

Napa Valley Transportation Authority

625 Burnell Street
Napa, CA 94559



Agenda - Final

Wednesday, June 21, 2017
1:30 PM

NVTA Conference Room

NVTA Board of Directors

All materials relating to an agenda item for an open session of a regular meeting of the NVTA Board of Directors are posted on our website at <https://nctpa.legistar.com/Calendar.aspx> at least 72 hours prior to the meeting and will be available for public inspection, on and after at the time of such distribution, in the office of the Secretary of the NVTA Board of Directors, 625 Burnell Street, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for NVTA holidays. Materials distributed to the present members of the Board at the meeting will be available for public inspection at the public meeting if prepared by the members of the NVTA Board or staff and after the public meeting if prepared by some other person. 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.

Members of the public may speak to the Board on any item at the time the Board is considering the item. Please complete a Speaker's Slip, which is located on the table near the entryway, and then present the slip to the Board Secretary. Also, members of the public are invited to address the Board on any issue not on today's agenda under Public Comment. Speakers are limited to three minutes.

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 Karrie Sanderlin, NVTA Board Secretary, at (707) 259-8631 during regular business hours, at least 48 hours prior to the time of the meeting.

This Agenda may also be viewed online by visiting the NVTA website at <https://nctpa.legistar.com/Calendar.aspx>

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

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

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

10. CONSENT AGENDA ITEMS (10.1-10.5)

- 10.1 Approval of Meeting Minutes of May 17, 2017 (Karrie Sanderlin) (Pages 9-16)**

Recommendation: Board action will approve the meeting minutes of May 17, 2017.

Estimated Time: 1:45 p.m.

Attachments: [Draft Minutes](#)

- 10.2 Resolution No. 17-08 Authorizing the Filing of Applications with the Federal Transit Administration (FTA) (Antonio Onorato) (Pages 17-20)**

Recommendation: Board action will approve Resolution No. 17-08 authorizing the Executive Director or her designee to file applications and execute grant agreements with the FTA.

Estimated Time: 1:45 p.m.

Attachments: [Staff Report](#)

10.3 Resolution No. 17-09 Resolution of Local Support for the Safe Routes to School (SRTS) Project (Diana Meehan) (Pages 21-27)

Recommendation: Board action will approve Resolution No. 17-09 a Resolution of Local Support for the Napa County SRTS Project under One Bay Area Grant Cycle 2 (OBAG 2).

Estimated Time: 1:45 p.m.

Attachments: [Staff Report](#)

10.4 Resolution No. 17-10 Authorizing the Filing with the Metropolitan Transportation Commission (MTC) for Allocation for Transportation Development Act (TDA), Regional Measure 2 (RM2), and State Transit Assistance (STA) Funds for Fiscal Year (FY) 2017-18 (Justin Paniagua) (Pages 28-32)

Recommendation: Board action will approve Resolution No. 17-10 Authorizing the Filing with MTC for allocation for TDA, RM2, and TDA Funds for FY 2017-18.

Estimated Time: 1:45 p.m.

Attachments: [Staff Report](#)

10.5 Notice of Completion for the Napa Valley Vine Trail - Oak Knoll Section (Herb Fredricksen) (Pages 33-37)

Recommendation: Board action will authorize the filing of the Notice of Completion with the Recorder-County Clerk for the Napa Valley Vine Trail - Oak Knoll Section.

Estimated Time: 1:45 p.m.

Attachments: [Staff Report](#)

11. REGULAR AGENDA ITEMS

11.1 First Amendment to NVTA Agreement No. 14-19 with Hunt & Sons Inc. (Antonio Onorato) (Pages 38-43)

Recommendation: Board action will authorize the Executive Director to execute the First Amendment to Agreement No. 14-19 and a separate agreement to be prepared by counsel setting forth Hunt & Sons' insurance and indemnity obligations for the installation and maintenance of fueling equipment for an "on-site" fueling option at the Vine Transit Bus Maintenance Yard located at 720 Jackson Street in Napa, subject to approval by the City of Napa and compliance with all permitting requirements.

Estimated Time: 1:45 p.m.

Attachments: [Staff Report](#)

11.2.A Vine Transit Route 25 Intercity Bus Service (Matthew Wilcox) (Pages 44-49)

Recommendation: The Board will receive an update on the Vine Transit Route 25.

Estimated Time: 2:00 p.m.

Attachments: [Staff Report](#)

11.2.B Vine Transit Route 25 Intercity Bus Service Financial Alternatives (Antonio Onorato) (Pages 50-53)

Recommendation: Board action will direct staff to implement one or a combination of the funding alternatives to supplement the pending reduction of Federal Transit Administration Section 5311(f) Intercity Bus Program funds.

Estimated Time: 2:15 p.m.

Attachments: [Staff Report](#)

11.3 Update on Vine Transit Date Integration on Google (Matthew Wilcox) (Pages 54-56)

Recommendation: The Board will receive an update on Vine Transit date integration on Google Maps.

Estimated Time: 2:30 p.m.

Attachments: [Staff Report](#)

11.4 First Amendment to Agreement No. 16-11 with the City of Napa for Omin-Means to Complete the Modeling and Preliminary Design for the Soscol Junction Project Alternative (Danielle Schmitz) (Pages 57-78)

Recommendation: Board action will authorize the Executive Director to expend up to an additional \$31,264 to complete the modeling for the Soscol Junction Project Alternative.

Estimated Time: 2:45 p.m.

Attachments: [Staff Report](#)

11.5 Federal and State Legislative Updates and State Bill Matrix (Kate Miller) (Pages 79-102)

Recommendation: The Board will receive the monthly Federal and State Legislative updates, and State Bill Matrix.

Estimated Time: 3:00 p.m.

Attachments: [Staff Report](#)

12. FUTURE AGENDA ITEMS

13. CLOSED SESSION

13.1 CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)

Agency Designated Representative: Peter White, Chairman

Employee: Executive Director

Estimated Time: 3:15 p.m.

14. ADJOURNMENT

14.1 Approval of Next Regular Meeting Date of July 19, 2017 at 1:30 p.m. and Adjournment

Estimated Time: 4:00 p.m.

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. on Friday June 16, 2017.

Karalyn E. Sanderlin (e-sign) June 15, 2017

Karalyn E. Sanderlin, NVTA Board Secretary

Glossary of Acronyms

AB 32	Global Warming Solutions Act	HOT	High Occupancy Toll
ABAG	Association of Bay Area Governments	HOV	High Occupancy Vehicle
ADA	American with Disabilities Act	HR3	High Risk Rural Roads
ATAC	Active Transportation Advisory Committee	HSIP	Highway Safety Improvement Program
ATP	Active Transportation Program	HTF	Highway Trust Fund
BAAQMD	Bay Area Air Quality Management District	IFB	Invitation for Bid
BART	Bay Area Rapid Transit District	ITIP	State Interregional Transportation Improvement Program
BATA	Bay Area Toll Authority	IS/MND	Initial Study/Mitigated Negative Declaration
BRT	Bus Rapid Transit	JARC	Job Access and Reverse Commute
CAC	Citizen Advisory Committee	LIFT	Low-Income Flexible Transportation
CAP	Climate Action Plan	LOS	Level of Service
Caltrans	California Department of Transportation	MAP 21	Moving Ahead for Progress in the 21 st Century Act
CEQA	California Environmental Quality Act	MPO	Metropolitan Planning Organization
CIP	Capital Investment Program	MTC	Metropolitan Transportation Commission
CMA	Congestion Management Agency	MTS	Metropolitan Transportation System
CMAQ	Congestion Mitigation and Air Quality Improvement Program	ND	Negative Declaration
CMP	Congestion Management Program	NEPA	National Environmental Policy Act
CTP	Countywide Transportation Plan	NOAH	Natural Occurring Affordable Housing
COC	Communities of Concern	NOC	Notice of Completion
CTC	California Transportation Commission	NOD	Notice of Determination
DAA	Design Alternative Analyst	NOP	Notice of Preparation
DBB	Design-Bid-Build	NVTA	Napa Valley Transportation Authority
DBF	Design-Build-Finance	NVTA-TA	Napa Valley Transportation Authority-Tax Agency
DBFOM	Design-Build-Finance-Operate-Maintain	OBAG	One Bay Area Grant
DED	Draft Environmental Document	PA&ED	Project Approval Environmental Document
EIR	Environmental Impact Report	P3 or PPP	Public-Private Partnership
EJ	Environmental Justice	PCC	Paratransit Coordination Council
FAS	Federal Aid Secondary	PCI	Pavement Condition Index
FAST	Fixing America's Surface Transportation Act	PCA	Priority Conservation Area
FHWA	Federal Highway Administration	PDA	Priority Development Areas
FTA	Federal Transit Administration	PID	Project Initiation Document
FY	Fiscal Year	PMS	Pavement Management System
GHG	Greenhouse Gas	Prop. 42	Statewide Initiative that requires a portion of gasoline sales tax revenues be designated to transportation purposes
HBP	Highway Bridge Program	PSE	Plans, Specifications and Estimates
HBRR	Highway Bridge Replacement and Rehabilitation Program		
HIP	Housing Incentive Program		

Glossary of Acronyms

PSR	Project Study Report	TIGER	Transportation Investments Generation Economic Recovery
PTA	Public Transportation Account	TIP	Transportation Improvement Program
RACC	Regional Agency Coordinating Committee	TLC	Transportation for Livable Communities
RFP	Request for Proposal	TLU	Transportation and Land Use
RFQ	Request for Qualifications	TMP	Traffic Management Plan
RHNA	Regional Housing Needs Allocation	TMS	Transportation Management System
RM2	Regional Measure 2 (Bridge Toll)	TOAH	Transit Oriented Affordable Housing
ROW	Right of Way	TOD	Transit-Oriented Development
RTEP	Regional Transit Expansion Program	TOS	Transportation Operations Systems
RTIP	Regional Transportation Improvement Program	TPA	Transit Priority Area
RTP	Regional Transportation Plan	TPP	Transit Priority Project Areas
SAFE	Service Authority for Freeways and Expressways	VHD	Vehicle Hours of Delay
SAFETEA-LU	Safe, Accountable, Flexible, and Efficient Transportation Equity Act-A Legacy for Users	VMT	Vehicle Miles Traveled
SB 375	Sustainable Communities and Climate Protection Act 2008		
SCS	Sustainable Community Strategy		
SHOPP	State Highway Operation and Protection Program		
SNCI	Solano Napa Commuter Information		
SNTDM	Solano Napa Travel Demand Model		
SR	State Route		
SRTS	Safe Routes to School		
SOV	Single-Occupant Vehicle		
STA	State Transit Assistance		
STIC	Small Transit Intensive Cities		
STIP	State Transportation Improvement Program		
STP	Surface Transportation Program		
TAC	Technical Advisory Committee		
TCM	Transportation Control measure		
TCRP	Traffic Congestion Relief Program		
TDA	Transportation Development Act		
TDM	Transportation Demand Management Transportation Demand Model		
TE	Transportation Enhancement		
TEA	Transportation Enhancement Activities		
TEA 21	Transportation Equity Act for the 21 st Century		
TFCA	Transportation Fund for Clean Air		

**Napa Valley Transportation
Authority
Meeting Minutes - Draft
NVTB Board of Directors**

June 21, 2017
NVTB Agenda Item 10.1
Continued From: New
Action Requested: APPROVE

625 Burnell Street
Napa, CA 94559

Wednesday, May 17, 2017

1:30 PM

NVTB Conference Room

1. Call to Order

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

2. Pledge of Allegiance

Board Member Canning led the Pledge of Allegiance.

3. Roll Call

Leon Garcia
Alan Galbraith
James Barnes
Chris Canning
Jill Techel
Mark Joseph
Peter White
Doris Gentry
Kerri Dorman
Beth Kahiga
Alfredo Pedroza
John F. Dunbar
Belia Ramos

4. Adoption of the Agenda

Motion MOVED by GALBRAITH, SECONDED by CANNING to APPROVE Adoption of the agenda.
Motion carried by the following vote:

Aye: 19 - Garcia, Galbraith, Barnes, Canning, Techel, Joseph, White, Gentry, and Dorman

Absent: 5 - Pedroza, Dunbar, and Ramos

5. Public Comment

Joe Boden, Napa Resident, requested that Measure T funds be used to repair sidewalks in the Shurtleff area neighborhood (southeast Napa) to downtown [Napa].

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

No updates were given.

7. Director's Update

Kate Miller, Executive Director

- At its meeting today, the California Transportation Commission is anticipated to approve the FTA Section 5310 program which programs funds to projects that support elderly and disabled capital projects. NVTA's application was selected and the agency will receive funding to replace 4 new Vine Go paratransit vehicles. The 4 aged Vine Go vehicles will be used for the Shared Vehicle Program.
- Bike to Work Day was a great success this year, with over 500 commuters counted across Napa County - roughly a 10% increase from last year. Bike to Work Day was joined by 1,200 kids and families who rode their bikes to school. NVTA hosted a station on Soscol at the foot of the Vine Trail near Vallejo.
- NVTA hosted a Leadership Napa Valley team and students from Philips Elementary school. Art work created by Philip's students is on public display in NVTA administrative offices on the 2nd floor.
- 2017 Commute Challenge is now underway-April 1-June 30.
- NVTA will be celebrating National Take Your Dog to Work Day on June 23rd. Individuals who wish to bring their dogs on the bus may pay an adult fare and bring them aboard for the day.
- Announced that Mike Blasky, PIO, resigned his position at NVTA to join AAA. Mike's last day was May 12th. We wish Mike all the best in his future career endeavors.
- Vine Transit is extending service during BottleRock May 26-28, everybody rides for free.
- NVTA hosted a table at the May 15th Plan Bay Area Open House at the Elk's Club from 6-8. Staff was able to capture some survey data and receive mostly complimentary messages about the new Vine buses and the Vine Trail. The event was attended by Board Members Techel, Ramos, Pedroza, and Joseph.
- Finance Manager, Antonio aka Tony Onorato successfully completed his Masters of Accounting the Government/Accounting Curriculum at Rutgers.

8. Caltrans' Update

Kelly Hirschberg, Caltrans, provided an update on the status of various projects located in the county.

9. QUARTERLY PROJECT UPDATE

9.1 Napa Valley Vine Trail (Herb Fredricksen)

Staff provided an update on the project activities to date.

9.2 Soscol Junction Project (Danielle Schmitz)

Staff provided an update on the Soscol Junction Project.

9.3 Board Room Modifications (Karrie Sanderlin)

Staff provided an update on the upgrades and improvements planned for the Soscol Gateway Transit Center (SGTC) Board room

10. PUBLIC HEARING (TIME CERTAIN 1:30 P.M.)

10.1 Public Hearing to Eliminate the Vine Transit Route 25 Intercity Bus Service to Sonoma Effective July 1, 2017 (Antonio Onorato) (Pages 7-18)

Attachments: [Staff Report](#)

Chair White opened the Public Hearing at 1:59 p.m.

Caltrans notified NVTA that funding, Federal Transit Administration Section 5311f, in Fiscal Year (FY) 2017-18 will be reduced across all participating transit properties by twenty-six percent (26%), compelling the Authority to reduce or eliminate service. Since its inception in 2011, Vine Route 25 has struggled to gain ridership and has consistently underperformed compared to the Vine's local and other intercity bus routes and the minimum performance standards established in NVTA's Short Range Transit Plan. After analyzing its performance, it was staff's recommendation to discontinue the Route 25 service to Sonoma effective July 1, 2017.

Public Comment was provided by the following individuals who spoke in opposition of eliminating Vine Route 25.

Sally Scoville
Suzane Gibbs
Michael D. Setty
Yolanda Casas
Kevin Goodwin
James Dugger
Felice Dugger
Scott James Coombs (The Train Man)
Scott Baker

Chair White closed the Public Hearing at 2:31 p.m.

The consensus of the Board was to postpone the elimination of Route 25 and continue this item until the September 20th meeting. Further, the Board direct staff to (1) develop a market campaign designed to increase ridership on Route 25, (2) reach out to Sonoma County Transit and request their assistance in marketing the service in Sonoma County, as well as, financial assistance for operations, and (3) provide updates of these efforts to the Board at their June and July meetings.

Motion MOVED by JOSEPH, SECONDED by GALBRAITH to APPROVE (1) the continuance of this item until the September 20, 2017 meeting, (2) directing staff to (a) develop a market campaign to increase ridership on Route 25, (b) reach out to Sonoma Transit and request their assistance in marketing the service in Sonoma County as well as financial assistance for operations, and (c) provide updates of these efforts to the Board at their June and July meeting. Motion carried by the following vote:

Aye: 19 - Garcia, Galbraith, Barnes, Canning, Techel, Joseph, White, Gentry, and Dorman

Absent: 5 - Pedroza, Dunbar, and Ramos

11. CONSENT AGENDA ITEMS (11.1 - 11.2)

11.1 Approval of Meeting Minutes of April 19, 2017 (Kathy Alexander) (Pages 19-23)

Attachments: [Draft Minutes](#)

Motion MOVED by CANNING, SECONDED by TECHEL to APPROVE, with DORMAN ABSTAINING, the meeting minutes of April 19, 2017. Motion carried by the following vote:

Aye: 18 - Garcia, Galbraith, Barnes, Canning, Techel, Joseph, White, and Gentry

Absent: 5 - Pedroza, Dunbar, and Ramos

Abstain: 1 - Dorman

11.2 Active Transportation Advisory Committee (ATAC) Member Appointments (Diana Meehan) (Pages 24-35)

Attachments: [Staff Report](#)

Motion MOVED by GARCIA, SECONDED by JOSEPH to APPROVE the appointments of Marisa Coyne and Michael Constanzo as members to the Active Transportation Advisory Committee. Motion carried by the following vote:

Aye: 19 - Garcia, Galbraith, Barnes, Canning, Techel, Joseph, White, Gentry, and Dorman

Absent: 5 - Pedroza, Dunbar, and Ramos

12. REGULAR AGENDA ITEMS**12.1 Napa Valley Transportation Authority (NVTA) Third Quarter (Q3) Fiscal Year (FY) 2016-17 Financial Statements, Budget Adjustments and 5-Year Forecast (Justin Paniagua) (Pages 36-42)**

Attachments: [Staff Report](#)

Information Only / No Action Taken

Staff reviewed the NVTA financial performance compared to budget for the third quarter (January-March) period and 5-year forecast.

12.2 Vine Transit Performance Update (Matthew Wilcox) (Pages 43-49)

Attachments: [Staff Report](#)

Information Only / No Action Taken

The Board received a quarterly report summarizing Vine performance statistics.

12.3 Priority Development Area (PDA) Investment and Growth Strategy May 2017 Update (Danielle Schmitz) (Pages 50-55)

Attachments: [Staff Report](#)

Staff reviewed the Priority Development Area Investment and Growth Strategy process to date.

Motion MOVED by GALBRAITH, SECONDED by GARCIA to ACCEPT and FILE the Priority Development Area (PDA) Investment and Growth Strategy May 2017 Update. Motion carried by the following vote:

Aye: 19 - Garcia, Galbraith, Barnes, Canning, Techel, Joseph, White, Gentry, and Dorman

Absent: 5 - Pedroza, Dunbar, and Ramos

[Board Member Techel left the meeting at 3:45]

- 12.4** Resolution No. 17-07 Authorizing the Submittal of Countywide Coordinated Claim to the Metropolitan Transportation Commission (MTC) for the Allocation of Fiscal Year (FY) 2017-18 Transportation Development Act Article 3 (TDA-3) Pedestrian/Bicycle Project Funds to Claimants in Napa County (Diana Meehan) (Pages 56-61)

Attachments: [Staff Report](#)

The NVTA Board opened a call for projects for the Fiscal Year (FY) 2017-18 TDA-3 Program at their February meeting, with applications due on March 17, 2017. Four (4) project applications were received from three jurisdictions; one from the Town of Yountville, two from the City of Calistoga and one from the County of Napa as shown below.

