



625 Burnell Street, Napa CA 94559

## **Napa County Transportation and Planning Agency (NCTPA)**

### **Board of Directors**

### **AGENDA**

**Wednesday, January 16, 2013  
1:30 p.m.**

**NCTPA/NVTA Conference Room  
625 Burnell Street  
Napa CA 94559  
(Note Meeting Location)**

### **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](http://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](http://www.nctpa.net), click on Minutes and Agendas – NCTPA Board or go to [www.nctpa.net/agendas-minutes/12](http://www.nctpa.net/agendas-minutes/12)***

**ITEMS**

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

Members:

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

- 4. Public Comment
- 5. Chairperson, Board Members’ and Metropolitan Transportation Commission (MTC) Update
- 6. Directors Update
- 7. Caltrans’ Update

8. **ADMINISTRATIVE ITEMS**

**RECOMMENDATION**

- 8.1 Election of Vice Chair (Kate Miller) *(Pages 7-8)*

APPROVE

Board action will elect a Vice Chair for the remainder of the FY 2012-13 term.

9. **CONSENT ITEMS (9.1- 9.3)**

**RECOMMENDATION**

- 9.1 Approval of Amended Resolution No. 12-34 Issuing the Final Regional Housing Needs Allocation (RHNA) for the Napa Subregion (Danielle Schmitz) *(Pages 9-15)*

APPROVE

Board action will approve the Amended Resolution No. 12-34 issuing the Final Regional Housing Needs Allocation (RHNA) for the Napa Subregion.

- 9.2 Approval of Second Amendment to NCTPA Agreement No. 10-20 with CH2MHILL, Inc. for Work Associated with On-Call Engineering and Project Delivery Services (Lawrence Gawell) *(Pages 16-19)* APPROVE

Board action will approve an amendment to the contract with CH2MHILL, Inc. which will extend the Period of Performance under NCTPA Agreement No. 10-20 to February 28, 2013.

- 9.3 Approval of Second Amendment to NCTPA Agreement No. 10-23 with Mark Thomas & Company, Inc. for Work Associated with On-Call Engineering and Project Delivery Services (Lawrence Gawell) *(Pages 20-23)* APPROVE

Board action will authorize an amendment (to the contract with Mark Thomas & Company, Inc. which will extend the Period of Performance under NCTPA Agreement No. 10-23 to February 28, 2013.

10. **REGULAR AGENDA ITEMS**

**RECOMMENDATION**

- 10.1 FY 2011-12 Independent External Fiscal Audit and Single Audit Reports for NCTPA (Antonio Onorato) *(Pages 24-27)* APPROVE

Board action will (1) Authorize acceptance and filing of the FY 2011-12 NCTPA Fiscal Audit and the NCTPA Single Audit Report - OMB Circular A-133, and (2) Return an allocation surplus of \$1,674,164 to the County's Local Transportation Fund.

11. **INTERJURISDICTIONAL ISSUES FORUM**

**RECOMMENDATION**

- 11.1 Interjurisdictional Issues Discussion Forum and Information Exchange INFORMATION/  
ACTION

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

12. **ADJOURNMENT**

**RECOMMENDATION**

12.1 Approval of Meeting Date of February 15, 2013  
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 January 11, 2013.

  
\_\_\_\_\_  
Karalyn E. Sanderlin, NCTPA Board Secretary

## Glossary of Acronyms

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

## Glossary of Acronyms

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



January 16, 2013  
NCTPA Agenda Item 8.1  
Continued From: New  
**Action Requested: APPROVE**

## NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY Board Agenda Letter

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**TO:** Board of Directors  
**FROM:** Kate Miller, Executive Director  
**REPORT BY:** Kate Miller, Executive Director  
(707) 259-8634 / Email: [kmiller@nctpa.net](mailto:kmiller@nctpa.net)  
**SUBJECT:** Election of Vice Chair

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### **RECOMMENDATION**

That the Napa County Transportation and Planning Agency (NCTPA) Board elect a Vice Chair for the remainder of the FY 2012-13 term.

### **COMMITTEE RECOMMENDATION**

None.

