

Napa Valley Transportation Authority

625 Burnell Street
Napa, CA 94559



Agenda - Final

Thursday, January 11, 2024
2:00 PM

JoAnn Busenbark Boardroom

Technical Advisory Committee (TAC)

The Napa Valley Transportation Authority (NVTa) Technical Advisory Committee (TAC) meeting will be held in person. A Zoom option will be available for members of the public to participate. All committee members are expected to participate in person and follow the traditional Brown Act rules.

All materials relating to an agenda item for an open session of a regular meeting of the Technical Advisory Committee (TAC) are posted on the NVTa website at:
<https://nctpa.legistar.com/Calendar.aspx>

PUBLIC MEETING GUIDELINES FOR PARTICIPATING VIA PHONE/VIDEO CONFERENCING

- 1) To join the meeting via Zoom video conference from your PC, Mac, iPad, iPhone or Android at the noticed meeting time, go to <https://zoom.us/join> and enter meeting ID 97545900346
- 2) To join the Zoom meeting by phone dial 1-669-900-6833, enter meeting ID: 975 4590 0346 If asked for the participant ID or code, press #.

Public Comments

Members of the public may comment on matters within the purview of the Committee 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 Committee, however, under the Brown Act Committee members may not deliberate or take action on items not on the agenda, and generally may only listen.

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

Members of the public may submit a public comment in writing by emailing info@nvta.ca.gov 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 9 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" are 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 Zoom video conference meeting are available at: <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

Instructions on how to join a Zoom video conference 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 TAC 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 Committee 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 Kathy Alexander, NVTA Deputy Board Secretary, at (707) 259-8627 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 Título 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) 259-8627. 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 TAC. Para sa mga tulong sa akomodasyon o pagsasalin-wika, mangyari lang tumawag sa (707) 259-8627. Kakailanganin namin ng paunang abiso na tatlong araw na may pasok sa trabaho para matugunan ang inyong kahilingan.

1. Call To Order
2. Roll Call
3. Public Comment
4. Committee Member Comments
5. Staff Comments

6. STANDING AGENDA ITEMS

6.1 County Transportation Agency Report (Danielle Schmitz)

6.2 Caltrans' Report (Amani Meligy) (Pages 8-12)

Recommendation: Information only

Attachments: [Caltrans Report.pdf](#)

6.3 Vine Trail Update (Eric Janzen)

6.4 Transit Update (Rebecca Schenck)

6.5 Measure T Update (Addrell Coleman)

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.

7. PRESENTATIONS

7.1 NVTa Project Update (Grant Bailey)

Recommendation: Information only

Estimated Time: 2:30 p.m.

7.2 Solano Napa Activity Base Model (SNABM) Presentation (Arthur Chen of TJKM)

Recommendation: Information only

Estimated Time: 2:40 p.m.

7.3 Measure T Database Presentation (Jeff Schwein and Jason Cox of GreenDot)

Recommendation: GreenDot staff will review the new Measure T Database.

Estimated Time: 2:55 p.m.

8. CONSENT AGENDA

8.1 Meeting Minutes of the November 2, 2023 Technical Advisory Committee Meeting (Kathy Alexander) (Pages 13-16)

Recommendation: TAC action will approve the November 2, 2023 Meeting Minutes.

Estimated Time: 3:15 p.m.

Attachments: [Draft Minutes.pdf](#)

9. REGULAR AGENDA ITEMS

9.1 Potential November Sales Tax Measure - Draft Ordinance and Expenditure Plan (Danielle Schmitz) (Pages 17-44)

Recommendation: That the TAC review the potential November Sales Tax Measure draft ordinance and Expenditure Plan recommend the NVTB Board release the items to the jurisdictions.

Estimated Time: 3:15 p.m.

Attachments: [Staff Report.pdf](#)

9.2 Active Transportation Network - Existing Facilities Rubric (Diana Meehan) (Pages 45-52)

Recommendation: Staff will provide an Overview of the Active Transportation Network - Existing Facilities Rubric.

Estimated Time: 3:25 p.m.

Attachments: [Staff Report.pdf](#)

9.3 Legislative Update (Kate Miller) (Pages 53-67)

Recommendation: That the TAC receive the Federal and State monthly updates. Information only

Estimated Time: 3:35 p.m.

Attachments: [Staff Report.pdf](#)

9.4 January 17, 2024 Draft Napa Valley Transportation Authority-Tax Agency (NVTATA) and Napa Valley Transportation Authority (NVTATA) Board Meeting Agendas (Kate Miller) (Pages 68-74)

Recommendation: That the TAC receive the January 17, 2024 Draft Napa Valley Transportation Authority-Tax Agency and Napa Valley Transportation Authority Board meeting agendas. Information only

Estimated Time: 3:40 p.m.

Attachments: [Staff Report.pdf](#)

10. FUTURE AGENDA ITEMS

11. ADJOURNMENT

11.1 The next regularly scheduled meeting for the NVTATA Technical Advisory Committee is February 1, 2024 at 2:00 p.m.

I, Kathy Alexander, hereby certify that the agenda for the above stated meeting was posted at a location freely accessible to members of the public at the NVTATA offices, 625 Burnell Street, Napa, CA by 5:00 p.m., January 5, 2024.

Kathy Alexander

Kathy Alexander, Deputy Board Secretary

*Information will be available at the meeting

Glossary of Acronyms

AB 32	Global Warming Solutions Act	FAS	Federal Aid Secondary
ABAG	Association of Bay Area Governments	FAST	Fixing America's Surface Transportation Act
ACFR	Annual Comprehensive Financial Report	FHWA	Federal Highway Administration
ADA	American with Disabilities Act	FTA	Federal Transit Administration
APA	American Planning Association	FY	Fiscal Year
ATAC	Active Transportation Advisory Committee	GHG	Greenhouse Gas
ATP	Active Transportation Program	GGRF	Greenhouse Gas Reduction Fund
BAAQMD	Bay Area Air Quality Management District	GTFS	General Transit Feed Specification
BAB	Build America Bureau	HBP	Highway Bridge Program
BART	Bay Area Rapid Transit District	HBRR	Highway Bridge Replacement and Rehabilitation Program
BATA	Bay Area Toll Authority	HIP	Housing Incentive Program
BIL	Bipartisan Infrastructure Law (IIJA)	HOT	High Occupancy Toll
BRT	Bus Rapid Transit	HOV	High Occupancy Vehicle
CAC	Citizen Advisory Committee	HR3	High Risk Rural Roads
CAP	Climate Action Plan	HSIP	Highway Safety Improvement Program
CAPTI	Climate Action Plan for Transportation Infrastructure	HTF	Highway Trust Fund
Caltrans	California Department of Transportation	HUTA	Highway Users Tax Account
CASA	Committee to House the Bay Area	HVIP	Hybrid & Zero-Emission Truck and Bus Voucher Incentive Program
CBTP	Community Based Transportation Plan	IFB	Invitation for Bid
CEQA	California Environmental Quality Act	ITIP	State Interregional Transportation Improvement Program
CIP	Capital Investment Program	ITOC	Independent Taxpayer Oversight Committee
CMA	Congestion Management Agency	IS/MND	Initial Study/Mitigated Negative Declaration
CMAQ	Congestion Mitigation and Air Quality Improvement Program	JARC	Job Access and Reverse Commute
CMP	Congestion Management Program	LCTOP	Low Carbon Transit Operations Program
CalSTA	California State Transportation Agency	LIFT	Low-Income Flexible Transportation
CTA	California Transit Association	LOS	Level of Service
CTP	Countywide Transportation Plan	LS&R	Local Streets & Roads
CTC	California Transportation Commission	LTF	Local Transportation Fund
CY	Calendar Year	MaaS	Mobility as a Service
DAA	Design Alternative Analyst	MAP 21	Moving Ahead for Progress in the 21 st Century Act
DBB	Design-Bid-Build	MPO	Metropolitan Planning Organization
DBE	Disadvantaged Business Enterprise	MTC	Metropolitan Transportation Commission
DBF	Design-Build-Finance	MTS	Metropolitan Transportation System
DBFOM	Design-Build-Finance-Operate-Maintain	ND	Negative Declaration
DED	Draft Environmental Document	NEPA	National Environmental Policy Act
EIR	Environmental Impact Report	NOAH	Natural Occurring Affordable Housing
EJ	Environmental Justice	NOC	Notice of Completion
EPC	Equity Priority Communities	NOD	Notice of Determination
ETID	Electronic Transit Information Displays		

Glossary of Acronyms

NOP	Notice of Preparation	SHA	State Highway Account
NVTA	Napa Valley Transportation Authority	SHOPP	State Highway Operation and Protection Program
NVTA-TA	Napa Valley Transportation Authority-Tax Agency	SNTDM	Solano Napa Travel Demand Model
OBAG	One Bay Area Grant	SR	State Route
PA&ED	Project Approval Environmental Document	SRTS	Safe Routes to School
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
PID	Project Initiation Document	TAC	Technical Advisory Committee
PIR	Project Initiation Report	TCM	Transportation Control Measure
PMS	Pavement Management System	TCRP	Traffic Congestion Relief Program
Prop. 42	Statewide Initiative that requires a portion of gasoline sales tax revenues be designated to transportation purposes	TDA	Transportation Development Act
PSE	Plans, Specifications and Estimates	TDM	Transportation Demand Management Transportation Demand Model
PSR	Project Study Report	TE	Transportation Enhancement
PTA	Public Transportation Account	TEA	Transportation Enhancement Activities
RACC	Regional Agency Coordinating Committee	TEA 21	Transportation Equity Act for the 21 st Century
RAISE	Rebuilding American Infrastructure with Sustainability and Equity	TFCA	Transportation Fund for Clean Air
RFP	Request for Proposal	TIP	Transportation Improvement Program
RFQ	Request for Qualifications	TIFIA	Transportation Infrastructure Finance and Innovation Act
RHNA	Regional Housing Needs Allocation	TIRCP	Transit and Intercity Rail Capital Program
RM 2	Regional Measure 2 Bridge Toll	TLC	Transportation for Livable Communities
RM 3	Regional Measure 3 Bridge Toll	TLU	Transportation and Land Use
RMRP	Road Maintenance and Rehabilitation Program	TMP	Traffic Management Plan
ROW (R/W)	Right of Way	TMS	Transportation Management System
RTEP	Regional Transit Expansion Program	TNC	Transportation Network Companies
RTIP	Regional Transportation Improvement Program	TOAH	Transit Oriented Affordable Housing
RTP	Regional Transportation Plan	TOC	Transit Oriented Communities
SAFE	Service Authority for Freeways and Expressways	TOD	Transit-Oriented Development
SAFETEA-LU	Safe, Accountable, Flexible, and Efficient Transportation Equity Act-A Legacy for Users	TOS	Transportation Operations Systems
SB 375	Sustainable Communities and Climate Protection Act 2008	TPA	Transit Priority Area
SB 1	The Road Repair and Accountability Act of 2017	TPI	Transit Performance Initiative
SCS	Sustainable Community Strategy	TPP	Transit Priority Project Areas
		VHD	Vehicle Hours of Delay
		VMT	Vehicle Miles Traveled

PROJECT INITIATION REPORT

EA 2Q510

Pavement Rehab; NAPA 29 PM 42.1/48.6 in County of Napa

Scope: Pavement rehabilitation and Safety Improvements

ENVIRONMENTAL

EA 2W880

Pavement Preservation; NAP 128 PM 4.56/19.10 in County of Napa from R29 to Knoxville Road

Scope: Pavement Preservation

Cost Estimate: \$13.8 M Construction Capital

Schedule: PAED: 2/2026 PS&E: 12/2027 RWC: 3/2028 RTL: 3/2028

EA 4W370

Bridge Scour Mitigation; NAPA 29 PM 6.99 in County of Napa at the Napa River BOH

Scope: Scour Mitigation and Seismic Retrofit

Cost Estimate: \$23.4 M Construction Capital

Schedule: PAED: 2/2032 PS&E: 5/2033 RWC: 7/2033 RTL: 9/2033

EA 4Q010

NAPA 29 PM 0.6/R2.5 in City of American Canyon

Scope: Multi-Modal Corridor Improvements

Cost Estimate: \$ 53.1 M Construction Capital

Schedule: PSR/PDS: 2/6/2023

A coop agreement with NVTa is in progress.

EA 2W370

Major Damage; NAPA 29 PM 42.57 in County of Napa

Scope: Replace failed netting with new netting, remove debris, and install additional erosion control.

Cost Estimate: \$1.1 M Construction Capital

Schedule: PAED: 3/2025 PS&E: 3/2026 RWC: 4/2026 RTL: 5/2026

EA 4AC80

Pavement Rehab; NAPA 29 PM 0.0/7.0 in American Canyon & County of Napa

Scope: Pavement rehabilitation

Cost Estimate: \$18.91 M Construction Capital

Schedule: PAED: 3/2024 PS&E: 3/2025 RWC: 5/2025 RTL: 6/2025

EA 4AC90

Safety; Various Locations in County of Napa

Scope: Install/ Upgrade Horizontal Alignment Warning Signs

Cost Estimate: \$4.47 M Construction Capital

Schedule: PAED: 2/2024 PS&E: 3/2025 RWC: 5/2025 RTL: 6/2025

PIR (Project Initiation Report)

PAED (Project Approval/ Environmental Document)

RWC (Right of Way Certification)

ADV (Advertise Contract)

PSR (Project Study Report)

RTL (Ready to List)

BO (Bid Open)

DED (Draft Environmental Document)

PSE (Plans, Specifications, and Estimate)

CCA (Construction Contract Acceptance)

AWD (Award Contract)

EA 0Q800

Major Damage ; NAPA 121 PM 6.9/12.1 in County of Napa

Scope: Permanent Restoration; Inject grout at sinkhole and install drainage

Cost Estimate: 1M Construction Capital

Schedule: PA&ED: 9/2024 PS&E: 11/2025 RWC: 03/2026 RTL: 04/2026

EA 4AA30

Storm Damage; NAPA 128 PM 12.5 in County of Napa

Scope: Storm Damage Restoration – Install Soil Nail Wall

Cost Estimate: \$5.3 M Construction Capital

Schedule: PAED: 10/2024 PS&E: 11/2025 RWC: 12/2025 RTL: 01/2026

EA 0J890

5-Way Intersection; NAPA 121-PM 7.3 in City of Napa

Scope: Intersection Improvement

Cost Estimate: \$7.9M Construction Capital (\$1.96M SHOPP Contribution)

Schedule: PAED: 01/2025 PS&E: 6/2026 RWC: 6/2026 RTL: 6/2026

A coop agreement is executed on 8/28/2023

DESIGN

EA 4J820

Tulucay Creek Bridge Replacement; NAPA 121 PM 5.9 in City of Napa

Scope: Bridge Replacement

Cost Estimate: \$15.6M Construction Capital

Schedule: DED: 06/30/2022 PAED: 03/27/2023 PS&E: 04/2024 RWC: 05/2024 RTL: 05/2024

EA 0Q790

Storm Damage; NAPA 121 PM 13.37/20.73 (5 locations) in County of Napa

Scope: Construct RSP at five slipout locations.

Cost Estimate: \$4.3M Construction Capital

Schedule: PAED: 02/9/2023 PS&E: 04/2024 RWC: 05/2024 RTL: 06/2024

EA 0Q830

Storm Damage; NAPA 29 PM 46.1 in County of Napa

Scope: Construct CIDH segmented pile wall at slip out

Cost Estimate: \$1.7M Construction Capital

Schedule: PAED: 06/29/2022 PS&E: 12/2023 RWC: 12/2023 RTL: 12/2023

EA 3Q760

Rumble Strips; NAPA 29, 121 & 128 Various Locations in County of Napa

Scope: Construct rumble strips at seven locations.

