

Napa Valley Transportation Authority

625 Burnell Street
Napa, CA 94559



Agenda - Final

Wednesday, June 16, 2021
1:00 PM

REFER TO COVID-19 SPECIAL NOTICE

NVRTA Board of Directors

*****COVID-19 SPECIAL NOTICE*****

PUBLIC MEETING GUIDELINES FOR PARTICIPATING VIA PHONE/VIDEO CONFERENCING

Consistent with Governor's Executive Orders No. N-25-20 and N-29-20 from the State of California and Napa County's workplace restrictions, the NVRTA Board of Directors meeting will be held virtually. To maximize public safety while still maintaining transparency, members of the public are invited to participate at the noticed meeting time via the methods below, barring technical difficulties:

- 1) To join the meeting via Zoom video conference from your PC, Mac, iPad, iPhone or Android: go to <https://zoom.us/join> and enter meeting ID 997 5007 2830
- 2) To join the Zoom meeting by phone: dial 1-669-900-6833, enter meeting ID: 997 5007 2830 If asked for the participant ID or code, press #.
- 3) Watch live on YouTube: <https://www.youtube.com/channel/UCrjLcW9uRmA0EE6w-eKZyw?app=desktop>

Public Comments: Members of the public may comment on matters within the subject matter of the Board's jurisdiction that are not on the meeting agenda during the general public comment item at the beginning of the meeting. Comments related to a specific item on the agenda must be reserved until the time the agenda item is considered and the Chair invites public comment. (Members of the public are welcome to address the Board, however, under the Brown Act Board members may not deliberate or take action on items not on the agenda, and generally may only listen.)

Instructions for submitting a Public Comment are on the next page.

Members of the public may submit a public comment in writing by emailing info@nvta.ca.gov by 10:00 a.m. on the day of the meeting with PUBLIC COMMENT as the subject line (for comments related to an agenda item, please include the item number). All written comments should be 350 words or less, which corresponds to approximately 3 minutes or less of speaking time. Public comments emailed to info@nvta.ca.gov after 10 a.m. the day of the meeting will be entered into the record but not read out loud. If authors of the written correspondence would like to speak, they are free to do so and should raise their hand and the Chair will call upon them at the appropriate time.

1. To comment during a virtual meeting (Zoom), click the "Raise Your Hand" button (click on the "Participants" tab) to request to speak when Public Comment is being taken on the Agenda item. You must unmute yourself when it is your turn to make your comment for up to 3 minutes. After the allotted time, you will then be re-muted. Instructions for how to "Raise Your Hand" is available at <https://support.zoom.us/hc/en-us/articles/205566129-Raise-Hand-In-Webinar>.

2. To comment by phone, press "*9" to request to speak when Public Comment is being taken on the Agenda item. You must unmute yourself by pressing "*6" when it is your turn to make your comment, for up to 3 minutes. After the allotted time, you will be re-muted.

Instructions on how to join a video conference are available at: <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

Instructions on how to join a meeting by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663-Joining-a-meeting-by-phone>

Note: The methods of observing, listening, or providing public comment to the meeting may be altered due to technical difficulties or the meeting may be cancelled, if needed.

All materials relating to an agenda item for an open session of a regular meeting of the NVTA Board of Directors are posted on the NVTA website 72 hours prior to the meeting at: <https://nctpa.legistar.com/Calendar.aspx> or by emailing info@nvta.ca.gov to request a copy of the agenda.

Materials distributed to the members of the Board present at the meeting will be available for public inspection after the meeting. 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.

Americans with Disabilities Act (ADA): 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 Laura Sanderlin, NVTA Board Secretary, at (707) 259-8633 during regular business hours, at least 48 hours prior to the time of the meeting.

Note: Where times are indicated for agenda items, they are approximate and intended as estimates only, and may be shorter or longer as needed.

Acceso y el Titulo VI: La NVTA puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Autoridad. Para solicitar asistencia, por favor llame al número (707) 259-8633. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

Ang Accessibility at Title VI: Ang NVTA ay nagkakaloob ng mga serbisyo/akomodasyon kung hilingin ang mga ito, ng mga taong may kapansanan at mga indibiduwal na may limitadong kaalaman sa wikang Ingles, na nais na matugunan ang mga bagay-bagay na may kinalaman sa NVTA Board. Para sa mga tulong sa akomodasyon o pagsasalin-wika, mangyari lang tumawag sa (707) 259-8633. Kakailanganin namin ng paunang abiso na tatlong araw na may pasok sa trabaho para matugunan ang inyong kahilingan.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Adoption of the Agenda
5. Public Comment
6. Chairperson's, Board Members', Metropolitan Transportation Commissioner's, and Association of Bay Area Governments Update
7. Director's Update
8. Caltrans' Update

Note: Where times are indicated for the agenda items, they are approximate and intended as estimates only and may be shorter or longer as needed.

9. PRESENTATIONS

9.1 Napa County Safe Routes to School - Public Opinion Research Findings and Next Steps (Patrick Band)

Recommendation: Information only. Patrick Band, Executive Director of the Napa County Bicycle Coalition will be presenting scope of research and analysis findings for the overall Safe Routes to School program.

Estimated Time: 1:25 p.m.

10. CONSENT AGENDA ITEMS

10.1 Meeting Minutes of May 19, 2021 (Laura Sanderlin) (Pages 8-11)

Recommendation: Board action will approve the meeting minutes of May 19, 2021.

Estimated Time: 1:40 p.m.

Attachments: [Draft Minutes.pdf](#)

11. REGULAR AGENDA ITEMS**11.1 Resolution 21-17 Exception to the Public Employees' Pension Reform Act 180-Day Wait Period (Laura Sanderlin) (Pages 12-16)**

Recommendation: Board action will approve Resolution No. 21-17 making an exception to the 180 day CalPERS wait period.

Estimated Time: 1:40 p.m.

Attachments: [Staff Report.pdf](#)

11.2 Design and Install Four (4) Electric Vehicle Charging Stations including Two (2) in Yountville and Two (2) in St. Helena (Sanjay Mishra) (Pages 17-28)

Recommendation: Board action will approve Agreement 21-15.

Estimated Time: 1:50 p.m.

Attachments: [Staff Report.pdf](#)

11.3 Vine Transit Update (Rebecca Schenck) (Pages 29-33)

Recommendation: Information only. That the Napa Valley Transportation Authority Board receive the Vine Transit Services operational performance update since the service change on May 9, 2021 and update on operational changes scheduled for August 15, 2021.

Estimated Time: 2:00 p.m.

Attachments: [Staff Report.pdf](#)

11.4 Federal and State Legislative Update (Kate Miller) (Pages 33-47)

Recommendation: That the Napa Valley Transportation Authority (NVTA) Board receive the State Legislative update.

Estimated Time: 2:10 p.m.

Attachments: [Staff Report.pdf](#)

12. FUTURE AGENDA ITEMS**13. CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED

Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) and (e)(3): Claim of Jesus Villa Pimentel

14. ADJOURNMENT**14.1 Approval of Next Regular Meeting Date of July 21, 2021 and Adjournment**

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 NVTA Offices, 625 Burnell Street, Napa, CA by 5:00 p.m. by Friday, June 11, 2021.

Kathy Alexander (e-sign) 06/10/2021

Kathy Alexander, Deputy NVTA Board Secretary

Glossary of Acronyms

AB 32	Global Warming Solutions Act	GGRF	Greenhouse Gas Reduction Fund
ABAG	Association of Bay Area Governments	GTFS	General Transit Feed Specification
ADA	American with Disabilities Act	HBP	Highway Bridge Program
ATAC	Active Transportation Advisory Committee	HBRR	Highway Bridge Replacement and Rehabilitation Program
ATP	Active Transportation Program	HIP	Housing Incentive Program
BAAQMD	Bay Area Air Quality Management District	HOT	High Occupancy Toll
BART	Bay Area Rapid Transit District	HOV	High Occupancy Vehicle
BATA	Bay Area Toll Authority	HR3	High Risk Rural Roads
BRT	Bus Rapid Transit	HSIP	Highway Safety Improvement Program
BUILD	Better Utilizing Investments to Leverage Development	HTF	Highway Trust Fund
CAC	Citizen Advisory Committee	HUTA	Highway Users Tax Account
CAP	Climate Action Plan	IFB	Invitation for Bid
Caltrans	California Department of Transportation	ITIP	State Interregional Transportation Improvement Program
CASA	Committee to House the Bay Area	ITOC	Independent Taxpayer Oversight Committee
CEQA	California Environmental Quality Act	IS/MND	Initial Study/Mitigated Negative Declaration
CIP	Capital Investment Program	JARC	Job Access and Reverse Commute
CMA	Congestion Management Agency	LCTOP	Low Carbon Transit Operations Program
CMAQ	Congestion Mitigation and Air Quality Improvement Program	LIFT	Low-Income Flexible Transportation
CMP	Congestion Management Program	LOS	Level of Service
CalSTA	California State Transportation Agency	LS&R	Local Streets & Roads
CTP	Countywide Transportation Plan	MaaS	Mobility as a Service
COC	Communities of Concern	MAP 21	Moving Ahead for Progress in the 21 st Century Act
CTC	California Transportation Commission	MPO	Metropolitan Planning Organization
DAA	Design Alternative Analyst	MTC	Metropolitan Transportation Commission
DBB	Design-Bid-Build	MTS	Metropolitan Transportation System
DBF	Design-Build-Finance	ND	Negative Declaration
DBFOM	Design-Build-Finance-Operate-Maintain	NEPA	National Environmental Policy Act
DED	Draft Environmental Document	NOAH	Natural Occurring Affordable Housing
EIR	Environmental Impact Report	NOC	Notice of Completion
EJ	Environmental Justice	NOD	Notice of Determination
FAS	Federal Aid Secondary	NOP	Notice of Preparation
FAST	Fixing America's Surface Transportation Act	NVTA	Napa Valley Transportation Authority
FHWA	Federal Highway Administration	NVTA-TA	Napa Valley Transportation Authority-Tax Agency
FTA	Federal Transit Administration	OBAG	One Bay Area Grant
FY	Fiscal Year	PA&ED	Project Approval Environmental Document
GHG	Greenhouse Gas		