### **EXECUTIVE SUMMARY**

With the mid-term departure of Jack Gingles, who was serving as Vice Chair, it is necessary for the Board to fill the vacancy for remainder of the FY 2012-13 term.

### **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 NCTPA bylaws, which were adopted in July 1998, require an annual election of Chair and Vice Chair at the first annual meeting. The Chair and Vice Chair hold office for one year or until their successors have been appointed. In June of 2000 a subcommittee of the Board recommended, and the Board adopted, a policy that allows a two-year term for the Chair and Vice Chair with an annual vote of approval by the Board. The Board terms are consistent with the agency's fiscal year and begin on July 1 and end on June 30.

With the mid term departure of City of Calistoga Mayor, Jack Gingles, who was serving as Vice Chair, it is necessary to fill the vacancy for the remainder of the FY 2012-13 term.

## **SUPPORTING DOCUMENTS**

None.





January 16, 2013  
NCTPA Agenda Item 9.1  
Continued From: December 12, 2012  
**Action Requested: APPROVE**

## NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY Board Agenda Letter

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**TO:** Board of Directors  
**FROM:** Kate Miller, Executive Director  
**REPORT BY:** Danielle Schmitz, Associate Program Planner  
(707) 259-5968 / Email: [dschmitz@nctpa.net](mailto:dschmitz@nctpa.net)  
**SUBJECT:** Approval of Amended Resolution No. 12-34 Issuing the Final Regional Housing Needs Allocation (RHNA) for the Napa Subregion

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### **RECOMMENDATION**

That the Napa County Transportation and Planning Agency (NCTPA) Board approve Amended Resolution No. 12-34 (Attachment 1) issuing the Final Regional Housing Needs Allocation (RHNA) for the Napa Subregion.

### **COMMITTEE RECOMMENDATION**

None

### **EXECUTIVE SUMMARY**

On December 12<sup>th</sup> the NCTPA Board adopted Resolution 12-34 issuing the final RHNA allocations for the Napa Subregion. The Association of Bay Area Governments (ABAG) subsequently requested to modify the resolution language to further show consistency between the Regional and Subregional RHNA methodologies. The resolution acted on by the Board at its December meeting has been modified to include the following:

*WHEREAS, the Subregional RHNA incorporates the land use pattern identified in the draft Preferred Scenario of the Sustainable Communities Strategy (entitled the Jobs-Housing Connection Strategy) adopted by ABAG and MTC on May 17, 2012; and*

*WHEREAS, the RHNA for each jurisdiction in the Subregion is consistent with the number of housing units assigned to the jurisdiction in the Jobs-Housing Connection Strategy for the RHNA period of 2014-2022; and*

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*WHEREAS, the Subregional RHNA allocates by jurisdiction and the Jobs-Housing Connection Strategy development pattern envisions growth at a sub-jurisdictional level based on locally-identified areas for growth (known as Priority Development Areas), there is a reasonable expectation a jurisdiction with adopted PDAs will plan for a significant portion of its RHNA in the PDAs:*

*NOW THEREFORE BE IT RESOLVED:*

*That the Subregion's RHNA is consistent with the Jobs-Housing Connection Strategy of the Sustainable Communities Strategy for the San Francisco Bay Area, as required by California Government Code Section 65584.04(i)(3).*

This amendment does not change the Subregional RHNA allocations that were approved on December 12, 2012.

### **PROCEDURAL REQUIREMENTS**

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

### **FISCAL IMPACT**

Is there a Fiscal Impact? No fiscal impact included with this action at this time.

### **CEQA REQUIREMENTS**

According to California Government Code Section 65584.(f) the proposed action is exempt from the California Environmental Quality Act (CEQA).

### **BACKGROUND AND DISCUSSION**

The County of Napa and the cities and town within the County, constituting the members of the Napa Subregion, have adopted resolutions to participate as a "Subregion" in the State-mandated Regional Housing Needs Allocation (RHNA) Process. The Napa County Transportation and Planning Agency (NCTPA) is the countywide representative for the Subregion. In accordance with provisions of the RHNA law, the jurisdictions of Napa County formed a subregion for the purpose of devising a methodology and distributing housing shares for the 2014-2022 RHNA cycle. In creating a subregion, the jurisdictions have increased their involvement and control of the allocation process. The attached resolution has been modified to incorporate Association of Bay Area Government's requested language but does not alter the the Subregional RHNA allocations approved by the Board on December 12, 2012.

