



625 Burnell Street, Napa CA 94559

## Napa County Transportation and Planning Agency (NCTPA)

### Board of Directors

### AGENDA

Wednesday, July 16, 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](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)*

*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 John F. Dunbar
- 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.***

<b>8.</b>	<b><u>CONSENT ITEMS (8.1 – 8.5)</u></b>	<b><u>RECOMMENDATION</u></b>	<b><u>TIME</u></b>
8.1	Approval of Meeting Minutes of June 18, 2014 (Karrie Sanderlin) <b>(Pages 8-12)</b>	APPROVE	1:40 PM
8.2	Resolution No. 14-16 Adopting the Transportation Fund for Clean Air (TFCA) Program Manager Projects List for Fiscal Year End (FYE) 2015 (Danielle Schmitz) <b>(Pages 13-17)</b>	APPROVE	

Board action will approve Resolution No. 14-16 adopting the list of projects for the TFCA FYE 2015 Program Manager Funds allocating \$255,242 dollars.

- 8.3 Resolution No. 14-17 Authorizing the Filing of an Application for Funding Assigned to the Metropolitan Transportation Commission (MTC) for the Active Transportation Program Regional Competitive Program (Diana Meehan) *(Pages 18-26)*

APPROVE

Board action will authorize the filing of an application for funding to the Metropolitan Transportation Commission (MTC) for the Active Transportation Program (ATP).

- 8.4 Removal of Fixed Assets from NCTPA Fixed Asset Inventory List (Antonio Onorato) *(Pages 27-29)*

APPROVE

Board action will authorize the removal of items identified as missing, disposed, or sold from the fixed assets inventory.

- 8.5 Disposal of Agency Surplus Property – Bike Lockers (Antonio Onorato) *(Pages 30-32)*

APPROVE

Board action will authorize the disposal of the 16 bike lockers according to NCTPA Financial Policies, Practices, and Procedures Chapter 7- Financial Matters.

**9. REGULAR AGENDA ITEMS**

**RECOMMENDATION**

**TIME**

- 9.1 Amendment #9 of the Transit Services Agreement No. 10-01 between Napa County Transportation and Planning Agency (NCTPA) and Veolia Transportation Inc. (Antonio Onorato) *(Pages 33-43)*

APPROVE

1:45 pm

Board action will authorize the Executive Director to execute Amendment #9 to exercise the option to extend the current purchase transportation Agreement No. 10-01 for two (2) years.

9.2	Napa County Transportation and Planning Agency (NCTPA) Public Transit Fare Policy (Justin Paniagua) <i>(Pages 44-55)</i>	APPROVE	1:55 PM
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Board action will approve the NCTPA Public Transit Fare Policy.

9.3	Legislative Update and State Bill Matrix (Kate Miller) <i>(Pages 56-74)</i>	INFORMATION/ ACTION	2:10 PM
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The Board will receive the monthly Federal and State Legislative Update.

**10. CLOSED SESSION**

**TIME**

10.1	<b>CONFERENCE WITH REAL PROPERTY NEGOTIATOR</b> (Government Code Section 54956.8)		2:20 PM
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Property: APN 046-370-024-000  
Agency Negotiator: Kate Miller, Executive Director  
Negotiating Parties: Joe Carter, Boca Company  
Under Negotiation: Price and terms of payment

**11. ADJOURNMENT**

**RECOMMENDATION** 3:00 PM

11.1	Approval to Cancel Regular Meeting Date of September 17 2014	APPROVE
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11.2	Approval of Special Meeting Date, Time and Location	APPROVE
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Board action will approve a special meeting of September 17, 2014 at 9:00 am. The meeting will be held at the Community Chambers at City Hall, 23 Russell Boulevard, Davis CA. A presentation from the City of Davis on their Active Transportation Network will be provided, followed by an infrastructure tour of selected sites.

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 July 11, 2014.

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Karalyn E. Sanderlin, NCTPA Board Secretary

## Glossary of Acronyms

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

## Glossary of Acronyms

<b>STP</b>	Surface Transportation Program
<b>TCM</b>	Transportation Control measure
<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>TLU</b>	Transportation and Land Use
<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



625 Burnell Street, Napa CA 94559

July 16, 2014  
NCTPA Agenda Item 8.1  
Continued From: New  
**Action Requested: APPROVE**

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

**Board of Directors**

**MINUTES**

**Wednesday, June 18, 2014**

**ITEMS**

**1. Call to Order**

Chair Caldwell called the meeting to order at 1:33 p.m.

**2. Pledge of Allegiance**

Chair Caldwell led the salute to the flag.

**3. Roll Call**

Members Present:

Voting Power

Joan Bennett	City of American Canyon	(2)
Leon Garcia	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)
John Dunbar	Town of Yountville	(1)
Margie Mohler	Town of Yountville	(1)

Members Absent: None

Bill Dodd	County of Napa	(2)
Peter White	City of St. Helena	(1)

Non-Voting Member Present:

Beth Kahiga	Paratransit Coordinating Council	(0)
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**4. Public Comment**

None

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

No updates given.

**6. Director's Update**

*Kate Miller, Executive Director*

Reported that extending the VINE hours during the BottleRock event was a success. NCTPA showed record ridership in May of almost 90,000 riders.

Announced that Eliot Hurwitz, NCTPA Planning Manager, official retire date is June 30<sup>th</sup>. Eliot has served the agency for almost 11 years and has been instrumental developing a number of plans, including Napa's Transportation Future. Eliot will continue in a part time (beginning July 7<sup>th</sup>) capacity until June 2015 to complete the work on the current Countywide Transportation Plan: Vision 2040: Moving Napa Forward.

Announced that staff will be attending the California Transportation Commission meeting to seek a final STIP supplement to close out the Jameson Canyon project. The Napa side has been open for traffic since April and the Solano side is scheduled to be open in August. A ribbon cutting ceremony is being planned for August/September.

Announced that NCTPA staff has been appointed to serve on the California Transit Association Executive Committee.

Reported that staff from Dianne Feinstein's office joined NCTPA staff and members of the Vine Trail to take a tour of the segment (of the Vine Trail) that is being considered for a TIGER grant. Senator Feinstein's staff is evaluating key TIGER-eligible projects that have requested the Senator's support.

**7. Caltrans' Update**

No oral report given, however, provided for review was the May 2014 Caltrans Reporting Memo.

**8. PRESENTATION**

**8.1 Car Share Presentation**

Michael Uribe, General Manager, Bay Area Zipcar, provided an overview of the car sharing program.

9. **CONSENT ITEMS (9.1 – 9.7)**

**MOTION MOVED** by **GARCIA** **SECONDED** by **BENNETT** to **APPROVE** Consent Items 9.1-9.7. **Motion Passed 21-0.**

**9.1 Approval of Meeting Minutes of May 21, 2014**

**9.2 NCPTA Policies, Practices, and Procedures Manual: Section 5 Contracting and Procurement Policies**

Board action approved the agency's Contracting and Procurement policies manual.

**9.3 Supplemental Work Authorization No. 1 to Contract 12-18 Work Authorization 12-18P001 SWA1 with Fehr & Peers**

Board action approved an amendment to the agreement with Fehr & Peers in an amount not to exceed \$21,140 and to extend the period of performance until December 31, 2014 for work associated with the Napa County Travel Behavior Study.

**9.4 Second Amendment to Napa County Transportation and Planning Agency (NCTPA) Agreement No. 12-10 with Dyett & Bhatia Urban and Regional Planners**

Board action approved an amendment to the agreement with Dyett & Bhatia Urban and Regional Planners extending the period of performance to December 31, 2014 for work associated with the SR29 Gateway Corridor Improvement Plan Study.

**9.5 Second Amendment to Napa County Transportation and Planning Agency (NCTPA) Agreement No. 13-12 with ERBCO Construction Services, Inc.**

Board action approved an amendment to the agreement with ERBCO Construction Services, Inc. extending the period of performance to September 30, 2014 for work associated Soscol Gateway Transit Center Hub Signage project.

**9.6 First Amendment to Napa County Transportation and Planning Agency (NCTPA) Memorandum of Understanding (MOU) with the Calistoga Tourism Business Improvement District (CTBID) and Resolution No. 14-14 Increasing the FY 2014-15 Budget**

Board action (1) approved an amendment to the CTBID MOU which adds an additional bus to the Calistoga Shuttle public transit service for the months of June through October, 2014, and (2) adopted Resolution No.

14-14 increasing the FY 2014-15 public transit services budget by \$24,697 in to allow for payment for increased transit services in Calistoga.

**9.7 Resolution No. 14-15 Authorizing the FY 2014-15 Blanket Purchase Agreements (BPAs) for Planning and Transit Services**

Board action approved Resolution No. 14-15 approving the FY 2014-15 BPAs for the Planning (CMA) and Public Transit fund for various reoccurring and routine vendor services.

**10. REGULAR AGENDA ITEMS**

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

Staff provided review of NCTPA's financial performance against budget for the third quarter (January-March) period and 5-year forecast model.

**10.2 Election of Chair and Vice Chair for FY 2014-15**

The nominating committee composed of Board members Keith Caldwell, Leon Garcia, and Jill Techel recommended electing Vice Chair John F. Dunbar as Chair and Board Member Scott Sedgley, as Vice Chair for the NCTPA for FY 2014/15.

**MOTION MOVED by TECHEL SECONDED by CANNING to APPROVE** the nominating committee's recommendation and elected Town of Yountville Mayor, John F. Dunbar as Chair and City of Napa Councilmember, Scott Sedgley as Vice Chair for the NCTPA for FY 2014-15. **Motion Passed 21-0.**

**10.3 Revised Organizational Structure for NCTPA**

Kate Miller, Executive Director, reviewed the proposed organization restructure and staffing changes.

Board Member Nevero requested that copies of the revised job descriptions (for the Assistant Program Planner/Administrator-Mobility Management Coordinator and Senior Financial/Policy Analyst) be emailed to all Board members.

**MOTION MOVED by DUNBAR SECONDED by BENNETT to APPROVE** (1) the revised NCTPA Organizational Restructure; (2) the reclassification of the Technical Planner/Senior Analyst Position to an Assistant Program Planner/Administrator-Mobility Management Coordinator position; (3) the re-classification of the Accounting Technician position to that of a Senior Financial/Policy Analyst; and (4) amending the title of the Transportation Engineer to a Program Manager-Engineer and amend the annual salary

range from \$84,777-\$102,412 to that of a program manager \$96,768-\$116,316. **Motion Passed 21-0.**

#### **10.4 Legislative Update and State Bill Matrix**

The Board received the monthly Federal and State Legislative Update and approved staff recommendations on state bills as provided in the bill matrix (Attachment 2).

**MOTION MOVED** by **TEHEL** **SECONDED** by **NEVERO** to **APPROVE** staff recommendations on state bills and supporting AB 1724 (Frazier D) and AB 2707 (Chau D). **Motion Passed 21-0.**

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 Real Property Negotiator) and that no reportable action is expected.

Adjourned to Close Session at 2:25 p.m.

#### **11. CLOSED SESSION**

##### **11.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR** (Government Code Section 54956.8)

Property: APN 046-370-024-000

Agency Negotiator: Kate Miller, Executive Director

Negotiating Parties: Joe Carter, Boca Company

Under Negotiation: Price and terms of payment

Adjourned to Open Session at 2:48 p.m.

Chair Caldwell, reported there was no reportable action associated with the closed session item.

#### **12. ADJOURNMENT**

##### **12.1 Approval of Regular Meeting Date of July 16, 2014 and Adjournment**

The next regular meeting will be held Wednesday July 16, 2014 at 1:30 p.m.

The meeting was adjourned by Chair Caldwell at 2:48 p.m.

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Karalyn E. Sanderlin, NCTPA Board Secretary



July 16, 2014  
NCTPA Agenda Item 8.2  
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:** Danielle Schmitz, Program Manager – Planning  
(707) 259-5968 / Email: [dschmitz@nctpa.net](mailto:dschmitz@nctpa.net)  
**SUBJECT:** Resolution No. 14-16 Adopting the Transportation for Clean Air (TFCA) Program Manager Projects List for Fiscal Year End (FYE) 2015

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### **RECOMMENDATION**

That the Napa County Transportation and Planning Agency (NCTPA) Board approve Resolution No. 14-16 (Attachment 1) adopting the Transportation for Clean Air (TFCA) Program Manager Projects List for Fiscal Year End (FYE) 2015 allocating \$255,242 dollars.

### **COMMITTEE RECOMMENDATION**

The Technical Advisory Committee (TAC) reviewed the projects at their June 5, 2014 meeting and recommends approval.

### **EXECUTIVE SUMMARY**

Annually the NCTPA adopts a list of projects for the TFCA Program Manager funds generated under AB 434. The funds come 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 these funds are returned to the NCTPA for distribution to local projects. Projects must have an air quality benefit and be cost effective. The remaining sixty percent is allocated by the BAAQMD on an area-wide competitive basis. Generally, the BAAQMD rules and statutes only allow funds to be retained for two years unless an extension is requested.

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.

### **PROCEDURAL REQUIREMENTS**

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

### **FISCAL IMPACT**

Is there a fiscal impact? Yes, \$255,242 of TFCA Program Manager funds for FYE 2015.

Is it currently budgeted? Yes

Where is it budgeted? The Board approved the TFCA Expenditure Plan for FYE 2015 on February 19<sup>th</sup>.

Is it Mandatory or Discretionary? Discretionary

Future Fiscal impact: None

Consequences if not approved: If not allocated, NCTPA is at risk of losing the FYE 2015 Program Manager Funds. The funds would then be programmed by the BAAQMD on a competitive basis under the Regional TFCA Program.

### **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**

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.