Glossary of Acronyms

P3 or PPP	Public-Private Partnership	SOV	Single-Occupant Vehicle
PCC	Paratransit Coordination Council	STA	State Transit Assistance
PCI	Pavement Condition Index	STIC	Small Transit Intensive Cities
PCA	Priority Conservation Area	STIP	State Transportation Improvement Program
PDA	Priority Development Areas	STP	Surface Transportation Program
PIR	Project Initiation Report	TAC	Technical Advisory Committee
PMS	Pavement Management System	TCM	Transportation Control Measure
Prop. 42	Statewide Initiative that requires a portion of gasoline sales tax revenues be designated to transportation purposes	TCRP	Traffic Congestion Relief Program
PSE	Plans, Specifications and Estimates	TDA	Transportation Development Act
PSR	Project Study Report	TDM	Transportation Demand Management Transportation Demand Model
PTA	Public Transportation Account	TE	Transportation Enhancement
RACC	Regional Agency Coordinating Committee	TEA	Transportation Enhancement Activities
RFP	Request for Proposal	TEA 21	Transportation Equity Act for the 21 st Century
RFQ	Request for Qualifications	TFCA	Transportation Fund for Clean Air
RHNA	Regional Housing Needs Allocation	TIGER	Transportation Investments Generation Economic Recovery
RM2	Regional Measure 2 (Bridge Toll)	TIP	Transportation Improvement Program
RM3	Regional Measure 3	TIRCP	Transit and Intercity Rail Capital Program
RMRP	Road Maintenance and Rehabilitation Program	TLC	Transportation for Livable Communities
ROW	Right of Way	TLU	Transportation and Land Use
RTEP	Regional Transit Expansion Program	TMP	Traffic Management Plan
RTIP	Regional Transportation Improvement Program	TMS	Transportation Management System
RTP	Regional Transportation Plan	TNC	Transportation Network Companies
SAFE	Service Authority for Freeways and Expressways	TOAH	Transit Oriented Affordable Housing
SAFETEA-LU	Safe, Accountable, Flexible, and Efficient Transportation Equity Act-A Legacy for Users	TOD	Transit-Oriented Development
SB 375	Sustainable Communities and Climate Protection Act 2008	TOS	Transportation Operations Systems
SB 1	The Road Repair and Accountability Act of 2017	TPA	Transit Priority Area
SCS	Sustainable Community Strategy	TPI	Transit Performance Initiative
SHA	State Highway Account	TPP	Transit Priority Project Areas
SHOPP	State Highway Operation and Protection Program	VHD	Vehicle Hours of Delay
SNTDM	Solano Napa Travel Demand Model	VMT	Vehicle Miles Traveled
SR	State Route		
SRTS	Safe Routes to School		

Napa Valley Transportation Authority

625 Burnell Street
Napa, CA 94559

June 16, 2021
NVTA Agenda Item 10.1
Continued From: New
Action Requested: Approval

Meeting Minutes - Draft NVTA Board of Directors

Wednesday, May 19, 2021

1:00 PM

REFER TO COVID-19 SPECIAL NOTICE

1. Call to Order

Chair Pedroza called the meeting to order at 1:00pm.

2. Pledge of Allegiance

Chair Pedroza recited the Pledge of Allegiance.

3. Roll Call

Leon Garcia
Chris Canning
Alfredo Pedroza
Paul Dohring
Mark Joseph
John F. Dunbar
Kerri Dorman
Belia Ramos
Geoff Ellsworth
Liz Alessio
Gary Kraus
Doug Weir
Scott Sedgley

4. Adoption of the Agenda

Motion **MOVED** by **CANNING**, **SECONDED** by **KRAUS** to approve adopting of the agenda. Motion carried by the following vote:

Aye: 14 - Canning, Pedroza, Dohring, Joseph, Dunbar, Dorman, Alessio, and Kraus

Absent: 10 - Garcia, Ramos, Ellsworth, and Sedgley

5. Public Comment

None

6. Chairperson's, Board Members', Metropolitan Transportation Commissioner's, and Association of Bay Area Governments Update

MTC Update

Chair Pedroza provided an update on recent MTC activities

ABAG Update

Chair Pedroza provided an update on recent ABAG activities

7. Director's Update

Director Miller reported:

- Bike Month and Bike to Anywhere Day Update
- State Route 37 Planning and Environmental Linkage (PEL) Public Meeting update
- Napa Valley Bike Champion of the Year update

8. Caltrans' Update

Kelly Hirschberg provided a Caltrans update.

Ram Bommavaram, Caltrans, provided a presentation on the SR 121 Capell Creek Bridge Rehabilitation Project.

{Director Ramos and Director Ellsworth joined the meeting at this time}

9. PRESENTATIONS

9.1 Draft Plan Bay Area 2050 (Matt Maloney)

Attendance record for Draft Plan Bay Area 2050 carried by the following vote:

Public comment made by Marita Dorenbecher.

{Director Garcia joined meeting at this time}

Aye: 19 - Garcia, Canning, Pedroza, Dohring, Joseph, Dunbar, Dorman, Ramos, Ellsworth, Alessio, and Kraus

Absent: 5 - Sedgley

10. CONSENT AGENDA ITEMS

Motion **MOVED** by JOSEPH, **SECONDED** by ELLSWORTH to **APPROVE** Consent Items 10.1-10.5.

Motion carried by the following vote:

Aye: 18 - Garcia, Canning, Pedroza, Dohring, Joseph, Dunbar, Dorman, Ramos, Ellsworth, and Alessio

Absent: 6 - Kraus, and Sedgley

10.1 Meeting Minutes of April 21, 2021 (Laura Sanderlin) (Pages 9-12)

10.2 Active Transportation Advisory Committee (ATAC) Member Appointment (Diana Meehan) (Pages 13-19)

10.3 Resolution 21-03, Revised, Requesting Regional Measure 3 (RM3) Letter of No Prejudice (LONP) for State Route 29 Improvements (Antonio Onorato) (pages 20-36)

10.4 Resolution No. 21-14 Authorizing the Disposal of Bus 628 from NVTA's Fixed

Asset Portfolio (Antonio Onorato) (Pages 37-41)

10.5 Right of Way Certification for the Napa Valley Vine Trail: St. Helena to Calistoga Project (Rebecca Schenck) (Pages 42-54)

11. REGULAR AGENDA ITEMS

11.1 Resolution 21-16 Exception to the Public Employees' Pension Reform Act 180-Day Wait Period and Construction/Project Manager Hourly Rate Adjustment (Laura Sanderlin) (pages 55-59)

Motion **MOVED** by DUNBAR, **SECONDED** by CANNING to **APPROVE** the Resolution 21-16 and hourly rate adjustment. Motion carried by the following roll call vote:

Aye: 17 - Garcia, Canning, Pedroza, Dohring, Joseph, Dunbar, Ramos, Ellsworth, and Alessio

Nay: 1 - Dorman

Absent: 6 - Kraus, and Sedgley

11.2 Countywide Transportation Plan (CTP): *Advancing Mobility 2045*: Final Plan Adoption (Alberto Esqueda) (Pages 60-86)

Motion **MOVED** by DUNBAR, **SECONDED** by GARCIA to **APPROVE** the Countywide Transportation Plan (CTP). Motion carried by the following roll call vote:

Aye: 18 - Garcia, Canning, Pedroza, Dohring, Joseph, Dunbar, Dorman, Ramos, Ellsworth, and Alessio

Absent: 6 - Kraus, and Sedgley

11.3 Federal and State Legislative Update (Kate Miller) (Pages 87-100)

Motion **MOVED** by JOSEPH, **SECONDED** by DUNBAR to **APPROVE** the board position on the State Bill Matrix. Motion carried by the following vote:

Aye: 18 - Garcia, Canning, Pedroza, Dohring, Joseph, Dunbar, Dorman, Ramos, Ellsworth, and Alessio

Absent: 6 - Kraus, and Sedgley

12. FUTURE AGENDA ITEMS

None

13. ADJOURNMENT

Director Ellsworth provided an update on in field housing and the Interim City Hall Upper

Campus.

Chair Pedroza adjourned the meeting at 2:33pm.

12.1 Approval of Next Regular Meeting Date of June 16, 2021 at 1:00pm and Adjournment

Laura M. Sanderlin, NVTA Board Secretary



NAPA VALLEY TRANSPORTATION AUTHORITY COVER MEMO

SUBJECT

Resolution 21-17 Exception to the Public Employees' Pension Reform Act (PEPRA) 180-Day Wait Period

STAFF RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) Board approve Resolution 21-17 making an exception to the 180- day CalPERS wait period.

EXECUTIVE SUMMARY

The Napa Valley Transportation Authority (NVTA) has a critical need to fill the position of Board Secretary/Office Manager for a limited duration. A current CalPERS retiree of NVTA has been identified to fill this position. A board resolution must be filed with CalPERS when a retired annuitant is hired to fill a critically needed extra help position prior to 180 days to meet the Public Employees' Pension Reform Act (PEPRA). NVTA will not be providing any benefits to the candidate as these are being provided as part of the candidate's CalPERS retirement.

FISCAL IMPACT

Is there a Fiscal Impact? Yes, the cost per hour for the Calpers Annuitant is \$54.21. The total cost cannot exceed \$52,042 for a maximum of 960 hours per calendar year. Because the agency has two open positions, a budget adjustment may not be necessary.