### **SUPPORTING DOCUMENTS**

Attachments: (1) Amended Resolution No. 12-34

**AMENDED RESOLUTION No. 12-34**

**A RESOLUTION OF THE  
NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY (NCTPA)  
TO DETERMINE THAT THE NAPA SUBREGIONAL REGIONAL HOUSING NEEDS  
ALLOCATION (RHNA) PROCESS CONFORMS WITH STATE LAW AND  
ISSUING THE PROPOSED FINAL SUBREGION ALLOCATION**

**WHEREAS**, in March, 2011, pursuant to Cal. Gov. Code 65584.03(a) and as approved by the Association of Bay Area Governments ("ABAG"), local jurisdictions within Napa County through the Napa County Transportation and Planning Agency formed the "Napa Subregion" for the purpose of developing and allocating subregional housing needs; and

**WHEREAS**, during 2011-2012, after a lengthy discussion and development process that coordinated closely with ABAG's Regional Housing Needs Methodology development process, and that included participation by local jurisdictions, other organizations and the public, the Subregion developed a Draft Methodology for allocating subregional housing needs; and

**WHEREAS**, on May 16, 2012, the Subregion issued its Draft Methodology, assigned preliminary Subregion Housing Allocations and submitted its Draft Methodology to ABAG for comment; and

**WHEREAS**, following a public hearing on July 18, 2012, the Subregion approved a Final Methodology and issued a Draft Allocation of Housing Needs within the Subregion and subsequently opened a 60-day public comment period from July 19 through September 17, 2012, during which any member jurisdiction of the Subregion could request revisions to the Draft Allocation; and

**WHEREAS**, on July 19, 2012, pursuant to Gov. Code Section 65584.03(c) the ABAG Executive Committee allocated to the Napa Subregion its share of Housing needs; this subregional allocation also included individual jurisdiction allocations consistent with ABAG's Final Regional Housing Needs Methodology; and

**WHEREAS**, the Napa Subregion fully allocated its share of the regional housing need within the subregion pursuant to Gov. Code Section 65584.03 (d); and

**WHEREAS**, the Allocation Methodology adopted by the Subregion addressed the statutory policy objectives and factors to the extent that sufficient data was available, and was comprised of the following two components, each of which addressed the statutory policy objectives and factors; and

**WHEREAS**, the primary component of the Allocation Methodology is identical to the methodology applied by ABAG for the Bay Area region as a whole: the identical weighted formula was applied to the identical underlying demographic projection data. Because the ABAG methodology has previously been determined to further the statutory policy objectives and factors, so too does this primary component of the Subregion's methodology; and

**WHEREAS**, the secondary component of the derivation allowed for potential adjustments to effect a distribution that corrects data errors and/or better addresses factor priorities identified by the subregion that also meet statutory objectives and requirements; and

**WHEREAS**, no requests for adjustments to the Draft Allocations were received during the 60 day request for revision time frame, thus there was no need for the negotiations process for revisions or appeals; and

**WHEREAS**, the Proposed Final Allocation was discussed in full, and public comment was heard at a duly noticed public hearing conducted by the governing board of the Subregion on December 12, 2012; and

**WHEREAS**, the Subregion has gained all necessary approvals required by Cal. Gov. Code 65584 *et seq* from ABAG; and

**WHEREAS**, the Subregion has considered and met the policy objectives outlined in Cal. Gov. Code 65584(d), and factors to the extent sufficient data was available as outlined in 65584.04(d), in formulating its proposed Final Methodology for allocating housing units and in determining the allocations to the Subregion, and has found that the Final Methodology and the proposed Final Allocations meet the letter and spirit of California Gov. Code 65584 *et seq*; and

