

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

**Board of Directors**

**MINUTES**

**Wednesday, September 7, 2011**

**ITEMS**

**1. Call to Order**

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

**2. Pledge of Allegiance**

Steve Lederer, County of Napa, led the salute to the flag

**3. Roll Call**

Members Present:

Joan Bennett	City of American Canyon
Leon Garcia	City of American Canyon
Michael Dunsford	City of Calistoga
Jack Gingles	City of Calistoga
Jim Krider	City of Napa
Jill Techel	City of Napa
Bill Dodd	County of Napa
Keith Caldwell	County of Napa
Del Britton	City of St. Helena
Peter White	City of St. Helena
Margie Mohler	Town of Yountville

Members Not Present:

Lewis Chilton, Town of Yountville

Non-Voting Member Present:

JoAnn Busenbark      Paratransit Coordinating Council

**4. Public Comment - None**

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

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

Chair Caldwell presented a plaque to Board Member Jim Krider in recognition and appreciation for his term as NCTPA Chair from 2008-2011.

#### *MTC Commission Update*

##### *Board Member Bill Dodd*

Reported that the North Bay MTC Commissioners are working on a concept to allocate \$5M to rural and agricultural counties in the Bay area for the purposes of providing "Farm to Market" road infrastructure funding in the next 3 year funding cycle for which MTC has programming responsibility. The concept is currently in the MTC preliminary plan.

Reported that Resolution No. 3950 revised FY 10/11 year-end Transportation Development Act (TDA) allocations of \$17.4M, of which \$8.6 was allocated to NCTPA for operating assistance to the VINE (transit system) and capital assistance for construction of the Soscol Gateway Transit Center.

Reported that Resolution No. 3975 revised the 2011 Transportation Improvement Plan (TIP) Amendment 2011-09. This amendment to the TIP included NCTPA's State of Good Repair Grant for rolling stock.

#### **6. Directors Update**

##### *Paul W. Price, Executive Director*

Reported NCTPA has been awarded \$2.5M for the Napa Valley Vine Trail (bike) project.

Reported that the Jameson Canyon project was fully funded by the California Transportation Commission (CTC). Staff is currently working with Caltrans and Solano Transportation Authority (STA) to release bids by this fall and have the project started by spring 2012.

Announced that the Ground Breaking ceremony for the Soscol Gateway Transit Center will be held on Friday September 30, 2011 at 2:30p.m. All are encouraged to attend.

Eliot Hurwitz, NCTPA Staff, announced that the Napa County Bicycle Summit, which will preview the all new Napa Countywide Bicycle Plan, is being held on Saturday, September 24, 2011 104p.m. at New Technology High School. All are encouraged to attend.

#### **7. Caltrans Update and Presentation on the Soscol Flyover Project**

No report or presentation given.

#### **8. CONSENT ITEMS (8.1 – 8.9)**

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

**MSC\* GINGLES / MOHLER to APPROVE** Consent items 8.1-8.9

**8.1 Legislative Report July 2011**

**8.2 Approval of Meeting Minutes of June 15, 2011 and July 20, 2011**

Board action approved the meeting minutes of June 15, 2011 and July 20, 2011.

**8.3 Actuarial Valuation Final Results for NCTPA's for Other Post Employment Benefit (OPEB)**

Board action accepted the report by Bartel Associates, LLC presenting the results of the Actuarial Valuation of the Agency's Other Post Employment Benefit (OPEB) Plans as of June 30, 2011.

**8.4 Infrastructure for Napa Action Committee (NAC) Appointment**

Board action approved the request to appoint a member of the Napa County Hispanic Chamber of Commerce and of the Winegrowers of Napa County to the NAC.

**8.5 NCTPA's Overall Work Program for 2010/11 Results**

*Information Only / No Action Taken*

Provided for review was a summary the work elements of NCTPA Overall Work Program for 2010/11

**8.6 Transportation Development Act Article 3 (TDA-3) Projects**

Board action approved a project list for FY 11/12 applying for \$386,735 in Transportation Development Act Article 3 (TDA-3) funds.

**8.7 Approval of Resolution No. 11-18 Authorizing the Executive Director to Enter into an Agreement with Caltrans to Receive Surface Transportation Program/Congestion Mitigation and Air Quality (STP/CMAQ) Funding for the Napa Valley Vine Trial Project**

Board action approved Resolution No 11-18 authorizing the Executive Director to enter into an agreement with Caltrans to accept \$211,000 in STP/CMAQ funding for the Napa Valley Vine Trial.

**8.8 VINE Transit Services Ridership Report**

*Information Only / No Action Taken*

Staff provided the board with transit services ridership data.