FY 2017-18 TDA-3 Program of Projects

Project Title Project Cost	Project Sponsor	TDA-3 Funding	Total
Vine Train Maintenance- Oak Knoll Segment-1 year	County of Napa	\$11,767	\$33,534
Washington Park Subdivision- ADA Improvements	Town of Yountville	\$167,337	\$190,000
Logvy Park Sidewalk Installation- Washington St.-Pedestrian Lighting	City of Calistoga	\$10,000	\$52,000
Bicycle Education Program	City of Calistoga	\$12,000	\$12,000

Public Comment was provided by:

Scott James Coombs (The Train Man)

Jason Holley, Public Works Director, City of American Canyon and NVTA Technical Advisory Committee Member

Motion MOVED by GENTRY, SECONDED by JOSEPH to APPROVE Resolution No. 17-07 requesting the FY 2017-18 Transportation Development Act Article 3 (TDA-3) allocation for Pedestrian/Bicycle project funds in the amount of \$201,204 to the Metropolitan Transportation Commission (MTC) and approve the FY 2017-18 TDA-3 as part of the Countywide Claim. Motion carried by the following vote:

Aye: 14 - Garcia, Galbraith, Barnes, Canning, Joseph, White, Gentry, and Dorman

Absent: 10 - Techel, Pedroza, Dunbar, and Ramos

12.5 Suscol Headwaters Preserve Phase II - Jameson Canyon Mitigation Funding (Danielle Schmitz) (Pages 62-65)

Attachments: [Staff Report](#)

As part of the Jameson Canyon's Environmental Impact Report (EIR), the U.S. Fish & Wildlife are requiring project mitigation that would preserve 130 acres of open space for project impacts to the red legged frog habitat. The project budget had set aside \$2.1 million for this mitigation but property prices have since soared well beyond estimates and consequently the amount of funds that Caltrans set aside is insufficient to acquire the necessary property to meet the mitigation requirement. Napa County Parks and Open Space District submitted alternative parcels at Suscol Creek for consideration. U.S. Fish & Wildlife tentatively approved a program that would include acquisition of the parcels, building a frog pond, and establishing an endowment. The total cost of the revised mitigation would exceed the amount Caltrans had set aside by roughly \$300,000. The \$300,000 State Transportation Improvement Program (STIP) commitment/County funding exchange would complete the package for the Napa County Parks and Open Space District to acquire the Suscol Creek parcels to meet the Jameson Canyon red-legged frog mitigation.

Motion MOVED by GARCIA, SECONDED by JOSEPH to APPROVE future State Transportation Improvement Program (STIP) funds to the County of Napa in the amount not to exceed \$300,000 to reimburse the County for costs associated with helping to fund the environmental mitigation on the Jameson Canyon Widening Project. Motion carried by the following vote:

Aye: 14 - Garcia, Galbraith, Barnes, Canning, Joseph, White, Gentry, and Dorman

Absent: 10 - Techel, Pedroza, Dunbar, and Ramos

12.6 Authorization to Purchase Three (3) 40' Compressed Natural Gas (CNG) vehicles from Paul Revere Transportation, LLC (Antonio Onorato) (Pages 66-70)

Attachments: [Staff Report](#)

On April 21, 2017 a public solicitation was issued in various transportation-related trade magazines for "Three 2016 New Flyer Xcelsior 40-foot, low floor CNG Buses for Sale." The vehicles have never been used. If after inspected, the vehicles are deemed suitable for public transit and an agreement can be reached, staff requested that the Board authorize the executive director to enter into a purchase agreement for the vehicles from Paul Revere Transportation, LLC, for use in the Vine Transit bus fleet.

Public Comment was provided by:
Scott James Coombs (The Train Man)

Motion MOVED by JOSEPH, SECONDED by CANNING to APPROVE authorizing the Executive Director to negotiate final terms and conditions with Paul Revere Transportation, LLC of Massachusetts to purchase up to three (3) New Flyer 40' Xcelsior Buses in an amount not to exceed \$1,796,681. Motion carried by the following vote:

Aye: 14 - Garcia, Galbraith, Barnes, Canning, Joseph, White, Gentry, and Dorman

Absent: 10 - Techel, Pedroza, Dunbar, and Ramos

12.7 Approval of Professional Services Agreement No. 17-11 with Universal Building Services (Antonio Onorato) (Pages 71-170)

Attachments: [Staff Report](#)

Request for Proposal (RFP) No. 2017-03 was issued on February 20, 2017 inviting bids from firms for facility cleaning services. NVTA received proposals from three firms: Golden State Green Clean, Universal Building Services, and Superior Building Services. All the proposals were found to be responsive. The proposals were reviewed and scored by a committee composed of the Facilities Manager and Human Resources Manager. Based upon proposer qualifications, cost/cost effectiveness, the ability to provide services and products that were in conformance with NVTA's green business policies, and reference checks, staff recommended Universal Building Services.

Public Comment was provided by:
Scott James Coombs (The Train Man)

Motion MOVED by JOSEPH, SECONDED by GALBRAITH to APPROVE authorizing the Executive Director to execute Professional Services Agreement No. 17-11 with Universal Building Services to provide various cleaning services at the Socol Gateway Transit Center (SGTC) for two (2) years, with three one-year option extensions for a total project cost not to exceed \$320,495.

Motion carried by the following vote:

Aye: 14 - Garcia, Galbraith, Barnes, Canning, Joseph, White, Gentry, and Dorman

Absent: 10 - Techel, Pedroza, Dunbar, and Ramos

12.8 Federal and State Legislative Updates and State Bill Matrix (Kate Miller) (Pages 171-182)

Attachments: [Staff Report](#)

The Board received the monthly Federal and State Legislative updates and took action on the proposed legislation on the State Bill Matrix.

Motion MOVED by CANNING, SECONDED by GALBRAITH to APPROVE staff recommendations on state bills as provided in the State Bill Matrix (SB 595). Motion carried by the following vote:

Aye: 14 - Garcia, Galbraith, Barnes, Canning, Joseph, White, Gentry, and Dorman

Absent: 10 - Techel, Pedroza, Dunbar, and Ramos

13. CLOSED SESSION

Chair White announced that the Board would be adjourning to Closed Session for the item noted on the agenda and that no reportable action is expected.

Adjourned to Closed Session at 4:00 p.m.

13.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

Property: APN's 046-400-011-00, 046-400-016-000, and 057-010-039-000

Agency Negotiator: Kate Miller, Executive Director

Negotiating Party: Napa Sanitation District

Under Negotiation: Price and Terms

Re-Convened to Open Session at 4:10 p.m.

Chair White reported that there were no reportable actions associated with the closed session item.

14. FUTURE AGENDA ITEMS

None

15. ADJOURNMENT**15.1** Approval of Next Regular Meeting Date of June 21, 2017 at 1:30 p.m. and Adjournment

Board action approved the next regular meeting date of June 21, 2017 at 1:30 p.m.

The meeting was adjourned by Chair White at 4:10 p.m.

Karalyn E. Sanderlin, NVTA Board Secretary



NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

TO: Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Antonio Onorato, Program Manager- Finance
(707) 259-8635 / Email: aonorato@nvta.ca.gov
SUBJECT: Resolution No. 17-08 Authorizing the Filing of Applications with the Federal Transit Administration (FTA)

RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) Board approve Resolution No. 17-08 (Attachment 1) authorizing the Executive Director or her designee to file applications and execute grant agreements with the Federal Transit Administration (FTA).

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

To apply for FTA funds, NVTA must have a resolution that authorizes the filing of applications with the Federal Transit Administration, and references the supplemental agreement, which is also included with all applications to FTA. Board approval of the authorizing resolution will allow NVTA apply for FY 2017-18 FTA funds.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comments
3. Motion, Second, Discussion and Vote

FISCAL IMPACT

Is there a Fiscal Impact? No, not for this action.

Consequences if not approved: NVTA will not be eligible to apply for FTA funding until an authorizing resolution has been approved by the Board.

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Under the provisions of Fixing America's Surface Transportation (FAST) Act and other federal statutes, the FTA distributes a variety of transit-related funds, including FTA Section 5307 urbanized formula funds. The Metropolitan Transportation Commission (MTC) is the designated recipient and provides regional oversight for the FTA Section 5307 funds for which NVTA is eligible to apply. NVTA has a supplemental agreement with MTC which allows NVTA to receive these funds directly.

The Federal Transit Administration (FTA) recently launched a new platform to award and manage federal grants known as the Transit Award Management System (TrAMS). As part of the new legal requirements in TrAMS, FTA requires a resolution authorizing the filing of applications. In order to continue to receive funding awarded by FTA, NVTA must file a resolution designating the representative authorized to execute FTA grants on behalf of the Authority. Kate Miller, the Executive Director, is the designated official authorized to execute FTA grants.

SUPPORTING DOCUMENTS

Attachment: (1) Resolution No. 17-08

RESOLUTION No. 17-08

**A RESOLUTION OF THE
NAPA VALLEY TRANSPORTATION AUTHORITY (NVTA)
AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT
ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES
DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION
ASSISTANCE AUTHORIZED BY CHAPTER 53 OF TITLE 49 OF THE UNITED
STATES CODE AND ANY OTHER FEDERAL STATUTES ADMINISTERED BY THE
FEDERAL TRANSIT ADMINISTRATION**

WHEREAS, the Federal Transit Administration has been authorized to provide funding to support public transportation under 49 U.S.C. Chapter 53; and

WHEREAS, grants or cooperative agreements for Federal financial assistance will impose certain obligations upon the Napa Valley Transportation Authority (NVTA) and may require the NVTA to provide the non-Federal share of transportation-related expenses supported with Federal financial assistance; and

WHEREAS, NVTA is legally authorized under Federal, state, or local law to apply for and receive Federal assistance; and

WHEREAS, NVTA has received authority from the Designated Recipient to apply for and receive Urbanized Area Formula Program assistance authorized by 49 U.S.C. 5307; and

WHEREAS, NVTA is required to provide certain certifications and assurances to the Federal Transit Administration at least annually;

NOW THEREFORE BE IT RESOLVED:

1. That the Executive Director or designee is authorized to execute and file an application for Federal assistance on behalf of Napa Valley Transportation Authority with the Federal Transit Administration for Federal assistance authorized by 49 U.S.C. Chapter 53 or any other Federal statutes authorizing activities administered by the Federal Transit Administration.
2. That the Executive Director or designee is authorized to execute and file with the Federal Transit Administration the annual certifications and assurances and other documents the Federal Transit Administration requires before awarding a Federal assistance grant or cooperative agreement.

3. That the Executive Director or designee is authorized to execute the grant and cooperative agreements with the Federal Transit Administration on behalf of NVTA.
4. That the Executive Director or designee is authorized to draw payments against available grant funding using the ECHO web system or other Federal Transit Administration automated application used to request payments from grant awards.

CERTIFICATION

The undersigned, acting on behalf of the Napa Valley Transportation Authority, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting.

Passed and Adopted the 21th day of June, 2017.

Peter White, NVTA Chair

Ayes

Nays:

Absent:

ATTEST:

Karalyn E. Sanderlin, NVTA Board Secretary

APPROVED:

Jennifer Gore, NVTA Legal Counsel



NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

TO: Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Diana Meehan, Associate Planner
(707) 259-8327 / Email: dmeehan@nvta.ca.gov
SUBJECT: Resolution No. 17-09 Resolution of Local Support for the Safe Routes to School (SRTS) Project

RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) Board approve Resolution No. 17-09 (Attachment 1), a Resolution of Local Support for the Napa County Safe Routes to School Project (SRTS) under One Bay Area Grant Cycle 2 (OBAG 2).

COMMITTEE RECOMMENDATION

The Technical Advisory Committee (TAC) recommended the Board approve the OBAG 2 projects including the SRTS project at its April meeting.

EXECUTIVE SUMMARY

At its April 19th meeting the NVTA Board approved the One Bay Area Grant Cycle 2 projects (OBAG 2) and the Priority Conservation Area (PCA) projects. One of the projects included in the OBAG 2 program is the continuation of the Napa County Safe Routes to School program, education and outreach project, which is a joint application of the Napa County Office of Education (NCOE) and Napa County Bicycle Coalition. Neither NCOE or the Bicycle Coalition are eligible grantees, therefore, NVTA will act as the pass-through entity for the OBAG 2 funds on the SRTS project.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Motion, Second, Discussion and Vote

FISCAL IMPACT

Is there a Fiscal Impact? Yes, \$227,000 in OBAG 2 funds

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The NVTA Board opened a call for OBAG 2 projects, including the SRTS program, at its October 19, 2016 meeting. Project submittals were due to NVTA by 5:00 PM on December 23, 2016. After evaluation and review by the NVTA staff, Citizen Advisory Committee, Active Transportation Advisory Committee and Technical Advisory Committee an OBAG 2 project list was approved by the Board on April 19th. Included in the selected projects was \$227,000 for Napa County Safe Routes to School Program funding for FY 2017-18 through FY 2019-20. NCOE and Napa Bike will be providing a \$42,000 combined local match to the project.

Safe Routes to School is an international movement that has taken hold in communities throughout the United States. The concept is to increase the number of youth who walk or bicycle to school by funding projects that remove the barriers that currently prevent them from doing so. Those barriers include lack of infrastructure, unsafe infrastructure, lack of programs that promote walking and bicycling through education and encouragement aimed at children, parents, and the community.

The Napa County Safe Routes to School Program will build upon proven strategies to increase the number of youth walking and riding to school and make active transportation choices safer and more appealing to students and their parents. By incorporating scientific surveys and school-specific analysis of barriers, along with a comprehensive education and encouragement program, SRTS aims to double target audience walking and biking – from 10% to 20% of trips at the lowest performing schools – in three years.

SUPPORTING DOCUMENTS

Attachment: (1) Resolution No. 17-09 Resolution of Local Support

Resolution No. 17-09
Resolution of Local Support

**A RESOLUTION OF THE
NAPA VALLEY TRANSPORTATION AUTHORITY (NVTA)
AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING ASSIGNED TO
MTC COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING
ASSURANCE TO COMPLETE THE PROJECT**

WHEREAS, (Napa Valley Transportation Authority) (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for (\$227,000) in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC) such as Surface Transportation Block Grant Program (STP) funding, Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding, Transportation Alternatives (TA) set-aside/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the (Napa County Safe Routes to School Project) (herein referred to as PROJECT) for the (One Bay Area Grant 2) (herein referred to as PROGRAM); and

WHEREAS, the United States Congress from time to time enacts and amends legislation to provide funding for various transportation needs and programs, (collectively, the FEDERAL TRANSPORTATION ACT) including, but not limited to the Surface Transportation Block Grant Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives (TA) set-aside (23 U.S.C. § 133); and

WHEREAS, state statutes, including California Streets and Highways Code §182.6, §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

WHEREAS, pursuant to the FEDERAL TRANSPORTATION ACT, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for a regionally-significant project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of REGIONAL DISCRETIONARY FUNDING; and

WHEREAS, APPLICANT is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING; and

WHEREAS, as part of the application for REGIONAL DISCRETIONARY FUNDING, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- the commitment of any required matching funds; and
- that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional REGIONAL DISCRETIONARY FUNDING; and
- that the PROJECT will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- the assurance of the sponsor to complete the PROJECT as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- that the PROJECT will have adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and
- that the PROJECT will comply with all project-specific requirements as set forth in the PROGRAM; and
- that APPLICANT has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and
- in the case of a transit project, the PROJECT will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region; and
- in the case of a highway project, the PROJECT will comply with MTC Resolution No. 4104, which sets forth MTC's Traffic Operations System (TOS) Policy to install and activate TOS elements on new major freeway projects; and
- in the case of an RTIP project, state law requires PROJECT be included in a local congestion management plan, or be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and

WHEREAS, that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and

WHEREAS, there is no legal impediment to APPLICANT making applications for the funds; and

WHEREAS, there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and

WHEREAS, APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and

WHEREAS, MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application.

NOW, THEREFORE, BE IT RESOLVED that the APPLICANT is authorized to execute and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under the FEDERAL TRANSPORTATION ACT or continued funding; and be it further

RESOLVED that APPLICANT will provide any required matching funds; and be it further

RESOLVED that APPLICANT understands that the REGIONAL DISCRETIONARY FUNDING for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional REGIONAL DISCRETIONARY FUNDING; and be it further

RESOLVED that APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and APPLICANT has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and be it further

RESOLVED that PROJECT will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP; and be it further

RESOLVED that APPLICANT has reviewed the PROJECT and has adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and be it further

RESOLVED that PROJECT will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the PROGRAM; and be it further

RESOLVED that, in the case of a transit project, APPLICANT agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution No. 3866, revised; and be it further

RESOLVED that, in the case of a highway project, APPLICANT agrees to comply with the requirements of MTC's Traffic Operations System (TOS) Policy as set forth in MTC Resolution No. 4104; and be it further

RESOLVED that, in the case of an RTIP project, PROJECT is included in a local congestion management plan, or is consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and be it further

RESOLVED that APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects; and be it further

RESOLVED that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and be it further

RESOLVED that there is no legal impediment to APPLICANT making applications for the funds; and be it further

RESOLVED that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and be it further

RESOLVED that APPLICANT authorizes its Executive Director, General Manager, City Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and be it further

RESOLVED that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

RESOLVED that the MTC is requested to support the application for the PROJECT described in the resolution, and if approved, to include the PROJECT in MTC's federal TIP upon submittal by the project sponsor for TIP programming.

Passed and Adopted the 21th day of June 2017.

Peter White, NVTA Chair

Ayes:

Nays:

Absent:

ATTEST:

Karalyn E. Sanderlin, NVTA Board Secretary

APPROVED:

Jennifer Gore, NVTA Legal Counsel



NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

TO: Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Justin Paniagua, Senior Financial/Policy Analyst
(707) 259-8635 / Email: jpaniagua@nvta.ca.gov
SUBJECT: Resolution No. 17-10 Authorizing the Filing with the Metropolitan Transportation Commission (MTC) for Allocation for Transportation Development Act (TDA), Regional Measure 2 (RM2), and State Transit Assistance Funds (STA) for Fiscal Year 2017-18

RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) Board approve Resolution No. 17-10 (Attachment 1) authorizing the filing of a claim with the Metropolitan Transportation Commission (MTC) for allocation for Transportation Development Act (TDA) funds Articles 4, 4.5, and 8, Regional Measure 2 (RM2) funds, and State Transit Assistance (STA) funds for Fiscal Year 2017-18.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

Napa Valley Transportation Authority (NVTA) is required to receive annual approval to file a claim and receive allocations for Transportation Development Act (TDA), Regional Measure 2 (RM2), and State Transit Assistance (STA) funds. Resolution No. 17-10 authorizes NVTA to file a claim with MTC for the yearly allocation of these fund sources.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Motion, Second, Discussion and Vote

FISCAL IMPACT

Is there a Fiscal Impact? Yes, approval authorizes NVRTA to allocate funds which make up 66% of FY 2017-2018 budgeted revenues.