Cost Estimate: \$3.3M Construction Capital

Schedule: PAED: 12/31/2021 PS&E: 5/26/2023 RWC: 5/30/2023 RTL: 6/26/2023

PIR (Project Initiation Report)

PAED (Project Approval/ Environmental Document)

RWC (Right of Way Certification)

ADV (Advertise Contract)

PSR (Project Study Report)

RTL (Ready to List)

BO (Bid Open)

DED (Draft Environmental Document)

PSE (Plans, Specifications, and Estimate)

CCA (Construction Contract Acceptance)

AWD (Award Contract)

EA 0Q820

Storm Damage; NAPA 29 PM 11.6/13.0 in City of Napa

Scope: Repair Culvert and stabilize the roadway.

Cost Estimate: \$13.4M Construction Capital

Schedule: PAED: 09/10/2021 PS&E: 9/2023 RWC: 11/2023 **RTL: 12/2023**

EA 2Q610

Pavement Rehab; NAPA 29 PM R7.3/13.5 in County of Napa

Scope: Pavement rehabilitation.

Cost Estimate: \$23.3M Construction Capital

Schedule: PAED: 04/20/2022 **PS&E: 01/2024** RWC: 02/2024 RTL: 03/2024

EA 1Q620 Pavement Rehab; NAPA 121 PM 4.47/10.7 in City of Napa

Scope: Pavement repair.

Cost Estimate: \$35M Construction Capital

Schedule: PAED: 06/30/2022 PS&E: 05/2024 RWC: 05/2024 RTL: 06/2024

EA 2J88U

No-Name Creek Bridge: NAPA 29-PM 42.83 in County of Napa

Scope: Sub-structure rehabilitation and scour mitigation at one bridge

Cost Estimate: \$2.20M Construction Capital

Schedule: PAED: 2/1/2019 PSE: 2/2024 RWC: 8/2025 RTL: 9/2025

EA 4G21A

Env. Mitigation at Huichica Creek; NAPA 121-PM 0.75 in County of Napa

Scope: Environmental mitigation, monitoring and report at Huichica Creek

Cost Estimate: \$1.0M Construction Capital

Schedule: PAED: 4/9/2018 PS&E: 04/27/2023 RWC: 04/28/2023 RTL: 06/9/2023

EA 4J990

Storm Water Quality Improvement; NAPA 29 PM 33.13 in County of Napa

Scope: Improve water quality and fish passage

Cost Estimate: \$6.9M Construction Capital

Schedule: DED: 12/2/2020 PAED: 06/30/2021 **PS&E: 01/2024** RWC: 11/2024 RTL: 12/2024

EA 0Q810

Storm Damage; NAPA 121 PM 16.0/16.1 in County of Napa

Scope: Repair pavement, replace drainage systems and upgrade guardrail.

Cost Estimate: \$1.3M Construction Capital

Schedule: PAED: 02/02/2022 PS&E: 05/04/2023 RWC: 06/23/2023 RTL: 06/26/2023

PIR (Project Initiation Report)

PAED (Project Approval/ Environmental Document)

RWC (Right of Way Certification)

ADV (Advertise Contract)

PSR (Project Study Report)

RTL (Ready to List)

BO (Bid Open)

DED (Draft Environmental Document)

PSE (Plans, Specifications, and Estimate)

CCA (Construction Contract Acceptance)

AWD (Award Contract)

EA 4J830

Hopper Slough Creek; NAPA 128 PM 5.1 in County of Napa

Scope: Bridge Replacement

Cost Estimate: 12.2 M Construction Capital

Schedule: DED: 03/18/2022 PAED: 06/29/2022 PS&E: 03/2024 RWC: 04/2024 RTL: 05/2024

CONSTRUCTION

EA 0K630

Bridge Rails; NAPA 29 PM 16.48/19.04 in County of Napa

Scope: Upgrade / Replace Bridge Rails in 3 Bridges

Cost Estimate: \$4.7M Construction Capital

Schedule: PAED:10/22/2020 PS&E:12/02/2022 RWC:12/05/2022 RTL:12/05/2022 AC: 07/14/2023 CCA:11/2025

EA 4Q000

Construction of Class I Bicycle and Pedestrian under crossing; NAPA 29-PM 11.7 in County of Napa

Scope: Construction of Class I Bicycle and Pedestrian facility beneath SR-29;

Cost Estimate: \$1,261K Construction Capital

Schedule: PAED: 06/02/2015 PSE: 06/15/2022 RWC: 07/20/2022 RTL: 12/05/2022 AC: 06/15/2023 CCA:12/2023

EA 4J410

Drainage Improvement; NAPA 29 PM 1.7/5.1 in City of American Canyon

Scope: Rehabilitate Culverts

Cost Estimate: \$3.3M Construction Capital

Schedule: PAED: 2/4/2020 RTL: 10/3/2022 AWD: 3/21/2023 (Terracon Constructors Inc.) AC: 04/07/2023 CCA: 11/2025

EA 0Q690

Storm Damage; NAPA 12 PM 2.1/2.6 in County of Napa

Scope: Construct Rock Slope Protection (RSP) to prevent further slope washout and pavement repair

Cost Estimate: \$1.2M Construction Capital

Schedule: PAED:12/1/2020 PS&E: 06/21/2022 RWC:06/22/2022 RTL: 06/24/2022 AC: 03/03/2023 CCA: 12/2024

EA 1G43A

Env. Mitigation at Conn Creek; NAPA 128 PM R7.4 on Silverado Trail in County of Napa

Scope: Environmental mitigation, monitoring and report at Conn Creek

Cost Estimate: \$0.2M Construction Capital

Schedule: PAED: 10/5/2015 PS&E: 6/28/2021 RWC: 08/10/2021 RTL: 08/23/2021 CCA: 10/2031

EA 28120

Soscol Junction Improvement; NAPA 29 PM 5.0/7.1 and NAPA 221 PM 0.0/0.7 in County of Napa

Scope: Construct New Interchange at SR 221/29/12

Cost Estimate: \$36.7M Construction Capital

Schedule: PAED: 2/13/2020 PSE: 08/26/2021 RWC: 08/25/2021 RTL: 08/26/21 AC: 05/13/2022 CCA: 9/2025

PIR (Project Initiation Report)

PAED (Project Approval/ Environmental Document)

RWC (Right of Way Certification)

ADV (Advertise Contract)

PSR (Project Study Report)

RTL (Ready to List)

BO (Bid Open)

DED (Draft Environmental Document)

PSE (Plans, Specifications, and Estimate)

CCA (Construction Contract Acceptance)

AWD (Award Contract)

EA 2Q260

Napa Valley Vine Trail; NAPA 29-PM 33.4/37.9 in County of Napa

Scope: Construct Class 1 Multiuse Path

Cost Estimate: \$6.1M Construction Capital

Schedule: **DED:** 6/17/2020 **PAED:** 01/15/2021 **PS&E:** 12/10/2021 **RWC:** 12/10/2021 **RTL:** 12/10/2021

AWD: 5/20/2022 (Ghilotti Construction Company) **CCA:** 12/2024

EA 0K000

ADA Compliance; NAPA 29 PM 0.23/14.6 in County of Napa

Scope: Upgrade Pedestrian Facilities

Cost Estimate: \$2.1M Construction Capital

Schedule: **PAED:** 7/1/2019 **PS&E:** 07/27/2021 **RWC:** 09/02/2021 **RTL:** 09/22/2021 **AC:** 04/08/2022 **CCA:** 12/2023

EA 3G64A

Env. Mitigation & Plant Establishment at Napa River Bridge; NAPA 29 PM 37.0 in City of Calistoga

Scope: Environmental mitigation at Napa River Bridge

Cost Estimate: \$0.5M Construction Capital

Schedule: **PAED:** 2/9/2015 **RTL:** 5/29/2019 **AWD:** 3/26/2020 (Hanford Applied) **CCA:** 06/2024

EA 4G210

Widen Roadway at Huichica Creek; NAPA 121-PM 0.75 in County of Napa

Scope: Remove existing triple box culverts and replace with a new single span bridge

Cost Estimate: \$8.7M Construction Capital

Schedule: **PAED:** 4/9/2018 **RTL:** 12/8/2020 **AWD:** 5/19/2021 (Gordon Ball Inc) **CCA:** 03/2024

EA 4J210

Capell Creek Bridge; NAPA 121-PM 18.59 in County of Napa

Scope: Sub-structure rehabilitation and bridge scour mitigation

Cost Estimate: \$1.56M Construction Capital

Schedule: **PAED:** 7/24/2017 **RTL:** 5/18/2020 **AWD:** 11/2/2020 (Ghilotti Const. Inc) **CCA:** 12/2023

EA 4G840

Capell Creek Bridge; NAPA 128-PM 20.2 in County of Napa

Scope: Bridge Replacement

Cost Estimate: \$15.8 M Construction Capital

Schedule: **PAED:** 6/16/2016 **RTL:** 6/29/2018 **AWD:** 02/19/2019 (Gordon Ball Inc.) **CCA:** 03/30/2023

EA 4G84A

Capell Creek Bridge Env Mitigation; NAPA 128-PM 20.2 in County of Napa

Scope: Environmental Permit Mitigation & Plant Establishment to Bridge Replacement

Cost Estimate: \$0.5M Construction Capital

Schedule: **PAED:** 6/16/2016 **RTL:** 05/23/2022 **AWD:** 11/17/2022 **CCA:** 11/17/2031

ACTION ITEM

PIR (Project Initiation Report)

PAED (Project Approval/ Environmental Document)

RWC (Right of Way Certification)

ADV (Advertise Contract)

PSR (Project Study Report)

RTL (Ready to List)

BO (Bid Open)

DED (Draft Environmental Document)

PSE (Plans, Specifications, and Estimate)

CCA (Construction Contract Acceptance)

AWD (Award Contract)

**Meeting Minutes - Draft
Technical Advisory Committee (TAC)**

Thursday, November 2, 2023

2:00 PM

JoAnn Busenbark Boardroom

1. Call To Order

Vice Chair Smithies called the meeting to order at 2:01 pm.

2. Roll Call

Present: 8 - Ahmann Smithies
Rayner
Lucido
Clark
Arias
Lederer
Hecock
Janzen

Non-Voting: 4 - Chairperson Ramirez
Meligy
Cabangangan
Melaku

Absent: 5 - Cooper
Mitchem
Borba
DeRose-Hernandez
Kaplan

3. Public Comment

None

4. Committee Member Comments

None

5. Staff Comments

Danielle Schmitz introduced NVTa's newest Associate Program Planner, Patrick Band.

6. STANDING AGENDA ITEMS

6.1 County Transportation Agency Report (Danielle Schmitz)

Report by Danielle Schmitz

At the October meeting, the CTA executive directors honored former Sonoma County Transportation Authority (SCTA) Executive Director, Suzanne Smith, who retired in October.

James Cameron is SCTA's new Executive Director.

Caltrans kicked off its Caltrans D4 Transit Plan; NVTa is sitting on the technical committee.

Caltrans has a Sustainable Communities Grant Program, the application deadline is January 18, 2024 - staff will forward additional information.

Metropolitan Transportation Commission (MTC) provided updates on Plan Bay Area (PBA) and Transit 2050+. Financial projections show a shortfall compared to PBA 2050. The draft revenues blueprint may be released by year end.

6.2 Caltrans' Report (Amani Meligy)

Amani Meligy provided the Caltrans update.

[Member Rayner in attendance at this time]

6.3 Vine Trail Update (Eric Janzen)

Eric Janzen reported that paving has started on the Calistoga to St. Helena segment.

6.4 Measure T Update (Addrell Coleman)

Addrell Coleman provided the following reminders:

Each jurisdiction's governing body must adopt its 5-Year Project List for fiscal years 2024/2025 through 2028/2029 and send to measuret@nvta.ca.gov by December 31, 2023.

The Maintenance of Effort and 6.67% Equivalent certifications, approved with a resolution by each jurisdiction's governing body, must be submitted by January 31, 2024.

The City of American Canyon is scheduled to present a project update at the December 6, 2023 Independent Taxpayer Oversight Committee meeting.

Antonio Onorato noted he emailed an information request to the City of Napa and Town of Yountville for the Measure T compliance and performance audits.

[Chair Ramirez in attendance at this time via Zoom]

7. CONSENT AGENDA

7.1 Meeting Minutes of September 7, 2023 Technical Advisory Committee Meeting (Kathy Alexander) (Pages 8-10)

MOTION by LUCIDO, SECOND by RAYNER to APPROVE the September 7, 2023 Meeting Minutes as presented. Motion passed unanimously

8. REGULAR AGENDA ITEMS

8.1 TAC 2024 Work Plan and Meeting Calendar (Danielle Schmitz) (Pages 11-15)

Danielle Schmitz reviewed the 2024 Work Plan and Meeting Calendar, noting that the Napa Valley Vision Zero Action Plan will be added to the Work Plan.

Ms. Schmitz pointed out on the meeting calendar that the January and July meetings were

moved back to the second week of each month, January 11 and July 11.

There were no comments from the Committee.

MOTION by LUCIDO, SECOND by HECOCK to APPROVE the TAC 2024 Work Plan with the addition of the Vision Zero Action Plan and 2024 Meeting Calendar as presented. Motion passed unanimously.

8.2 Nomination and Election of Chairperson and Vice Chairperson of the Technical Advisory Committee (TAC) for Calendar Year 2024 (Danielle Schmitz) (Pages 16-17)

Kathy Alexander reviewed the past chairpersons and vice chairpersons for the last several years, noting that the trend was the vice chairperson would serve as chairperson.

Vice Chair Smithies called for nominations/volunteers from the Committee.

Member Lederer nominated Ahmann-Smithies as Chairperson and Rayner as Vice Chairperson.

MOTION by LEDERER, SECOND by LUCIDO to APPOINT Ahmann-Smithies as Chairperson and Rayner as the Vice Chairperson for the Technical Advisory Committee for Calendar Year 2024. Motion passed unanimously.

8.3 Potential November 2024 Transportation Ballot Measure (Danielle Schmitz) (Pages 18-26)

Danielle Schmitz reviewed the proposed transportation measure recommendations from the Policy Steering Committee, Executive Steering Committee and Technical Steering Committee regarding the Measure LSR formula, 6.67% requirement, Maintenance of Effort, bonding and apportioning \$80 million for congestion relief and emergency highway operations.

Member Lucido noted that increasing the 6.67% Equivalent to 7.0% would be difficult for the City of Napa to meet.

Ms. Schmitz responded that the proposed changes to the 6.67% Equivalent would be expanded to include Class IV paths as well as maintenance, and that the 7.0% Equivalent could still be a collective amount from all jurisdictions.

Member Lucido stated that it would be burdensome for the City of Napa and that she could not support the proposed changes to the 6.67%.

Ms. Schmitz asked, and Member Lucido confirmed, that she would support all other recommended changes to the sales tax measure but not the 6.67% at this time.

Public comment received from Graham Wadsworth, Kara Vernor.

MOTION by LEDERER, SECOND by JANZEN to recommend all the changes to the draft ordinance except the language around the 6.67% equivalent funds to the Napa Valley Transportation Authority - Tax Agency Board for approval. Motion passed unanimously.

Ms. Schmitz stated that the Transportation Measure Technical Steering Committee will revisit the 6.67% Equivalent item.

8.4 Vine Transit Update (Dexter Cypress) (Pages 27-32)

Dexter Cypress reviewed the Vine Transit update.

Information Only/No Action Taken

8.5 Federal and State Legislative Advocacy Platform and Project Priorities for Calendar Year 2024 (Kate Miller) (Pages 33-38)

Danielle Schmitz reviewed the Federal and State Legislative Advocacy Platform and Project Priorities for Calendar Year 2024.

Information Only/No Action Taken

8.6 Legislative Update* (Kate Miller)

Danielle Schmitz reviewed the Federal and State Legislative update.

Information Only/No Action Taken

8.7 November 15, 2023 NVTA-TA and NVTA Board Meeting Draft Agendas (Kate Miller)

Danielle Schmitz reviewed the November 15, 2023 NVTA and NVTA-TA Board meeting agendas.

