combination thereof.

Overtime pay must be approved in advanced by the ED prior to performing the work.

CHAPTER 4 STANDARDS OF CONDUCTS

Section 4.1. Equal Employment Opportunity

4.1.1 Statement of Policy

The Napa County Transportation & Planning Agency is an equal opportunity employer. The Agency does not discriminate against qualified applicants or employees with respect to any terms or conditions of employment based on an applicant's or employee's race, color, national origin, ancestry, religion, physical disability, mental disability, medical condition, marital status, domestic partner status, sex (including pregnancy, childbirth and related medical conditions), gender (including gender identity), age (over 40), sexual orientation, political affiliation, veteran's status, or any other characteristic protected by federal, state or local law.

The Agency subscribes to all federal and state laws that are intended to protect the right and opportunity of all persons to seek, obtain and hold employment without discrimination or abridgment because of the foregoing characteristics.

4.1.2 Employee, Supervisor and Management Responsibilities

All employees are charged with the responsibility of furthering equal employment opportunity by identifying and reporting incidents of discrimination. Agency managers and supervisors are further required to ensure that principles of equal employment opportunity and non-discrimination are followed with regard to recruitment, hiring, placement, promotion, transfer, demotion, layoff, termination, pay and other forms of compensation, training and general treatment of employees during employment.

In any instance where an employee believes that this policy has been violated, that employee is encouraged to consult with the Agency's Executive Director, or if the alleged violator is the Executive Director, the Chair of the Board with the assurance that no reprisals (retaliation) or otherwise adverse action will be taken against the employee.

Section 4.2. Anti-Harassment/Discrimination Policy

4.2.1 Statement of Policy

The Agency is committed to providing a work environment free from harassment and discrimination as defined by this policy. Agency policy prohibits discrimination, sexual harassment and harassment because of race, color, national origin, ancestry, religion, physical disability, mental disability, medical condition, marital status, domestic partner status, sex (including pregnancy, childbirth and related medical conditions), gender (including gender identity), age (over 40), sexual orientation, political affiliation, veteran's status, or any other characteristic protected by federal and state law. All such harassment and discrimination is prohibited. Persons protected from harassment and discrimination under this policy includes job applicants, employees and independent contractors. Applicants, employees or independent contractors are protected from harassment that is perpetrated by Agency officials, managers, supervisors, employees, and by non-employees when the harassment occurs in the course of Agency work. Employees who violate this policy will be subject to disciplinary action, up to and including termination.

4.2.2 Definitions

A. “Discrimination”

For purposes of this policy, discrimination may occur by either:

1. Treating members of a protected class less favorably because of their membership in that class. The protected groups are based upon race, age, religion, color, national origin, ancestry, physical or mental disability, medical condition, marital status, sex, sexual orientation, gender or self-identified gender.
   a) “Sex” is defined as including, but not limited to pregnancy, childbirth, or medical conditions related to such pregnancy, as well as one’s gender (see California Government Code, section 12926(p)).
   b) “Gender” is defined as including a person’s sex, gender identity and gender related appearance and behavior whether or not stereotypically associated with the person’s assigned sex at birth (see California Penal Code, section 422.56).
2. Having a policy or practice that has a disproportionately adverse impact on protect class members.

B. “Harassment”

Conduct which constitutes harassment in violation of this policy includes, but is not limited to:

1. Making or using derogatory comments, slurs, jokes or epithets which are related to an individual’s race, religion, gender, self-identified gender, sex, or is of a sexual nature, or are based on any other identified protected category, as set forth in section 4.2.2.A.1. above, or are otherwise deemed inappropriate.

2, Assaulting, touching, impeding or blocking movement, making derogatory gestures, or any physical interference with normal work movement which is motivated or related to an individual’s protected status as set forth in section 4.2.2.A.1, above.

3. Displaying derogatory posters, letters, poems, graffiti, cartoons or drawings that involve or relate to an individual’s protected status as set forth in section 4.2.2.A.1, above.

4. Sexual harassment as defined in section 4.2.2.C, below.

5. Retaliation against an employee, or person who provides services to NCTPA pursuant to a contract or other covered individual who:

    a) Files or responds to a bona fide complaint of harassment or discrimination; or

    b) Acts as a witness or otherwise cooperates in the investigation of a harassment or discrimination complaint; or

    c) Serves as an investigator in processing complaints of harassment or discrimination.

C. **Sexual Harassment”**

1. For purpose of this policy, sexual harassment is any behavior that includes unwelcome sexual advances and other verbal or physical conduct of a sexual nature when:

    a) Submission to, or rejection of, such conduct is used as the basis for employment decisions that influence or affect an individual’s career (such as promotions, salary, employment conditions or other aspects of a career development); or

    b) Such conduct unreasonably interferes with an individual’s job performance;

    c) Creates an intimidating, hostile or offensive work environment.

2. All of the conduct described in 4.2.2.B. (1)-(3), above, when it is of a sexual nature; or

3. Deliberate, repeated or unwelcome sexual advances, offering employment benefits in exchange for sexual favors or making or threatening reprisals after a negative response to sexual advances.

Sexual harassment can occur between employees of the opposite or same sex. It is prohibited for males to sexually harass females or other males, and for females to sexually harass males or other females.

4.2.3 Zero Tolerance

The Agency maintains a zero tolerance stance regarding violations of this policy. This means that serious cases of employee harassment, discrimination or retaliation related to a complaint made pursuant to this policy will lead to recommendations for immediate dismissal by the Executive Director.

Conduct of the nature prohibited by this policy will be considered misconduct and will subject an offending employee to disciplinary action even if the conduct does not rise to the level of legally actionable harassment, discrimination or retaliation.

4.2.4 Complaint and Investigation Procedure

Employees and contractors should not wait until a situation becomes severe or pervasive or impairs their work performance before reporting harassment or discrimination. The Agency's goal is to prevent harassment and, if it does occur, to stop it at the earliest opportunity.

If the employee believes that he/she has been harassed or discriminated under this policy, or if the employee believes he/she has witnessed harassment or discrimination, the employee should inform his/her supervisor, or the Executive Director of the Agency as soon as possible after the incident. The complaint should include details of the incident or incidents, names of the individuals involved and names of any witnesses. Supervisors or management employees who are aware or have been notified of any alleged incident of harassment or discrimination must immediately refer all such complaints or reports to the Executive Director.

If the Executive Director is the harasser, the employee can report the harassment/discrimination to the chairman of the Board of Directors. If the employee does not feel comfortable reporting the incident to his/her supervisor, or the Executive Director, he/she may report the incident to any other supervisory or management employee, or the chair of the Board of Directors.

Whenever the Agency is made aware of a complaint or report of harassment/discrimination under this policy, the Agency will conduct an immediate, thorough and objective investigation of the situation. Cooperation with such investigations is required of all employees.

If the Agency determines that harassment/discrimination prohibited by this policy has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the Agency to have engaged in prohibited harassment/discrimination will be subject to appropriate disciplinary action, up to and including termination.

In addition to the foregoing methods of complaint, an applicant, employee or contractor may choose to file a harassment/discrimination complaint with the California Department of Fair Employment and Housing at http://www.dfeh.ca.gov or the federal Equal Employment Opportunity Commission at http://www.eeoc.gov/.

4.2.5 Prohibition on Retaliation

The Agency strictly prohibits retaliation against any applicant, employee or contractor who complains of harassment or discrimination or participates in any manner in an investigation into workplace harassment/discrimination. Examples of retaliation prohibited by this policy include the following:

- Disciplining a complainant or rejecting a complainant for employment because it is believed the allegation of harassment is untrue or the allegation of harassment/discrimination is not supported by subsequent findings of an investigation;
- Subjecting complainants or witnesses to materially adverse employment decisions because of their participation in a workplace harassment/discrimination complaint or investigation;

- Ostracizing or demonstrating hostility to a complainant or witnesses because of their participation in a workplace harassment/discrimination complaint or investigation.

If the Agency finds that any employee, including a supervisor or manager, has engaged in retaliation, he or she shall be subject to disciplinary action, up to and including discharge.

4.2.6 Prevention

Prevention is the best method for avoiding harassment, discrimination and retaliation. Supervisory and managerial employees are charged with the responsibility of taking steps to prevent harassment/discrimination and retaliation from occurring in the workplace. Failure to take appropriate action to prevent and/or correct harassment/discrimination or retaliation shall be deemed a violation of this policy and shall subject the offender to disciplinary action up to and including discharge. If the Executive Director is the harasser, the employee can report the harassment/discrimination to the Chair of the Board of Directors who will investigate the complaint in the same manner that the Executive Director would investigate complaints filed by other employees. If the employee does not feel comfortable reporting the incident to his/her supervisor, or the Executive Director, he/she may report the incident to any other supervisory or management employee.

Section 4.3. Mutual Respect and Courtesy Rule

It is the Agency's philosophy and practice to treat one another with respect. Examples of behavior that is not tolerated include but are not limited to the following:

- Personal insults;
- Invading one's "personal territory";
- Uninvited physical contact;
- Threats and intimidation, both verbal and nonverbal;
- "Sarcastic jokes" and "teasing" used as an insult delivery system;
- Withering Email flames;
- Status slaps intended to humiliate their victims;
- Public shaming or "status degradation" rituals;
- Rude interruptions;
- Two-faced attacks;
- Dirty looks;
- Treating people as if they are invisible.
- Raised voices so as to intimidate, belittle or humiliate

These behaviors damage fellow human beings and undermine organizational performance which result in poor production and have a bigger impact on ones mood than positive interactions.

Employees who violate this policy will be subject to disciplinary action, up to and including termination.

Section 4.4. Reasonable Accommodation

4.4.1 Statement of Policy

In furtherance of the Agency's policy to provide equal employment opportunity, the Agency will provide reasonable accommodation to allow people with physical or mental disabilities to apply for employment and perform their jobs.

4.4.2 Conditions Covered By This Policy

A. Disability

The term "disability" means:

1. A physical or mental disorder or condition that limits one or more of the major life activities of such individual; or
2. A record of disorder or condition; or
3. Being regarded as having such a disorder or condition.

B. Conditions Excluded

Individuals who currently use drugs illegally are not protected by the disability laws and do not have rights to reasonable accommodation. This includes people who use prescription drugs illegally. However, persons who no longer use drugs illegally and have either successfully completed a supervised drug rehabilitation program, or are currently participating in a supervised rehabilitation program, or desire to voluntarily enter and participate in such a program do have protection as provided under applicable disability laws.

4.4.3 Examples of Reasonable Accommodation

Each request for an accommodation will be evaluated on a case-by-case basis. Reasonable accommodation may include:

- Making existing facilities used by employees readily accessible to and usable by individuals with disabilities;
- Job restructuring or modified work schedules;
- Acquisition or modification of equipment or devices;
- The provision of qualified readers or interpreters;
- Appropriate adjustment or modifications of examinations, training materials or policies; and/or
- Reassignment to a vacant position.

4.4.4 Requests for Reasonable Accommodation

To request reasonable accommodation under this policy, an applicant or employee must submit a written statement to the Human Resource Department which indicates the general nature of the physical or mental disability and identifies his or her abilities and functional limitations with respect to the job limitations of the c disability. The statement should also request reasonable accommodation because of the limitation(s) caused by the disability. The applicant or employee shall assist the Agency in determining if and what reasonable accommodation might be provided by identifying:

1. Any special methods, skills or procedures which would enable him or her to perform tasks or functions that he or she otherwise might not be able to perform because of his or her disability;
2. The potential accommodations the Agency might make that would enable him or her to perform the essential functions of the job, properly and safely, including special equipment, changes in the physical layout of the job or other accommodation; and
3. Any equipment aids or services that the applicant or employee is willing to provide and utilize that the Agency is not required to provide.

If the applicant or employee requires secretarial or other assistance in preparing the request due to his or her disability, such assistance will be provided upon request.

4.4.5 Medical Information

An applicant or employee who identifies himself or herself as having a disability and who requests reasonable accommodation will be required to provide documentation, including medical documentation, sufficient to establish the existence of the physical or mental disorder or condition, the limitations caused by the condition, and the need for accommodation.

Any information obtained regarding the medical condition of the applicant or employee will be collected and maintained on separate forms, in separate medical files, and treated as a confidential record. Such confidential information may be released as follows:

1. To inform the supervisors and managers of the disabled employee regarding any restrictions on the work or duties of the employee or accommodations necessary;
2. To inform first aid and safety personnel, when appropriate, if the disability may require emergency treatment;
3. To respond to requests from governmental officials investigating compliance with the disability laws; and
4. To workers' compensation offices and second injury funds as required by law or for insurance purposes under certain conditions

for those who establish, sponsor or administer health or life insurance benefit plans.

4.4.6 The Interactive Process

The Interactive Process can begin in a number of ways. However, unless the disability or the need for accommodation is obvious, it is the responsibility of the employee to inform the supervisor or the Human Resource Department that an accommodation is needed in order to perform the essential job functions. However, the duty to provide a reasonable accommodation may arise even when no request is made, e.g., when the supervisor, Executive Director, or Human Resources becomes aware of the disability, whether or not there is a request by the employee for a reasonable accommodation. Once the need for reasonable accommodation is known, the Agency, by and through the employee's supervisor, or Executive Director, and Human Resources department, will engage in the Interactive Process, which includes, but is not limited to:

1. Review of the essential functions of the position;
2. Engagement in an interactive dialogue with the employee to ascertain the precise job related limitations imposed by the employee's disability and how those limitation would be overcome with reasonable accommodation;
3. In consultation with the employee, identification of the potential reasonable accommodations and assess the effectiveness each would have in enabling the employee to perform the essential functions of the position;
4. Consideration of the preference of the employee to be accommodated regarding an alternative employment reassignment; and
5. Selection and implementation of the reasonable accommodation most appropriate for the Agency in collaboration with the employee's input.

4.4.7 Miscellaneous Guidelines

1. Reasonable accommodation does not negate requirements for good job performance, successful completion of assigned training, adherence to generally accepted standards of behavior and adherence to supervisory instructions.
2. An employee with a disability who is reassigned to a vacant, lower classified position as an accommodation will receive the lower salary of that position.
3. If the essential job functions and/or duties of a position occupied by an employee with a disability are expanded, revised or modified, the conditions and procedures stated shall apply to any evaluation of the employee's ability to perform the essential functions of the changed, revised or modified position and the Agency's

determination whether reasonable accommodation can be provided.

4. An employee who has a question regarding the application of the policy and procedure should contact the Executive Director.

Section 4.5. Appearance, Conduct and Hygiene

4.5.1 Statement of Policy

Agency employees often come into contact with the public, which judges the quality of the Agency service by the appearance and behavior of its employees and has the right to expect appropriate clothing, neat appearance, good manners, and service. Therefore, Agency employees will be expected to adhere to the following guidelines.

4.5.2 Guidelines on Appearance, Conduct and Hygiene

1. All employees are expected to exercise good hygiene and be well groomed.
2. All employees having long hair or wearing a moustache or beard must keep them clean, trimmed, combed, and otherwise groomed so as not to interfere with worker safety. Those employees who normally do not wear a beard or moustache and who normally shave must keep themselves clean shaven.
3. Employees must dress in a manner that is professional, functional, and affords them safety from unnecessary risk of injury. Office employees should not wear shorts, sweat pants, tank tops, shabby denims, or suggestive or inappropriate clothing.
4. When, on occasion, employees have to deal with discourteous persons, it is especially important for them to maintain their friendly attitude. Continuing courtesy on the part of employees will do much to promote an excellent relationship between the Agency and the community.

Section 4.6. Attendance and Punctuality

4.6.1 Statement of Policy

In order to offer high quality service, the Agency's operations must be appropriately staffed. Absenteeism and tardiness cause undue burdens on co-workers and impede the service the Agency provides to the community. Therefore, regular attendance and punctuality are job requirements for all employees of the Agency.

4.6.2 Reporting Requirements

1. Employees are expected to report to work on time and ready for duty at the time prescribed.
2. Employees may not leave work without prior supervisory approval during working hours or prior to the end of a scheduled work time.

