

Napa Valley Transportation Authority

625 Burnell Street
Napa, CA 94559



Agenda - Final

Thursday, December 7, 2017
2:00 PM

NVTA Conference Room

Technical Advisory Committee

All materials relating to an agenda item for an open session of a regular meeting of the Technical Advisory Committee (TAC) which are provided to a majority or all of the members of the TAC by TAC members, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, on and after at the time of such distribution, in the office of the Secretary of the TAC, 625 Burnell Street, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m., except for NVTA holidays. Materials distributed to a majority or all of the members of the TAC at the meeting will be available for public inspection at the public meeting if prepared by the members of the TAC 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 TAC on any item at the time the TAC 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 TAC Secretary. Also, members of the public are invited to address the TAC 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 the Administrative Assistant, 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 <http://www.nvta.ca.gov/events> or <https://nctpa.legistar.com/Calendar.aspx>, click on the Technical Advisory Committee meeting date you wish to review.

~~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. Introductions
3. Public Comment
4. Committee Member and Staff Comments

5. STANDING AGENDA ITEMS

- 5.1 Congestion Management Agency (CMA) Report (Danielle Schmitz)
- 5.2 Project Monitoring Funding Programs* (Alberto Esqueda)
- 5.3. Caltrans' Report* (Ahmad Rahimi)
- 5.4 Vine Trail Update (Erica Ahmann Smithies)
- 5.5 Transit Update (Matthew Wilcox)

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.

6. CONSENT AGENDA

- 6.1 Meeting Minutes of October 5, 2017 TAC Meeting (Kathy Alexander) (Pages 5-10)

Recommendation: Approval

Estimated Time: 2:20 p.m.

Attachments: [Draft minutes.pdf](#)

7. REGULAR AGENDA ITEMS

- 7.1 Nomination and Election of Chairperson and Vice Chairperson of the Technical Advisory Committee (TAC) for Calendar Year 2018 (Danielle Schmitz) (Pages 11-18)

Recommendation: Nominations/Elections

Estimated Time: 2:25 p.m.

Attachments: [Staff Report.pdf](#)

- 7.2 Draft 2018 Technical Advisory Committee (TAC) Work Plan (Danielle Schmitz) (Pages 19-23)**
- Body:** That the Technical Advisory Committee (TAC) provide input and approve the 2018 TAC Work Plan (Attachment 1) and receive the 2018 Calendar (Attachment 2).
- Recommendation:** Approval
- Estimated Time:** 2:30 p.m.
- Attachments:** [Staff Report.pdf](#)
- 7.3 Measure T Items - Final review of Maintenance of Effort (MOE) for Each Jurisdiction, Implementation Timeline and Master Agreement (Alberto Esqueda) (Pages 24-66)**
- Body:** The TAC will have a final review of each jurisdiction's MOE, the Implementation Timeline and the Master Agreement.
- Recommendation:** Information/Discussion
- Estimated Time:** 2:35 p.m.
- Attachments:** [Staff Report.pdf](#)
- 7.4 Napa County Bicycle Plan Update (Diana Meehan) (Pages 67-89)**
- Body:** That the TAC approve the updated Countywide Bicycle Plan vision, goals and objectives.
- Recommendation:** Action
- Estimated Time:** 2:45 p.m.
- Attachments:** [Staff Report.pdf](#)
- 7.5 State Transportation Improvement Program Update on Future Program and the Commission's Compromise (Danielle Schmitz) (Pages 90-93)**
- Body:** Staff will review the STIP compromise approved by the Commission in October
- Recommendation:** Information only
- Estimated Time:** 2:55 p.m.
- Attachments:** [Staff Report.pdf](#)

7.6 Road Rehabilitation and Accountability Act of 2017 (Senate Bill 1 - Beall) (Kate Miller) (Pages 94-101)

Body: The TAC will receive an update on SB 1.

Recommendation: Information only.

Estimated Time: 3:05 p.m.

Attachments: [Staff Report.pdf](#)

7.7 Legislative Update* (Kate Miller)

Body: Staff will review the state and federal legislative updates.

Recommendation: Information only.

Estimated Time: 3:15 p.m.

7.8 NVTa Board Meeting Agenda - no agenda - the December meeting has been canceled.

8. FUTURE AGENDA ITEMS**9. ADJOURNMENT**

9.1 Approval of Next Regular Meeting Date of January 11, 2018 and Adjournment.

I, Kathy Alexander, hereby certify that the agenda for the above stated meeting was posted at a location freely accessible to members of the public at the NVTa offices, 625 Burnell Street, Napa, CA, by 5:00 p.m. on November 30, 2017.

Kathy Alexander (e-sign)

Kathy Alexander, Deputy Board Secretary

*Item will be provided at the meeting.

Napa Valley Transportation Authority

625 Burnell Street
Napa, CA 94559

Meeting Minutes

Technical Advisory Committee

NVTA Conference Room

Thursday, October 5, 2017

2:00 PM

1. Call To Order

Vice Chair Steele called the meeting to order at 2:02 p.m.

Present: 9 - Vice Chair Nathan Steele
Mike Kirn
Joe Tagliaboschi
Dana Ayers
Lorien Clark
Juan Arias
Erica Ahmann Smithies
Ron Ranada
Ahmad Rahimi (non-voting)

Absent: 4 - Jason Holley
Brent Cooper
Chairperson Eric Whan
Doug Weir

2. Introductions

Vice Chair Steele invited all in attendance to introduce themselves.

Also present:
Steve Lederer, County of Napa (joined the meeting after it started).

3. Public Comment

No public comment received.

4. Committee Member and Staff Comments

Herb Fredricksen, NVTa - Audio visual improvements work will be starting in a few weeks - the November meeting may be held in a different location.