Information Only/No Action Taken

9. FUTURE AGENDA ITEMS

Transportation Measure Proposed changes to the 6.67% Equivalent.

10. ADJOURNMENT

Vice Chair Ahmann-Smithies adjourned the meeting at 3:20 p.m.

10.1 The next regularly scheduled meeting for the NVTA Technical Advisory Committee is December 7, 2023 at 2:00 p.m.

Kathy Alexander, Deputy Board Secretary



NAPA VALLEY TRANSPORTATION AUTHORITY Technical Advisory Committee Agenda Letter

TO: Technical Advisory Committee
FROM: Kate Miller, Executive Director
REPORT BY: Danielle Schmitz, Director Capital Development and Planning
(707) 259-5968 / Email: dschmitz@nvta.ca.gov
SUBJECT: Sales Tax Replacement Measure Draft Ordinance and Expenditure Plan

RECOMMENDATION

That the Technical Advisory Committee (TAC) recommend the Napa Valley Transportation Authority-Tax Agency (NVTA-TA) Board approve the Sales Tax Replacement Measure Draft Ordinance and Expenditure Plan (Attachment 1).

EXECUTIVE SUMMARY

NVTA staff have been working with the Transportation Measure's steering committees on a draft measure that would replace Measure T, the Countywide Road Maintenance Act, passed in 2012. NVTA staff intends to request the NVTA-TA Board approve the draft Ordinance and Expenditure Plan at its January 17th meeting, at which time if approved, the Board would release the draft for circulation to the Cities, Town, and County for approval.

BACKGROUND AND DISCUSSION

Measure T is a ½ cent sales tax approved by the voters in 2012. The Measure became operative in 2018 and will expire in 2043, generating roughly \$25 million annually. It stipulates a fixed percentage distribution to each jurisdiction for maintaining and repairing local streets and roads. This includes maintenance and upgrades to other infrastructure within the roadway, such as sidewalks, curbs, gutters, as well as complete street amenities and any other statutory or policy upgrade requirements. NVTA receives 1% to administer the Measure. Additionally, an extra \$70,000 (adjusted by CPI) is reserved for the Independent Taxpayer Oversight Committee (ITOC), a citizen group advising the NVTA-TA Board on activities associated with the Measure.

Prompted by declining Pavement Condition Index (PCI) Scores, NVTA staff have focused recent efforts to identify proposals that would make the Measure revenues more effective

for residents and visitors by improving PCI scores and reducing traffic congestion. These proposed changes include:

- Increase the number of years the Measure is in place to 30 years (from 25 years) beginning in 2025 until 2055.
- Allow bonding.
- Increase NVTAs Administrative Fees to 2.5% to cover consultant fees and new staffing associated with bonding and capital project oversight and include the roughly \$70,000 of Independent Taxpayer Oversight Committee's annual costs for auditing and member honoraria as part of NVTAs administrative fees.
- Replace the existing distribution to the jurisdictions with a return to source/lane mile formula which would be memorialized in the ordinance and updated every five years to reflect changes in development.
- Include a set aside for regional highway improvements.
- Replace the 6.67% equivalent requirement with an alternative that would improve active transportation infrastructure.
- Develop a sounder maintenance of effort (MOE) approach.
- Proposed Transportation Measure Recommended Changes:
 - Measure LSR Formula - Based on earlier iterations of the distribution proposal and discussions with the Measure steering committees, a return to source/lane mile hybrid was supported. The formula would be updated every five years and calculated using the most recent three years to allow for planning and smoothing respectively. The committees also supported a request to establish a floor. The committees supported a 3% floor with a variance cap set at 1% so that if the percentage of a jurisdiction's sales tax generations dropped, the floor would kick-in but only up to a 1% subsidy.

In addition, there has been a recent request by two jurisdictions to fund other transportation projects that are not in the draft expenditure plan. One option would be to allow for some flexibility for jurisdictions to use a subset of their local street and roads funds derived from the ordinance on other transportation projects, which would be capped at 5% of the funding each jurisdiction receives.

- 6.67% Requirement – NVTAs and the steering committees reviewed several different options to replace the 6.67% requirement. The Policy Steering Committee strongly recommended retaining an active transportation provision in the Measure. The preferred option that was reviewed by all the committees and the Napa Valley Vine Trail Coalition is listed below.
 - Once this Ordinance becomes operative, in order to receive annual allocations under this Ordinance, the Agencies (collectively) must demonstrate that at least seven percent (7%) of the value of the allocations each year under Section 3(A) has been committed to the

project development, construction, and maintenance of Class I and/or Class IV Bike lane project(s) identified in the adopted Countywide Active Transportation Plan, as that Plan may be amended from time to time, utilizing funding not derived from this ordinance. Up to 20% of the requirement may be met by routine maintenance expenditures. This obligation may be fulfilled by the Agencies collectively and NVTa. Eligible funds sources may include Congestion Mitigation and Air Quality Improvement (CMAQ) funding (or its successor), other local or formula specific funds, and revenues under this ordinance set aside for highway improvements included in the Expenditure Plan in an amount that equals 7% over the term of this Ordinance. Funding for Class I and/or Class IV projects that are funded by philanthropy, state discretionary funding or federal discretionary funding shall not count toward the seven percent (7%).

Surplus equivalent fund commitments under Measure T, the Napa Countywide Road Maintenance Act, will count toward the 7% requirement under this Ordinance. Agencies shall certify annually the amount of equivalent funds spent by their jurisdiction.

- Maintenance of Effort (MOE) - Under Measure T, the MOE was based on a 3-year average (FY 2008-2010) of general fund expenditures. The changes would set the MOE at 20% of the eligible annual revenues a jurisdiction could receive (this would not include funds brought forward through bonding). Consistent with Measure T, jurisdictions would be allowed to meet this requirement using a three-year average, should a jurisdiction not be able to meet it in a single year.
- Bonding - NVTa staff completed modeling using NVTa's StreetSaver and a financial model developed by KNN Public Finance, NVTa's financial consultant, to estimate revenues for each jurisdiction over the 30-year period and to demonstrate how bonding affects PCI scores. The modeling shows that NVTa could take out \$80 million for regional capital improvements and the PCI scores increase significantly compared to maintaining the existing Measure T pay-as-you-go model.
- Apportion \$80 million in congestion relief and emergency highway operations. NVTa polled prospective voters about a number of capital projects. The respondents overwhelmingly supported the following projects.
 - SR 29/SR 12 –Intersection Improvements at SR 29 and Jameson Canyon/Airport Road and SR 12/Kelly Road
 - SR 29-American Canyon – Operational Improvements on SR 29 between Napa Junction and American Canyon Road
 - SR 29-SR 12/121 – Intersection Improvements at SR 29/Carneros Highway

- Emergency Evacuation Routes – Highway Emergency Operations Center and Battery Storage Facility including Changeable Messaging Signs through Napa to direct traffic in emergencies

Accomplishments to date:

- Polling
 - A survey was conducted on June 14-21, 2023
 - Hybrid email/web/live including 600 interviews in English and Spanish
 - Repairing local roads and reducing traffic congestion were high priorities
 - Traffic congestion was ranked as the most important problem
 - 77% stated that they would support a ballot measure
- Steering Committees Formed:
 - Policy Steering Committee (PSC): Liz Alessio, Anne Cottrell, Mark Joseph, and Alfredo Pedroza,
 - Executive Steering Committee (ESC): Ryan Alsop, Anil Comelo, Jason Holley, Steve Potter, Brad Raulston, and Laura Snideman
 - Technical Steering Committee (TSC): John Ferons, Joe Leach, Steve Lederer, Julie Lucido, Derek Raynor, and Erica Ahmann Smithies
- Draft Ordinance and Expenditure Plan

Next Steps:

- January 2024 – NVTA-TA to approve draft ordinance and expenditure plan
- January – April 2024 - NVTA to present to local jurisdictions' governing bodies
- March – May 2024 – NVTA to release a second poll

Schedule:

Measure Extension – Next Steps	Start	Stop
Polling*	4/23	6/23
Establish Steering Committee Structure	8/23	8/23
Policy Steering Committee, City Managers/CEO, Public Works Directors, and TAC Updates (monthly or as needed)	8/23	8/24
Finalize Draft Proposed Ordinance Changes	11/23	1/24
Approval of NVTA-TA Board to proceed	1/24	1/24
Attend Stakeholder Meetings (jurisdictions, Napa Bike, Napa Valley Vintners, Napa Valley Grape Growers, Visit Napa Valley, NVTA Committees)	9/23	10/24
Polling	3/24	5/24
Approval of ordinance by jurisdictions	4/24	5/24
Final approval of NVTA-TA and NVTA Board Approval	5/24	6/24
Approval of ordinance by County	6/24	7/24

Ballot initiative to Registrar	May 2024	June 2024
Impartial analysis due date (General Counsel)	July 2024	August 9, 2024
Election	November 5, 2024	

*Additional polling may be requested by the Board.

ATTACHMENTS

- (1) Draft Ordinance and Expenditure Plan
- (2) Formula distribution options
- (3) Financial modeling and PCI scores

**NAPA VALLEY TRANSPORTATION AUTHORITY-TAX
AGENCY (NVTA-TA) ORDINANCE NO. 2024-01**

**NAPA VALLEY TRANSPORTATION IMPROVEMENT ACT
CONTINUING A TRANSACTION AND USE TAX**

The Napa Valley Transportation Authority–Tax Agency (the “Authority”) ordains as follows:

SECTION 1. TITLE AND AUTHORITY: This Ordinance shall be known and may be cited as the Napa Valley Transportation Improvement Act, hereinafter referred to as the Ordinance. This Ordinance continues a retail transactions and use tax for a thirty year period commencing July 1, 2025, authorizing the Authority to continue imposing a one half of one percent sales tax (1/2%) and to issue bonds to finance capital outlay expenditures as provided in the Expenditure Plan .

This Ordinance is enacted, in part, pursuant to the provisions of California Government Code Section 67912, Division 19 (commencing with section 180000) of the Public Utilities Code, and Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code.

SECTION 2. EXPENDITURE PLAN PURPOSES: This Ordinance provides for the implementation of the Napa Valley Transportation Improvement Act Expenditure Plan, Attachment 1 hereto (the “Expenditure Plan”) which will provide funding for highway improvements, countywide local street and road improvements, and low-income transit fare subsidies for veterans, persons with disabilities and senior citizens. This funding program is committed for highway improvements, and maintenance of currently under-funded local community streets and supporting infrastructure (e.g., sidewalks, gutters, curbs) within the public right-of-way. Low-income fare subsidies may be funded from the Authority’s Administration Fee and/or from the Authority’s other revenue sources. These improvements shall be funded by a one-half of one percent transactions and use tax established for a thirty-year period commencing July 1, 2025, replacing Measure T, the Napa Countywide Road Maintenance Act, ordinance no 2012-01 (“Measure T”). The revenues shall be deposited in a special fund, used solely for the identified improvements as provided herein, and made available to the agencies responsible for the improvements for all purposes necessary for the approval and implementation of the tasks. Notwithstanding any other provision of this Ordinance, identified improvements (the “projects” or “programs”) that are eligible to receive revenues from the tax are described in the Expenditure Plan, which Expenditure Plan is hereby incorporated by reference as if fully set forth herein.

SECTION 3. EXPENDITURE PLAN SUMMARY: The revenues received by the Authority from this Ordinance, after deduction of required California Department of Tax and Fee Administration (the “CDTFA”) costs for performing the functions specified in Section 180204(b) of the Public Utilities Code, reimbursing the County of Napa for its cost in conducting the election if the measure is approved per Section 180203(a) of the Public Utilities Code, administration (Section 12 A), and the costs of the annual financial and biennial performance audits (Section 11), shall be used to fund the improvements set forth herein. In the event the measure does not pass, the costs for conducting the election shall be borne by the Authority. A summary of the projects and programs that are eligible to receive this funding is provided in the following sections. All funding and revenues are expressed in 2024 dollars. The annual revenues shall be allocated as follows:

- A. Local Streets and Roads Maintenance Program:** Subject to Paragraph B, of the annual revenues available for local streets and road maintenance shall be allocated pursuant to the formula set forth below, to each city, town, and the county (hereinafter referred to individually as Agency and collectively as Agencies) to provide revenue for such projects and to supplement, but not supplant, other revenues available for the Local Streets and Road Maintenance Program. The revenues allocated to each Agency under this Section 3(A) must be used for maintenance, reconstruction or rehabilitation of local streets, roads, and infrastructure within the public right-of-way.

The revenue allocated to the Local Streets and Roads Maintenance Program shall be allocated to, and expended by, each Agency pursuant to the following formula, which will be updated by the Authority and become effective on July 1st 2025 and every successive 5 years. The total revenues distributed to the Agencies for local streets and road maintenance and rehabilitation will be net of administration fees, costs associated with bond debt, and capital projects administered by the Napa Valley Transportation Authority, A California joint powers authority (hereinafter “NVTA”) and listed in the Expenditure Plan plus any interest earned on unobligated revenues balances.

The Cities of American Canyon, Calistoga, Napa, and St. Helena, and the Town of Yountville will receive a percentage distribution based on the sales tax generation in their respective jurisdiction. The County will receive an amount based on fifty percent (50%) sales tax generation and fifty percent (50%) lane miles in the County. A jurisdiction may receive a subsidy of up to one percent (1%) if their Local Streets and Roads revenue distribution falls below 3%.

Once the percentage distributions are calculated on the above formula, an adjustment will be applied to normalize the total annual program to one hundred percent (100%). Net revenues, plus interest earned on unobligated balances, shall be apportioned to the Agencies’ transportation improvement account on a quarterly basis.

- B.** Once this Ordinance becomes operative, in order to receive annual allocations under this Ordinance, the Agencies (collectively) must demonstrate that at least seven percent (7%) of the value of the allocations each year under Section 3(A) has been committed to the project development, construction, and maintenance of Class I and/or Class IV Bike lane project(s) identified in the adopted Countywide Active Transportation Plan, as that Plan may be amended from time to time, utilizing funding not derived from this ordinance. Up to 20% of the requirement may be met by routine maintenance expenditures. This obligation may be fulfilled by the Agencies collectively and NVT. Eligible funds sources may include Congestion Mitigation and Air Quality Improvement (CMAQ) funding (or its successor), other local or formula specific funds, and revenues under this ordinance set aside for highway improvements included in the Expenditure Plan in an amount that equals 7% over the term of this Ordinance. Funding for Class I and/or Class IV projects that are funded by philanthropy, state discretionary funding or federal discretionary funding shall not count toward the seven percent (7%).
- C.** Regional Capital Improvement Program administered by the Authority not to exceed \$80 million as included in the Expenditure Plan.
- D. Administration:** Actual costs, not to exceed two and one half percent (2.5%) of the annual revenue, may be used for administration of this Ordinance by the Authority.

SECTION 4. REQUEST FOR ELECTION

- A.** The Authority hereby requests the Napa County Board of Supervisors place this Ordinance before the voters for approval on the November 5, 2024 ballot.
- B.** The proposition to be placed on the ballot shall contain a summary of the projects and programs and shall read substantially as follows:

[INSERT BALLOT LANGUAGE]

SECTION 5. IMPOSITION OF RETAIL TRANSACTIONS AND USE TAX: In addition to any other taxes authorized by law, there is hereby imposed in the incorporated and unincorporated territory of the County of Napa, in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, and Sections 7261 and 7262 of the Revenue and Taxation Code except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code, and Division 19 of the Public Utilities Code commencing with Section 180000, which provisions are adopted by reference, a retail transactions and use tax at the rate of one-half of one percent (1/2%) for a thirty year period commencing July 1, 2025, which tax shall be in addition to any existing or future authorized state or local

transactions and use tax.