3. Employees who foresee the need to be absent, tardy or leave early from work should notify the Administrative Assistant or Human Resources Manager of the anticipated absence as far in advance as practicable and obtain approval for such absence.

4. An employee who will be absent or late to work must notify the Administrative Assistant or Human Resources Manager prior to the start of the employee's shift. This process must be repeated daily unless the employee is on an approved leave of absence. An employee must keep the Administrative Assistant or Human Resources Manager informed of when he or she plans to return to work. An employee who does not return to work from a leave of absence on the approved date shall be deemed absent without leave (AWOL) and shall be subject to automatic resignation.

5. An employee who is physically unable to provide notice of an absence prior to the start of the employee's work day must provide notice as soon as practicably possible.

6. Absences, including tardiness, must be accurately reported on time sheets in 15 minute increments. Employees who are tardy will not be paid for the time they are absent.

4.6.3 Discipline

Failure to provide a supervisor with advance notice of an absence or late arrival for work, frequent or prolonged absenteeism or tardiness, or falsification of time records may result in disciplinary action up to and including discharge.

Employee absences which are protected by law (e.g., military leave, workers compensation leave, family medical leave, "kin care" leave, pregnancy disability and other approved disability leaves, witness or jury duty leave, voting leave, court appearances for crime victims, and leave for certain school activities) will not be counted in determining whether the employee is meeting job requirements for attendance.

Section 4.7. Secondary Employment

4.7.1 Statement of Policy

The Agency expects its employees to devote full attention to their Agency responsibilities during regularly scheduled work hours. The Agency will not tolerate any secondary employment which interferes in any way with the performance of duties for the Agency including, but not limited to, the following:

1. Actual conflict in hours of employment;

2. Being tired or unfit for duty because of outside employment;

3. Where the secondary employment creates an actual or apparent conflict of interest in regard to Agency employment.

4.7.2 Notification and Approval

Employees must notify the Agency of all secondary employment. Any employee who engages in after or before hours work at a secondary job must accomplish the following:

1. Receive the written permission of the Executive Director prior to accepting secondary employment. In the case of the ED he/she must receive authorization from the Board of Directors;
2. When requested by the Executive Director, obtain from the secondary employer a waiver of liability for the Agency;
3. It is incumbent on the employee to make it clear to the secondary employer that he, the employee, is not performing any duties as a representative of NCTPA;
4. Once approval is granted by the ED, immediately notify the ED if the secondary employment poses an actual or potential conflict with regards to the employee's Agency employment.

Section 4.8. Causes for Discipline

4.8.1 Statement of Policy

The purpose of this policy is to establish standards of conduct and work performance for employees that are consistent with the efficient and effective delivery of public services. When conduct or job performance does not meet these standards, the Agency will endeavor to provide employees with a reasonable opportunity to correct the deficiency in the Agency's sole judgment.

4.8.2 Standards of Conduct

The standards set forth below are intended to provide employees with notice of what is expected of them and provide examples that may lead to disciplinary action, up to and including discharge. This list is not meant to be exhaustive or all inclusive, but rather it is a set of examples of unacceptable behavior for which disciplinary action could result

1. Poor performance; unsatisfactory work quality or quantity;
2. Neglect of duty, including sleeping on the job;
3. Insubordination;
4. Excessive absenteeism or tardiness;
5. Unexcused absences, failing to properly report absences, or leaving work early without permission;
6. Failure to keep supervisor aware of employee's whereabouts during duty time when availability may be required;
7. Misuse of or damage to Agency tools, vehicles, equipment or other property;
8. Moving violations or accidents in an Agency vehicle;

9. Violation of safety rules or practices;

10. Falsifying, altering or making a material omission on employment, medical, financial, payroll, timekeeping, or other Agency records;

11. Performing non-Agency work during work hours;

12. Dishonesty;

13. Special treatment or favoritism of one customer over another;

14. Use, possession, sale or being under the influence of alcoholic beverages or illegal drugs during work hours or on Agency premises (including vehicles) or other violation of the drug and alcohol policy;

15. Violation of the anti-harassment or discrimination policies;

16. Fighting, engaging in violent or threatening behavior or other conduct in violation of the Agency's workplace violence policy;

17. Discourteous treatment of the public or other employees, as defined by the Mutual Respect and Courtesy Rule (Section 4.3);

18. Conviction of a crime that reflects unfitness for the employee's position or unfitness to work around the Agency's employees, property or the public;

19. Other failure of good behavior during or outside of duty hours which is of such a nature that it causes discredit to the Agency and his or her employment; and

20. Other violation of Agency policies or rules.

Section 4.9. Discipline

4.9.1 Statement of Policy

The purpose of this policy is to establish procedures for the discipline of employees; *except Section 4.8 shall not apply to At Will or temporary employees*. When the job performance or the conduct of a probationary or permanent employee falls below standards set by the Agency, including the Standards of Conduct set forth in Section 4.7, then depending on the severity of the misconduct or performance problem, the Agency may take disciplinary action, up to and including discharge.

4.9.2 Progressive Discipline

The Agency will endeavor to afford the employee with an opportunity to improve when dealing with performance or conduct problems. Different types of discipline may be utilized as determined appropriate in the sole discretion of the Agency and discipline need not adhere to a sequential order of progressive discipline. Types of discipline may include: verbal or written warnings, written reprimands, suspension without pay, demotion and discharge.

A. Suspension without Pay

For more severe violations or continued, uncorrected performance or misconduct problems, an employee may be suspended without pay. Where suspension without pay is recommended for a permanent employee, the employee will have the right to a Skelly meeting and a post-disciplinary appeal.

B. Demotion

The Agency may impose a demotion to a position having a lower salary range for disciplinary purposes. A disciplinary demotion may be utilized for continued, uncorrected performance deficiencies. Where demotion is recommended for a permanent employee, the employee will have the right to a Skelly meeting and a post-disciplinary appeal.

C. Discharge

Discharge will be considered for severe violations, failure to respond appropriately to prior performance improvement plans, and/or multiple disciplinary infractions in a short period of time. Where misconduct is severe and egregious, immediate discharge may be imposed. Where discharge has been recommended for a permanent employee, the employee will have the right to a Skelly meeting and a post-disciplinary appeal. The discharge will be documented in the personnel file.

4.9.3 Administrative Leave

In cases involving alleged severe employee misconduct, or where the presence of the employee may interfere with the investigation into the employee's alleged misconduct, or where the interests of public or workplace health and safety or the Agency's business operations may be jeopardized by the employee's presence, the Executive Director may place the employee on paid administrative leave pending an investigation into the circumstances. During such administrative leave, the employee will be required to be available by telephone to the Agency during regular business hours and to promptly respond to requests for information by the Agency. The employee should not enter Agency premises during administrative leave without permission by the Executive Director.

4.9.4 Procedures for Disciplinary Action of a Permanent Employee

Where discipline of a permanent employee involves disciplinary actions that result in loss of salary or change in employment status (such as suspension without pay or demotion or discharge), the following provisions shall apply:

A. Notice of Proposed Discipline

The employee's supervisor shall inform the employee in writing of the proposed disciplinary action, which shall not be effective until at least five days from the date the notice of proposed action is served on the employee. This notice shall include a copy of the charges and the reasons for the proposed disciplinary action. This notice shall also include a copy of all relevant documents upon which the proposed disciplinary action is based. The notice shall advise the employee of his/her right to respond to the proposed action either in writing or to hold a meeting to respond (Skelly meeting). Notice may be served on the employee by either U.S. mail or personal delivery. Notice by U.S. mail shall be deemed served five days after deposit with the U.S. postal service.

B. Skelly Meeting

The employee may request a meeting to respond to the proposed disciplinary action. The meeting shall be held with the appropriate manager. Following the meeting or employee's written response, the ED or manager shall determine whether to proceed, modify, or set aside the proposed disciplinary action.

C. Notice of Discipline

The employee shall be informed in writing of the final disciplinary action. A copy of the Notice of Discipline shall be placed in the employee's personnel file. This notice shall include a copy of the charges, the reasons for disciplinary action, and provide the effective date of the action. This notice shall also include a copy of all relevant documents upon which the disciplinary action is based. The notice shall advise the employee of his/her right to appeal the disciplinary action. Notice may be served on the employee by either U.S. mail or personal delivery. Notice by U.S. mail shall be deemed served five days after the date of deposit with the U.S. postal service.

D. Right to Appeal

Within five days of service of the Notice of Disciplinary Action, a permanent employee may request to appeal the disciplinary action in writing to the ED. An employee may only appeal a disciplinary action that results in loss of salary or change in employment status. The ED, or ED's designee, shall serve as the hearing officer for the disciplinary appeal. The hearing officer shall make findings based upon the written statement of the charges and upon information presented at the hearing, both oral and in writing. The hearing officer shall determine whether there is just cause for the discipline and whether the discipline is appropriate. The hearing officer may approve, modify, or withdraw the disciplinary action. The hearing officer shall notify the manager of his/her determination in writing. The hearing officer's decision is final and binding.

CHAPTER 5 HEALTH AND SAFETY ON THE JOB

Section 5.1. Job Safety

5.1.1 Statement of Policy

The Board of Directors desires to maintain a safe place of employment for Agency employees, and to that end Agency management will make all reasonable provisions necessary for the safety of employees in the performance of their work.

5.1.2 Employee Responsibility

It is the obligation of employees to become familiar with the provisions of the Agency Safety Manual and the Illness and Injury Prevention Program and to work accordingly. Further, employees are required to report to their supervisor all unsafe conditions encountered during the course of their work.

5.1.3 Injury Reporting

Prompt Reporting

All employees of the Agency are covered by Workers Compensation Insurance and any injury or disability arising out of and in the course and scope of employment, however slight, shall be reported by the injured employee to the ED as promptly as possible following its occurrence.

Section 5.2. Workplace Violence Prevention

5.2.1 Statement of Policy

The Napa County Transportation and Planning Agency is committed to the safety and security of its employees, customers, and visitors to its workplace. The Agency has a policy of zero tolerance for violence in the workplace. To prevent workplace violence, the Agency will address behavior that suggests a propensity for violence even prior to any violent behavior occurring.

5.2.2 Employee Responsibilities

The Agency expects its employees to employ civility and mutual respect for all persons encountered in the course of Agency business including co-workers, customers, and visitors. Any employees who engage in violent or threatening behavior in the workplace will be subject to disciplinary action, including discharge.

5.2.3 Conduct Prohibited By This Policy

“Violence,” “violent behavior” and “threatening behavior” includes, but is not limited to the following conduct:

- Fighting, shoving, pushing, choking, inflicting physical harm on another person, or other battery or assault.
- Intimidating, menacing, harassing or stalking another person.

- Making verbal threats to physically harm another person or persons, whether joking or not.
- Possession of any weapon or firearm on Agency premises, during work hours, or while conducting Agency business.
- Intentionally damaging the property of another.
- Other behavior that suggests a propensity towards violence including belligerent speech, yelling, excessive arguing or swearing, offensive or threatening gestures, or a demonstrated pattern of refusal to follow policies and procedures.

The Agency will not tolerate these behaviors by its own employees or by third persons when such behavior is directed at Agency employees in the course of their work.

5.2.4 Reporting Procedure

Everyone has the responsibility to prevent violence in the workplace. Employees are encouraged to report any incident that may be a violation of this policy to an Agency manager or supervisor as follows:

A. Emergencies

Where an injury has occurred or it appears to an employee that there is an immediate danger of injury, the employee should call 911 immediately for help. Personal safety is the first priority. The employee should inform his or her supervisor or the Executive Director as soon as possible.

B. Non-Emergencies

In all other cases where an employee is aware of any conduct that violates this policy, the employee should immediately report it to his or her supervisor or the Executive Director.

5.2.5 Corrective Actions

All reports of workplace violence will be taken seriously and dealt with promptly. Any person who engages in violent or threatening behavior shall be subject to removal from the premises as quickly as safety permits, pending the outcome of an investigation. Employees who violate this policy will be subject to firm disciplinary action, up to and including discharge. In appropriate cases, the Agency may also seek temporary protective or restraining orders to keep offending individuals away from Agency facilities or employees.

The Agency will not tolerate retaliation or intimidation against any employee who makes a report of workplace violence or participates in an investigation of such a complaint.

Section 5.3. Alcohol and Drug Free Workplace

5.3.1 Statement of Policy

The Agency has a vital interest and obligation in maintaining safe, healthful and efficient working conditions for its employees and in supplying products and services safely to customers. Employee possession of and/or being under the influence of drugs or alcohol on the job are inconsistent with these interests and obligations. This policy and procedure establishes the rules, rights and obligations of all employees and Agency contractors regarding the use, possession, sale, or transport of alcohol and drugs on Agency property or while conducting Agency business.

5.3.2 Definitions

A. Legal Drug

A legal drug includes prescribed drugs and over the counter drugs, which have been, under US law, legally obtained and are being used for the purpose for which they have been prescribed or manufactured.

B. Illegal Drug

An illegal drug includes any drugs and drug synthetics which have not been legally prescribed or obtained, such as: stimulants, depressants, hallucinogens, narcotics, volatile substances, and any substance by which its nature alters normal physical or mental functions.

C. Under the Influence

For purposes of this policy and procedure, "under the influence" means that the employee is affected by a drug or alcohol or combination of both in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior, or to obvious impairment of physical or mental ability such as slurred speech or difficulty in maintaining balance. A determination of influence can be established by a professional medical opinion, a scientifically valid test, and in some cases such as alcohol, by management opinion.

D. Agency Property

Agency Property includes lands owned, leased or upon which the Agency has a right-of-way, buildings, facilities, vehicles, equipment, parking lots, and company owned property used by employees such as lockers, desks, cabinets, etc.

E. Reasonable Suspicion

Reasonable suspicion is a belief based on objective and documented facts or evidence sufficient to lead a reasonable, prudent person to suspect that an employee is under the influence of alcohol or drugs so that the employee's ability to perform the duties of the job is impaired, or so that the employee's ability to perform his/her job safely is reduced.

5.3.3 Pre-Employment Drug and Alcohol Screening

The Agency may maintain a pre-employment drug and alcohol screening practice designed to prevent the hiring of persons who use illegal drugs, or who use legal drugs or alcohol to the extent that safe job performance would be impaired on safety sensitive positions.

A. Notification to Prospective Employees

Prospective employees will be notified of the Agency's drug and alcohol policy and pre-employment alcohol and drug screening test prior to an offer of employment and, usually, at the time they are interviewed for a position.

B. Time of Test

Finalists for Agency employment will receive a conditional offer of employment that may be contingent upon passing an alcohol and drug screening test and any physical examination requirement for the position being sought. The drug and alcohol screening test will be administered by a medical laboratory qualified to administer such test.

C. Consent to Test

Upon receipt of a conditional offer, the prospective employee must consent to the drug and alcohol screening test and must sign an Authorization for Release of Physical Examination Results, permitting the test results to be released to the Agency.

D. Disqualification from Employment

A candidate for Agency employment shall be disqualified from further consideration for employment upon any of the following occurrences:

1. Refusal to consent to a drug and alcohol screening test or refusal to authorize the release of the results to the Agency.
2. A positive test for illegal drugs or alcohol.
3. A positive test for legal drugs which, after medical consultation, the Agency determines will impair the candidate's ability to safely perform the job in question or will jeopardize the well-being of others.

5.3.4 Prohibition on Possession, Use, Sale or Transport of Alcohol or Drugs

A. Illegal Drugs and Alcohol

Having possession of, manufacturing, distributing, using, being under the influence of, selling, or transporting illegal drugs or alcohol by any employee while on the job, on Agency property, or while conducting Agency business is prohibited. Reporting to work under the influence of illegal drugs or alcohol is also prohibited.

B. Notification of Criminal Drug Conviction

Any employee who is convicted of or pleads guilty or no contest to a drug-related crime occurring in the workplace must immediately report such conviction or plea to the Executive Director.