Joe Tagliaboschi, Town of Yountville - Council approved the Measure T and SB 1 Expenditure Plans.

Erica Ahmann Smithies, City of St. Helena - Taking SB 1 Expenditure plan and direction for Measure T to Council next Tuesday.

Kathy Alexander - Working on the meeting schedule for 2018 - the January and July meetings will be pushed back a week due to holidays - a 2018 schedule will be provided at the November meeting.

Danielle Schmitz, NVTa:

- SR 37 open houses were held last week. The draft SR 37 Transportation and Sea Level Rise Comprehensive Improvement Plan was sent to the TAC - please provide comments/questions to Solano Transportation Authority by October 13, 2017.
- The STIP Project List was approved by the NVTa Board in September - PPRs will be sent to project sponsors for updates.
- TFCA quarterly reports are due to Diana Meehan by October 13th.
- October 6th is the last day to provide comments on the Bicycle Plan Wikimap.

5. STANDING AGENDA ITEMS

5.1 Congestion Management Agency (CMA) Report (Danielle Schmitz)

Report by Kate Miller.

Larger counties are requesting that the Metropolitan Transportation Commission include housing incentives to STIP funding, which if implemented can negatively impact smaller jurisdictions.

Napa County projects are not impacted in this funding cycle; however it could affect future funding cycles.

5.2 Project Monitoring Funding Programs* (Alberto Esqueda)

Alberto Esqueda reviewed the changes to the Project Monitoring spreadsheets.

5.3 Caltrans' Report* (Ahmad Rahimi)

Ahmad Rahimi reviewed the Caltrans report.

5.4 Vine Trail Update (Erica Ahmann Smithies)

Erica Ahmann Smithies reported that the Viva Vine Trail event will be held this Saturday at Hartle Court next to InShape. Contact the Napa Valley Vine Trail Coalition (NVVTC) if you can volunteer.

Juan Arias reported that it appears NVVTC will not be able to obtain one easement on the Ehlers Lane segment.

Kate Miller noted that the Metropolitan Transportation Commission (MTC) suggested gapping that segment with a Class II bicycle lane or some other alternative that would connect St. Helena to Calistoga rather than ending the Vine Trail segment at Bothe Park.

5.5 Transit Update (Matthew Wilcox)

Report by Matthew Wilcox.

As part of the Comprehensive Operations Analysis (COA), staff will release a survey for riders and non-riders that will be available through Survey Monkey or, Vinetransit.com. Paper surveys will also be made available. Staff will hold some outreach events. Market assessment is completed; the technical assessment is almost complete.

The Ride Request app, Ride the Vine, for the community shuttles should be released in mid-November.

Danielle Schmitz added that staff is exploring DriverMiles, an app that rewards people for using any form of transportation other than a single occupancy car trip. MTC and CCTA are currently in a pilot phase with the app.

6. CONSENT AGENDA

6.1 Meeting Minutes of September 7, 2017 TAC meeting. (Kathy Alexander) (Pages 5-9)

Motion MOVED by Member Ahmann Smithies, SECONDED by Member Tagliaboschi, that the September 7, 2017 TAC Minutes be APPROVED as presented. The motion passed unanimously.

7. REGULAR AGENDA ITEMS

7.1 Transportation Development Act - Article 3 (TDA-3) Program Revisions FY 2017-18 (Diana Meehan) (Pages 10-11)

Report by Danielle Schmitz.

Danielle reported Yountville is unable to use the TDA-3 funds at this time for its Washington Street project. Instead, NVTa staff is recommending adding funding for the Logvy Park Sidewalk Project in Calistoga with the \$48,640 in TDA funds freed up by the Yountville project.

Member Kirn asked if additional funding could be allocated to the County of Napa's request for Vine Trail Maintenance.

Ms. Schmitz noted that when the first TDA -3 Projects List was presented to the Board, the Board was in consensus that TDA-3 funds should fund bicycle/pedestrian capital projects and requested staff to establish a policy for TDA-3 funds prior to the next funding cycle.

Motion MOVED by Member Kirn, SECONDED by Member Arias that the Technical Advisory Committee recommend funding the Logvy Park Sidewalk Project for an additional \$48,640 in TDA-3 funds for FY 2017-18. The motion passed unanimously.

7.2 Measure T Draft Master Agreement Recommendation and Checklist of Items Needed With Timeline (Alberto Esqueda) (Pages 12-33)

Report by Alberto Esqueda.

Mr. Esqueda reviewed the Measure T Master Agreement, Resolution, Project Application and Expenditure List, Accounting, Reporting and Auditing Guidelines. Additionally he provided Measure T documents with comments from the City of Napa and the County of Napa. He reminded the TAC that comments were due October 6, 2017. Comments/suggestions will be forwarded to NVTa's legal counsel.

Danielle Schmitz suggested that the jurisdictions have their board/council take action to certify the Street Report to serve as evidence that Maintenance of Effort has been met. Ms. Schmitz reported that in response to questions from jurisdictions regarding the use of Measure T funds for bicycle lanes that are separated from the road, NVTa requested a white paper on the issue from its legal counsel. Ms. Schmitz will email the document to the TAC. TAC members discussed the pros and cons of the issue.

Mr. Esqueda reviewed the Examples of Eligible Expenses list - the TAC was in agreement that utility lighting costs should be removed from the list. Comments are due October 6, 2017.

Member Tagliaboschi inquired if the Measure T funds are discretionary or nondiscretionary in relation to qualifying as a match for other funding sources.

Kate Miller stated that the funds are non-discretionary as they are restricted to road repair and maintenance.