NAPA VALLEY TRANSPORTATION AUTHORITY

Board Agenda Memo

TO: Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Laura Sanderlin, Board Secretary/Office Manager
(707) 259-8633 / Email: lsanderlin@nvta.ca.gov
SUBJECT: Resolution 21-17 Exception to the Public Employees' Pension Reform Act 180-Day Wait Period

RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) Board approve Resolution 21-17 making an exception to the 180-day CalPERS wait period.

COMMITTEE RECOMMENDATION

Not applicable

BACKGROUND

The Napa Valley Transportation Authority (NVTA) has a critical need to fill the position of Board Secretary/Office Manager for a limited duration. The current Board Secretary/Office Manager will be going on a leave of absence or on a limited work schedule yet to be determined. A current CalPERS retiree of NVTA has been identified to fill this position. A board resolution must be filed with CalPERS when a retired annuitant is appointed to fill a critically needed extra help position prior to 180 days to meet the Public Employees' Pension Reform Act (PEPRA). NVTA will not be providing any benefits to the candidate as these are being provided as part of the candidate's CalPERS retirement.

In order for a retired annuitant to become an employee of NVTA and retain current CalPERS retirement benefits, the retired person must have specific specialized skills needed to perform the work of limited duration. This position is intended to be filled as

extra help by a retired annuitant. It should be noted that retired annuitant restrictions for extra help positions are authorized by Government Code sections 7522.56 and 21224.

The appointment of the retired annuitant, extra help position must be terminated when the limited-duration work has completed or at the end of the fiscal year, whichever is sooner. The hourly pay rate cannot be less than the minimum or exceed the maximum range as listed on the approved pay schedule of comparable duties. Furthermore, as the individual retired within the past 180 days, in order for NVTA to fill the temporary position the Board must certify that the appointment is necessary to fill a critically needed position before 180 days has passed since the applicant's retirement. Due to the unexpected and immediate unavailability of existing Board Secretary, it is critically necessary that this extra help position is filled by NVTA to prevent stoppage of public service.

ALTERNATIVES

The Board could decide not to approve Resolution No. 21-17 and NVTA would be out of compliance with PEPRA. In addition, the position would remain unfulfilled during the leave of absence of the current employee.

STRATEGIC GOALS MET BY THIS PROPOSAL

Goal 3: Use taxpayer dollars efficiently.

Hiring a retired CALPER's annuitant who formerly worked in this position is less expensive and more cost effective than hiring a temporary employee to fill this position.

ATTACHMENTS

- 1) Resolution 21-17

RESOLUTION No. 21-17

**A RESOLUTION OF THE
NAPA VALLEY TRANSPORTATION AUTHORITY (NVTA)
FOR EXCEPTION TO THE 180 DAY CALPERS WAIT PERIOD
GOVERNMENT CODE SECTIONS 75.2256 & 21224**

WHEREAS, in compliance with Government Code section 7522.56 the Board of Directors of the Napa Valley Transportation Authority (NVTA) must provide CalPERS this certification resolution when appointing a retired annuitant before 180 days has passed since his or her retirement date; and

WHEREAS, Karalyn Sanderlin is currently in CalPERS retirement having retired from NVTA as of December 30, 2020 and fulfills the critical need work for NVTA as a retired annuitant, extra help position of Board Secretary/Office Manager; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is December 30, 2020, without this certification resolution; and

WHEREAS, section 7522.56 provides that this exception to the 180-day wait period shall not apply if the retiree accepts any retirement-related incentive; and

WHEREAS, Karalyn Sanderlin has the specialized skills needed to provide the Board Secretary and Office Manager services required; and

WHEREAS, there is an unexpected and immediate need for extra help and filling this position immediately is critically needed as the Board Secretary/Office Manager services members of the public and oversees human resources within the NVTA; and

WHEREAS, the Board of Directors hereby authorizes the appointment of Karalyn Sanderlin as an extra help, retired annuitant to perform the duties of the Board Secretary/Office Manager for the Napa Valley Transportation Authority under Government Code section 21224, effective on the approval date of this Resolution, June 16, 2021, and

WHEREAS, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar; and

WHEREAS, the employment shall be limited to 960 hours per fiscal year; and

WHEREAS, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties; and

WHEREAS, the maximum base salary for this position is hourly rate of \$54.21 and the minimum base salary for this position is hourly equivalent is \$45.09; and

WHEREAS, the hourly rate paid to Karalyn Sanderlin will be \$54.21; and

WHEREAS, Karalyn Sanderlin has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate; and

WHEREAS, Karalyn Sanderlin’s appointment as a retired annuitant will terminate at the end of the fiscal year, on June 30, 2022 or sooner, and

THEREFORE, BE IT RESOLVED THAT the Board of Directors hereby certifies the extra help nature of the appointment of Karalyn Sanderlin whose appointment is necessary to fill the critically needed position of Board Secretary/Office Manager for the Napa Valley Transportation and Authority by June 16, 2021 for the provision of services related to Board and committee meetings, office management, public service and human resources.

Passed and Adopted the 16th day of June 2021.

Alfredo Pedroza, NVTA Chair

Ayes:

Nays:

Absent:

ATTEST:

Laura M. Sanderlin, NVTA Board Secretary

APPROVED:

DeeAnne Gillick, NVTA Legal Counsel



NAPA VALLEY TRANSPORTATION AUTHORITY COVER MEMO

SUBJECT

Contract for the Design and Installation of Four (4) Electric Vehicle Charging Stations including Two (2) in Yountville and Two (2) in St. Helena

STAFF RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) Board approve Agreement 21-15 with Bear Electrical Solutions, Inc. (Attachment 1) in an amount not to exceed \$235,000.

EXECUTIVE SUMMARY

The Federal Transit Administration (FTA) awarded NVTA funding in 2017 for the purchase of five (5) Build Your Dream (BYD) 30' zero emission battery electric buses and the corresponding chargers. The buses are scheduled to arrive in the Fall of 2021 and it is necessary to install the charging infrastructure in St. Helena and Yountville so that these buses can go into service. The fifth charger will be installed at the future Vine Transit Maintenance Facility at a later time.

FISCAL IMPACT

Yes, the cost of design and installation is \$185,000 plus a \$50,000 contingency (27%). A portion of the cost (\$144,000) will be covered by an FTA Low and No Emissions Vehicle Deployment (Low-No) Program grant. The grant provided funding for design services at these two locations and for charger installation. The local match is a combination of Low Carbon Transit Operations Program (LCTOP) funds from State's cap-and-trade program, and Transportation Development Act (TDA) Local Transportation Fund Account funds. The reason for the high contingency is that this is a Design Build project and many factors are unknown at this time. There is a high chance that the PG&E facilities in Yountville and/or St. Helena are insufficient for this type of charger and will need to be upgraded. This is not part of the current bid and could be expensive.



NAPA VALLEY TRANSPORTATION AUTHORITY

Board Agenda Memo

TO: NVTA Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Sanjay Mishra, Program Manager – Engineer
(707) 259-5951 / Email: smishra@nvta.ca.gov
SUBJECT: Contract for the Design and Installation of Four (4) Electric Vehicle Charging Stations including Two (2) in Yountville and Two (2) in St. Helena

RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) Board approve Agreement 21-15 with Bear Electrical Solutions, Inc. (Attachment 1) in an amount not to exceed \$235,000.

COMMITTEE RECOMMENDATION

None

BACKGROUND

The Federal Transit Administration (FTA) awarded NVTA funding in 2017 for the purchase of five (5) Build Your Dream (BYD) 30' zero emission battery electric buses and the corresponding chargers. The NVTA Board took action in November 2019 to authorize this bus and charger purchase. The buses are currently in production at the BYD facility in Lancaster, CA. The buses are on schedule to arrive in Napa in the fall and they need a place to charge.

The City of St. Helena and the Town of Yountville will both have their existing shuttle/trolley vehicles replaced by one of these electric buses. The Town of Yountville Council took action to enter into a License Agreement with NVTA on February 2, 2021 for NVTA to use a portion of the Town's Wastewater Reclamation Facility to park and charge the vehicle serving the Town. Then on February 9, 2021, St. Helena City Council took action to enter into a similar License Agreement with NVTA for NVTA to use a portion of the City's Corporation Yard to park and charge the vehicle serving St. Helena. Two chargers will be installed at each location, so that there is a back-up charger available in

case a charger or vehicle is in need of repair or if another vehicle serving the SR 29 corridor would need to be charged. The Town and City will also have access to the chargers if they have electric vehicles to charge now or in the future.

NVTA released a Request for Proposals for Design and Installation of Electric Vehicles (EV) Charging Stations on May 17, 2021. The RFP was advertised on the NVTA website, sent to local electric contractors and put on Public Purchase and other regional platforms. Bids were due on June 4, 2021. The Chargepoint Express 250 chargers that will be installed are shown in the Figure below:



Input Rating	400V AC, 3-phase, 96A, 50 Hz 480Y/277V AC, 3-phase, 80A, 60 Hz
Wiring	L1, L2, L3, Neutral & Earth

A total of four (4) proposals were received. The proposals were evaluated based upon three criteria 1) Project Understanding; 2) Experience and Qualifications; and 3) Cost Proposal. The firm with the highest point totals from the NVTA evaluation team was Bear Electrical Solutions, Inc.

ALTERNATIVES

Alternative 1: Defer the design and installation of the charging station until a later date and risk the vehicles arriving without a place to charge the vehicles

Alternative 2: Forego installing the chargers in on or both of the proposed locations and wait for the Vine Transit Maintenance Facility to be finished and install all chargers at that location

STRATEGIC GOALS MET BY THIS PROPOSAL

Goal 5: Minimize the energy and other resources required to move people and goods.

The addition of five electric buses to replace existing Vine diesel and gasoline-powered buses will reduce mobile emissions.

Goal 3: Use taxpayer dollars efficiently.

Using federal grants in-lieu of local funds will allow NVTA to prioritize other transportation projects.