Annually the NCTPA adopts a list of projects for the TFCA Program Manager funds. Napa County has approximately \$255,242 in Program Manager Funds for FYE 2015. This amount includes \$9,758 set aside for Administration costs for NCTPA in the FYE 2015 Expenditure Plan, leaving \$245,666 for eligible projects.

On February 19, 2014 the NCTPA Board opened a call for projects for the TFCA Program Manager Funds. The proposed final list of projects for FYE 2015 is shown in Table 1 below. All projects have undergone a cost effective analysis and are eligible to receive funds. Approved projects will be submitted to the BAAQMD.

Table 1: Proposed FYE 2015 TFCA Program Manager Projects

<b>FYE 2014 TFCA Expenditures</b>	<b>Amount</b>
Administration Costs for FYE 2014	\$9,758
City of Calistoga Riverside Class I Path	\$20,000
American Canyon SR 29 Signal Interconnect	\$225,666
<b>TOTAL</b>	<b>\$255,242</b>

### **SUPPORTING DOCUMENTS**

Attachment: (1) Resolution No. 14-16

**RESOLUTION No. 14-16**

**A RESOLUTION OF THE  
NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY (NCTPA)  
ADOPTING THE TRANSPORTATION FUND FOR CLEAN AIR (TFCA)  
PROGRAM MANAGER FINAL LIST OF PROJECTS FOR FYE 2015**

**WHEREAS**, the Bay Area Air Quality Management District (BAAQMD) has imposed a vehicle license fee as authorized 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 requires 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 the County of Napa; and

**WHEREAS**, the NCTPA has carefully considered the requests it has received for AB 434 funds following the standards for weighing such requests as adopted by the Board.

**NOW THEREFORE BE IT RESOLVED** that the Napa County Transportation and Planning Agency adopts the following expenditures for FYE 2015 overall program manager funds:

Project Descriptions

- NCTPA Administration Costs (15NAP00)
- City of Calistoga Riverside Class I Path (15NAP01) – Calistoga will use TFCA funds to supplement the Riverside Path Project.
- American Canyon SR 29 Signal Interconnect Project (15NAP02) – City of American Canyon will synchronize the signals along SR 29 and incorporate real time traffic monitoring equipment for signal timing optimization.

**BE IT FURTHER RESOLVED** that the Napa County Transportation and Planning Agency had determined that these expenditures are the most cost-effective and appropriate uses of these funds to minimize harmful air pollutants.

**BE IT FURTHER RESOLVED** that the Executive Director or his/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.

Passed and adopted this 16<sup>th</sup> day of July, 2014.

\_\_\_\_\_  
John F. Dunbar, NCTPA Chair

Ayes:

Noes:

Absent:

ATTEST:

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

APPROVED:

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



July 16, 2014  
NCTPA Agenda Item 8.3  
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:** Diana Meehan, Associate Program Planner/Administrator  
(707) 259-8327 / Email: [dmeehan@nctpa.net](mailto:dmeehan@nctpa.net)  
**SUBJECT:** Resolution No. 14-17 Authorizing the Filing of an Application for Funding Assigned to the Metropolitan Transportation Commission (MTC) for the Active Transportation Program Regional Competitive Program

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### **RECOMMENDATION**

That the Napa County Transportation and Planning Agency (NCTPA) Board approve Resolution No. 14-17 authorizing the filing of an application for funding to the Metropolitan Transportation Commission (MTC) for the Active Transportation Program (ATP).

### **EXECUTIVE SUMMARY**

The new Active Transportation Program (ATP) consolidates former federal and state transportation programs, including the Transportation Alternatives Program (TAP), Bicycle Transportation Account (BTA), and Safe Routes to School (SR2S). Due to carryover amounts the first round of funding is anticipated to be \$240M (\$130M in subsequent years) and is intended for projects that support non-auto transportation modes.

Grant funding for the program was segmented into two separate calls for projects. An application for funding was submitted to the first statewide call for projects in May 2014 requesting \$3,600,000 for the Napa Vine Trail Phase 2 Gap Closure project (see attachment 2 for project description). Project applications that are not funded at the statewide level are automatically considered for funding with regional funds providing additional application materials are submitted to MTC by July 24, 2014.

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**COMMITTEE RECOMMENDATION**

Both the Technical Advisory Committee and the Active Transportation Advisory Committee have recommended this project to the State and Regional Active Transportation Programs.

**PROCEDURAL REQUIREMENTS**

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

**FISCAL IMPACT**

Is there a fiscal impact? Yes, if the grant is awarded, up to \$3.6 million in funding could be received for the project. Depending on the grant award amount and the funds received, the agency will commit a minimum of 11.47% match; the Vine Trail has committed up to a 20% match amount to meet this requirement.

Is it Mandatory or Discretionary? Discretionary

Future Fiscal Impact: No.

Consequences if not approved: There will be a funding shortfall of \$3.6 million for the project.

**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**

The Regional ATP program will have approximately \$20 million in competitive grant funding for projects in FY 2014-15. An additional \$10 million will be available in FY 2015-16. MTC regional ATP guidelines require that a supplemental application be submitted which must include a resolution authorizing support for submission of the regional application (Attachment 1).

The local resolution of support authorizing the filing of the regional application commits the agency to local matching funds. Match funding for the project has already been committed by the Napa Valley Vine Trail Coalition for up to 20% should the grant be awarded.

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NCTPA is submitting a supplemental application requesting \$3.6 million in funding for the Napa Vine Trail Phase 2 Gap Closure project (See Attachment 2 for project information). The project is near shovel ready. The National Environmental Policy Act (NEPA) document has been completed and certified, the California Environmental Quality Act (CEQA) determination is currently being reviewed by staff, and the project plans and engineering are at 65% completion.

Once funded and completed, this project will close a nearly 4 mile gap of the Vine Trail which would complete 13 miles of continuous trail from the Napa Valley College to the Town of Yountville.

### **SUPPORTING DOCUMENTS**

Attachments: (1) Resolution No. 14-17  
(2) Project Description – Oak Knoll District of the Vine Trail

**RESOLUTION NO. 14-17**

**A RESOLUTION OF THE  
NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY (NCTPA)  
AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING ASSIGNED TO  
THE METROPOLITAN TRANSPORTATION COMMISSION (MTC) AND  
COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING THE  
ASSURANCE TO COMPLETE THE PROJECT**

**WHEREAS**, the Napa County Transportation and Planning Agency (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$3,600,000 in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC) such as Surface Transportation Program (STP) funding, Congestion Mitigation and Air Quality Improvement (CMAQ) funding, Transportation Alternatives (TA)/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the Napa Vine Trail Phase 2 Gap Closure (herein referred to as PROJECT) for the Active Transportation Program Regional Competitive Program (herein referred to as PROGRAM); and

**WHEREAS**, the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (Public Law 112-141, July 6, 2012) and any extensions or successor legislation for continued funding (collectively, MAP 21) authorize various federal funding programs including, but not limited to the Surface Transportation Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives Program (TA) (23 U.S.C. § 213); and

**WHEREAS**, state statutes, including California Streets and Highways Code §182.6, §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

**WHEREAS**, pursuant to MAP-21, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for a regionally-significant project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (TIP); and

**WHEREAS**, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

**WHEREAS**, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of REGIONAL DISCRETIONARY FUNDING; and

**WHEREAS**, APPLICANT is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING; and

**WHEREAS**, as part of the application for REGIONAL DISCRETIONARY FUNDING, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- the commitment of any required matching funds; and
- that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional REGIONAL DISCRETIONARY FUNDING; and
- that the PROJECT will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- the assurance of the sponsor to complete the PROJECT as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- that the PROJECT will have adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and
- that the PROJECT will comply with all project-specific requirements as set forth in the PROGRAM; and
- that APPLICANT has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and
- in the case of a transit project, the PROJECT will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region; and
- in the case of a highway project, the PROJECT will comply with MTC Resolution No. 4104, which sets forth MTC's Traffic Operations System (TOS) Policy to install and activate TOS elements on new major freeway projects; and
- in the case of an RTIP project, state law requires PROJECT be included in a local congestion management plan, or be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and

**WHEREAS**, that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and

**WHEREAS**, there is no legal impediment to APPLICANT making applications for the funds; and

**WHEREAS**, there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and

**WHEREAS**, APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and

**WHEREAS**, MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application.

**NOW, THEREFORE, BE IT RESOLVED** that the APPLICANT is authorized to execute and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under MAP-21 or continued funding; and be it further

**RESOLVED** that APPLICANT will provide any required matching funds; and be it further

**RESOLVED** that APPLICANT understands that the REGIONAL DISCRETIONARY FUNDING for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional REGIONAL DISCRETIONARY FUNDING; and be it further

**RESOLVED** that APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and APPLICANT has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and be it further

**RESOLVED** that PROJECT will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP; and be it further

**RESOLVED** that APPLICANT has reviewed the PROJECT and has adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and be it further

**RESOLVED** that PROJECT will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the PROGRAM; and be it further

**RESOLVED** that, in the case of a transit project, APPLICANT agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution No. 3866, revised; and be it further

**RESOLVED** that, in the case of a highway project, APPLICANT agrees to comply with the requirements of MTC's Traffic Operations System (TOS) Policy as set forth in MTC Resolution No. 4104; and be it further

**RESOLVED** that, in the case of an RTIP project, PROJECT is included in a local congestion management plan, or is consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and be it further

**RESOLVED** that APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects; and be it further

**RESOLVED** that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and be it further

**RESOLVED** that there is no legal impediment to APPLICANT making applications for the funds; and be it further

**RESOLVED** that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and be it further

**RESOLVED** that APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and be it further

**RESOLVED** that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

**RESOLVED** that the MTC is requested to support the application for the PROJECT described in the resolution, and if approved, to include the PROJECT in MTC's federal TIP upon submittal by the project sponsor for TIP programming.

Passed and Adopted this 16<sup>th</sup> day of July 2014.

\_\_\_\_\_  
John F. Dunbar, NCTPA Chair

Ayes:

Noes:

Absent:

ATTEST:

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

APPROVED:

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

## PROJECT – OAK KNOLL DISTRICT OF THE VINE TRAIL

Information for the NCTPA Board of Directors

### Description

The project will construct a Class I path between Redwood Road in the City of Napa and California Drive in the Town of Yountville. The path will be located between the Napa Valley Wine Train right of way and Solano Avenue. All but six parcels for Solano Ave. are within public right of way. The project will connect Park & Ride facilities in the City of Napa and Town of Yountville. It will cross seven local streets with safety improvements being installed including two warranted traffic signals at the Wine Country Ave. & Salvador Ave. crossings.

Approximately 100 trees are planned to be removed with 300 native species planted as mitigation. About 50% of the trees planned for removal are either damaged or suppressed. Bridge crossings at Dry Creek, Hinman Channel and Salvador Channel are being planned. Two to three miles of the alignment lie within the floodplain.

### Funding

The current funding package is as follows:

TCSP (fed)	\$2,500,000
Vine Trail (TCSP match)	\$ 324,000
CMAQ (Co. pledge)	\$ 211,000
Vine Trail (CMAQ match)	\$ 28,000
County	\$ 30,000
City	\$ 10,000
TOTAL	\$3,103,000

The preliminary engineering, environmental determination and design budget is \$1,000,000. At 65% design the construction budget is \$6,000,000. Based on current funding the shortfall for construction is approximately \$3,900,000.

### Schedule

NEPA determination has been received and is approved. Construction could begin in late summer if all goes well. At this time the project has been divided into two phases. Phase 1 would be constructed based on the current available funding, Redwood Road to approx. Orchard Ave. Phase 2 would complete the project to Yountville, pending securing additional funding.



July 16, 2014  
NCTPA Agenda Item 8.4  
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:** Antonio Onorato, Program Manager- Finance  
(707) 259-8779 / Email: [anonorato@nctpa.net](mailto:anonorato@nctpa.net)  
**SUBJECT:** Removal of Fixed Assets from NCTPA Fixed Asset Inventory List

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**RECOMMENDATION**

That the Napa County Transportation and Planning Agency (NCTPA) authorize the removal of items and those identified as missing, disposed, or sold from the fixed assets inventory as shown in Table 1 below.

**EXECUTIVE SUMMARY**

The fixed assets appearing in the table below represent obsolete or non-repairable equipment, computer software and motor vehicles which have been replaced or are no longer of use to NCTPA. At the time of acquisition or transfer, the assets represented a total value of \$228,221. Because of the age of the assets or status of asset, the current value of the all assets is \$0, except for the 4130 Byway East Shelter, which has an estimated value of \$11,408.

Staff is recommending that the assets in the table be written-off and removed from NCTPA's total fixed assets inventory list.

**COMMITTEE RECOMMENDATION**

None

**PROCEDURAL REQUIREMENTS**

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

**FINANCIAL IMPACT**

Is there a fiscal impact? Yes. The proposed action will decrease NCTPA's capital assets by \$11,408 due to the loss of the bus shelter. The other assets on the list have been fully depreciated and will have no monetary impact on the General Fund. Nevertheless, fixed assets carried on NCTPA's balance sheet will be reduced by \$228,221.

**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**

NCTPA Policies and Procedures Chapter 7- Financial Matters established procedures for the approval, purchasing, tagging, physical inventory, and disposal of fixed assets requires an annual inventory of the fixed assets and reconciliation of fixed assets list to general ledger.

A physical inventory of transit assets was conducted in June 2014. The inventory was observed by NCTPA staff except for vehicle assets in Yountville which were observed by Town of Yountville staff. Following the conclusion of the inventory, additional efforts were made to locate assets which were missing and controls were reviewed in an effort to further enhance asset tracking.

