

Napa County Transportation and Planning Agency (NCTPA)

Board of Directors

*******SPECIAL MEETING*******

MINUTES

Wednesday, September 22, 2010

ITEMS

1. Call to Order

Chair Jim Krider

2. Pledge of Allegiance

Debra Dommen, Winegrowers of Napa Valley, led the salute to the flag

3. Roll Call

Members Present:

| | |
|-------------------|-------------------------|
| Leon Garcia | City of American Canyon |
| Joan Bennett | City of American Canyon |
| Michael Dunsford | City of Calistoga |
| Jack Gingles | City of Calistoga |
| Jim Krider | City of Napa |
| Jill Techel | City of Napa |
| Keith Caldwell | County of Napa |
| Mark Luce | County of Napa |
| Lewis Chilton | Town of Yountville |
| Cynthia Saucerman | Town of Yountville |

Members Absent:

| | |
|--------------|--------------------|
| Del Britton | City of St. Helena |
| Sharon Crull | City of St. Helena |

Non-Voting Member Present:

| | |
|-----------------|----------------------------------|
| JoAnn Busenbark | Paratransit Coordinating Council |
|-----------------|----------------------------------|

4. Public Comment - None

***MSC - Motioned, Seconded, and Unanimously Carried**

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

Board Members' Report

JoAnn Busenbark reported that the Paratransit Coordinating Council is working with countywide social service agencies that have senior programs to develop a long range transportation needs for seniors "white paper".

6. Directors Update

Paul W. Price, Executive Director

Announced that the Trancas Park and Ride Ribbon Cutting Ceremony will be held Friday September 24th at 8:30.

Reviewed ridership graphs on Route 29 and the American Canyon route revisions. Ridership had increased dramatically on both routes.

Reported that staff will provide a report on the Marketing Segmentation Study results at the October or November meeting.

Reported the Federal Transit Administration Triennial Review is complete.

Reported that over the next few months staff will be bringing to the Board for their review, information on the Agencies Health and Welfare options and that of a two-tier option for CalPERS Retirement.

7. Caltrans Update

Ahmad Rahimi, Caltrans, provided an update on the status of various projects located throughout the county.

8. CONSENT ITEMS (8.1 – 8.5)

MSC* GARCIA / TECHEL to APPROVE Consent Items, including Item 8.6. with **LEWIS ABSTAINING** from the Minutes of July 21, 2010

8.1 Legislative Report September 2010

8.2 Approval of Meeting Minutes of July 21, 2010

Board action approved the Meeting Minutes of July 21, 2010.

8.3 Approval of Resolution No. 10-25 Rescinding Resolution No. 09-33 and Adopting the Updated List of Projects for the Transportation

*MSC - Motioned, Seconded, and Unanimously Carried

for Clean Air (TFCA) Program Manager Expenditure Program for FY 09/10

Board action approved Resolution No. 10-25 rescinding Resolution No. 09-33 and adopting the updated list of projects for TFCA FY 09/10 program manager funds.

8.4 Approval of NCTPA Policies, Practices, and Procedures Manual Section 10: Personnel Policies & Procedures

Board action approved a revised Personnel Policies which will be included as Section 10 in the NCTPA Policies, Practices, and Procedures Manual.

8.5 Paratransit Coordinating Council (PCC) Appointment

Board action approved the appointment of Doug Weir to the PCC.

8.6 Bicycle Advisory Committee (BAC) Appointment

Board action approved the appointment of Keith Kimbrough to the BAC.

9. REGULAR AGENDA ITEMS – TRANSPORTATION

9.1 Agricultural Workers Vanpool Program (AWVP) Report

Information Only / No Action Taken

Staff provided an update on the AWVP efforts to date.

9.2 Yountville Park and Ride Lot

Board members Saucerman and Chilton excused themselves from the meeting during the discussion of this item.