Is it currently budgeted? Yes. TDA, RM2, and STA revenues have

Future fiscal impact: None

Consequences if not approved: If this claim is not submitted to the MTC, NVRTA will not be able to receive TDA, STA, and RM2 funds that have been included in the operating budget for FY 2017-18. If these funds are not available, alternative funding sources will need to be identified to support the operating budget and/or services will need to be reduced or eliminated.

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The Metropolitan Transportation Commission is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Sections 66500 et seq. and is responsible for administering TDA, STA, and RM 2 funds. The TDA (Public Utilities Code §§99200 et seq.) provides for the disbursement of funds from the Local Transportation Fund (LTF) of the County for use of approved transit projects. Prospective Bay Area applicants wishing to receive an allocation from the LTF for any transit-related purposes must file an annual claim with MTC.

On June 15, 2016 the Board approved NVRTA's bi-annual budget for fiscal years 2016-2017 and 2017-2018. Resolution No. 17-10 would give NVRTA the authority to request allocation of TDA, STA, and RM2 funds.

SUPPORTING DOCUMENTS

Attachment: (1) Resolution No. 17-10

RESOLUTION No. 17-10

**A RESOLUTION OF THE
NAPA VALLEY TRANSPORTATION AUTHORITY (NVTA)
AUTHORIZING THE FILING WITH THE
METROPOLITAN TRANSPORTATION COMMISSION (MTC)
FOR ALLOCATION FOR TRANSPORTATION DEVELOPMENT ACT (TDA),
REGIONAL MEASURE 2 (RM2), AND STATE TRANSIT ASSISTANCE (STA) FUNDS
FOR FISCAL YEAR (FY) 2017-18**

WHEREAS, the Transportation Development Act (TDA), (Public Utilities Code 99200 *et seq.*), provides for the disbursement of funds from the Local Transportation Fund (LTF) of the County of Napa for use by eligible applicants for the purpose of community transit services (PUC 99275), support of public transportation (PUC 99260), exclusive service to elderly and handicapped (PUC 99260.7), planning contributions, construction of facilities, acquisition of real property and transit capital (PUC 99262), public or special group transportation (PUC 99400(c)), administrative and planning cost with respect to transportation services under contract (PUC 99400(d)), and capital expenditures to acquire vehicles and equipment for transportation services (PUC 99400(e)); and

WHEREAS, pursuant to the provisions of the TDA, and pursuant to the applicable rules and regulations thereunder (21 Cal. Code of Regs. 6600 *et seq.*) a prospective applicant wishing to receive an allocation from the Local Transportation Fund (LTF) shall file its claim with MTC; and

WHEREAS, the State Transit Assistance (STA) fund is created pursuant to Public Utilities Code 99310 *et seq.*; and

WHEREAS, the STA fund makes funding available pursuant to Public Utilities Code 99313.6 for allocation to eligible applicants to support approved transit projects; and

WHEREAS, NVTA is an eligible applicant for TDA and/or STA funds pursuant to the California PUC Code Chapter 4, Articles 4, 4.5 and/or 8, and for certain local transportation funds under Article 3, pursuant to the NVTA Joint Powers Agreement; and

WHEREAS, TDA funds from the Local Transportation Fund of Napa County and STA funds will be required in FY 2017-18 for eligible applicants for the purpose of community transit services (PUC 99275), support of public transportation (PUC 99260), exclusive service to elderly and handicapped (PUC 99260.7), planning contributions, acquisition of real property, construction of facilities, transit capital expenditures (PUC 99262), public or special group transportation (PUC 99400(c)), administrative and planning cost with respect to transportation services under contract (PUC 99400(d)),

and capital expenditures to acquire vehicles and related equipment for transportation services (PUC 99400(e));and

WHEREAS, SB 916 (Chapter 715, Statutes 2004), commonly referred to as Regional Measure 2 (RM 2), identified projects eligible to receive funding under the Regional Traffic Relief Plan; and

WHEREAS, MTC is responsible for funding projects eligible for RM 2 funds, pursuant to Streets and Highways Code Section 30914(c) and (d); and

WHEREAS, MTC has established a process whereby eligible transportation project sponsors may submit allocation requests for RM 2 funding; and

WHEREAS, allocations to MTC must be submitted consistent with procedures and conditions as outlined in RM 2 Policy and Procedures; and

WHEREAS, NVTA is an eligible sponsor of transportation project(s) in RM 2, Regional Traffic Relief Plan funds:

NOW THEREFORE BE IT RESOLVED, that NVTA and its agents shall comply with the provisions of the MTC's RM 2 Policy Guidance (MTC Resolution No. 3636); and

BE IT FURTHER RESOLVED, to the full extent permitted by law, that NVTA shall indemnify and hold harmless MTC, its Commissioners, representatives, agents, and employees from and against all claims, injury, suits, demands, liability, losses, damages, and expenses, whether direct or indirect (including any and all costs and expenses in connection therewith), to the extent that they arise out of, pertain to, or relate to the negligent acts of omissions of NVTA its officers, employees or agents, or subcontractors or any of them in connection with its performance of professional services under this allocation of RM 2 funds which constitute negligence, recklessness, or willful misconduct. In addition to any other remedy authorized by law, so much of the funding due under this allocation of RM 2 funds as shall reasonably be considered necessary by MTC may be retained until disposition has been made of any claim for damages; and

BE IT FURTHER RESOLVED, that NVTA shall, if it receives any revenues or profits from any non-governmental use of property (or project) ensure that those revenues or profits shall be used exclusively for the public transportation services for which the project was initially approved, either for capital improvements or maintenance and operational costs; otherwise MTC is entitled to a proportionate share equal to MTC's percentage participation in the project(s); and

BE IT FURTHER RESOLVED, that the Executive Director or her designee is authorized to execute and file appropriate TDA, RM2, and STA applications together with all necessary supporting documents with MTC for an allocation of TDA, RM2, and STA funds in FY 2017-18; and

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to MTC in conjunction with the filing of the claim; and MTC be requested to grant the allocations of funds as specified herein.

Passed and Adopted the 21st day of June, 2017.

Peter White, NVTA Chair

Ayes:

Nays:

Absent:

ATTEST:

Karalyn E. Sanderlin, NVTA Board Secretary

APPROVED AS TO FORM:

Jennifer Gore, NVTA Legal Counsel



NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

TO: NVTA Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Herb Fredricksen, Program Manager, Engineer
(707) 259-5951 / Email: hfredricksen@nvta.ca.gov
SUBJECT: Notice of Completion for the Napa Valley Vine Trail - Oak Knoll Section

RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) Board authorize the filing of the Notice of Completion (Attachment 1) with the Recorder-County Clerk for NVTA Contract No. 15-14 Napa Valley Vine Trail – Oak Knoll Section.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

On July 27, 2015 the NVTA issued the Notice to Proceed to Ghilotti Bros/RM Harris JV and work was started on the Napa Valley Vine Trail – Oak Knoll Section project (Project). This work was completed on Thursday May 25, 2017. Staff inspected the Project on Wednesday May 31, 2017 and deemed the job was completed satisfactorily and all items within the scope of work were met.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comments
3. Motion, Second, Discussion and Vote

FISCAL IMPACT

Is there a Fiscal Impact? No

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The Project consists of a six-mile long Class I bicycle and pedestrian facility between the Redwood Road Park and Ride facility in the City of Napa and California Drive in the Town of Yountville, aligned between the Napa Valley Wine Train right of way and Solano Avenue. This construction project consists of a 10-foot wide trail, the installation/modification of three traffic signals, installation of bridges over Hinman Channel, Salvador Channel and Dry Creek, the installation of low retaining walls and fencing, tree removal and tree and shrub planting with irrigation. The project limits are within the City of Napa, County of Napa and the Town of Yountville.

The NVRTA Board awarded the Project to Ghilotti Bros/RM Harris JV on June 30, 2015. On July 27, 2015 NVRTA issued the Notice to Proceed and work was started on the Project. This work was completed on Thursday May 25, 2017. Staff inspected the Project on Wednesday May 31, 2017 and deemed the job was completed satisfactorily and all items within the scope of work were met. The construction budget was \$7,134,016 and is comprised of federal and local funding. There are some ongoing residual expenses related to landscaping and environmental mitigation measures.

SUPPORTING DOCUMENTS

Attachment: (1) Notice of Completion

WHEN RECORDED PLEASE RETURN TO:

**Recorder - County Clerk
County of Napa
900 Coombs Street, Room 116
Napa, California 94559**

Exempt from Recording Fees: Gov. Code 27383

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN, by order of the Board of Directors of the Napa Valley Transportation Authority, pursuant to Section 9204 of the Civil Code of the State of California, as follows:

1. That the six-mile section of the Napa Valley Vine Trail, a Class I bicycle/pedestrian path, located within the public right-of-way between the Napa Valley Wine Train right of way and Solano Avenue, between the Town of Yountville and the City of Napa (referred to as the “Oak Knoll Section”), was completed on June 21, 2017.

2. That the portion of the Oak Knoll Section within the Town of Yountville (except as noted in paragraph 4) is owned by the Town of Yountville, that the portion of the Oak Knoll Section within the unincorporated County of Napa is owned by the County of Napa, and that the portion of the Oak Knoll Section within the City of Napa is owned by the City of Napa (except as noted in paragraph 4). The address for each owner is as follows:

Town of Yountville
6550 Yount Street
Yountville, CA 94599

Napa County
1195 Third Street
Napa, CA 94559

City of Napa
P.O. Box 660
Napa, CA 94559

3. That the nature of the title of the stated owners in paragraph 2 is: In fee.

4. That the Napa Valley Transportation Authority (NVT A) owns the portion of the Oak Knoll Section within the Park & Ride lot in the Town of Yountville at 7900 Solano Avenue, Yountville, CA 94599, in fee, and holds easement on a parcel in the City of Napa, a portion of APN 035-110-028. NVT A’s address is 625 Burnell Street, Napa, California 94559.

5. That the Napa Valley Transportation Authority, as agent for all the owners, made and executed a contract titled “Napa Valley Vine Trail – Oak Knoll Section, NCTPA No. 15-14.” with Ghilotti Bros/RM Harris JV (whose address is 525 Jacoby Street, San Rafael, CA 94901) (Contractor), bearing the date of July 21, 2015, for the construction of the Oak Knoll Section, which has now been completed by the Contractor.

5. That Fidelity and Deposit Company of Maryland was surety upon the bond given by the Contractor in accordance with the provisions of Division 3, Part 4, Title XV, Chapter 7 (section 3247 et seq.) of the Civil Code of California.

IN WITNESS WHEREOF, pursuant to approval granted by its Board of Directors at a meeting of the Board convened and held on the 21st day of June 2017, authorizing and directing the execution of this instrument, the Authority has caused this notice to be executed, authenticated by the signature of the Chair of the Board of Directors, and attested by the signature of its Clerk this 21st day of June 2017.

City of Napa, County of Napa, Town of Yountville
Owners

Owner's Agent: Napa Valley Transportation Authority

By: _____
Peter White, Chair of the Board of Directors

ATTEST: KARALYN E. SANDERLIN
NVTB Board Secretary

By: _____

DECLARATION

The undersigned declare under penalty of perjury that each of them is an officer of the Napa Valley Transportation Authority (NVTa), to wit: Chair and Secretary of the Board of Directors, respectively; that each of them has read the foregoing Notice of Completion and knows the contents thereof; that the same is true of their own knowledge except as to those matters as are therein stated on information and belief, and as to those matters, each believes them to be true.

Executed on _____ at Napa, California.

Peter White, Chair of the Board of Directors of the Napa Valley
Transportation Authority

Karalyn E. Sanderlin, NVTa Board Secretary

State of California)
County of _____)

On _____ before me,
_____, personally appeared
_____, who proved to me on
the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon
behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

<p>Approved by the NVTa</p> <p>Date: _____</p> <p>Processed by:</p> <p>_____</p> <p>NVTa Board Secretary</p>

<p>APPROVED AS TO FORM</p> <p>Legal Counsel</p> <p>By: _____</p> <p>Date: _____</p>



NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

TO: Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Antonio Onorato, Program Manager- Finance
(707) 259-8779 / Email: aonorato@nvta.ca.gov
SUBJECT: First Amendment to NVTA Agreement No. 14-19 with Hunt & Sons, Inc.

RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) Board authorize the Executive Director to execute a First Amendment (Attachment 1) to Agreement No. 14-19, and a separate agreement to be prepared by counsel setting forth Hunt & Sons' insurance and indemnity obligations for the installation and maintenance of fueling equipment for an "on-site" fueling option at the Vine Transit Bus Maintenance Yard located at 720 Jackson Street in Napa, subject to approval by the City of Napa and compliance with all permitting requirements.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

NVTA issued a Request for Proposals (RFP) for Fueling Services on July 18, 2014. Recently one of NVTA's contracted fuel suppliers, Hunt & Sons, approached NVTA staff and offered to install an above ground "portable" fuel tank to allow for on-site fueling, which includes a turn-key installation and maintenance at no cost to NVTA. Staff supports the proposal as it is likely to reduce the overall cost of fueling through reduced labor costs to fuel at off site facilities.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Discussion and Vote

FISCAL IMPACT

Is there a Fiscal Impact? Yes. An estimated savings of \$54,500 in fuel and operations costs with an on-site fueling option.

Is it currently budgeted? NA

Where is it budgeted? NA

Future fiscal impact: Yes

Consequences if not approved: NVRTA could forgo significant yearly savings in operating costs.

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: Installation of equipment would constitute a Categorical Exemption under the National Environmental Control Act (NEPA) 23 CFR § 771.118 paragraph (7): Acquisition, installation, rehabilitation, replacement, and maintenance of vehicles or equipment, within or accommodated by existing facilities, that does not result in a change in functional use of the facilities, such as: equipment to be located within existing facilities and with no substantial off-site impacts; and vehicles, including buses, rail cars, trolley cars, ferry boats and people movers that can be accommodated by existing facilities or by new facilities that qualify for a categorical exclusion.

BACKGROUND AND DISCUSSION

NVRTA has always fueled its public transit fleet at retail fueling facilities. The existing fueling operation involves Transdev maintenance employees driving each bus from the Jackson St. transit yard to a fueling facility at the end of the day. Offsite fueling is not considered an ideal fueling procedure since it increases fuel and purchase transportation costs (labor to drive the vehicle to the site, fuel, and return it to the yard).

The unsolicited offer from Hunt & Sons is to install equipment for on-site fueling operations where a truck delivers (gasoline and diesel) fuels to a tank at the NVRTA transit yard. This would allow yard maintenance workers to fuel the vehicles at their convenience and would relieve them of the burden of fueling buses at retail gas stations. On-site fueling offers other key benefits, including minimizing fraud and controlling and reducing overall fueling and operational costs.

The July 18, 2014, RFP resulted in the award of fueling contracts to three vendors, including Napa Valley Petroleum (NVP), Hunt & Sons Inc., and Clear Energy. The non-exclusive agreements allow for the purchase of diesel, unleaded, and compressed natural gas to the Vine Transit fleet for a period of two (2) years, with two (2) one year option extensions at off-site facilities.

The RFP did not include an on-site fuel tank installation option largely because NVTA staff was not aware of the proposed tank technology at that time. However, the RFP did include a “wet-hose” option, which would have involved fueling NVTA’s vehicles directly from a tanker truck. The Wet hose option would not have had the protections of an on-site fueling operation to prevent and contain fuel spillage. City staff pushed back on this idea at the time, so it was dropped from consideration. Moreover, the yard is already over capacity and fueling from a tanker truck would put additional constraints on Vine bus operations.

In late 2016, Hunt & Sons Inc. informed NVTA that a small portable concrete multi-fuel tank is available. Subsequently, Transdev and NVTA staff met with Hunt & Sons, and their fuel distributor, Allied Petroleum, to discuss the feasibility of on-site fueling at the transit yard. A risk assessment and cost benefit analysis were conducted which convinced NVTA staff that the proposed on-site fueling operation was both practical and feasible. Hunt & Sons developed plans for the installation of a 4,000 gallon diesel/gasoline dual valve fuel tank on a portion of land not used for operations at the transit yard.

Hunt & Sons offered to install the fuel tank and ancillary equipment at the Transit Yard at no cost to NVTA, and to insure and indemnify NVTA, Transdev, and the City of Napa against injury and damages caused by the fuel transport or equipment failure, and to pay for all plans and expenses related to the installation of a fuel tank. If NVTA vacates the transit yard property, Hunt & Sons will remove the tank at no cost to NVTA and NVTA is under no future obligation to place a tank at another location or to purchase a pre-determined amount of fuel. NVTA is required to pay a \$1,500 permit fee to the City, but that is the only obligation of NVTA.

Allied Petroleum developed a permit application package, including plans, with NVTA as the project sponsor to obtain a City permit to install a 4,000 gallon, dual value fuel tank on the property. The application was submitted to the City of Napa on May 19, 2017, and is currently under review. NVTA staff made it clear that the submission of the permit application was not to be construed as an approval of the project or plans by NVTA or the City of Napa, but was a step in determining the feasibility of Hunt & Sons’ offer. The purpose of filing the application was only to obtain the City’s feedback regarding the proposal while NVTA staff continues to work with Allied and Hunt & Sons to obtain additional information regarding the installation and operation.

Neither the submission of the application nor the approval of the application by the City will obligate NVTA to allow for the installation of the tank. Prior to any installation, the parties must enter into a written agreement regarding the responsibilities of each party

with respect to providing insurance, indemnity, and other essential terms. The installation will remain subject to the discretion of NVRTA.

If a fuel tank is installed at the transit yard, NVRTA could realize a substantial savings in the yearly operating cost for transit services. NVRTA would bear the expense of a \$4,000 premise pollution liability provision under Transdev's insurance policy. The provision is necessary if a Transdev employee was found to be negligent in the event of spillage or contamination when transferring fuel from the tank to a vehicle. Nevertheless, NVRTA could realize a yearly savings of up to \$54,500 as illustrated in the analysis below.

Fuel Cost Savings:	\$25,300
Maintenance worker cost to drive to/from fueling site:	\$33,200
Less additional insurance:	<u>(\$4,000)</u>
Estimated Annual Savings:	\$54,500

Permit Fee (non-recurring):	<u>(\$1,500)</u>
Estimated Year 1 savings:	\$ 53,000

In addition to the cost savings, reporting will vastly improve with an on-site tank. Currently, invoices are emailed as text files to NVRTA. The file is then converted to an excel pivot table to analyze data. Although the file is adequate to pay an invoice, the data is limited in scope and additional data would be beneficial for long term planning purposes. The proposed on-site fuel tank would have a card lock station which provides additional security protocols and ease in record keeping of fuel transactions by providing management information and usage data the next day. Transdev supervisors or NVRTA staff would have the ability to monitor and restrict card activity. Reports would include vehicle identification, employee name, time, date, gallons and cost for every transaction with summary data including miles per gallon and total fuel purchased per vehicle. A wi-fi internet connection would automatically generate a work order informing the fuel distributor when the tank is running low and in need of a re-fill.

NVRTA will maintain its fueling services agreements with Napa Valley Petroleum and Clear Energy, and will continue to utilize their services when needed, as the existing fueling services agreements are not exclusive to any single vendor. Other than the allowance to provide an on-site fuel tank at the transit yard, all other terms and conditions still apply and remain in full effect.