NCTPA Policies and Procedures Chapter 7: Financial Matters provides that obsolete, non-repairable, demolished and missing fixed assets are to be approved by the Board for write-off and deletion from NCTPA's fixed assets records.

Table 1: Fixed asset disposal list:

<b>Description</b>	<b>Value at Transfer/Cost</b>	<b>Date Purchased/ Transferred</b>	<b>Current Value</b>
Bus 614	\$56,838	7/10/2001	\$0
Trailer	\$0	7/1/2001	\$0
GFI Cents a Bill Fare boxes (17 units plus data system)	\$66,550	3/1/1987	\$0
M30 megamate partswasher	\$6,430	9/8/1993	\$0
Combi Cleaning Station	\$10,201	1/13/2005	\$0
Talking bus upgrade	\$74,955	10/6/2003	\$0
4130 Byway Bus Shelter	\$13,247	10/31/2012	\$11,408
<b>TOTAL</b>	<b>\$228,221</b>		<b>\$11,408</b>

- 
- Bus 614: Asset was disposed in 2011 and erroneously kept on Fixed Asset list.
  - Trailer: Asset was disposed several years ago and erroneously kept on Fixed Asset list.
  - GFI Fareboxes: Board approved disposal of old fareboxes.
  - M30 megamate parts washer: Asset was disposed several years ago and erroneously kept on Fixed Asset list.
  - Combi Cleaning Station: Asset was disposed several years ago and erroneously kept on Fixed Asset list.
  - Talking Bus Upgrade: Asset was disposed several years ago and erroneously kept on Fixed Asset list.
  - Bus Shelter: Shelter destroyed by drunk driver.

The GFI fareboxes, M30 megamate parts washer and Combi Cleaning Station were originally purchased with federal funds. However, due to the age of the assets, no federal interest remains. The other assets on the list were purchased with local funds.

### **SUPPORTING DOCUMENTS**

None.



July 16, 2014  
NCTPA Agenda Item 8.5  
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:** Antonio Onorato, Program Manager-Finance  
(707) 259-8779 / Email: [aonorato@nctpa.net](mailto:aonorato@nctpa.net)  
**SUBJECT:** Disposal of Agency Surplus Property- Bike Lockers

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### **RECOMMENDATION**

That the Napa County Transportation and Planning Agency (NCTPA) Board:

- (1) Declare 16 bike lockers, which are fixed and non-fixed assets, as surplus and no longer required for public use, and
- (2) Authorize the disposal of the 16 bike lockers according to NCTPA Financial Policies, Practices, and Procedures Chapter 7- Financial Matters.

### **COMMITTEE RECOMMENDATION**

None.

### **EXECUTIVE SUMMARY**

NCTPA has 14 bike lockers at the Soscol Gateway Transit Center and 2 bike lockers at the Redwood Road Park and Ride which cannot be used effectively for NCTPA's bike locker program. NCTPA staff is recommending the disposition of these items by auction, donation, or disposal. Subsequent to board approval, the items will be removed from service as they are no longer required for public use.

### **PROCEDURAL REQUIREMENTS**

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

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**FINANCIAL IMPACT**

Is there a fiscal impact? No. The original cost of the equipment was part of the construction cost of the Soscol Gateway Transit Center and the Redwood Road Park and Ride projects and was not itemized separately. The cost of the equipment is negligible.

Is it Mandatory or Discretionary? Discretionary

Future Fiscal Impact: No

Consequences if not approved: NCTPA will retain the existing bike lockers impeding the installation of new bike lockers that are more functional for NCTPA operations.

**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**

As part of the construction projects at the Soscol Gateway Transit Center and Redwood Road Park and Ride, 14 bike lockers and 2 bike lockers, respectively, were placed on each site. The operational and administrative cost associated with the management of the bike locker program is prohibitive. NCTPA made several calls to a number of organizations, Bay Area wide, to solicit interest to retrofit the lockers with GPS locking devices, but was unsuccessful. Consequently, the lockers at each site have not been used since the facilities were placed into service. Staff recommends declaring the bike lockers as surplus property in order for the Agency to dispose of the items and replace them with an effective bike locker program managed by a 3<sup>rd</sup> party organization.

Surplus equipment that no longer meets NCTPA's needs will be offered to eligible governmental or non-profit organizations prior to being placed on the list for auction or disposal.

In accordance with NCTPA Policies Chapter 7- Financial Matters: Fixed Asset Management Section, acceptable means of disposal are outlined below:

- a. Sell personal property that is no longer needed for Agency use for fair market value.
- b. Trade surplus personal property with another government or public agency if the property received in return is needed for Agency use.

- c. Donate, sell at less than fair market value, or otherwise transfer personal property to another government or public agency if the Agency no longer needs the property for its own use.
- d. Dispose of personal property that is no longer needed for Agency use and that has **negligible or no economic value** in a manner deemed appropriate by the Agency.

**SUPPORTING DOCUMENTS**

None



July 16, 2014  
NCTPA Agenda Item 9.1  
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:** Antonio Onorato, Program Manager- Finance  
(707) 259-8779/ Email: [anonorato@nctpa.net](mailto:anonorato@nctpa.net)  
**SUBJECT:** Amendment # 9 of the Transit Services Agreement No. 10-01 between Napa County Transportation and Planning Agency (NCTPA) and Veolia Transportation Inc.

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### **RECOMMENDATION**

That the Napa County Transportation and Planning Agency (NCTPA) Board approve Amendment #9 of the Transit Service Agreement No. 10-01 (Attachment 4) authorizing the Executive Director to execute Amendment #9 to exercise option to extend the current purchase transportation agreement for two (2) years.

### **COMMITTEE RECOMMENDATION**

None

### **EXECUTIVE SUMMARY**

NCTPA's five-year base contract with Veolia Transportation will expire on August 31, 2014. The Board of Directors has, at its discretion, the option of extending the term of this Agreement for an additional two-year period. The extended contract period will be from September 1, 2014 to August 31, 2016.

### **PROCEDURAL REQUIREMENTS**

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

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## **FISCAL IMPACT**

Is there a Fiscal Impact? Yes. Year 1 base costs are estimated to be \$6,144,484 and variable costs estimated to be \$1,516,195, for a total estimated cost of \$7,660,679. Year 2 base costs are estimated to be up to \$6,293,318, depending on farebox recovery level achieved, and variable costs estimated to be up to \$1,583,780 depending on farebox recovery level achieved, for a total estimated cost of up to \$7,877,098.

Is it currently budgeted? No. If approved, an increase in the appropriation for the purchase transportation budget will be brought back to the board for approval.

Is it mandatory or discretionary? Discretionary

Consequences if not approved: The current contract with Veolia Transportation will end on August 31<sup>st</sup>, 2014 and a temporary extension of the current would need to be approved while NCTPA staff administers a solicitation for purchase transportation services.

## **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**

Veolia Transportation has been NCTPA's provider of public transit services under its current contract since August 29, 2009. Veolia continues to provide high quality services to NCTPA and its communities. Veolia has been instrumental in the success of the service changes implemented in the past year and a half. During that time, the agency restructured the VINE fixed route service and its ancillary shuttle services. In addition, new intercity bus routes were added to provide services to Contra Costa County and Sonoma County.

NCTPA staff met with Veolia Management to craft an extension of the contract. NCTPA Transit Service Agreement No. 10-01 Section 4(b) specifies that NCTPA and Veolia can mutually agree to extend the contract term twice for one (1) year period.

Veolia's initial proposal to NCTPA for two (1) year contract extensions offered 3 different scenarios (Attachment 1). NCTPA evaluated the three proposals and while deemed reasonable, would result in NCTPA not being able to meet its Transportation Development Act statutory farebox recovery ratio of 16% for the VINE fixed route services. Focusing on Veolia Option proposal 1, NCTPA offered a counterproposal (Attachment 2). The counterproposal was accepted by Veolia Management (Attachment 3). Table 1 below summarizes Veolia Option 1 and NCTPA's counterproposal.

Table 1: Summary of Veolia's proposal and NCTPA counterproposal:

Proposal	Year 1	Year 2	Year 1	Year 2	Year 2-Performance Initiative
Veolia Option1			NCTPA Counter Proposal		
Hourly Base Rate (2.42% Increase)	\$65.19/hour	\$68.00/hour	\$65.29/hour	\$65.19/hour + 2.42%	\$68/hour depending on meeting statutory fare box recovery of 16%
Hourly Marginal Rate	\$42.53/hour	\$44.02/hour	\$42.53/hour	\$43.09/hour + 1.31%	As above but \$44.02/hour

Specifically, the terms of the counter proposal are as follows:

Option Year 1: The base hourly rate increased to \$65.19 (from \$63.65), variable rate to \$42.53 (from \$41.98) during September 1, 2014 to August 31, 2015 contract period. (NCTPA has agreed to the Year 1 option as proposed by Veolia.)

Option Year 2: Increase in base and variable rate is subject to meeting farebox recovery ratio of 16% which will be assessed during March 1, 2015 to August 31, 2015.

If the farebox recovery ratio of 16% is not met:

- The Year 1 hourly rate paid to Veolia will remain in place for Year 2 of the extension.

If the farebox ratio of 16% is met or exceeded:

- Veolia will receive \$68/hour for the hourly base rate and \$44.02 for the variable rate.

It is important to note this is the first time a contract for purchased transportation is tied to performance. Staff further underscores that the staff analysis shows that the VINE is not likely to meet its statutory farebox recovery even in year 1 under the terms of the counterproposal. Consequently, staff will be convening a working group specifically focused on a number of measures that would potentially increase eligible revenues to meet the statutory farebox requirement. The working group will include NCTPA staff, Veolia local staff and national experts, MTC staff, Solano Napa Commuter Information staff, City Staff, and a member from VINE Consumer Advisory Committee (VCAC).

One measure that staff will recommend to the Board is a fare increase that would be effective on January 2, 2015. In preparation for these discussions, the Board will consider a new fare policy (Item 9.2 on today's agenda) that would establish the factors that should be considered when evaluating a fare change. Staff will provide a full report

to the board with the recommended fare increase and hold a public meeting at the October Board meeting.

**SUPPORTING DOCUMENTS**

- Attachments:
- (1) March 13, 2014 Veolia Proposal Letter
  - (2) June 24, 2014 NCTPA Counterproposal Letter
  - (3) July 1, 2014 Veolia Acceptance Letter
  - (4) Amendment #9 of the Transit Services Agreement No. 10-01 between Napa County Transportation and Planning Agency (NCTPA) and Veolia Transportation, Inc.



March 13, 2014

Kate Miller, Executive Director NCTPA  
625 Burnell St.  
Napa, CA 94559

Dear Ms. Miller,

As requested, please find attached pricing sheets for an extension of our contract to manage and operate transit services for the NCTPA from 9/1/14 through 8/30/16. We are pleased to present several options for this extension, which are outlined below. As your long term provider, Veolia is excited for this opportunity to continue our partnership and has made every effort to maximize the efficiency of our operation while providing excellent service. The options we are offering will insure this continues. Each option assumes the current number of base revenue hours, 94,255.

These options incorporate several changes to our cost structure, including a recent increase to maintenance wages Veolia implemented in an effort to attract and retain quality personnel, an increase in the number of driver pay hours required per revenue hour due to increased driver street relief time accompanied by a reduction of one Reservationist.

#### Option 1 – Moderate Employee Wage Increases

Option One would include a 3% wage increase for all employees each year of the extension. The last across-the-board increase for our union employees was January 1, 2013. Under this option, the base hourly rate would increase from our current \$63.65 to \$65.19, a 2.42% increase and year two to \$68.00 a 4.31% increase. The additional/reduced hourly rate would increase from \$41.98 to \$42.53 and \$44.02 for year two.

#### Option 2 – Phased-in Matching of Sol Trans Wages

Option Two would gradually raise operator wages to the current scale paid at Sol Trans in Vallejo. Many of our employees commute from the Vallejo area; therefore, this approach would enable us to be more competitive in our recruiting and retention efforts. The first year base rate under this plan increases by 6.22%, to \$67.61, with year two increasing 7.43%, to \$72.63.



**Option 3 – Immediate Matching of Sol Trans Wages**

Option Three would match Sol Trans operator wages upon the start of the extension, providing us with immediate recruiting competitiveness. Base rates under this option are \$70.07 in year one and \$73.71 in year two, increases of 10.09% and 5.19%, respectively.

Should you have any questions regarding these options or the attached forms, we can be available to have a discussion at your convenience. Thank you for this opportunity to continue to improve our service and strengthen our partnership.

Sincerely,

Ron Bushman  
Regional Vice President



June 27, 2014

Mr. Ron Bushman  
 Veolia Transportation  
 720 Jackson St.  
 Napa, CA 94558

Dear Mr. *R Bushman*:

Thank you for submitting the proposal to extend Veolia Transportation’s contract to operate Napa County Transportation and Planning Agency’s VINE and VINE ancillary transit services.

Expansion of the system over the past 18 months has created a number of efficiencies but has also added costs. While the VINE’s services have experienced record ridership as a consequence to the service changes, the revenues generated from fares is still not projected to meet statutory fare box requirements over the next two years. This was discussed with you and Ms. Drake in great detail during our meeting in March of this year. At that time, we offered a counter proposal that we believe meets you part way. We believe the counter proposal will not only serve Veolia well, but offers the best opportunity for the VINE systems to meet its performance standard.

For clarification, we’ve summarized Veolia’s Option 1 and NCTPA’s counter proposal in Table 1 below.