Member Arias inquired when the Expenditure Plans would be presented to the Independent Taxpayer Oversight Committee (ITOC).

Ms. Schmitz stated the Expenditure Plans would be presented to the ITOC in February 2018.

7.3 Updating State Highway Operation and Protection Program Priorities (SHOPP) (Kate Miller) (Pages 34-37)

Report by Kate Miller.

SB 1 will provide an additional \$1.9 billion in SHOPP funds. Staff has compiled a prioritized list of highway projects in Napa that are eligible for SHOPP funds. This list will be provided to Caltrans. Updates must be provided to staff by October 6, 2017.

7.4 Shared On Call Engineering Concept (Herb Fredricksen) (Pages 38-70)

Report by Herb Fredricksen.

NVTA has used on-call planning and engineering consultant procurement methods to streamline procurements for state and federally-funded procurements. This RFQ form of procurement allows the agency to follow the federal and state procurement process, requiring an extended procurement timeline which is cumbersome especially for smaller jurisdictions. In the RFQ on-call process, once the initial procurement is completed and a short list of successful consultants is compiled, all firms will have been vetted and are deemed to meet the necessary federal and state requirements, and consultant fees are established for the terms of the contract.

Jurisdictions are invited to participate in developing the RFQ, serving on a selection panel, and using the selected consultants.

All jurisdictions will be listed on the RFQ, however it will clearly state that the listed jurisdictions may use consultants on the list so that jurisdictions will not be committed to using the on-call list.

7.5 Legislative Update (Kate Miller)

Kate Miller reviewed the Legislative Update Report.

Ms. Miller also reported NVTA is developing a SR29 Comprehensive Corridor Study scope of work in preparation of releasing a RFP. Comprehensive corridor plans will be required to qualify for SB 1 Congested Corridor Funds in the future.

7.6 October 18, 2017 NVTA Board Meeting Draft Agenda* (Kate Miller)

Kate Miller reviewed the October 18, 2017 NVTA Board meeting agenda.

8. FUTURE AGENDA ITEMS

No future items were requested.

9. ADJOURNMENT

9.1 Approval of Next Regular Meeting Date of November 2, 2017 and Adjournment.

Meeting adjourned at 3:35 p.m.

Kathy Alexander, Deputy Board Secretary



NAPA VALLEY TRANSPORTATION AUTHORITY
TAC Agenda Letter

TO: Technical Advisory Committee (TAC)
FROM: Kate Miller, Executive Director
REPORT BY: Danielle Schmitz, Director – Programs, Projects & Planning
(707) 259-5968 | dschmitz@nvta.ca.gov
SUBJECT: Nomination and Election of Chairperson and Vice Chairperson of the
Technical Advisory Committee (TAC)

RECOMMENDATION

That the Technical Advisory Committee (TAC) nominate and elect a new Chairperson and Vice Chairperson for an annual term beginning on January 1, 2018.

EXECUTIVE SUMMARY

On May 1, 2011, the NVTA Board of Directors approved changes to the TAC bylaws. The changes did not alter the composition or structure of the committee but appointed its members to take on a more active role, to among other things, oversee the proceedings of the Committee. At their first meeting of the year, the by-laws require that committee members appoint a new Chair and Vice Chair.

FISCAL IMPACT

Is there a fiscal impact? No

(Background and Discussion on next page)

BACKGROUND AND DISCUSSION

TAC Bylaws state:

**Article IV
OFFICERS****§4.1 Chairperson and Vice Chairperson**

The Committee shall elect from its membership a chairperson and a vice chairperson at its first meeting of the calendar year, to serve for a one-year term. The chairperson shall preside at all meetings of the Committee and represent the Committee before the Board of Directors. The vice chairperson shall perform the duties of the chairperson when the chairperson is absent. In the event of a vacancy in the chairperson's position, the vice chairperson shall succeed as chairperson for the balance of the chairperson's term, and the Committee shall elect a successor to fill the vacancy in the vice chairperson's position as provided below.

The Committee may appoint a nominating committee to nominate Committee members for the positions of chairperson and vice chairperson. Members willing to serve in either of these positions may submit their names to the nominating committee for nomination. Members may also submit names of other members for nomination. The nominating committee shall verify that members whose names have been submitted are willing to serve in those positions. The nominating committee may submit to the Committee the names of those members whom it has nominated and recommends for election. Notwithstanding these procedures, any member may nominate a member from the floor.

The Chairperson shall appoint a Secretary who will be responsible for preparing meeting minutes.

SUPPORTING DOCUMENTS

Attachment(s): (1) TAC Bylaws approved 2011

BYLAWS FOR THE TECHNICAL ADVISORY COMMITTEE

Article I GENERAL PROVISIONS

§1.1 Purpose

These Bylaws govern the proceedings of the Technical Advisory Committee (TAC), an advisory committee established by the Board of Directors of the Napa County Transportation and Planning Agency (NCTPA).

Article II DUTIES AND AUTHORITY

§2.1 Duties

The Committee shall advise the NCTPA Board of Directors on transit and roadway issues, including planning, project, and policy aspects which are referred to the Committee either by the Board or the Executive Director.. It shall be the members' responsibility to keep their respective appointing agencies informed of key issues, facilitate communication between those agencies and NCTPA, and to help build the consensus necessary to advise the NCTPA regarding policy decisions.

§2.2 Limitations on Authority

The Committee shall serve in an advisory capacity to the Board of Directors. It shall have no independent duties and no authority to take actions that bind NCTPA or the Board of Directors. No expenditures or requisitions for services and supplies shall be made by the Committee and no individual member thereof shall be entitled to reimbursement for travel or other expenses except as authorized by the Board of Directors.