SECTION 6. BONDING AUTHORITY: Pay-as-you-go financing is the preferred method of financing transportation improvements and programs under this Ordinance. However, the Authority may decide to use bond financing as an alternative method if the scope of the planned expenditures makes pay-as-you-go financing infeasible.

Upon voter approval of this Ordinance, the Authority shall have the power to sell or issue, from time to time, on or before the collection of taxes, bonds, or other evidence of indebtedness, in an amount equal to the sum of the principal of, and interest on, the bonds, not to exceed the estimated proceeds of the tax, and to secure such indebtedness solely by way of future collection of the tax, for capital outlay expenditures for the purposes set forth in this Ordinance, including, but not limited to, carrying out the transportation projects described in the Expenditure Plan.

SECTION 7. CONTRACT WITH STATE: The Authority shall notify the CDTFA at least 110 days prior to the operative date and shall contract with the California Department of Tax and Fee Administration to perform all functions incidental to the administration and operation of this transactions and use tax Ordinance, provided that if the Authority shall not have contracted with the CDTFA prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

SECTION 8. EXPENDITURE PLAN PROCEDURES:

- A. Each Agency shall biennially develop and submit to the Authority a five-year list of projects to be funded with revenues made available for the Local Streets and Roads Maintenance Program (Section 3(A)). Each Agency shall conduct a local public meeting and adopt a Resolution in support of the proposed list of projects prior to submitting the project list to the Authority pursuant to Section 8. Agencies will identify in the five-year project list those projects that require funds to be advanced through bonding, borrowing and/or funding exchange.
- B. In the allocation of all revenues made available under Section 3, the Authority shall make every effort to maximize state, federal, and local transportation funding to the Agencies. The Authority may amend the Expenditure Plan in accordance with Section 21 as needed to maximize the transportation funding available throughout the county. It is also the intent of the Authority to encourage the purchase of goods and services for the projects described in Section 3 from suppliers based in Napa County.

- C. The Agencies and the Authority shall fully consider the needs of non-motorized travelers, including pedestrians, bicyclists and persons with disabilities, in all planning, maintenance, construction, operations and project development activities and products. The Agencies and the Authority with projects funded in full or in part with Authority revenues shall endeavor to not remove or reduce existing facilities for bicycling or pedestrians.

SECTION 9. PROJECT PROGRAMMING APPROVAL: Prior to the operative date of this Ordinance, and biennially thereafter, the Authority shall approve a five-year list of projects eligible to be funded with the revenues made available under Section 3 herein, provided that the submittal meets all of the requirements of this Ordinance and funding is, or is estimated to be, available. Prior to Authority approval, the Independent Taxpayer Oversight Committee shall consider each Agency's biennial five-year list of projects and make a finding that such projects are consistent with the intent of this Ordinance, and make a recommendation on which of the items on those project lists should be approved to the Authority.

SECTION 10. COOPERATIVE FUNDING EXCHANGE AGREEMENTS: To maximize the effectiveness of the retail transactions and use tax revenues, the Authority and/or Agency(ies) may loan revenues actually received, allocated or granted to any public agency within the area of jurisdiction of the Authority provided that the percentage of revenues allocated as provided in Section 3 is maintained over the duration of the Ordinance. Any exchange or loan agreement must include detailed repayment provisions, including appropriate interest earnings based upon the current treasury rate of interest. All loans and/or exchanges must be approved by the Authority by a majority vote, and shall be consistent with any and all rules approved by the Authority relating thereto.

SECTION 11. LOCAL STREETS AND ROADS MAINTENANCE OF EFFORT: It is the intent of the Authority that revenues provided from this Ordinance be used to supplement, not supplant, existing local general fund revenues being used for the transportation improvements described in the Expenditure Plan. Each Agency receiving revenues pursuant to Section 3 shall annually maintain, as a minimum, the "maintenance of effort" as defined in this Section 11. To meet the Maintenance of Effort requirement, each Agency will expend, at a minimum, the equivalent of 20% of the Agency's prior year's local streets and roads sales tax revenue in local general fund revenues for Local Streets and Roads Maintenance and supporting infrastructure within the public right-of-way for pavement sealing, overlays, reconstruction, associated infrastructure, as required, excluding any local revenues expended for the purpose of storm damage repair as verified by an independent auditor. Bond issuances, borrowing, or funding exchanges will not be counted as part of the Agency's prior year local streets and roads sales tax revenue. The Maintenance of Effort amount will be established and approved by the Authority at the beginning

of each fiscal year. Prior to the beginning of each fiscal year thereafter, Agencies shall certify to the Authority that the maintenance of effort requirement required by this Section will be met that fiscal year, copies of which shall be provided to the Authority Auditor. Any Agency that does not meet its local maintenance of effort requirement for a three-year average period shall have its funding under Section 3 the following year reduced by the amount the Agency did not meet its required average maintenance of effort level for the three prior years. Any funds not allocated due to failure to meet the maintenance of effort requirement shall be reserved for the Agency until any and all maintenance of effort expenditures are fulfilled.

SECTION 12. PRIVATE SECTOR FUNDING: Revenues provided from this measure shall not be used to replace private developer funding that has been or will be committed for any project to help alleviate the direct traffic impacts of any new or redeveloped residential, commercial or industrial development in Napa County or its cities.

SECTION 13. INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE:

ITOC Goal and Functions: Voter adoption of this transportation retail transactions and use tax Ordinance shall result in creation of the Independent Taxpayer Oversight Committee ("ITOC") upon the operative date of this tax. The ITOC shall remain in existence for so long as the tax herein exists. The ITOC shall review the fiscal and program performance of the retail transactions and use tax transportation program through a biennial performance audit to ensure that all transportation retail transactions and use tax revenues are spent by the Authority in accordance with all provisions of the voter-approved Expenditure Plan and Ordinance. The ITOC's secondary mission is to provide positive, constructive advice to the Authority on how to improve implementation over the thirty year course of the program; this role shall include consideration by the ITOC of the biennial project lists submitted by the Agencies under Section 8. Expenses associated with carrying out the work of the ITOC and ITOC member stipends will be funded from the Authority's 2.5% administration fees.

- A. **Audit Requirement:** The ITOC shall oversee the independent financial audit of the Authority and the financial and performance audits of the Agencies, which shall be performed in accordance with generally accepted auditing standards and Government Auditing Standards issued by the Comptroller General of the United States and performance goals adopted by the Authority consistent with Public Utilities Code Section 180000 et seq. The audits shall include the basic financial statements of the Authority as defined by the Governmental Accounting Standard Board and the performance of all aspects of the program based on the specific performance goals adopted by the Authority. The ITOC audit shall not relieve the Authority from performing its auditing obligations as imposed by law. All Audits

shall be posted on the Authority's website in a manner that is easily accessible to the public.

1) Role of Fiscal and Performance Audit and the ITOC:

- a. The ITOC shall, under the procurement rules of the Authority, jointly recommend with the active involvement of the Executive Director, an independent California Certified Public Accountant to conduct an annual financial audit of the Authority pursuant to the provisions of this Ordinance, report findings based on the audit to the Authority, and to recommend any additional considerations which the ITOC believes may improve the financial operation while meeting all voter mandates.
- b. The ITOC shall, under the procurement rules of the Authority jointly recommend with the active involvement of the Executive Director and the Authority Auditor, retention of an independent audit firm to conduct a biennial performance audit of the Agencies, pursuant to the provisions of this Ordinance, report findings based on the audits to the Authority, and recommend any additional considerations which the ITOC believes may improve the integrity of program implementation while meeting all voter mandates.
- c. The ITOC shall review each Agency's annual independent financial audit, report relevant findings based on the audits to the Authority, and recommend any changes which the ITOC believes may improve the financial operations while meeting all voter mandates.
- d. Upon request of the ITOC Chair, the Authority may hold a publicly noticed meeting annually, which may be a regular or special Authority Board meeting, with the direct participation of the ITOC, to consider the findings and recommendations of the audits. A report of the findings and recommendations of each audit by the ITOC shall be made readily available to the public in print and on the Authority's electronic website.
- e. The Authority shall publish a biennial report to the community to be published at the expense of tax revenues in all local newspapers of general circulation in Napa County.

B. Membership and Selection Process

- 1) The Authority shall develop an open selection process, actively recruit, and

appoint seven (7) Committee members who shall be residents of the County of Napa possessing the following credentials:

- a. One member who is a professional, retired or active, in the field of municipal audit, finance and/or budgeting with a minimum of five years in a relevant and senior decision-making position in the public or private sector.
- b. One member who is a licensed civil engineer, retired or active, with at least five years of demonstrated experience in the fields of transportation in government and/or the private sector.
- c. One member who is a Certified Public Accountant (CPA), retired or active, and experienced in financial audits.
- d. One member shall be a representative of a Napa region Chamber of Commerce.
- e. One member from a bona fide taxpayers association.

Two members from the public at-large. vacant

- 2) The Chair and the Executive Director of NVTa, the Chair of the NVTa Technical Advisory Committee, and the County Auditor-Controller shall serve as non-voting ex-officio members of the ITOC.

C. Terms and Conditions for Committees

- 1) The voting Committee members shall serve a two, three, and four year term, determined by the drawing of lots. Thereafter, Committee members shall serve four-year terms.
- 2) The Authority shall develop by-laws for the operation of the ITOC. The ITOC members shall receive a stipend of \$300 per quarterly meeting and no other payment shall be made for any purpose. This stipend will increase by \$50 per quarterly meeting every five years beginning in the new fiscal year. A position on the Committee shall become vacant as a result of a member failing to attend two consecutive meetings. Meetings may be canceled or rescheduled in consultation with the Chair of the ITOC. Committee members are not entitled to a stipend if a meeting is canceled.
- 3) The voting Committee members cannot be current local elected officials in Napa County or a full-time staff member of any city, town, or county government, a local transit operator, or state transportation agency.

- 4) Non-voting ex-officio Committee members shall serve only as long as they remain incumbents in their respective positions and shall be automatically replaced by their successors in those positions.
- 5) If and when vacancies on the ITOC occur on the part of voting Committee members, either due to expiration of term or a vacancy occurring during a term, the Authority shall endeavor to appoint an appropriate replacement within 90 days of the vacancy to fill the remainder of the term pursuant to the provisions of Government Code Sections 54970, *et. seq* (the Maddy Act). If committee member vacancies persist for more than 90 days, and the Authority has failed to identify a qualified member to fill a designated position as stated under Section 13, paragraph B, the Authority may select a community member at large to fill the position.

D. ITOC Operation Protocols

- 1) The ITOC shall be appointed within 180 days prior to the operative date of the retail transactions and use tax and continue as long as retail transactions and use tax revenues from the current voter authorization are available for expenditure.
- 2) The Authority Board and staff shall fully cooperate with and provide necessary financial and staff support to ensure the ITOC successfully carries out its duties and obligations.

E. Conflict of Interest

- 1) ITOC voting members shall have no legal action pending against the Authority and are prohibited from participating in any commercial activity directly or indirectly involving the Authority, such as being a consultant or vendor to the Authority during their tenure on the ITOC.
- 2) ITOC voting members shall not have direct and/or indirect commercial interest or employment with any public or private entity which receives transportation retail transactions and use tax revenues authorized by this Ordinance.

SECTION 14. ADMINISTRATIVE FUNCTIONS AND EXPENSES:

- A. Revenues may be expended by the Authority necessary to administer the Ordinance; however, in no case shall administrative expenditures exceed two and one-half percent (2.5%) of the annual budgeted revenues provided by the

Ordinance. No more than one percent (1.0%) of revenues shall be used for salaries, wages, or benefits of Authority staff.

- B. Administrative functions include providing overall program direction and management necessary to implement Authority policy, formulating organizational goals and objectives, coordinating activities and funding exchanges with other agencies and organizations, administering finance and debt issuance, accounting, purchasing, personnel, government and community relations, and legal matters.

SECTION 15. RECEIPT AND ALLOCATION OF TAX REVENUES: The County Auditor-Controller shall receive the tax revenue and shall allocate funds to the Agencies at direction of the Authority on a calendar quarter basis, together with any accrued interest, by the end of the following quarter.

SECTION 16. ESTABLISHMENT OF SEPARATE ACCOUNTING: Each Agency receiving the revenues identified in Section 3 shall have its revenues deposited in a separate interest-bearing Special Revenue Transportation Improvement Fund. Interest earned on revenues allocated pursuant to this Ordinance shall be expended only for those purposes permitted by this Ordinance.

SECTION 17. IMPLEMENTING ORDINANCES: Upon approval of this Ordinance by the voters the Authority shall, in addition to the rules required to be provided pursuant to this Ordinance, adopt implementing ordinances, rules, and policies that are not inconsistent with the purpose and intent of this Ordinance and take such other actions as may be necessary and appropriate to carry out its responsibilities.

SECTION 18. EFFECTIVE AND OPERATIVE DATES: This Ordinance shall be effective on July 1, 2025, if two-thirds of the electors voting on the ballot proposition approving the Ordinance vote to approve the ballot proposition on November 5, 2024. The imposition of the tax authorized by this Ordinance shall be operative on July 1, 2025, and after at least 110 days notice to the CTDFA, at which time Measure T will be repealed in its entirety and replaced by this Ordinance. There shall be no concurrent assessment of Measure T and the tax to be imposed by this Ordinance.

SECTION 17. PLACE OF SALE: For the purposes of this Ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the state or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the CDTFA.

SECTION 20. LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES: In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

- A. Wherever the State of California is named or referred to as the taxing agency, the name of this county shall be substituted therefor. However, the substitution shall not be made:
 - 1) The word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Control, CDTFA, State Treasury, or the Constitution of the State of California;
 - 2) The result of that substitution would require action to be taken by or against this Authority or any agency, officer, or employee thereof rather than by or against the CDTFA, in performing the functions incident to the administration or operation of this Ordinance.
 - 3) In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:
 - a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the state under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;
 - b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.
 - 4) In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.
- B. The word "County" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

SECTION 21. PERMIT NOT REQUIRED: If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this Ordinance.

SECTION 22. EXEMPTIONS AND EXCLUSIONS:

- A. There shall be excluded from the computation of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.
- B. There are exempted from the computation of the amount of the transactions tax the gross receipts from:
 - 1) Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.
 - 2) Sales of property to be used outside the county which is shipped to a point outside the county, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the county shall be satisfied:
 - a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-county address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and
 - b. With respect to commercial vehicles, by registration to a place of business out-of-county and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.
 - 3) The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.
 - 4) A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the

property for an amount fixed by the lease prior to the operative date of this Ordinance.

- 5) For the purposes of subparagraphs (3) and (4) of this Section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
- C. There are exempted from the use tax imposed by this Ordinance, the storage, use or other consumption in this county of tangible personal property:
- 1) The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.
 - 2) Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.
 - 3) If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.
 - 4) If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this Ordinance.
 - 5) For the purposes of subparagraphs (3) and (4) of this Section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
 - 6) Except as provided in subparagraph (7), a retailer engaged in business in the county shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the county or participates within the county in making the sale of the property,

including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the county or through any representative, agent, canvasser, solicitor, subsidiary, or person in the county under the authority of the retailer.

- 7) "A retailer engaged in business in the County" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the county.

- D. Any person subject to use tax under this Ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

SECTION 23. AMENDMENTS: The Expenditure Plan may be amended to provide for the use of additional federal, state, and local revenues or to account for unexpected revenues by approval of a two-thirds vote of the members of the Authority; the two-thirds must include the City of Napa, the County of Napa, and at least three other jurisdictions. No amendment may, in the aggregate, reduce the percentage of tax revenue allocated to the Local Streets and Roads Maintenance Program as apportioned in Section

3. No amendment shall operate so as to affect the rate or duration of tax imposed by this Ordinance. Amendments to the Expenditure Plan shall be effective forty-five (45) days after notice of approval of the amendments is given by the Authority

Amendments constituting expenditures for new programs or new projects that were not a part of the voter approved Expenditure Plan or referred to in the Local Streets and Roads Maintenance Program may only be approved with the subsequent consent of the electorate.