ATTACHMENTS

(1) Agreement 21-15

CONSTRUCTION AGREEMENT NVTA No. 21-15

THIS AGREEMENT, dated for identification as of _____, 2021, is between the **NAPA VALLEY TRANSPORTATION AUTHORITY**, a California joint powers authority, (hereinafter called "NVTA" or "Agency"), and _____, (hereinafter called "Contractor").

The parties hereto mutually agree to the terms and condition set forth herein.

1. CONTRACT DOCUMENTS

A. The Contract Documents referred to herein are incorporated herein by reference as if set forth in full in this Agreement. Work called for in any one Contract Document and not mentioned in another is to be performed and executed as if mentioned in all Contract Documents.

B. The Contract Documents shall include the Notice Inviting Bids, Instructions to Bidders, Bid Forms (including the Bid, Bid Schedule(s), Information Required of Bidder, Bid Bond, and all required certificates, affidavits and other documentation), this Agreement, Performance Bond, Labor and Materials Bond, Maintenance Bond, General Conditions, any Supplementary General Conditions, Special Provisions, Specifications, Drawings, all Addenda, and Change Orders executed pursuant to the provisions of the Contract Documents. The General Conditions shall mean and refer to the current General Conditions of NVTA which are incorporated herein by this reference as if set forth herein.

C. This Agreement, and the Contract Documents, includes the exhibits to this Agreement, including Exhibit A Insurance, and Exhibit B Required Federal-Aid Contract Language (For Local Assistance Construction Projects) (Includes Form FHWA-1273 from Bid Documents), and Exhibit C Minimum Wage Rates (Federal and State Prevailing Wage Rates from Bid Documents.)

2. AGREEMENT CONTROLS

In the event of a conflict between the terms and conditions as set forth in this Agreement and the terms and conditions set forth in other Contract Documents, the terms and conditions set forth in this Agreement shall prevail. Unless otherwise specifically provided herein, all works and phrases defined in the General Conditions shall have the same meaning and intent in this Agreement.

3. SCOPE OF CONTRACT

Contractor agrees to furnish all tools, equipment, apparatus, facilities, labor and material and transportation necessary to perform and complete in a good and workman like manner to the satisfaction of NVTA, all the work called for, and in the manner designated in, and in strict conformity with the Project entitled:

Project Name : *Design and Installation of Electric Vehicle Chargers*
Project No. : 2021-07
Federal Project No. : N/A

4. CONTRACT AMOUNT AND PAYMENTS

NVTA agrees to pay and Contractor agrees to accept, in full payment for the above work, _____ **DOLLARS (\$)** as the stipulated sum price which Contractor bid in its Bid Form, subject to additions and deductions by Change Order(s) as provided in the General Conditions.

5. PROGRESS AND FINAL PAYMENTS

Progress and final payments shall be in accordance with the General Conditions.

6. RETENTION OF SUMS CHARGED AGAINST CONTRACTOR

When, under the provisions of this Contract, NVTA is authorized to charge any sum of money against Contractor, NVTA may deduct and retain the amount of such charge from the amount of the next succeeding progress estimate, or from any other moneys due or that may become due to the Contractor from NVTA. If, on completion or termination of the Contract, sums due contractor are insufficient to pay NVTA's charges against Contractor, NVTA shall have the right to recover the balance from Contractor or his sureties.

7. TIME OF COMPLETION

A. The entire work shall be completed to the satisfaction of NVTA within thirty (30) working days, commencing on the date of issuance of the Notice to Proceed.

B. Failure to complete the entire work by the completion date and in the manner provided for by the Contract Documents shall subject Contractor to liquidated damages as hereinafter provided in this Agreement. Time is of the essence in these Contract Documents.

8. INSURANCE

Contractor shall maintain in full force and effect at all times during the term of the Agreement, at its sole expense, policies of insurance in accordance with the General Conditions, including, but not limited to, **Exhibit A**, attached hereto and incorporated herein by reference.

9. NO WAIVER OF REMEDIES

A. Neither the inspection by NVTA or its agents, nor any order or certificate for the payment of money, nor any payment for, nor acceptance of the whole or any part of the work by NVTA, nor any extensions of time, nor any position taken by NVTA or its agents shall operate as a waiver of any provision of this Agreement or of any power herein reserved to NVTA or any right to damages herein provided, nor shall any waiver of any breach of the Agreement be held to be a waiver of any other or subsequent breach.

B. All remedies provided in this Agreement shall be taken and construed as cumulative; that is, in addition to each and every other remedy herein provided, and NVTA shall have any and all equitable and legal remedies which it would in any case have.

10. DETERMINATION OF DAMAGES

A. The actual fact of the occurrences of damages and the actual amount of the damages which NVTA would suffer if the work were not completed within the specified times set forth are dependent upon many circumstances and conditions and, it is impracticable and extremely difficult to fix the actual damages. Damages which NVTA would suffer in the event of delay include loss of the use of the project, and, in addition, expenses of prolonged employment of an architectural and engineering staff; costs of administration, inspection, and supervision; and the loss suffered by the public within the County of Napa by reasons of the delay in the completion of the project to serve the public at the earliest possible time.

B. Accordingly, the parties hereto agree, and by execution of this Agreement, Contractor acknowledges that he understands, has ascertained and agrees, that the amounts set forth herein as liquidated damages shall be presumed to be that amount of damages sustained by the failure of Contractor to complete the entire work within the times specified.

11. LIQUIDATED DAMAGES

- A. The amount of the liquidated damages to be paid by Contractor to NVTA for failure to complete the entire work in the specified number of Working or Calendar Days (as extended, if applicable) will be **THREE HUNDRED DOLLARS(\$300)** for each **Calendar Day**, continuing to the time at which the work is completed.
- B. Such amount is the actual cash value agreed upon as the loss to NVTA resulting from Contractor's delay.

12. TERMINATION AFTER ALLOTTED WORKING OR CALENDAR DAYS

- A. In addition to any rights it may have, NVTA may terminate this Contract at any time after the allotted number of Working or Calendar Days as adjusted by any extensions of time for excusable delays that may have been granted.
- B. Upon such termination, Contractor shall not be entitled to receive any compensation for services rendered by him before or after such termination, and he shall be liable to NVTA for liquidated damages for all periods of time beyond such termination date until the work is completed.

13. CONTRACTOR BANKRUPT

- A. If Contractor should commence any proceeding under the Bankruptcy Act, or if Contractor be adjudged a bankrupt, or if Contractor should make any assignment for the benefit of creditors, or if a receiver should be appointed on account of Contractor's insolvency, then the NVTA Board may, without prejudice to any other right or remedy, terminate the Contract and complete the work by giving notice to Contractor and his surety according to the provisions of Section 1-15 of the General Conditions.
- B. NVTA shall have the right to complete, or cause completion of the work, all as specified in the General Provisions of the Standard Specifications.

14. PERFORMANCE AND PAYMENT BONDS

- A. The Contractor shall, before beginning said work, file two bonds with NVTA, each made payable to NVTA. These bonds shall be issued by a Surety Company authorized to do business in the State of California, and shall be maintained during the entire life of the Contract at the expense of the Contractor.
1. One bond shall be in the amount of one hundred percent (100%) of the Contract and shall guarantee the Faithful Performance of the Contract.
 2. The second bond shall be the Payment Bond required by Part 4, Title 15, Chapter 7, Division Three of the Civil Code of the State of California and shall be in the amount of one hundred percent (100%) of the Contract.
- B. Any alteration or alterations made in any provision of this Contract shall not operate to release any surety from liability on any bond required hereunder and the consent to make such alterations is hereby given, and any surety on said bonds hereby waives the provisions of Section 2819 of the Civil Code.
- C. Bonds shall only be accepted from an "*Admitted surety insurer*," which means an insurer to which the Insurance Commissioner has issued a certificate of authority to transact surety insurance in this state. **Contractor must submit** the original, or a certified copy, of the unrevoked appointment, power of attorney, bylaws or other instrument entitling or authorizing the person who executed the bond to do so.
- D. All bonds submitted shall include the following:
1. Full name and address of the Contractor Surety, and NVTA;
 2. Contract Date;
 3. Exact Contract Sum;
 4. Project Name and Address;

5. Signature of the Contractor
6. Corporate Seal, if applicable;
7. Signature of Authorized Surety Representative;
8. Notarization of the Contractor and Surety;
9. Power of Attorney; and
10. Local contact for surety, with name, phone number, and address to which legal notices may be sent

15. SUBSTITUTION OF SECURITIES OF MONEY WITHHELD

- A. At any time prior to final payment, Contractor may request substitution of securities for any money withheld by NVTA to ensure performance of the Contract.
- B. At the expense of the Contractor, securities equivalent to the money withheld may be deposited with NVTA or with an approved financial institution as escrow agent according to a separate Security Agreement.
- C. Securities eligible for substitution shall include those listed in Section 16430 of the Government Code or bank or savings and loan certificates of deposit. A fee set by NVTA's Board shall be charged for such substitution.

16. LABOR CODE COMPLIANCE

- A. NVTA affirmatively identifies this project as a "public work" as that term is defined by Labor Code section 1720, and the project is, therefore, subject to prevailing wages under Labor Code section 1771.
- B. Contractor and its subcontractors shall fully comply with all the provision of the California Labor Code governing the performance of public works contracts including, but not limited to, payment of prevailing wages, limitations on time worked, compliance with apprentice requirements, maintenance of payroll records, posting of wages at job site and prohibitions against discrimination.

17. UNFAIR COMPETITION

The following provision is included in this agreement pursuant to California Public Contract Code §7103.5.

"In entering into a public works contract or a subcontract to supply goods, services, or materials pursuant to a public works contract, the contractor or subcontractor offers and agrees to assigning to the awarding body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works contract or the subcontract. This assignment shall be made and become effective at the time the awarding body tenders final payment to the contractor, without further acknowledgment by the parties."