Proposal	Year 1	Year 2	Year 1	Year 2	Year 2-Performance Initiative
Veolia Option1			NCTPA Counter Proposal		
Hourly Base Rate (2.42% Increase)	\$65.19/hour	\$68.00/hour	\$65.19/hour	\$65.19/hour (+ 2.42%)	Up to \$68/hour depending on meeting fare box recovery of 16% (see Note 1).
Hourly Marginal Rate	\$42.53/hour	\$44.02/hour	\$42.53/hour	\$43.09/hour (+ 1.31%)	As above but up to \$44.02/hour (see Note 1)



625 Burnell St. Napa, CA 94559-3420  
Tel: (707) 259-8631  
Fax: (707) 259-8638

Note 1: Increases in year two are subject to meeting the minimum farebox recovery of 16% which will be assessed during the period March-September 2015. If the farebox recovery is not met, any additional revenues above the Year 1 hourly rate paid to Veolia will be retroactively adjusted from future payments. If on the other hand, the farebox recovery is met or exceeded, Veolia will receive up to \$68/hour for hourly base rate and \$44.02/hour for marginal rate depending on farebox level achieved.

NCTPA staff has developed a draft fare policy for the Board's consideration at its July 2014 meeting. This policy will be presented to the Board at the same time that the proposed contract extension will be presented to them. Staff will also alert the Board that a staff recommendation that a modest fare increase be adopted in January. The fare increase will be just one of the measures that will be needed towards meeting our fare revenue goals.

On behalf of the staff at NCTPA, thank you for continuing to provide excellent service to our riders. We look forward to two more fruitful years with Veolia. As a team, NCTPA staff believes that we can identify a number of ways to increase fare revenues. At a minimum, this will include ongoing efforts to boost ridership. We look forward to working with the Veolia team to identify other measures that could improve ridership and revenue generations.

A copy of our draft contract extension is attached for your consideration. Please sign the three (3) originals and return them to Renee Kulick at NCTPA at your earliest convenience. I will execute the agreements upon approval by the Board and return them to you shortly thereafter.

Please contact me at 707-259-8634 or [kmiller@nctpa.net](mailto:kmiller@nctpa.net) or Antonio Onorato at 707-259-8779 or [aonorato@nctpa.net](mailto:aonorato@nctpa.net) if you have any questions or concerns.

Sincerely,

Kate Miller  
Executive Director

cc: Cheryl Drake/Veolia Transportation-Napa  
Antonio Onorato/NCTPA



July 1, 2014

Kate Miller  
Executive Director, NCTPA  
625 Burnell St.  
Napa, CA 94559

Dear Ms. Miller,

Please accept this correspondence as provided on behalf of Veolia Transportation in response to your counter proposal to operate Napa County Transportation and Planning Agency's Vine and Vine ancillary transit services over the course of the next two years.

We are in receipt of your counter proposal and Contract amendment and are in agreement with the terms as outlined.

Thank you for this opportunity to continue to improve the service and strengthen our partnership.

Respectfully,

A handwritten signature in blue ink, appearing to read "Ronald K. Bushman", with a long horizontal line extending to the right.

Ronald K. Bushman  
Regional Vice President

Cc:

**Amendment #9  
 Of the Transit Services Agreement No. 10-01  
 Between  
 Napa County Transportation and Planning Agency (NCTPA)  
 And  
 Veolia Transportation, Inc.**

This Amendment #9 to that NCTPA Agreement No. 10-01 (the Agreement) is entered into as of July 18, 2014 by and between the Napa County Transportation and Planning Agency, herein referred to as "NCTPA" and Veolia Transportation Services, Inc., herein referred to as "Contractor".

**Recitals**

**WHEREAS**, the NCTPA desires to exercise its option to extend the contract term for two (2) one (1) year periods with the Contractor; and

**WHEREAS**, NCTPA and the Contractor mutually agree to extend the contract term; and

**WHEREAS**, NCTPA and the Contractor negotiated and mutually agreed on a compensation schedule with a performance initiative to meet service change and fare box recovery requirements.

**Terms**

**NOW THEREFORE**, NCTPA and Contractor agree to amend the Contract, effective August 30, 2014, with the additional terms and conditions set forth below:

1. SECTION 4. CONTRACT TERM, (b) Options

NCTPA and Contractor mutually agree to extend the contract term by two (2) one (1) year periods which shall commence September 01, 2014.

2. SECTION 5. COMPENSATION, (a) Base Rates

	OPTION YEAR 1	OPTION YEAR 2	OPTION YEAR 2 - PERFORMANCE INITIATIVE
HOURLY BASE RATE	\$65.19/hour	\$65.19/hour	\$68.00/hour if statutory farebox recovery of 16% is met (see Note 1).
HOURLY MARGINAL RATE	\$42.53/hour	\$43.09/hour	\$44.02/hour if statutory farebox recovery of 16% is met (see Note 1).

Note 1: Increases in Year 2 are subject to meeting the minimum farebox recovery of 16%, which will be assessed during the period of March through September 2015. If the farebox is met or exceeded, Contractor will receive \$68.00/hour for hourly base rate and \$44.02/hour for marginal rate.

NCTPA will provide Contractor with monthly farebox recovery reports.

The PARTIES agree that all other terms and conditions of the Agreement shall remain in full force and effect.

**IN WITNESS WHEREOF**, this Amendment #9 to Agreement No. 10-01 was executed through their duly authorized representatives as noted below:

NCTPA

Veolia Transportations Services, Inc

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

By  \_\_\_\_\_  
K. WESTBROOK T PRES + COO

Date: \_\_\_\_\_

Date: 7/8/14

Attest:

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

Approved As to Form:

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



July 16, 2014  
NCTPA Agenda Item 9.2  
Continued From: New  
**Action Requested: Approve**

## NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY Board of Directors Agenda Letter

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**TO:** Board of Directors  
**FROM:** Kate Miller, Executive Director  
**REPORT BY:** Justin Paniagua, Senior Finance/Policy Analyst  
(707) 259-8781 / Email: [jpaniagua@nctpa.net](mailto:jpaniagua@nctpa.net)  
**SUBJECT:** Napa County Transportation and Planning Agency (NCTPA) Public Transit Fare Policy

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### **RECOMMENDATION**

That the Napa County Transportation and Planning Agency (NCTPA) Board approve and adopt the NCTPA Public Transit Fare Policy (Attachment 1)

### **EXECUTIVE SUMMARY**

A refinement of NCTPA Policy Manual is being proposed to better serve the needs of the agency. The Public Transit Fare Policy has been developed to guide the agency when considering changes in fare structure. The goal of the policy is to ensure the continued viability of NCTPA's public transit system and to apply any future fare changes as fairly and equitably as possible.

### **COMMITTEE RECOMMENDATION**

None

### **PROCEDURAL REQUIREMENTS**

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

### **FISCAL IMPACT**

Is there a Fiscal Impact? No, adoption of this policy would not cause any immediate change to fares or fare structure on its own. Any changes to fares or fare structure

would require separate public comment and research but the policy would guide NCTPA in the process of changing fares and/or developing a fare structure.

### **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**

The existing NCTPA Public Transit Fare Policy states that NCTPA adheres to federal and state fare structure regulations but does not specify when NCTPA should consider a fare increase or an approach to evaluating what conditions should influence the Board's decision to alter fares. Current policy has led to an ad hoc approach to changes in fares. This approach is not conducive to sustaining the public transit system and often results in infrequent and precipitous increases which is an unnecessary burden to riders and often negatively affects ridership levels.

The proposed Public Transit Fare Policy would require the Board to review annually the farebox recovery ratio and consider a fare increase should the recovery ratio not meet policy standards and/or no less than every three years based upon Bay Area Consumer Price Index (CPI) and/or actual cost increases. Fare increases are further subject to Title VI of the Civil Rights Act of 1964. Fare changes would be applied proportionately across the all fare types. The new policy also creates a correlation between rides and pass costs in order to provide a reasonable discount for frequent riders. This would be done by applying a multiplier in the case of 31-day and day passes and a standard discount to 20-ride passes.

VINE Commuter routes and community shuttle services are singled out in the fare policy due to different rules and regulations, some of which stem from specific grant funding, federal regulations, state regulations and/or memoranda of understanding.

### **SUPPORTING DOCUMENTS**

Attachment: (1) NCTPA Public Transit Fare Policy

**NCTPA  
POLICIES, PRACTICES AND PROCEDURES MANUAL**

**PUBLIC TRANSIT FARE POLICY**

**Purpose:** Napa County Transportation and Planning Agency's (NCTPA) Fare Policy establishes principles and polices that govern recovery of passenger revenues in support of NCTPA's vision of the VINE being a customer-driven and efficient public transportation system serving the County of Napa.

**Definition of Fare:** The fee charged and received by NCTPA in exchange for transit services provided. The fare can be in the form of cash payment at the time of service, prepayment through other means or Clipper. Many transit fares are typically collected and recorded via an electronic recording device, known as a farebox; however, this is not the only method of collecting and recording fees. This policy may use the term fare and farebox interchangeably, and shall be interpreted as the totality of the fees.

**General Principles:** Generally, fares are required to generate revenue to offset a component part of NCTPA's expenses as defined by the Transportation Development Act (TDA) as part of a sustainable long-term Financial Plan. The following principles guide establishment and management of NCTPA's fare revenue collections:

- Promote ridership on all transit related services: NCTPA seeks to encourage and facilitate transit ridership within VINE's service area. VINE's fares shall; therefore, be devised to be attractive to the widest possible range of existing and potential rider groups.
- Equitable fares: To be equitable, fares must take into account the needs of VINE's riders as well as the cost and value of the service provided by the VINE. VINE's fares shall support the travel patterns and requirements of transit riders throughout the service area and shall also reflect differences in the characteristics and frequency of the service provided, while not undervaluing VINE's service.
- Enhance mobility & access: VINE fares shall enhance the ability of riders to access the system and move through it with ease. To do so, VINE fares shall be easy to understand and shall promote a unified system by simplifying and, where effective and possible, unifying fares across services.
- Effective & cost efficient: VINE's fare pricing, fare policy, fare media distribution channels, and fare collection technologies shall be developed and operated to be easily applied by transit operating employees, as well as to minimize the costs associated with fare collection, fare media distribution and revenue processing.
- Management: VINE's fares and fare collection system shall be designed to facilitate data collection to foster analytical decision making by NCTPA's staff.

In keeping with these principles, the policies governing VINE's fares are set forth below:

### **1. Farebox Recovery**

VINE collects fares from passengers riding its transit services as one element of funding these services. These fares are then used to offset the costs of providing the transit service, otherwise known as Farebox Recovery. The Farebox Recovery ratio is defined as the ratio of the transit fares to the operating costs. NCTPA's farebox recovery ratio target shall be equal to those targets set forth by Transit Development Act regulations. Urban transit services, VINE and American Canyon Transit, have a farebox recovery target different than that of rural transit (Calistoga Shuttle, St. Helena Shuttle and Yountville Trolley) and ADA Paratransit services. See note D at the end of this document for current regulatory farebox recovery rates.

### **2. VINE Fare Adjustments**

Fare adjustments are defined as any permanent changes to VINE's fare structure. Decisions on fare adjustments are made by the NCTPA's Board of Directors. Prior to making a decision on a fare adjustment, the Board shall consider the recommendation by NCTPA's staff, including but not limited to an analysis of the impacts on minorities and low-income individuals consistent with Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq), the Federal Transit Administration (FTA) Title VI regulations (49 CFR part 21), and FTA's Circular 4702.1B, including any future amendments thereto, as well as NCTPA's Title VI Policy. Prior to raising a fare, NCTPA shall solicit and consider public comment in compliance with 49 USC Chapter 53 and FTA Circular 9030.1C, including any future amendments thereto. Implementation of a fare adjustment shall occur no earlier than 30 days and no later than 12 months following approval by the Board of Directors. Any change in the fare shall be rounded to the nearest \$.05.

Fare adjustments shall be considered by the NCTPA Board under the following scenarios:

1. Following NCTPA's annual report if VINE has failed to meet its farebox ratio goal defined in the fare policy.
2. Every three years the NCTPA Board of Directors will consider fare adjustments to match the previous three years of CPI-U for the San Francisco – Oakland – San Jose Region or to match the percent increase in VINE expenditures for the previous three years whichever is greater. Unless the farebox ratio for the previous fiscal year is equal to or greater than 20%. In which case fare increases shall be paused.

NCTPA staff will annually report to the Board a review of farebox revenues and the farebox recovery ratio for the entire system and service. NCTPA staff will recommend possible solutions for meeting the minimum farebox recovery if analysis indicates it has not been met. Solutions may include a recommendation for a fare adjustment. Such recommendation will include consideration of economic trends, VINE's current and future operating health and the value of services, both qualitative and quantitative, in the communities served.

### **3. Fare Differentials**

VINE's fares shall balance simplicity and uniformity of fares with the equity of pricing services consistent with the cost and value of providing that service. The number of fare types, levels, and fare payment instruments shall consider the ease of enforcement by vehicle operators, ease of understanding by customers and the ease of tracking with both the farebox technology and the back-office technology.

Services that cost more to operate or provide additional value to passengers compared with local bus service are considered premium services, and may be priced higher (but never lower) than local bus service. Premium services include express buses, paratransit, and if implemented in the future, bus rapid transit. The price structure for each premium service will be set separately.

Local distribution services that operate in a small area and are used for shorter than average length trips provide less value to riders and are classified as shuttle services. Shuttle services may be priced equal to or lower than local bus service.

### **4. VINE-GO Paratransit Fares**

VINE-GO's policy, in compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12143) and the implementing FTA Regulations (49 CFR Section 37.121) is that ADA complementary paratransit fares will equal twice the regular fixed-route fare for the same trip. If the Act is changed, this policy shall be changed to be consistent with federal law. If ADA complementary paratransit provides service beyond or in addition to the federally defined ADA complementary paratransit service, a higher fare shall be charged for that service.