As required by state law, all amendments subsequent to the effective date of this Ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this Ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this Ordinance.

SECTION 24. TEN-YEAR PROGRAM REVIEW: After the tax has been in effect for ten years after the operative date, the Authority shall conduct a comprehensive review of all revenues, projects and programs under the Expenditure Plan to evaluate the performance of the overall program over the previous ten-year period and to make revisions to the Expenditure Plan to improve its performance and allow for changed demographic conditions, transportation needs, revenues, and technology over the subsequent ten years. Revisions to the Ordinance and Expenditure Plan required as a result of the ten-year review shall be subject to the amendment process in Section 23. However, the 99% local street and road allocation provided in Section 3 shall not be altered.

SECTION 25. DESIGNATION OF FACILITIES: Each project or program receiving in excess of \$250,000 funded in whole or in part by revenues from the Ordinance shall be clearly designated with project signage at the project site during its construction or implementation as being provided by revenues from the Ordinance.

SECTION 26. SEVERABILITY: If any section, part, clause, or phrase of this Ordinance is for any reason held invalid or unconstitutional, the remaining portions shall not be affected but shall remain in full force and effect.

SECTION 27. ANNUAL APPROPRIATIONS LIMIT: Article XIII (B) of the California Constitution requires the establishment of an annual appropriations limit for governmental entities. The maximum annual appropriations limit for the Authority is hereby established as \$250 million. The appropriations limit shall be subject to adjustment as provided by law. All expenditures of the retail transactions and use tax revenues imposed by Section 4 are subject to the appropriations limit of the Authority.

SECTION 28. ENJOINING COLLECTION FORBIDDEN: No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the state or the Authority, or against any officer of the state or the Authority, to prevent or enjoin the collection under this Ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

SECTION 29. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). Pursuant to the State CEQA Guidelines Section 15378(b)(4), adoption of this retail transactions and use tax ordinance and Expenditure Plan is not a “project” subject to the requirements of CEQA. Prior to commencement of any project included in the Expenditure Plan, any necessary environmental review required by CEQA shall be completed. Estimated costs in the Expenditure Plan include the cost of such environmental review.

SECTION 30. DEFINITIONS:

- A. *Agency* means those cities, town, and county that lie within the geographic boundaries of the County of Napa.

- B. *Authority* means the Napa Valley Transportation Authority – Tax Agency created by the Napa County Board of Supervisors with the concurrence of a majority of cities having a majority of the incorporated population of the county.
- C. *Expenditure Plan* means the expenditure plan required by Section 180206 of the Public Utilities Code to be adopted prior to the call of an election on this Ordinance. The expenditure plan includes the allocation of revenues for each authorized purpose. To the extent the summarized provisions of the expenditures contemplated by this Ordinance cannot be reconciled with the Expenditure Plan set forth in Attachment 1, the provisions of Attachment 1 shall prevail.
- D. *Effective Date* means the date the measure was passed by the electorate.
- E. *Highways* means all purposes necessary and convenient to the design, right-of-way acquisition, and construction of highway facilities, including all state highway routes and any other facilities so designated in the Expenditure Plan.
- F. *Infrastructure* means all components within the right-of-way necessary to support the roadway which includes road pavement, sub-grade, curb, gutter, sidewalks, curb ramps, surface and subsurface drainage, replacement traffic control devices, replacement roadway lighting, striping, pavement marking, intelligent transportation systems, and signage.
- G. *Maintenance* means repair, reconstruction or rehabilitation, and/or replacement of streets, roadways, and other infrastructure within the public right-of-way.
- H. *Operative Date* means the date the tax begins to collect revenue for this measure.
- I. *Project* is a single effort with a beginning and an end that would cause the construction or maintenance or reconstruction of some tangible portion of a transportation asset owned or operated by public agency that has independent utility. A *project* does not appear without a detailed description as to cost and location in a local agency budget, and it must appear in a capital budget.
- J. *Reconstruction or Rehabilitation* includes any overlay, including the placement or replacement of base materials and any sub-grade work or widening of the roadway, if the widening is necessary to bring the roadway width to the desirable minimum width consistent with the geometric design criteria of the state for 3R (reconstruction, resurfacing, and rehabilitation). This does not include widening for the purpose of increasing the traffic capacity of a street or highway. This does include additions, changes or reconstruction of Infrastructure directly associated

with the function of a street or roadway. It also includes additions necessary to incorporate and/or maintain bicycle and/or pedestrian facilities called for in the Napa County Transportation and Planning Agency's Countywide Bicycle Plan or adopted bicycle plans of the Agencies and any improvements or alterations necessary to the roadway and or pedestrian or bicycle travel ways to improve overall circulation and to meet American's with Disabilities Act requirements.

- K. *Regional Transportation Improvement Program Submission* means any program of projects sent or otherwise caused to be delivered to the Regional Transportation Planning Agency for Napa County by the entity designated by the Regional Transportation Planning Agency with the submission of that program for the local agencies for consideration by the Regional Transportation Planning Agency for inclusion in the Regional Transportation Improvement Program or its related documents.
- L. *Local Streets and Roads* means the pavement facilities and supporting Infrastructure within the street, road, or highway right-of-way.
- M. *Storm damage repair* means repair or reconstruction of local streets and highways and related drainage improvements that have been damaged due to storms and flooding, in those jurisdictions that have been declared disaster areas by the President of the United States and/or by the Governor of California.
- N. *Funding Exchange* means borrowing from or replacing project funding with another funding source to accelerate project delivery.

SECTION 31. PUBLICATION OF ORDINANCE: A summary of this Ordinance shall be published at least five days before its passage in the local newspapers of general circulation published in the County of Napa, and at least once before the expiration of 15 days after its passage together with the names of the Directors voting for and against the same.

The foregoing Ordinance was introduced and read at a regular meeting of the Napa Valley Transportation Authority, held on January 17, 2024, and passed at a regular meeting of the Napa Valley Transportation Authority held on April 17, 2024, by the following vote:

LIZ ALESSIO, NVTA-TA Chair

Ayes: _____

Noes: _____

Absent: _____

ATTEST:

Laura Sanderlin, NVTA-TA Board Secretary APPROVED:

Osman Mufti, NVTA-TA Legal Counsel

Attachment (1) Napa Valley Transportation Improvement Act Expenditure Plan

ATTACHMENT 1

NAPA VALLEY TRANSPORTATION IMPROVEMENT ACT EXPENDITURE PLAN

The net revenues received by the Authority from the proposed transactions and use tax shall be used to fund the projects described below after paying for the costs of this election, the cost of debt service, and the cost of administering the program. Only two and one half of one percent (2.5%) of the net revenues may be expended for costs of administration. The revenues received by the Auditor Controller will be less the fees charged by the California Tax and Fee Administration to collect the sales tax. All funding and revenues are expressed in 2024 dollars over the thirty-year life of the program.

The revenue allocated to each Agency under this Expenditure Plan may be used for any direct costs of design, materials testing, all project required environmental reviews, construction management, inspection, and construction of the projects.

Local Streets and Roads Maintenance Program

Description:

After deductions for capital highway improvement and highway operations and emergency evacuation projects, in an amount not to exceed \$80 million and associated debt service expenses, and the Authority's administration fees of two and one half percent (2.5%), the balance of funds shall be allocated to the Local Streets and Roads Maintenance Program. Under the Ordinance, the funds for the Local Streets and Roads Maintenance Program must be used for maintenance, reconstruction or rehabilitation of local streets, roads, and infrastructure within the public right-of-way as defined.

The estimated funding for the Local Streets and Maintenance Program is (millions of dollars):

Project	Percentage Distribution
American Canyon	8.0%
Calistoga	3.0%
City of Napa	40.2%
Napa County	38.8%
St. Helena	6.6.0%
Yountville	3.4%
Total	100.0%

The percentage distribution and estimated Transaction and Use Tax is based on 2024 values and will be updated when the sales tax becomes operative on July 1, 2025 and every successive five years based on the formula established in Section 3, Paragraph A: Local Streets and Roads Maintenance Program.

Transportation Enhancement Projects

<u>Project Name</u>	<u>Amount</u>
<u>SR 29/SR 12 – Intersection Improvements at SR 29 and Jameson Canyon/Airport Road and SR 12/Kelly Road</u>	<u>Costs for capital projects funded by the Napa Valley Transportation Improvement Act may not exceed \$80 million.</u>
<u>SR 29-American Canyon – Operational Improvements on SR 29 between Napa Junction and American Canyon Road</u>	
<u>SR 29-SR 12/121 – Intersection Improvements at SR 29/Carneros Highway</u>	
<u>Highway Operations and Emergency Evacuation Center – highway system adaptive messaging signs and Vine Transit emergency evacuation operations.</u>	
<u>Low Income Transit Subsidies</u>	<u>Estimated annual cost of \$10,000 and funded from Authority's administrative fees or other Authority revenues.</u>
<u>Fares for Veterans, Persons with Disabilities, and Elderly Persons</u>	

Amendments

This Expenditure Plan may be amended to provide for the use of additional federal, state, and local revenues or to account for unexpected revenues by approval of a two-thirds vote of the members of the Authority; the two-thirds must include the City of Napa, the County of Napa, and at least three other jurisdictions. No amendment shall operate so as to affect the rate of tax imposed by this Ordinance.

Amendments constituting expenditures for new programs or new projects that were not a part of the voter approved Expenditure Plan or referred to in the Local Streets and Roads Maintenance Program may only be approved with the subsequent consent of the electorate.

ATTACHMENT 2

TAC AGENDA ITEM 9.1

JANUARY 11, 2024

Napa Valley Transportation Authority- Tax Agency

Summary of Measure X Bonding Scenarios

\$80M Capital Set-Aside

	Measure X Scenario 1	Measure X Scenario 2	Measure X Scenario 3
Local Bond Approach	"Equal Issuances"	"Issuance Ramp Up"	"Issuance Ramp Down"
Regional Bonding	\$80 Million Set-Aside	\$80 Million Set-Aside	\$80 Million Set-Aside
Measure Term	FY 26 - FY 55	FY 26 - FY 55	FY 26 - FY 55
Total Sales Tax Revenues @ 2.5% (Y1-Y5) - 3.0% (Y6-Y30) growth	\$ 1,278,323,221	\$ 1,278,323,221	\$ 1,278,323,221
NVTA			
Admin \$ (@ 2.5%)	\$ 31,958,081	\$ 31,958,081	\$ 31,958,081
Regional Bond 1 Proceeds (FY 27):	40,000,000	40,000,000	40,000,000
Regional Bond 2 Proceeds (FY 30):	40,000,000	40,000,000	40,000,000
Regional Bond Debt Service	52,224,750	52,224,750	52,224,750
Regional Admin & Debt Service \$	\$ 164,182,831	\$ 164,182,831	\$ 164,182,831
Jurisdictions			
Local Allocation \$ (less Regional D/S)	\$ 1,114,140,390	\$ 1,114,140,390	\$ 1,114,140,390
Local Debt Service \$	445,789,000	419,081,750	480,577,500
Local Allocation/PAYGO Revenues	\$ 668,351,390	\$ 695,058,640	\$ 633,562,890
Local Bond \$			
Local Bond 1 Proceeds (FY 27):	\$ 72,000,000	\$ 20,000,000	\$ 120,000,000
Local Bond 2 Proceeds (FY 30):	72,000,000	65,000,000	95,000,000
Local Bond 3 Proceeds (FY 33):	72,000,000	85,000,000	65,000,000
Local Bond 4 Proceeds (FY 36):	72,000,000	110,000,000	20,000,000
Total Local Bond Proceeds:	\$ 288,000,000	\$ 280,000,000	\$ 300,000,000
Total Jurisdictional Resources Available	\$956,351,390	\$975,058,640	\$933,562,890

	Measure X Scenario 1 "Equal Issuance"	Measure X Scenario 2 "Ramp Up"	Measure X Scenario 3 "Ramp Down"	Current Measure T Funding
Proceeds- Measure X (PayGo + Bonding)				
City of Napa (40.2%; 40.35%)	\$ 384,453,259	\$ 391,973,573	\$ 375,292,282	\$ 346,974,600
County of Napa (38.8%; 39.65%)	371,064,339	378,322,752	362,222,401	339,939,500
American Canyon (8.0%; 7.7%)	76,508,111	78,004,691	74,685,031	66,055,041
St. Helena (6.6%; 5.9%)	63,119,192	64,353,870	61,615,151	52,740,600
Calistoga (3.0%; 2.7%)	28,690,542	29,251,759	28,006,887	23,517,500
Yountville (3.4%; 2.7%)	32,515,947	33,151,994	31,741,138	23,517,500
Total- Jurisdictional Resources Available	\$ 956,351,390	\$ 975,058,640	\$ 933,562,890	\$ 852,744,741

	Measure X Scenario 1 "Equal Issuance"	Measure X Scenario 2 "Ramp Up"	Measure X Scenario 3 "Ramp Down"	Current Measure T Scores
PCI Scores Measure X + HUTA + RMRA + MOE				
PCI Score in Year 10				
General Funds are not included				
City of Napa	81.9 (+21.9)	81.1 (+21.1)	83.1 (+23.1)	60
County of Napa	71.3 (+27.3)	71 (+27)	71.9 (+27.9)	44
American Canyon	64.6 (+6.6)	64.2 (+6.2)	64.9 (+6.9)	58
St. Helena	76.4 (+24.4)	76 (+24)	76.3 (+24.3)	52
Calistoga	74.7 (+17.7)	74.2 (+17.2)	75.3 (+18.3)	57
Yountville	82.3 (+4.3)	82.5 (+4.5)	82.3 (+4.3)	78

HUTA: Highway Users Tax Account. Per gallon excise tax on gasoline/diesel fuel, sales tax and registration taxes on motor vehicles for transportation purposes.

RMRA: Road Maintenance and Rehabilitation Account (aka SB1): 12c a gallon excise tax, with annual inflation adjustments beginning in 11/1/2017.

MOE: Maintenance of Effort at a 20% match of PayGo revenues.