**8.9 Correction to Approval of Supplemental Work Authorization No. 2 of the Professional Services Agreement No. 10-23 with Mark Thomas & Company for Design Support Work on the Soscol Gateway Transit Center Construction Project**

Board action authorized the Executive Director to execute a Supplemental Work Authorization in the amount of \$191,151 to a total contract value of \$833,697 with Mark Thomas & Company for work to be performed on the design support efforts during the construction of the Soscol Gateway Transit Center.

**9. REGULAR AGENDA ITEMS**

**9.1 Approval of to Award Contract for the Soscol Gateway Transit Center Construction Project**

Board action approved the finding that six (6) of the nine (9) bids received contained mathematical errors which were discovered and corrected by staff; approved Table 2 Summary of Bids (as shown on page 4 of the 8/31/11 Revised Board report) as the “responsive and responsible” bidders list; awarded the bid to the lowest “responsive and responsible” bidder; accepted the withdrawal of the bid from Swank Construction; established a contingency of 10% for the contract to be at the discretion of the Executive Director for the purpose of funding change orders; authorized the Executive Director to sign a contract with the lowest “Responsive and Responsible” bidder, which is F&H Construction out of Lodi California (local firms include Napa Electric and Morris Welding); and authorized the Executive Director to issue a Notice To Proceed to the contractor. Further, Chair Caldwell requested that staff perform an outreach to the local Napa area construction companies who typically bid on these types of public projects (i.e. Andrews & Thornely, Helmer & Sons) as to why no bids were received from local companies.

**MSC\* GARCIA / GINGLES** to: (1) Approve the finding that six (6) of the nine (9) bids received contained mathematical errors which were discovered and corrected by staff; (2) Approve Table 2 Summary of Bids as the “responsive and responsible” bidders list; (3) Award the bid to the lowest “responsive and responsible” bidder; (4) Accept the withdrawal of the bid for Swank Construction as meeting the conditions of the Public Contracting Code for withdrawing their bid (PCC 5103); (5) Establish a contingency of 10% for the contract to be at the discretion of the Executive Director for the purpose of funding change orders; (6) Authorize the Executive Director to sign a contract with the lowest “Responsive and Responsible” bidder for the construction of the Soscol Gateway (Napa) Transit Center; and (7) Authorize the Executive Director to issue a Notice To Proceed to the contractor upon meeting necessary prerequisites to begin construction. Further, directed staff to perform an outreach to the

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

Napa area construction companies as to why no bids were received from local companies.

**9.2 Approval to Resolution No. 11-19 Authorizing the Executive Director to Enter into an Agreement with the Caltrans to Receive Caltrans Community Based Planning Grant Funds**

Board action approved Resolution No. 11-19 authorizing a contract with Caltrans for the State Route 29 Corridor Improvement Plan.

**MSC\* GARCIA / TECHEL to APPROVE** Resolution No. 11-19 authorizing the Executive Director to enter into an agreement with Caltrans to accept \$300,000 in Community Based Planning Grant funds to engage a consultant to develop a plan that will define the State Route 29 (SR 29) transportation goals, objectives, policies and actions over the next 20 to 30 years.

**9.3 Approval of Resolution No. 11-20 Authorizing the Agency to Join the California Vanpool Authority (CalVans) Program**

Board action authorized the agency to join the California Vanpool Authority program (CalVans), appointed Chair Caldwell as a member and Executive Director Price as the alternate to serve on the Board of Directors of the CalVans, transferred management of three (3) active vanpools, and ownership four (4) of the agency's ten (10) vanpool vehicles, to CalVans.

**MSC\* BRITTON / GARCIA to APPROVE** Resolution No. 11-20 (1) authorizing the agency to join the California Vanpool Authority (CalVans) program; (2) appointing Chair Keith Caldwell as the member, and Executive Director Paul Price as the alternate member, to serve on the Board of Directors of the CalVans (a Joint Powers Authority in formation); and (3) transferring management of three (3) active vanpools, and ownership four (4) of the agency's ten (10) vanpool vehicles, to CalVans.

**9.4 Disposition of Agricultural Workers Vanpool Program (AWVP) Vans**

Board action approved the disposition of six (6) surplus vehicles formally utilized by the Agricultural Worker Vanpool Program.

**MSC\* GINGLES / BENNETT to APPROVE** the disposition of six (6) surplus vehicles formally utilized by the Agricultural Worker Vanpool Program by conveying ownership to NCTPA member agencies.

**9.5 Approval of Resolution No. 11-21 Authorizing the Submittal of a Federal Transit Administration (FTA) Section 5316 Job Access Reverse Commute (JARC) Grant Application**

Board action authorized the agency to submit a grant application for Federal Transit Administration (FTA) Section 5316 Job Access Reverse Commute (JARC) funds in the amount of \$50,000 towards vanpool vouchers and marketing targeting agricultural workers. Further, the Board directed staff to report back in 6-12 months on the success, or failure of the program.