### **5. VINE Local Passes**

Prepayment of fares on the fixed-route system shall be encouraged. Monthly local VINE passes shall be discounted to provide some savings to commuters compared with the cash fare, but not less than 30 (See Attachment A) times the cash fare. Day passes shall be priced at least equivalent to the cost of three boardings and no more than the cost of six boardings (See Attachment A). Twenty ride passes shall provide the equivalent of 20 rides and shall be discounted no more than 10% (See Attachment A) from the actual value. These policies shall be applied equitably across all fare types (Adult, Youth and Discount). Passes shall be priced to expedite the boarding process.

Employer, university or schools and other qualifying group pass programs shall be priced so that either:

- the anticipated average revenue per boarding to VINE from such programs is approximately equal to or greater than VINE's average revenue per boarding for the two most recent fiscal years excluding these programs, or
- the anticipated revenue from the program is at least equal to the estimated revenue previously generated by the riders switching to the program.

## **6. VINE Express Fares and Passes**

### **A) VINE Route 29**

VINE Route 29 is a partially grant funded premium express service from Calistoga to the Vallejo Ferry and BART. As such it is primarily intended to service commuters traveling to and from the City of San Francisco and the East Bay. The cash fares shall be split into a two tiered system with one fare to the Vallejo Ferry Terminal and higher fare to BART. As a grant funded route the farebox requirement for the Route 29 is 20% and the fare structure is independent of the local VINE routes. As a commuter route the discounted fare provisions of this policy do not apply to the Route 29 therefore all cash and pass fares shall be equal. The Route 29 farebox ratio and fares shall be reviewed on the same schedule set forth for the local routes but there is no provision for automatic increases to the fares. Passes will cost no less than 20 (See Attachment B) times the cash fare. Only Route 29 monthly passes shall be valid on the Route 29. Punch passes can be used on the Route 29 but a single ride will cost multiple punches depending on the destination. Transfers are not accepted onto the Route 29 but transfers shall be issued for use on other eligible VINE routes upon request.

### **B) VINE Route 21**

VINE Route 21 is a grant funded premium express route servicing a connection between the Soscol Gateway Transit Center and the Suisun City Train Depot. As a grant funded route the Route 21 is not required by law to meet a specific farebox recovery ratio but by NCTPA policy it is the goal of the agency to reach a farebox recovery ratio equal to that of the regulatory minimum for rural transit services. The Route 21 farebox ratio and fares shall be reviewed on the same schedule set forth for the local routes but there is no provision for automatic increases to the fares. Cash fares for the Route 21 are set independent of the VINE local fares and as a commuter route the discounted fare provisions of the local VINE service do not apply to the Route 21. The Route 21 does not have a distinct monthly pass but all other passes are valid for use on the Route 21. In the case of a punch pass one ride shall be equal to two punches. Transfers are accepted onto the Route 21 from any other VINE route.

### **C) VINE Route 25**

VINE Route 25 is a grant funded premium express route servicing the Soscol Gateway Transit Center and the Sonoma Plaza. As a grant funded route the Route 25 is not required by law to meet a specific farebox recovery ratio but by NCTPA policy it is the goal of the agency to reach a farebox recovery ratio equal to that of the regulatory minimum for NCTPA's urban transit services. Fares for the Route 25 follow the policy and structure set forth for the VINE Local service.

## **7. Local Shuttle Services**

Local shuttle service fares (St. Helena, Yountville, Calistoga and American Canyon) are defined by the individual Memorandum of Understanding (MOU) between the jurisdiction and NCTPA. These shuttle services are not subject to any provision stated in the Fare Policy except those required by law and defined within the relevant MOU.

## **8. Promotions and Special Events**

Fare promotions, including special event fares, may be used to attract riders to VINE services. Fare promotions can be a cost-effective method of attracting riders to new services (such as new bus routes) and existing services. For the purpose of this policy, Fare Promotions shall be defined as any new fare card, fare media, cash fare or other transit fare which is not part of the adopted fare structure and may be priced higher or lower than VINE's regular fares. Fare Promotions are not required to include a specific fare for seniors, Medicare cardholders or individuals with disabilities, however the rates charged seniors, Medicare cardholders or individuals with disabilities during off-peak hours must not exceed one-half of the rates generally applicable to other persons at peak hours (excluding the Fare Promotion) as required by FTA regulations (Code of Federal Regulations, Title 49, Subtitle B, Chapter Vi, Part 609). Fare promotions must be able to be implemented within the capabilities of the current fare collection technology in use at the time of the implementation. Fare promotions shall not exceed a six (6) month period. If the promotion is deemed to be successful and management desires it to be part of the fare structure, then management shall bring the issue and analysis to the Board of Directors for adoption into the current fare structure.

## **9. New Payment Options**

Fare payment options that effectively attract a different market segment or encourage increased use of VINE services by current riders shall be developed; but must be within the realm of current or planned hardware, software and back-office technologies. Initial pricing for such options shall be set such that VINE is not expected to lose fare revenue, unless the Board of Directors specifically approves an estimated amount of lost revenue.

## **10. Design**

The design of fare payment instruments shall consider the ease of enforcement by bus operators, ease of understanding by customers and the ease of tracking with both the farebox technology and the back-office technology.

## **11. Child and Youth Fares - VINE Local Route Services**

Up to two children, 5 years of age or less, ride free with each adult over 18 paying fare. Additional children must pay \$.50 per child.

Youth shall be defined as persons ages 6 - 18. Youth may qualify for a reduced fare based on the type of service being provided and the publicized fare. Youth fare is calculated by subtracting \$.50 from the full adult fare. In all cases, the youth will no longer qualify for any youth discounts on his/her 19th birthday.

## **12. Half-Fare Program – VINE Local Fixed Route Services**

The objective of the Half-Fare Program is to provide reduced fares for fixed route services for seniors, persons with disabilities and Medicare cardholders in compliance with the Federal Transit Administration's half-fare requirements (Code of Federal Regulations, Title 49, Subtitle B, Chapter Vi, Part 609).

### Who is eligible for the half-fare program?

- Persons aged 65 and older, unless the FTA regulations defining seniors are changed in the future, in which case the FTA regulations shall be followed.
- Medicare cardholders
- People who meet the currently enforced Federal Transit Administration's (FTA) definition of people with disabilities. At the time of the adoption of this policy, the definition is: *"any individual who, by reason of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including any individual who is a wheelchair user or has semi-ambulatory capabilities), cannot use effectively, without special facilities, planning or design, mass transportation service or a mass transportation facility."*

### **13. Definitions**

Within the context of this policy, the following definitions apply:

**Base Fare:** For purposes of the fare policy, the base fare will be defined as the single unlinked trip, full cash fare

**Youth Fare:** Fare for any rider 18 years of age and under (photo ID with proof of age required).

**Child Fare:** Fare for any Child 5 years of age and younger

**Express Bus Route:** A deluxe bus route characterized by one or more segments of high-speed, non-stop operation, and with a limited number of stops which are generally provided for commuter service.

**Fare Media:** Fare media shall be defined as all passes, tickets, cards or ID's sold or otherwise distributed for use on various NCTPA services.

**Half-Fare:** Fares, as defined above, for eligible persons with disabilities, senior riders or Medicare cardholders. The cash half fare is the maximum of one-half of the full cash fare or the current FTA guidelines (Code of Federal Regulations, Title 49, Subtitle B, Chapter Vi, Part 609), rounded down to an increment of \$0.05.

**Local Bus Route:** Any fixed route bus service not designated as an express or shuttle bus route.

**Shuttle Bus Route:** Local distribution services that operate in a small area and are used for shorter than average length trips are classified as shuttle services.

**Mode:** Defines the different types of services offered by NCTPA, which includes local bus, express bus, shuttle bus and Para-Transit.

**Senior:** Any person age 65 or older (photo ID with proof of age required at boarding).

**Person with Disability:** People who meet the currently enforced Federal Transit

Administration's (FTA) definition of people with disabilities. At the time of the adoption of this policy, the definition is: *"any individual who, by reason of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including any individual who is a wheelchair user or has semi-ambulatory capabilities), cannot use effectively, without special facilities, planning or design, mass transportation service or a mass transportation facility."*

**Medicare Cardholders:** Individuals who have been issued a Medicare card, regardless of age or disability.

**Day Pass:** A 24 hour period pass valid for unlimited travel on all VINE fixed route services (excluding Route 29) for one calendar day from the time of activation through the end of the service day.

**Monthly Pass:** A thirty (31) day period pass valid for unlimited travel on all VINE fixed route services (excluding the Route 29) for 31 calendar days from the day of activation through the end of the 31st consecutive service day.

#### 14. NOTES

- A) The local monthly pass multiplier is based on an analysis of other local transit services within the Bay Area and what is currently being used by the VINE. See attachment A.
- B) The discount for the punch pass is based on an analysis of other local transit services within the Bay Area and what the VINE is currently using. See attachment A.
- C) The Route 29 monthly pass multiplier is based on an analysis of other express route services within the Bay Area and what is currently being used by the VINE. See attachment B.
- D) As of June 1, 2014 the regulatory minimum farebox recovery ratio is 16% for urban transit services and 10% for rural and ADA paratransit services.

**Attachment A**

**SolTrans Local**

		31 Day Pass		Day Pass		10 Ride Pass	
Cash		Multiplier	Cost	Multiplier	Cost	Discount	Cost
Adult	\$ 1.75	32	\$56.00	2.3	\$4.00	14%	\$ 15.00
Youth	\$1.50	29.3	\$44.00	2	\$3.00	20%	\$ 12.00
Senior/Disabled	\$0.85	32.9	\$28.00	2.4	\$2.00	18%	\$ 7.00

**FAST Local**

		31 Day Pass		Day Pass		10 Ride Pass	
Cash		Multiplier	Cost	Multiplier	Cost	Discount	Cost
Adult	\$1.50	33.3	\$50.00		\$ -	0%	\$ 15.00
Youth	\$ -		\$ -		\$ -		\$ -
Senior/Disabled	\$0.75	33.3	\$25.00		\$ -		\$ -

**Delta Breeze Local**

		31 Day Pass		Day Pass		10 Ride Pass	
Cash		Multiplier	Cost	Multiplier	Cost	Discount	Cost
Adult	\$ 1.75	22.9	\$40.00		\$ -	0%	\$ 17.50
Youth	\$ -		\$ -		\$ -		\$ -
Senior/Disabled	\$0.75	26.7	\$20.00		\$ -	0%	\$ 7.50

**SCT Local**

		31 Day Pass		Day Pass		20 Ride Pass	
Cash		Multiplier	Cost	Multiplier	Cost	Discount	Cost
Adult	\$1.25	49.6	\$62.00		\$ -	0%	\$ 25.00
Youth	\$1.05	44.8	\$47.00		\$ -	0%	\$ 21.00
Senior/Disabled	\$0.60	52.1	\$31.25		\$ -	0%	\$ 12.00

**Santa Rosa City Bus Local**

		31 Day Pass		Day Pass		10 Ride Pass	
Cash		Multiplier	Cost	Multiplier	Cost	Discount	Cost
Adult	\$ 1.50	33.3	\$50.00	2.7	\$4.00	3%	\$ 14.50
Youth	\$1.25	20.0	\$25.00	2.4	\$3.00	4%	\$ 12.00
Senior/Disabled	\$0.75	33.3	\$25.00	2.7	\$2.00	7%	\$ 7.00

**Petaluma Transit Local**

		31 Day Pass		Day Pass		10 Ride Pass	
Cash		Multiplier	Cost	Multiplier	Cost	Discount	Cost
Adult	\$1.25	24.0	\$30.00		\$ -	0%	\$ 12.50
Youth	\$1.00	20.0	\$20.00		\$ -	0%	\$ 10.00
Senior/Disabled	\$0.50	30.0	\$15.00		\$ -	0%	\$ 5.00

**Union City Local**

		31 Day Pass*		Day Pass		10 Ride Pass	
Cash		Multiplier	Cost	Multiplier	Cost	Discount	Cost
Adult	\$2.00	27.5	\$55.00		\$ -		N/A
Youth	\$1.25	28.0	\$35.00		\$ -		N/A
Senior/Disabled	\$1.00	26.0	\$26.00		\$ -		N/A

**Marin Transit Local**

		31 Day Pass		Day Pass		Stored Value Card	
Cash		Multiplier	Cost	Multiplier	Cost	Discount	Cost per Ride
Adult	\$2.00	40.0	\$80.00	2.5	\$5.00	10%	\$ 1.80
Youth	\$1.00	40.0	\$40.00	2.5	\$2.50	0%	\$ 1.00
Senior/Disabled	\$1.00	25.0	\$25.00	2.5	\$2.50	0%	\$ 1.00

\*Come in \$18 and \$36 denominations

**County Connection**

		31 Day Pass		Day Pass		10 Ride Pass	
Cash		Multiplier	Cost	Multiplier	Cost	Discount	Cost
Adult	\$2.00	30.0	\$60.00		\$ -		N/A
Youth	\$ -		N/A		\$ -		N/A
Senior/Disabled	\$1.00		N/A		\$ -		N/A

**LAVTA**

		31 Day Pass		Day Pass		10 Ride Pass	
Cash		Multiplier	Cost	Multiplier	Cost	Discount	Cost
Adult	\$2.00	30.0	\$60.00		\$ -	20%	\$ 16.00
Youth			N/A		\$ -		N/A
Senior/Disabled	\$1.00	18.0	\$18.00		\$ -		N/A

**Tri Delta Transit**

		31 Day Pass		Day Pass		20 Ride Pass	
Cash		Multiplier	Cost	Multiplier	Cost	Discount	Cost
Adult	\$2.00	28.5	\$57.00		\$ -	18%	\$ 33.00
Youth			N/A		\$ -		N/A
Senior/Disabled	\$1.00		N/A		\$ -	15%	\$ 17.00