Distribution Scenarios

ATTACHMENT 3 TAC AGENDA ITEM 9.1 JANUARY 11, 2024

Updated: October 6, 2023

Option 1: Return to Source all jurisdictions and 50% lane miles for County - FY 2022-23 Revenue Factors

Jurisdiction	Return to Source Amount		Lane Miles		Sub-total	Final Distribution	Measure T	2021 Measure X %
Column Number	A	B	C	D	E	F		
	Value (in 1,000s)	%	Value	%	County = (B+D)/2; Cities=B	Normalize to 100%		
American Canyon	\$ 3,728	9%	112.8	7.5%	9.5%	8.5%	7.7%	7%
City of Napa	\$ 17,829	45%	467.6	31.0%	45.3%	40.4%	40.4%	41%
Yountville	\$ 1,788	5%	16.6	1.1%	4.5%	4.1%	2.7%	3%
St. Helena	\$ 2,595	7%	51.5	3.4%	6.6%	5.9%	5.9%	7%
County of Napa	\$ 12,177	31%	828.7	55.0%	42.9%	38.3%	39.7%	39%
Calistoga	\$ 1,241	3%	30.6	2.0%	3.2%	2.8%	2.7%	3%
Total	\$ 39,358	100%	1,507.8	100.0%	112.0%	100.0%		

Option 2: Return to Source + County 50/50 Return to Source/Lane Miles Average of FY 2021, 2022, 2023 Sales Tax Generations

Jurisdiction	Return to Source Amount		Lane Miles		Sub-total	Final Distribution	3% Floor	3% Floor Difference	3% Floor with 1% Variance Cap ⁴	3% Floor with 1% Variance Difference	Measure T
Column Number	A	B	C	D	E	F					
	Value (in 1,000s)	%	Value	%	County = (B+D)/2; Cities=B	Normalize to 100%					
American Canyon	\$ 3,261	8.9%	112.8	7.5%	8.90%	8.0%	8.0%	-0.02%	8.0%	-0.08%	7.7%
City of Napa	\$ 16,493	45.0%	467.6	31.0%	45.00%	40.3%	40.2%	-0.10%	40.3%	-0.41%	40.4%
Yountville	\$ 1,401	3.8%	16.6	1.1%	3.82%	3.4%	3.4%	-0.01%	3.4%	-0.04%	2.7%
St. Helena	\$ 2,703	7.4%	51.5	3.4%	7.37%	6.6%	6.6%	-0.02%	6.6%	-0.07%	5.9%
County of Napa	\$ 11,665	31.8%	828.7	55.0%	43.39%	38.9%	38.8%	-0.09%	38.9%	-0.40%	39.7%
Calistoga	\$ 1,131	3.1%	30.6	2.0%	3.09%	2.8%	3.0%	0.23%	2.8%	1.00%	2.7%
Total	\$ 36,654	100.0%	1,507.8	100.0%	111.57%	100.0%	100.0%	0.00%	100.0%	0.00%	

Notes:

1. Total Sales Tax generations used as proxy to calculate distribution %s.
2. Quarter 4 for FY 2022-23 are projections based on prior 3 quarters
3. The amended attached reflects American Canyon receiving \$1,276,561 retroactively on an appeal which was applied equally over seven quarters- Q3FY20-21 through Q1FY22-23



NAPA VALLEY TRANSPORTATION AUTHORITY

Technical Advisory Committee Agenda Memo

TO: Technical Advisory Committee
FROM: Kate Miller, Executive Director
REPORT BY: Patrick Band, Associate Program Planner/Administrator
(707) 259-8781 / Email: pband@nvta.ca.gov
SUBJECT: Active Transportation Network – Existing Facilities Rubric

RECOMMENDATION

Information only

EXECUTIVE SUMMARY

Napa Valley Transportation Authority (NVRTA) is preparing to kick off development of a Countywide Active Transportation Plan in early 2024. As part of this effort, staff are initiating a mapping process to identify existing facilities that provide access and/or mobility benefits to active transportation users. NVRTA staff is introducing a comprehensive rubric that acknowledges the diverse range of facilities that offer access and mobility benefits and recognizes that not all of them may adhere to minimum design standards. This proposed framework aims to encompass all facilities, ensuring inclusivity, while reserving specific classifications (e.g., Class I/II/III/IV) for those that meet the defined minimum design standards.

FISCAL IMPACT

Is there a Fiscal Impact? No.

BACKGROUND & DISCUSSION

Bicycle and Pedestrian Plans fulfill crucial roles by formally identifying both current and prospective infrastructure and programmatic enhancements within a community. Moreover, the adoption of such plans is becoming imperative, as a growing number of funding opportunities for active transportation projects stipulate the necessity of having an established plan in place. This not only aligns with regulatory requirements but also

enhances the competitiveness of applications from jurisdictions with an adopted plan. Some of the grant programs that have supported active transportation infrastructure and programs in Napa County in recent years include:

- Active Transportation Program (ATP)
- Transportation Fund for Clean Air (TFCA)
- Transportation Development Act 3 (TDA-3)
- Sustainable Communities Strategy (SCS) Planning Grants
- Safe Streets and Roads for All (SS4A)

The Countywide Bicycle Plan was last adopted in 2019, with the most recent Pedestrian Plan being adopted in 2016. Plans need to be updated periodically to remain current in best practices and with priority projects and programs. Development of a Countywide Active Transportation Plan (CATP) is planned to begin in Spring 2024.

As part of initial preparation for the upcoming Plan, NVTa staff are in the process of reviewing maps and project lists for existing and proposed facilities from the adopted bicycle and pedestrian plans, as well as preparing to solicit information from local jurisdictions regarding those facilities that have been expanded, modified, or removed in recent years. With this information, NVTa will be able to prepare a comprehensive and accurate assessment of existing facilities, which will be utilized for development of future bike & pedestrian maps as well as help inform updates to planned facilities in the upcoming Countywide Active Transportation Plan.

Essential to this process is identification of all existing facilities that provide access and mobility to active transportation users. This includes both facilities that meet current minimum design standards, and those that may not but still provide benefits.

This agenda item is intended to provide the TAC an opportunity to review select reference documents that provide design guidance for bicycle and pedestrian facilities, as well as NVTa staff recommendations for addressing existing facilities that may not meet current minimum design standards but provide access and mobility to users. It is neither practical nor feasible for NVTa to assess the existing condition and consistency with minimum standards of every active transportation facility countywide. As such, NVTa staff recognize the critical role of local agencies in ensuring that accurate information is shared and current best practices and minimum standards are met.

ATTACHMENTS

- 1) Existing Facilities Rubric
- 2) Countywide Bicycle Plan-Classification Descriptions

ATTACHMENT 1
TAC AGENDA ITEM 9.2
JANUARY 11, 2024

Existing Facilities Rubric

Facility Type:	Sub-type	Description	General Criteria	Evaluation Notes
Class I	None	Fully separated, bi-directional facility for bicycles, pedestrians & other AT users (eg: scooters, multimodal devices etc)	Minimum 8' paved width, 2' shoulders. Striping/signage to affirm multi-modal use. May include roadway improvements at higher volume locations.	Some urban Class I facilities adjacent to roadways may lack shoulders (Jumbo Sidewalks). This should not be considered a disqualifying feature.
Class II	Standard	On-street facility designated exclusively for bicycle travel.	Minimum 4' or 5' width per CA MUTCD. 6" striping, roadway markings & signage. May include conflict markings at intersections and turn lanes.	Most visible/common bicycle facility, but does require regular maintenance to ensure access and mobility benefits.
	Buffered	On-street facility designated exclusively for bicycle travel.	Similar criteria as standard Class II, with minimum 18" horizontal separation from travel lane via paint alone.	Fairly new treatment type locally. Initial feedback from users may shape guidance in upcoming Plan.
Class III	Bicycle Boulevard or Urban Class III	On-street shared facility incorporating signage/striping and roadway improvements. Most often located parallel to primary vehicle routes.	Corridors should be clearly marked and often include vehicle speed/volume management (traffic calming), and intersection safety or preferential ROW improvements.	Facility should provide bicycle priority movement and significant additional treatments above/beyond Rural Class III.
	Rural	On-street shared facility designated primarily through signage, identifying a preferred route for bicycles, or a route with higher rates of bicycle ridership.	Limited signage requirements. Often include use of "Share the Road" signs & sharrow pavement markings at conflict points, curves, or areas with poor sightlines.	Limited guidance and standards provide significant discretion to jurisdictions in designation.
Class IV	None	Exclusive bicycle facility providing vertical & horizontal separation from vehicle lane.	May be located at street or sidewalk grade (or other elevation). Physically separated from vehicles by bollards, curb, or other barrier.	See DIB 89-01 and related Caltrans guidance for specifications.
Sidewalk	Standard Sidewalk	Paved off-street facility to accommodate pedestrians and other active transportation users as allowed. Provides primary access to all destination types.	Various criteria per jurisdiction standards. Min 36" for ADA, often 4' standard. High Ped volume locations or high speed roadways may require greater width.	Incomplete segments of sidewalks should be included, but may be separately identified as having limited mobility/safety benefits to users.
	TBD	Due to the wide range of local standards for sidewalks, additional sub-types may be developed that reflect local agency standards, adopted plans, and other uniform criteria.		
Trails & Fire Roads	Singletrack Trail	Narrow (1-3') unpaved dirt/rock trail, often following contours of land. Wide enough for single-file use only.	Most often found in public parks.	Social trails or "fisherman's" trails are generally not included. Inclusion of Singletrack trails at discretion of local jurisdiction.
	Doubletrack Trail	Wide (often 6-8') two-track unpaved dirt/rock corridor with tracks parallel as with vehicle tires. More readily supports multiple modes (eg: bike/equestrian) or greater user volumes.	Most often found in public parks.	Inclusion of Doubletrack trails at discretion of local jurisdiction.
	Fire/Access Road	>8' wide unpaved corridor designed to accommodate off-road vehicle & emergency access.	Most often found in public parks & open space areas, public access easements, and private property.	Inclusion of Fire/Access Roads at discretion of local jurisdiction.
Unclassified	None	Active transportation facility that does not meet any of the above facility types. May represent a significantly sub-standard facility. Provides readily apparent mobility benefit.	N/A	Facilities of this type will be individually reviewed with local jurisdictions. Those that meet access & minimum design standards will be re-classified.
Not a Facility	None	Corridor or Segment that appears in a current Bicycle/Pedestrian Plan, but is either inaccessible or in state of repair that negates any mobility benefit.	N/A	Facilities of this type will be individually reviewed with local jurisdictions. Those that meet access & minimum design standards will be re-classified.
Support Facilities & Amenities	Various	Infrastructure to support and accommodate active transportation users. Generally includes public restrooms, drinking fountains, shelters, and both short or long-term bicycle parking.	Various criteria.	Facilities & amenities must be in good repair and accessible to all users. Private facilities excluded.

Facility Types

This section includes an overview of bicycle facility types and their application in Napa County.

Shared-Use Path (Class I) are two-way paved facilities, physically separated from motor vehicle traffic and used by bicyclists, pedestrians, and other non-motorized users. Shared-use paths are often located in an independent alignment, such as a greenway, though sometimes they are located adjacent to roadway. Shared-use paths provide low-stress facilities for bicyclists.

Some trails in Napa County, although technically not standard shared-use paths provide connections within neighborhoods or as cut-throughs to destinations (see Figure 3.13) and are identified in this plan. Although some of these shared-use paths are substandard in width compared to best practices for Class I design, they are separated from automobile traffic and provide important desired connections within the bicycle network.¹⁴



Figure 3.13. Neighborhood connection in Calistoga

The Vine Trail is a key shared-use path that is becoming the backbone of Napa County's low-stress bicycle network. The largest completed segment currently connects the Town of Yountville to Kennedy Park at the south end of Napa. Additional small segments have been built elsewhere, and the completed Vine Trail will connect all Napa County jurisdictions as part of a 47-mile active transportation corridor between the Vallejo Ferry Terminal and Calistoga. The Napa Valley Vine Trail Coalition and NVTAC are actively working on planning, design, and construction of trail segments throughout the county.

Many of Napa County's existing shared-use paths connect to the existing and future Vine Trail and natural areas. In addition to providing connectivity to the Vine Trail, these paths connect comfortable neighborhood streets together.

Examples of Shared-Use Path (Class I) in Napa County:

- Vine Trail (approximately 12 miles over all segments)
- Wetlands Edge Road Trail (1.37 miles), part of the Bay Trail (18 miles in Napa County)
- Connector path between Fairway Vista Ct. and Denise Dr. in Calistoga (0.10 miles)

¹⁴ Eight feet is the typical recommended minimum for any shared-use path. Some small connector paths in the county are as narrow as four feet.

Bike Lanes (Class II) provide an exclusive space for bicyclists in the roadway and are established by painting lines and symbols on the roadway surface. Bike lanes are for one-way travel and are typically provided in both directions on two-way streets and/or on one side of a one-way street (see Figure 3.14).

Bike lanes are the most common facility type in Napa County. Most bike lanes are located on major connector routes, such as Silverado Trail, or on major arterials within Napa County jurisdictions, such as Soscol Avenue in Napa and American Canyon Road in American Canyon.



Figure 3.14. Bike Lane - Class II in St. Helena

Bike lanes create a lower-stress riding environment on streets with a maximum posted speed limit of 30 miles per hour and traffic volumes between 3,000 and 6,000 vehicles per day. Many of the bicycle lanes in Napa County are on roadways with higher speeds which can result in a stressful bicycling environment for many bicyclists, including Interested but Concerned bicyclists. Some of these facilities are well used, however, by the many Napa County residents and visitors who are more comfortable with bicycling in high-speed environments.

Bike lanes may also be painted for greater visibility to drivers and bicyclists. One of two painted bike lanes in Napa County is located on Valley View Street in St. Helena (see Figure 3.15). Another painted bike lane is located on SR 29 at Whitehall Lane; the bicycle lane crosses skewed railroad tracks at this location, and the painted bike lane provides an easily understandable route for bicyclists to cross the tracks at a safer angle (see Figure 3.16). This facility was implemented by Caltrans.



Figure 3.15. Painted bike lane on Valley View St in St. Helena

Examples of Bike Lane - Class IIs in Napa County:

- Grant Street in Calistoga (0.3 miles)
- Silverado Trail from Calistoga to Napa (approximately 26 miles)
- Pope Street in St. Helena (0.85 miles)

Buffered Bike Lanes (Class II) are implemented by painting or otherwise creating a flush buffer zone between a bicycle lane and the adjacent travel lane (see Figure 3.17). While buffers are typically used between bike lanes and motor vehicle travel lanes to increase bicyclists' comfort, they can also be installed between bicycle lanes and parking lanes to reduce conflicts with opening car doors. When located on streets with moderate traffic volumes and speeds, buffered bike lanes provide a lower-stress riding environment for bicyclists. No buffered bike lanes exist today in Napa County.

Bike Routes and Bicycle Boulevards are two types of Class III facilities in Napa County. This Plan Update will include Class III Rural Routes and Class III Bicycle Boulevards as facility types, but this section describes the existing conditions in the county where bike routes are applied more broadly than in rural areas.

Bike routes are designated with pavement markings or signage to indicate a shared lane environment between bicyclists and drivers. While signage and markings support wayfinding and indicate bicyclist positioning on shared streets, bicycle routes do not provide any protection or separation between people driving and people bicycling. When located on streets that have high traffic speeds and/or volumes, bike routes are uncomfortable and most people will choose not to ride on them.

Currently, bike routes are located on a range of roadway types from local, urban streets (see Figure 3.18) to low-volume rural roads (see Figure 3.19). These routes connect to destinations such



Figure 3.16. Painted bike lane on SR 29



Figure 3.17. Buffered bike lane in Seattle, WA



Figure 3.18. Bike route in St. Helena

as shopping, schools, parks, or other bicycle facilities. Most bicycle routes in Napa County are in the City of Napa, where they comprise much of its downtown network. The City of Calistoga also has a network of bicycle routes that connect to existing trails and bicycle lanes throughout the city.

Bicycle boulevards are also indicated with pavement markings and signage, but are specifically located on low-speed, low-volume streets, often in residential neighborhoods. Bicycle boulevards are designed to prioritize bicycle through-travel, while reducing motor vehicle through traffic volumes and maintaining relatively low speeds. When paired with intersection treatments that help riders cross major intersections, bicycle boulevards are an attractive, low-stress facility (see Figure 3.20).

Bicycle boulevards are located on a limited number of streets in Napa County and do not include traffic calming or traffic diversion to lower speeds and volumes. These bicycle boulevards also do not cross major roadways and do not have treatments to facilitate bicyclists' movement through large, unsignalized intersections.

Examples of Class III Bicycle facilities in Napa County:

- North Oak Street in Calistoga (Bike route, 0.31 miles)
- Oakville Cross Road in the unincorporated area of Napa County (Bike route, 1.5 miles)
- Franklin Street in Napa (Bicycle boulevard, 0.77 miles)



Figure 3.19. Bike route along rural Silverado Trail



Figure 3.20. Crossing island help reduce stress for bicyclists when crossing intersections. Example in Portland, OR.

Separated Bike Lanes (Class IV) are an exclusive bikeway facility type that combines the user experience of a shared-use path with the on-street elements of a conventional bike lane (see Figure 3.21). They are recommended for roadways with speeds higher than 30 miles per hour and motor vehicle volumes over approximately 6,500 vehicles per day. Separated bike lanes are physically separated from motor vehicle traffic with a vertical element and are distinct from the sidewalk. They can be located at street level within the curbs, at an intermediate level, or at sidewalk level, see Figure 3.22 below. Numerous options are available for creating separation between modes, ranging from low-cost paint and plastic flexpost installations, to more robust curb-separated lanes. Separated bike lanes provide a low-stress riding environment to all bicyclists. No separated bike lanes currently exist in Napa County.