18. GENERAL LIABILITY OF CONTRACTOR

Unless otherwise provided in the Contract Documents, the Contractor shall provide and pay for all labor, materials, equipment, tools, construction equipment and machinery, water, light, heat, utilities, transportation and other facilities and services necessary for the execution and completion of the Work in accordance with the Contract Documents and any applicable code or statute, whether or not specifically described herein, as long as same is reasonably inferable therefrom as being necessary to produce the intended results, whether temporary or permanent, and whether or not incorporated or to be incorporated in the Work. The mention of any specific duty or liability of Contractor and, any reference to any specific duty or liability shall be construed to be for the purpose of explanation.

19. AUTHORITY OF NVTA

A. NVTA will decide all questions regarding the quality and acceptability of materials furnished, work performed, and rate of progress of the Work. NVTA will decide all questions regarding the interpretation and fulfillment of the Contract on the part of the Contractor, and all questions as to the rights of different prime contractors involved with the Work. NVTA will determine the amount and quality of the Work performed and materials furnished for which payment is to be made under the Contract.

B. NVTA will administer its authority through a duly designated representative identified at the pre-construction conference. The Contractor and NVTA's designated representative (the Owner's Representative) shall make good faith attempts to resolve disputes that arise during the performance of the Work.

C. Any order given by NVTA not otherwise required by the Contract to be in writing shall be given or confirmed by NVTA in writing at the Contractor's request. Such request shall state the specific subject of the decision, order, instruction, or notice and, if it has been given orally, its date, time, place, author and recipient.

D. Any plan or method suggested to the Contractor by the ENGINEER, or any of the Owner's Representative, but not specified or required in writing, if adopted or followed in whole or in part by the Contractor, shall be used at the risk and responsibility of the Contractor. NVTA assumes no responsibility.

20. Responsibility of the Contractor

A. The Work shall be under the Contractor's responsible care and charge until completion and final acceptance, and the Contractor shall bear the entire risk of injury, loss, or damage to any part by any cause. The Contractor shall rebuild, repair, restore, and make good all injuries, losses or damage to any portion of the Work or the materials occasioned by any cause, and shall bear the entire expense.

B. The mention herein of any specific duty or responsibility imposed upon the Contractor shall not be construed as a limitation or restriction of any other responsibility or duty imposed upon the Contractor by the Contract, said reference being made herein merely for the purpose of explaining the specific duty or responsibility.

C. The Contractor shall do all of the work and furnish all labor, materials, tools, equipment, and appliances, except as otherwise herein expressly stipulated, necessary or proper for performing and completing the Work herein required, including any change order work or disputed work directed by NVTA in conformity with the true meaning and intent of the Contract Documents, within the time specified.

21. INDEMNIFICATION

A. To the fullest extent permitted by law, the Contractor shall indemnify, defend with counsel acceptable to NVTA, and hold harmless NVTA, its officers, officials, employees, agents, and volunteers from and against any and all losses, claims, demands, damages, costs, expenses, attorney's fees, or liability of every nature arising out of or in any way connected with the performance or attempted performance of the provisions of this Contract, caused in whole or in part by any negligent or willful act or omission of the Contractor, its officers, employees, or agents, or anyone directly or indirectly acting on behalf of the Contractor, regardless of whether caused in part by a party indemnified hereunder. Nothing contained in the foregoing indemnity provisions shall be construed to require the Contractor to indemnify the indemnified party in contravention of Section 2782 of the Civil Code for the active or sole negligence or willful misconduct of that indemnified party

B. To the fullest extent permitted by law, the Contractor's duty to defend shall extend, without limitation, to any suit or action founded upon any losses, claims, demands, damages, costs, expenses, attorney's fees, or liability of every nature arising out of or in any way connected with the performance or attempted performance of the provisions hereof, or in any way arising out of or connected with this Contract.

C. The defense and indemnity obligations expressly extend to and include any and all claims, demands, damages, costs, expenses, or liability occasioned as a result of damages to adjacent property caused by the conduct of the Work.

D. The defense and indemnity obligations expressly extend to and include any and all claims, demands, damages, costs, expenses, or liability occasioned as a result of the violation by the Contractor, the Contractor's agents, employees, or independent contractors, Subcontractors or suppliers of any provisions of federal, State or local law, including applicable administrative regulations.

E. The defense and indemnity obligations also expressly extend to and include any claims, demands, damages, costs, expenses, or liability occasioned by injury to or death of any person, or any property damage to property owned by any person while on or about the site or as a result of the Work, whether such persons are on or about the site by right or not, whenever the Work is alleged to have been a contributing cause in any degree whatsoever.

F. In claims against any person or entity herein indemnified that are made by an employee of the Contractor or an employee of any of the Contractor's agents, independent contractors, Subcontractors or suppliers, a person indirectly employed by the Contractor or by any of the Contractor's agents, independent contractors, Subcontractors or suppliers, or anyone for whose acts the Contractor or any of the Contractor's agents, independent contractors, Subcontractors or suppliers may be liable, the defense and/or indemnification obligation herein shall not be limited by any limitation on amount or type of damages, compensation, or benefits payable by or for the Contractor or the Contractor's agents, independent contractors, Subcontractors or suppliers under workers' compensation acts, disability acts, or other employee benefit acts.

G. The indemnification obligations herein shall not be limited by any assertion or finding that the person or entity indemnified is liable by reason of a non-delegable duty.

H. The indemnities set forth herein shall not be limited by the insurance requirements set forth in the Contract Documents.

I. The indemnification requirements herein set forth shall extend to claims occurring after this Contract is terminated as well as while it is in force.

J. In the event the Contractor enters into any agreement with the owners of any adjacent property to enter upon or adjacent to such property for the purpose of performing this Contract, the Contractor shall fully indemnify, defend and save harmless such person, firm, or corporation, State or other governmental agency which owns or has any interest in the adjacent property. The form and content of the indemnification agreement shall be approved by NVTA prior to commencement of any work on or about such property. The Contractor also shall indemnify NVTA and other indemnities identified in this Section as provided in the Contract. These provisions shall be in addition to any other requirements of the owners of adjacent property.

22. ASSIGNMENT

Neither this Agreement nor any rights herein of Contractor shall be assigned without the written consent of NVTA first obtained.

23. AMENDMENTS

Any modification or amendment of any provision of this agreement shall be in writing and must be executed by both parties hereto.

24. INCIDENTAL BENEFICIARIES

It is expressly understood and agreed that the enforcement of these terms and conditions shall be reserved to NVTA and Contractor. Nothing contained in the Agreement shall give or allow any claim or right of action whatsoever by any third person. It is the express intent of NVTA and Contractor that any such person or entity, other than NVTA and Contractor, receiving services or benefits under this Agreement shall be deemed an incidental beneficiary.

25. MISCELLANEOUS PROVISIONS

A. **Attorneys' Fees:** In the event an action or proceeding is instituted by either party for the breach or enforcement of any provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees according to law.

B. This Agreement shall be deemed to be made in, and the rights and liabilities of the parties, and the interpretation and construction of the Agreement governed by and construed in accordance with the laws of the State of California. Any legal action arising out of this Agreement shall be filed in and adjudicated by a state court in the County of Sacramento, State of California.

C. **Enforceability:** If any term or provision of this Agreement is found to be void, voidable, invalid or unenforceable by a court of competent jurisdiction under the laws of the State of California, any and all of the remaining terms and provisions of this Agreement shall remain binding.

D. **Time:** All times stated herein or in any other contract documents are of the essence.

E. **Binding:** This Agreement shall bind and inure to the heirs, devisees, assignees and successors in interest of Contractor and to the successors in interest of NVTA in the same manner as if such parties had been expressly named herein.

F. **Survivorship:** Any responsibility of Contractor for warranties, insurance, indemnity, record keeping or compliance with laws with respect to this Agreement shall not be invalidated due to the expiration, termination or cancellation of this Agreement.

G. **Waiver:** In the event that either NVTA or Contractor shall at any time or times waive any breach of this Agreement by the other, such waiver shall not constitute a waiver of any other or succeeding breach of this Agreement, whether of the same or any other covenant, condition or obligation. Waiver shall not be deemed effective until and unless signed by the waiving party.

26. ENTIRE AGREEMENT

This instrument and any attachments hereto constitute the entire Agreement between NVTA and Contractor concerning the subject matter hereof and supersedes any and all prior oral and written communications between the parties regarding the subject matter hereof.

27. AUTHORITY TO EXECUTE

The person or persons executing this Agreement on behalf of the parties hereto warrants and represents that he/she/they has/have the authority to execute this Agreement on behalf of their entity and has/have the authority to bind their party to the performance of its obligations hereunder.

28. COUNTERPARTS

This agreement may be executed in one or more counterparts, each of which shall be deemed an original, and will become effective and binding upon the parties at such time as all of the signatories hereto have signed a counterpart of this Agreement. All counterparts so executed shall constitute one Agreement binding on all of the parties hereto, notwithstanding that all of the parties are not signatory to the same counterpart.

SIGNATURE PAGE IMMEDIATELY FOLLOWS

IN WITNESS WHEREOF, the parties hereto have signed the Agreement on the date set forth opposite their names.

CONTRACTOR:

(Must be signed by two officers of the corporation in compliance with Corporations Code section 313.)

Date

Tax I.D. Number

Signature

Signature

Print Name

Print Name

Title

Title

NVTA, A California Joint Powers Agency:

Date

Kate Miller, Executive Director

ATTEST:

Clerk

APPROVED AS TO FORM:

Sloan Sakai Yeung & Wong, LLP, General Counsel



NAPA VALLEY TRANSPORTATION AUTHORITY COVER MEMO

SUBJECT

Vine Transit Update

STAFF RECOMMENDATION

Information only. This report will provide an update on the operational performance for Vine Transit since the service change on May 9, 2021. The report will also provide an update on operational changes scheduled for August 15, 2021.