**WHEREAS**, the proposed Final Allocation was determined in accordance with the approved Final Methodology and no members of the Subregion requested revisions or appealed the Proposed Final Allocations; and

**WHEREAS**, all members are satisfied with the Final Allocation and have ratified it by endorsement and by the Subregion's governing board resolution; and

**WHEREAS**, the Governing Board of the Subregion has considered the Final Allocation for the Napa Subregion as shown in Exhibit A, attached hereto and incorporated as though fully set forth; and

**WHEREAS**, NCTPA adopted Resolution No. 12-34 on December 12, 2012, adopting the Subregional RHNA allocations; and

**WHEREAS**, the Region requires Subregions to make additional findings upon which the Region bases its final allocations; and

**WHEREAS**, the Subregional RHNA incorporates the land use pattern identified in the draft Preferred Scenario of the Sustainable Communities Strategy (entitled the Jobs-Housing Connection Strategy) adopted by ABAG and MTC on May 17, 2012; and

**WHEREAS**, the RHNA for each jurisdiction in the Subregion is consistent with the number of housing units assigned to the jurisdiction in the *Jobs-Housing Connection Strategy* for the RHNA period of 2014-2022; and

**WHEREAS**, the Subregional RHNA allocates by jurisdiction and the *Jobs-Housing Connection Strategy* development pattern envisions growth at a sub-jurisdictional level based on locally-identified areas for growth (known as Priority Development Areas), there is a reasonable expectation a jurisdiction with adopted PDAs will plan for a significant portion of its RHNA in the PDAs:

**NOW THEREFORE BE IT RESOLVED:**

1. That Resolution 12-34 is amended to read in full as set forth herein.
2. That the foregoing recitals are true and correct.
3. That the Napa Subregion Governing Board has determined that the subregional RHNA process meets the letter and spirit of Cal Gov. Code 65584 *et seq.* and adopts the proposed Final Allocation as shown in Exhibit A.
4. That the Executive Director of the Subregion's Governing Board, the Napa County Transportation and Planning Agency, or her designee is hereby authorized to submit the proposed Final Housing Needs Allocation for the Napa Subregion to the Association of Bay Area Governments.
5. That the Subregion's RHNA is consistent with the Jobs-Housing Connection Strategy of the Sustainable Communities Strategy for the San Francisco Bay Area, as required by California Government Code Section 65584.04(i)(3).

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Passed and adopted this 16<sup>th</sup> day of January, 2013.

\_\_\_\_\_  
Keith Caldwell, NCTPA Chair

Ayes:

Nays:

Absent:

ATTEST:

\_\_\_\_\_  
Karalyn E. Sanderlin, NCTPA Board Secretary

APPROVED:

\_\_\_\_\_  
Janice Killion, NCTPA Legal Counsel

**EXHIBIT "A"**

Final Regional Housing Need Allocations

Napa Subregion 2014-2022 RHNA

Jurisdiction	Very Low 0-50%	Low 51-80%	Moderate 81-120%	Above Moderate 120%+	Total Units
American Canyon	116	54	58	164	392
Calistoga	6	2	4	15	27
Napa	185	106	141	403	835
St. Helena	8	5	5	13	31
Yountville	4	2	3	8	17
Napa County Unincorporated	51	30	32	67	180
<b>Totals</b>	<b>370</b>	<b>199</b>	<b>243</b>	<b>670</b>	<b>1,482</b>



January 16, 2013  
NCTPA Agenda Item 9.2  
Continued From: New  
**Action Requested: APPROVE**

## **NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY Board Agenda Letter**

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**TO:** Board of Directors  
**FROM:** Kate Miller, Executive Director  
**REPORT BY:** Lawrence E. Gawell, Program Manager - Chief Procurement and Compliance Officer  
(707) 259-8636 / Email: [lgawell@nctpa.net](mailto:lgawell@nctpa.net)  
**SUBJECT:** Approval of Second Amendment to NCTPA Agreement No. 10-20 with CH2MHILL, Inc. for Work Associated with On-Call Engineering and Project Delivery Services

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### **RECOMMENDATION**

That the Napa County Transportation and Planning Agency (NCTPA) Board approve an amendment (Attachment 1) to the contract with CH2MHILL, Inc. which extends the Period of Performance under NCTPA Agreement No. 10-20 to February 28, 2013.