Figure 3.21. Separated bike lane in Berkeley, CA

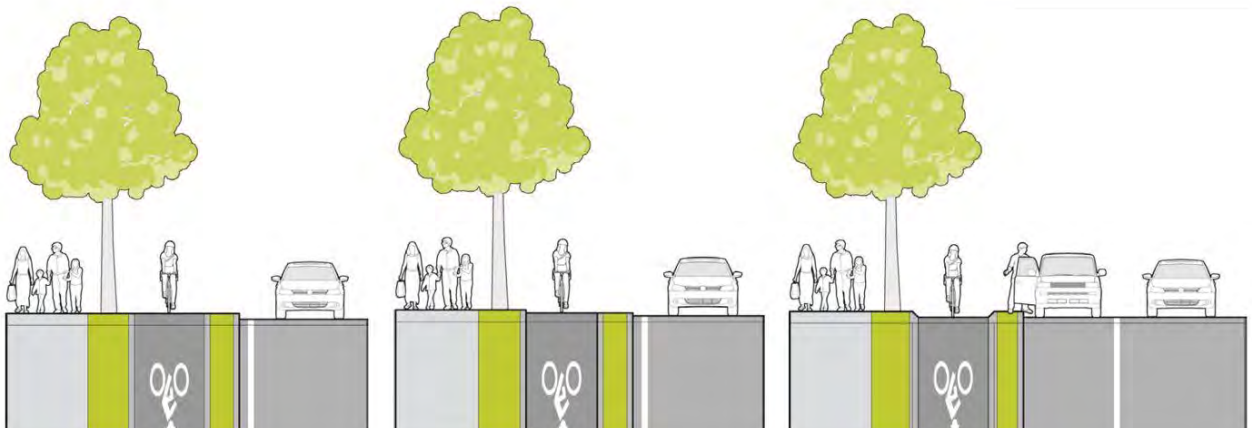


Figure 3.22 Sidewalk level, intermediate level, and street level separated bike lanes, left to right.



January 11, 2024
TAC Agenda Item 9.3
Continued From: New

Action Requested: **INFORMATION**

NAPA VALLEY TRANSPORTATION AUTHORITY Technical Advisory Committee Agenda Memo

TO: Technical Advisory Committee (TAC)
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 (NVTA) Technical Advisory Committee receive the Federal Legislative update (Attachment 1) and the State Legislative update (Attachment 2) prepared by Platinum Advisors. Information only

ATTACHMENTS

- (1) December 29, 2023 Federal Update (Platinum Advisors)
- (2) December 29, 2023 State Update (Platinum Advisors)

PLATINUM | ADVISORS

TO: Kate Miller, Executive Director
Napa Valley Transportation Authority (NVTa)

FROM: Jessica Aune, Platinum Advisors

DATE: Friday, December 29, 2023

RE: Napa Valley Transportation Authority December 2023 Monthly Report

State of Play and Congressional Update

Lawmakers faces a significant to-do list upon their return to Capitol Hill in January after lead negotiators in the Senate were unsuccessful in securing a final agreement on border security and immigration in exchange for new assistance to Ukraine's military forces. There are only eight legislative working days to complete work on the first set of FY 2024 spending bills as designated by November's bipartisan continuing resolution. Significant differences in top-line spending differences are yet to be resolved by the "four corners" of the Congressional Appropriations committees. If Congress is to avert a government shutdown, yet again, and replenish the Pentagon's coffers for Kyiv, leadership in both chambers will have to move at an accelerated pace.

This month, both the House and Senate passed the annual National Defense Authorization Act along bipartisan margins. While the measure authorizes \$886.3 billion in spending on U.S. national security programs, the funds have yet to be appropriated due to remaining disagreements over the FY 2024 Defense appropriations bill.

Before recessing for the year, the Senate passed a two-month extension of the Federal Aviation Administration (FAA) by unanimous consent. However, lawmakers in the Senate Commerce Committee made little progress this month to resolve differences over pilot training requirements. The House passed a five-year FAA reauthorization bill in July. Last month's report outlining safety concerns with the country's outdated air traffic controller's system has placed greater pressure on the Senate to complete its work with few results to show.

HOUSE TRANSPORTATION & INFRASTRUCTURE HEARING ON IIJA IMPLEMENTATION

The House Transportation and Infrastructure Subcommittee on Highways held [an oversight hearing](#) to examine the implementation of multimodal provisions included in the Infrastructure Investment and Jobs Act of 2021 (IIJA). Overall, Republican members highlighted a reduction in purchasing power provided by IIJA for surface transportation projects due to rising construction costs while Democrats applauded agency heads for jointly pursuing policies on environmental quality and equitable access to public transportation.

Witnesses answered a series of varied questions related to the Department of Transportation's (DOT) regulatory agenda, including bolstering climate resiliency of transportation and infrastructure projects through new vehicle emissions reporting requirements. Members expressed concern about a delay in the rollout of federal electric vehicle (EV) charging infrastructure funded through IIJA and whether permitting process were slowing project deployment.

Fall 2023 Regulatory Agenda

Twice annually, the federal government releases its Unified Regulatory Agenda to provide updates on its planned regulatory actions for the upcoming year.

DOT/Office of the Secretary

- DOT is considering rulemaking to explore the revisions to minimum guidelines for accessibility for buildings and facilities. The RFI is expected to be published in June 2024. Below are possible guidelines:
 - (1) Secondary elevators to improve the reliability of access to stations and facilities for persons unable to negotiate stairs or escalators;
 - (2) improvements in wayfinding that would benefit all riders, but particularly those who are blind, have low vision, have cognitive disabilities, or are neurodiverse, and are prevented from otherwise navigating the system independently; and
 - (3) induction loops that would bring clarity to announcements and emergency instructions to people who are deaf or hard of hearing.
- DOT is considering rulemaking to update the Transportation Priorities and Allocation System (TPAS) regulation by including T1 - Federal emergency preparedness, mitigation, response, and recovery on the list of programs approved for priorities and allocations support. The program authorizes Defense Production Act priority and allocation authority for qualified emergency preparedness, mitigation, response, and recovery activities related to civil

transportation. The Notice of Proposed Rulemaking (NPRM) is expected to be published in July 2024.

DOT/FHWA

- Joint rulemaking would amend Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) regulations for Statewide and Nonmetropolitan and Metropolitan Transportation Planning and Programming. The rulemaking would implement relevant requirements of the Bipartisan Infrastructure Law (BIL), consider allowing additional flexibility in the development of the Transportation Improvement Program, and consider updates to transportation planning factors and plan requirements. The NPRM is expected to be published in May 2024.
- The FHWA is considering updating HSIP regulations under 23 CFR part 924 to incorporate the Safe System approach, clarify the scope of the Highway Safety Improvement Program (HSIP) to focus on the safety of all road users on the entire public roads network, improve evaluation practices and data collection, and streamline reporting. The NPRM is expected to be published in December 2023.
- FHWA is considering rulemaking to amend 23 CFR part 680 to clarify that non-proprietary EV charging connectors would be eligible for funding under the NEVI program. This rulemaking would also make some minor changes to clarify existing regulatory text. The interim final rule is expected to be published in December 2023.

DOT/FTA

- FTA is considering rulemaking that would establish minimum baseline standards and risk-based requirements to address transit worker and public safety. The NPRM is expected to be published in February 2024.
- FTA is considering rulemaking that would amend 'Buy America' requirements to incorporate changes made by the Bipartisan Infrastructure Law and to make other updates and amendments. The NPRM is expected to be published in April 2024.

Pending Legislation of Interest

[H.R.125](#) — **To prohibit the imposition of mask mandates on public transportation.**
Sponsor: Biggs, Andy [Rep.-R-AZ-5]
Introduced: 1/9/2023

[H.R.327](#) — **To reduce the tax credit for new qualified plug-in electric drive motor vehicles by State subsidies for these vehicles.**

Sponsor: Estes, Ron [Rep.-R-KS-4]

Introduced: 1/12/2023

[H.R.490](#) — **To establish the Federal Infrastructure Bank to facilitate investment in, and the long-term financing of, economically viable U.S. infrastructure projects that provide a public benefit.**

Sponsor: Webster, Daniel [Rep.-R-FL-11]

Introduced: 1/24/2023

[S.63](#) — **A bill to adjust the effective date for application of certain amendments made with respect to the credit for new clean vehicles.**

Sponsor: Manchin, Joe, III [Sen.-D-WV]

Introduced: 1/25/2023

[H.R.495](#) — **To amend the National Environmental Policy Act of 1969 to authorize assignment to States of Federal agency environmental review responsibilities.**

Sponsor: Calvert, Ken [Rep.-R-CA-41]

Introduced: 1/25/2023

[H.R.852](#) — **To direct the Attorney General to establish a grant program for civilian traffic violation enforcement.**

Sponsor: Rep. Torres, Ritchie [D-NY-15]

Introduced: 2/06/2023

[H.R.873](#) — **To authorize the Administrator of the Environmental Protection Agency to award grants and contracts for projects that use emerging technologies to address threats to water quality, and for other purposes.**

Sponsor: Rep. Donalds, Byron [R-FL-19]

Introduced: 2/08/2023

[S.352](#) — **Highway Formula Modernization Act of 2023**

Sponsor: Kelly, Mark [Sen.-D-AZ]

Introduced: 2/09/2023

[H.R. 1500](#) – **To establish a program to use anonymized data from third party entities to inform infrastructure planning decisions and improve transportation management capabilities.**

Introduced: 3/09/2023

Status: Advanced from T&I committee

[H.R.1665](#) — **To direct the Secretary of Transportation to establish a program to provide grants to local governments to install publicly accessible safety charging stations for electric bicycles and scooters, and for other purposes.**

Sponsor: Velazquez, Nydia M. [Rep.-D-NY-7]

Introduced: 03/17/2023

[S.876](#) — **A bill to establish a 90-day limit to file a petition for judicial review of a permit, license, or approval for a highway or public transportation project, and for other purposes.**

Sponsor: Cruz, Ted [Sen.-R-TX]

Introduced: 03/21/2023

[H.R.1668](#) — **To amend title 23, United States Code, with respect to the highway safety improvement program, and for other purposes.**

Sponsor: Blumenauer, Earl [Rep.-D-OR-3]

Introduced: 03/21/2023

[H.R.2664](#) — **Transportation Innovation Coordination Act**

Sponsor: DelBene, Suzan K. [Rep.-D-WA-1]

Introduced: 04/18/2023

[H.R.3082](#) - **MOBILE Act**

Sponsor: Cohen, Steve [D-TN-9]

Introduced: 05/05/2023

[S.1535](#) — **A bill to require the Administrator of the Federal Aviation Administration to promulgate regulations to allow the transport of firefighters on board a covered aircraft operated on a mission to suppress a wildfire, and for other purposes.**

Sponsor: Kelly, Mark [Sen.-D-AZ]

Introduced: 05/10/2023

[H.R.3411](#) - **To increase access to higher education by providing public transit grants.**

Sponsor: Fitzpatrick, Brian K. [R-PA-1]

Introduced: 05/17/2023

[H.R.3468](#) — **To direct the Secretary of Energy to establish a grant program to facilitate electric vehicle sharing services operated at public housing projects, and for other purposes.**

Sponsor: Barragan, Nanette Diaz [D-CA-44]

Introduced: 05/18/2023

[H.R.3785](#) — **To amend title 23, United States Code, to require that public employees perform construction inspection work for federally funded highway projects, and for other purposes.**

Sponsor: Rep. Garamendi, John [D-CA-8]

Introduced: 06/01/2023

[H.R.3845](#) — **To amend title 23, United States Code, to increase accessible transportation for individuals with disabilities.**

Sponsor: Titus, Dina [Rep.-D-NV-1]

Introduced: 06/06/2023

[H.R.3896](#) — **To establish an airport infrastructure resilience pilot program.**

Sponsor: Cohen, Steve [Rep.-D-TN-9]

Introduced: 06/07/2023

[S.1929](#) — **A bill to direct the Administrator of the Federal Aviation Administration to provide progress reports on the development and implementation of the national transition plan related to a fluorine-free firefighting foam, and for other purposes.**

Sponsor: Peters, Gary C. [Sen.-D-MI]

Introduced: 06/12/2023

[S.1946](#) — **A bill to amend title 49, United States Code, to allow the owner or operator of a small hub airport that is reclassified as a medium hub airport to elect to be treated as a small hub airport, and for other purposes.**

Sponsor: Sen. Blackburn, Marsha [R-TN]

Introduced: 06/13/2023

[S.2075](#) — **A bill to amend the Infrastructure Investment and Jobs Act to modify the Safe Streets and Roads for All program.**

Sponsor: Fetterman, John [Sen.-D-PA]

Introduced: 06/21/2023

[S.Res.274](#) — **A resolution expressing the sense of the Senate to reduce traffic fatalities to zero by 2050.**

Sponsor: Blumenthal, Richard [Sen.-D-CT]

Introduced: 06/22/2023

[H.R.4598](#) — **To provide for disadvantaged business enterprise supportive services programs at modal administrations of the Department of Transportation, and for other purposes.**

Sponsor: Aguilar, Pete [Rep.-D-CA-33]

Introduced: 07/13/2023

[H.R.4621](#) — **To improve the environmental review process for highway projects through the use of interactive, digital, cloud-based platforms, and for other purposes.**

Sponsor: Johnson, Dusty [R-SD-At Large]

Introduced: 07/13/2023

[H.R.4636](#) — **To direct the Secretary of Transportation to establish a Wireless Electric Vehicle Charging Grant Program, and for other purposes.**

Sponsor: Stevens, Haley M. [Rep.-D-MI-11]

Introduced: 07/14/2023

[H.R.4728](#) — **To amend title 49, United States Code, to provide for free public transportation for individuals who are recently released from incarceration.**

Sponsor: Cleaver, Emanuel [Rep.-D-MO-5]

Introduced: 07/20/2023

[H.R.4857](#) — **Equitable Transit Oriented Development Support Act**

Sponsor: DeSaulnier, Mark [Rep.-D-CA-10]

Introduced: 07/25/2023

[S.2480](#) — **CHARGE Act of 2023**

Sponsor: Markey, Edward J. [Sen.-D-MA]

Introduced 07/25/2023

[H.R.4908](#) — **Expedited Federal Permitting for California Act**

Sponsor: Garamendi, John [Rep.-D-CA-8]

Introduced: 07/26/2023

[H.R.4982](#) — **Tolling Transparency Act of 2023**

Sponsor: Chavez-DeRemer, Lori [Rep.-R-OR-5]

Introduced: 07/27/2023

[H.R.5154](#) — **CHARGE Act of 2023**

Sponsor: Ocasio-Cortez, Alexandria [Rep.-D-NY-14]

Introduced: 08/04/2023

[H.R.5242](#) — **CONNECT Act of 2023**

Sponsor: Pettersen, Brittany [Rep.-D-CO-7]

Introduced: 08/18/2023

[H.R.5359](#) — **Rural Development Modernization Act**

Sponsor: Costa, Jim [Rep.-D-CA-21]

Introduced: 09/08/2023

[H.R.5437](#) — **Protecting Infrastructure Investments for Rural America Act**

Sponsor: Finstad, Brad [Rep.-R-MN-1]

Introduced: 09/13/2023

[S.2855](#) — **A bill to modernize and streamline the permitting process for broadband infrastructure on Federal land, and for other purposes.**

Sponsor: Barrasso, John [Sen.-R-WY]

Introduced: 09/20/2023

[H.R.5656](#) — **To amend the Internal Revenue Code of 1986 to provide a tax credit for new off-road plug-in electric vehicles.**

Sponsor: Phillips, Dean [Rep.-D-MN-3]

Introduced: 09/21/2023

[S.2882](#) — **Stop EV Freeloading Act**

Sponsor: Fischer, Deb [Sen.-R-NE]

Introduced: 09/21/2023

[H.R.5859](#) — **To direct the Secretary of Transportation to establish a program to provide grants to protection and advocacy systems to advocate for individuals with disabilities to access transportation, and for other purposes.**

Sponsor: Wilson, Frederica S. [Rep.-D-FL-24]

Introduced: 09/29/2023

[H.R.5980](#) — **To amend title 49, United States Code, to authorize state of good repair grants to be used for public transportation resilience improvement, and for other purposes.**

Sponsor: Espaillat, Adriano [Rep.-D-NY-13]

Introduced: 10/18/2023

[S.3080](#) — **Resilient Transit Act of 2023**

Sponsor: Gillibrand, Kirsten E. [Sen.-D-NY]

Introduced: 10/18/2023

[H.R.6178](#) — **Bidirectional Electric Vehicle Charging Act of 2023**

Sponsor: Brownley, Julia [Rep.-D-CA-26]

Introduced: 11/02/2023

[H.R.6199](#) — **Build More Housing Near Transit Act of 2023**

Sponsor: Peters, Scott H. [Rep.-D-CA-50]

Introduced: 11/02/2023

[S.3216](#) — **Build More Housing Near Transit Act of 2023**

Sponsor: Schatz, Brian [Sen.-D-HI]

Introduced: 11/02/2023

[S.3246](#) — Building Safer Streets Act

Sponsor: Fetterman, John [Sen.-D-PA]

Introduced: 11/07/2023

[H.R.6376](#) — To require certain grant recipients of transit and highway transportation projects to establish and contribute to a business uninterrupted monetary program fund, and for other purposes.