C. Legal Drugs

The use of or being under the influence of any legally obtained drug by any employee while on the job, on Agency property, or while conducting Agency business is prohibited to the extent that such use or influence may affect the safety of the employee, co-workers, the public, the employee's job performance, or the safe and efficient operation of the Agency. An employee may continue to work even though under the influence of a legal drug if the employee's supervisor has determined, after consulting with the Executive Director and the employee's doctor that the employee can work safely. Otherwise, the employee may be required to take a leave of absence or comply with other appropriate action determined by management.

D. Notification

An employee must notify his/her supervisor before commencing work when taking any medication or drug, prescription or nonprescription, which may interfere with safe and effective performance of duties and/or the operation of Agency equipment.

5.3.5 Reasonable Suspicion Testing

When a supervisor/manager has a reasonable suspicion that an employee is under the influence of drugs or alcohol, the employee may be directed to take a drug and alcohol test. The facts and circumstances of the supervisor's/managers reasonable suspicion shall be documented in writing and provided to the employee. The Executive Director must approve the employee's referral for a drug and alcohol test.

A. Conduct of Test

All drug or alcohol tests shall be conducted by a reputable laboratory of the Agency's choice.

B. Valid Prescriptions

An employee shall have the right to provide, within 24 hours of the drug or alcohol test, a valid prescription for any medication or drug which may be identified during the test. The prescription must be in the employee's name and be prescribed by a licensed physician prior to the drug or alcohol test.

C. Refusal to Take Test

An employee who refuses to submit to a drug and alcohol test that has been approved by the Executive Director, shall be relieved from duty without pay, and if intoxicated or physically or mentally impaired, be taken to his/her place of residence. Refusal to take a test under this policy will subject the employee disciplinary action, up to and including discharge.

5.3.6 Search or Inspection of Agency Property for Illegal Drugs or Alcohol

Employees have no expectation of privacy in Agency-owned equipment, including desks and cabinets. The Executive Director may search or authorize the search of desks and cabinets. The Executive Director may authorize the search or inspection of Agency-owned lockers for illegal drugs or alcohol whenever there is reasonable suspicion.

5.3.7 Disciplinary Action

Violations of the provisions of this policy and procedure will result in disciplinary action, up to and including discharge.

5.3.8 Drug and Alcohol Assistance Programs

A. Voluntary Assistance

The Agency encourages employees to voluntarily seek outside assistance for drug or alcohol abuse problems prior to the need for Agency action. Employees are invited to use the Employee Assistance Program (EAP) contracted by the Agency. Administration also maintains a list of approved drug and alcohol abuse agencies and facilities, and a request may be made to the Executive Director for assistance. Such requests will be held in strict confidence to protect the rights, privileges, benefits, and family of the employee. An employee's decision to seek assistance from an outside rehabilitation agency or facility will not be used as the basis for disciplinary action.

B. Seeking Assistance After Alcohol or Drug Related Misconduct

It is the responsibility of an employee to seek assistance before drug and alcohol problems lead to disciplinary action. Once a violation of this policy occurs, subsequently entering into a rehabilitation program will not necessarily lessen disciplinary action and may, in fact, have no bearing on the determination of appropriate disciplinary action.

Section 5.4. Fitness for Duty

5.4.1 Statement of Policy

In furtherance of the Agency's goal to maintain a safe, healthful and productive environment, all employees reporting for work and during times when they are paid subject to call shall be fit for duty. "Fit for duty" means the ability to perform all required physical and mental tasks associated with the employee's job duties to a satisfactory level and without endangering self, others, or property.

5.4.2 Employee Responsibility

No employee shall report to work while unfit or remain on the job after becoming unfit (for any reason) to perform his/her job duties. Failure of an employee to comply with this requirement may result in disciplinary action, up to and including discharge.

5.4.3 Pre-Employment Medical Examinations

The Executive Director may identify job classifications within the Agency that will require a pre-employment medical examination. Finalists for these positions will receive a conditional offer of employment that is contingent upon the candidate successfully passing a pre-employment medical examination and drug and alcohol test. The purpose of the pre-employment medical examination is to determine if the candidate is fit to perform the duties of the job for which he or she is being considered.

A. Notice

All employment applicants for these positions will be informed of the medical and drug/alcohol testing requirements prior to receiving the conditional job offer. Usually, notice will be given in the job announcement and during the interview process.

B. Consent

Finalists who receive a conditional offer of employment will be asked to sign a consent form confirming their voluntary participation in these tests as a prerequisite to consideration for employment. A candidate who refuses to submit to any or all of these tests will not be considered for employment for the position for which he/she has applied.

C. Examination

All examinations will be performed by or at the direction of a physician designated by the Agency. The attending physician will determine if the candidate for employment is capable of performing all duties of the job as required by the job description and physical requirements checklist.

D. Examination Results

A candidate who is deemed unfit or unable to perform the duties of the job as a result of the medical examination will be informed of the results of the examination. The candidate may provide medical evidence that he/she is physically fit and able to perform the duties of the job, which will be considered before a final determination is made.

5.4.4 Post-Employment Fitness for Duty Examinations

If a supervisor/manager has a reasonable cause to believe that an employee is physically or mentally unfit to perform the duties of his/her job, the supervisor/manager may recommend that the employee to submit to a fitness-for-duty examination. The Executive Director shall have the authority to approve the recommendation.

A. Reasonable Cause

Reasonable cause means that the supervisor/manager believes that the employee’s ability to perform the functions of the job is impaired or that the employee’s ability to perform his or her job duties safely is reduced, and that the supervisor’s belief is based upon observations or evidence that has been documented.

B. Examination

Any such examination will be performed by or at the direction of a physician designated by the Agency. The attending physician will determine if the employee is capable of performing all duties of the job as required by the job description and physical requirements checklist.

C. Examination Results

If the examining physician determines that the employee is fit for duty, the employee shall be released to return to work. If the examining physician determines that the employee is not fit for duty, the physician shall notify both the employee and the Executive Director. The employee will not be permitted to return to work until he/she is released by the physician. One or more subsequent fitness-for-duty examinations may be required in order to determine that the employee is fit to return to work.

5.4.5 Confidentiality of Examination Records

All documentation of pre-employment and fitness for duty medical examinations will be maintained in confidential and secure medical files, separate from applicant hiring files and separate from employee personnel files.

Section 5.5. Driving

5.5.1 Statement of Policy

Observation of the law and safe driving practices shall be the top priority of all employees assigned to drive an Agency vehicle or who operate a personal vehicle in the performance of Agency business.

5.5.2 Driver’s License Requirements

All employees who operate an Agency vehicle, or who operate a personal vehicle in the performance of Agency business, must possess and carry a valid, current California Driver’s License of the proper class (and endorsements) for the vehicle operated.

A. Employee Responsibilities

1. Employees are responsible for maintaining a valid, current California driver’s license of the proper class and endorsements before operating an Agency vehicle or driving a personal vehicle on Agency business. Any employee who operates an Agency vehicle or a personal vehicle in the performance of Agency business without a valid, current California Driver’s License will be subject to disciplinary action up to and including discharge.
2. Employees who drive Agency vehicles or drive a personal vehicle on Agency business must notify their supervisor immediately in

writing when their driver's license has expired or been suspended or revoked.

B. Agency Responsibilities

1. Managers shall notify the Executive Director when they have notification that an employee's driver's license has expired or been suspended or revoked.

2. The ED shall not allow an employee with an expired, suspended or revoked driver's license to operate an Agency vehicle or a personal vehicle on Agency business.

3. It is the responsibility of Human Resources Manager to see that all employees are properly licensed for any vehicles they are to drive on Agency business.

C. Effect of Failure to Maintain Valid, Current Driver's License

Where the employee's applicable written job description requires driving an Agency vehicle or a personal vehicle on Agency business, and an employee fails to maintain a valid, current California Driver's License, the employee will be disqualified from such employment and terminated.

D. Reasonable Accommodation of Disabled Employees and Applicants

Where driving is a requirement for a particular position, an applicant or employee who does not possess a valid, current California Driver's License because of a disability may be eligible for reasonable accommodation. For example, if driving is a non-essential function of a particular position, the driving function may be reassigned as a reasonable accommodation for the disabled worker or applicant. If driving is an essential function of the employee's position, other accommodation such as reassignment to a different position may be feasible. Each situation will be addressed on a case by case basis. Requests for reasonable accommodation should be addressed to the Executive Director.

E. DMV Automatic Pull Notice

For employees who drive a Agency vehicle or who drive a personal vehicle on Agency business, the Agency may obtain periodic reports from the Department of Motor Vehicles that reflect actions and activities on an employee's driver's license record. These reports will be forwarded to the employee and his or her manager for review and "initialing off" that it is true and accurate by both the manager and the employee. Afterwards, the Pull Notice is placed in the employee's personnel file.

5.5.3 Good Driving Record

Every employee authorized to drive an Agency vehicle or drive a personal vehicle while on Agency business must maintain an overall driving record that does not have an adverse influence on the Agency's insurance rates or otherwise create an unacceptable liability risk to the Agency..The Agency may at the time of employment, or from time to time thereafter, obtain a copy of an employee's driving record to assess the employee's suitability to drive.

5.5.4 Compliance with Traffic Laws

Employees driving Agency vehicles or driving personal vehicles while on Agency business must be familiar with and obey the State Vehicle Code. Such drivers must also obey local traffic rules, traffic control signs, posted speed limits and parking restrictions. Failure to do so will subject the employee to disciplinary action, up to and including discharge.

5.5.5 Use of Seatbelts

Seatbelts shall be worn by all occupants of Agency vehicles and by employees operating personal vehicles while on Agency business. The use of seatbelts is the law.

Section 5.6. Smoking

In keeping with the Agency's intent to provide a safe and healthful work environment and in compliance with state and local law, smoking in enclosed Agency facilities or vehicles is strictly prohibited. Smoking is allowed only on authorized breaks and lunch breaks, and only outside of work facilities so as not to disrupt Agency operations.

CHAPTER 6 EQUIPMENT AND PROPERTY

Section 6.1. Use and Care of Agency Property

6.1.1 Statement of Policy

The Agency provides its employees with the use of tools, equipment, property and facilities that are necessary for the performance of their work. Employees are expected to exercise care in the use of Agency property and to use such property only for authorized Agency business. Misuse or negligence in the care of Agency property may result in disciplinary action. Agency property issued to an employee must be returned at the time an employee terminates employment or when the employee's supervisor requests its return.

6.1.2 Damage or Loss of Agency Equipment

Employees must promptly report to their supervisor all damage to or loss of Agency equipment. Lost or broken tools, equipment and other gear will be replaced by the Agency, but excessive loss or breakage will result in the employee being subject to disciplinary action.

6.1.3 Key/Access Card Distribution

Keys/Access Cards to Agency locks are issued only to employees and other authorized individuals. Each key/Access Card is numbered and issued by the Agency office to a specific individual. Exchanging keys/Access Card, giving keys/Access Cards out, or copying keys/Access Cards is expressly prohibited and may lead to disciplinary action.

6.1.4 Personal Use of Agency Property

Agency tools, vehicles, equipment and facilities are provided for use on Agency business only. Personal use of Agency property is prohibited. Employees are prohibited from displaying personal property for sale on Agency premises or property.

6.1.5 Personal Tools or Property

The Agency will provide all tools and equipment reasonably required to perform the assigned work. The use of an employee's personal tools, vehicle or other equipment is not required and will be permitted only in unusual circumstances.

To deter theft or damage to personal property, employees are discouraged from bringing any personal property into the workplace and should not leave any personal belongings of value in the workplace. The Agency assumes no responsibility for loss or damage to the personal property of an employee.

6.1.6 Agency Access to Property

The Agency retains full title and control, including the right of inspection, over equipment, property and facilities provided for employee use. Employee privacy rights do not extend to work-related conduct or the use of Agency facilities, Agency owned equipment or property. All offices, work areas, desks, file cabinets, files, computers, data storage devices remain the property of the Agency. Therefore, any agent or representative of the Agency can inspect these items or areas at any time, with or without prior notice.

6.1.7 Entry onto Private Property

All employees shall make a diligent attempt to contact property owners prior to entry upon private property when performing maintenance and repair tasks. Each employee is responsible for immediately reporting to the Agency office any damage to private property, buildings, trees, crops, fences, pipelines or other damage caused as a result of Agency work or operations or the use of Agency equipment.

6.1.8 Purchasing

All purchasing of materials and services must adhere to the Agency's standard practice.

Section 6.2. Phones, Computers, and Other Electronic Equipment

6.2.1 Statement of Policy

The phone, voicemail and computer systems are Agency property. Agency phones, radios, computers and other electronic equipment (copiers, fax machines, PDAs (e.g. Blackberry or other Personal Data Assistant device), etc.) should be used for Agency business purposes only. The Agency reserves the right, in its sole discretion, to access these systems, including employee voicemail, e-mail and data stored on computers, at any time. Any personal or personally confidential activities should be conducted at home on personal equipment, not at work.

This Policy is also intended to notify employees that all Agency Information Systems and their contents are not confidential or private. That is, all data, including any that is stored electronically or printed as a document, is subject to audit, review, disclosure, and discovery. **Such data may be subject to disclosure pursuant to the Public Records Act (California Government Code Section 6250 et. seq.).** ***Therefore, there is no expectation of privacy in the use of the Agency's Information Systems.***

The Agency reserves the right to access and monitor employee use of the Agency's Information Systems as well as any stored information created or received by employees with the Agency's Information Systems. The reservation of this right is to ensure that the Agency's Information Systems are used securely and appropriately in an ethical and lawful manner.

6.2.2 Phone Usage for Personal Reasons

While it is understood that the use of the Agency's telephones for personal reasons is occasionally necessary, this privilege must not be abused. Such conversations should be limited to exigent situations and must be kept brief. Personal toll calls are not to be charged to the Agency.

6.2.3 Internet Usage

Access to the Internet is provided for the benefit of the Agency and its employees in the performance of their work. It allows employees to connect to information resources around the world. Employees are responsible for seeing that the Internet is used in a productive, work-related manner.

The Internet shall not be used for personal gain, solicitation of non-Agency business, or advancement of individual views. Employees may not use Agency-provided Internet service to access sexually explicit or other material that would run afoul of the Agency's anti-harassment policy, nor to access gambling or gaming sites, or similarly inappropriate information.

Personal usage of the Internet must be kept to a minimum and during employee break or lunch time.

6.2.4 Decorum of Communications

Employees must conduct themselves professionally and in a businesslike manner when using Agency telephones, radios, voicemail, or e-mail systems. Employees are prohibited from using Agency telephones, radios, voicemail or e-mail systems in any way that is disruptive or offensive to others including, but not limited to, transmitting information derogatory of other employees, sexually explicit information, racial or ethnic slurs, or anything else that may be construed as harassment or disparaging of others. No messages shall be transmitted under an assumed name. Users may not attempt to obscure the origin of any message.

6.2.5 Installation or Duplication of Software

Employees may not add or install personal software programs on Agency computers. Further, the Agency prohibits illegal duplication of software and its related documentation. Employees may only use software contained on Agency computers according to the Agency's software licensing agreement.

6.2.6 Discipline

Violations of any aspect of this policy may result in disciplinary action up to and including discharge.

Section 6.3. Agency Vehicles

6.3.1 Statement of Policy

The Agency may provide employees with use of Agency-owned vehicles for performance of their duties. Observation of safe driving practices shall be the top priority of all persons assigned an Agency vehicle, as well as proper care of Agency equipment.

6.3.2 Operator Qualifications

Every driver of an Agency vehicle must have a valid and current California driver's license for the type of Agency vehicle driven and must be authorized by the applicable Agency management employee to drive an Agency vehicle.

Every authorized Agency driver must maintain an overall driving record that does not have an adverse influence on the Agency's insurance rates or otherwise create an unacceptable liability risk to the Agency. Conviction for driving under the influence, careless or reckless driving, or any similar moving offense of parallel gravity, whether or not in an Agency vehicle and whether or not on duty, may be the basis of termination of status as authorized driver.