Staff reviewed the desired parcel in Yountville for the proposed park and ride lot. When completed this parcel, bounded by Solano Avenue to the west and Wine Train right of way to the east, and California Drive to the north, will accommodate estimated 8 to 10 parking spaces which NCTPA will promote for VINE Route 29 rider usage. Further, the park and ride lot will be open to the public and overnight parking is prohibited.

MSC* BENNETT / GARCIA to APPROVE (1) negotiating the purchase of property from the Town of Yountville for the purpose of building a Park and Ride lot and (2) the temporary use as a Park and Ride lot for the Route 29 service.

9.3 Recommendation from the Technical Advisory Committee (TAC) on how to Divide the Costs for Sustainable Napa County’s Work on the Sustainable Communities Planning Grant Application

At the July 21st Board meeting the Board asked staff to develop several formulas for distributing to the jurisdictions the \$10,000 cost of Sustainable Napa County’s work on the Sustainable Communities Planning Grant application. The NCTPA Technical Advisory Committee (TAC) voted to distribute this cost using the following Blended Rate Method:

| Jurisdiction | Distribution of \$10,000 |
|----------------------------|--------------------------|
| American Canyon | \$1,125 |
| City of Calistoga | \$690 |
| City of Napa | \$4,310 |
| City of St. Helena | \$720 |
| Town of Yountville | \$620 |
| Unincorporated Napa County | \$2,535 |
| TOTAL | \$10,000 |

MSC* GARCIA / GINGLES to APPROVE TAC’s recommendation of using the “Blended Rate Method” (above) to divide the cost amongst the jurisdictions for paying Sustainable Napa County for their work on the Sustainable Communities Planning Grant application.

9.4 Legal Services Procurement

Subsequent to the Board action in June to authorize release of the RFP, the NCTPA staff and Napa County staff undertook a new round of discussions as to the feasibility of continuing to use the County Counsel’s office for NCTPA legal services. Those discussions lead to a potential agreement subject to NCTPA Board and County Board of Supervisors approval. The agreement calls for a .5 FTE Deputy County Counsel assigned to the NCTPA over a 3-year period. The annual cost for such services would be approximately \$120,000 annually as a fully load cost allocation to NCTPA.

Board members Techel, Chilton, and Bennett voiced concerns with cancelling the RFP and competitive bid process. Further concerns were raised whether a county employee would be able to devote the necessary time needed to NCTPA business and be objective and supportive of NCTPA if conflicts between county and NCTPA occur.

MS GINGLES / DUNSFORD to APPROVE with TECHEL, CHILTON, AND BENNET OPPOSING to (1) Terminate the Request For Proposal (RFP) No. 10-03 for legal services, (2) Approve a contract with Napa

*MSC - Motioned, Seconded, and Unanimously Carried

County for legal services in an amount not to exceed \$120,000 annually, and (3) Authorize the Executive Director to sign the proposed contract with Napa County for legal services.

9.5 Adoption of NCTPA Policies, Practices, and Procedures Manual Section 2: Accounting, Audit and Financial Management Policies

Recent audits have recommended that the agency develop and adopt its own formal set of policies and procedures that are specific too and ensure compliance with all federal, state, and local requirements. Board action approved Section 2; Accounting, Audit and Financial Management Policies of the NCTPA Policies, Practices, and Procedures Manual.

MSC* GARCIA / CALDWELL to APPROVE adopting the NCTPA Policies, Practices, and Procedures Manual Section 2: Accounting, Audit, and Financial Management Policies and rescind any versions of the same policies adopted previously.

9.6 First Reading of NCTPA Policies, Practices, and Procedures Manual Section 9: Office Management Guide

Information Only / No Action Taken

Provided for review and comments was the NCTPA Policies, Practices, and Procedures Manual Section 9: Office Management Guide. Final acceptance and implementation of Section 9 will occur at the October 2010 NCTPA Board meeting.