Sponsor: Correa, J. Luis [Rep.-D-CA-46]

Introduced: 11/13/2023

[H.R.6665](#) — To amend the Internal Revenue Code of 1986 to eliminate certain fuel excise taxes and impose a tax on greenhouse gas emissions to provide revenue for maintaining and building American infrastructure, and for other purposes.

Sponsor: Fitzpatrick, Brian K. [Rep.-R-PA-1]

Introduced: 12/07/2023

[S.3477](#) — A bill to increase access to higher education by providing public transit grants.

Sponsor: Casey, Robert P., Jr. [Sen.-D-PA]

Introduced: 12/12/2023

Executive Branch

Biden-Harris Administration

Under direction by the Biden administration, seven federal agencies – the Departments of Commerce, the Interior, Agriculture, Labor and Energy, the Environmental Protection Agency, and AmeriCorps – have [entered into a Memorandum of Understanding \(MOU\)](#) that will serve as a blueprint for the multiagency American Climate Corps (ACC). Modeled after the Civilian Conservation Corps, the ACC will serve as a workforce training and service initiative for young Americans in the clean energy and climate resiliency economy.

The Biden administration [announced a final rule](#) implementing the President's *Executive Order 14063* requiring Project Labor Agreements (PLAs) for large-scale federal construction projects where the total cost for the government is estimated to be \$35 million or more. The final rule provides meaningful implications for new infrastructure projects funded in part by the Bipartisan Infrastructure Law. The White House's 'Bidenomics' agenda is centered on strengthening U.S. worker protections and rights while promoting domestic production of necessary construction materials, such as steel and cement. With a divided Congress, the White House has increasingly utilized the President's executive powers to further its policy agenda ahead of the 2024 elections.

Department of Transportation (DOT)

DOT [awarded](#) \$813 million of funding through the 385 Safe Streets and Roads for All (SS4A) grant program, which go directly to regional and local agencies for the development of road safety action plans and improvement of unsafe roadway corridors. The City of Napa was awarded a grant to conduct a Complete Streets corridor study for an arterial roadway in Napa's High Injury Network (HIN). The demonstration involves two technology pilots: 1) a system to deliver digital alerts of emergency response vehicles, and 2) providing real-time alerts to police officers of drivers speeding, using a phone, and not wearing a seatbelt.

DOT [announced](#) a \$25 million funding opportunity for its Rural Autonomous Vehicle research program, which facilitates research on the benefits and responsible application of automated vehicles and associated mobility technologies in rural and Tribal communities. One \$15 million award will focus on passenger transportation, and a separate \$10 million award will focus on movement of freight to support and enable automated freight and delivery vehicles serving rural areas.

DOT [awarded](#) \$645.3 million from the Rural Surface Transportation Grant Program, which supports projects to improve and expand the surface transportation infrastructure in rural areas to increase connectivity, improve the safety and reliability of the movement of people and freight, and generate regional economic growth. The program invests a total of approximately \$2 billion through 2026 for projects that improve highways, bridges, and tunnels, address highway safety, increase access to agricultural, commercial, energy, or freight facilities, and bring flexible transit services to rural areas.

Joint Office of Energy and Transportation (Joint Office)

The Joint Office [announced](#) the implementation of J3400 TM, a new standard for charging EVs published by the Society of Automotive Engineers (SAE). Any supplier or manufacturer of EV charging systems will now be able to use and deploy the Tesla-developed North America Charging Standard (NACS) connector. The SAE International Technical Information Report (TIR) is a key step in the standards development process to define the design, construction, and technical characteristics of motor vehicle components like the connectors and inlets used to charge EVs.

Federal Highway Administration (FHWA)

FHWA [announced](#) an Advanced Notice of Proposed Rulemaking – also referred to as a Request for Information – to solicit feedback from the public on updating FHWA's minimum standards and requirements for electric vehicle (EV) charging stations to allow

for new technology and continued innovation. The RFI will provide the FHWA with suggestions to fully incorporate new technology and innovation, such as the SAE J3400TM, into its minimum standards for federally-funded EV charging stations.

FHWA [awarded](#) \$110 million in Wildlife Crossings Pilot Program grants to support projects that construct wildlife crossings circumventing busy roadways, add fencing, and acquire tracking and mapping tools. The California DOT will receive \$8 million to reduce wildlife vehicle collisions and connect animal habitats between protected State Park lands on either side of US 101.

Federal Transit Administration (FTA)

FTA [announced](#) the availability of \$343 million in FY 2024 federal funding through the All-Stations Accessibility Program, which supports upgrades (i.e. installation of elevators) to subway, commuter rail, and light rail systems in order to meet the Americans with Disabilities Act (ADA) standards.

The Federal Transit Administration is set to publish a proposed [general directive](#) in the Federal Register today aimed at addressing the rise in assaults on transit workers. It would require transit agencies to assess risk and develop mitigation plans, Lillianna Byington reports.

Federal Aviation Administration (FAA)

FAA [convened](#) a three-member panel to examine how the latest science on sleep needs and fatigue considerations could be applied to air traffic controller work requirements and scheduling. The panel will identify potential ways the FAA could better address controller fatigue. The panel will begin its work in early January and provide a final report to the FAA six weeks later.

FAA [awarded](#) \$66.2 million in Airport Infrastructure Grant program funds to 66 projects for projects to modernize terminals, increase safety, expand capacity, and replace equipment. In total, the Bipartisan Infrastructure Law invests \$25 billion over five years in U.S. airports. Many grants awarded contain an element that involves improving drainage, replacing or purchasing equipment and building new terminals, towers, roads, taxi lanes, and runway signage.

PLATINUM | ADVISORS

December 29, 2023

TO: Kate Miller, Executive Director
Napa Valley Transportation Authority

FR: Steve Wallauch
Platinum Advisors

RE: Legislative Update

New Chairs: Speaker Rivas showed who he was thankful for by announcing new chairs and leadership changes the day before Thanksgiving. This was an announcement that has been long awaited and was proceeded by a flurry of rumors about who was in and who was out. The only real surprise was the demotion of Assemblyman Isaac Bryan who was relieved of his duties as Majority Leader only five months after being named to the post. The following are some of the other changes announced:

- Assemblymember Cecilia Aguiar-Curry has been named Majority Leader.
- Assemblymember Jim Wood has been named Speaker Pro Tempore.
- Assemblymember Matt Haney has been named Majority Whip.
- Assemblymember Buffy Wicks has been named chair of Appropriations.
- Assemblymember Jesse Gabriel has been named chair of Budget.
- Assemblymember Lori Wilson has been named chair of Transportation.
- Assemblymember Mia Bonta has been named chair of Health.
- Assemblymember Liz Ortega has been named chair of Labor & Employment.
- Assemblymember Rebecca Bauer Kahan has been named chair of Privacy & Consumer Protection.

New Pro Tem: With Senate President Pro Tem Toni Atkins being termed out in 2024, the Senate Democrat Caucus in August elected Senator Mike McGuire to be the next Senate leader. However, this election did not specify a transition date. On December 4th, it was announced Senator McGuire will be sworn in as the next President Pro Tempore of the Senate on February 5th.

Senator McGuire will take the helm at a fiscally turbulent time. The state budget deficit could potentially reach \$68 billion according to the Legislative Analyst's Office (LAO). While the new Pro Tem will have to make tough decisions, this early transition date will enable Senator McGuire to have his team in place to meet this challenge.

Deficit Looms: The LAO released its fiscal outlook [report](#) and estimates over the three-year budget window the state is facing a potential \$68 billion deficit. Because the income tax filing deadline was extended for most of the state to November 16th, the 2023-24 budget relied on revenue estimates instead of actual receipts from the 2022 tax year. Breaking down this large deficit is always confusing. The LAO has lowered the revenue estimate by \$58 billion over the 2023-24 through 2024-25 budget window, and adjusts downward the 2021-22 ending fund balance and growing program costs to reach this shortfall. Nearly half of the \$58 billion revenue reduction is attributable to revenues in 2022-23 being 25% lower than projected, or \$26 billion below the target.

While the release of the Governor's budget in January will shed more light on how dire the outlook may be, the LAO's report lists the following areas for the legislature to consider in order to balance the budget.

- **Withdraw Reserves.** The LAO estimates the state would have about \$24 billion in reserves to help address the budget problem.
- **Reduce Proposition 98 Spending.** Over the three-year budget window, the state could reduce General Fund costs by \$16.7 billion by lowering school spending in accordance with Proposition 98, including the use of existing Proposition 98 reserves.
- **Reduce Other One-Time Spending.** The LAO estimates the state has at least \$8 billion in one-time and temporary spending slated for 2024-25 that could be pulled back to help address the budget problem. This includes spending of \$2.2 billion in transportation, \$1.9 billion in natural resources and environment, and \$1.8 billion in various education programs. In addition, the LAO points out there are potentially billions of dollars more in spending from prior years that has been committed but not yet distributed.

Following the release of the LAO's revenue outlook, the Department of Finance (DOF) sent a letter for all state agencies and departments directing them to limit spending. The letter directed all agencies and departments to limit spending on new goods and services contracts, reducing information technology costs, limiting vehicle replacements, limiting office supply purchases, reducing non-essential travel, and cancelling some leave buy-back programs, to name a few. It's going to be a bumpy ride.

Session Resumes: The second half of the two-year session begins on January 3rd. The second half always starts fast as legislators rush to get all two-year bills out of their house of origin by the end of January. With this rush, bills languishing in policy committees are gutted and amended and many new proposals pop up with little notice.

One new proposal on the horizon is SB 397. Senator Aisha Wahab has drafted amendments for SB 397 that directs CalSTA to develop a plan to consolidate ALL transit

agencies located within the Bay Area. While there are many practical and political issues with this proposal, it is the first step by Senator Wahab to re-examine transit service in the region and explore ways to improve service. SB 397 should be “in print” on January 3rd and could be heard by the Senate Transportation Committee as early as January 9th.

10. FUTURE AGENDA ITEMS

11. ADJOURNMENT

11.1 The next Regular Meeting is _____.

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, XXXX.

Laura M. Sanderlin, NVTA-TA Board Secretary

Napa Valley Transportation Authority

625 Burnell Street
Napa, CA 94559

Agenda - Draft NVTB Board of Directors

Wednesday, January 17, 2024

1:30 PM

JoAnn Busenbark Board Room

1. Call to Order

2. Consideration and Approval of Board Member Requests for Remote Participation

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. Executive 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 NVTB Project Update

Recommendation: Information Only

Estimated Time: 2:10 p.m.

10. CONSENT AGENDA ITEMS

10.1 Meeting Minutes of November 15, 2023 (Laura Sanderlin)
(Pages xx)

Recommendation: Board action will approve the minutes of the November 15th regular meeting.

Estimated Time: 2:00 p.m.

Attachments: Draft Minutes

10.2 Paratransit Coordinating Council (PCC) Member Appointment to the Napa Valley Transportation Authority (NVRTA) Board of Directors (Laura Sanderlin) (Pages xx)

Recommendation: That the Napa Valley Transportation Authority (NVRTA) Board appoint Devereaux Smith as representative of the PCC as a non-voting member to the NVRTA Board of Directors.

Estimated Time: 2:00 p.m.

10.3 Approval of Revised Passenger Code of Conduct (Rebecca Schenck) (Pages x)

Recommendation: That the Napa Valley Transportation Authority (NVRTA) Board approve revisions to Chapter 9 - NVRTA Policies, Practices, and Procedures Manual, to Update Section 9.2. Passenger Code of Conduct.

Estimated Time: 3:00 p.m.

10.4 Amendment to the Cultural Resources Monitoring and Treatment Agreement for the St. Helena to Calistoga Napa Valley Vine Trail Project (Grant Bailey) (Pages xx)

Recommendation: That the Napa Valley Transportation Authority (NVRTA) Board

Estimated Time: 3:30 p.m.

- 10.5** **Amendment No. 8 to Agreement No. 17-15 with Kimley Horn and Associates (KHA) for Vine Bus Maintenance Facility Architectural and Engineering Design Services (Grant Bailey) (Pages xx)**

Recommendation: That the Napa Valley Transportation Authority (NVTA) Board

Estimated Time: 3:30 p.m.

- 10.6** **Notice of Completion for the Imola Park and Ride Improvements Project (Grant Bailey) (Pages xx)**

Recommendation: That the Napa Valley Transportation Authority (NVTA) Board

Estimated Time: 3:30 p.m.

11. REGULAR AGENDA ITEMS

- 11.1** **Project Work Order No. E-01 to NVTA Agreement No. ## with Kimley Horn & Associates for Project Approval and Environmental Document phase services associated with the American Canyon State Route 29 Corridor Improvements Project (Grant Bailey) (Pages xx)**

Recommendation: That the Napa Valley Transportation Authority (NVTA) Board

Estimated Time: 3:30 p.m.

- 11.2** **Awarding ATNA Contract (Diana Meehan) (Pages xx)**

Recommendation: That the Napa Valley Transportation Authority (NVTA) Board

Estimated Time: 3:30 p.m.

11.3 Public Services Agreement with Muelreath Public Affairs for Strategic Communications Campaign and Public Relations Services (Antonio Onorato) (Pages xx)

Recommendation: That the Napa Valley Transportation Authority (NVRTA) Board

Estimated Time: 3:30 p.m.

11.4 EMC Polling Services (Antonio Onorato) (Pages xx)

Recommendation: That the Napa Valley Transportation Authority (NVRTA) Board

Estimated Time: 3:30 p.m.

11.5 Federal and State Legislative Update (Kate Miller) (Pages xx)

Recommendation: That the Napa Valley Transportation Authority (NVRTA) Board receive the Federal Legislative update, State Legislative Update and State Bill Matrix Update prepared by Platinum Advisors.

Estimated Time: 3:30 p.m.

12. CLOSED SESSION

12.1

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957(b)(1))**

Title: Executive Director

Estimated Time: 3:00 p.m.

13. FUTURE AGENDA ITEMS

14. ADJOURNMENT

14.1 The next Regular Meeting is Wednesday, February 21st.

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 NVTB Offices, 625 Burnell Street, Napa, CA by 5:00 p.m. by Friday, XXXX.

Laura M. Sanderlin (e-sign) month/day/year

Laura M. Sanderlin, NVTB Board Secretary