6.3.3 Compliance with Law

All drivers must comply with all applicable motor vehicle laws when driving an Agency vehicle. Failure to do so will subject the employee to disciplinary action, up to and including discharge.

6.3.4 Vehicle Categories

For purposes of this policy, each Agency vehicle shall be placed in one of the following categories:

6.3.5 Limitations on Use of Vehicles

The following rules shall apply to the use of all Agency vehicles:

A. Agency vehicles shall only be used for official Agency business. When an employee uses an Agency vehicle in any other manner, that employee shall be deemed to be not on official Agency business.

B. Agency vehicles shall only be driven by employees or officers of the Agency. With the approval of the Executive Director, Agency vehicles may be used by non-employees, such as consultants or independent contractors, when it is determined to be in the best interest of the Agency.

C. Agency vehicles shall not be used to transport large personal items, such as sports equipment or animals, or for private towing or hauling of personal belongings or property of others.

D. Seat belts shall be worn by all occupants while riding in or operating Agency vehicles. The use of seat belts is the law.

E. The use of cellular phones and PDA's is prohibited while driving Agency owned vehicle(s).

F. No Agency vehicle shall be used to push-start another vehicle.

G. Pets, waterfowl, poultry, fish, reptiles, etc. are not permitted in Agency vehicles, nor are firearms of any type.

H. All Agency personnel are required to keep their assigned Agency vehicles in a clean and safe operating condition at all times. No modifications, changes, additions, addition of any accessory, custom part or the removal of any factory or Agency item on any Agency vehicle shall be permitted without the express approval of the Executive Director.

I. Each driver of an Agency vehicle will be responsible for calling any needed repairs or adjustments on his or her vehicle to the attention of the ED. Each driver will be responsible for verifying that his or her vehicle has proper and functioning brakes, lights, windshield wipers, etc.

J. All Agency personnel are required to report damage and defective Agency equipment as soon as possible after detection to ensure that damaged items or potentially damaged items are repaired and that service schedules are not exceeded.

K. Each employee will be responsible for immediately reporting to the appropriate the ED any accident in which he or she is involved as a driver of an Agency vehicle. The employee will further prepare a detailed report of the accident, which report is to be submitted directly to the Executive Director or designee. This includes any accidents will on company duty in a private vehicle.

L. Excessive acceleration and other showings of vehicular power occurring on Agency premises or on private or public property when in an Agency vehicle and the same occurring on Agency premises, whether in a personal vehicle or in an Agency vehicle, is not permitted.

M. All Agency personnel shall "lock" and "secure" Agency vehicles when left unattended.

N. Agency personnel involved in auto accidents should not volunteer information or admit liability, but merely respond as necessary to uniformed officers. They should request that their Supervisor, or the Human Resources Manager to notify police or call for medical assistance at the scene when necessary.

O. Authorized Passengers:

1. Adults on Agency business are permitted to ride in Agency vehicles, but only to the extent that seat belts are available.

2. Any individual who is not participating in agency business, including family members, friends and all children are not permitted in Agency Pool Vehicles.

3. All Agency personnel are prohibited from picking up hitchhikers in Agency Vehicles or while on Agency business.

P. When driving an Agency vehicle, stopping and entering any bar or liquor store is prohibited. Transporting alcoholic beverages at any time in an Agency vehicle is prohibited.

Section 6.4. Employee Purchase Program

6.4.1 Mobile Device

A. Purpose & Reimbursement

NCTPA will reimburse managers and exempt employees for up to $599 plus tax for the purchase of a mobile device or tablet to encourage the proficiency of its management and exempt employees and for interfacing with Granicus or like software to access and maintain Board and advisory committee packets. If the employee chooses a device under $599, NCTPA will only reimburse employee up to the purchase amount. If over the device exceeds a $599 cost, employees are responsible for the difference.

NCTPA will **not** reimburse employees for costs of data plans, additional software, extra equipment, extra warranties or other peripheral equipment. Purchases other than the mobile device are the responsibility of the employee. It is up to the employee to pay for repairs should the device be damaged or replaced should the device be stolen or lost within a three year period.

Mobile devices are eligible to be replaced on a three-year cycle from the date of purchase. This is done to ensure that systems used for daily business are up-to-date and under warranty.

B. Device Ownership/Program Limitations

Mobile devices are the personal property of the employees. Employees can choose any device that accommodates the interface of Board Packets. .

IRS rules may consider the reimbursement as income and subject to income taxes. Any additional taxes are the responsibility of the employee.

Business conducted on private devices is subject to the Public Records Act. To separate personal and business items, you should have an NCTPA folder so that a search of the entire device would not be necessary to isolate personal documents from public documents or correspondence.

CHAPTER 7 TIME OFF AND LEAVES OF ABSENCE

Section 7.1. Holidays

7.1.1 Eligible Employees

Full-time Agency employees are eligible for paid holidays as described herein,

7.1.2 Recognized Holidays

Eligible employees are entitled to the following seven (7) holidays off with pay when they fall on a work day in the basic workweek:

January 1 (New Year's Day)

The last Monday in May (Memorial Day)

July 4 (Independence Day)

The first Monday in September (Labor Day)

The fourth Thursday in November (Thanksgiving Day)

The day following Thanksgiving Day

December 25 (Christmas Day)

(1) When a recognized holiday falls on a Saturday, the day immediately preceding shall be deemed to be the paid holiday. When a recognized holiday falls on a Sunday, the next day shall be deemed to be the paid holiday.

(2) Part-time employees shall receive the same number of holidays as regular, full time employees and on a pro-rata basis, proportional to full-time employment

Holidays will be paid at eight (8) hour increments.

7.1.3 Personal Leave

Eligible employees shall also receive fifty-six (56) hours of personal leave each fiscal year which may be used for personal reasons. Personal leave has no cash value and must be used during the fiscal year in which it is received or it is deemed forfeited. Those hired after the fiscal year begins will receive a pro rata share of personal leave time based on the number of pay periods remaining in the fiscal year.

7.1.4 Board Ordered Holiday

The Board of Directors may from time to time declare additional paid holidays or half-day holidays at their sole discretion, and the granting of any such holiday shall not constitute a precedent for continued granting of such holiday or holidays.

7.1.5 Holidays Occurring During Unpaid Leave

Employees will not receive holiday pay for holidays that occur during an unpaid leave of absence from the Agency, or when the employee is on unpaid leave either the work day before the recognized holiday or the work day after the recognized holiday.

7.1.6 Working on Holidays

Eligible employees may be scheduled to work on holidays, in which event, an FLSA non-exempt employee will be compensated at the overtime rate of pay for all time worked on such days, in addition to receiving eight hours of holiday pay. Standby shall not be construed as time worked.

FLSA exempt management employees who are scheduled to work on a holiday first must obtain prior written approval from the Executive Director in order to be eligible for flex-time or compensatory time-off for hours worked. Any approved flex-time must be taken in full-day increments. Standby shall not be construed as time worked.

Section 7.2. Vacation

7.2.1 Purpose

NCTPA provides vacation to eligible employees for the purpose of rest, relaxation and reinvigoration.

7.2.2 Eligibility

Full-time employees are eligible to receive vacation benefits. Vacation begins to accrue from the date of hire. A probationary employee may begin to take vacation after the first six (6) months of an employee's probationary period.

7.2.3 Accrual

A. Accrual Rates

Every permanent, full-time employee shall accrue vacation leave, in accordance with the permitted maximums as provided in the schedule below. An employee shall not accrue vacation in excess of the permitted maximums. The Executive Director shall give employees a reasonable opportunity to utilize such vacation within the year so as not to exceed the maximum accrual vacation leave accruals.

Years of Continuous Agency Service	Hours of Vacation Accrued/ Pay Period	Maximum Accrual for Years of Continuous Service
Date of Hire through Year 3	3.8 hours	240 maximum hours
Year 4 through 10	4.8 hours	300 maximum hours
Year 11 through 20	6.2 hours	400 maximum hours
21 or more years	8 hours	400 maximum hours

1. An employee's new vacation accrual rate will be effective on the first day of the pay period following the anniversary date of the year referenced in the above schedule.
2. Each employee may, with approval of the Executive Director, take vacation privileges as earned and in accordance with the provisions of Section 7.2
3. No person shall be permitted to work for compensation for the Agency in any capacity during the time of his/her paid vacation from Agency service.
4. Vacation leave does not accrue during periods of unpaid leave from the Agency or when an employee is on short or long-term disability, unless an employee is on worker's compensation leave, in which case, vacation continues to accrue.
5. Each employee has right to receive compensation at the Employee's current hourly rate for up to eighty (80) hours per year

of unused vacation so long as forty (40) hours of vacation were actually used during the past calendar year.

B. Management Employees

Management Employees of the Agency shall receive the following:

1. Eighty (80) hours of management leave credited at the beginning of each fiscal year. Part-time employees shall receive this benefit on a pro-rata basis (in the same ratio that their part-time employment relates to full-time employment). The right to surrender up to sixty (60) hours of management leave each year and be paid for same in cash at their current hourly rate; provided, however, that a minimum of forty (40) hours of vacation leave must be used during the fiscal year in which the surrender of management leave occurs before the finance department is authorized to process the surrender request.

2. Accrual of vacation leave at the rate of 4.8 hours per pay period, or accrual of vacation leave at the rate determined in accordance with Section 7.2.3.A, or accrual of vacation leave at the Employee's current vacation leave accrual rate, whichever is higher. This vacation leave accrual rate will be effective on the date of the appointment, reclassification, or promotion.

3. In the case of Management Employees who were not employed by the Agency at the time of their appointment, but were previously employed by a city, county, special district, state or federal government agency, the vacation accrual rate shall be the rate of vacation leave approved by the Executive Director; providing, however, this rate shall not exceed the rate of vacation leave accrual the Employee enjoyed at the Employee's last place of public employment, or the rate of vacation leave accrual the Employee would be entitled to had all prior public agency service of the Employee been with the Agency, whichever is higher; and further provided that in no event shall this rate of accrual exceed the maximum rate the Agency provides to Management Employees. Work preformed for a public agency as a consultant or independent contractor rather that as an employee, shall not be taken into account by the Executive Director in approving a vacation leave accrual rate exceeding the .06 hours per each full hour worked up to the maximum of eighty (80) hours per pay period.

4. The right to accumulate a maximum of 600 hours of vacation leave; the Employee may not earn any further vacation time while accrued, unused vacation remains at this maximum.

7.2.4 Scheduling

A. Notice

Vacation shall be scheduled with the Executive Director, with due regard for the wishes of the employee and with particular regard for the needs of the Agency.

Vacations of four (4) consecutive days or more, must be scheduled a minimum of two weeks before the date of departure. Vacations of three (3) consecutive days or less must be scheduled at least two (2) working days before departure. Under special circumstances, the Executive Director may waive these notice requirements.

All vacation requests shall be submitted in writing on the designated Agency form.

B. Intervening Holidays

A holiday falling within a vacation shall not be counted as a day of vacation.

C. Intervening Illness or Injury

Employees becoming sick or injured while on vacation leave shall be entitled to change their vacation status to sick leave with a doctor's verification that the employee would have been unable to work due to the illness or injury. Employees must follow the sick leave procedures described in these Policies and Procedures.

7.2.5 Termination or Retirement from Agency

Accrued but unused vacation at the time of an employee's termination or retirement shall be administered as follows:

A. Termination

If an employee terminates employment with the Agency, voluntarily or involuntarily, and has accrued and unused vacation, he or she shall be paid for each day recorded in Agency records.

B. Retirement

An employee who retires and has accrued and unused vacation may elect either of the following options:

1. Continue to work until the date of retirement and be paid for accrued and unused vacation; or
2. Discontinue working and take accrued and unused vacation time that would extend from last day worked up to the date of retirement.

If option (2) is selected, deductions from vacation pay will be the same as if the employee is actually on the job and health care coverage will continue to be provided under various group programs through the exhaustion of vacation time.

Section 7.3. Sick Leave

7.3.1 Purpose

The Agency provides paid sick leave in order to prevent a loss of earnings that may be caused by illness or injury. Paid sick leave is not intended to provide additional paid time off for reasons unrelated to injury or illness.

7.3.2 Eligibility

Employees are eligible for paid sick leave. Sick leave begins to accrue from the first day of employment. Employees who have worked for six (6) months in continuous employment are eligible to use accrued sick leave.

7.3.3 Accrual

Each employee shall accrue 3.8 hours of sick leave for each full eighty (80) hour pay period. There is no limit to the amount of sick leave an employee can accrue. Sick leave does not accrue during periods of unpaid leave from the Agency or when an employee is on short or long-term disability status, unless an employee is on worker's compensation leave, in which case, sick leave continues to accrue.

No sick leave shall be paid prior to it being accrued.

Sick leave accrued and unused is forfeited upon termination of employment. For vested employees, accrued and unused sick leave balances can be use to credit retirement health benefits per the agency contract with CalPERS.

7.3.4 Conversion of Vacation to Sick Leave

Employees becoming sick or injured while on vacation leave shall be entitled to change their vacation status to sick leave with a doctor's verification that the employee would have been unable to work due to the illness or injury. Employees must follow the sick leave procedures described in these Policies.

7.3.6 Employee Notice and Communication

An employee shall contact his or her supervisor by telephone prior to the employee's starting time each day when absent due to illness or injury. Employees must follow this procedure every day of illness or injury, except in the case of a pre-approved leave of absence.

Where an employee is absent for more than three (3) consecutive days, the employee will be required to submit a doctor's statement (1) verifying that an illness or injury prevented the employee from working, and (2) certifying that the employee is fit and able to return to work. Employees are required to submit a doctor's statement consistent with (1) and (2) above if an employee has a regularly scheduled absence for medical reasons. Management may also require a doctor's slip verifying the absence for a shorter period of time where a question of abuse of sick leave arises.

Employees on an approved leave of absence who do not return on their scheduled return date and who have failed, in advance of the return date, to obtain an agreed extension of leave from their supervisor or the Executive Director, will be considered to have voluntarily abandoned employment and subject to separation from Agency employment.

Section 7.4. Workers' Compensation Leave

7.4.1 Purpose

Agency employees are eligible for benefits under the Worker's Compensation Laws of the State of California for injury or illness arising out of or in the course and scope of employment. Where such injury or illness necessitates an employee's absence from work, an employee shall remain on paid status as provided herein.

7.4.2 Sick or Vacation Leave Supplementation

When an employee is off work due to an industrial injury, accrued sick leave or vacation pay may be paid for the first three (3) days. Thereafter payments made by Worker's Compensation may be supplemented up to base wage entitlement of that employee to the extent that accumulated sick leave is available and, when authorized by the employee, vacation days.

7.4.3 Accrual of Benefits during Leave

During the time an employee is on "paid status" while absent from work by reason of injury or illness covered by Worker's Compensation, he or she shall continue to accrue all benefits. For the purposes of this section, "paid status" shall include that period of time during which the Agency coordinates benefits; i.e., that period of time during which sick leave and vacation days are used to supplement employee earnings.

If worker's compensation leave is converted to long term disability leave, once vacation and sick leave balances are depleted, health, dental, vision, and life insurance premiums will be paid entirely by the employee. In addition, while the employee is on long term disability status, vacation, holidays, and sick leave accruals will no longer accrue.

Section 7.5. Pregnancy Leave

7.5.1 Purpose

In an effort to further equal employment opportunity for women, employees who become disabled by pregnancy, childbirth or related medical conditions may be entitled to job-protected leave or other reasonable accommodation as provided by California's Pregnancy Leave Law.

7.5.2 Covered Employees

An employee is disabled from working due to pregnancy, childbirth or a related medical condition in the following circumstances:

- Inability to work at all because of pregnancy or childbirth

- Inability to perform one or more essential functions of the employee's job without undue risk to the female, the successful completion of the pregnancy, or other persons
- Suffering from severe morning sickness
- Needing to attend pre-natal care appointments

7.5.3 Leave Rights

A covered employee is entitled to up to four months of leave during any period in which the employee is actually disabled. Such leave may be taken in a single block of time or on an intermittent basis or reduced leave schedule. This leave is in addition to, and does not run concurrent with, any leave the employee may be eligible for under the California Family Rights Act.