Article III MEMBERSHIP

§3.1 Membership

The Committee shall be composed of the NCTPA Executive Director, serving ex-officio, one member nominated by the Paratransit Coordinating Council (PCC) and appointed by the NCTPA Board, and 12 members and their alternates, each of whom shall be a staff member of each Member Agency. Two members and two alternates shall be appointed by the chief administrative officer of each Member Agency and shall serve at the pleasure of the Member Agency. In addition the Metropolitan

Transportation Commission and the California Department of Transportation (Caltrans) may each appoint one ex-officio member and one alternate, who shall not be counted for purposes of establishing a quorum and who shall have no voting rights.

<u>Agency</u>	<u>Delegates (Alternates)</u>	
City of American Canyon	2	(2)
City of Calistoga	2	(2)
City of Napa	2	(2)
City of St. Helena	2	(2)
County of Napa County	2	(2)
Town of Yountville	2	(2)
Paratransit Coordinating Council	1	(1)
NCTPA Executive Director	1	
Metropolitan Transportation Commission	1	(1)
Caltrans	1	(1)

§3.2 Member Terms

Members and alternates of the Committee shall serve continuously until resignation or replacement by their respective appointing authorities.

§3.3 Vacancies

Vacancies shall be filled by the body that made the original appointment.

Article IV OFFICERS

§4.1 Chairperson and Vice Chairperson

The Committee shall elect from its membership a chairperson and a vice chairperson at its first meeting of the calendar year, to serve for a one-year term. The chairperson shall preside at all meetings of the Committee and represent the Committee before the Board of Directors. The vice chairperson shall perform the duties of the chairperson when the chairperson is absent. In the event of a vacancy in the chairperson's position, the vice chairperson shall succeed as chairperson for the balance of the chairperson's term, and the Committee shall elect a successor to fill the vacancy in the vice chairperson's position as provided below.

The Committee may appoint a nominating committee to nominate Committee members for the positions of chairperson and vice chairperson. Members willing to serve in either of these positions may submit their names to the nominating committee for nomination. Members may also submit names of other members for nomination.

The nominating committee shall verify that members whose names have been submitted are willing to serve in those positions. The nominating committee may submit to the Committee the names of those members whom it has nominated and recommends for election. Notwithstanding these procedures, any member may nominate a member from the floor.

The Chairperson shall appoint a Secretary who will be responsible for preparing meeting minutes.

§4.2 Staff Resources

The NCTPA shall furnish clerical services to prepare and distribute the Committee's agendas, notices, minutes, correspondence and other documents and shall assign an employee to attend each meeting of the Committee to serve in the capacity as the Committee's staff. The NCTPA shall maintain a record of all proceedings of the Committee as required by law and shall perform other duties as provided in these Bylaws.

Article V MEETINGS

§5.1 Regular Meetings

Regular meetings shall be held at such time and place and may from time to time be determined by the TAC.

§5.2 Special Meetings

A special meeting may be called by the chairperson. The meeting may be called and noticed as provided in Section 5.3 below. (For a general description of the noticing procedures, see the Rules of Procedure of the Board of Directors.)

§5.3 Calling and Noticing of Meetings

All meetings shall be called, noticed and conducted in accordance with the applicable provisions of the Ralph M. Brown Act (commencing with Section 54950 of the Government Code). The Executive Director and General Counsel shall be given notice of all meetings. The Committee shall meet at least once a month, unless the Committee's activities are suspended.

§5.4 Quorum; Vote

Six Committee members representing four member agencies shall constitute a quorum for the transaction of business at any meeting of the TAC. All acts of the

Committee shall require the presence of a quorum and the affirmative vote of a majority of the total membership present.

§5.5 Alternates

If a Committee member represented by an alternate is absent from all or a portion of a meeting, the alternate shall be seated in that Committee member's seat and vote in the place of the absent member. An alternate shall be counted as part of the Committee quorum only when seated in the place of an absent member.

§5.6 Thirty Minute Rule

If a quorum has not been established within thirty minutes of the noticed starting time for the meeting, the meeting shall be cancelled..

§5.7 [Reserved]

§5.8 [Reserved]

§5.9 Time Limits for Public Speakers

Each member of the public appearing at a Committee meeting may be limited to three minutes in his or her presentation, unless the chairperson, at his or her discretion, permits further remarks to be made. Any person addressing the Committee may submit written statements, petitions or other documents to complement his or her presentation.

§5.10 Impertinence; Disturbance of Meeting

Any person making personal, impertinent or indecorous remarks while addressing the Committee may be barred by the chairperson from further appearance before the Committee at that meeting, unless permission to continue is granted by an affirmative vote of the Committee. The chairperson may order any person removed from the Committee meeting who causes a disturbance or interferes with the conduct of the meeting, and the chairperson may direct the meeting room cleared when deemed necessary to maintain order.

§5.11 Access to Public Records Distributed at Meeting

Writings distributed during a Committee meeting shall be made available for public inspection at the meeting if prepared by NCTPA or a member of the Committee, or after the meeting if prepared by some other person.

Article VI AGENDAS AND MEETING NOTICES

§6.1 Agenda Format and Content

The agenda shall specify the starting time and location of the meeting and shall contain a brief general description of each item of business to be transacted or discussed at the meeting. The description shall be reasonably calculated to adequately inform the public of the subject matter of each agenda item.

Items may be referred for inclusion on an agenda by: (1) the NCTPA Board of Directors; (2) the NCTPA Executive Director; or (3) the Committee Chairperson. The order of business shall be established by the chair and vice chair with the approval of the NCTPA Executive Director.