SUPPORTING DOCUMENTS

Attachment: (1) First Amendment to NVRTA Agreement No.14-19

**FIRST AMENDMENT TO
NAPA VALLEY TRANSPORTATION AUTHORITY ("NVTA")
AGREEMENT NO. 14-19**

THIS FIRST AMENDMENT TO NAPA VALLEY TRANSPORTATION AUTHORITY ("NVTA") AGREEMENT NO. 14-19 herein after referred to as "Agreement" is made and entered into as of this _____ day of **June, 2017** between the NAPA VALLEY TRANSPORTATION AUTHORITY (hereinafter referred to as "NVTA"), and Hunt & Sons, Inc., whose mailing address is 5750 South Watt Avenue, Sacramento, CA 95829, hereinafter referred to as "CONTRACTOR";

RECITALS

WHEREAS, in December 2014 NVTA contracted for specialized services, as authorized by Government Code Section 31000, in order to provide NVTA with fueling services for its transit fleet vehicles; and

WHEREAS, NVTA is continuously seeking cost savings in its fuel operation and operational readiness of its transit fleet; and

WHEREAS, the CONTRACTOR in support of this endeavor is able to provide an on-site fueling facility (wet-hose operation) and equipment at NVTA's current maintenance yard facility location at no cost to NVTA and the City of Napa (Property Owner); and

WHEREAS, the CONTRACTOR agrees to provide all the necessary equipment required to operate a fully functional on-site wet-hose operation; and

WHEREAS, the CONTRACTOR agrees to provide necessary equipment, installation/de-installation, permitting, and maintenance related expenses at no cost to NVTA and the Property Owner; and

WHEREAS, the CONTRACTOR further agrees to insure and indemnify NVTA and the Property Owner against injury and damages.

TERMS

NOW, THEREFORE, the NVTA and CONTRACTOR agree to amend the Agreement as follows:

1. ATTACHMENT A – SCOPE OF WORK:

1. **On-Site Fueling / Wet-Hose Operation.** CONTRACTOR will provide a fuel tank and all necessary equipment required to operate a fully functional on-site fueling operation at the transit yard operation facility located on 720 Jackson Street, Napa, CA 94559, at no cost to NVTA and the City of Napa (Property Owner).

CONTRACTOR will execute a separate agreement regarding CONTRACTOR's obligations to operate and maintain the on-site fueling operation, and to insure and indemnify NVTA, the City of Napa, and Transdev against injury and damages caused by fuel transport or equipment failure.

CONTRACTOR shall pay for all plans, permits, and ancillary expenses related to the installation of a fuel tank. In the event NVTA vacates the transit yard property, CONTRACTOR will remove the tank at no cost to NVTA. NVTA shall have no future obligation to place a tank at another location, or to purchase a pre-determined amount of fuel.

CONTRACTOR shall develop a permit application package including plans with NVTA as the project sponsor to operate a 4,000 gallon, dual value fuel tank on the property. The permit application shall not be construed as an approval of the project or plan by NVTA or the Property Owner.

CONTRACTOR will provide at their own expense a card lock station on the fuel tank to provide security protocol and fuel transaction record keeping with daily reporting accessible to NVTA. Records at minimum will include the vehicle identification, employee name, time, date, gallons, and cost for every transaction with a summary data, including miles per gallon and total fuel purchased per vehicle.

2. Except as set forth above, the terms and conditions of the Agreement shall remain in full force and effect as previously approved.

IN WITNESS WHEREOF, this Agreement was executed by the parties hereto as of the date first above written.

"NVTA"

"CONTRACTOR"

NVTA, a joint powers authority organized under the laws of the State of California

Hunt & Sons, Inc.

By _____
Kate Miller, Executive Director

By _____

ATTEST:

Approved as to Form:

By _____
Karalyn E. Sanderlin,
NVTA Board Secretary

By _____
Jennifer Gore
NVTA Legal Counsel



NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

TO: NVTA Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Matthew Wilcox, Manager of Public Transit
(707) 259-8635 / Email: mwilcox@nvta.ca.gov
SUBJECT: Vine Transit Route 25 Intercity Bus Service

RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) Board receive an update on the Vine Transit Route 25.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

At its May 17th meeting, the NVTA Board held a public hearing for the elimination of the Vine Route 25. At that time, the Board did not approve the staff recommendation to eliminate the route but instead instructed staff to work with its Sonoma County partners on a new operation, funding and marketing plan and delay action on the route until its September 20, 2017 Board meeting. This memo will provide an update on the progress made since the May NVTA Board meeting.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comments

FISCAL IMPACT

Is there a Fiscal Impact? No. The item is information only.

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

At the May 17th Board meeting NVRTA staff presented a proposal to eliminate the Route 25. This recommendation was prompted by impending Federal Transit Administration (FTA) Section 5311(f) funding reductions. Item 11.2 B provides a separate discussion about funding in response to questions that emerged at the May meeting.

NVRTA uses three performance indicators to assess the effectiveness and efficiency of a route. These key performance indicators, or KPIs, include overall ridership (total trips), passengers per revenue hour (number of passengers each hour a vehicle is in revenue service – which excludes deadheading), and farebox recovery (the amount of fares as a proportion to the operating cost of the service). The Route 25 is the least productive Vine route in all three performance categories.

Table 1 below is comparative chart showing each of Vine's routes and their performance for these three KPIs year-to-date. Route 25 is highlighted in blue.

Table 1

	Total Riders	Passengers per Revenue Hour	Farebox Recovery Ratio
Route 1	16,745	7.5	6.8%
Route 2	48,330	17.3	13.1%
Route 3	53,707	15.1	13.8%
Route 4	46,730	13.9	11.9%
Route 5	46,291	13.4	11.8%
Route 6	34,136	13.4	8.7%
Route 7	21,875	9.5	7.7%
Route 8	86,057	20.7	16.2%
Route 10	197,193	12.0	11.9%
Route 11	209,909	13.7	13.7%
Route 21	17,138	6.0	16.5%
Route 25	8,310	4.7	3.3%
Route 29	54,713	6.2	18.4%

The route's poor performance is indicative of several factors. Low population density is a primary contributing factor to poor overall ridership and poor passengers per revenue hour performance. The Route 25 is affected to a greater degree by low density because it connects two rural populations rather than typical express bus services that connect rural populations to urban centers (e.g. Vine Route 29).

The extremely low farebox recovery ratio is symptomatic of the low ridership figures and the comparatively low fare. A one-way trip on the Route 25 costs \$1.60 (NVRTA's standard local route fare). NVRTA's two other commuter services (Route 21 and 29) charge higher fares (between \$3 and \$5.50). The farebox recovery is influenced by both the total cost charged and the fare media used. Cash fares would result in higher farebox recovery as would an overall increase in fares. If the Board determines that the Route 25 should be sustained beyond September, increasing fares commensurate with the Route 21 should be considered.

NVRTA staff met with representatives of Sonoma County Transit, Sonoma County Transportation Authority and the City of Sonoma on June 13th. At that meeting, staff evaluated the connection of Route 25 with two of Sonoma County Transit's routes. Adjusting service parameters and increasing fares was also discussed. NVRTA staff further requested a Route 25 financial contribution from the participating agencies. The representative from Sonoma County Transit noted that it would be challenging to justify a contribution to the Route 25 noting that several Sonoma County Transit routes have better performance metrics and are currently being considered for elimination because of poor performance. Sharing the Route 25 service corridor with Sonoma County Transit routes is not likely to garner additional ridership and would result in higher costs because Sonoma County's hourly service rate is higher than the Vine's. This would result in an overall cost increase to serve the corridor, and these costs would be borne by NVRTA.

Given that many of the trips are non-work trips, we also discussed seeking funding from the City of Sonoma's Tourism Improvement District (TID) and Visit Napa Valley (VNV) and build ridership in the recreational market. This prompted further discussion about the potential to refocus service during times that would foster recreational trips (e.g. nights and weekends), versus traditional work trips. Unless additional funding is secured, however, staff would not recommend expanding service but instead reallocate existing service. To accomplish this, NVRTA will need to work with the Sonoma TID and VNV on funding, survey existing riders and evaluate passenger counter data more closely. Staff will evaluate this potential over the next month and present the findings at the July NVRTA Board meeting. Staff will also develop a marketing plan based on these findings with related costs and present them to the board in tandem with operational alternatives.

Any recommended changes will need to be evaluated in context of the May Staff proposal to use the Route 25's Federal Transit Administration (FTA) 5311F funds to expand the Vine Route 21 to Fairfield-Suisun Amtrak-Capital Corridor Station. The

Route 21 is a rapidly growing route and has significantly greater connectivity to both the Sacramento and central Bay Area job markets. Based on preliminary findings of the Express Bus Study, providing commuter service to major labor markets is likely to have greater impacts on reducing congestion on major corridors in Napa Valley.

SUPPORTING DOCUMENTS

Attachment: (1) May 30, 2017 Letter to Sonoma County Transit Manager

May 30, 2017

Mr. Bryan Albee
Transit Systems Manager
Sonoma County Transit
355 W. Robles Ave.
Santa Rosa, CA 95407

Dear Bryan:

Per our phone conversation, I am reaching out to you to request your assistance in funding the Route 25. The current cost to run the service and related revenues are summarized in Table 1, attached. Also included on Table 1 are current Route 25 operating statistics. Members of the Sonoma County City Council have also expressed an interest in continuing the service. NVTA staff intends to reach out to them to understand if the City is willing to support the route financially.

On May 17th the Napa Valley Transportation Authority (NVTA) held a public hearing to discontinue the Route 25. The NVTA board received a number of comments during the hearing as well as letters requesting that the Route 25 be continued. In the wake of the public testimony in favor of retaining the Route 25, NVTA's Board elected to extend the public comment period and reconvene in September to determine the route's fate.

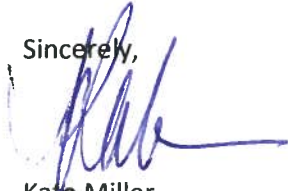
From the comments received at the public meeting and ridership data pulled from automatic passenger counters (APCs) indicate the route functions more to serve Sonoma County residents than it does Napa residents. Looking at trips departing Sonoma and Napa during commute hours, 56% of those trips depart Sonoma. NVTA's own Travel Behavior study points to a similar flow of commute traffic.

Although the funding and performance metrics point to eliminating the Route 25, the NVTA Board recognizes that the route provides a crucial link in the connectivity of the Bay Area's regional transit network, and is currently the only route that links Napa and Sonoma Counties – an issue that has come up as part of the SR 37 policy meetings.

In addition to reaching out to our Sonoma County partners, NVTA Board requested that staff develop a marketing plan to improve the routes performance. We will also be looking at other ways to make the route more effective. A consideration is whether there is an opportunity to coordinate NVTA Route 25 with the Sonoma County's Route 40 which would make connections to SMART in Petaluma when it begins operations to reduce costs for both agencies.

If there is an interest by Sonoma County Transit, we will coordinate a meeting that includes the City of Sonoma to discuss funding and route planning. I look forward to hearing from you.

Sincerely,



Kate Miller
Executive Director, Napa Valley Transportation Authority

cc: NVTA Board

Suzanne Smith, Sonoma County Transportation Authority

Table 1: Route 25 Intercity Bus Service to Sonoma Costs

Item	Annual Estimate
Purchase Transportation Cost	
3,187.22 hours x \$65.19/per hour	\$207,775
Fuel	\$32,094
TOTAL DIRECT COSTS	\$239,869
Revenues	
Fares	\$6,177
5311 F Revenues	\$129,307
Current farebox recovery ratio – 2.6%	
Shortfall apportioned by trip origin	
Sonoma – 56%	\$58,461
Napa – 44%	\$45,933
Current annual ridership is 10,336	
Unless otherwise indicated, data is based on FY 2015-16	



NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

TO: Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Antonio Onorato, Program Manager- Finance
(707) 259-8779 / Email: aonorato@nvta.ca.gov
SUBJECT: Vine Transit Route 25 Intercity Bus Service Financial Alternatives

RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) Board direct staff to implement one or a combination of the funding alternatives to supplement the pending reduction of Federal Transit Administration (FTA) Section 5311(f) Intercity Bus Program funds.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

At the May 17, 2017 Board meeting, staff was directed to analyze several alternative funding scenarios for Vine Transit's Intercity Bus Program. Currently, NVTA deploys two (2) routes which are supported by FTA Section 5311(f) program funds: Route 21 to Fairfield/Suisun City and Route 25 to Sonoma. Caltrans has notified NVTA that funding in Fiscal Year (FY) 2017-18 will be reduced across all participating transit properties by twenty-six percent (26%), compelling the Authority to seek alternative funding or consider augmenting, reducing and/or eliminating service.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Discussion and Vote

FISCAL IMPACT

See the Background and Discussions section for the fiscal impact on alternative funding scenarios.

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

On May 17th the Napa Valley Transportation Authority (NVTA) held a public hearing to discontinue the Route 25 service to the City of Sonoma. The NVTA board received a number of comments during the hearing, as well as, letters requesting that the Route 25 be continued. In the wake of the public testimony in favor of retaining the Route 25, NVTA's Board acted to extend the public comment period and reconvene in September to determine the route's fate.

Although the funding situation points to eliminating the Route 25, the Board recognizes that the route provides a crucial link in the connectivity of the Bay Area's regional transit network, and is currently the only route that links Napa and Sonoma Counties – an issue that has come up as part of the State Route 37 (SR 37) policy meetings.

The Table 1 below reflects the cost to provide the service for FY 2015-16. Table 2 on the next page presents several funding alternatives that should be considered for the Intercity Bus Program.

Table 1: Current Intercity Bus Program Costs FY15-16

Expenditure Plan	Route 25	Route 21	Total
Purchase Transportation	\$207,775	\$309,287	\$517,062
Fuel	\$32,094	\$30,341	\$62,435
Total Direct Costs	\$239,869	\$339,628	\$579,497

Financing Plan	Route 25	Route 21	Total
FTA 5311(f)	\$121,834	\$178,166	\$300,000
TDA	\$111,858	\$143,840	\$255,698
STA Contribution	--	\$ 30,000	\$ 30,000
Total Financing	\$233,692	\$352,006	\$585,698

Operating Farebox \$	\$6,177	\$17,622	\$23,799
Operating Farebox Recovery	2.6%	5.1%	4.1%
Statutory Farebox \$	\$6,177	\$47,622	\$53,799
Statutory Farebox Recovery	2.6%	14%*	9.3%

*14% farebox includes of \$30,000 STA contribution

Table 2: Intercity Bus Program Alternatives- Route 21 and 25

Option	Proposal	Description	Potential Outcome(s)
1	Route 25 service and fare parity with Route 21	Raise fares to \$3 per person, no discounts allowed for Commuter/Peak service. Parity may eliminate mid-day service on Route 25, or 1 run per day	<ul style="list-style-type: none"> 35% reduction of adult "choice" riders 100% reduction of senior/disabled "choice" riders Transit dependent riders would decrease long term Total Cost Reduction: \$40,000 Total Farebox Increase: \$10,900
2	Preserve Route 25 by having shortfalls covered by Napa and Sonoma jurisdictions	NVTA could receive contributions from the City of Sonoma, Sonoma County Transit, or Sonoma County Transportation Authority through contractual agreements. Shortfall amounts are proportional based on trip originations of 56% from Sonoma and 44% from Napa.	<ul style="list-style-type: none"> Sonoma shortfall amount: \$58,461 Napa shortfall amount: \$45,933 NVTA would be obligated to cover funding shortages not met by Sonoma jurisdictions
3	Interline with Sonoma County Transit Routes to Napa	NVTA provides a contribution to SCT for running SCT routes 40 and 53 to Napa.	<ul style="list-style-type: none"> Contribution amount to SCT Cost/Savings: To Be Determined
4	Proportionally divide the \$78,000 reduction of 5311f funds to each route- 50/50 split, or \$39,000 reduction for each route	<ul style="list-style-type: none"> Route 21 will have 1,068 less hours than the current 4,745 hours of service per fiscal year or 2 runs per day Route 25 will have 1,020 less hours than the current 3,187 hours of service per fiscal year or 2 runs per day 	<ul style="list-style-type: none"> Reduced service may jeopardize contribution from STA on the Route 21 (\$30,000 annually) 24% cut in service for Route 21 could result in a farebox loss of \$5,815 or 33% 32% cut in service for Route 25 could result in a farebox loss of \$2,880 or 47% \$78,000 reduction in federal funds equates to \$141,000 of decreased operating costs
5	Eliminate Route 25 service to Sonoma, then add frequency to Route 21 with leftover 5311f funds	<ul style="list-style-type: none"> Allocate leftover 5311f funds of \$44,000 or \$79,523 in total operating assistance by providing an additional 1,223 hours or 26% increase to Route 21 service. Additional hours could add 3 extra runs per weekday, or provide limited Saturday service*. 	<ul style="list-style-type: none"> Ridership is expected to increase on Route 21 by 36%, adding to farebox of \$3,500 STA has expressed an interest to contribute up to an additional \$20,000 for Route 21 expansion Saturday service could potentially decrease farebox ratio by converting commuter service into regular service requiring half-fares for senior/disabled populations

Without an additional contribution from Sonoma County, NVRTA would be compelled to cover funding shortages in the above scenarios with Transportation Development Act (TDA) funds. Despite a positive economic climate, transit revenues and operating farebox have been relatively stagnant for the past few years while costs have been slowly increasing. NVRTA was able to use carryover balances to cover the shortfalls, but those reserves have been exhausted.

Any excess TDA funds not used for transit and planning purposes are currently set-aside for financing the new Vine Transit Bus Maintenance Facility. Dipping into the TDA account to supplement or augment non-productive routes is not advisable. This will place additional fiscal pressures on the public fund which may possibly impede the continuation of other programs and projects budgeted during the fiscal year or planned in future years.

SUPPORTING DOCUMENTS

None



NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

TO: NVRTA Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Matthew Wilcox, Manager of Public Transit
(707) 259-8635 / Email: mwilcox@nvta.ca.gov
SUBJECT: Update on Vine Transit Data Integration on Google

RECOMMENDATION

That the Napa Valley Transportation Authority (NVRTA) Board receive an update on Vine Transit Data Integration in Google Maps.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

At its May 17th meeting, the NVRTA Board was made aware that Vine Real Time Transit information was not available on Google. This report will provide and update to the Board on the status of data integration and provide background about the delays.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comments

FISCAL IMPACT

Is there a Fiscal Impact? No. The item is information only.

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

One of the glaring omissions from NVTA's integration into the regional transit network of the Bay Area is that data has not been accepted by Google Maps. In 2007 Google fully integrated transit information into its maps platform. The format by which this is achieved is called General Transit Feed Specification or GTFS. Integration into Google is an entirely voluntary process. Google does not create its own data rather Google relies on transit properties to provide the data. Google does require any GTFS data submitted for integration to be 100% error free.

Not until about four years ago did GTFS data become the standard for exporting transit schedule data for third party developers. Now it is used worldwide as a means to communicate schedule data not only to Google Maps but hundreds of other platforms. Prior to this, the standard in the Bay Area was a proprietary language used by 511.org. In 2014 NVTA procured an Avail Computer Aided Dispatch and Automated Vehicle Locator (CAD/AVL) system. The installation of the program was completed in mid-2016. A requirement of the contract with Avail Technologies was to prioritize export schedule and real time data to the 511 trip planning system. Exporting scheduling data in GTFS was put on hold until the data being exported to 511 was completed. MTC has since migrated all of its 511 functions to a Google platform and consequently its proprietary language to GTFS.