At the conclusion of an approved pregnancy disability leave, the employee will be restored to her original position or a comparable position in accordance with law.

7.5.4 Pay and Benefits

Pregnancy disability leave under this policy is unpaid. However, a covered employee may use accrued sick or vacation leave or other accrued time off to cover absences caused by a pregnancy-related disability.

Leave taken under this policy does not constitute a break in service for the employee.

7.5.5 Employee Notice Obligations

Whenever the need for leave is foreseeable, a covered employee must give the Agency thirty (30) days advance notice of the need for leave. Covered employees should make reasonable efforts to schedule any necessary medical treatment so as not to disrupt the operations of the Agency. The Agency may deny leave where such notice is not provided.

When the need for leave is not foreseeable, covered employees must provide notice of the need for leave as soon as practicable.

7.5.6 Medical Certification

An employee requesting such leave will be required to provide a medical certification from her health care provider verifying the disability, the date it commenced, and its probable duration.

Upon return to work, the employee will be required to provide a return-to-work certificate from her health care provider stating that she is able to resume the duties of her position.

7.5.7 Other Forms of Pregnancy-Related Disability Accommodation

An employee disabled by a pregnancy-related condition may also be eligible for a temporary transfer to a less strenuous or hazardous position or other form of accommodation. Requests for accommodation should be directed to the employee's Supervisor or the Executive Director.

Section 7.6. Family and Medical Care Leave Act

7.6.1 Statement of Policy

This policy describes the circumstances and conditions under which an employee may take family care and medical leave as provided under the Federal Family and Medical Leave Act ("FMLA") and the California Family Rights Act ("CFRA"). This policy is meant to be read together with the FMLA (29 U.S.C. 2601 et seq.) and the CFRA (Government Code Section 12945.2) and the regulations adopted to implement them, all as they are now written or may hereafter be amended. This policy is separate and distinct from any other leave policies or procedures. The benefits accorded by these separate policies shall not be combined or otherwise construed as one policy.

7.6.2 Definitions

A. **"Family and Medical Care Leave"** means leave, whether paid or unpaid, taken by an employee on account of:

1. The birth of a child of the employee.
2. The adoption or foster care placement of a child by the employee.
3. The serious health condition of a child, parent or spouse of the employee.
4. The serious health condition of the employee which makes the employee unable to perform the duties of the employee's position.

B. **"Child"** means a biological, adopted or foster child, a stepchild, a legal ward or child of a person in loco parentis who is either under 18 years of age or a dependent adult. A dependent adult is a person who is over 18 years of age and is incapable of self-care because of a mental or physical disability.

C. **"Health Care Provider"** means a person holding a physician's and/or surgeon's certificate or an osteopathic physician's and/or surgeon's certificate who directly treats or supervises the treatment of the serious health condition, or any other person determined to be capable of providing health care services under the FMLA/CFRA.

D. **"Parent"** means a biological, foster or adoptive parent, a stepparent or legal guardian, or other person who stood in loco parentis to the employee when the employee was a child. Parent does not include a parent-in-law.

E. **"Serious Health Condition"** means an illness, injury, impairment or physical or mental condition which involves either:

1. Inpatient care in a hospital, hospice or residential health care facility; or

2. Continuing treatment or supervision by a health care provider of more than three consecutive days; or

3. Continuing treatment or supervision by a health care provider for a chronic or long-term health condition that is incurable or so serious that if not treated would likely result in an incapacity for more than three consecutive days.

F. **"Spouse"** means a partner in marriage as defined in Family Code Section 300. It does not include unmarried persons living together, but does include persons who are legally married who do not live together. For the purposes of this policy, spouse is further defined as a registered domestic partner as specified in California Family Code Section 297.

G. **"Employment in the Same or Equivalent Position"** means employment in a position that has the same or equivalent duties and pay that can be performed at the same or similar geographic location as the position held prior to the leave.

7.6.3 Family and/or Medical Care Leave

Except as hereafter provided, any employee with at least 12 months of service with the Agency, who has at least 1250 hours of service during the previous 12-month period, may take up to 12 weeks of family care and medical leave during a 12-month period with a guarantee made at the time leave is granted that the employee will be able to return to the same or equivalent position.

A. For this purpose, "12 month period" means the 12 months immediately preceding the date an employee takes family care and medical leave.

B. Pregnancy disability leave taken by an employee will not be considered when counting the amount of leave an employee may take pursuant to this policy.

C. While on leave under this policy, an employee will continue to be covered by the Agency's group health insurance to the same extent that coverage is provided while the employee is working.

D. If an employee fails to return to work after the designated period of leave or when the leave entitlement has been exhausted or expires, the Agency shall have the right to recover its share of health plan premiums for the entire leave period, unless the employee does not return because of the continuation, recurrence, or onset of a serious health condition of the employee or his/her family member which would entitle the employee to leave under this policy, or because of circumstances beyond the employee's control.

E. Leave under this policy may be granted on an intermittent basis (i.e., leaves taken in separate blocks of time due to a single qualifying reason) or a reduced work schedule to accommodate an employee qualifying for leave under this policy. An employee may take leave under this policy on an intermittent basis for his/her own serious health condition or for the serious health condition of a qualifying family member when it is shown to be medically necessary.

F. Conditions for use of Family/Medical Care Leave:

1. Notice of Leave. If the need for leave is foreseeable, an employee must provide the Agency with reasonable advance notice. For this purpose, "reasonable advance notice" means thirty (30) days' written notice, if practicable.

2. Scheduling Leave. If the need for leave is foreseeable due to a planned medical treatment or supervision, the employee must make a reasonable effort to schedule it to avoid disruption of Agency operations.

3. Medical Certification for Family Care Leave. A request for leave to care for a child, spouse or parent who has a serious health condition must be supported by a certificate of a health care provider which includes all of the following:

   a) The date on which the health condition commenced;

   b) A statement as to whether a serious health condition of a family member exists:

      i. However, the employee need not (but may, at the employee's option) identify the serious health condition involved (i.e., diagnosis).

      ii. Failure to disclose the nature of the serious health condition may give the Agency reason to doubt the validity of the certification.

   c) The probable duration of the condition;

   d) An estimate of the time the employee needs to care for the individual;

   e) A statement that the condition requires family participation to provide care during the period of treatment or supervision of the individual requiring care.

   4. Medical Certification for Employee's Own Serious Health Condition. A request for leave for an employee's own serious health condition must be supported by a certificate of a health care provider which includes all of the following:

   a) The date on which the serious health condition commenced;

   b) A statement as to whether the employee is unable to perform the essential functions of his or her normal position:

i. However, the employee need not (but may, at the employee's option) identify the serious health condition involved (i.e., diagnosis).

ii. Failure to disclose the nature of the serious health condition, may give the Agency reason to doubt the validity of the certification.

c) The probable duration of the condition.

5. Use of Accrued Leave:

a) Vacation/Comp Time: An employee who takes family/medical care leave must use all of their accrued compensatory time off, if any, and then and all of their accrued vacation in excess of 80 hours.

b) Sick Leave: An employee who takes family/medical care leave may only use accrued sick leave as provided in the applicable under California law.

G. Limits on Family and Medical Care Leave

The Agency may refuse to allow family and medical care leave if:

1. The employee fails to furnish the Agency adequate medical documentation which satisfies the requirements under this policy or the FMLA or CFRA.

2. If both parents of a child are employed by the Agency, the Agency may limit the family care leave for the birth, adoption or foster care placement of their child to a combined total leave of twelve (12) weeks in a 12-month period.

H. Challenge to Medical Certification

1. When the Agency doubts the validity of a medical certification submitted by an employee, it may require the employee to obtain at Agency expense the opinion of a second health care provider designated and approved by the Agency regarding any of the information in the original certification. Such second health care provider may not be one employed by the Agency on a regular basis.

2. If the opinion of the second health care provider differs from the first, the Agency may require the employee to obtain at Agency expense, the opinion of a third health care provider, designated or approved jointly by the Agency and the employee, concerning the information in the original certification. The opinion of the third health care provider will be final and binding on the Agency and the employee.

I. Employee's Obligation to Periodically Report on His/Her Condition

An employee on family or medical care leave may be required to periodically report on his or her status and intent to return to work. This will avoid any delay to reinstatement when the employee is ready to return to work.

J. Status of Employee Benefits While On Leave

1. Status of Employee. An employee on family/medical care leave retains employee status, and the leave does not constitute a break in service for purposes of longevity, seniority, or any employee benefit plan. For purposes of layoff, recall, promotion, job assignment, and seniority related benefits, an employee who returns from leave will have no less seniority than the employee had when the leave commenced.

2. Health Insurance. Except as hereafter provided, during family/medical care leave, the Agency will continue to offer the employee, and pay its share of the premium for, health insurance for up to twelve (12) weeks at the same level and under the same terms and conditions as coverage was provided while the employee was actually working for the Agency; provided that, if an employee fails to return from leave for reasons other than the continuation, recurrence, or onset of the employee's own serious health condition or other circumstances beyond the employee's control, the Agency may recover the premiums paid by the Agency on behalf of the employee.

3. Other Benefits. During family/medical care leave, an employee will continue to be entitled to participate in employee health plans for any period during which coverage is not provided as required in Section 7.6.3.J.2 above, employee benefit plans, including life, short-term or long-term disability or accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as apply to an unpaid leave taken for any other purpose.

K. Return from Family and/or Medical Care Leave

1. The Agency may deny reinstatement of an employee from family and medical leave to the same or equivalent position where:

   a) The employee refuses to return on the date agreed upon; or

   b) As a condition of reinstatement of an employee whose leave was due to the employee's own serious health condition which made the employee unable to perform his/her job, the employee must obtain and present a fitness-for-duty certification from the health care provider that the employee is able to resume work. Failure to provide such certification will result in denial of reinstatement; or

c) The same or equivalent position has been eliminated for legitimate business reasons unrelated to the employee's family/medical care leave, in which case the employee will have the rights accorded in the layoff provision of the applicable Agency policy.

2. Reinstatement of Key Employees: The Agency may deny reinstatement of an employee from family and/or medical care leave to the same or equivalent position where:

   a) The employee is among the highest paid 10% of the Agency's salaried employees; and,

   b) Reinstatement would cause the Agency serious and grievous economic harm; and,

   c) The employee was notified at the outset of leave that reinstatement could be denied.

7.6.4 Status of Prior Policies

This policy supersedes and replaces all other policies on the same subject. The Agency reserves the right to amend this policy whenever it is appropriate to conform to state and federal laws, rules and regulations.

Section 7.7. Funeral and Bereavement Leave

7.7.1 Purpose

The Agency provides bereavement leave for its employees in the event of a death in the employee’s family in order to handle family affairs and attend the funeral.

7.7.2 Conditions of Leave

A. Amount

An employee may take up to five days of sick leave (one of which shall be the date of the funeral) for the purpose of making necessary arrangements and attending the funeral.

An additional limited amount of time off to attend funeral services outside the State of California may be authorized with pay under special circumstances. The Executive Director is vested with full discretion to evaluate the circumstances and make the determination.

Attendance at funerals requiring absences of more than five days may be charged to accrued vacation or personal leave accounts.

B. Covered Family Members

Leave shall be afforded under this policy for the death of the employee’s spouse, registered domestic partner, child, parent, parents-in-law, step-parents, sibling, step-siblings, and grandparents.

C. Deceased Employees

In deference to the memory of a deceased colleague, a limited amount of time off to attend funeral services may be authorized with pay under special circumstances. The Executive Director is vested with full discretion to evaluate the circumstances and make the determination.

Section 7.8. Jury Duty and Witness Leave

7.8.1 Purpose

The Agency encourages its employees to perform their civic duty to serve on a jury panel or as a subpoenaed witness and provides leave for such purposes as described herein.

7.8.2 Jury Duty Leave

A. Full-time and Seasonal Employees

Time off without loss of pay of up to four (4) weeks shall be granted to full-time employees called for jury duty. Such employees who are required to serve on jury duty shall be paid the difference between their regular pay and the amount of the jury fee received for such duty. For the purpose of this calculation, the jury fee does not include any mileage allowance. Should jury duty extend beyond four (4) weeks, the employee will receive unpaid leave for the duration of the jury service. The employee may elect to use accrued vacation, compensatory time off, personal leave, or floating holiday leave to cover the remainder of the jury service.

B. Part-Time and Temporary Employees

Part-time and temporary employees will be granted time off without pay for jury duty service. These employees may elect to use accrued vacation, compensatory time off, personal leave, or floating holiday leave to cover the jury service.

C. Notice Requirements

All employees are required to provide their supervisor with reasonable advance notice of jury duty. Employees must provide their supervisor with a copy of their jury summons prior to the commencement of jury duty leave.

D. Return to Work

All employees released from jury duty prior to the end of a scheduled work day must report back to work within one (1) hour after being released from jury duty, unless there is less than two (2) hours remaining in the employee's work day at the time of release.

7.8.3 Witness Duty

All employees will be allowed time off without pay to appear in court as a witness pursuant to a valid subpoena or other court order. The employee must provide his or her supervisor with reasonable advance notice of the witness duty. Further, the employee is required to provide his or her supervisor with a copy of the subpoena or court order requiring the employee's attendance. The employee may elect to use accrued vacation or floating holiday time to cover the time away from work. All employees who are subpoenaed by court to appear in their capacity and scope as a representative of the Agency shall be allowed time off with pay for such witness duty.

7.8.4 Overtime Exempt Employees

Overtime exempt employees who work any portion of the week in which they also serve on jury duty or as a witness will receive their full salary for that week.

Section 7.9. Military Leave

7.9.1 Purpose

The Agency provides appropriate military leaves of absence, benefits and reinstatement rights to members of the military consistent with the provisions of the California Military and Veterans Code and the federal Uniformed Services Employment and Reemployment Rights Act.

7.9.2 Leave of Absence

Any Agency employee who is a member of the United States armed forces, the National Guard, the Naval Militia or the reserve corps is entitled to an unpaid leave(s) of absence for ordered military duty including active military training, inactive duty training, encampment or exercises.

7.9.3 Employee Notice Requirements

Employees must provide advance written or verbal notice of the need for military leave unless to do so is impossible or unreasonable. Generally, an employee should present their service papers to their supervisor as soon as they receive them. Employees should use their best efforts to arrange inactive duty or annual trainings at a time that is mutually convenient to the employee and the Agency.

7.9.4 Pay and Benefits While On Leave

A. Pay

Where the employee has been employed by the Agency for at least one year prior to the start of the leave, the first 30 calendar days of military leave will be paid. No minimum length of service is required to receive 60 calendar days of pay for a member of the National Guard who is called to active duty during a declared emergency. Paid military leave shall not exceed 30 calendar days in any fiscal year.

After the first 30 calendar days, military leave will be unpaid. Any employee may, at his or her option, elect to use accrued vacation or floating holiday time to cover periods of unpaid military leave.

B. Health Care Coverage

For leaves with duration of 30 days or less, the Agency will continue the employee's health care coverage on the same terms as if the employee was working.

For leaves longer than 30 days, the employee may be eligible to continue health care coverage for self and dependents at the employee's own expense for up to 24 months. Employees returning from leave longer than 30 days will be restored to health care coverage upon their return to work without a waiting period.

C. Seniority

Any employee who takes military leave retains his or her original seniority date and all other seniority-based benefits as if continuously employed.

Employees on military leaves will not accrue any vacation or sick leave during periods of unpaid military leave.

Time spent on military leave will be counted as time worked for purposes of determining eligibility for family and medical leave.

7.9.5 Reinstatement

The Agency will adhere to the applicable federal or state law that is most beneficial to the employee in determining reinstatement rights.