§6.2 Public Comments

Each agenda for a regular meeting shall provide an opportunity for members of the public to address the Committee on matters within the Committee's purview, either before or during the Committee's consideration of the item if it is listed on the agenda, or during "Public Comment" if it is not listed on the agenda. The Committee shall not act upon an item that is not listed on the agenda..

§6.3 Agenda Preparation

The NCTPA Administrative Assistant shall prepare the agenda for each meeting in consultation with NCTPA staff and the chairperson. Material intended for placement on the agenda shall be delivered to the NCTPA Administrative Assistant on or before 12:00 Noon on the date established as the agenda deadline for the forthcoming meeting. The NCTPA Executive Director may withhold placement on the agenda of any matter which is not timely received, lacks sufficient information or is in need of staff review and report prior to Committee consideration.

§6.4 Agenda Posting and Delivery

The written agenda for each regular meeting and each meeting continued for more than five calendar days shall be posted by the NCTPA Administrative Assistant at least 72 hours before the meeting is scheduled to begin. The written agenda for every special meeting shall be posted by the NCTPA Administrative Assistant at least 24 hours before the special meeting is scheduled to begin. The agenda shall be posted in a location that is freely accessible to members of the public. The agenda, together with supporting documents, shall be delivered to each Committee member, the Executive Director and General Counsel at least five days before each regular meeting and at least 24 hours before each special meeting.

§6.5 Meeting Notices

The NCTPA Administrative Assistant shall mail notice of every meeting to each person who has filed with NCTPA a written request for notice as provided in Section

54954.1 of the Government Code. The notice shall be mailed at least one week prior to the date set for the meeting. Notice of special meetings called less than seven days prior to the date set for the meeting shall be given at least 24 hours in advance.

Article VII

MISCELLANEOUS

§7.1 Adoption and Amendment of Bylaws

These Bylaws shall be adopted and amended by the Committee by the affirmative vote of a majority of its total membership and with the approval of the Board of Directors.

§7.2 Parliamentary Procedure

The rules contained in the "Standard Code of Parliamentary Procedure", by A. Sturgis, shall govern the Committee in all cases to which they are applicable and not inconsistent with the Bylaws of the Committee.



NAPA VALLEY TRANSPORTATION AUTHORITY
TAC Agenda Letter

TO: Technical Advisory Committee (TAC)
FROM Kate Miller, Executive Director
REPORT BY: Danielle Schmitz, Director – Programs, Projects and Planning
(707) 259-5968 | dschmitz@nvta.ca.gov
SUBJECT: Draft 2018 Technical Advisory Committee (TAC) Work Plan and
Calendar

RECOMMENDATION

That the Technical Advisory Committee (TAC) provide input and approve the 2018 TAC Work Plan (Attachment 1) and receive the 2018 Calendar (Attachment 2).

EXECUTIVE SUMMARY

The draft 2018 TAC Work Plan (Attachment 1) includes regular agenda items, transportation project funding programs and special projects. It is a guideline for developing TAC agendas to keep the committee on track to complete tasks and meet critical deadlines throughout the year. Attachment 2 is the 2018 calendar of NVTA committee and Board meetings.

FISCAL IMPACT

Is there a fiscal impact? No

BACKGROUND AND DISCUSSION

The NVTA TAC serves as an advisory committee to the NVTA Board on technical issues relating to transportation planning, funding, and policies. NVTA staff envisions 2018 will include a familiar range of regular program monitoring in addition to work related to the delivery of Measure T and SB 1 projects.

SUPPORTING DOCUMENTS

Attachment(s): (1) Proposed NVTAC 2018 Work Plan
 (2) 2018 TAC Meeting Calendar

**NVTA Technical Advisory Committee (TAC)
2018 Work Plan**

Item	Period
• Review monthly agenda for the NVTA Board of Directors	Monthly
• Review and maintain Project Monitoring Reports for Federal and State Programs	Monthly
• Review monthly Caltrans updates	Monthly
• Review progress on development of and provisions for maintenance to the Napa Valley Vine Trail	Monthly
• Partner in the development and review elements of Measure T expenditure program <ul style="list-style-type: none"> ○ Provide information and participate if necessary in the ITOC meetings 	As needed
• Partner in the delivery of Napa Countywide Transportation Plan (CTP) projects and programs, and provide input into preliminary studies and plans such as the Travel Behavior Study, Technology Study, Short Range Transit Plan, and other related plans and studies that inform the CTP.	Ongoing
• Monitor progress of goals and projects/programs outlined in the NVTA Countywide Pedestrian Master Plan	As needed
• Monitor progress of project included in the current Regional Transportation Plan (RTP) - Plan Bay Area 2040	Ongoing
• Partner in the development of the Countywide Bicycle Plan element of the Active Transportation Plan.	Ongoing
• Review ATAC findings relative to “complete streets” compliance of state and federally funded projects	As needed
• Review and recommend Transportation Development Act, part 3 (TDA-3) call for projects and project selection	January-March
• Review and recommend Transportation Fund for Clean Air (TFCA) call for projects and project selection	February-June
• Coordinate applying for various “call for projects” including the Active Transportation Program (ATP), SB1 and Cap and Trade funding programs	As needed
• Receive regular briefings on status of the countywide “Vine” transit system and Vine System overview	Monthly
• Consider and advise on development of new NVTA fleet maintenance facility	As needed
• Appoint chair and vice-chair for 2019	December 2018
• Receive State and Federal legislative and regulatory updates and recommend legislative platforms and positions to the NVTA Board.	Monthly
• Receive updates on major highway projects including but not limited to SR 29 South County Projects and SR 37.	Ongoing
• Review and provide data for the purpose of updating the Solano-Napa Travel Demand Model specifically as it relates to land use data and VMT metrics.	As needed

• Review and recommend consultant contracts as necessary	As needed
• Review work products of studies	As needed
• Other items as required	As needed

Other topics and issues of interest for the TAC in 2018

- Regional Measure 3 (SB 595)
- The Road Rehabilitation and Accountability Act (SB 1)
- The Napa-Solano Travel Demand Model
- Highway 29 Working Group
- Training – transportation funding/programming and other
- Passenger Rail – east/west connection along SMART corridor and the north/south connection along the Wine Train corridor.