Since ramping up towards full implementation of Avail in February 2016, there have been continuous errors in the data being exported from Transdev's schedulers (Transdev is NVTA's contractor responsible for providing transit services for Napa Valley residents). Initially these were thought to be bugs in the new Avail system. The major errors were cleaned up, however small errors persisted. NVTA staff persisted in seeking scheduling data that could be integrated into Google Maps. Since the completion of the Avail system, three iterations of the scheduling data was requested, received and submitted to Google over a four month period. A forth iteration is currently being developed and is anticipated to be completed on June 18th. With each export, errors still remained.

Since the May Board meeting, NVTA staff has discussed this challenge with Transdev management. A new scheduler has been assigned to the task and we anticipate that the June export of the data will be free from errors and the Vine will go live on Google.

A timeline of events since the completion of the agreement on February 9th is below:

2/15/2017 – Transdev sends schedule data to Avail Technologies who use the data to create the GTFS feed.

2/22/2017 – The GTFS feed is posted for the first time to a Google account so Google can retrieve it and add it to Google Maps.

2/23/2017 – Review of the data by the Google evaluation team revealed a series of errors in the schedule export provided by Transdev. The errors fall into three major

categories 1) Bus Stops with the same time offsets, i.e. the bus stopping at two places at the same time; 2) Stops too close together, i.e. two stops located at almost identical latitude and longitude positions; and 3) too fast travel, i.e. a bus going from one stop to another at say 210 km/h.

2/27/2017 – Transdev produces a new schedule with fewer errors.

4/21/2017 – Transdev produces a third schedule export with still fewer errors but still not 100% error free.

6/18/2017 – A fourth schedule will be released. The outcome will be provided at the Board meeting.

SUPPORTING DOCUMENTS

None



NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

TO: Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Danielle Schmitz, Program Manager- Planning
(707) 259-5968/ Email: dschmitz@nvta.ca.gov
SUBJECT: First Amendment to Agreement No 16-11 with the City of Napa for
Omni-Means to Complete the Modeling and Preliminary Design for
the Soscol Junction Project Alternative

RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) Board authorize the Executive Director to execute the First Amendment (Attachment 1) to Agreement No. 16-11 for the additional work identified in Exhibit A in an amount not to exceed \$31,264.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

NVTA executed a contract with the City of Napa in June 2016 for professional engineering services with the City's on-call planning consultant, Omni-means, to evaluate a design alternative for the Soscol Junction Flyover. Over the last year NVTA has been working with Omni-means, on a Flyover alternative. During the environmental review process, members of the bike community and adjacent businesses voiced concerns about the proposed preferred project alternative for the Flyover - prompting staff to investigate other project design alternatives.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Discussion and Vote

FISCAL IMPACT

Is there a Fiscal Impact? Yes, \$31,264. This would be in addition to the existing contract amount of \$40,790 for a total of \$72,054. The initial \$40,790 was completed under the Executive Director's delegated authority.

Is it currently budgeted? Yes

Where is it budgeted? NVRTA Budget 16-17 Professional Fees

Future fiscal impact: No

Consequences if not approved: NVRTA would not have a clear understanding of the diversion from SR 29 to Devlin Road for the Soscol Junction Alternative.

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

While effective for reducing congestion, the Flyover is thought to be an antiquated and expensive design solution that does not take into account complete streets, in particular bicycle and pedestrian access at the intersection. Omni-means is in the final stages of traffic analysis on a design concept that would elevate State Route (SR) 29, providing free flowing through traffic on SR 29, while SR 221 would have a double roundabout configuration under the highway allowing connections to Soscol Ferry Road/Devlin and providing safe access for bicyclists and pedestrians. The design alternative would also provide free flowing turning movements from northbound SR 29 to SR 221 and southbound SR 29 to Soscol Ferry Road (Attachment 3).

Omni-means has identified a significant traffic diversion as southbound traffic on SR 29, delayed extensively by the waiting queues, which turns right onto Soscol Ferry Road and then left on to Devlin Road traveling to Airport Road where it rejoins SR 29. Under the amended scope of work, Omni-means will adjust their operational analysis accordingly based on the number of vehicles deviating off SR 29 and modify project alternatives to reflect the actual demands of the improved intersections.

With the approval of the First Amendment, NVRTA hopes to have a draft design with estimated cost and traffic volumes by the end of summer 2017. NVRTA would then convene a meeting with Caltrans and the SR 29 Working Group to go over the design and constructability of the preferred alternative. The next steps would be for NVRTA and Caltrans to incorporate the preferred alternative into the draft environmental document

and recirculate the document for public comment. NVTA is hoping to advance State Transportation Improvement Program (STIP) funding to cover the Design and Engineering of the revised preferred alternative.

SUPPORTING DOCUMENTS

Attachments: (1) First Amendment to NVTA Agreement No.16-11
 (2) Agreement 16-11 – Omni-means Engineering Services
 (3) Soscol Junction Design Alternative

**FIRST AMENDMENT TO
NAPA VALLEY TRANSPORTATION AUTHORITY ("NVRTA")
AGREEMENT NO. 16-11**

THIS FIRST AMENDMENT TO NAPA VALLEY TRANSPORTATION AUTHORITY ("NVRTA") AGREEMENT NO. 16-11 herein after referred to as "Agreement" is made and entered into as of this _____ day of **June 2017** between the NAPA VALLEY TRANSPORTATION AUTHORITY (hereinafter referred to as "NVRTA"), and City of Napa whose mailing address is PO Box 660, Napa, CA 94559, hereinafter referred to as "CITY";

RECITALS

WHEREAS, in June 2016 NVRTA contracted for specialized services, as authorized by Government Code Section 31000, in order to **procure specialized consultant engineering services to conduct traffic analysis and forecast on the Soscot Junction Alternative**; and

WHEREAS, the original not to exceed amount of the agreement was for \$42,790; and

WHEREAS, the parties desire to amend the Agreement to increase the amount of the contract by up to \$31,264 to complete the additional services as set forth in Exhibit A,

TERMS

NOW, THEREFORE, the NVRTA and CITY agree to amend the Agreement as follows:

1. The total cost is revised to reflect that the cost is not to exceed \$72,054.
2. The original scope of work is revised to include the additional tasks identified in Exhibit A to this Amendment.
3. Except as set forth above, the terms and conditions of the Agreement shall remain in full force and effect as previously approved.

IN WITNESS WHEREOF, this Agreement was executed by the parties hereto as of the date first above written.

"NVRTA"

"CITY"

NVRTA, a joint powers authority organized under the laws of the State of California

City of Napa

By _____
Kate Miller,
Executive Director

By _____
Jacques LaRochelle,
Public Works Director

ATTEST:

By _____
Karalyn E. Sanderlin, NVTA Board Secretary

Approved as to Form:

By _____
Jennifer Gore, NVTA Legal Counsel



June 13, 2017

Mr. Eric Whan, P.E.
Deputy Public Works Director
City of Napa
1600 First Street
Napa, CA 94559

RE: Extra Work to Identify the Existing Diversion Occurring at the SR 29/SR 221 Intersection Southbound

Dear Eric:

As requested we have revised our proposal to identify the significance of the traffic diversion relative to the intersection SR 29 with SR 221/Socal Ferry to include the diversion that takes place at Kaiser Road along the Napa Valley Corporate Drive to Soscal Ferry Road. This second diversion will be identified along with the southbound 29 diversion onto Soscal Ferry and Devlin Road traveling all the way to Airport Road where they rejoin SR 29 as an eastbound through movement along Airport Road to SR 12; or, continuing south along SR 29 via a right turn from Airport Road eastbound.

With the significance of these deviations identified we will adjust our operational analysis accordingly; and modify our improvement alternatives to reflect the actual demands on the intersections. We anticipate this additional effort will cost \$29,264, including the Bluetooth data collection and analysis (proposal attached). This cost assumes that either the City of Napa or NVT A will secure the Caltrans Encroachment Permit. If we will be required to gain this permit we anticipate an additional cost of up to \$2000.

We are prepared to initiate this additional work upon your authorization.

Sincerely,

Omni-Means, Ltd.

A handwritten signature in blue ink, appearing to read 'H. Ross Ainsworth', is written over a blue circular stamp.

H. Ross Ainsworth, PE, TE
Principal

Cc: Kate Miller, NVT A; Danielle Shmitz, NVT A; Kamesh Vedula

Enclosure

LTR.dot/k:prm/m2123/M2123Ltr005.docx

Extra Work Authorization

Attn.: Eric Whan **Date:** June 2, 2017 **Contract Date:** December 2015
Address: City of Napa, Public Works **Project:** SR 29/SR 221 Roundabout Interchange
 1601 First Street **Job No.:** 2123
 Napa, Ca **File No.:** 2123EWA002.docx
 Project Manager: H. Ross Ainsworth

Type: ☐ Task Authorization ☒ Additional Work ☒ Change of Scope ☐

The Following Work will be performed Under the Same Terms and Conditions as in the Original Agreement Unless Otherwise Stated.

DESCRIPTION OF ADDITIONAL SERVICES	COMPENSATION
Provide an Origin-Destination Analysis of traffic movement along SR 29 Southbound; to identify diversions from SR 29 to the parallel route Devlin Road. Purpose: to accurately analyze intersection traffic movements at SR 29/SR 221 without traffic queuing influences, in order to more accurately develop intersection improvement geometrics.	\$29,264.00
Optional: Omni-Means to obtain Caltrans Encroachment Permit	\$2,000
TOTAL	\$31,264.00

Consultant:


 Omni-Means, Ltd.

June 13, 2017

Date

Client:

City of Napa

Signature (Owner Authorized Representative)

Date

Please sign and return this original for Omni-Means, Ltd. files.



Page 1

NAPA VALLEY TRANSPORTATION AUTHORITY (NVTA)

AGREEMENT NO. 16-11

CITY OF NAPA AGREEMENT NO. C2016 130

Omni-Means Engineering Services for Soscol Junction

THIS AGREEMENT ("Agreement") is made and entered into as of this 21st day of June, 2016, by and between the NAPA VALLEY TRANSPORTATION AUTHORITY ("NVTA"), a joint powers authority, and the CITY OF NAPA ("CITY"), a municipal corporation.

RECITALS

WHEREAS, NVTA wishes to utilize specialized engineering services in order to conduct traffic analysis and forecasts on potential interchange concepts for Soscol Junction (SR29/221); and

WHEREAS, the CITY is willing to partner with NVTA and take the lead in procuring specialized consultant engineering services to conduct desired traffic analysis and forecasts; and

WHEREAS, NVTA will reimburse City for costs incurred in contracting with a specialized engineering consultant to perform said work under the terms and conditions set forth herein.

TERMS

NOW, THEREFORE, IT IS AGREED BY NVTA AND CITY as follows:

1. **SCOPE OF WORK.** CITY agrees to procure and contract for specialized engineering services to evaluate proposed alternative(s) for the Soscol Junction intersection outlined in the Scope of Work as provided by the consultant and described in Attachment 1 of this agreement.
2. **TERM.** The term of this Agreement shall commence on the date first above written and shall expire at the completion of the Scope of Work. Notwithstanding the above, Paragraphs 6 (Insurance) and 7 (Indemnification) shall continue in full force and effect after said expiration date.
3. **PAYMENT FOR COST OF SERVICES.** NVTA shall pay CITY for the cost of the services provided under this Agreement for a total amount not to exceed forty thousand seven hundred ninety dollars (\$40,790). CITY shall solely be responsible for administration of the contract for services described in Paragraph 1 (Scope of Work).

CITY shall submit an invoice to NVTa identifying at minimum the project and services performed upon completion of the project as shown in paragraph 1, but not later than ninety (90) days after project completion. Payment shall be made on a reimbursement basis for all of the NVTa's financial obligations to CITY.

4. **AMENDMENT.** Any modification or amendment of this Agreement shall be effective only if mutually approved in writing by the governing boards of NVTa and CITY.

5. **INDEPENDENT CONTRACTOR.** CITY shall perform the services required of CITY under this Agreement as an independent contractor. CITY and the officers, agents and employees of CITY are not, and shall not be deemed, NVTa employees for any purpose, including workers' compensation or employee benefits. CITY shall determine, at its own risk and expense, the method and manner by which duties imposed on CITY under this Agreement shall be performed.

6. **INSURANCE.** CITY shall obtain and maintain in full force and effect throughout the term of this Agreement, and thereafter as to matters occurring during the term of this Agreement, the following insurance coverage or equivalent amounts of qualified self-insurance or, as to work which is performed by persons or entities under subcontract to CITY, shall require such subcontractors to provide the same coverage:

(a) **Workers' Compensation insurance.** CITY shall provide, to the extent required by law, workers' compensation insurance in the performance of any of City's duties under this Agreement; including but not limited to, workers' compensation and disability, and upon request by NVTa shall provide NVTa with certification of all such coverages.

(b) **Liability insurance.**

1. **General Liability.** CITY shall obtain and maintain in full force and effect during the term of this Agreement commercial or comprehensive general liability insurance coverage (bodily injury and property damage) of not less than One Million Dollars (\$1,000,000) combined single limit per occurrence, issued by a company duly and legally licensed to transact business in the State of California, covering liability for any personal injury, including death, to any person and/or damage to the property of any person arising from the acts or omissions of CITY or any officer, agent, or employee of CITY under this Agreement.

2. Professional Liability. CITY shall obtain and maintain in full force and effect during the term of this Agreement professional liability/errors and omissions insurance in an amount of not less than One Million Dollars (\$1,000,000) combined single limit for each occurrence and issued by a company duly and legally licensed to transact business in the State of California, covering all professional acts or omissions of CITY or its agents arising out of or in connection with this Agreement except for those acts or omissions performed in strict compliance with express direction from NVTAs governing board, officers or personnel unless such direction was based upon professional advice from CITY or the agents of CITY under this Agreement.

3. Comprehensive Automobile Liability Insurance. CITY shall obtain and maintain in full force and effect during the term of this Agreement a comprehensive automobile liability insurance policy (Bodily Injury and Property Damage) on owned, hired, leased and non-owned vehicles used in conjunction with City's activities under this Agreement of not less than Three Hundred Thousand Dollars (\$300,000) combined single limit per occurrence.

(c) Certificates of Coverage. Where the foregoing coverages are provided by insurance rather than by self-insurance (written proof of which shall be provided to NVTAs), the coverages shall be evidenced by a Certificate of Coverage which shall be filed with the NVTAs Secretary prior to reimbursement of CITY by NVTAs for performance of any of City's duties under this Agreement; shall indicate that if the same policy applies to activities of CITY not covered by this Agreement then the limits in the Certificate relating to the additional insured coverage of NVTAs shall pertain only to liability for activities of CITY under this Agreement; shall name NVTAs, its officers, employees, and agents as additional insureds; shall be kept current during the term of this Agreement; shall provide that NVTAs shall be given no less than thirty (30) days prior written notice of any non-renewal, cancellation, other termination, or material change; shall provide that the insurance provided is primary coverage to NVTAs with respect to any insurance or self-insurance programs maintained by NVTAs; and shall provide that the inclusion of more than one insured shall not operate to impair the rights of one insured against another insured, the coverage afforded applying as though separate policies had been issued to each insured, but the inclusion of more than one insured shall not operate to increase the limits of the company's liability. Upon request of NVTAs, CITY shall provide or arrange for the insurer to provide NVTAs with certified copies of the actual insurance policies within thirty (30) days of the request.

(d) Deductibles/Retentions. Any deductibles or self-insured retentions shall be declared to and be approved by NVTAs. At the option and in the discretion of NVTAs, either the insurer shall reduce or eliminate such deductibles or self-insurance retentions as respects NVTAs, its officers, employees and volunteers or CITY shall procure a bond or other security acceptable to NVTAs guaranteeing payment of losses and related investigations, claims administration and defense expenses for amounts falling within the limits of such deductibles or retentions.

7. **INDEMNIFICATION.**

(a) CITY shall defend, indemnify and hold harmless NVTa and the officers, agents and employees of NVTa from any claim, loss or liability including without limitation, those for personal injury (including death) or damage to property, arising out of or connected with any aspect of the performance by CITY or its officers, agents, or employees, of activities or obligations required of CITY under this Agreement except where the loss was proximately caused by acts or omissions of CITY performed in strict compliance with express direction from NVTa's governing board, officers or personnel other than direction based upon and conforming to advice from CITY.

(b) NVTa shall defend, indemnify and hold harmless CITY and the officers, agents and employees of CITY from any claim, loss or liability including without limitation, those for personal injury (including death) or damage to property, arising out of or connected with any aspect of the performance by NVTa or its officers, agents, or employees, of obligations required of NVTa under this Agreement as well as for claims where the loss was proximately caused by acts or omissions of CITY performed in strict compliance with express direction from NVTa's governing board, officers or personnel other than direction based upon and conforming to advice from CITY.

8. **NO WAIVER.** The waiver by either party of any breach or violation of any requirement of this Agreement shall not be deemed to be a waiver of any such breach in the future, or of the breach of any other requirement of this Agreement.

9. **NOTICES.** All notices required or authorized by this Agreement shall be in writing and shall be delivered in person or by deposit in the United States mail, by certified mail, postage prepaid, return receipt requested. Any mailed notice, demand, request, consent, approval or communication that either party desires to give the other party shall be addressed to the other party at the address set forth below. Either party may change its address by notifying the other party of the change of address. Any notice sent by mail in the manner prescribed by this paragraph shall be deemed to have been received on the date noted on the return receipt or five days following the date of deposit, whichever is earlier.

NVTa

Executive Director
Napa Valley Transportation
Authority
625 Burnell Street
Napa, California 94559

CITY

City Manager
City of Napa
P.O. Box 660
Napa, California
94559

COPY TO:

Public Works Director
City of Napa
P.O. Box 660
Napa, California 94559

10. **INTERPRETATION; VENUE.** The headings used herein are for reference. The terms of the Agreement are set out in the text under the headings. This Agreement shall be governed by the laws of the State of California. The venue for any legal action filed

by either side in state court to enforce any provision of this Agreement shall be Napa County, California. The venue for any legal action filed by either side in federal court to enforce any provision of this Agreement lying within the jurisdiction of the federal courts shall be the Northern District of California.

11. **SEVERABILITY.** If any provision of this Agreement, or any portion thereof, is found by any court of competent jurisdiction to be unenforceable or invalid for any reason, such provision shall be severable and shall not in any way impair the enforceability of any other provision of this Agreement unless removal of such provision makes the remaining Agreement illusory or makes impractical the enforcement of any remaining major provision of the Agreement, in which case this Agreement shall terminate.

12. **COMPLIANCE WITH LAWS.** In performing any services required under this Agreement to be reimbursed by NVTa, CITY shall observe and comply with all applicable Federal, State and local laws, ordinances, and codes, including to the extent applicable, the laws pertaining to relocation assistance. Such laws shall also include, but not be limited to, the following, except where otherwise prohibited by state or local law:

(a) **Non-Discrimination.** During the performance of this Agreement, CITY and its subcontractors shall not deny the benefits thereof to any person on the basis of sex, race, color, ancestry, religion or religious creed, national origin or ethnic group identification, sexual orientation, marital status, age (over 40), mental disability, physical disability or medical condition (including cancer, HIV and AIDS), nor shall they discriminate unlawfully against any employee or applicant for employment because of sex, race, color, ancestry, religion or religious creed, national origin or ethnic group identification, sexual orientation, marital status, age (over 40), mental disability, physical disability or medical condition (including cancer, HIV and AIDS), or use of family care leave. CITY shall ensure that the evaluation and treatment of employees and applicants for employment are free of such discrimination or harassment. In addition to the foregoing general obligations, CITY shall comply with the provisions of the Fair Employment and Housing Act (Government Code section 12900, et seq.), the regulations promulgated thereunder (Title 2, California Code of Regulations, section 7285.0, et seq.), the provisions of Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the Government Code (sections 11135-11139.5) and any state or local regulations adopted to implement any of the foregoing, as such statutes and regulations may be amended from time to time. To the extent this Agreement subcontracts to CITY services or works required of NVTa by the State of California pursuant to agreement between NVTa and the State, the applicable regulations of the Fair Employment and Housing Commission implementing Government Code section 12990 (a) through (f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of regulations are expressly incorporated into this Agreement by reference and made a part hereof as if set forth in full, and CITY and any of its subcontractors shall give written notice of their obligations thereunder to labor organizations with which they have collective bargaining or other agreements.