**Average Local**

		31 Day Pass		Day Pass		10 Ride Pass	
Cash		Multiplier	Cost	Multiplier	Cost	Discount	Cost
Adult	\$1.73	31.6	\$54.55	2.5	\$4.33	6%	\$ 15.08
Youth	\$1.48	29.3	\$43.45	2.3	\$2.83	7%	\$ 13.75
Senior/Disabled	\$0.84	28.3	\$23.69	2.5	\$2.17	7%	\$ 9.58

**Current VINE Local**

		31 Day Pass		Day Pass		20 Ride Pass	
Cash		Multiplier	Cost	Multiplier	Cost	Discount	Cost
Adult	\$1.50	32.0	\$48.00	3.3	\$5.00	8%	\$ 27.50
Youth	\$1.00	33.0	\$33.00	3	\$3.00	0%	\$ 20.00
Senior/Disabled	\$0.75	32.0	\$24.00	3.3	\$2.50	13%	\$ 13.00

**Attachment B**

		31 Day Pass		Day Pass		10 Ride Pass	
		Multiplier	Cost	Multiplier	Cost	Discount	Cost
<b>SolTrans Commuter</b>	Cash						
Adult	\$ 5.00	22.8	\$ 114.00	2	\$ 10.00	10%	\$ 45.00
Youth	\$ 4.00		N/A	2	\$ 8.00		N/A
Senior/Disabled	\$ 2.50		N/A	2	\$ 5.00		N/A

		31 Day Pass		Day Pass		10 Ride Pass	
		Multiplier	Cost	Multiplier	Cost	Discount	Cost
<b>FAST Commuter</b>	Cash						
Adult	\$ 5.75	19.8	\$ 114.00		N/A	0%	\$ 57.50
Youth	\$ -		N/A		N/A		N/A
Senior/Disabled	\$ 2.75	23.6	\$ 65.00		N/A		N/A

		31 Day Pass		Day Pass		10 Ride Pass	
		Multiplier	Cost	Multiplier	Cost	Discount	Cost
<b>Delta Breeze Commuter</b>	Cash						
Adult	\$ 6.00	15.0	\$ 90.00		N/A	17%	\$ 50.00
Youth	\$ -		N/A		N/A		N/A
Senior/Disabled	\$ 3.00	6.7	\$ 20.00		N/A	0%	\$ 30.00

		31 Day Pass		Day Pass		20 Ride Pass	
		Multiplier	Cost	Multiplier	Cost	Discount	Cost
<b>SCT Commuter</b>	Cash						
Adult	\$ 3.65	24.7	\$ 90.00		N/A	0%	\$ 73.00
Youth	\$ 3.25		N/A		N/A	0%	\$ 65.00
Senior/Disabled	\$ 1.80	11.1	\$ 20.00		N/A	0%	\$ 36.00

		31 Day Pass		Day Pass		10 Ride Pass	
		Multiplier	Cost	Multiplier	Cost	Discount	Cost
<b>Average Commuter</b>	Cash						
Adult	\$ 5.10	20.6	\$ 102.00	2	\$ 10.00	7%	\$ 56.38
Youth	\$ 3.63		N/A	2	\$ 8.00	0%	\$ 65.00
Senior/Disabled	\$ 2.51	13.8	\$ 35.00	2	\$ 5.00	0%	\$ 33.00

**VINE Current Route 29**

		31 Day Pass		Day Pass		10 Ride Pass	
		Multiplier	Cost	Multiplier	Cost	Discount	Cost
<b>Ferry</b>	Cash						
Adult	\$ 3.25	18.5	\$ 60.00		N/A	15%	\$ 27.50
Youth	\$ 3.25	17.2	\$ 56.00		N/A	38%	\$ 20.00
Senior/Disabled	\$ 3.25	12.3	\$ 40.00		N/A	60%	\$ 13.00

**BART**

		31 Day Pass		Day Pass		5 Ride Pass	
		Multiplier	Cost	Multiplier	Cost	Discount	Cost
<b>BART</b>	Cash						
Adult	\$ 5.50	21.8	\$ 120.00		N/A	0%	\$ 27.50
Youth	\$ 5.50	20.4	\$ 112.00		N/A	27%	\$ 20.00
Senior/Disabled	\$ 5.50	14.5	\$ 80.00		N/A	53%	\$ 13.00



July 16, 2014  
NCTPA Agenda Item 9.3  
Continued From: New

Action Requested: **INFORMATION/ACTION**

## 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:** Legislative Update and State Bill Matrix

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### **RECOMMENDATION**

That the Napa County Transportation and Planning Agency (NCTPA) Board receive the monthly Federal and State Legislative Update and consider acting on staff recommendations included on the bill matrix (Attachment 2).

### **COMMITTEE RECOMMENDATION**

None

### **EXECUTIVE SUMMARY**

The Board will receive a Federal legislative update. The board will also receive a State legislative update (Attachment 1) from Platinum Advisors. The bill matrix (Attachment 2) is also attached and requests that the board consider staff recommendations on one pending state bill.

### **PROCEDURAL REQUIREMENTS**

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

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**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**

When Congress reconvenes from the July 4th Holiday, it will need to address the FY 2015 budget, a new surface transportation authorization bill, and act to prevent the Highway Trust Fund from running out of money. Attachment 3 is a copy of DOT Secretary Anthony Foxx's June 18, 2014 Dear Colleague letter underscoring the need to avert a transportation funding crisis.

It's doesn't look favorable that Congress will meet the looming September 30 budget/transportation authorization deadlines but it's also not likely that it will repeat last fall's federal government shutdown. As such, Congress will need to act on a short term continuing budget resolution and a short term extension to MAP-21.

**State Update***Pending Legislation*

The Bill Matrix includes one new bill for the Board's consideration – AB 1705 (Williams) - which would extend the sunset date that limits the retention level a public agency can withhold from contractors to 5%. The existing sunset date does not expire until 2016. The bill would extend the maximum 5% retention threshold until 2020. Staff believes that acting to extend the sunset is not necessary until next year. In the interim, it is hoped that additional information about public contracting retention issues is introduced to better understand whether such a policy is needed.

**SUPPORTING DOCUMENTS**

Attachments: (1) July 7, 2014 State Legislative Update (Platinum Advisors)  
(2) July 7, 2014 Bill Matrix  
(3) June 19, 2014 Letter from DOT Secretary Anthony R. Foxx



July 7, 2014

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

FR: Steve Wallauch  
Platinum Advisors

RE: **Legislative Update**

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The Legislature left town for Summer Recess on July 3<sup>rd</sup> and will not return until August 4<sup>th</sup>. While coming weeks will be slow, the last couple of weeks was a flurry of policy committee hearings lasting late into the evenings in an effort to meet the policy committee deadline on June 27<sup>th</sup>. The summer recess will, however, be filled with negotiations on the water bond and proposals mandating regulations of groundwater supplies. We will also see the initial hearings on the development of various cap & trade program guidelines. Once the Legislature returns, we will face the fiscal committee deadline whereby all bills must be out of the Appropriations Committees on August 16<sup>th</sup>. The Legislature will then adjourn the 2013-14 session by midnight on August 31<sup>st</sup>.

**SB 862 Clean-up:** The promised clean-up bill to SB 862 (Cap & Trade Bill) has yet to be revealed because negotiations continue on stickier clean-up issues like net-metering and forestry projects. Commitments have been made to amend the Transit & Intercity Rail Capital Program to clarify that bus projects and bus operators can apply for these funds. As currently drafted, NCTPA is not eligible to apply based on the definition in SB 862. Amendments have been circulated to correct this oversight, as well as clarify that bus projects are eligible. Currently there is agreement on these changes, but negotiations on unrelated areas must be resolved before moving forward with the clean-up bill.

There are also potential clean-up changes for the Low Carbon Transit Operations Program, but these changes might be addressed through a letter to the Journal explaining the Legislature's intent. The issue is with the development of guidelines for this program. Under the Transit & Intercity Rail Capital Program the statute includes specific requirements for public hearings and to provide 30 day public review of draft guidelines. These requirements are not specified in the Transit Operations Program. However, it is the intent of CalSTA and Caltrans to follow the same public comment and hearing process.

**Guidelines:** With the signing of SB 862, we now await the start of the guideline development process. SB 862 requires the development of guidelines for numerous components of the expenditure plan. This includes guidelines for the Transit & Intercity Rail Capital Program, the Low Carbon Transit Operations Program, and the Affordable Housing & Sustainable Community Program among others. The following is a brief summary of the guidelines to be developed in the coming months:

- Quantification – The Air Resources Board is charged with developing guidelines for state agencies that receive cap & trade funds to follow on the information that must be submitted to quantify how the AB 32 goals are being met.
- Disadvantaged Communities – SB 862 requires CalEPA to hold at least one public workshop prior to finalizing its identification of disadvantaged communities. SB 862 also directs CARB and CalEPA to develop guidelines on how to maximize the benefits to disadvantaged communities. The identification process will rely on the CalEnviroscreen process, which currently does not adequately identify the disadvantage communities in the Bay Area. Participating in the workshop will be critical to try to adjust the screening process to address cost of living and other unique factors in the Bay Area.
- Transit & Intercity Rail Capital Program – SB 862 directs CalSTA to hold at least two public workshops on the draft guidelines. The draft guidelines must be available on CalSTA’s website at least 30 days prior to the first workshop. This Program includes a disadvantage community benefit goal of 25%.
- Low Carbon Transit Operations – SB 862 specifies that each transit operator’s share of these funds will be determined by the STA formula; however, receipt of these funds will require a determination made by Caltrans, in coordination with CARB, that the use of the funds meet the requirements specified in the guidelines. Caltrans in coordination with CARB is directed to develop guidelines that specify the methodology used by transit operators to illustrate that the use of the funds meet the following requirements:
  1. Expenditures support new or expanded bus or rail services, or expanded intermodal transit facilities, and may include equipment acquisition, fueling, and maintenance, and other costs to operate those services or facilities.
  2. Demonstrates that each expenditure directly enhances or expands transit service to increase mode share.
  3. Demonstrates that each expenditure reduces greenhouse gas emissions.
  4. For transit agencies whose service areas include disadvantaged communities at least 50 percent of the total moneys received pursuant to this chapter shall be expended on projects or services that benefit the disadvantaged communities.

As previously mentioned the statute does not specify a public review and comment process for the development of the Low Carbon Transit Operations Program guidelines. However, CalSTA and Caltrans have made a commitment to follow the same public review process specified in the Transit & Intercity Rail Capital Program. A letter to the Senate and Assembly Journal is being considered to underscore this intent.

- *Affordable Housing & Sustainable Communities Program* – SB 863 directs the Strategic Growth Council to administer this program and develop guidelines and project selection criteria. Similar to the Capital Program, the SGC is required to hold at least two public workshops, one in northern California and one in southern California, and provide the draft guidelines 30 days prior to the first workshop. In addition, the statute specifies that the SGC shall consider the comments from local governments and other stakeholders, as well as conduct outreach to disadvantage communities. Under this program there is a goal of expending 50% of the funds on projects benefiting disadvantaged communities.

***Strategic Growth Council:*** The SGC has scheduled a meeting for July 10<sup>th</sup> to begin the process of developing the guidelines for the Affordable Housing & Sustainable Communities Program. Transit capital projects and programs are an eligible expense for these funds.

The agenda includes an overview of SB 862, and an action item to commence the process for developing the draft guidelines. The proposal is for the Department of Housing & Community Development to take the lead on drafting the guidelines for the housing, transportation and infrastructure components of the program because of the Department's experience with administering the Prop 1C Transit Oriented Development and Infill programs. The agricultural lands preservation component of this program would be developed by the Natural Resources Agency.

***Delay Inclusion of Fuels:*** A group of 16 Assembly members signed a letter to CARB Chair, Mary Nichols, urging the Board to delay including transportation fuels in the cap & trade auction. The signatories include Bay Assembly members Susan Bonilla, Joan Buchanan, and Jim Frazier. Beginning next year, transportation fuels will be included in the cap & trade auction limits. This will result in higher fuel prices ranging from 15 cents to over 20 cents per gallon. The letter does not provide an alternative plan other than point out that CARB is not mandated to generate revenue through the auction and it could give away these credits.

***AQIP:*** The California Air Resources Board adopted the 2014-15 Air Quality Improvement Program (AQIP) last week. This expenditure plan outlines how CARB plans to spend the \$200 million in cap & trade auction revenue that was appropriated in the budget, and it will be used as the basis for future cap & trade allocations. As specified in SB 862 future allocations for this program will be subject annual appropriations from the 40% of cap & trade funds set aside for

various state programs. While the bulk of the funds in the AQIP plan are dedicated to the Clean Vehicle Rebate Program, \$85 million is dedicated to advancing zero and near-zero emission truck and bus programs. This includes \$20-25 million for large scale pilot projects for zero emission technologies for the freight and transit sectors. Workshops on this program are expected in the coming months.

**November Ballot:** Last week was the deadline for initiatives to qualify for the November ballot. Including the measures placed on the ballot by the legislature, the following six propositions will appear on the November ballot.

- *Proposition 43: Safe, Clean, and Reliable Drinking Water Supply Act of 2012* – This \$11 billion water bond measure will be replaced or moved to 2016.
- *Proposition 44: ACA 1* – This is the new Rainey Day Fund proposal.
- *Proposition 45: Approval of Healthcare Insurance Rate Changes* – This proposal would give the state insurance commissioner greater authority to regulate health insurance rates.
- *Proposition 46: Drug and Alcohol Testing of Doctors/Medical Negligence lawsuits* – This proposal would raise the cap on medical malpractice damages and require drug testing of doctors.
- *Proposition 47: Criminal Sentences. Misdemeanor Penalties* – This proposal would reform criminal sentences to lower to misdemeanors certain crimes such as minor drug possession and petty theft.
- *Proposition 48: Overturn Indian Gaming Compacts* – This referendum seeks to overturn two gaming compacts approved by the Legislature and the Governor last year.