2018
DRAFT NVTB Board of Directors and Committee Meeting Calendar

ATTACHMENT 2
TAC Agenda Item 7.2
December 7, 2017

January

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

March

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

April

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

May

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

June

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

July

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

August

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

September

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

October

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

November

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

December

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

BOARD	TAC	PCC	ATAC	CAC	HOLIDAY
1:30 PM	2:00 PM	10:00 AM	5:00 PM	5:00 PM	



NAPA VALLEY TRANSPORTATION AUTHORITY TAC Agenda Letter

TO: Technical Advisory Committee (TAC)
FROM Kate Miller, Executive Director
REPORT BY: Alberto Esqueda, Associate Planner
(707) 259-5976 | aesqueda@nvta.ca.gov
SUBJECT: Measure T Overview and Discussion

RECOMMENDATION

Information only

EXECUTIVE SUMMARY

The Independent Taxpayer Oversight Committee (ITOC) is required by Measure T to review the minimum maintenance of effort, and the 5-year expenditure plan developed by NVTA in coordination with the jurisdictions. The ITOC's official first meeting will be in early 2018. The 5-year plan will include proposed projects for each jurisdiction funded by Measure T. The expenditure plan will also include the proposed projects and expenditures to meet the 6.67% Measure T Equivalent for Class 1 projects.

Staff has circulated the Draft Measure T Master Agreement and Attachments for TAC's review and comment. These documents have also been circulated with the jurisdictions' financial staff and the ITOC at its August 2014 meeting. Once the TAC has affirmed the final materials, jurisdictions are free to go to their governing bodies with their Measure T 5-year project lists and resolutions.

Jurisdictions eligible to receive Measure T revenues are also subject to the Maintenance of Effort (MOE) provision. This provision establishes a minimum general funds expenditure threshold equal to the average amount a jurisdiction expended in Fiscal Years 2007-08, 2008-09, 2009-10 on local streets and roads maintenance and supporting infrastructure within the public right of way. All agencies were asked to submit their maintenance of effort amount with supporting documentation to demonstrate MOE for those three fiscal years by June 30, 2017. The documentation should include the approach or methodology used to develop the MOE.

Multiple comments and inquiries were received from jurisdictions regarding the ordinance's language, eligible expenses, expenditure plan, and MOE, among other topics.

Staff and NVTa counsel have been engaged in providing responses to jurisdictions' inquiries. While some of the ordinance's text is clear other text leaves room for interpretation and for that reason NVTa has developed a Q&A document and a draft list of eligible expenses for Measure T funds to clarify ambiguous language in the ordinance.

FISCAL IMPACT

Is there a fiscal impact? No

BACKGROUND AND DISCUSSION

On November 6, 2012, the voters in Napa County approved Measure T, the Napa Countywide Road Maintenance Act. Measure T is a ½% sales tax expected to generate over \$400 million over a 25-year period beginning July 1, 2018, when the Measure A Flood Tax expires. Measure T is to be used for the rehabilitation of local streets and roads.

In order for jurisdictions to receive Measure T revenues, jurisdictions collectively must demonstrate that at least 6.67% of the amount (henceforth referred to as "Measure T Equivalent") of Measure T revenues received each year is being committed to Class I bike lane projects identified in the adopted Countywide Bicycle Plan/Active Transportation Plan, using funds not derived from the Measure T Ordinance.

To meet the MOE requirements, each jurisdiction is to provide a summary of how its MOE is defined, how it is calculated and what typical activities/treatments make up the MOE. Thereafter, each jurisdiction will submit its annual MOE certification report and audit. Jurisdictions that have included expenditures that are not deemed Measure T relevant should separately isolate and substantiate those expenditures for consideration from the NVTa and ITOC to remove them from calculations that establish that jurisdiction's 3-year average. The purpose of the methodology memos requested from each jurisdiction are intended to describe each jurisdiction's approach, isolate one time expenditures (defined primarily as emergency or extraordinary expenditures), and to specifically describe the expenditure line items included in the methodology.

The Ordinance requires that 99% of the revenues be allocated directly to the jurisdictions, with 1% set aside for NVTa's administrative costs. The Ordinance doesn't define marketing requirements beyond project site signage outlined in Section 23 and the publication of a biennial report to the community in all local Napa County newspapers of general circulation required in Section 11.B.1.e. NVTa is proposing a

more robust campaign to improve transparency, expand trust of local government and encourage community support for future ballot measures.

A successful marketing campaign will feature strong visuals with clear messaging. NVTA staff has met with Public Information and Outreach staff of the member jurisdictions. The Measure T logo has been vetted with those groups and is widely accepted.

Jurisdictions' Responsibilities:

- Provide NVTA with the maintenance of effort for the years 2007-08, 2008-09, 2009-10 with supporting documentation, as noted above, by **June 30, 2017**.
- Provide the ITOC with the annual MOE certification report, supporting documentation as noted above, and audit to meet the maintenance of effort requirement by **early 2018**.
- Biennially, submit to NVTA a 5-year project list no later than January 1st. The first expenditure plan is due on January 1, 2018.
- Submit any updates to the 5-year project list, as needed.
- Provide NVTA with expenditures in meeting the Class I Measure T Equivalent facility goal. This goal will be due when the five-year project list is due by January 1 biennially and will be completed in coordination with all jurisdictions. Any changes to the goal should be submitted as needed. The list of projects that will comprise the Measure T Equivalent facility goal pertaining to the first five-year project list is due by January 1, 2018.
- Provide proof of project expenditures (e.g. invoice, etc. to be determined, working with Finance staff as noted below).
- Propagate Measure T's marketing campaign.