(b) **Documentation of Right to Work.** CITY agrees to abide by the requirements of the Immigration and Control Reform Act pertaining to assuring that all newly-hired employees of CITY performing any services under this Agreement have a legal right to work in the United States of America, that all required documentation of such right to work is inspected, and that INS Form 1-9 (as it may be amended from time to time) is completed and on file for each employee. CITY shall make the required documentation available upon request to NVT A for inspection.

(c) **Inclusion in Subcontracts.** To the extent any of the services required of CITY under this Agreement are subcontracted to a third party, CITY shall include the provisions of (a) and (b), above, in all such subcontracts as obligations of the subcontractor.

13. **TAXES.** As between CITY and NVT A, CITY shall be solely responsible for filing all required federal and state tax documentation and for paying all applicable tax withholdings (including state and federal income and FICA taxes), or for requiring its subcontractors to do so, on any reimbursement amounts paid pursuant to this Agreement. CITY agrees to indemnify and hold NVT A harmless from any liability NVT A might otherwise incur to the United States or the State of California as a consequence of CITY's failure to document, withhold, or pay when due all such taxes and obligations. In the event that NVT A is audited for compliance regarding any withholding or other applicable taxes relating to reimbursement payments made to CITY under this Agreement, CITY agrees to furnish NVT A with proof of payment of any required taxes or related withholdings on those amounts.

14. **ACCESS TO RECORDS/RETENTION.** NVT A, any federal or state grantor agency funding all or part of the reimbursement of CITY made by NVT A hereunder, the State Controller, the Comptroller General of the United States, the Corps of Engineers, or the duly authorized representatives of any of the above, shall have access to any books, documents, papers and records of CITY which are directly pertinent to the subject matter of this Agreement for the purpose of making audit, examination, excerpts and transcriptions. Except where longer retention is required by any federal, state or local law or Authority policy, CITY shall maintain all required records for five years after NVT A makes final reimbursement for any of the services authorized hereunder and all pending matters are closed, whichever is later.

15. **AUTHORITY TO CONTRACT.** CITY and NVT A each warrant hereby that they are legally permitted and otherwise have the authority to enter into and perform this Agreement.

16. **CONFLICT OF INTEREST.** CITY hereby covenants that neither CITY nor any of its officers, employees or agents who may be providing services under this Agreement presently have any interest not disclosed to NVT A and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the

performance of such services hereunder, except as such as NVTa may consent to in writing prior to the acquisition by CITY or such persons of such conflict.

17. **THIRD PARTY BENEFICIARIES.** Nothing contained in this Agreement shall be construed to create any rights in third parties and CITY and NVTa do not intend to create such rights.

18. **ATTORNEY'S FEES.** In the event that either party commences legal action of any kind or character to either enforce the provisions of this Agreement or to obtain damages for breach thereof, the prevailing party in such litigation shall be entitled to all costs and reasonable attorney's fees incurred in connection with such action.

19. **ENTIRETY OF CONTRACT.** This Agreement constitutes the entire agreement between the parties relating to the subject of this Agreement and supersedes all previous agreements, promises, representations, understandings and negotiations, whether written or oral, among the parties with respect to the subject matter hereof.

///

///

IN WITNESS WHEREOF, NVTA and CITY have executed this Agreement as of the date first above written.

CITY of NAPA:

By: 

(Signature)

Jacques R. LaRoche, Public Works Director

NVTA:

Napa Valley Transportation Authority

By: 

(Signature)

Kate Miller, Executive Director

ATTEST:


(Signature)

Dorothy Roberts, City Clerk

(Type name and title)

APPROVED AS TO FORM:


(Signature)

Jeffrey M. Richard,

Janice Killion, NVTA Legal Counsel

(name and title)

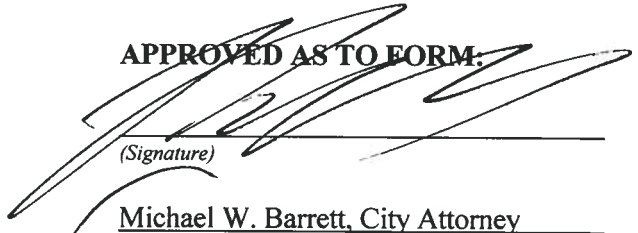
COUNTERSIGNED:


(Signature)

Desiree Brun, City Auditor

(Type name and title)

APPROVED AS TO FORM:


(Signature)

Michael W. Barrett, City Attorney

(Type name and title)

Budget Code: 49011-34901

Scope of Services

SR 29/SR 221 Roundabout Interchange

City of Napa

Caltrans in concert with the local Napa county communities and the NVTa have been working since the early 2000's to develop an interchange improvement to the SR 29/SR 221/Soscol Ferry Road intersection (also known as Soscol Junction). The intersection experiences significant delay and the accident rate exceeds the statewide standards for all accident evaluation categories.

The project is currently under environmental review. Comments received during the public review process have expressed concerns about the continuity for pedestrian and bicycle users, the lack of accessibility for all vehicle movements through the intersection and the aesthetic impacts to this largely rural area.

This evaluation is intended to answer the questions:

"Can a roundabout interchange solution be identified that will meet all of the competing interests of the area, capacity, accessibility, safety, aesthetics and pedestrian and bicycle continuity?"

The following scope of work has been created to answer this question. In a meeting between Caltrans, the City of Napa and the NVTa; it was agreed that the City of Napa in cooperation with the NVTa would act as the lead agency on this evaluation working closely with Caltrans and the NVTa.

Task 1. Work With Caltrans/City/NVTa to Develop Recommended Roundabout Interchange Solution

1.1 - Resolve Traffic Forecasts

The first step in this effort will be to develop a set of traffic forecasts for the vicinity of the interchange, acceptable to all concerned; Caltrans, the City of Napa and the NVTa

1.1.1 - Collect Current Traffic Count Data

The first step in this process is to gather new (current) daily and peak hour traffic counts for the location. A seven day count will be made on SR 221 to the north of the intersection. This count will include hourly directional movements and will collect this data by vehicle classification.

Four Hour turning movement counts will be taken at the intersection during three different periods; Friday 2:00 PM to 6:00 PM; Mid-week 6:00 AM to 10:00 AM and 2:00 PM to 6:00 PM.

1.1.2 - Gather Most Current Traffic Forecasting Data

ATTACHMENT 1

Scope of Services - SR 29/SR 221 Roundabout Interchange

Traffic Model forecasts will be gathered from Solano County based on the Napa-Solano traffic model being updated currently.

1.1.3 - Develop Recommended Interchange Design Traffic (Interim/Ultimate)

Based on the data gathered a series of traffic forecasts for interim and ultimate conditions will be presented.

1.1.4 - Meet with the Project Evaluation Team (PET) (Caltrans/City of Napa/NVTA Traffic Staff) to Gain Traffic Forecasting Consensus

Deliverables:

- ♦ *Caltrans, City of Napa and NVTA Agreed Interim and Design Year Traffic Forecasts*

1.2 - Identify Operationally Feasible Interchange Concepts

The agreed upon forecast provide the basis for creating an operation envelope that various potential roundabout interchange concepts can be evaluated.

1.2.1 - Develop Potential Interchange Concepts

Two roundabout interchange concepts will be developed.

1.2.2 - Analyze Operational Characteristics of Each Potential Concept

Each potential concept will consider operations, fast path, truck provisions, aesthetics, impact on the:

- Operations;
 - Level of Service
 - Fast path
 - Truck and Bus Circulation
 - Safety
- Aesthetics
- Existing Environmental Review Process
- Constructability Issues
- Pedestrian and Bicycle Continuity
- Right of Way
- Cost

ATTACHMENT 1

Scope of Services - SR 29/SR 221 Roundabout Interchange

1.2.3 - Conduct a Workshop with Caltrans, City, County and NVTa Staff

A Workshop will be held with Caltrans, local City and County of Napa, NVTa and other regionally interested parties to meet and review/discuss the roundabout interchange concepts being considered.

1.2.4 - Prepare Priority Comparison of Concepts

Using a series of parameters (as determined by the PET) The concepts will be ranked for presentation to the PET; the ranking process will be in a matrix format evaluating and comparing each interchange concept for each evaluation measure listed under task 1.2.2 above.

1.2.5 - Meet with the PET to Review Prioritized Concepts

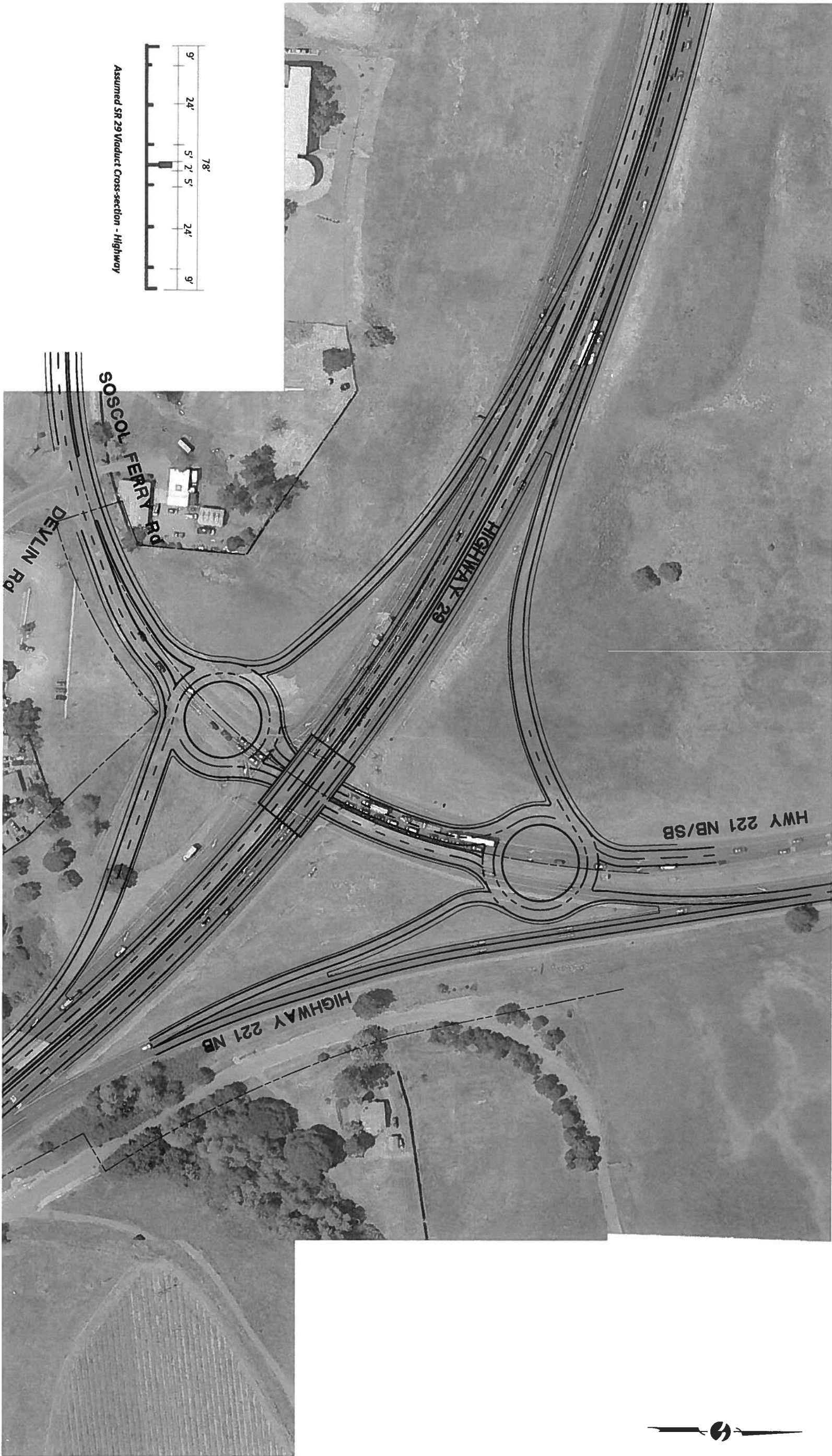
Deliverables:

- ♦ *Ranked Roundabout Interchange Concepts*

Task 2 - Refine Top Priority Concept (OPTIONAL)

The top ranked concept will be further refined to bring it to the level of Geometric Approval Drawings (GAD). For this effort a more detailed scope of work will be defined.

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CITY of NAPA - SR29/SR221 SOSCOL JUNCTION INTERCHANGE ROUNDABOUT CONCEPT #3

POTENTIAL CONFIGURATION AT SR29/SR221 SOSCOL JUNCTION INTERCHANGE OVERCROSSING



NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

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

RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) Board receive the monthly Federal and State Legislative updates, and State Bill Matrix.

EXECUTIVE SUMMARY

The Board will receive the Federal Transportation Legislative update (Attachment 1) provided by Van Scoyoc Associates, the State Legislative update (Attachment 2), the State Bill Matrix (Attachment 3), and Capital Update (Attachment 4) provided by Platinum Advisors.

FISCAL IMPACT

Is there a Fiscal Impact? No

SUPPORTING DOCUMENTS

Attachments: (1) May 30, 2017 Federal Legislative Update (Van Scoyoc Associates)
(2) May 30, 2017 State Legislative Update (Platinum Advisors)
(3) May 30, 2017 State Bill Matrix (Platinum Advisors)
(4) June 2, 2017 Capital Update (Platinum Advisors)



TO: Kate Miller, NVTA
FROM: Steve Palmer, Channon Hanna, and David Haines
DATE: May 30, 2017
SUBJECT: Federal Legislative Update

The following is a summary of federal legislative activities related to transportation, housing, and environmental issues over the last month.

Legislative Action

FY 2017 Appropriations. On May 4, final Congressional passage occurred for the fiscal year (FY) 2017 omnibus appropriations bill. The House passed the bill by a vote of 309-118, and the Senate passed the bill by a vote of 79-18 that funds the federal government through September 30, 2017. Base discretionary funding alone in the bill meets the caps in current law, providing \$1.07 trillion.

Department of Transportation (DOT) Deputy Secretary. On May 16, the Senate confirmed the nomination of Jeffrey Rosen to be the next DOT Deputy Transportation Secretary with a vote of 56-42.

Reducing Regulatory Burdens Act of 2017. On May 24, the House of Representatives passed H.R. 953, the Reducing Regulatory Burdens Act of 2017, by a vote of 256-165. The bill amends the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Water Pollution Control Act (commonly known as the Clean Water Act) to prohibit the Environmental Protection Agency or a state from requiring a permit under the National Pollutant Discharge Elimination System for a discharge of a pesticide from a point source into navigable waters if the discharge is approved under FIFRA. Point source pollution is waste discharged from a distinct place, such as a pipe, channel, or tunnel. The bill establishes exemptions from this prohibition. The legislation has been sent to the Senate for further consideration.

Congressional Hearings

Infrastructure Project Streamlining. On May 3, the Senate Committee on Environment and Public Works held a full committee hearing entitled to review infrastructure project streamlining and efficiency and to examine how to achieve faster, better, and cheaper results. Witnesses included the following individuals: William Panos, Wyoming DOT; Leah Pilconis; Associated General Contractors of America; and John Porcari, WSP Parsons Brinkerhoff.

Modernization of the Endangered Species Act. On May 10, the Senate Committee on Environment and Public Works held a full committee hearing to review state views on the need to modernize the Endangered Species Act. Witness included representatives from Florida Fish and Wildlife Conservation Commission, Arizona Game and Fish Department, and Rhode Island Department of Environmental Management.

Leveraging Federal Funding. On May 16, the Senate Committee on Environment and Public Works Subcommittee on Transportation and Infrastructure held a Subcommittee hearing regarding leveraging federal funding and innovative solutions for infrastructure. Witnesses included representatives from City of Los Angeles, City of Oklahoma City, Infrastructure Practice Group, Center for American Progress, and Virginia DOT.

Improving America's Infrastructure; the Road Forward. On May 17, the Environment and Public Works Committee held a hearing on ways to improve the nation's infrastructure. U.S. DOT Secretary Chao testified at the hearing and discussed the Administration's infrastructure plan.

Emerging Transportation Technologies. On May 18, the Transportation, Housing and Urban Development Appropriations Subcommittee held a hearing to explore automated vehicles, drones, and other emerging transportation technologies. Witnesses included representatives from the RAND Corporation, the Stanford University Department of Aeronautics and Astronautics, the Self-Driving Coalition for Safer Streets, and the Association of Unmanned Vehicle Systems International.

Attainability of Ground-Level Ozone Standards. On May 23, the Senate Committee on Environment and Public Works Subcommittee on Clean Air and Nuclear Safety held a subcommittee hearing reviewing the attainability of the National Ambient Air Quality Standards for Ground-Level Ozone. The Subcommittee sought ways to make the Standards more attainable. Additionally, the Subcommittee heard from the following witnesses: Senator Jeff Flake (R-AZ); Misael Cabrera, Arizona Department of Environmental Quality; Ahron Hakimi, Kern Council of Governments; Kyle Zeringue, Baton Rouge Area Chamber; Shawn Garvin, Delaware Department of Natural Resources and Environmental Control; Dr. Monico Kraft, University of Arizona College of Medicine.

DHS FY 2018 Budget. On Wednesday, May 24 and May 25, the House and Senate Subcommittees on Homeland Security Appropriations held hearings to examine the FY 2018 DHS budget proposal. DHS Secretary John Kelly testified at the hearings.

Executive Branch

Public Transit, Information on Job Access and Reverse Commute Activities. On May 4, the Government Accountability Office (GAO) released a report that examines: (1) how FTA communicated the 2012 statutory changes to on Job Access and Reverse Commute (JARC) activities to transit providers and (2) whether and how selected states and transit providers have continued to fund and provide JARC activities since the 2012 statutory changes.

DOT's FY 2016 Payment Reporting. On May 10, the DOT Inspector General released a report which found that for fiscal year 2016, the DOT reported approximately \$55.5 billion in payments in programs or activities susceptible to significant improper payments. Specifically, the Federal Aviation Administration (FAA) program funded by the Facilities and Equipment—Disaster Relief Appropriations Act (F&E-DRAA), the Federal Railroad Administration's (FRA) High-Speed Intercity Passenger Rail (HSIPR) program, and the Federal Transit Administration's (FTA) Formula Grants and Passenger Rail Investment and Improvement Act (FG-PRIIA) program did not achieve their own targets to reduce improper payments. The Department concurred with the IG's three recommendations to improve its ability to meet improper payment reduction targets for these programs.

EPA Assistant Administrator Nomination. On May 16, President Trump nominated Susan Parker Bodine to serve as an Assistant Administrator of the U.S. Environmental Protection Agency.