EXECUTIVE SUMMARY

This report summarizes the Vine's operational performance during the month of May 2021. The May 9th service changes were made in response to the Vine Transit ridership increases starting on March 3, 2021 when the State of California moved Napa County to the Substantial Risk Level (Red Tier) and then to the less restrictive Orange Tier on April 7, 2021. The increased service starting May 9th is as follows:

- Return to a weekday schedule on the Routes 10 and 11 (previously running on Saturday schedules)
- Implemented a fixed-route/on-demand hybrid which introduces two new fixed routes (Routes N and S) and maintained the existing on-demand service in the City of Napa
- Extend service on Friday and Saturday nights in Yountville and Calistoga by two additional hours.

The data through the end of May indicate that ridership has increased on the Route 10 and has stayed relatively consistent on the Route 11 when compared to April of 2021. In the City of Napa, on-demand ridership fell from April to May as some riders shifted to the Route N and Route S, but the overall ridership rose in the City of Napa. The on-demand wait times increased more than anticipated and as a result the blocking, i.e. the allocation of drivers and vehicles, was changed on May 30th to make it more efficient. This should get wait times to an average closer to the 15 minute target.



NAPA VALLEY TRANSPORTATION AUTHORITY

Board Agenda Memo

TO: NVTA Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Rebecca Schenck, Program Manager – Public Transit
(707) 259-8636 / Email: rschenck@nvta.ca.gov
SUBJECT: Vine Transit Update

RECOMMENDATION

Information only. This report will provide an update on the operational performance for Vine Transit since the service change on May 9, 2021. The report will also provide an update on operational changes scheduled for August 15, 2021.

COMMITTEE RECOMMENDATION

None

BACKGROUND

Staff worked with its on-demand technology provider, DoubleMap, to review the on-demand service and to consider ways that the agency could maintain stop to stop on-demand services in the City of Napa while maintaining reasonable wait times. The on-demand services have allowed staff to better understand where riders are starting and ending their trips, and while it emulates the general areas that were speculated by survey and automatic passenger counter data used in the Comprehensive Operational Analysis, the on-demand service rider data is significantly more granular and removes some of the mystery about actual trips confounded by forced transfer locations.

The result of this data analysis was two new routes, *North* and *South* that started operating on May 9th along the high shopping area destinations between the Redwood Park and Ride to Imola/South Napa Market Place and ending in a loop along Foster/Old Sonoma Roads and Jefferson Street. The new routes operate between 7:30 AM and end at 5:30 PM Monday through Saturday. The idea is that the fixed routes become a more convenient option for riders in the high-demand areas which will relieve pressure on the

on-demand vehicles serving these areas and deploying them elsewhere in the City. Stop to stop on-demand services, however, remain an option in these areas.

The results for the month of May are shown in the following three tables. On-demand ridership fell by 1,147 passengers as those riders plus 884 additional riders shifted to riding the Routes N and S. This brought the total City of Napa ridership to 6,077 riders in May – an increase of 17% between April and May.

Table 1: City of Napa Ridership

	April	May	Change
Route N	0	1,200	1,200
Route S	0	831	831
City of Napa, On-Demand	5,193	4,046	(-1,147)
Total	5,193	6,077	884

Wait times increased in the City of Napa by over four minutes to 17:15, which is too long. One of the major factors in this increase was the blocking, i.e. the distribution of drivers and buses. TransDev blocked it so that drivers were switching from on-demand to fixed route and back, which meant that at times there were 2 to 3 on-demand drivers instead of the recommended 5 drivers. TransDev reblocked the routes so 5 drivers will be assigned exclusively to on-demand as of May 30th so that should bring down the wait times. Also as a precautionary measure, a 6th driver will be assigned from 11am to 4pm to cover peak times.

Table 2: City of Napa Average Response Time

	April	May	Change
City of Napa On-Demand	0:12:40	0:17:15	0:04:35

Table 3: Regional Ridership

	April	May	Change
Route 10	8,711	9,354	643
Route 11	7,825	7,805	-20
Route 21	1,697	1,565	-132
Route 29	2,751	2,510	-241
Total	20,984	21,234	250

The increase in ridership on the Routes 10 reflects the change to a weekday schedule on the route starting on May 9th. There was no change in service on the Routes 21 and 29 in the month of May.

Shuttles

Table 4: Shuttle Ridership

	April	May	Change
Calistoga Shuttle	871	853	-18
St. Helena Shuttle	362	390	28
Yountville Trolley	543	642	99
American Canyon Transit	704	533	-171
Total	2,480	2,418	-62

Ridership showed slight changes in Calistoga and St. Helena. Ridership in Yountville increased by 99 rides and ridership in American Canyon decreased, which may have been the result of long wait times in April.

Table 5: Shuttle Average Response Time

	April	May	Change
Calistoga Shuttle	0:14:48	0:13:36	(0:01:12)
St. Helena Shuttle	0:09:52	0:09:40	(0:00:08)
Yountville Trolley	0:04:38	0:05:49	0:01:11
American Canyon Transit	0:16:08	0:14:24	(0:01:44)

The average response time stayed within 2 minutes of the times in April. The lower wait times reflect changes in ridership. The higher wait times in Calistoga and American Canyon, relative to the other two jurisdictions, should be rectified by the proposed increase in shuttle services in these two jurisdictions in August.

Proposed Future Changes for August 15, 2021

Regional

- Route 10, 11, 21 and 29 – no substantive changes, may slightly alter departure times
- Route 11X – returns with schedule to match increased Ferry service set to start on July 1st.

Local Fixed Route

- Keep Route N – extend hours to 6:30am to 6pm on weekdays and keep existing Saturday schedule
- Keep Route S – extend hours to 6:30am to 6pm on weekdays and keep existing Saturday schedule

- New fixed routes on the Westside and Eastside of Napa
 - East route serving the Shurtleff neighborhood and Camille Creek Community School bell times
 - West route serving the Westwood Neighborhood

Local On-Demand

- 7am to 6pm – Monday through Friday – keep existing Saturday hours
- 4 vehicles blocked only for on-demand
- Still determining the exact service area

American Canyon

- Add school tripper again
- Add second vehicle

St Helena

- No change

Yountville

- No change

Calistoga

- Add back Sunday service

BottleRock, Labor Day 2021

In the City of Napa, local service will be extended on:

- Routes N and S (plus new East and West fixed routes that will start August 15th), 10 & 11 will depart the Transit Center between the hours of 8:00PM and 11:15PM as capacity is met on Friday, Saturday and Sunday
- Routes N and S (plus two new fixed routes that will start August 15th), will operate service on Sunday between the hours of 11:00AM and 6:30PM.

Regional Service

- Route 29 will operate from the El Cerrito Del Norte BART to the Transit Center Saturday and Sunday at 11:00AM and 12:00PM.
- Route 29 will depart the Transit Center to the El Cerrito Del Norte BART between 9:00PM and 11:00PM on Friday and 9:00pm to 10:15pm on Saturday and Sunday, as capacity is met
- If the last bus is full, we will send another bus so no one is left behind

ATTACHMENT(S)

None



NAPA VALLEY TRANSPORTATION AUTHORITY COVER MEMO

SUBJECT

Federal and State Legislative Update

STAFF RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) Board receive the Federal Legislative update and the State Legislative update prepared by Platinum Advisors (Attachment 1) and the State Bill Matrix (Attachment 2).

EXECUTIVE SUMMARY

The memo attached will provide the Board with federal and state legislative updates.

FISCAL IMPACT

None



NAPA VALLEY TRANSPORTATION AUTHORITY

Board Agenda Memo

TO: Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Kate Miller, Executive Director
(707) 259-8634 / Email: kmiller@nvta.ca.gov
SUBJECT: Federal and State Legislative Update

RECOMMENDATION

That the Napa Valley Transportation Authority (NVRTA) Board receive the State Legislative update and Bill Matrix prepared by Platinum Advisors (Attachment 1) and the Federal Legislative update.

EXECUTIVE SUMMARY

Federal Update:

The President's FY 2022 budget seeks \$88 billion for transportation. The 72-page fiscal year 2022 budget request issued by the Office of Management and Budget on May 28 seeks \$88.2 billion for the U.S. Department of Transportation – an increase of \$352 million or 0.4 percent over the enacted FY 2021 level. That figure does not include funding proposed by President Biden in the American Jobs Plan. The overall \$6 trillion budget proposal by the president includes the \$2.3 trillion outlay proposed by the American Jobs Plan as well as \$1.8 trillion American Families Plan or AFP, which offers among other things to provide four-years of free post-high school education, a national comprehensive paid family and medical leave program, and free childcare.

Programs authorized under the Fixing Americas Surface Transportation (FAST) Act for Federal Transit Administration (FTA) would be funded at \$13.5 billion (up from \$12 billion in FY 2021). This total does not include the federal bailout funds already appropriated for pandemic-related transit recovery. While there is an overall increase, no increase is proposed for FTA formula grant programs – funding that is key for sustaining Vine operations and capital projects.

The Federal Highway Administration programs would be funded at \$47 billion, which is \$2 billion lower than FY 2021 but does not include the \$10 billion appropriated in the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) stimulus package.

State Update:

June 4th was the deadline to move bills out of their house of origin, consequently a number of bills will become two-year bills. A discussion of bills being debated before the end of the session is on the attached report. A new rule was adopted that limits legislators to 12 bills that can move forward this year, nevertheless, as many as 1440 bills may move forward. This number does not include committee or budget bills which are exempt from this rule.

The Capitol is expected to reopen to staff on June 15th. The capacity will be limited to 25%.