NVTA's Responsibilities:

- Collect the five-year Measure T Project List from each jurisdiction. Validate MOE and Class I facility requirements.
- Provide quarterly Measure T reports to the NVTA Board and ITOC.
- Provide recommendation of jurisdictions' draft five-year project lists to ITOC and the NVTA Board.
- Seek approval from the NVTA Board and ITOC on project lists and allocations.
- Coordinate meetings with utility providers.
- In coordination with project auditor, validate project eligibility.
- Develop marketing plan, tools, and coordinate implementation.
- Hold a publicly noticed meeting annually with the participation of the ITOC to consider findings and recommendations of audits.

- Develop a biennial report to the community in all local Napa County newspapers of general circulation.

Measure T Ordinance Revenue Distribution Formula:

American Canyon	7.70%
Calistoga	2.70%
Napa	40.35%
Napa County	39.65%
St. Helena	5.90%
Yountville	2.70%
	99.00%
1% Admin	1.00%
TOTAL	100.00%

Next steps:

Municipalities were asked to review the Master Agreement and the corresponding exhibits and supply NVTa with comments on any of the documents. A constructive discussion would best benefit the committee to identify any changes on the documents to finalize the Master Agreement and its exhibits before the Independent Taxpayer Oversight Committee (ITOC) meeting in early 2018.

SUPPORTING DOCUMENTS

Attachment(s):

- (1) Draft Measure T Master Agreement
- (2) Measure T Ordinance
- (3) Five-year List of Projects
- (4) Draft Measure T Accounting, Reporting and Auditing Guidelines
- (5) Draft Template Resolution for Five-Year List of Projects
- (6) Draft Measure T Progress Report
- (7) Draft Template Resolution for Maintenance of Effort (MOE)
- (8) Measure T Implementation Timeline

**MASTER FUNDING AGREEMENT
THE NAPA VALLEY TRANSPORTATION AUTHORITY – TAX AGENCY
AND**

NVTA-TA AGREEMENT NO. _____

This Master Funding Agreement (“Agreement”) is made this _____ day of _____, 201_, by and between the Napa Valley Transportation Authority – Tax Agency, a local transportation authority authorized by the provisions of Division 19 of the California Public Utilities Code, hereinafter referred to as “NVTA-TA”, and the City of Napa, a California charter city, hereinafter referred to as “Recipient.”

SECTION 1. RECITALS

1. The voters of Napa County approved the Napa Countywide Road Maintenance Act (also known as, and hereinafter referred to as, “Measure T,” “the Measure,” or “Ordinance No. 2012-01”) at the General Election held on November 6, 2012, thereby authorizing NVTA-TA to administer the proceeds from a one-half cent transaction and use tax.
2. The tax proceeds will be used to pay for the projects outlined in the Measure T Expenditure Plan (Attachment 1 to NVTA-TA Ordinance No. 2012-01, and hereinafter referred to as the “Expenditure Plan”) allocated to the County of Napa and the cities and town within Napa County (“Local Agencies”) as set forth in Measure T.
3. Under Measure T and the Expenditure Plan, Measure T funds are provided to the Local Agencies to be used for streets and roads maintenance projects as defined in the Measure.

SECTION 2. PURPOSE OF FUNDING AGREEMENT

This Agreement is entered into by and between NVTA-TA and Recipient to document the funding conditions necessary for the Recipient to receive sales tax disbursements. This Agreement includes additional documents, listed in Section 30 of this Agreement, which are incorporated in the Agreement by this reference.

TERMS

SECTION 3. CLASS 1 BIKE FACILITY FUNDING.

Upon submission of the [Five-Year List of Projects \(Exhibit B\)](#), in order to receive funding under this Agreement, the Local Agencies must demonstrate to NVTA-TA that they have collectively committed eligible revenues totaling at least 6.67% of the value of the total annual allocations of Measure T funds to Class 1 Bike Facility projects identified in the adopted Countywide Bicycle Plan, as that Plan may be amended from time to time and as provided in the Measure.

SECTION 4. MAINTENANCE OF EFFORT.

Prior to January 1, 2018, Recipient shall determine and certify to NVTA-TA the average maintenance of effort for Fiscal Years 2007-08, 2008-09 and 2009-10, consistent with the criteria set forth in Section 9 of Ordinance No. 2012-01, including a memorandum detailing the supporting financial documentation and the methodology utilized to calculate the average fiscal year street and roads costs. That amount will be deemed Recipient's "Maintenance of Effort," which must be maintained annually throughout the term of the Measure from the Recipient's General Fund. At the beginning of each fiscal year, Recipient must certify to NVTA-TA that it will meet its Maintenance of Effort expenditures that fiscal year. By January 1st each calendar year, [Recipient must provide to NVTA-TA a copy of its California State Controller's Annual Street Report Street Report as well as a Resolution approved by Recipient's governing body, along with backup documentation](#), showing that the Maintenance of Effort was met the prior fiscal year. In the event Recipient does not meet its requirement for local Maintenance of Effort over a three year, NVTA-TA shall reduce Recipient's allocation for the following fiscal year in an amount equal to the deficiency in the Maintenance of Effort. Any such reduction based on a deficiency in the Maintenance of Effort will be withheld by NVTA-TA until a plan to meet the Maintenance of Effort amount moving forward has been approved by NVTA-TA. Any funds not allocated due to failure to meet the maintenance of effort requirement shall be reserved for the Agency until any and all maintenance of effort expenditures are fulfilled.