Generally, employees must provide timely notice of their intent to return to work after military service. An employee returning from military leave will be reinstated to employment in the position he or she would have held had there been no interruption for military service, if qualified. If reasonable efforts to so qualify the employee fail, he or she will be returned to the position held at the beginning of the leave, if qualified.

Reinstatement may be denied if the employee receives a dishonorable or other disqualifying discharge, fails to timely request reemployment, or the Agency's circumstances have so changed to make reemployment impossible or unreasonable.

Section 7.10. Leaves of Absence without Pay–Accrual of Vacation and Sick Leave

An employee taking leave without pay shall earn vacation leave and sick leave during the week in which the leave of absence occurs according to the following weekly schedule. Such vacation leave and sick leave shall be calculated to the nearest tenths as shown in the chart below:

HOURS OF LWOP	PERCENTAGE OF ACCRUAL
2 – 3.9	90
4 – 7.9	80
8 – 11.9	70
12 – 15.9	60
16 – 19.9	50
20 – 23.9	40
24 – 27.9	30
28 – 31.9	20
32 – 35.9	10
36 – 40.0	0

Section 7.11. Outside Employment

The Agency forbids employees on a leave of absence, other than military leave, from holding outside employment during such leave. Employees who violate this policy will forfeit any leave of absence and will be deemed to have voluntarily terminated their employment and separated from the Agency.

CHAPTER 8 BENEFITS

Section 8.1. Insurance

8.1.1 Purpose

The Agency will provide all eligible employees and their dependents access to group health insurance programs including medical, dental and vision and life insurance.

8.1.2 Terms of Coverage

The amount and type of coverage, as well as the percentage of Agency contribution, is subject to change from time to time depending on changes in applicable premiums.

Information describing coverage is available from the Agency Human Resourced department upon request. If there is a conflict between the language used here and the language contained in the group plan documents, the plan documents will prevail.

8.1.3 Eligibility

Full time, permanent employees are eligible for medical, dental, vision and life insurance coverages. The effective date for these coverage's is the first of any month following thirty (30) days of continuous service, except for medical which is effective the first of the month following the employee's hire date. Employees returning from layoff shall have full benefits made available to them on the first of the month following their return to work, without waiting the otherwise mandatory "waiting period."

8.1.4 Medical, Dental and Vision Coverage

A. Payment of Premiums

Presently the Agency pays 96% of the premium for Medical and 100% of the premium Dental for eligible employees during periods of regular pay status (including paid time off and paid leave). The agency pays 100% of benefits for employees with no dependents. The Vision premium is paid for by the Employee. The Agency does not pay insurance premiums for employees on an unpaid leave of absence or whose hours fall below the required minimum for eligibility of at least sixty (60) paid hours per pay period, unless specifically provided in another Agency policy such as the family and medical leave policy. Employees can elect to waive coverage providing that they can show they are covered by health insurance elsewhere.

B. Long Term Disability

As used herein, "long-term disability" means the status reached when an eligible employee has, during any consecutive 12 month period, been unable to work or perform the duties for which employed for 90 calendar days during that period, because of his or her own ill health or physical or mental disability.

Upon entering long-term disability status, an employee may petition the Board of Directors for use of accrued vacation or sick leave sufficient to pay premiums as set by the Agency for continuation of health, dental and vision coverage. Granting or denial of such petition shall be at the sole discretion of the Board based on their evaluation of the circumstances in each case. A granting in one case shall not be construed to have set a precedent when reviewing other cases.

C. Continuation of Health Benefits - COBRA

As stated above, the Agency's health care plans are maintained for employees in regular pay status and their covered dependents. The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and a related state law allow employees and their dependents to continue health care coverage at their own expense for up to 36 months if they lose coverage due to termination or other qualifying events.

D. Temporary Employees

Temporary employees are eligible for group health benefits for themselves and their dependents at their own expense provided the temporary employee qualifies as provided above and provided further, the employee pays the monthly premium for the group health care coverage a minimum of 10 days in advance of the first of each month.

8.1.5 Life Insurance Coverage

The Agency provides life insurance coverage for eligible employees in accordance with carrier requirements and at benefit levels determined through negotiations with the applicable employee representative. Presently the Agency pays 100% of the premium for this insurance.

Section 8.2. Retirement

8.2.1 Purpose

The Agency provides retirement benefits to full time, permanent employees through its plan with CalPERS. The terms of the plan shall govern retirement benefits.

8.2.2 Plan Overview

CalPERS provides a defined benefit plan. Benefits are based on the employee's age, years of credited service and final compensation at retirement. Employees become fully vested with 5 years of service. For employees hired prior to May 21, 2011 the minimum retirement age is 55 with a benefit formula of 2.5% at 55 (Tier 1); for employees hired between May 21, 2011 and December 31, 2012 the minimum retirement age is 60 with a benefit formula of 2.0% at 60 (Tier 2); and for employees hired on or after January 1, 2103 the minimum retirement age is 62 with a benefit formula of 2% at 62 (PEPRA New Members).

8.2.3 Contributions

The Agency pays the employer's contribution share at the current rate of 14.083% for Tier 1 members, 8.049% for Tier 2 members and 6.25% for PEPRA members of reportable earnings. The Employee pays the employee's contribution share at the current rate of 8% for Tier 1 members, 7% for Tier 2 members and 6.25% for PEPRA members of reportable earnings.

NCTPA reserves the right to amend these Personnel Policies and Procedures at any time.

February 19, 2014
NCTPA Agenda Item 9.3
Continued From: January 15, 2014
Action Requested: APPROVE

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
NCTPA Board Agenda Letter

TO: NCTPA Board

From: Kate Miller, Executive Director

REPORT BY: Diana Meehan, Assistant Program Planner/Administrator
(707) 259-8327 / Email: dmeehan@nctpa.net

SUBJECT: Resolution No. 14-05 Authorizing the Transportation Development Act-Article 3 (TDA-3) FY 2013-14 Project Submissions

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RECOMMENDATION

That the Napa County Transportation and Planning Agency (NCTPA) Board (1) Review the FY 2013-14 TDA-3 project applications; and (2) Consider approving Resolution No. 14-05 (Attachment 1) authorizing the programming of the City of Napa's Tulocay Creek Bridge and Trail Completion Project for $163,125 in advance of programming the FY 2013-14 and FY 2014-15 programs.

EXECUTIVE SUMMARY

On June 19, 2013 the NCTPA Board of Directors approved a call for projects for Transportation Development Act Article 3 (TDA-3) funding. TDA-3 funds are generated from a ¼ cent statewide sales tax and distributed to counties based on local generations and are available to eligible claimants for bicycle and pedestrian projects. Project prioritization and programming was delayed pending the potential award of two additional grant programs affecting the projects submitted. Notification was received in December 2013 that neither grant was successful. At their January meeting the Technical Advisory Committee (TAC) recommended moving forward with a new call for projects combining funds from FY 2013-14 and 2014-15 with submissions due in March 2014. Projects that were initially submitted as part of the FY 2013-14 call for projects would still qualify for funding pending project prioritization and recommendation by the Technical Advisory Committee and the Active Transportation Advisory Committee.

At the January 15, 2014 Board meeting, the City of Napa requested that there be no further delay in programming the Tulocay Creek Bridge and Trail Completion Project and requested $163,125 in TDA-3 funds from FY 2013-14 be allocated for this project with the remainder for the FY 2014-15 call for projects. The Board also requested review of previously submitted projects at the February 19, 2014 Board meeting.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comments
3. Motion, Second, Discussion and Vote

FISCAL IMPACT

Is there a Fiscal Impact? Yes. If approved, $163,125 would be allocated from FY 2013-14 TDA-3 funds with $294,000 remaining for FY 2013-14 and FY 2014-15 call for projects.

Is it Mandatory or Discretionary? Discretionary

Future Fiscal Impact: No

Consequences if not approved: The TDA 3 funds will roll-over to future FY for programming

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

A call for FY 2013-14 TDA-3 projects was issued to all jurisdictions on July 12, 2013 with applications due to NCTPA by August 16, 2013. Eleven (11) funding requests were submitted by the August 16, 2013 deadline as shown in Table A.

Table A: Projects Submitted in the Initial FY 2013-14 Call for Projects

Project Sponsor	**Project Description**	**Amount Requested**
County of Napa	Atlas Peak Pedestrian Project	$20,000
City of American Canyon	Vine Trail Gap Closure Study	45,000
City of Napa	Tulocay Creek Bridge and Trail Completion Project	296,000*
Town of Yountville	North Yountville Bike Route	65,810
Town of Yountville	Pedestrian Project, Oak Circle to Mission	74,000
	Park Paths Program	74,700
	Washington Street Sidewalk Project	60,000
City of St. Helena	No Projects Submitted	0
City of Calistoga	Bike Path	125,000
	ADA Pedestrian Improvements	50,000
	Bike Racks	5,000
Total Requests		**815,510**
FY 2013-14 Available Funds		**333,057**
Initial Program Shortfall		**($357,453)**

*The City of Napa's request was reduced to $163,125 subsequent to the project receiving a State of California grant award.

TDA-3 project prioritization and review of submitted projects was postponed at the recommendation of TAC at its September 5, 2013 meeting pending notification of two grant submissions. Notification was received in December 2013 and neither the TIGER V nor Regional Measure 2 Safe Routes to Transit grants were successful.

The Metropolitan Transportation Commission (MTC) recently revised its original FY 2013-14 allocation of TDA-3 and has provided an estimate for the FY 2014-15 TDA-3 allocation. The final program allocation notification is anticipated this month. Table B shows the current estimated amounts for both years.

Table B: TDA 3 Estimates for Napa County

	FY 2013-14	FY 2014-15 *	TOTAL
REVENUES	467,997 128,544	125,000	721,541
PAYMENTS	-98,111		-98,111
ENCUMBERED	-165,373		-165,373
TDA-3 EST. TOTAL	**$333,057**	**$125,000**	**$458,057**
*** Estimated amounts pending final audit and funding allocation February 2014**			

At the January 2, 2014 Technical Advisory Committee meeting, a recommendation was made to issue a new call for projects combining both FY 2013-14 and 2014-15 with project submissions due in March 2014.

The FY 2013-14 and FY 2014-15 Call for Projects was added to the January 15, 2014 NCTPA Board agenda. At that meeting, the City of Napa requested that the previously submitted Tulocay Creek Bridge and Trail Completion Project be prioritized for funding using the TDA-3 FY 2013-14 revenues. The Board was not able to act on the City's request because programming the project was not noticed on the agenda. Instead, the Board approved releasing the call for projects and instructed staff to bring the Tulocay Creek Bridge and Trail Completion Project back to the Board in February for early programming consideration with the other projects that had been initially submitted for FY 2013-14 TDA-3 programming consideration.

SUPPORTING DOCUMENTS

Attachment: (1) Resolution No. 14-05

RESOLUTION NO. 14-05

A RESOLUTION OF THE NAPA COUNTY TRASNPORTATION AND PLANNING AGENCY (NCTPA) SUBMITTAL OF COUNTYWIDE COORDINATED CLAIM TO THE METROPOLITAN TRANSPORTATION COMMISSION (MTC) FOR THE ALLOCATION OF FY 2013-14 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 (TDA-3) PEDESTRIAN/BICYCLE PROJECT FUNDS TO CLAIMATES IN NAPA 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 Napa County Transportation and Planning 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 NAPA 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 NAPA COUNTY whose project or projects have been prioritized for inclusion in the FY 2013-14 TDA Article 3 countywide coordinated claim, has forwarded to the Napa County Transportation and Planning 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 Napa County Transportation and Planning Agency approves the prioritized list of projects included as Attachment A to this resolution; and furthermore, be it

RESOLVED, that the Napa County Transportation and Planning Agency approves the submittal to MTC, of the NAPA COUNTY FY 2013-14 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.

Passed and Adopted the 19TH day of February, 2014.

____
Keith Caldwell, NCTPA Chair

Ayes:

Nays:

Absent:

ATTEST:

____
Karalyn E. Sanderlin, NCTPA Board Secretary

APPROVED:

____
Janice Killion, NCTPA Legal Counsel

Attachment A

Prioritized List of Projects

	Short Title Description of Project	TDA Article 3 Amount	Total Project Cost
1.	Tulocay Creek Bridge and Trail Completion Project	163,125	536,000
	Totals	163,125	536,000

March 20, 2013
NCTPA Agenda Item 9.4
Continued From: New
Action Requested: INFORMATION/ACTION

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
Board Agenda Letter

TO: Board of Directors

FROM: Kate Miller, Executive Director

REPORT BY: Kate Miller, Executive Director
(707) 259-8634 / kmiller@nctpa.net

SUBJECT: State Route 29 (SR 29) Gateway Corridor Improvement Plan

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RECOMMENDATION

That the Napa County Transportation and Planning Agency (NCTPA) Board receive the Draft State Route 29 Gateway Corridor Improvement Plan (Attachment 1).

COMMITTEE RECOMMENDATION

The Staff Working Group (SWG) for the SR 29 Gateway Corridor Improvement Plan has met numerous times over the course of the Plan development, most recently on January 22nd. The SWG is comprised of public works and planning staff from the Cities of Napa, American Canyon, City of Vallejo, Napa and Solano Counties plus staff from Caltrans. This committee has reviewed this draft report and has forwarded it on to the Corridor Steering Committee.

The Citizens Advisory Committee (CAC) has met five times over the course of Plan development, most recently on February 3rd. The CAC has at least one member representing each of the four jurisdictions. Their comments have been incorporated into the draft Plan presented today.

CSC - Corridor Steering Committee – This Committee is made up of senior policy makers representing the Cities of Napa (Mayor Jill Techel), American Canyon (Mayor Leon Garcia), Vallejo (Councilmember Jess Malgapo) and senior Caltrans staff (District Director Bijan Sartipi). This Committee will receive the Draft Plan on the morning of February 19th. Their response and comments will be reported at today's Board meeting.

EXECUTIVE SUMMARY

State Route 29 (SR 29) is the principal transportation corridor in Napa County. The portions of the road south of the Trancas Street interchange in the City of Napa, and especially the portions through the City of American Canyon are also the most congested road segments in the County. Future projections indicate congestion will worsen significantly over the coming decades, despite modest growth projections in Napa County, if no actions are taken. Recognizing these projections, planners in the cities, Napa County, NCTPA and Caltrans have embarked on a series of projects to mitigate the effects of future growth. This report describes over a dozen projects currently on the books, ranging in size from minor local adjustments to regionally significant infrastructure investments, with budgets ranging from $45,000 to over $115 million, all of which will help improve mobility in the SR 29 Corridor.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Motion, Second, Discussion and Vote

FISCAL IMPACT

Is there a Fiscal Impact? No

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The “State Route 29 Gateway Corridor Improvement Plan” presents a community driven vision and improvement strategy for the southern portion of California State Route (SR) 29, which is an important “gateway” to the Napa Valley and also a corridor through which considerable regional traffic must pass.

The project area extends seventeen miles from the Vallejo Ferry Terminal at the southern end to Napa’s Trancas Park and Ride lot at the northern end passing through the City of Napa, unincorporated Napa County, the City of American Canyon, and the City of Vallejo. Caltrans owns and controls the SR 29 right of way and has made this project possible with a $300,000 grant.

The project brings together diverse interests and addresses the needs and desires of residents, commuters, business owners, visitors and stakeholders, to improve mobility, safety, and community character along the Corridor. The project also considers the role played by all transportation modes including auto, truck, bus, rail, bicycle and pedestrian.

Objectives

Transportation Performance. The Improvement Plan will help minimize traffic congestion while enhancing pedestrian, bicycle and transit routes. Through traffic and local access needs will be addressed.

Advanced Technologies and Programs. Project goals will be advanced by the best available technologies and by “transportation demand management” (TDM).

Physical and Design Improvements. Develops recommendations to enhance transportation, but also to enhance the character of each community and support desirable adjacent development patterns.

Implementation Tools. Identifies strategies for implementing programs and improvements, such as financing tools and timing improvements to correspond with the timing of adjacent development.