9.7 Approval of Resolution No.10-26 Revising the 2011 Surface Transportation Program (STP) / Congestion Mitigation and Air Quality Improvement Program (CMAQ) Funds Submittal to the Metropolitan Transportation Commission (MTC)

Board action approved Resolution No. 10-26 the NCTPA Technical Advisory Committee's (TAC) revised list of projects shown below for funding under the MTC CMA Block Grants Cycle 1 due July 30, 2011 for the Napa Region.

| Agency | Project | Year requested | Funding | | | |
|-------------------------|---|----------------|-----------|-----------|------------|---------------|
| | | | Local | STP/CMAQ | Other Fed. | Project Total |
| City of Napa | Freeway Drive/Golden Gate Drive Pavement Rehabilitation Project | 2011/12 | \$193,000 | \$600,000 | | \$793,000 |
| City of American Canyon | PDA Development Plan | 2011/12 | | \$318,000 | | \$318,000 |

***MSC - Motioned, Seconded, and Unanimously Carried**

| | | | | | | |
|---|---|---------|--------------------|--------------------|--|--------------------|
| City of American Canyon | Theresa Avenue Sidewalk Project, Phase II | 2011/12 | \$188,000 | \$200,000 | | \$388,000 |
| County of Napa | Napa County Local Roads Paving | 2012/13 | \$105,225 | \$526,126 | | \$631,351 |
| City of American Canyon | West American Canyon Road Rehabilitation | 2012/13 | \$55,188 | \$194,812 | | \$250,000 |
| Napa County Regional Park and Open Space District | Napa Valley Vine Trail | 2012/13 | \$42,000 | \$211,000 | | \$253,000 |
| City of Napa | 2011 Cape Seal Pavement Rehabilitation | 2012/13 | \$285,938 | \$484,062 | | \$770,000 |
| City of Napa | Lincoln Avenue Solano/Silverado Trail Bike Lane | 2012/13 | \$43,000 | \$170,000 | | \$213,000 |
| City of Napa | North/South Napa Bike Connection | 2012/13 | \$95,000 | \$200,000 | | \$295,000 |
| NCTPA/ NCOE | Safe Routes to School | 2012/13 | | \$315,000 | | \$315,000 |
| TOTAL | | | \$1,007,351 | \$3,219,000 | | \$4,226,351 |

10. **INTERJURISDICTIONAL ISSUES FORUM**

10.1 Napa Countywide Community Climate Protection Action Framework

The Board received an update of the Napa Countywide Community Climate Protection Action Framework and directed staff to file and forward the final draft of the Napa Countywide Community Climate Action Framework to the cities, town and county for their reference.

10.2 Interjurisdictional Issues Discussion Forum and Information Exchange

No reports given.

11. **CLOSED SESSION**

Jacqueline Gong, NCTPA Legal Counsel, announced that the Board would be adjourning to closed session to confer with legal counsel regarding significant exposure to litigation pursuant to (1) Government Code 54956.9 (a) Geraghty v. NCTPA case number 26-53815 Napa County Superior Court, one case and (2) Government Code 54956.9(b)(1) and (b)(3)(B) to address potential litigation relating to the NCTPA intermodal transit center and proposed relocation of tenants now on the property.

Adjourned to Closed Session at 3:20 p.m.

11.1 CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

***MSC - Motioned, Seconded, and Unanimously Carried**

Significant exposure to litigation pursuant to Government Code 54956.9 (a), Geraghty v. NCTPA, case number 26-53815, Napa County Superior Court. (1 Case)

11.2 CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

Significant exposure to litigation pursuant to Government Code 54956.9(b)(1) and (b)(3)(B) (1 case)

Adjourned to Open Session at 3:40 p.m.

Jacqueline Gong, NCTPA Legal Counsel, stated that there was no reportable action taken during closes session.

12. **ADJOURNMENT**

12.1 Approval of Meeting Date of October 20, 2010 and Adjournment

The next meeting will held in the NCTPA Conference Room on Wednesday October 10, 2010.

The meeting was adjourned by Chair Krider at 3:41 p.m.