**MSC\* GINGLES / BENNETT to APPROVE, with TEHEL OPPOSING,** Resolution No 11-21 authorizing the agency to submit a grant application for Federal Transit Administration (FTA) Section 5316 Job Access Reverse Commute (JARC) funds in the amount of \$50,000 towards vanpool vouchers and marketing targeting agricultural workers. Further, that staff is to report back to the Board in 6-12 months on the success or failure of the CalVans program in Napa County.

**9.6 Approval of Resolution No. 11-22 Authorizing the Filing of an Application for Federal Transit Administration (FTA) Section 5309 Bus and Bus Facility Livability Initiative Program for Federal Fiscal Year 2011**

Board action authorized the submittal of a FTA 5309 Bus and Bus Livability grant application for improvements to the Town of Yountville Park and Ride Lot and the VINE Southern Transit Hub at the Napa Valley College.

**MSC\* DODD / TEHEL to APPROVE** Resolution No. 11-22 authorizing the filing of an application for a competitive Federal Transit Administration (FTA) Section 5309 Bus and Bus Facility Livability Initiative Program grant in the amount of \$438,400 with funds to be used towards improvements to transit facilities at the Yountville Park and Ride (PRL) and improvements to the Southern Transit Hub (STH) at the Napa Valley College.

**9.7 Approval of Resolution No 11-23 Authorizing the Filing of an Application for Federal Transit Administration (FTA) Section 5309 Federal Transit Administration Discretionary State of Good Repair (SGR) Initiative Program for Federal Fiscal Year 2011**

Board action authorized the submittal of a FTA State of Good Repair grant application for the purchase of eight (8) new buses for the VINE Transit Service.

**MSC\* KRIDER / MOHLER to APPROVE** Resolution No. 11-23 authorizing the filing of a grant application for a for Federal Transit Administration (FTA) Section 5309 Federal Transit Administration Discretionary State of Good Repair (SGR) Initiative Program for Federal Fiscal Year 2011 in the amount of \$2,376,000 with funds to be used

towards the purchase of six (6) 35' alternative fuel compressed natural gas buses and two (2) 26' mid-sized gasoline engine buses.

#### **9.8 Approval to Accept Payment from Veolia Transportation for Bus 614**

In June, VINE Go bus 614 was totaled as a result of an engine fire which engulfed the engine compartment and spread to the interior dashboard area. Under the terms of the Transit Services Agreement, Veolia Transportation is responsible for vehicle liability. Board action approved to accept payment of \$4,830 from Veolia Transportation, and to transfer the vehicle title for bus 614 to Veolia Transportation.

**MSC\* TECHEL / GINGLES to APPROVE** (1) acceptance of the payment of \$4,830 from Veolia Transportation, and (2) transfer the vehicle title to Veolia Transportation for bus 614.

#### **9.9 Regional Transit Sustainability Project (TSP) Small Operators Costs Comparison Findings**

*Information Only / No Action Taken*

Staff reviewed the Regional Transit Sustainability Project Small Operators Costs Comparison Findings report.

### **11. CLOSED SESSION**

Janice Killion, NCTPA Legal Counsel, announced that the Board would be adjourning to closed session for the three items as noted in the agenda (Conference with Legal Counsel-Anticipated Litigation-significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9 and Conference with Legal Counsel-Anticipated Litigation significant exposure to litigation pursuant to subdivision (b)(3)(A) of Government Code Section 54956.9 and Conference with labor Negotiator (Government Code Section 54957.6))

Adjourned to Closed Session at 2:58 p.m.

#### **11.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: (1 case)

Jensen's Ornamental Relocation Expenses

#### **11.2 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b)(3)(A) of Government Code Section 54956.9: (1 case)

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

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

Agency Designated Representative: Paul Price, Executive Director  
Unrepresented Employees: Non-Classified Management, Miscellaneous Employees

Adjourned to Open Session at 4:09 p.m.

Janice Killion, NCTPA Legal Counsel, reported that there was no reportable action taken during closes session.

**10. INTERJURISDICTIONAL ISSUES FORUM**

**10.1 Napa County Commission for Arts and Culture Report (NCCAC)**

Due to a lack of quorum, this item was postponed until the October 19, 2011 meeting.

**10.2 Interjurisdictional Issues Discussion Forum and Information Exchange**

Due to a lack of quorum, this item was postponed until the October 19, 2011 meeting.

**12. REGULAR AGENDA ITEMS (Cont.)**

**12.1 Organizational Restructure of NCTPA and Revised Job Classification Titles and Descriptions**

Due to a lack of quorum, this item was postponed until the October 19, 2011 meeting.

**13. ADJOURNMENT**

**13.1 Approval of Meeting Date of October 19, 2011 and Adjournment**

The next regular meeting will be held Wednesday October 19, 2011 at 1:30 p.m.

The meeting was adjourned at 4:10 p.m.

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Karalyn E. Sanderlin, NCTPA Board Secretary

MSC - Motioned, Seconded, and Unanimously Carried