### **COMMITTEE RECOMMENDATION**

None.

### **EXECUTIVE SUMMARY**

The on-call engineering services contract for work associated with NCTPA's engineering services and support of the Soscol Gateway Transit Center (SGTC) project expired December 31, 2012. Services for the project are still on-going and are expected to be completed by February 28, 2013.

### **PROCEDURAL REQUIREMENTS**

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



### **FINANCIAL IMPACT**

Is there a fiscal impact? No. There is no cost impact associated with this request. This contract amendment is to extend the period of performance until February 28, 2013 to provide the opportunity to complete the services as set forth in the Agreements.

### **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**

On March 31, 2010, NCTPA entered into a contract with CH2MHILL, Inc., to provide On-Call Engineering and Project Delivery Services. CH2MHILL, Inc. is currently providing engineering and project delivery services for the construction of the SGTC. Construction of the SGTC is expected to continue past the current established contract expiration date and the extension of this date until February 28, 2013 would ensure uninterrupted services throughout the construction until completion and acceptance of the SGTC project.

### **SUPPORTING DOCUMENTS**

Attachment: (1) Second Amendment to NCTPA Agreement No. 10-20

**SECOND AMENDMENT TO  
NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY ("NCTPA")  
AGREEMENT NO. 10-20**

**THIS SECOND AMENDMENT TO NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY ("NCTPA") AGREEMENT NO. 10-20** herein after referred to as "Agreement" is made and entered into as of this **31st** day of **December, 2012** between the NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY (hereinafter referred to as "NCTPA"), and CH2MHILL, Inc., whose mailing address is 2485 Natomas Park Drive, Suite 600, Sacramento, CA 95833, hereinafter referred to as "CONTRACTOR";

**RECITALS**

**WHEREAS**, in March 2010 NCTPA contracted for specialized services, as authorized by Government Code Section 31000, in order to **provide NCTPA with On-Call Engineering and Project Delivery services for a period of two years to ensure maximum full and open competition**; and

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

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

**TERMS**

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

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

1. **Term of the Agreement.** The term of this Agreement shall commence on the date first above written and **shall expire on February 28, 2013** unless terminated earlier in accordance with Paragraphs 9 (Termination for Cause), 10 (Termination for Convenience) or 23(a) (Covenant of No Undisclosed Conflict); except that the obligations of the parties under Paragraphs 7 (Insurance) and 8 (Indemnification) shall continue in full force and effect after said expiration date or early termination in relation to acts or omissions occurring prior to such dates during the term of the Agreement, and the obligations of CONTRACTOR to NCTPA shall also continue after said expiration date or early termination in relation to the obligations prescribed by Paragraphs 15 (Confidentiality), 20 (Taxes) and 21 (Access to Records/Retention).

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

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

"NCTPA"

"CONTRACTOR"

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

CH2M HILL, Inc.

By \_\_\_\_\_  
Kate Miller, Executive Director

By \_\_\_\_\_  
Mark Aikawa, Vice President

ATTEST:

By \_\_\_\_\_  
Karalyn E. Sanderlin, NCTPA Board Secretary

Approved as to Form:

By \_\_\_\_\_  
Janice Killion, NCTPA Legal Counsel



January 16, 2013  
NCTPA Agenda Item 9.3  
Continued From: New  
**Action Requested: APPROVE**

## **NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY Board Agenda Letter**

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**TO:** Board of Directors  
**FROM:** Kate Miller, Executive Director  
**REPORT BY:** Lawrence E. Gawell, Program Manager - Chief Procurement and Compliance Officer  
(707) 259-8636 / Email: [lgawell@nctpa.net](mailto:lgawell@nctpa.net)  
**SUBJECT:** Approval of Second Amendment to NCTPA Agreement No. 10-23 with Mark Thomas & Company, Inc. for Work Associated with On-Call Engineering and Project Delivery Services

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### **RECOMMENDATION**

That the Napa County Transportation and Planning Agency (NCTPA) Board approve an amendment (Attachment 1) to the contract with Mark Thomas & Company, Inc. which extends the Period of Performance under NCTPA Agreement No. 10-23 to February 28, 2013.