There is still time for the Legislature to amend the statutory deadlines and place additional measures on the ballot. This includes a new water bond proposal, a possible school bond, and a Constitutional amendment to allow the Senate or Assembly to suspend a member without pay.



July 7, 2014

Bills	Subject	Status	NCTPA RECOMMENDED POSITION
<b>AB 1705</b> <b>(Williams D)</b> Public contracts: payment.	AB 1705 extends the sunset date on existing law that limits the amount of retention a public agency may withhold to 5%. This 5% cap was given a sunset date of January 1, 2016. AB 1705 extends this sunset to January 1, 2020. Many public entities have expressed concerns that extending the sunset at this point is unnecessary and premature for properly analyzing the consequences of this lower retention policy.	SENATE FLOOR – THIRD READING	Recommended Position: OPPOSE

Bills	Subject	Status	NCTPA ADOPTED POSITION
<b>AB 935</b> <b>(Frazier D)</b> Driver's licenses: veteran designation	AB 935 was gutted and amended to remove the provisions relating to the composition of the Water Emergency Transportation Authority board. The bill as amended would allow the DMV to include the word "Veteran" on the face of driver's licenses and ID cards.	SENATE APPR	WATCH – prior version

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b><u>AB 1193</u></b> <b>(Ting D)</b> Bikeways.</p>	<p>AB 1193 has been amended to make several changes related to design and classification of bicycle facilities.</p> <ul style="list-style-type: none"> <li>• The bill would create a new designated bike path, known as a “cycle track” or “protected bikeway.”</li> <li>• The bill also strikes out the bicycle path “class” designations and replaces them with bike path, bike lanes, bike routes, and cycle tracks.</li> <li>• AB 1193 also implements one of the recommendations found in the SSTI report to provide local governments greater design flexibility in developing bicycle facilities. The bill would allow local governments to use design criteria other than those specified in the Highway Design Manual if approved by the local government at a public meeting.</li> <li>• Repeals existing law relating to Caltrans’ bikeway design exception process.</li> <li>• AB 1193 also makes several technical conforming changes.</li> </ul>	SENATE APPR	SUPPORT
<p><b><u>AB 1447</u></b> <b>(Waldron R)</b> California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: traffic synchronization.</p>	<p>This bill would allow traffic signalization projects that are designed and implemented to reduce GHG emissions to be eligible for cap &amp; trade funds as a sustainable infrastructure project.</p>	SENATE APPR	WATCH
<p><b><u>AB 1639</u></b> <b>(Grove R)</b> California Global Warming Solutions Act of 2006: greenhouse gas emissions limit.</p>	<p>Would state the intent of the Legislature that moneys derived from emissions reductions measures be expended to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions in furtherance of achieving the statewide greenhouse gas emissions limit.</p>	<p>ASSEMBLY NAT. RES. DEAD</p>	WATCH

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b><u>AB 1720</u></b>  <b>(Bloom D)</b>            Vehicles: bus gross weight.</p>	<p>AB 1720 was unanimously approved 35-0 by the Senate. It now moves back to the Assembly for concurrence vote.</p> <p>This bill would extend the sunset date for the bus axle weight exemption by one year from January 1, 2015 to January 1, 2016. This bill would also likely be used to implement any agreement reached this year on the axle weight issue.</p>	<p>ASSEMBLY CONCURRENCE</p>	<p>SUPPORT</p>
<p><b><u>AB 1724</u></b>  <b>(Frazier D)</b>            Construction Manager/General Contractor method: regional transportation agencies.</p>	<p>AB 1724 remains in the Senate Committee on Transportation &amp; Housing. While it is possible to hear this bill in August, it would require a rule waiver, which appears unlikely at this point due to the growing list of labor opposition.</p> <p>AB 1724 would allow “regional transportation agencies” to utilize an alternative procurement process known as “construction manager/general contractor” (CMGC) for delivering transportation projects.</p> <p>CMGC contracts are a hybrid of the traditional design-bid-build procurement process and a design-build process. It allows transportation agencies to hire a construction manager to work as a consultant during the pre-construction phase and as the general contractor during the construction phase. The bill specifies certain steps the transportation agency must take before entering into a CMGC contract, and it requires the agency to issue a report at the completion of each CMGC contract.</p> <p>AB 1724 defines a regional transportation agency to include a wide range of regional and local transportation agencies, including a county transportation authority.</p>	<p>SENATE T &amp; H</p>	<p>SUPPORT</p>
<p><b><u>AB 1907</u></b>  <b>(Ridley-Thomas D)</b>            Use fuel tax: natural gas: gallon equivalent.</p>	<p>This bill would convert the excise tax on the sale of natural gas sold at retail for public use as a transportation fuel based from a tax based on volume to a tax based on the energy content that is equivalent to a gallon of gasoline.</p>	<p>SENATE APPR</p>	<p>WATCH</p>

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b>AB 1970</b> <b>(Gordon D)</b> California Global Warming Solutions Act of 2006: Community Investment and Innovation Program.</p>	<p>AB 1970 was approved by the Assembly Committee on Local Government, and has now moved to the Appropriations Committee</p> <p>AB 1970 directs the Strategic Growth Council to create the Community Investment and Innovation Program. This program would provide grants to local governments for the purpose of developing and implementing greenhouse gas emission reduction projects in their region.</p>	<p>ASSEMBLY APPR – Held on Suspense File -- DEAD</p>	<p>WATCH</p>
<p><b>AB 2119</b> <b>(Stone D)</b> Local taxes: transactions and use taxes.</p>	<p>AB 2119 authorizes a county board of supervisors to levy, increase, or extend a transaction and use tax at a rate of 0.125 percent, for general or specific purposes, within the unincorporated area of the county, providing that the tax is approved by a two-thirds vote of all members of the board of supervisors and is subsequently approved by a two-thirds vote of the qualified voters of the entire county or the unincorporated area of the county, as applicable, voting in an election on the issue.</p>	<p>ASSEMBLY ENROLLMENT</p>	<p>SUPPORT</p>
<p><b>AB 2173</b> <b>(Bradford D)</b> Vehicles: electric bicycles.</p>	<p>As amended, AB 2173 only increases the horsepower of a motorized bicycle or moped to increase from 2 to 4 horsepower. This change would allow the use of these stronger mopeds by persons with a Class C license. The operation of these mopeds would continue to be limited to public streets.</p>	<p>Signed Into Law Chapter #60, Statutes of 2014</p>	<p>SUPPORT</p>
<p><b>AB 2445</b> <b>(Chau D)</b> Community colleges: transportation fees.contracts.</p>	<p>AB 2445 has been signed into law.</p> <p>This bill makes clarifying changes in existing law to allow a community college district to impose a fee approved by the students for transportation services on a campus by campus basis. Some believe existing law limits the approval of the fee to a district wide vote.</p>	<p>Signed Into Law Chapter #63, Statutes of 2014</p>	<p>SUPPORT</p>

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b>AB 2651</b> <b>(Linder R)</b> Vehicle weight fees: transportation bond debt service.</p>	<p>This bill effective January 1, 2016, would prohibit weight fee revenue from being transferred from the State Highway Account to the Transportation Debt Service Fund or to the Transportation Bond Direct Payment Account, and from being used to pay the debt service on transportation general obligation bonds.</p> <p>AB 2651 remains in the Assembly Transportation Committee. However, AB 2728 (Perea) was approved by the Committee, and Assemblyman Linder is working with Assemblyman Perea on moving this bill forward.</p>	<p>ASSEMBLY TRANS -- DEAD</p>	<p>SUPPORT IF AMENDED</p>
<p><b>AB 2652</b> <b>(Linder R)</b> Increased revenues: appropriation.</p>	<p>This bill would require up to \$2.5 billion in unanticipated revenue to be used to repay all remaining debts owed to transportation accounts. Unanticipated revenue would be what remains of any surplus after schools and other mandated programs receive their allotment. AB 2652 specifies that 50% of the unanticipated revenue, not to exceed \$2.5 billion, would be appropriated to cities and counties for local street and road projects. The allocation to cities and counties would be based on the existing "HUTA" formula. The remaining 50% would be deposited into the Budget Stabilization Account.</p>	<p>ASSEMBLY BUDGET -- DEAD</p>	<p>WATCH</p>
<p><b>AB 2707</b> <b>(Chau D)</b> Vehicles: length limitations: buses: bicycle transportation devices.</p>	<p>This bill was unanimously approved by the Senate, but it was returned to the Senate to make additional changes. AB 2707 authorizes any transit operator to utilize bicycle racks that can accommodate 3 bicycles.</p> <p>Specifically, the bill would allow transit buses of no more than 40 feet in length to be equipped with a front-mounted bicycle rack that extends up to 40 inches from the front body of the bus when fully deployed rather than the 36 inches allowed under current law, and limits the handlebars of a bicycle that is being transported on such a rack from extending more than 46 inches from the front of the bus rather than the 42 inches allowed under current law.</p>	<p>SENATE DESK</p>	<p>SUPPORT</p>

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b>AB 2728</b> <b>(Perea D)</b> Vehicle weight fees: transportation bond debt service.</p>	<p>AB 2728 would prohibit weight fee revenue from being transferred from the State Highway Account (SHA) to the Transportation Debt Service Fund or to the Transportation Bond Direct Payment Account, or to any other fund or account. This prohibition would remain in effect until January 1, 2019.</p> <p>AB 2728 is similar to SB 1418, and AB 2651, which the Board voted to support last month.</p>	<p>ASSEMBLY APPR. – Held on Suspense File -- DEAD</p>	<p>SUPPORT IF AMENDED</p>
<p><b>SB 1</b> <b>(Steinberg D)</b> Sustainable Communities Investment Authority.</p>	<p>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.</p> <p>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.</p>	<p>Senate Floor - Inactive File</p>	<p>WATCH</p>
<p><b>SB 792</b> <b>(DeSaulnier D)</b> Regional entities: Bay Area.</p>	<p>Recent amendments to SB 792 scale the bill back slightly. As amended, SB 792 directs the Joint Policy Committee to prepare an analysis of where member agencies complete common functions and identify opportunities to save costs, reduce redundancies, and further to goals of the member agencies.</p> <p>The bill also directs the MTC to convene a “public engagement advisory committee” which would provide input in the development of a draft public participation plan for the regional transportation plan update.</p>	<p>ASSEMBLY APPR</p>	<p>WATCH</p>

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b>SB 983</b> <b>(Hernandez D)</b> Local sales taxes: card lock fuel: place of sale.</p>	<p>SB 983 has been gutted and amended to expand the authority for the CTC to approve the construction of new HOT lanes.</p> <p>As amended this bill extends indefinitely the CTC's authority to approve the constructions of HOT lanes. The bill would also allow Caltrans to build and operate HOT lanes,</p> <p>Previously, SB 983 specified that, for purposes of allocating the local share of the sales tax collected from fuel sales made through a card lock network, the place at which the fuel is delivered is the point of sale.</p>	ASSEMBLY APPR	SUPPORT – prior version
<p><b>SB 1077</b> <b>(DeSaulnier D)</b> Vehicles: vehicle-miles-traveled charges.</p>	<p>SB 1077 requires the Transportation Agency to develop a pilot program by January 1, 2016, to explore various methods for using a mileage-based fee (MBF) to replace the state's existing fuel tax. The bill also outlines the scope of issues to be examined including privacy issue, security, and different methods of collecting the data.</p>	ASSEMBLY APPR	SUPPORT
<p><b>SB 1183</b> <b>(DeSaulnier D)</b> Vehicle Registration Fees</p>	<p>SB 1183 would authorize cities, counties, and regional park districts to impose vehicle registration surcharge of up to \$5 for the purpose of funding local bicycle infrastructure improvements and maintenance. The prior version of the bill would have authorized imposing a fee on the sale of new bicycles. This authority would sunset on January 1, 2025.</p>	ASSEMBLY APPR	SUPPORT
<p><b>SB 1204</b> <b>(Lara D)</b> California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.</p>	<p>SB 1204 was approved with bipartisan support by the Assembly Committee on Transportation.</p> <p>This bill creates a California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program. The purpose of this bill is to use cap &amp; trade auction revenue to fund the development, demonstration, and commercial deployment of zero- and near-zero-emission truck, bus, and off-road vehicle. In particular this bill would create large scale zero emission bus demonstration program aimed at making zero emission bus technology commercially available.</p>	ASSEMBLY APPR	WATCH

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b>SB 1236</b> <b>(Monning D)</b> Transit districts: transit offenses and enforcement.</p>	<p>SB 1236 was unanimously approved by the Assembly Appropriations Committee.</p> <p>SB 1236 would authorize the governing board of a transit district to designate district employees, except as specified, or security officers contracted by the district, to enforce state laws relative to certain prohibited acts on or in public transportation systems or on the property, facilities, or vehicles of a transit district, if the employees or officers satisfy specified training requirements.</p> <p>The bill would also make it an infraction to knowingly give false information to an enforcement officer or otherwise obstruct the issuance of a citation.</p>	<p>ASSEMBLY FLOOR – Consent Calendar</p>	<p>SUPPORT</p>
<p><b>SB 1368</b> <b>(Wolk D)</b> State Highway; relinquishment</p>	<p>This measure would authorize the California Transportation Commission to approve the relinquishment of a state owned park &amp; ride lot to a Joint Powers Authority formed for the purpose of providing transportation services, or a transit district. Current law limits the relinquishment to a county transportation commission or regional transportation planning agency.</p>	<p>ASSEMBLY FLOOR – Consent Calendar</p>	<p>SUPPORT</p>
<p><b>SB 1418</b> <b>(DeSaulnier D)</b> Vehicle weight fees: transportation bond debt service.</p>	<p>SB 1418 directs vehicle weight fees into the State Highway Account, rather than the Transportation Debt Service Fund, thereby providing an additional \$1 billion annually to local streets and roads and to the state highway system. Thus, General Fund revenues must service the transportation-related, general obligation bond debt of the state.</p> <p>SB 1418 has similar policy goals as AB 2651, which the Board voted to support last month.</p>	<p>SENATE APPR. – Held on Suspense File -- DEAD</p>	<p>SUPPORT IF AMENDED</p>

