

Napa County Transportation and Planning Agency (NCTPA)

Board of Directors

MINUTES

Wednesday, October 20, 2010

ITEMS

1. Call to Order

Chair Krider called the meeting to order at 1:30 p.m.

2. Pledge of Allegiance

Paul W. Price, NCTPA Executive Director, led the salute to the flag.

3. Roll Call

Members Present:

Joan Bennett	City of American Canyon
Jack Gingles	City of Calistoga
Del Britton	City of St. Helena
Jim Krider	City of Napa
Jill Techel	City of Napa
Keith Caldwell	County of Napa
Dian Dillon	County of Napa
Lewis Chilton	Town of Yountville
Cynthia Saucerman	Town of Yountville

Members Absent:

Leon Garcia	City of American Canyon
Michael Dunsford	City of Calistoga
Sharon Crull	City of St. Helena

Non-Voting Member Absent:

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

Chair Krider announced that due to time constraints, Closed Session Item 11.1 Conference with Legal Counsel will be moved to immediately following the Consent Items and before Item 9.1.

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

4. **Public Comment - None**
5. **Chairperson, Board Members' and Metropolitan Transportation Commission (MTC) Update**

No Reports Given

6. **Directors Update**

Paul W. Price, Executive Director

Introduced Janice Killion, NCTPA's new Legal Counsel who will replace Susan Q. McGuigan as NCTPA's Legal Counsel.

Announced, on behalf of MTC Commissioner Bill Dodd, NCTPA has received, through MTC actions, about \$4M in various grants (RM2, Federal and State) for funding on the Transit Center project, local streets and roads, and local transit services.

Announced NCTPA was successful, on a nationwide competitive grant process, in obtaining \$2M to be used for the purchasing of four (4) new buses.

Announced that meeting on the Napa Countywide Bicycle Plan will be held Saturday October 23, 2010 at the Yountville Community Center, all are invited to attend.

7. **Caltrans Update**

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

8. **CONSENT ITEMS (8.1 – 8.7)**

MSC* GINGLES / BRITTON to APPROVE Consent Items 8.1-8.7.

8.1 Legislative Report October 2010

8.2 Approval of Meeting Minutes of September 22, 2010

Board action approved the meeting minutes of September 22, 2010.

8.3 VINE Consumer Advisory Committee (VCAC) Appointment

Board action approved the appointment of Doug Weir and Anna Ernest to the VCAC.

8.4 Approval of Dental Insurance for Napa County Transportation and Planning Agency Employees

Board action approved contracting with Guardian for the provision of dental coverage in for 2011 in the amount of \$13,785.48 annually.

8.5 Approval of Resolution Nos. 11-27, 11-28, 11-29 11-30, and 11-31 authorizing the City of Napa, City of American Canyon, City of Calistoga, the Town of Yountville, and the County of Napa's Request for Abandoned Vehicle Abatement Authority Capital Purchases

Board action approved (1) Resolution No. 11-27 authorizing up to \$28,300 for the City of Napa to purchase of a "AVAA truck"; (2) Resolution No. 11-28 authorizing up to \$9,600 for the City of American Canyon to purchase of "two mobile computers" to track AVAA tows; (3) Resolution No. 11-29 authorizing up to \$2,200 for the City of Calistoga Police Department to purchase "mobile radios", (4) Resolution No. 11-30 authorizing up to \$2,000 for the Town of Yountville's to purchase "two bicycles" for parking enforcement, and (5) Resolution No. 11-31 authorizing up to \$7,300 for the County of Napa to purchase two tablets (laptop computers) and a printer to be used in the field" for vehicle abatements and notices.

8.6 Approval of the First Amendment to Professional Service Agreement No. NCTPA 10-17 with Wilbur Smith Associates

Board action approved (1) reprogramming Task 2 Full Short Range Transit Study (SRTP) efforts scheduled for FY 10/11 and move to FY 11/12; (2) eliminating Task 3 Mini SRTP in FY 11/12; (3) reallocating Task 3 funds (\$22,390) to Task 5 City of Napa Community Transit Study for a new task total of \$49,474; and (4) moving Task 5 to begin in November 2010.

8.7 Approval of Third Amendment to Professional Services Agreement No. NCTPA 10-01 with Veolia Transportation Inc.

Board action authorized the Executive Director to amend and negotiate NCTPA's Transit Service Agreement No. NCTPA 10-01 to add prompt payment language to be approved by Legal Counsel to this Agreement.

11. CLOSED SESSION

Susan Q. McGuigan, NCTPA Legal Counsel, requested that the Board adjourn to closed session to discuss significant exposure to litigation pursuant to

Government Code 54956.9(b)(1) and (b)(3)(B) related to Item 9.1 on today's agenda.

Adjourned to Closed Session at 1:40 p.m.

11.1 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 2:08 p.m.

Susan Q. McGuigan, NCTPA Legal Counsel, stated that there was no reportable action taken during closed session.