### **COMMITTEE RECOMMENDATION**

None.

### **EXECUTIVE SUMMARY**

The on-call engineering services contract for work associated with NCTPA's engineering services and support of the Soscol Gateway Transit Center (SGTC) project expired December 31, 2012. Services for the project are still on-going and are expected to be completed by February 28, 2013.

### **PROCEDURAL REQUIREMENTS**

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

**FINANCIAL IMPACT**

Is there a fiscal impact? No. This contract amendment is to extend the period of performance until February 28, 2013 to provide the opportunity to complete the services as set forth in the Agreements.

**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**

On March 31, 2010, NCTPA entered into a contract with Mark Thomas & Company, Inc., to provide On-Call Engineering and Project Delivery Services. Mark Thomas & Company, Inc. is currently providing engineering and project delivery services for the construction of the SGTC. Construction of the SGTC is expected to continue past the current established contract expiration date and by extending this date until February 28, 2013 would ensure uninterrupted services throughout the construction until completion and acceptance of the SGTC project.

**SUPPORTING DOCUMENTS**

Attachment: (1) Second Amendment to NCTPA Agreement No. 10-23

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

**THIS SECOND AMENDMENT TO NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY ("NCTPA") AGREEMENT NO. 10-23** herein after referred to as "Agreement" is made and entered into as of this **31st day of December , 2012** between the NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY (hereinafter referred to as "NCTPA"), and Mark Thomas & Company, Inc., whose mailing address is 3000 Oak Road, Suite 650 Walnut Creek, CA 94597, hereinafter referred to as "CONTRACTOR";

**RECITALS**

**WHEREAS**, in March 2010 NCTPA contracted for specialized services, as authorized by Government Code Section 31000, in order to **provide NCTPA with On-Call Engineering and Project Delivery services for a period of two years to ensure maximum full and open competition**; and

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

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

**TERMS**

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

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

1. **Term of the Agreement.** The term of this Agreement shall commence on the date first above written and **shall expire on February 28, 2013** unless terminated earlier in accordance with Paragraphs 9 (Termination for Cause), 10 (Termination for Convenience) or 23(a) (Covenant of No Undisclosed Conflict); except that the obligations of the parties under Paragraphs 7 (Insurance) and 8 (Indemnification) shall continue in full force and effect after said expiration date or early termination in relation to acts or omissions occurring prior to such dates during the term of the Agreement, and the obligations of CONTRACTOR to NCTPA shall also continue after said expiration date or early termination in relation to the obligations prescribed by Paragraphs 15 (Confidentiality), 20 (Taxes) and 21 (Access to Records/Retention).

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

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

"NCTPA"

"CONTRACTOR"

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

Mark Thomas & Company, Inc.

By \_\_\_\_\_  
Kate Miller, Executive Director

By \_\_\_\_\_  
Sasha Dansky, Div. Manager/Principal

ATTEST:

By \_\_\_\_\_  
Karalyn E. Sanderlin, NCTPA Board Secretary

Approved as to Form:

By \_\_\_\_\_  
Janice Killion, NCTPA Legal Counsel



January 16, 2012  
NCTPA Agenda Item 10.1  
Continued From: New  
**Action Requested: ACCEPT AND FILE**

## **NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY Board Agenda Letter**

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**TO:** Board of Directors  
**FROM:** Kate Miller, Executive Director  
**REPORT BY:** Antonio Onorato- Manager of Finance  
(707) 259-8779 / Email: [aonorato@nctpa.net](mailto:aonorato@nctpa.net)  
**SUBJECT:** FY 2011-12 Independent External Fiscal Audit and Single Audit Reports for NCTPA

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### **RECOMMENDATION**

The Napa County Transportation and Planning Agency (NCTPA) Board: (1) Authorize acceptance and filing of the FY 2011-12 NCTPA Fiscal Audit and the NCTPA Single Audit Report- OMB Circular A-133; and (2) Return an allocation surplus of \$1,674,164 to the County's Local Transportation Fund.