DOT Operational Improvements. On May 18, the Government Accountability Office (GAO) released a report that found that DOT could make operational improvements but does not need to implement organizational changes. Five areas were identified for improvement: (1) collaboration and coordination; (2) data quality and analytics; (3) regulation development; (4) project delivery processes; and (5) addressing emerging issues.

National Performance Measures. On May 19, the Federal Highway Administration (FHWA) announced the indefinite delay of specific portions of the National Performance Management measures; Assessing Performance of the National Highway System, Freight Movement on the Interstate System, and Congestion Mitigation and Air Quality Improvement Program Final Rule and announced the initiation of additional regulatory proceedings for those portions. Essentially the rules will advance without reference to measuring carbon dioxide emissions from on-road mobile sources, which FHWA said would benefit from additional review. The revised rule took effect on May 20.

Project Management Plan Guidance. On May 22, the Federal Highway Administration (FHWA) announced and outlined the purpose and contents of Project Management Plans, when Plans are required, and the preferred form and procedure for submission of these Plans to FHWA. The Guidance clarifies prior Guidance, including when to prepare Plan updates. The guidance is effective on May 22, 2017.

FY 2018 Budget Proposal. On Tuesday, May 23, the White House sent President Trump's FY 2018 budget proposal to the Congress. The President's budget proposes \$54 billion in cuts to the domestic discretionary budget and includes \$76 billion for the Department of Transportation (DOT). In total, this is roughly the same funding level as FY 2016. The FY 2018 budget request also includes the initial \$5 billion to support President Trump's ten-year infrastructure initiative. This funding was not included in the DOT request, but was included as an unspecified request. The President's budget indicates that this initial \$5 billion will grow to \$50 billion by 2021 and then decrease through 2028. The budget also requested to zero out the Community Development Block Grant Program and the HOME Investment Program. Senior Republicans in Congress have stated the Congressional budget will look very different from President Trump's proposed budget.

Risk Evaluation Under the Toxic Substances Control Act. On May 23, the U.S. Environmental Protection Agency (EPA) submitted its final rulemaking on the Procedures for Prioritization of Chemicals for Risk Evaluation Under the Toxic Substances Control Act (TSCA) to the Office of Management and Budget for review and approval. TSCA mandates EPA to publish a final rule by June 22, 2017.

HUD Assistant Secretary Nomination. On May 25, President Trump nominated Neal Rackleff to serve as Assistant Secretary of the U.S. Department of Housing and Urban Development.

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May 30, 2017

TO: Kate Miller, Executive Director
Napa Valley Transportation Authority

FR: Steve Wallauch
Platinum Advisors

RE: Legislative Update

SB 1 Implementation: While the final content of the SB 1 implementation bills will not be known until June 15th, the California Transportation Commission (CTC) has scheduled a kick-off seminar on June 8th & 9th focused on developing the guidelines on several SB 1 programs. This two-day meeting will be held at the Sacramento City Hall Chambers. The meeting on June 8th will provide an overview of the programs the CTC is responsible for and perspectives from numerous interest groups. The June 9th meeting will initiate the development of guidelines for various programs. The agenda is expected to be posted on the CTC's website by 5:00 today, and these meetings will be webcast.

Conference Begins: The final step of the budget process is the conference committee where the differences between the Senate and Assembly versions of the budget are reconciled. Senate Pro Tem Kevin de Leon and Speaker Anthony Rendon announced their appointments to the Budget Conference Committee. This year Senator Holly Mitchell (D) will serve as the committee chair and Assemblyman Phil Ting (D) as the co-chair. The remaining members include Senators Ricardo Lara (D), Richard Roth (D), Jim Nielsen (R), and John Moorlach (R), and Assembly members Phillip Chen (R), Kevin McCarty (D), Jay Obernolte (R), Shirley Weber (D), and Joaquin Arambula (D).

The Conference Committee is expected to begin its work today and meet daily until all items are closed. Today's hearing will consist of an overview of the state's fiscal outlook by the Legislative Analyst's Office. Given that the budget must be adopted by midnight of June 15th, and the budget bill must be in print for 72 hours, the Conference Committee is expected to complete its work no later than June 12th. The differences between the Senate and Assembly budgets are not that significant, so this should be plenty of time. Many of the items on the agenda are not necessarily a difference in priorities, but the need for additional time to reach an agreement with the Administration.

The items needing additional time include the SB 1 implementation legislation, and an effort to reach an agreement on extending the cap & trade program beyond 2020. The

proposed SB 1 trailer bills are outlined below. The cap & trade extension will require a 2/3 vote, which will likely force any action on this item to be delayed until the end of session.

Transportation: The Governor's May Revise for transportation funding focuses on implementing SB 1 programs. The Senate and Assembly Budget Committee concurred with the May Revise funding adjustments for the following programs:

State Transit Assistance (STA) – STA allocations are increased by \$305 million, for a total Fiscal Year (FY) 2017-18 STA allocation of \$694 million. This amount includes the SB 1 increase of \$305 million, \$294 million in base STA formula allocations, \$75 million cap & trade auction revenue for the Low Carbon Transit Operations Program (LCTOP), and a lingering \$25 million in Prop 1B funds that remains available for transit operators.

Active Transportation Program: \$100 million will be available for ATP project in FY 2017-18. The current cycle for ATP includes funds through FY 2020-21, and the next ATP program is not scheduled to be adopted until April 2019. Therefore, the CTC is considering adopting a 2018 ATP that will program the SB 1 funds available in FY 2017-18 and FY 2018-19. The CTC plans to hold workshops and begin developing guidelines in June. CTC staff is recommending that projects already programed in the current ATP be advanced into the proposed 2018 ATP, and then issue a call for projects for the remaining funds.

Transit & Intercity Rail Capital Program (TIRCP): An additional \$330 million is available for this program in FY 2017-18, which includes \$85 million loan repayment funds. This would be in addition to the anticipated \$150 million in cap & trade auction revenue. CalSTA plans to update it guidelines for the existing program and anticipates awarding funds in the spring of 2018. With this next round of funding, CalSTA expects to adopt a multi-year allocation that would program TIRCP funds for up to 5 years, which could result in awarding over \$ 1billion in TIRCP funds.

Intercity & Commuter Rail Program: \$25 million will be allocated by CalSTA to intercity and commuter rail operators in FY 2017-18.

Local Partnership Program: \$200 million for the Local Partnership Program, which would be used to match local transportation sales tax revenue, and voter approved developer fees. The CTC is in charge of developing the guidelines for this program. CTC staff has suggested that the new Partnership Program should allocate 75% of these funds through a competitive process and 25% by formula. The State and Local Partnership Program in Prop 1B allocated 95% of the funds by formula.

Congested Corridors Program: \$250 million is appropriated to the Congested Corridors Program. The CTC does not shed any light on its plans for this program, other than it plans to begin the guideline development process in June.

Trade Corridor Enhancement Program: \$200 million for projects improving major trade corridors will be available in 2017-18. CalSTA has proposed budget trailer bill language that provides greater detail and direction on how this program will be implemented.

Local Streets & Roads Funds: \$445 million in new SB 1 revenue is expected to be allocated to cities and counties for local street and road maintenance projects. This revenue is expected to begin flowing to cities and counties in January 2018. SB 1 does include a new oversight role for the CTC on the expenditure of these funds. The CTC is expected to develop guidelines in June and July governing its role and the responsibilities for cities and counties in order to receive this funding. The CTC is expected to adopt the final guidelines in October.

Proposed Trailer Bills: The Administration proposed SB 1 implementation bills as part of the May Revise. The Senate Budget Committee did not adopt these measures, but instead adopted “place holder” language while discussions continue. The Assembly Budget Committee adopted the proposed language all of these proposals except for the Trade Corridors Enhancement Program. However, given the Senate’s actions all of the following trailer bills will be sorted out by the Conference Committee.

SB 1 Clean-up: This proposed trailer bill makes numerous mainly clarifying and technical changes to provisions within SB 1. The primary change adds language to various sections clarifying the amount of revenue that will be allocated to programs in the FY 2017-18 fiscal year. This clarification is needed to address the fact that the fuel tax revenue will only be collected for 8 months of the fiscal year. The changes also allow the Controller to adjust the amounts allocated in order to “true-up” the allocations during the final months of the fiscal year. The only change that raises questions relates to the Local Partnership Program. SB 1 specified that the funds would be for counties that have received voter approval for transportation tax. The proposed amendment would replace the word “counties” with “a local or regional transportation agency.”

Trade Corridors Enhancement Account: Trailer bill language is proposed to implement the Trade Corridors Enhancement Program in SB 1. The draft language generally recasts the existing Trade Corridors Improvement Fund that was created as part of Prop 1B to become the Trade Corridors Enhancement Account. This renamed account is where 10 cents of the diesel excise tax revenue in SB 1 is deposited, and the federal FAST Act funds are also deposited into this account. The CTC is directed to develop

guidelines and award funding under this program, which includes the following provisions:

- No funds may be awarded to projects that include the purchase of fully automated cargo handling equipment, but funds can be used to purchase zero or near-zero human operated equipment. *Since the majority of these funds are from excise tax revenue, it is unclear whether these are eligible expenses pursuant to Article 19.*
- 60% of the funds shall be available for projects nominated by regional transportation agencies and other public agencies. These projects must be consistent state freight plans.
- The CTC shall provide reasonable geographic targets for fund allocations.
- 40% of the funds shall be available for projects nominated by Caltrans.
- CTC shall give the highest priority to projects jointly nominated by Caltrans and regional or other public agencies.
- The CTC shall consider economic benefits and projects that improve trade corridor mobility and safety while also improving emissions, and in particular reducing negative impacts to disadvantaged communities.

Alternative Project Delivery: This draft trailer bill expands the use of construction manager/general contractor and design-build methods of project delivery. However, the expansion of this authority primarily focuses on the delivery of the projects in Riverside County that were funded in SB 132, which was one of the deal maker bills. This proposal includes the following changes:

- The number of projects Caltrans may use the construction manager/general contractor (CM/GC) is 14 additional projects. Current law limits Caltrans' use of CM/GC to eight projects. However, two of the projects must be reserved for projects in Riverside County that are listed in SB 132.
- Existing design-build authority is expanded to include up to 6 transportation projects. This new language would authorize Caltrans to select 6 projects submitted by a city, county, or transit district to use design-build authority. A transportation project would also include rehabilitation projects, including bridge replacement and grade separation projects. In addition, three of these projects are reserved for projects listed in SB 132 and selected by the Riverside County Transportation Commission.
- The local authority to use CM/GC method is expanded to include grade separations and bridge rehabilitation projects specified in SB 132 in Riverside County.
- New language is added extending the use of CM/GC or design-build to the construction of the 91 Toll Connector to I-15 north in Riverside County, and this

new contracting authority may be implemented through an amendment to an existing contract for the I-15 Express Lane or the 91 Express Lane projects.

- A new bidding process would also be extended to the Riverside County projects listed in SB 132 known as A+B Bidding, or Cost-Plus-Time Bidding. This is a competitive bidding process that uses cost and time to determine a bid value.



May 30, 2017

Existing Positions

Bills	Subject	Status	Client - Position
<u>AB 1</u> (Frazier D) Transportation funding.	AB 1 is Assemblyman Frazier's renewed effort to address the funding shortfall facing our transportation infrastructure. This bill would generate about \$6.6 billion in revenue for the maintenance and rehabilitation of state highways and local streets and roads, as well as provide targeted investments in public transit and good movement corridors.	ASSEMBLY TRANS	SUPPORT
<u>AB 17</u> (Holden D) Transit Pass Program: free or reduced-fare transit passes.	AB 17 would create the Student Transit Pass Pilot Program to be administered by the Caltrans. As amended by the Assembly Appropriations Committee, the bill now appropriates \$20 million from the Public Transportation Account for this program. The amendments also make it a one-time pilot program that directs Caltrans to develop guidelines and competitively award the funds	ASSEMBLY FLOOR	Watch
<u>AB 28</u> (Frazier D) Department of Transportation: environmental review process: federal pilot program.	AB 28 would re-enact provisions that sunset on December 31 st 2016 that delegate the responsibility to Caltrans for complete NEPA review of transportation projects. While this same provision is also in AB 1 and SB 1, AB 28 is an urgency measure that can be moved ahead of any transportation funding agreement.	Signed Into Law Chapter	SUPPORT
<u>AB 317</u> (Aguiar-Curry D) Napa County; farmworker housing	AB 317 would make the Napa County Farmworker Housing Centers eligible to receive state funds. Specifically, the bill would establish the Napa County Farmworker Centers Account to be administered by the Department of Housing and Community Development to assist in the financing, maintenance, and operation	ASSEMBLY FLOOR	SUPPORT

<u>AB 317</u> (Aguiar-Curry D) Napa County; farmworker housing (<i>cont.</i>)	of the Napa County Housing Authority's Farmworker Centers.		
<u>AB 399</u> (Grayson D) Autonomous vehicles: Contra Costa Transportation Authority: pilot project.	<p>Last year, legislation was enacted to authorize the Contra Costa Transportation Authority to conduct a pilot project testing the use of autonomous vehicles on streets that are open to the public, but located within a private business park.</p> <p>AB 399 extends the sunset date on the authority for the pilot project to operate according to existing law, prior to the requirement to then comply with regulations being developed by the DMV. Currently, this pilot program must comply with the DMV regulations within 180 days of the operative date of the regulations. AB 399 extends this "phase-in" period to 12 months.</p>	ASSEMBLY 2 YEAR	SUPPORT
<u>AB 1113</u> (Bloom D) State Transit Assistance program	<p>AB 1113 is sponsored by the California Transit Association (CTA). This bill is intended to implement corrections to the State Controller's new interpretation of how State Transit Assistance (STA) funds are allocated.</p> <p>The bill makes several clarifying changes that clean-up the structure of these codes, and in particular specifies that only public transit operators are eligible to receive STA funds directly. It also specifies that when reporting to the Controller an operator's reportable revenue cannot exceed its expenses for purposes of the STA calculation.</p>	SENATE T&H	SUPPORT
<u>AB 1444</u> (Baker R) Livermore Amador Valley Transit Authority: demonstration project.	This measure would authorize the Livermore Amador Valley Transit Authority to conduct a demonstration program within the City of Dublin to test the use of autonomous vehicles on public streets.	ASSEMBLY FLOOR	SUPPORT

<u>AB 1454</u> <u>(Bloom D)</u> Transportation projects: lease agreements.	AB 1454 was amended to remove the language that deletes the sunset date on the authority for Caltrans and regional transportation agencies to enter into public private partnerships. As amended, the bill merely states that it is the intent of the Legislature to reestablish the public-private partnership process.	ASSEMBLY RULES	SUPPORT
<u>ACA 4</u> <u>(Aguiar-Curry D)</u> Local government financing: affordable housing and public infrastructure: voter approval.	ACA 4 would generally lower the voter threshold to 55% for imposing the following taxes or issuing debt: <ul style="list-style-type: none"> • Creates an additional exception to the 1% limit that would authorize a city or county, to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing. • Authorizes a local government to impose, extend, or increase a special tax for the purposes of funding the construction, rehabilitation or replacement of public infrastructure or affordable housing. 	ASSEMBLY L. GOV	SUPPORT
<u>SB 1</u> <u>(Beall D)</u> Transportation funding.	SB 1 contains the Governor's and Leadership's transportation funding proposal. This bill would generate about \$5.2 billion in revenue for the maintenance and rehabilitation of state highways and local streets and roads, as well as provide targeted investments in public transit and good movement corridors.	Signed Into Law	SUPPORT
<u>SB 2</u> <u>(Atkins D)</u> Building Homes and Jobs Act.	This bill establishes the Building Homes and Jobs Act (Act) and imposes a \$75 fee on real estate transaction documents, excluding commercial and residential real estate sales, to provide funding for affordable housing. While SB 2 calls for 50% of the funds to be allocated to directly to local governments, the bill does not guarantee that local government will receive	SENATE FLOOR	SUPPORT & SEEK AMENDMENTS

<u>SB 2</u> (Atkins D) Building Homes and Jobs Act. (cont.)	funds. The bill should be amended to provide a return to source for some of these funds.		
<u>SB 240</u> (Dodd D) County service areas: farmworker housing: County of Napa.	This bill would increase the limit on the amount of the annual benefit assessment that the Napa County Board of Supervisors may levy from \$10 to \$15 per planted vineyard acre for the purpose of funding farmworker housing centers.	ASSEMBLY L. GOV	SUPPORT
<u>SB 595</u> (Beall D) Metropolitan Transportation Commission: toll bridge revenues.	<p>SB 595 requires the City and County of San Francisco and the other eight Bay Area counties to conduct a special election to increase the toll rate charged on state-owned bridges within the region.</p> <p>SB 595 currently does not specify the amount of the toll increase and it does not list any projects or programs. The bill merely includes legislative finding on the need, and the general provisions for placing this measure on the ballot. As this bill moves forward specific projects that would be funded with the toll revenue will be specified in the bill. In addition, the amount of the toll increase, or a range of the toll increase, will be specified in the bill.</p>	SENATE FLOOR	Recommended Position: SUPPORT
<u>SB 496</u> (Cannella R) Indemnity: design professionals.	<p>SB 496 eliminates the ability of a public agency to contract with engineers and architects, known as design professionals, for upfront legal defense costs against claims related to a project's design work.</p> <p>SB 496 is part of the agreement Senator Cannella reached with leadership for his support of SB 1. Another measure that appropriates \$500 million in transportation funds to projects in his district is joined to the passage of SB 496.</p>	Signed Into Law	WATCH

<p><u>SCA 2</u> <u>(Newman D)</u> Motor vehicle fees and taxes: restriction on expenditures.</p>	<p>With the passage of ACA 5, SCA 2 was placed on the Inactive File.</p> <p>SCA 2 and ACA 5 are identical and would prospectively prohibit the use of truck weight fees to pay for transportation bonds approved after January 1, 2017. The bill would also expand the protections for Public Transportation Account revenues to also include the 1.75% increase to the diesel fuel sales tax that was enacted as part of the gas tax swap. The ban on borrowing fees and taxes would also apply to any vehicle fees or taxes dedicated to transportation accounts.</p>	<p>SENATE INACTIVE FILE</p>	<p>SUPPORT</p>
<p><u>SCA 6</u> <u>(Wiener D)</u> Local transportation measures: special taxes: voter approval.</p>	<p>SCA 6 would allow a local government to impose any special tax with a 55% approval of the voters if the special tax dedicates 100% of the revenues, not including collection and administrative expenses, to transportation programs and projects.</p>	<p>SENATE APPR – SUSPENSE FILE</p>	<p>SUPPORT</p>



June 2, 2017

Capitol Update

Steve Wallauch, Nicole Wordelman, & Amy Jenkins contributed to this update.

With legislative and budget deadlines, the Capitol is extremely busy. May 26 was the deadline for fiscal committees to hear and report bills in their first house to the floor. Both the Assembly and Senate Appropriations Committees made determinations about which fiscal bills will move forward in 2017 and which will remain on suspense. Today is the house of origin deadline, requiring legislators to move legislation to the second house or wait until 2018.

Transportation Funding Implementation: While the final content of the [SB 1](#) implementation bills will not be known until the Budget Conference Committee completes its work, the California Transportation Commission (CTC) has scheduled a kick-off seminar on June 8th and 9th focused on developing the guidelines on several programs. This two-day meeting will be held at the Sacramento City Hall Chambers. The meeting on June 8th will provide an overview of the programs the CTC is responsible for, and perspectives from numerous interest groups. The June 9th meeting will initiate the development of guidelines for various programs. The agenda for both days has been posted on the CTC's website, and these meetings will be webcast. The agendas can be found at: <http://www.catc.ca.gov/>

Cap & Trade: While negotiations to extend the Cap & Trade program will continue, resolution of this effort will likely not be attempted until the end of session in September. Given the divisiveness of this issue, the advancement of legislation in the Senate and Assembly is also on hold.