Alignment with Each Community’s Aspirations. The *Plan* acknowledges that the “right” design improvements or transportation programs mean different things to different communities, and may vary depending on whether the highway is passing through urban commercial areas, industrial areas, or rural farmland. In this plan, stakeholders and interest groups from all of these communities share their vision for how the corridor should be improved.

Process

Phase I: Vision.
The Vision for the corridor is defined for each unique segment of the highway based on community preferences and regional transportation needs. In written and graphic form, the Vision is comprised of general goals and strategic objectives. The Vision addresses transportation performance and describes the community character aspired to in specific locations.

Phase II: Implementation.
The Implementation Program recommends specific physical improvements and transportation programs for the corridor. Physical improvements include different ways of configuring through traffic, local traffic, transit, bicycle paths, and pedestrian environments. Transportation programs include new technologies, transportation demand management programs, or other policy-related actions. Place based design guidelines are described and strategies for prioritizing and financing improvements are addressed.

Input

The SR 29 Corridor community played a critical role in formulating the initial goals and objectives, ideas, vision, and ultimate recommendations for the corridor. Community members, elected officials, staff, Caltrans representatives, and other stakeholders participated throughout the process in a series of committee meetings and general public events.

Input from the CAC and SWG was incorporated into recommendations that then went before to the “Corridor Steering Committee” (CSC) for formal action. The CSC consisted of mayors and other top-level decision-makers from jurisdictions with an interest in the project. CSC members are expected to work with their respective City Councils and Boards to adopt policies and programs to implement this project’s recommendations upon Plan adoption.

Project staff conducted forty phone interviews with additional stakeholders focusing on commuters using the corridor on a frequent basis. Interviewees were selected to represent key sectors including business developers, nonprofit organizations, law enforcement, environmental advocates and concerned citizens.

Two community “visioning workshops” were held in November 2012 that provided opportunities for discussion and direct input relating to the development of a “Vision Plan” for the corridor. A second round of community workshops was held in February 2014 in both the Cities of American Canyon and Napa to review and comment on the Public Review Draft Implementation Plan. These workshops were conducted in an “open house” format and allowed community members the opportunity to learn about recommendations for various segments of the corridor, review proposed improvements, ask questions, and provide their feedback.

Plan Organization

The State Route 29 Gateway Corridor Improvement Plan is organized into five chapters. After an introductory section, Chapter 2 covers Existing Conditions, summarizing current physical conditions and congestion along the study corridor, projects currently under way, as well as applicable local plans and policies.

Chapter 3 presents the Vision for the corridor including Guiding Principles. This chapter describes the results of the community workshops that helped create the vision, as well as specific preliminary recommendations for each segment of the corridor.

Chapter 4, Proposed Program, is the core of the Plan, describing the specific physical improvements recommended for each major segment and intersection of the study corridor. Each section includes a narrative and graphics that describe existing and proposed conditions, alternatives considered, projected performance at buildout, and any constraints on implementation. Corridor-wide urban design guidelines and other community character-related recommendations are also included, as well as proposed improvements for active transportation (bicycles and pedestrians) and public transit service.

Chapter 5 presents specific Implementation recommendations, including preliminary cost estimation of the various proposed improvements, potential funding sources, and governance recommendations for implementing the plan across multiple jurisdictions.

Next Steps

Immediately following acceptance of this report by NCTPA, additional work will be conducted to further refine the recommendations for American Canyon. The nature of the work to be completed is described in Chapter 4. Upon completion, this plan may be revised to reflect the findings and the preferred direction for that segment of the corridor.

SUPPORTING DOCUMENTS

Attachment: (1) DRAFT SR 29 Gateway Corridor Improvement Plan (Provided in Board member packets only. The document can be viewed on the NCTPA website at http://www.nctpa.net/sr-29-project-documents or at the NCTPA office, 625 Burnell Street, Napa CA 94559)

February 19, 2014
NCTPA Agenda Item 9.5
Continued From: New
Action Requested: INFORMATION/ACTION

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
Board Agenda Letter

TO:	Board of Directors
FROM:	Kate Miller, Executive Director
REPORT BY:	Kate Miller, Executive Director (707) 259-8634 / Email: kmiller@nctpa.net
SUBJECT:	Legislative Update and State Bill Matrix

RECOMMENDATION

That the Napa County Transportation and Planning Agency (NCTPA) Board receive the monthly Federal and State Legislative Update, and approve staff recommendations on pending state bills.

COMMITTEE RECOMMENDATION

The recommendation on pending state bills was presented to the Technical Advisory Committee at their February 6th meeting but the Committee did not have sufficient participation for a quorum at the time the item came up for discussion. Therefore, no recommendation was made on the staff proposal.

EXECUTIVE SUMMARY

The Board will receive a Federal legislative update. The board will also receive a State legislative update (Attachment 1) from Platinum Advisors. A copy of the bill matrix (Attachment 2) is also attached for consideration. With the sole exception of AB 1193 (Ting), the bills on the matrix are 2 year bills that were introduced last year, and are still active, or were significantly altered and are now dead. The Board has already acted on these bills.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Motion, Second, Discussion and Vote

FINANCIAL IMPACT

Is there a fiscal impact? No.

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Federal Update

Both the House and Senate returned to work on January 27^{th}.

President's State of the Union Address

In his January 28th State of the Union address, the President set the stage for the next three years of his administration by focusing on inequity, including his desire to increase the federal minimum wage to $10.10/per hour, improve upward mobility, and create new jobs. Ever since President Obama signed the American Recovery and Reinvestment Act (ARRA) during his first month in office, spending on transportation infrastructure has been a key part of his jobs platform, although the subject did not have as prominent a place in this year's State of the Union Address as in years past, he did give transportation a nod by noting that additional revenues will be needed for "rebuilding our roads, upgrading our ports, unclogging our commutes".

FY14 Appropriations

Congress passed an omnibus spending bill for the rest of FY 2013-14. After passing a three-day continuing resolution to buy more time to complete their work, the House passed the omnibus by a vote of 359 to 67 and the Senate passed it by a vote of 72 to 26. For transportation, the bill honors the Moving Ahead for Progress in the 21^{st} Century (MAP-21) authorized levels for highways and transit formula funding and provides $600 million for a sixth round of Transportation Investment Generating Economic Recover (TIGER) grants (more than has been provided for TIGER since the American Recovery and Reinvestment Act (ARRA).

Highlights of the omnibus bill include:

Transportation – The bill includes $17.8 billion in discretionary appropriations and allows $53.5 billion in non-discretionary "obligation limitation" funding for the Department of Transportation. This is $164 million below the fiscal year 2013 enacted level and $4.9 billion below the President's request.

- Highways – The bill provides almost $41 billion in obligation limitation funding for the Federal Highway program – the same level authorized in the MAP-21 transportation authorization legislation, which expires on September 30, 2014. This is an increase of $557 million from the fiscal year 2013 level.
- Transit – The bill contains $2.15 billion for the Federal Transit Administration (FTA), a decrease of $100 million below the fiscal year 2013 enacted level. The legislation also allows $8.6 billion in state and local transit grant funding from the Mass Transit Account (of the Highway Trust Fund), consistent with MAP-21, to help local communities build, maintain, and ensure the safety of their mass transit systems.
- The legislation provides a total of $2.1 billion for Capital Investment Grants ("New Starts"), full funding for state and local "Small Starts," and funding for all current "Full Funding Grant Agreement" projects. These programs provide competitive grant funding for major transit capital investments, including rapid rail, light rail, bus rapid transit, and commuter rail, that are planned and operated by local communities.

Housing and Urban Development (HUD) – The legislation includes a total of $32.8 billion for the Department of Housing and Urban Development, a decrease of $687 million below the fiscal year 2013 enacted level. The bill does not contain funding for any new, unauthorized "sustainable," "livable," or "green" community development programs, and includes provisions to streamline and reduce costs of housing voucher programs to save taxpayer dollars.

- Section 8 and Public Housing – Included in the bill is $26.3 billion for Public and Indian Housing. This is an increase of $411 million above the fiscal year 2013 enacted level, and is $1.5 billion below the President's request. Within this total, the bill provides funding to continue assistance to 2.2 million families served by the Housing Choice Voucher program. The bill also fully funds the President's request for 10,000 new veterans' housing vouchers at $75 million.
- Housing Programs – Housing programs are funded at $10.5 billion, $561 million above fiscal year 2013's enacted level and $381 million below the President's request. Within this total, the bill provides $126 million for housing for the disabled and $383.5 million for housing for the elderly.

Community Planning and Development – The bill contains $6.6 billion for Community Planning and Development programs – a cut of $145 million below last year's level. The Community Development Block Grant formula program is funded at slightly over $3 billion, $82 million above the fiscal year 2013 enacted level.

Highway Trust Fund

In remarks at the Transportation Research Board (TRB) annual meeting, USDOT Secretary Anthony Foxx announced the Highway Trust Fund (HTF) could run short as soon as August. Earlier projections had projected the HTF would be depleted sometime in early FY15, after the expiration of MAP-21 on October 1st. This new projection means Congress might have to act to shore up the Trust Fund before MAP-21 expires.

Foxx also shared the USDOT will start posting monthly on its website a HTF Ticker showing the latest balance projections. These charts had previously only been shared with Members of Congress and their staff but will now be made public. You can access the HTF Ticker at: http://www.dot.gov/highway-trust-fund-ticker. According to these projections, based on current spending revenue trends, USDOT estimates the Highway Account will encounter a shortfall before the end of FY14 while the Mass Transit Account will have a balance of approximately $440 million at the end of FY14.

In the same TRB speech, Secretary Foxx outlined his top priorities for the Department and discussed his vision for multimodal transportation. He also announced that the Administration plans to push Congress to pass a corporate tax reform bill that would include a proposal to permit repatriation of corporate revenues, with a portion of the new revenue to go to the HTF.

Committee Activity

House T&I Committee Special Panel on PPPs –On January 16th, leaders of the House Transportation and Infrastructure Committee announced the establishment of a special panel on Public-Private Partnerships (PPPs). Similar to the special panel on freight that completed its work in October, the Special Panel on PPPs will hold hearings and focus its work on the use of and opportunities for PPPs “across all modes of transportation, economic development, public buildings, water, and maritime infrastructure and equipment. The panel will be chaired by Rep. Jimmy Duncan (R-TN) and the Ranking Democrat is Rep. Michael Capuano (D-MA). Under Committee rules the special panel will have six months to complete its work.

On January 21st, the House T&I Committee held its kick-off hearing on MAP-21 reauthorization. At the hearing, Chairman Bill Shuster (R-PA) said he wants the committee to move a reauthorization bill by spring or early summer, with a goal of House floor action before the August recess. MAP-21 expires on October 1st

Political Appointments

Last week USDOT Secretary Foxx announced that FTA Administrator Peter Rogoff will serve as the Acting Under Secretary for Policy now that Polly Trottenberg has resigned to head up the NYC DOT. Rogoff has been FTA Administrator for the past four and a half years, and before that spent nearly 20 years working on transportation issues for the Senate Appropriations Committee. The Under Secretary for Policy position is the number three job at USDOT. While he will serve in an acting capacity, it is expected that the Administration will nominate him for the position permanently at a later date.

State Update
See attached report from Platinum Advisors and attached memo from the Metropolitan Transportation Commission

<u>SUPPORTING DOCUMENTS</u>

Attachments: (1) January 30, 2014 State Legislative Update (Platinum Advisors)
(2) Bill Matrix

January 30, 2014

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

FR: Steve Wallauch
Platinum Advisors

RE: Legislative Update

Floor session will be busy this week as all 2-year bills remaining in their house of origin must pass to the second house by January 31st in order to be considered by the Legislature this year. A large number of new bills will be introduced in the coming weeks, as the February 21st introduction deadline approaches. New bills must be in print for thirty days prior to being heard in policy committees allowing time for the public to review the measures.

Transportation Initiative on Hold: Transportation California and the California Alliance for Jobs have decided not to proceed at this time on their initiative proposal to impose a vehicle license fee dedicated to transportation projects. In November, the backers submitted a proposal to phase in a 1% VLF charge that would be dedicated to transportation and transit capital projects, which would generate up to $4 billion annually. With the recent release of the title and summary, additional polling was done to gage voter support. While passage of this proposal would be difficult, lingering economic worries have made the chance of success unlikely. Both Transportation California and the Alliance for Jobs will continue to work with stakeholders to find a long term solution to our transportation funding needs.

Reports, Reports: The California State Transportation Agency (CalSTA) released its report today on the findings and recommendation of the State Smart Transportation Initiative (SSTI) (http://calsta.ca.gov/res/docs/pdfs/2013/SSTI_Independent%20Caltrans%20Review%201.28.14.pdf) SSTI is an independent management auditing organization consisting of transportation policy experts from across the country. SSTI's report will likely propose significant organizational changes within Caltrans.

In addition, the CalSTA established the California Transportation Infrastructure Priorities Workgroup (CTIP) last spring. The CTIP Workgroup consists of over 50 transportation related representative, which have been meeting regularly over the past year. The initial report from the CTIP Workgroup is expected to be released next week. The report is expected to prioritize state transportation needs for the near and long term.

Leadership Changes: Both the Senate and Assembly Democrats have selected new leaders to take over for Senate Pro Tem Steinberg and Assembly Speaker Pérez later this year. Senator Kevin de Léon and Assemblywoman Toni Atkins both received caucus support, marking the first time in almost twenty years that both leaders will come from Southern California.

De León, from L.A. County was first elected to the Assembly in 2006 and then to the Senate in 2010. He currently chairs the Senate Appropriations Committee. Prior to being elected to the Legislature, Senator de León worked as a community organizer and was a staff advocate for public schools at the California Teachers Association. While in the Legislature, he has focused much of his energy on public safety issues, particularly gun control. Senate Pro Tem Steinberg made the announcement that he will hold a formal vote this summer with the expectation of De León's succession. Senator DeSaulnier from Concord had been in the running until recently when he announced his intention to run for Congressman George Miller's seat.

Assemblywoman Toni Atkins, from San Diego would be the first gay woman to serve as Speaker. She began serving in 2011 and is the Majority Floor Leader. She has announced that her primary interests for 2014 include finding ways to mitigate the drought, California's business climate, and education. Atkins was previously on the San Diego City Council for eight years as well as interim Mayor. Both de León and Atkins will be termed out in 2016.

State of the State Address: Governor Brown made an impression last week during his State of the State speech by bringing party favors featuring his dog, Sutter. The speech itself was touted by observers to be the kick-off of his not yet announced re-election campaign, highlighting California's surplus and his proposal for a solid rainy day fund to help maintain the State's fiscal stability. Brown emphasized the need to address California's worsening drought by stating, "Water recycling, expanded storage and serious groundwater management must all be part of the mix." He called on residents to use less water to mitigate the effects of the drought. The playing cards the Governor passed out at the end of his address included one side with a chart of the history of California deficits, the other with his dog encouraging fiscal prudence.

The six versions of the cards included a picture of Sutter with these inspirational messages:

- Don't let our balanced budget go to the dogs!
- Always keep a bone buried in the back yard.
- Bark if you hate deficits!
- Let's keep new spending on a short leash.
- A prudent Corgi knows to nibble at his kibble.
- Save some biscuits for a rainy day.

Legislation

Bikeways: Assemblyman Phil Ting gutted and amended AB 1193 to create a fourth type of bike path. The bill was approved by the Assembly this week and it is on its way to the Senate. This bill is sponsored by the California Bicycle Coalition in an effort ease the way for local governments to implement a new class of bikeway know as a "cycle track" or "protected bikeway." AB 1193 would create a Class IV bikeway defined to provide a right-of-way designated exclusively for bicycle travel within a roadway and that are protected from other vehicle traffic with devices, including, but not limited to, grade separations, flexible posts, inflexible physical barriers, or parked cars.