9. REGULAR AGENDA ITEMS – TRANSPORTATION

9.1 Approval of Resolution No. 11-32 Pursuant to the National Environmental Protection Act (NEPA) and California Environmental Quality Act (CEQA) for the Soscol Gateway Transit Center and Administrative Offices

Paul W. Price, Executive Director, reported on the action of the Mitigated Negative Declaration for the Soscol Gateway Transit Center. Further, Mr. Price requested that the Board not take action on (approving) the resolution so the Board has a opportunity to review comments received to date and staff's reply. The resolution will be brought back at a later date for approval.

Susan Q. McGuigan, NCTPA Legal Counsel, stated, as required by CEQA, NCTPA has opened the Public Hearing on this item.

Chair Krider opened the Public Hearing at 2:08 p.m.

Mary Bean, CirclePoint, environmental consultant for the project and the company that prepared Mitigated Negative Declaration, reviewed the comments to date (Handout 9.1 dated October 20, 2010 Section 1 – Individual Comment Letters and Responses) from Crane Transportation Group and Holman Teague Roche Anglin LLP Attorneys at Law, as well as, responses prepared by CirclePoint.

Susan Q. McGuigan, NCTPA Legal Counsel, for the record, requested Ms. Bean to address the comment relating to the conflict with tractor-trailer traffic and bus traffic.

Ms. Bean stated that the comment received stated that the study did not address potential conflicts between buses and trucks and passenger vehicles that would be using the streets. In the response prepared by CirclePoint in the Final Mitigated Negative Declaration, CirclePoint provided more clarifying information. In preparing the Draft Mitigated Negative Declaration, CirclePoint had reviewed collision records (through the state police) and the types of conflicts that have occurred in the location; CirclePoint noted that there are larger industrial-type vehicles already in use in the area and that there are going to be fewer trips after Project completion than what is currently occurring. Also, CirclePoint noted that the buses operate all over the city and there is no record of there being these kinds of conflicts on other streets throughout Napa and there is no reason to expect a conflict to occur at this location.

Being there were no further comments, Chair Krider closed the Public Hearing at 2:19 p.m.

The Board acknowledged that they had an adequate opportunity to review the evidence and the comments before them, with the exception of an email from Holman Teague Roche Anglin LLP Attorneys at Law that was submitted too late the previous week to include in the agenda packet.

MSC* DILLON / CALDWELL to (1) tentatively adopt the Mitigated Negative Declaration (MND) pending an opportunity for Board review of the late-submitted email from Holman Teague Roche Anglin LLP Attorneys at Law; and not recirculate the MND, (2) direct staff to come back with findings consistent with (1) and (2); and (3) call a Special Meeting on Wednesday November 3, 2010 at 1:30 p.m. for final action.

9.2 Transit Efficiency Committee (TEC) Report

Information Only / No Action Taken

Staff provided a report of the September 22, 2010 TEC meeting.

9.3 First Reading of NCTPA Policies, Practices, and Procedures Manual Section 3: Communications

The Board reviewed and provided comments to the NCTPA Policies, Practices, and Procedures Manual Section 3: Communications.

9.4 Adoption of NCTPA Policies, Practices, and Procedures Manual Section 9: Office Management Guide

Board action approved Section 9; Office Management Guide of NCTPA Policies, Practices, and Procedures Manual.

MSC GINGLES / TECHEL to **APPROVE** adopting the NCTPA Policies, Practices, and Procedures Manual Section 9: Office Management Guide and rescind any versions of the same policies adopted previously.

9.5 Approval of Resolution No. 11-33 to Establish a Purchasing Card Program Policy

Information Only / No Action Taken

At the request of staff, this item was changed from an approval item to an informational “first” reading only item. Staff provided a review of the Purchasing Card Program Policy for Board comment. Final adoption will occur at the November 17th meeting.

9.6 Approval of Resolution No. 11-34 Authorizing the Filing of an Application for Federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) Funding and Committing the Necessary Non-Federal Match and Stating the Assurance to Complete the Project

Board action approved Resolution No. 11-34 authorizing the filing of an application for \$315,000 in STP/CMAQ funding to for Expansion of the Safe Routes to School program.

MSC* GINGLES / DILLON to **APPROVE** Resolution No. 11-34 applying for \$315,000 in STP/CMAQ funding to for Expansion of the Safe Routes to School program.

10. **INTERJURISDICTIONAL ISSUES FORUM**

10.1 Napa County Commission for Arts and Culture (NCCAC) Appointment

Board action approved the appointment of Catherine Conway Honig to the NCCAC as an at-large member.

MSC*GINGLES / DILLON to **APPROVE** the appointment of Catherine Conway Honig of Rutherford to the Napa County Arts and Cultural Commission as an at-large member

10.2 Interjurisdictional Issues Discussion Forum and Information Exchange

No reports given.

12. **ADJOURNMENT**

12.1 Approval of Meeting Date of November 17, 2010 and Adjournment

*MSC - Motioned, Seconded, and Unanimously Carried

MSC* GINGLES / BRITTON to APPROVE a Special Meeting Date of Wednesday November 3, 2010 at 1:30 p.m.

The next regular meeting will be held Wednesday November 17, 2010 at 1:30 p.m.

The meeting was adjourned by Chair Krider at 2:58 p.m.

APPROVED