As you will recall, the governor's proposed budget included a \$2 billion expenditure plan for auction revenue that is contingent on the legislature reauthorizing the Cap & Trade program with a 2/3 vote. There are three measures pending in the legislature, all of which remain in their house of origin. [SB 775](#) (Wieckowski), which would create a significantly revamped auction process, remains in the Senate Environmental Quality Committee. In the Assembly, [AB 378](#) (Cristina Garcia) failed passage on the Assembly Floor last night where it mustered 35 Aye votes. The bill would essentially extend the existing auction program with a majority vote, and tie eligibility to participate in the auction to meeting other air pollution requirements.

In addition, this past week the New Democrats, aka the moderate Democrats, released an outline of provisions any new Cap & Trade program must include to garner their support. The following principles from the group are not too different than the existing proposals, aside from the proposal to sunset the new program in 2025:

- Cap & Trade must be the primary greenhouse gas reduction method for California to meet its 2030 goals.
- Cap & Trade needs to be a cost-effective mechanism to fight climate change and, therefore, must include cost containment tools like carbon offsets and free allowances that reduce the direct burden on consumers and limit emissions leakage to other states.
- Any Cap & Trade extension should sunset in 2025 to ensure continued legislative oversight. Furthermore, an analysis by the Legislative Analyst's Office (LAO) is crucial to evaluating the performance of the program in its entirety.
- Workforce development and job training for the green economy are fundamental to achieving our climate goals and transitioning California's workforce.
- Program revenues should prioritize addressing localized air pollution, particularly in non-attainment zones.
- Rural California and impacted industries - like agriculture and goods movement - should benefit from equipment upgrade incentive programs to allow them to be more competitive in the marketplace, while reducing their emissions.

Budget: The budget subcommittees wrapped up last week and budget committees in each house adopted their final budget plans in preparation for conference committee between the two houses. The Budget Conference Committee allows discussion of priorities as well as time for negotiation with the governor prior to adoption of the final negotiated budget by each full house.

The Senate is leading the discussion this year, with the following members appointed to the committee:

Senator Holly Mitchell (D – Los Angeles), Chair
 Senator Ricardo Lara (D – Bell Gardens)
 Senator Richard Roth (D – Riverside)
 Senator Jim Nielsen (R – Tehama)
 Senator John Moorlach (R – Costa Mesa)

Assemblymember Phil Ting (D-San Francisco), Co-Chair
 Assemblymember Phillip Chen (R-Diamond Bar)
 Assemblymember Kevin McCarty (D-Sacramento)
 Assemblymember Jay Obernolte (R-Hesperia)
 Assemblymember Shirley Weber (D-San Diego)
 Assemblymember Joaquin Arambula (D-Fresno), Democratic Alternate

As in prior years, the Senate adopted the LAO's General Fund revenue estimates in 2017-18, about \$900 million more than the Administration's estimates in the current year and budget year. They also adopted the LAO's property tax revenue estimates which are higher than the Administration by \$100 million in 2016-17, \$170 million in 2018-19, and \$24 million in 2019-20. It's important to note that this is a theme from prior years, and is not indicative that the final budget will contain these estimates. Historically, Governor Brown's estimates are incorporated as part of the chaptered budget, and the Legislature is forced to

reduce their spending priorities. The Assembly adopted the Department of Finance's revenue estimates.

Budget Conference Committee began meeting May 30, running through an overview of the differences between the two houses' budgets. It lasted less than an hour, allowing committee members, Amy Costa from the Department of Finance, and Mac Taylor, the Legislative Analyst, to comment. Below are the graphics provided by the LAO showing the major differences in spending between the houses and the Administration.

(In Millions)

	Senate	Assembly	Comments
Health and Human Services			
Medi-Cal (use of Proposition 56 revenues)	\$349	\$1,000	Both houses allocate Proposition 56 revenues to expand benefits and increase rates and provider reimbursements, although in different amounts. The amount in the Senate's plan would increase to \$1.1 billion annually by 2020-21.
Medi-Cal (other)	—	139	The Assembly provides \$109 million General Fund to restore optional Medi-Cal benefits beginning in 2017-18. (The Senate plan includes roughly the same amount from Proposition 56 revenues to restore optional benefits beginning in 2018-19.) The Assembly also provides \$30 million to expand Medi-Cal eligibility to seniors and persons with disabilities with income up to 138 percent of the Federal Poverty Level.
CalWORKs	100	253	Both houses provide funding to offset reductions to county services and administration funding included in the May Revision, but the Assembly provides \$40 million more than the Senate. The Assembly also provides \$113 million for home visiting programs, diaper assistance, and educational incentives for CalWORKs families.
Statewide Health Planning Development	6	33	Both houses reject the Governor's proposal to fully eliminate a \$100 million three-year legislative augmentation for health care provider education. Instead, the Senate and Assembly plans include \$18 million and \$100 million, respectively, from the General Fund over three-year periods for health care workforce development.
Foster Care	31	10	Both houses provide funding to establish an emergency child care bridge program for foster youth. The Senate assumed the program would implement on July 1, 2017, while the Assembly assumed a March 1, 2017 implementation date. Both houses assume ongoing annualized costs will be \$31 million.

(Continued)

	Senate	Assembly	Comments
Higher Education			
UC	—	\$75	Allocates \$50 million General Fund money to increase funding for graduate medical education and \$25 million for deferred maintenance.
Middle Class Scholarships	—	53	Rejects administration's proposal to phase out Middle Class Scholarship program.
CSU	—	64	Provides \$39 million ongoing General Fund to support additional 1 percent enrollment growth and \$25 million for deferred maintenance.
Criminal Justice and Judiciary			
Judicial branch	\$52	\$47	The Senate provides \$30 million ongoing for the Equal Access Fund and the Assembly provides \$10 million for this purpose. Both houses provide \$22 million for dependency counsel. The Assembly also provides \$15 million for court reporters in family law proceedings.
(Continued)			

	Senate	Assembly	Comments
Other			
Housing and homelessness	—	\$468	Provides \$200 million for the multifamily housing program, \$90 million for the Housing of Healthy California program, \$68 million for homelessness services, \$45 million for the Down Payment Assistance program, \$40 million for the Joe Serna Farmworker Housing Grant program, and \$25 million for teacher workforce housing.
Earned Income Tax Credit	—	225	Expand the tax credit by (1) increasing its earned income threshold to approximately \$22,000 and (2) allowing self-employment income to be considered in calculating the credit.
Child care	\$20	52	Both houses increase funding for child care programs, including increasing eligibility and providing additional slots.
Natural Resource Agency	—	42	Makes various augmentations, including \$30 million for preserving open space in West Coyote Hills, \$2 million to commission a study for the rehabilitation of Clear Lake, and \$1.2 million to make improvements to the Walnut Creek Nature Park and Morgan Park.
Department of Veterans Affairs	—	30	Provides funding to develop the Orange County Veterans' Cemetery in the City of Irvine.
Note: Figure excludes smaller spending proposals and identical augmentations made by both houses. Shows differences relative to the May Revision in 2017-18.			

We anticipate that the Proposition 56 tobacco tax funding will remain a major point of contention between the Legislature and Administration. Prop 56 specified that funds could not be used to supplant existing General Fund; however, the Department of Finance is interpreting the language to mean General Fund as of the 2016-17 budget. Instead of increasing funding to Medi-Cal through rates or benefits, the governor's budget proposal directs Prop 56 revenues to backfill federal reductions. The Legislature approached the revenues much differently, expanding benefits, rates, and provider reimbursements.

Below are some county priorities and their current place in the budget process as well as a few other items that may be of interest.

Dismantling the CCI, the County IHSS MOE, and Shifting IHSS Collective Bargaining to Counties – In essence, both the Senate Budget Committee and the Assembly Budget

Subcommittee on Health and Human Services adopted placeholder trailer bill language approving the Administration's May Revise proposal in concept:

- To help mitigate the high cost to counties, state General Fund assistance will be provided as follows:
 - \$400 million in 2017-18
 - \$330 million in 2018-19
 - \$200 million in 2019-20
 - \$150 million in 2020-21 and ongoing
- Instead of returning to the historical sharing ratio, the proposal establishes a new MOE with a sliding scale maintenance factor aligned with the performance of realignment revenues. Beginning in year 2, if revenue growth is negative, there would be no inflation factor. If it's less than 2% then the factor would be 3.5%, and if it's above 2%, the inflation factor would be 7%.
 - 2017-18 = 0
 - 2018-19 = 5%
 - 2019-20 = 7%
- Redirects VLF growth funding for three years from the health, County Medical Services program, and mental health subaccounts to fund IHSS. In years four and five, 50% of the VLF growth will be redirected.
- Redirects sales tax growth after it has funded caseload growth.
- Moves collective bargaining back to counties, however, allows a union to appeal to the Public Employees Relations Board, if collective bargaining at the county level doesn't conclude within 9 months.
- Increases state participation in wages and benefits to always be \$1.10 an hour above minimum wage.
- Estimated county costs not covered:
 - 2017-18 \$141 million
 - 2018-19 \$129 million
 - 2019-20 \$230 million
 - 2020-21 \$251 million
- Under current law, counties are obligated to provide a 3.5% rate increase annually to the Institutions for Mental Disease. In any year the mental health subaccount does not receive its full growth allocation; this rate increase will be suspended.
- Counties in financial hardship can apply to the Department of Finance for a low-interest loan.
- Any funds counties owe the state through 2015-16 due to the Board of Equalization miscalculations of sales tax revenues will be forgiven. The estimated amount of this debt is between \$100 and \$300 million.

They also required the Department of Finance, in consultation with CSAC, to prepare a report to the Legislature evaluating 1991 realignment, the IHSS MOE structure, the inflation factor, and the long-term sustainability of 1991 realignment. This report is to be submitted to the Legislature within two years. Although this item will not necessarily be heard in Budget Conference Committee, it is likely there will be some discussion.

CalWORKs Single Allocation Funding and Methodology – The governor’s January budget proposal and May Revision proposal combined, are a cut of \$248 million from the CalWORKs Single Allocation which funds eligibility activities, employment and supportive services, and child care for CalWORKs recipients. The cut was proposed due to the caseload driven budget methodology, which is tied to the economy and is quite volatile. It doesn’t take into account minimum services infrastructure, ongoing administrative workload, and programmatic goals and outcomes. Several counties and social services agencies in conjunction with the County Welfare Directors Association (CWDA) requested that the Legislature preserve the State’s CalWORKs Single Allocation investment in 2017-18, develop recommendations for revising the budgeting methodology to stabilize services at risk of being cut, and ensure long-term programmatic stability.

In response to this request, the Senate Budget Committee appropriated \$100 million in 2017-18 and directed the Department of Social Services to work with counties and consult with advocates on the revision of the Single Allocation budgeting methodology. The Assembly Budget Subcommittee on Health and Human Services appropriated \$140 million in one-time funding and adopted trailer bill language to require a revised methodology to smooth fluctuations as caseload changes while providing counties with necessary resources. This item will be discussed in the Budget Conference Committee.

Adult Protective Services Program Home Safe – CWDA requested \$10 million on a one-time basis to establish Home Safe, a homelessness prevention and rapid rehousing demonstration grant program for victims of elder abuse and neglect. The Assembly Budget Subcommittee on Health and Human Services adopted \$10 million ongoing to implement the Home Safe Program. The Senate did not take action on the proposal. This item will be discussed in the Budget Conference Committee.

CalWORKs Homeless Assistance Program – CWDA requested support to ensure that homeless families in CalWORKs can access safe, temporary housing. The CalWORKs Homeless Assistance Program provides temporary and permanent homeless assistance to families who are receiving or are eligible to receive CalWORKs. Specifically, the ask was to enhance the temporary homeless assistance program by eliminating the requirement that the days of housing assistance be used consecutively, increasing the daily assistance voucher amount, and clarifying eligibility for CalWORKs families impacted by the dependency system. Neither house adopted this action. This item is not expected to be discussed in the Budget Conference Committee.

Dependency Counsel – The dependency counsel program provides legal representation to children in the child welfare system. In 2015, the Legislature and governor augmented the program by \$11 million and the Judicial Council implemented a revised formula to attempt to begin equalizing caseloads across the state, as some counties have caseloads as high as 500 clients per lawyer. In 2016, a coalition of counties and other stakeholders, requested an augmentation of \$22 million for dependency counsel across the state, as well as an additional \$7 million to hold counties facing reductions harmless. Both the Senate and Assembly Budget Committees approved the funding, however, the Budget Conference Committee stripped the funding from the final budget package. This year, both budget

committees have adopted a \$22 million augmentation to the program. This item is not expected to be discussed in the Budget Conference Committee.

Budget Trailer Bill Language on Cannabis Regulation Unveiled: In April, the Brown Administration unveiled budget trailer bill language on cannabis regulation intended to harmonize the Medical Cannabis Regulation and Safety Act (MCRSA), which was enacted by the legislature in 2015, and the Adult Use of Marijuana Act (AUMA), which was approved by California voters last November.

The release of the much-anticipated draft language was immediately met with strong opposition from the League of California Cities (League) and the California Police Chiefs Association (Cal Chiefs). Both organization are arguing that the language undermines local control and local enforcement efforts in relation to cannabis businesses by repealing the following:

- A provision expressly empowering local governments to conduct enforcement of state health and safety and other standards, if they request and are granted that authority from the relevant state agency;
- A provision expressly empowering local governments to inspect the books of cannabis businesses and conduct audits; and
- A provision requiring a business' ability to operate to be suspended upon revocation of a local permit, subsequent to the issuance of a state license (consistent with the Prop. 64 provision providing that state licenses cannot be issued if they are in violation of local ordinances).

The League and Cal Chiefs further argue that the language's proposed repeal of anti-concentration provisions threatens to undermine economically challenged neighborhoods having a disproportionate number of cannabis businesses. Lastly, both organizations strongly object to a provision that would repeal the state medical cannabis ID card program, leaving only a doctor's recommendation as the criteria to qualify for a sales tax exemption for medical cannabis.

CSAC has taken a different approach to the proposal and has been quietly negotiating behind the scenes to ensure that the final language maintains critical environmental protections, as well as upholds local control and local taxation and fee authority.

Key provisions being sought by CSAC include proposed revisions to a requirement that local jurisdictions submit their cannabis-related ordinance to the Bureau of Cannabis Control, as follows:

1. State license applications in jurisdictions whose ordinances ban that type of cannabis activity would be automatically denied. If the ordinance does not completely ban that type of activity (or no ordinance is submitted), the state licensing agency would send a written query to the local jurisdiction. The local jurisdiction would have 90 days to respond (positively or negatively). If the local jurisdiction responds that the applicant is not in compliance with local ordinances,

the state license will be denied.

2. If the local jurisdiction does not respond within 90 days, the state may presume that the applicant complies with local ordinances and proceed with the licensing process - but this will not preclude the local jurisdiction from subsequently taking enforcement action if the applicant/licensee does not, in fact, comply.

CSAC is also seeking revisions to provisions that would exempt the adoption of local commercial cannabis ordinances from CEQA review, provided that either (1) the ordinance requires discretionary approval (and thus CEQA) for cannabis facilities permitted under the ordinance, or (2) the ordinance bans cannabis facilities.

As negotiations continue, the Brown Administration remains committed to garnering the necessary 2/3rds vote required to pass the trailer bill by June 15, 2017. Assuming that timeline is met, the legislation would take effect on July 1, 2017, giving the regulatory agencies the ability to begin developing emergency regulations to meet the January 1, 2018 deadline to begin issuing state licenses to locally approved cannabis businesses.

Budget Trailer Bills on Transportation Funding: The Administration proposed several SB 1 implementation bills as part of the May Revise. The Senate Budget Committee did not adopt these measures, but instead adopted place holder language while discussions continue. The Assembly Budget Committee adopted the proposed language for all of these proposals except for the Trade Corridors Enhancement Program. The final outcome of the following trailer bills will be sorted in closed door meetings of the Budget Conference Committee and leadership staff.

SB 1 Clean-up: This proposed trailer bill makes numerous mainly clarifying and technical changes to provisions within SB 1. The primary change adds language to various sections specifying the amount of revenue that will be allocated to programs in the 2017-18 fiscal year. This clarification is needed to address the fact that the fuel tax revenue will only be collected for 8 months. The changes also allow the Controller to adjust the amounts allocated in order to true-up the allocations during the final months of the fiscal year. The only change that raises questions relates to the Local Partnership Program. SB 1 specified that the funds would be for counties that have received voter approval for a transportation tax. The proposed amendment would replace the word “counties” with “a local or regional transportation agency.”

Trade Corridors Enhancement Account: Trailer bill language is proposed to implement the Trade Corridors Enhancement Program in SB 1. The draft language generally recasts the existing Trade Corridors Improvement Fund that was created as part of Prop 1B to become the Trade Corridors Enhancement Account. This renamed account is where 10 cents of the diesel excise tax revenue in SB 1 is deposited, as well as the federal FAST Act funds. The CTC is directed to develop guidelines and award funding under this program, which includes the following provisions:

- No funds may be awarded to projects that include the purchase of fully automated cargo handling equipment, but funds can be used to purchase zero or near-zero human operated equipment. *Since the majority of these funds are from excise tax revenue, it is unclear whether these are eligible expenses pursuant to Article 19.*
- 60% of the funds shall be available for projects nominated by regional transportation agencies and other public agencies. These projects must be consistent with state freight plans.
- The CTC shall provide reasonable geographic targets for fund allocations.
- 40% of the funds shall be available for projects nominated by Caltrans.
- CTC shall give the highest priority to projects jointly nominated by Caltrans and regional or other public agencies.
- The CTC shall consider economic benefits and projects that improve trade corridor mobility and safety while also improving emissions, and in particular reducing negative impacts to disadvantaged communities.

Alternative Project Delivery: This draft trailer bill expands the use of construction manager/general contractor and design-build methods of project delivery. However, the expansion of this authority primarily focuses on the delivery of projects in Riverside County that were funded in SB 132, one of the deal-maker bills. This proposal includes the following changes:

- Caltrans may use the construction manager/general contractor (CM/GC) for 14 additional projects. Current law limits Caltrans' use of CM/GC to eight projects. However, two of the projects must be for projects in Riverside County that are listed in SB 132.
- Existing design-build authority is expanded to include up to 6 transportation projects, authorizing Caltrans to select 6 projects submitted by a city, county, or transit district to use design-build authority. A transportation project would also include rehabilitation projects, including bridge replacement and grade separation projects. In addition, three of these projects are reserved for projects listed in SB 132 and selected by the Riverside County Transportation Commission.
- The local authority to use CM/GC method is expanded to include grade separations and bridge rehabilitation projects specified in SB 132 in Riverside County.
- New language is added extending the use of CM/GC or design-build to the construction of the 91 Toll Connector to I-15 north in Riverside County, and this new contracting authority may be implemented through an amendment to an existing contract for the I-15 Express Lane or the 91 Express Lane projects.
- A new bidding process would be extended to the Riverside County projects listed in SB 132 known as A+B Bidding, or Cost-Plus-Time Bidding. This is a competitive bidding process that uses cost and time to determine a bid value.