The budget bill is moving along but both houses have delayed action on Zero Emission Rail and Transit equipment which includes the anticipated funding for accelerated public transit fleet electrification. This does not include the \$1.8 billion set aside specifically for zero emission vehicles funded through Cap & Trade, general fund and Clean Transportation Program funding. The latter proposal funds transit buses and infrastructure at \$290 million.

The Caltrans temporary cap on charging indirect costs to Self Help Counties – such as NVT A – is set to expire on July 1. Caltrans is required to submit a report by that date. Both houses have included placeholder language in trailer bills pending receipt of the report.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comments

FISCAL IMPACT

Is there a Fiscal Impact? No

ATTACHMENTS

- (1) June 1, 2021 State Legislative Update (Platinum Advisors)
- (2) June 1, 2021 State Budget Update (Platinum Advisors)



June 1, 2021

TO: Kate Miller, Executive Director
Napa Valley Transportation Authority

FR: Steve Wallauch
Platinum Advisors

RE: Legislative Update

House of Origin: June 4th is the deadline to move all bills out of their respective house of origin. Failure to meet this deadline results in the measure becoming a two-year bill that can be advanced next year. While both houses picked up the pace on moving bills off the floor last week there are about 543 bills remaining that are roughly split between the Senate and Assembly. No policy committees will be meeting this week to provide time for floor session every day, which should be sufficient time to address the remaining bills.

A few of the more controversial bills to be debated this week include SB 12 (McGuire), which would require local governments to update their housing rules to include retrofit strategies for building in very high fire hazard zones, as well as place additional requirements on new construction. Also, AB 794 (Carrillo) would require electric vehicle manufacturers and trucking companies to meet certain labor and workforce standards in order to be eligible for state electric vehicle (EV) incentives.

Remote Meetings: With California on the verge of “reopening” and removing most of the pandemic gathering restrictions on June 15th, the Governor’s office has indicated it will be a phased approach that will allow for public entities to continue to hold meetings remotely. Executive Order (EO) N-29-20 provided local agencies the flexibility to conduct business through virtual public meetings. The Governor’s office has informed local government associations that this executive order will not terminate on June 15th but will continue in order to provide an orderly transition that provides local agencies the time necessary to transition to in person public meetings. An official announcement on providing flexibility to continue the use of EO N-29-20 should be released soon.

New Rules: While there have been rumors for months of placing a limit on the number of bills each member can move forward, Senate and Assembly leadership finally announced that each member can move no more than 12 bills forward this year. This restriction is necessary to address the continued COVID operating restrictions placed on the number and duration each policy committee can schedule. However, that still totals

1,440 potential pieces of legislation, and committee bills, such as budget related bills, are exempted from this limit. That continues to be a lot to keep track of.

Specifically, any bill sent to its second house before May 24th will count toward the 12-bill limit if the author asks to hear the bill in the second house policy committee, and any bill that is sent to the second house after May 24th automatically counts toward the limit. While this limit will not impact some legislators, others will be making a very difficult decisions to winnow their bill load to 12.

People's House: For over the past year the Capitol building has been closed to all except for a very limited number of staff. Even those that attend hearings in person are escorted to and from the hearing room to prevent anyone from wondering the halls. This is expected to change potentially on June 15th.

The Capitol building is expected to reopen to staff, the public and, yes, lobbyists, later this month. However, capacity will be limited to 25%. It is unknown how many people that 25% represents, but legislative staff and the public will count toward that limit. While social distancing and masks will be required to enter the Capitol, the public will be allowed to roam freely through the building. Legislators can have staff back in the building that can also roam freely, but staff is encouraged to continue to schedule and hold meetings remotely. It will be left to the sergeants to keep track of the number of people in the building, and once that 25% threshold is reached all others will be turned away. We will keep you posted on how this works and what time you need to get in line to claim a spot.

Long Summer: With the release of the May Revision, the budget subcommittees have raced through the nearly 400 new spending proposals proposed by the Governor. With so little time to analyze these proposals, many agendas merely included a link to the May Revision summary page.

The Senate and Assembly jointly announced a budget agreement yesterday that will be approved before the June 15th deadline. This agreement which was adopted by the respective Budget Committees today eliminates the need to hold a budget conference committee, and thereby speed up the approval timeline. The primary difference between the May Revision and the legislature's spending plan is the use of the Legislative Analyst Office's (LAO's) slightly higher revenue forecast and incorporates updated revenue receipts through the month of May. This provides a little more spending room for the legislature's \$267.1 billion spending plan. Details will be revealed once the budget bills are in print.

However, this is not the end of budget deliberations. Both houses have adopted the strategy to approve the dollar amounts proposed by the Governor, but are leaving the details for future negotiations. This means there will be several "budget bill juniors" and an endless stream of budget trailer bills. The following is where things stand with the transportation and zero emission vehicle (ZEV) proposals.

Transportation Infrastructure: The May Revision included \$11 billion in new funding for transportation programs listed below. Both the Senate and Assembly Subcommittees adopted similar recommendations that approve the funding amounts for each of these proposals, but included provisional language making the appropriations contingent on future trailer bill language that would outline the details on project selection and prioritization. However, both Subcommittees elected to defer action on funding the Zero Emission Rail and Transit Equipment Purchases for later consideration.

- *Los Angeles Olympics* - \$1 billion General Fund to deliver critical projects in time for the 2028 Olympic Games. These funds would be allocated through the Transit and Intercity Rail Capital Program (TIRCP). Eligible projects must be in the Southern California region and related to the transportation needs for hosting the 2028 Olympic Games.
- *Priority Transit and Rail Projects* - \$1 billion General Fund for transit and rail projects statewide that improve rail and transit connectivity between state and regional/ local services. These funds would also be competitively allocated through TIRCP.
- *Active Transportation*—\$500 million General Fund to advance projects that increase the proportion of trips accomplished by walking and biking, increase the safety and mobility of non-motorized users. The intent of this allocation is to fund the list of projects already submitted and scored through the California Transportation Commission’s (CTC’s) Active Transportation Program. While the CTC requested \$2 billion for active transportation projects, this significant investment was considered sufficient at this time.
- *High Priority Grade Separations and Grade Crossing Improvements* - \$500 million General Fund to support critical safety improvements throughout the state. These funds would be allocated through a competitive grant program for both freight and intercity rail related projects.
- *High-Speed Rail* - \$4.2 billion Proposition 1A funds to complete high-speed rail construction in the Central Valley, advance work to launch service between Merced and Bakersfield, advance planning and project design for the entire project, and leverage potential federal funds.
- *State Highway Rehabilitation and Local Roads and Bridges* - \$2 billion (\$1.1 billion special funds through 2028, and \$968 million federal funds) to support the advancement of priority State Highway Operation and Protection Program (SHOPP) projects, Interregional Transportation Improvement Program (ITIP) projects, and local road and bridge investments. The source of the \$1.1 billion is interest income from the State Highway Account and other accounts.
- *Zero-Emission Rail and Transit Equipment Purchases and Infrastructure* - \$407 million (\$100 million General Fund, \$280 million Public Transportation Account (PTA), and \$27 million federal funds) to demonstrate and purchase or lease state-of-the-art clean bus and rail equipment and infrastructure that eliminate fossil fuel emissions and increase intercity rail and intercity bus frequencies. The \$280 million in PTA funds is from the state’s share of this account.

TDA Trailer Bill: The January Budget proposal included a budget trailer bill to extend statutory relief that was provided to local transit agencies as part of the 2020 Budget Act, as well as a variety of changes to various requirements of the Transportation Development Act. While both the Senate and Assembly Subcommittees agreed the extension of statutory relief is generally reasonable, the other changes to the Transportation Development Act may require a more involved policy conversation. Therefore, both Subcommittees adopted “placeholder” language subject to continued negotiations.

Indirect Cost: Existing law places a temporary cap on the indirect overhead rate Caltrans could charge self-help counties for engineering work, which expires on July 1, 2021. Caltrans is also required to submit a report on the impact of that cap by July 1, 2021. Since the report has not been submitted yet, both the Senate and Assembly adopted placeholder trailer bill language pending receipt and review of the Caltrans report.

NEPA Delegation: Existing law has authorized CalSTA to assume the responsibilities of the United States Secretary of Transportation under the federal National Environmental Policy Act of 1969 and other federal environmental laws for any railroad, public transportation, or multimodal project undertaken by state agencies. This authority has been extended several times, and the current authority sunsets on January 1, 2022.

The May Revise proposed to delete the sunset and extend the NEPA delegation authority permanently. While both the Senate and Assembly Subcommittees agree with extending this authority, they currently do not support a permanent extension. Both Subcommittees adopted placeholder trailer bill language while negotiations continue on how long to extend this authority.

Clean California: The May Revise dedicates \$1.5 billion over three years for the newly created Clean California Initiative. This effort aims to clean up garbage statewide, beautify the state’s transportation network, educate the public about the harms of litter, and create long-lasting litter deterrents.

Of the funding elements outlined below the Senate and Assembly Subcommittee adopted motions that approve \$418 million over three years for litter abatement on the state highway system, defer action on \$874 million over three years for state and local beautification projects for later consideration, defer action on trailer bill language related to the Adopt a Highway program, and reject \$75 million for arts grants.

- \$418 million for litter abatement activities, strengthening trash collection efforts by Caltrans and partners.
- \$430 million for state beautification projects, implementing sustainable, green beautification projects.
- \$444 million for local beautification projects, supporting communities, students, and local artists by working together to create meaningful, livable spaces and

establishing a local grant program to match efforts that enhance communities and reduce litter on local streets, tribal land, and near transit centers.

- \$75 million for grants for art installations on the state and local transportation system.
- \$50 million for a public education campaign and outreach to schools and students.
- \$83 million over three years for project design, construction, local support and engagement, and administration required to deliver this initiative.