### **COMMITTEE RECOMMENDATION**

None.

### **EXECUTIVE SUMMARY**

NCTPA is required to complete an annual financial audit and a federal single audit report. Brown Armstrong Certified Public Accountants have completed both for NCTPA for FY 2011-12.

Attachment 1 is the Fiscal Audit Report for the fiscal year ending June 30, 2012 and 2011. This report includes a discussion of findings in the FY 2011-12 audit. Page 55 of the report begins the Single Audit Report section for the year ending June 30, 2012.

### **PROCEDURAL REQUIREMENTS**

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



## **FINANCIAL IMPACT**

Is there a fiscal impact? Yes. The cost of the audit was \$44,650 for FY 2011/12 per negotiated contract with Brown Armstrong.

Is it Currently Budgeted? Yes

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: 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 2011-12 was prepared by Brown Armstrong, Certified Public Accountants, in accordance with auditing standards generally accepted in the United States. The report includes a Management's 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 (Page 55) for discussing findings of weakness and deficiencies in internal controls. The Audit for the fiscal year ending June 30, 2012 is the fifth audit performed by Brown Armstrong for NCTPA. The previous four audits were for the fiscal years ending June 30, 2008, 2009, 2010, and 2011.

### **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. It includes Agency administration, pass through activities and planning costs. The Governmental Fund balance as of June 30, 2012 was \$1,050,421, an increase of \$555,390 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 FY2011-12, the enterprise fund increased assets by \$4,093,533, and will return an allocation surplus to the Local Transportation Fund (LTF) trust account of \$1,674,164.
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 2011-12, the Fiduciary Fund Type shows net assets of \$816,804 due to the carryover of projects into later years.

### **Changes in Net Assets**

In FY 2011-12, NCTPA net assets, governmental and business type combined, increased by \$4,648,923 or 45.5%. The Proprietary fund (public transit) added net assets for the year due to capital investments of fourteen (14) buses, new passenger amenities, new equipment, and ongoing construction of the Soscot 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 requires a specific farebox recovery ratio. Penalties may apply to transit services that are unable to meet the requirement.

VINE Transit including regional Route 10 and American Canyon Transit are required to make a 16% farebox recovery, and made a 16.52% farebox ratio in FY 2011-12.

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 20. It should be noted that the VINE Route 20 provided service to the airport but has been discontinued because the flight school for which most of the ridership was generated, moved to another location outside the County.

The Agency was in compliance with the minimum farebox ratio required for Article 4 transit operations for the fiscal year ended June 30, 2012.

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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 11.50% ratio.

### **Findings**

**Financial:** There were no financial findings in the FY 2011-12 audit.

**Federal Award Findings and Questioned Costs:** There were no findings in the FY 2011-12 audit.

**Material Weakness:** No material weaknesses were noted in FY 2011-12. Material weaknesses and deficiencies identified by Brown Armstrong in FY 2010-11 have been addressed by NCTPA.

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 on Capital Asset Tracking Procedures for the Government Fund:** Brown Armstrong recommended that a system for tracking Agency assets be created to track future purchases of Governmental Fund assets. In the Governmental Fund, only current assets are reported. The costs of capital assets are reported in the period when the assets are acquired. In the statement of net assets, all assets are reported, including capital assets and depreciation and costs of capital assets are allocated over their estimated useful lives as depreciation expense. As the Government Fund begins to purchase assets such as the office phone system and office furniture, these assets should be tracked and depreciated appropriately.

NCTPA concurs with Brown Armstrong's recommendation. An asset tracking system similar to the current tracking method for the Enterprise Fund (Public Transit fund) has been created to track Agency asset purchases.

### **SUPPORTING DOCUMENTS**

Attachment: (1) NCTPA Audit Report for the Fiscal Year Ending June 30, 2012 and 2011. Single Audit report begins on page 55. (NOTE: The audit reports are provided in Board Member packet only, however copies will be available at the January 16<sup>th</sup> Board meeting and are available for review at the NCTPA office)