Bills	Subject	Status	NCTPA ADOPTED POSITION
<p><b>SB 1433</b> <b>(Hill D)</b> Local Agency Public Construction Act: transit design-build</p>	<p>Senator Hill has agreed to draft amendments to SB 1433 that will be inserted into the bill when it is heard in Appropriations.</p> <p>The amendments would add a cost threshold of \$1 million in order to use design-build and add a sunset date of January 1, 2020, on the authority for transit operators to use design-build. Additional amendments are being negotiated to address concerns by labor groups regarding labor provisions found in all other design-build statutes but not in the transit statute.</p> <p>As introduced, this bill would repeal the sunset date on existing law that allows transit operators to utilize the design-build procurement process. The bill also removes the project cost thresholds that must be met in order to use design-build, thus allowing design-build procurement to be used on any size project.</p>	ASSEMBLY APPR	SUPPORT
<p><b>SCA 4</b> <b>(Liu D)</b> Local government transportation projects: special taxes: voter approval.</p>	<p>SCA 4 is in the Senate Committee on Appropriations. Constitutional amendments are exempt for the House of Origin deadline.</p> <p>This measure would amend the Constitution to lower the voter approval threshold to 55% for the imposition, extension, or renewal of a local tax for transportation projects.</p>	SENATE APPR	SUPPORT
<p><b>SCA 8</b> <b>(Corbett D)</b> Local government transportation projects: special taxes: voter approval.</p>	<p>SCA 8 is in the Senate Committee on Appropriations. 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</p>	SENATE APPR	SUPPORT
<p><b>SCA 11</b> <b>(Hancock D)</b> Local government: special taxes: voter approval.</p>	<p>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.</p>	SENATE APPR	SUPPORT



THE SECRETARY OF TRANSPORTATION  
WASHINGTON, DC 20590

June 19, 2014

Dear Colleague:

The approaching Highway Trust Fund shortfall matter is of great concern to all of us who are engaged in the work of building and maintaining our Nation's transportation infrastructure, particularly because the Highway Trust Fund through the Mass Transit Account supplies a significant portion of the funds that transit agencies and States depend upon for critical infrastructure repairs, new construction, and, in some cases, daily operating expenses. Given its imperiled position, I am writing to give you a brief status report and to alert you to the steps we may need to take in the coming months, if Congress does not act to restore solvency.

I know first-hand the difficulties that each of you face in trying to plan construction work on significant transit projects, and even routine maintenance work, without a clear sense of how—or even whether—that work will be funded.

When Congress adopted the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21) in the summer of 2012, it was expected that sufficient funds would be deposited into the Highway Trust Fund to support all of our Nation's transportation investments through the end of the current fiscal year ending September 30, 2014. It now appears that the Highway Account of the Highway Trust Fund may face insolvency as soon as August with the Mass Transit Account facing insolvency before the end of December. The reason is simple—not enough revenue is coming into the fund to support the ongoing work necessary to maintain our transit systems, roads, and bridges.

Since January, we have published a "Highway Trust Fund Ticker" to show our latest projections on the looming insolvency. The enclosed charts, which also can be found on the DOT website at <http://www.dot.gov/highway-trust-fund-ticker>, show the current status of the Highway Account and the Mass Transit Account of the Highway Trust Fund and the funding trajectory through the end of the Federal fiscal year.

As you can see from the chart, the Highway Account of the trust fund is likely to dip below the critical \$4 billion cash balance as soon as July with shortfall predicted as early as August, and the Mass Transit Account is projected to fall below \$1 billion sometime in October. The charts will be updated monthly as new information becomes available.

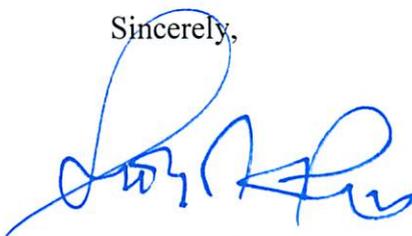
It also is my responsibility to let you know of the measures that the DOT and the Federal Transit Administration will be required to take in the coming months if Congress does not take action to replenish the Highway Trust Fund.

While we will take every step possible to continue to fully reimburse your transit agency for as long as possible, these measures will effectively require us to delay reimbursements that are owed to your agency. In the coming months, I will continue to keep you apprised of our specific cash management plans and when they are likely to go into effect.

As you may know, I and many members of the Administration have been sounding the alarm on this concern for several months. President Obama recently spoke publicly about this threat and called upon Congress to significantly increase investments in transportation so that you can continue to address the many transit needs in your community.

We plan to take an active role in helping Congress commit to a longer term agreement on surface transportation funding on a bipartisan basis.

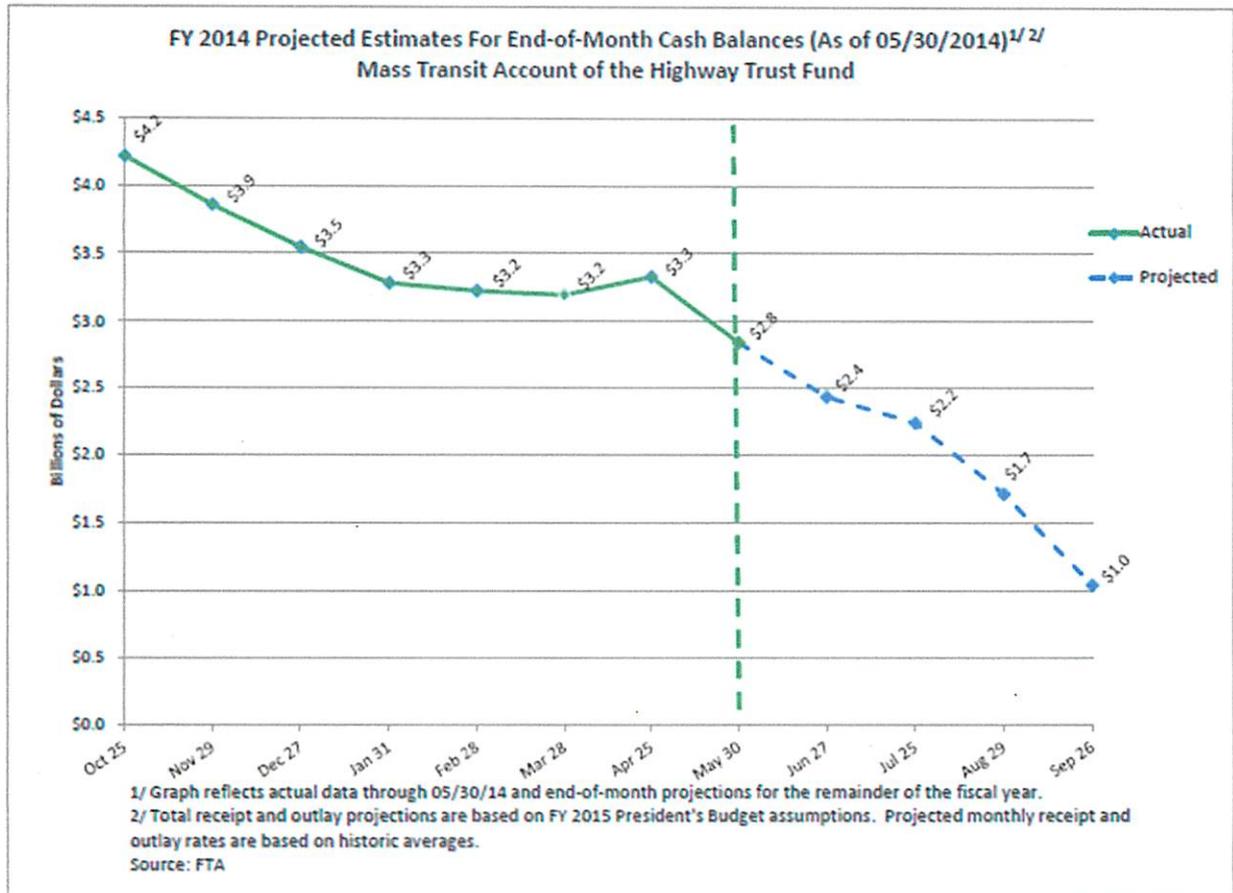
Sincerely,

A handwritten signature in blue ink, appearing to read 'Anthony R. Foxx', with a large loop at the top.

Anthony R. Foxx

Enclosures

## Mass Transit Account

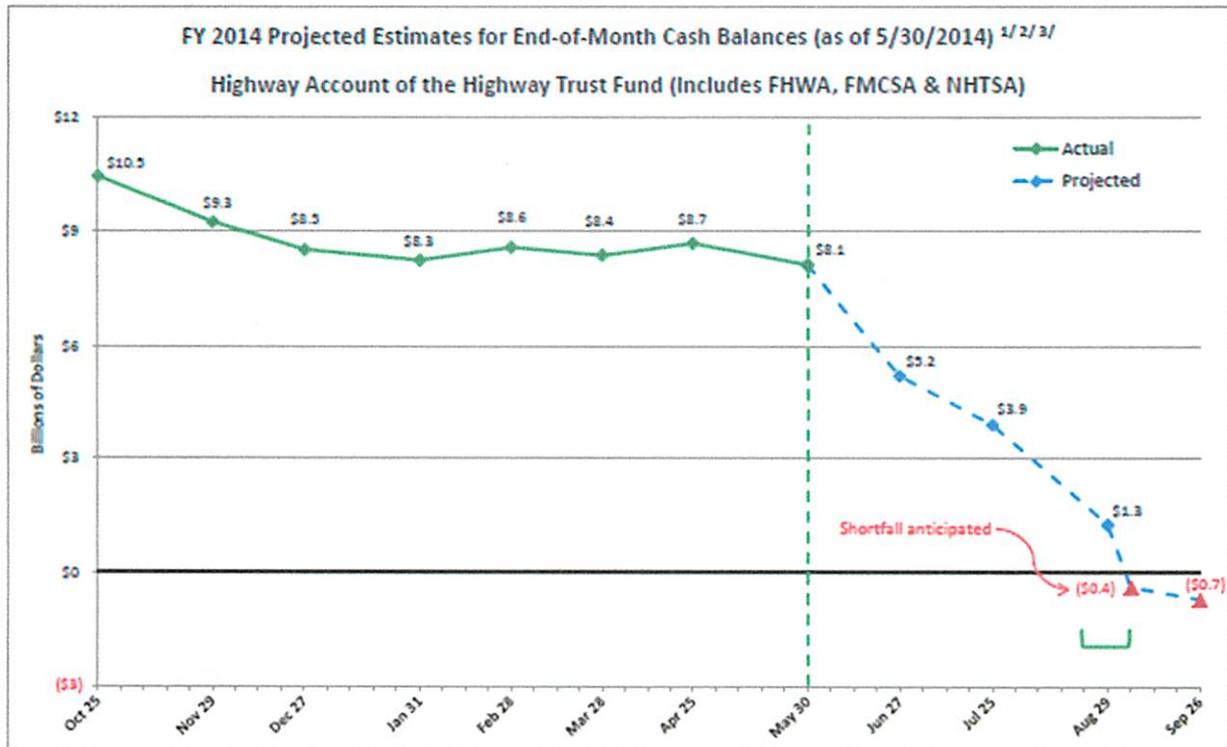


**Based on current spending and revenue trends, the U.S. Department of Transportation estimates that the Mass Transit Account of the Highway Trust Fund will have a balance of approximately \$1 billion at the end of FY 2014.**

- The Mass Transit Account began FY 2014 with approximately \$2.5 billion in cash.
- A \$2 billion transfer from the General Fund to the Mass Transit Account was processed shortly after the start of the fiscal year (\$2.2 billion authorized in MAP-21, reduced by sequestration).
- The cash balance has dropped by nearly \$1.7 billion since the General Fund transfer occurred. As of May 30, 2014, the Mass Transit Account cash balance was \$2.8 billion.

Updated: Tuesday, June 17, 2014

## Highway Account



1/ Graph reflects actual data through 5/30/14 and end-of-month projections for the remainder of the fiscal year.

2/ Total receipt and outlay projections are based on FY 2015 President's Budget Baseline assumptions. Projected monthly receipt and outlay rates are based on historic averages.

3/ Range of anticipated shortfall: Green brackets denote the estimated window of when the anticipated shortfall will occur.

Source: FHWA

**Based on current spending and revenue trends, the U.S. Department of Transportation estimates that the Highway Account of the Highway Trust Fund will encounter a shortfall before the end of fiscal year (FY) 2014.**

- The Highway Account began FY 2014 with approximately \$1.6 billion in cash.
- A \$9.7 billion transfer from the General Fund to the Highway Account was processed shortly after the start of the fiscal year (\$10.4 billion authorized in MAP-21, reduced by sequestration).
- The cash balance has dropped by nearly \$3.8 billion since the General Fund transfer occurred. As of May 30, 2014, the Highway Account cash balance was \$8.1 billion.

Updated: June 17, 2014