Zero Emission Vehicles: The May Revision significantly increases the investment in the transition to zero emission vehicles, by allocating \$1.8 billion in 2021-22, and a total of \$3.2 billion over the next three years. The funding source is a mix of cap & trade, general fund, and Clean Transportation Program funding. This includes dedicated funding totaling \$290 million for transit buses and infrastructure, \$470 million for drayage trucks and infrastructure, and \$65 million for drayage truck pilot projects. This is in addition to \$402 million in cap & trade funds dedicated to California Air Resources Board's (CARB's) Clean Trucks, Buses, and Off-Road Equipment program.

Assembly Budget Subcommittee #3 adopted a motion to approve the overall dollar amount, but deferred action on the programmatic allocations at this time. The Senate Subcommittee #2 essentially adopted a similar proposal by deferring action on the zero emission funding proposals for later consideration.



June 1, 2021

BOARD POSITION ITEMS

Bills	Subject	Status	Client Positions
<p>AB 43 (Friedman D) Traffic safety.</p>	<p>AB 43 would implement some of the findings of the Vision Zero Task Force to reduce pedestrian and bicyclists' fatalities by allowing local governments' greater flexibility in setting speed limits.</p> <p>AB 43 authorizes a speed limit to be set at a level other than the speed limit determined by 85th percentile traffic survey in the following areas:</p> <ul style="list-style-type: none"> • Requires traffic surveyors to take into account the presence of vulnerable groups, including children, seniors, the unhoused and persons with disabilities when setting speed limits; • Permits cities to lower speed limits beyond the 85th percentile on streets with high injuries and fatalities, and ensures they will never again have to raise a speed limit on any road if there have been no design changes; and limits the need for updated traffic surveys on certain streets; and • Provides for greater flexibility in setting school speed limits to protect children. 	<p>SENATE TRANSP</p>	<p>SUPPORT</p>
<p>AB 117 (Boerner Horvath D) Air Quality Improvement Program: electric bicycles.</p>	<p>As amended by the Assembly Appropriations Committee, AB 117 authorizes, but does not require, CARB to establish an Electric Bicycle Rebate Pilot Project. This project builds upon existing rebate programs for zero emission vehicles in an effort to promote the use of electric bicycles and expand the ability to purchase electric bicycles. Similar</p>	<p>ASSEMBLY FLOOR</p>	<p>SUPPORT</p>

AB 117 (Continued)	programs have been established at the local level and in other states and counties.		
AB 122 (Boerner Horvath D) Vehicles: required stops: bicycles.	AB 122 would amend existing law to allow bicyclists to enter an intersection without coming to a complete stop if specified conditions are met. AB 122 would create a pilot program that would sunset on January 1, 2028, and a report to the legislature would be required. The bill would require a bicyclist when approaching a stop sign at an intersection to yield the right-of-way to any vehicles that have stopped at the entrance of the intersection, have entered the intersection, or that are approaching on the intersecting highway close enough to constitute an immediate hazard, and shall continue to yield the right-of-way to those vehicles until reasonably safe to proceed.	SENATE TRANSP	WATCH
AB 339 (Lee D) State and local government: open meetings.	AB 330 was substantially amended. As amended the bill would only apply to cities and counties with a population above 250,000. The amendments also remove the translator language and allow the affected cities and counties to provide public testimony by phone OR by an internet-based service, but not both. These new requirements would sunset on December 31st, 2023.	ASSEMBLY APPR	WATCH
AB 361 (Rivas, Robert D) Open meetings: local agencies: teleconferen s.	AB 361 creates an alternative process for local agencies to hold teleconference meetings under the following conditions: <ul style="list-style-type: none"> • The legislative body holds a meeting for the purpose of proclaiming or ratifying a local emergency. • The legislative body holds a meeting during a proclaimed state of emergency or declared local emergency, and state or local officials have imposed or recommended measures to promote social distancing. 	SENATE G & F	WATCH

<p><u>AB 361</u> (Continued)</p>	<ul style="list-style-type: none"> The legislative body holds a meeting during a declared local emergency and the legislative body determines by majority vote that, as a result of the emergency, the attendance of one or more members of the legislative body in person is hindered, or meeting in person would present imminent risks to the health or safety of attendees. <p>The bill requires that members of the public can access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body.</p> <p>In addition, the legislative body is required to re-adopt the resolution every 30 days authorizing during the local or statewide emergency.</p>		
<p><u>AB 550</u> (Chiu D) Vehicles: speed safety system pilot program.</p>	<p>AB 550 establishes a five-year pilot program to give local transportation authorities in the Cities of San Jose, Oakland, Los Angeles, two unspecified southern California cities, and the City and County of San Francisco the authority to install automated speed safety systems.</p> <p>AB 550 specifies the conditions where an automated system can be placed, limits the amount of the citation, specifies that the citation shall count as a point on a license, and specifies how the proceeds from citation can be spent. In addition, the bill states that the system shall not continue to operate on any given street if within the first 18 months of installation of a system, specified conditions related to a reduction in violations are not met.</p>	<p>ASSEMBLY APPR Held on Suspense Two-Year Bill</p>	<p>SUPPORT</p>
<p><u>AB 629</u> (Chiu D) San Francisco Bay area: public transportation.</p>	<p>AB 629 contains an outline of a proposal to improve transit coordination in the Bay Area. As amended, AB 629 was unanimously approved by the Assembly Transportation Committee.</p> <p>In short, the provisions in AB 629 generally outline the need for reports on work already underway, such as wayfinding, fare integration, and real-time route information.</p>	<p>ASSEMBLY APPR Suspense File Two-Year Bill</p>	<p>WATCH</p>

<p><u>AB 629</u> <i>(Continued)</i></p>	<p>The controversial content will likely not arise until this measure reaches the Senate and when the recommendations made by the Task Force are complete.</p>		
<p><u>AB 703</u> <u>(Rubio, Blanca D)</u> Open meetings: local agencies: teleconferences.</p>	<p>AB 703 is a two-year bill that would allow local agencies to use teleconference services to hold legislative meetings at any time. However, recent amendments added language requiring at least a quorum of the legislative body be present at a single location, which restricts the flexibility of using current technology to conduct public meetings.</p> <p>Under AB 703, the local agency must allow members of the public to observe the meeting and address the legislative body, and it shall give notice of the meeting and post agendas as otherwise required. In addition, the bill requires the legislative body that uses teleconferencing must implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act.</p>	<p>ASSEMBLY L. GOV. Two-Year Bill</p>	<p>WATCH</p>
<p><u>AB 1157</u> <u>(Lee D)</u> Local transportation funds: State Transit Assistance Program: reports.</p>	<p>AB 1157 is the reintroduction of AB 2542 from last year. This bill would make the following changes to the STA reporting requirements.</p> <ul style="list-style-type: none"> • Shifts the deadline for when a regional transportation planning agency (RTPA) must submit an STA eligibility report to the State Controller's Office (SCO) to within seven months of the end of each fiscal year. • Requires SCO to compile, publish, and make publicly available on its website the data and information of all transit operator financial transaction reports (FTRs) on or before November 1 of each year. 	<p>SENATE TRANSP</p>	<p>WATCH</p>

<p><u>AB 1401</u> (Friedman D) Residential and commercial development: parking requirements.</p>	<p>AB 1401 prohibits local governments from imposing or enforcing a minimum automobile parking requirement for residential, commercial, and other developments if the parcel is located within one-half mile walking distance of either of a high-quality transit corridor or a major transit stop. These locations are defined as follows:</p> <ul style="list-style-type: none"> • a high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. • “Major transit stop” means a site containing any of the following: <ul style="list-style-type: none"> ○ An existing rail or bus rapid transit station. ○ A ferry terminal served by either a bus or rail transit service. ○ The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. 	<p>ASSEMBLY FLOOR</p>	<p>WATCH</p>
<p><u>ACA 1</u> (Aguiar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.</p>	<p>Identical to last session’s proposal, which NVTA supported, ACA 1 would lower the voter threshold for property tax increases, parcel taxes and sales taxes to 55% if the funds are used for affordable housing and infrastructure projects. This includes capital improvements to transit and streets and highways.</p> <p>However, ACA 1 does not allow for the 55% local measure to use the tax revenue for transit operations.</p>	<p>ASSEMBLY LOC GOV</p>	<p>Support</p>
<p><u>SB 274</u> (Wieckowski D) Local government meetings: agenda and documents.</p>	<p>SB 274 requires local agencies that have websites to email a copy of, or provide a link to, the agenda packet, if an individual requests the local agency to deliver these items by email. In addition, SB 274 provides if the local agency determines that it is not technologically feasible to send a copy of, or provide a link to, the agenda packet, the local</p>	<p>ASSEMBLY LOC GOV</p>	<p>WATCH</p>

<p>SB 274 (Continued)</p>	<p>agency must mail a copy of the agenda, or send a link to the agenda, and mail all other documents.</p>		
<p>SB 674 (Durazo D) Public Contracts: workforce development: transportation-related contracts.</p>	<p>SB 674 was introduced to create the California Jobs Plan Act of 2021, which sets the goal of maximizing and supporting the creation of equitable high-quality transportation and related manufacturing and infrastructure jobs in California. However, this bill would create new procurement rules and procedures for state and local public transportation and transportation-related contracts, subsidies, loans, and grants of \$10 million or more to incentivize creation and retention of non-temporary full-time transportation jobs.</p>	<p>SENATE FLOOR</p>	<p>WATCH</p>
<p>BUDGET ITEM CTA Request for HVIP Funds</p>	<p>The California Transit Association (CTA) is heading an effort to create a funding set-aside of at least \$80 million for transit agencies, specifically, within the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP). The proposed budget currently dedicates \$315 million in cap-and-trade funds for truck, bus, and off-road freight projects. The CTA's proposal would dedicate \$80 million of those funds specifically for HVIP rebates for zero emission public transit bus purchases.</p>	<p>Budget Negotiations</p>	<p>SUPPORT</p>