Transit Strikes: At the end of the 2013 Session Senator Huff amended SB 423 to prohibit BART employees from striking. SB 423 was amended earlier this year to prohibit any transit employee from striking. SB 423 failed passage in the Senate Committee on Public Employees & Retirement this month, and is now a dead bill. However, Assemblywoman Kristin Olsen recently introduced AB 1536, which would also prohibit any public transit employee from striking. AB 1536 likely faces a similar fate as SB 423 when it is heard in the first policy committee.

State Budget:

Legislature's Budget Review: Both the Assembly Budget and Senate Budget Committees convened for an overview of the Governor's Budget proposal following its release. Although fairly tame in comparison to prior year proposals, both sides of the aisle have found points of disagreement with the Governor's plan. According to Legislative Analyst Mac Taylor, "the budget is great for the schools, not so much for the rest of the budget." Democrats are particularly unhappy that the Governor did not include more restorations to safety net services for the poor. Concerns from Republicans include funding for high-speed rail, a lack of emphasis on job creation, and the need to do more to build reserves and pay down debt.

LAO Budget Summary: The LAO released its Overview of the Governor's Budget. This is a shorter first glance of the budget, and not the in depth analysis of the budget that is released by the LAO in February. Overall the LAO feels the budget proposal places California on stronger fiscal footings by paying down debt and limiting on going spending. In addition to the fiscal review, the LAO's summary includes a lengthy discussion of the Governor new rainy day fund proposal and finds that both the Governor's proposal and ACA 4, which is on the November ballot, are meritorious, but these proposals do shift a more budget authority to the executive branch. The LAO's summary also questions whether the Governor's proposal to allocate $250 million in cap & trade auction revenue to high speed rail truly maximizes greenhouse gas reduction opportunities.

A copy of the LAO's summary can be found at:
http://lao.ca.gov/reports/2014/budget/overview/budget-overview-2014.pdf

Governor's Budget Proposal: The fiscal outlook unveiled by Governor Brown and the Department of Finance eclipse the optimistic assumptions released by the LAO in December. According the DOF there is $6.3 billion in additional revenue available then originally predicted. This includes a 2012-13 closeout gain of $1.7 billion, a jump in the 2013-14 forecast by $3 billion, and 2014-15 is assumed to grow by $1.6 billion above the 2013 projections. The vast majority of this income is from increase personal income taxes through capital gains taxes.

The Governor's proposal outlines a general fund spending plan for 2014-15 of $107 billion -- an $8 billion increase over the 2013-14 budget. The budget takes an $11 billion whack at the wall of debt by paying off the economic recovery bonds ($3.9 billion payment), eliminating the debt to schools for deferred payments ($6.1 billion payment), and repaying various internal loans from special funds. The budget also proposes creating a new rainy day fund, spending Cap & Trade auction revenue, and expanding the use Infrastructure Financing Districts by cities and counties.

State Transit Assistance: The State Transit Assistance budget includes a $793 in new Prop 1B transit capital appropriations, and it forecasts a transit operations allocation of $373 million for 2014-15.

Cap & Trade Appropriations: The budget proposes appropriating $850 million in auction revenue to various programs. This amount includes a $100 million repayment of the $500 million in auction revenue loaned to the general funding in the current fiscal year. The proposal appropriates funds for projects in each of the issue areas identified in the expenditure plan developed last year. This includes $80 million for energy efficiency and renewable energy projects, $20 million for green state buildings, $20 million for agricultural projects, and $20 million water energy efficiency. In keeping with the expenditure, the bulk of the funds are dedicated to transportation related projects, as follows:

- **Rail Modernization $300 million** — The budget allocates $250 million of these funds to the High Speed Rail Authority. This is expected to be an annual allocation for the next several years. For the 2014-15 fiscal years these funds will be used for Phase 1 of the project with $58.6 million dedicated to project planning and $191.4 million for right of way acquisition and construction.

  Integration of Rail Systems $50 million — Caltrans will administer this program which provide grants to existing rail operators for projects that integrate rail systems and provide connectivity to the high speed rail system.

- **Sustainable Communities $100 million** — The Strategic Growth Council will administer this program in coordination with various departments to implement Sustainable Communities Strategies that improve transit ridership, increase active transportation, provide affordable housing near transit, as well as preserves agricultural lands and supports local planning efforts that promote infill development. A priority will be given to projects in disadvantaged communities.

- **Low Carbon Transportation $200 million** —The Air Board will use these funds to accelerate the transition to low carbon freight and passenger transportation, with a priority for disadvantaged communities. These funds will be used to augment the Air Board’s existing programs that provide rebates for zero-emission cars and vouchers for hybrid and zero-emission trucks and buses.

Loan Repayment. The budget finally includes a $351 million payment of a loan made from the State Highway Account to the general fund. This represents most of the outstanding debt. The payment terms of this loan have been pushed back several times, so this “early” payment is a pleasant and much needed surprise. Based on the priorities developed by the California

Transportation Infrastructure Priorities Workgroup these funds will be used for the following maintenance, preservation and improvement projects:

- $110 million to fund pavement rehabilitation projects on state highways.
- $100 million to cities and counties for preservation of local streets and roads.
- $100 million for traffic management mobility projects.
- $27 million for highway pavement maintenance.
- $9 million for active transportation projects.
- $5 million for environmental mitigation.

Proposition 1B Bond Funds — The Budget appropriates $1.1 billion in Prop 1B funds. The budget includes $793 million to support local transit operators, $160 million for intercity rail, and $113 million for additional state highway projects.

Capital Outlay Support: The budget includes a proposal to improve the Capital Outlay Support budgeting process based on recommendations made by a workgroup consisting of Caltrans, DOF, and the LAO. The changes include improving project budgets through the development of a predictive tool to help establish initial project budgets, creating a methodology for the use of flexible resources to meet overall staffing needs, increasing accountability and transparency, and consolidating and streamlining statewide program management manuals and directives across all 12 districts.

Aeronautics Program: The Budget proposes to transfer $4 million from the Local Airport Loan Account to the grant program in order to provide matching funds for 55 federal grants. The loan program is undersubscribed and currently includes a balance of $18 million.

Infrastructure Finance Districts (IFD): As part of budget proposal, Governor Brown is proposing legislation to expand the use of IFDs and lower the voter threshold to create the districts from 2/3 to 55%. This vote requirement is a statutory change and does not require a Constitutional change to lower the vote requirement.

However, the Governor's proposal would only allow a city or county to take advantage of this new tax increment financing tool if all of the following conditions are met.

- The local government has received a Finding of Completion from Finance through the RDA dissolution process,
- Is in compliance with all State Controller's Office RDA audit findings, and
- Any outstanding legal issues related the RDA dissolution process have been resolved.

The Governor's IFD proposal is generally consistent with most of the tax increment financing proposals introduced last year, and includes the following elements:

- Expand the types of projects that IFDs can fund to include military base reuse, urban infill, transit priority projects, affordable housing, and associated necessary consumer services. The goal is to maintain the IFD focus on projects which have tangible quality-of-life benefits for the residents of the IFD project area.

- Allow cities or counties that meet specified benchmarks to create these new IFDs, and to issue related debt, subject to receiving 55-percent voter approval.

- Allow new IFD project areas to overlap with the project areas of the former RDAs, while strictly limiting the available funding in those areas to dollars available after payment on all of the former RDA's approved obligations.

- Maintain the current IFD prohibition on the diversion of property tax revenues from K-14 schools, and require entities that seek to establish an IFD to gain the approval of the county, cities, and special districts that would contribute their revenue, including residual revenue, to the IFD.

PLATINUM ADVISORS

January 30, 2014

Bills	Subject	Status	NCTPA RECCOMENDED POSITION
AB 1193 **(Ting D)** Bikeways.	AB 1193 was gutted and amended in January to create a new class of bike paths, known as a "cycle track" or "protected bikeway." The bill would create a Class IV bikeway defined to provide a right-of-way designated exclusively for bicycle travel within a roadway and that are protected from other vehicle traffic with devices, including, but not limited to, grade separations, flexible posts, inflexible physical barriers, or parked cars.	SENATE RLS	SUPPORT

Bills	Subject	Status	NCTPA ADOPTED POSITION
AB 431 **(Mullin D)** County Employees Retirement Law of 1937: federal law compliance	AB 431 has been gutted and amended to make various changes to the County Employee Retirement Law of 1937. The changes would generally conform state law with federal law. The prior version of 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 & recreation.	DEAD	WATCH
AB 574 **(Lowenthal D)** California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: sustainable communities strategies.	AB 574 remains on the Assembly Appropriations Committee's Suspense File. 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.	DEAD	SUPPORT

<table>
<tr><th>Bills</th><th>Subject</th><th>Status</th><th>NCTPA ADOPTED POSITION</th></tr>
<tr><td><u>AB 935</u>
(<u>Frazier</u> D)
San Francisco Bay Area Water Emergency Transportation Authority: terms of board members.</td><td>Assemblyman Frazier has made AB 935 a two-year bill. AB 935 would expand the Water Emergency Transportation Authority board and specify that the seats represent specified counties.
AB 935 would divvy up the appointments to WETA as follows:
Of the Governor’s three appointees one shall be a resident of San Francisco.
The Senate Rules Committee will have two appointees that shall include a resident of Contra Costa County and a resident of San Mateo County
The Speaker of the Assembly will have two appointees that shall include a resident of Solano County and a resident of Alameda County.
Each of the County appointees shall be selected from a list of three nominees provided by the transportation authority from each county.
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.</td><td>SENATE T & H – Two Year Bill</td><td>WATCH</td></tr>
<tr><td><u>AB 1002</u>
(<u>Bloom</u> D)
Vehicles: registration fee: sustainable communities strategies.</td><td>AB 1002 remains in the Assembly Local Government Committee. Because this bill is a “tax” measure, it is exempt from the hearing deadlines and technically can be heard at any time. However, passage of this bill does require a 2/3 vote on the Floor, and movement is unlikely.

This bill includes a proposal to impose a $6 tax to the registration of each vehicle. The revenue would be deposited into the Sustainable Communities Subaccount, which the bill creates, and the proceeds would be distributed as follows:
50% appropriated to cities and counties on a per capita basis for planning and implementation of sustainable communities strategies.
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.
10% appropriated to MPOs and RTPAs to be used for competitive grants for implementing sustainable communities strategy programs.</td><td>ASSEMBLY LOC GOV
Two-Year Bill</td><td>WATCH</td></tr>
</table>

Bills	Subject	Status	NCTPA ADOPTED POSITION
SB 1 **(Steinberg D)** Sustainable Communities Investment Authority.	SB 1 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. The Governor's Office asked the authors' of the various tax increment measures to hold-off sending these bills to his desk last year. With the Governor's IFD proposal released as part of the budget negotiations over the structure of a new tax increment financing proposal will heat-up during the budget process.	Senate Floor - Inactive File – Two-Year Bill	WATCH
SB 469 **(Corbett D)** aerodynamic devices	SB 469 has been gutted and amended to deal with length limitations for installing aerodynamic devices on trucks. Originally this bill would require a local agency when awarding a contract to purchase public transit vehicles to give a 10% preference to any bidder that agrees to manufacture all vehicles in California.	Assembly Desk	WATCH
SB 556 **(Corbett D)** Agency: ostensible: nongovernmental entities.	Previously SB 556 would prohibit nongovernmental person or entity contracting with a public agency from displaying a seal or emblem of that public agency on a uniform or vehicle unless a disclosure statement is also conspicuously displayed identifying the uniform wearer or vehicle operator as not a government employee. SB 566 was amended on September 4th to limit the application of the disclosure requirements to contracts dealing with public health or safety services. The bill no longer applies to any transit service contracts.	Assembly Floor – Inactive File Two-Year Bill	WATCH
SB 791 **(Wyland R)** Motor vehicle fuel tax: rate adjustment	SB 791 remains in the Senate Committee on Transportation & Housing. 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	SENATE T & H – Two Year Bill	OPPOSE

Bills	Subject	Status	NCTPA ADOPTED POSITION
<u>SB 792</u> **(<u>DeSaulnier</u> D)** Regional entities: Bay Area.	SB 792 sat on the Senate Appropriations Committee's Suspense File for most of 2013; however, with the changing political landscape SB 792 was moved out of Appropriations and approved by the Senate. This bill 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.	Assembly Desk	WATCH
<u>SCA 4</u> **(<u>Liu</u> D)** Local government transportation projects: special taxes: voter approval.	SCA 4 is in the Senate Committee on Appropriations. Constitutional amendments are exempt for the House of Origin deadline. *SCA 4 has been amended to require a percentage of the sales tax revenue be used for projects that reduce GHG emissions from transportation sources, and require a portion of the funds used on state highway project be given to the state for future maintenance needs.* This measure would amend the Constitution to lower the voter approval threshold to 55% for the imposition, extension, or renewal of a local tax for transportation projects. SCA 4 was amended to require a local measure to include the following in order to be approved with a 55% vote: • Includes a specific list of projects and programs that will be funded and limits the use of the funds for those purposes, • Includes a requirement for annual audits, and • Requires the creation of a citizens' oversight committee.	SENATE APPRS – Two-Year Bill	SUPPORT & SEEK AMENDMENTS

Bills	Subject	Status	NCTPA ADOPTED POSITION
SCA 8 **(Corbett D)** Local government transportation projects: special taxes: voter approval.	SCA 8 is in the Senate Committee on Appropriations. Constitutional amendments are exempt from the House of Origin deadline. SCA 8 is another measure that would amend the Constitution to lower the voter approval threshold to 55% for the imposition, extension, or renewal of a local tax for transportation projects. SCA 8 was also amended to require a local measure to include the following in order to be approved with a 55% vote: • Includes a specific list of projects and programs that will be funded and limits the use of the funds for those purposes, • Includes a requirement for annual audits, and • Requires the creation of a citizens' oversight committee.	SENATE APPRS – Two-Year Bill	SUPPORT
SCA 11 (**Hancock** **D**) Local government: special taxes: voter approval.	SCA 11 is in the Senate Committee on Appropriations. 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. SCA 11 was also amended to require the following elements in the local measure in order to be approved by 55%: • Includes a specific list of projects and programs that will be funded and limits the use of the funds for those purposes, • Includes a requirement for annual audits, and • Requires the creation of a citizens' oversight committee.	SENATE APPRS – Two-Year Bill	SUPPORT

NCTPA Napa County Transportation & Planning Agency

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Submission information
Form: Title VI Complaint Form
Submitted by Anonymous (not verified)
January 29, 2014 - 5:48pm
66.87.64.237

Complainant's Information

Complainant's Name
jorge luis bravo

Address

City
napa

State
ca

Zip Code
94558

Email

Telephone (###) ###-####

Work Phone (###) ###-####

Person(s) discriminiated against (if other than complainant)

Name

Address

City

State

Zip Code

Telephone (###) ###-####

Work Phone (###) ###-####

What is the descrimination based on? (Choose all that apply)
Race/Color

Date of alleged discrimination? (Click on month, day, and year)

Location of Alleged Discrimination?
01/29/2014

Agency or person who was responsible for alleged discrimination:
the vine transit bus driver

Describe the alleged discrimination. Explain what happened and who you believe was responsible.
On january 29 2014 i took bus number 8 from the courthouse to redwood park and ride. While waitting at the transit center at about 3:00 or 3:30 i saw a Valentines posting in the bus stating that there will be free public transportation from february 10 to february 14 i beleave... when i (Being friendly) started a conversation with bus driver while waitting at the transit station. I Said something like wow is there Going to be Free transportation on valentines day? The Driver a white male clearly and looking at me while Walking to the back of the bus replied. "Yes there is Going to be but not for this bus!" He was not only intimidatting but discriminating also. At the time there was no one else in the bus
except the A/V security surveillance inside the bus

List names and contact information of persons who may have knowledge of the alleged discrimination.

Upload file

How can this complaint be resolved? How can the problem be corrected?
I would like to be compensated for this discrimination act!

Electronic Signature (Type Your Name)
jorge luis bravo contreras

Confirm Electronic Signature
jorge luis bravo contreras

Today's Date (xx/xx/20xx)
01/29/2014

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NCTPA Assignment (For NCTPA use only)

Concluding Action (for NCTPA use only)

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