SECTION 5. FIVE-YEAR LIST OF PROJECTS.

No later than January 1, 2018, and at least biennially thereafter, Recipient shall provide NVTA-TA its Measure T five-year list of projects (hereinafter "Project List") [\(Exhibit B\)](#).

SECTION 6. ALLOCATION & DISBURSEMENT

No later than the 20th day following the end of each quarter, the Recipient shall be allocated the funding allotted to Recipient as defined by Measure T, provided Recipient has complied with the terms of this Agreement. The allocated funds will be disbursed to Recipient upon NVTA's determination that the projects are consistent with the

Recipient's approved Project List and in conformance with the Accounting, Reporting and Auditing Guidelines.

SECTION 7. COST ELIGIBILITY

Cost eligibility shall be determined by NVT-A-TA based upon Recipient's approved Project List. Funds may be expended only for streets and roads project(s) included on the Recipient's approved Project List.

SECTION 8. BUDGET AND SCOPE

Recipient shall maintain a project(s) or program budget. Recipient shall carry out the project(s) and shall incur obligations against and make disbursements of Measure T revenues in conformity with the requirements of this Agreement and the budget.

SECTION 9. PROJECT MANAGEMENT

Recipient shall be responsible for the project(s) and provide for the management of consultant and contractor activities for which Recipient contracts, including responsibility for schedule, scope and budget.

SECTION 10. PROJECT OVERSIGHT

Recipient shall cooperate with NVT-A-TA staff or its Measure T consultants for project information and financial information necessary to fulfill the requirements outlined in NVT-A-TA Ordinance No. 2012-01.

SECTION 11. ATTRIBUTION AND SIGNAGE

If any portion of Measure T revenues is used for production of reports, acknowledgment of the NVT-A-TA's role shall be included in the documents. If any project(s) funding receives \$250,000 or more, Recipient shall, upon initiation of field work or at the earliest feasible time thereafter, install and maintain a sign or signs at the construction site, utilizing the adopted Measure T logo and text, identifying the Recipient and NVT-A-TA. Recipient shall demonstrate compliance with attribution and signage requirements as an indispensable condition for authorization of future Measure T allocations. Recipient may provide signage for projects with a value of less than \$250,000 if they so desire.

SECTION 12. PRESS RELEASES

Recipient shall notify NVTA-TA in advance of any press releases about project(s) and program activities, particularly groundbreakings and ribbon cuttings, in connection to Measure T revenues expended from this Agreement.

SECTION 13. COMPLIANCE WITH LAW

In the performance of its obligations pursuant to this Agreement, Recipient shall keep itself fully informed of the federal, state and local laws, ordinances and regulations in any manner affecting the performance of this Agreement, and must at all times comply with such laws, ordinances, and regulations as they may be amended from time to time.

SECTION 14. ENVIRONMENTAL COMPLIANCE

Recipient shall comply with the requirements under the California Environmental Quality Act (California Public Resources Code Sections 21000 *et seq.*; as implemented through California Code of Regulations Title 14, Chapter 3, Sections 15000 *et seq.*).

SECTION 15. FINANCES

All costs charged to the project(s) shall be supported by properly prepared and documented time records, invoices, vouchers, or other documentation evidencing in detail the nature and propriety of the charges.

SECTION 16. RECORDS

All checks, payrolls, invoices, contracts, vouchers, journal entries, work orders, or other accounting documents pertaining in whole or in part to the project(s) shall be maintained by Recipient for a period of five (5) years after the later of project(s) closeout or termination of Agreement. Such project(s) documents shall be clearly identified, readily accessible, and, to the extent feasible, kept separate and apart from all other similar documents not pertaining to the project(s).

SECTION 17. ELIGIBLE EXPENSES

Recipient shall expend funds only on eligible direct expenses as follows: operating costs, direct staff time (salary and benefits), material costs related to construction of improvements, consultants; right of way engineering and acquisition costs (including permitting), and competitively bid construction contracts. Indirect costs (as defined by OMB Circular A-87) will not be considered an eligible expense. Funds shall also be expended according to the applicable provisions of Measure T and of the Public Utilities Code Section 180000 *et seq.*

If in the course of an audit or a semi-annual expenditure review it is determined that an ineligible expense(s) was made, the Recipient will be required to transfer the amount of ineligible expense into the Special Revenue Fund from any source other than Measure T Funds.

NVTA-TA shall provide notice to Recipient of any audit determination if any expenditure made by Recipient is found not to comply with this Agreement, the Expenditure Plan or Measure T promptly after NVTA-TA becomes aware of any such finding.

SECTION 18. AUDITS

Recipient shall cooperate with and allow NVTA-TA's Auditor, or any of its duly authorized representatives, to inspect all work, materials, payrolls, and other data and records with regard to the Measure T projects, and to audit the books, records, and accounts of the Recipient and its contractors. Recipient shall see Accounting, Reporting and Auditing Guidelines (Exhibit C).

SECTION 19. THIRD PARTY CONTRACT AUDITS

NVTA-TA reserves the right to request an audit of other third party contracts for any reason related to Measure T. If Recipient is subject to third party financial audit requirements imposed by another funding source, for a project(s) related to Measure T, copies of audits performed in fulfillment of such requirements shall be provided to the NVTA-TA.

SECTION 20. PROJECT REPORTING AND CLOSEOUT PROCEDURES

Recipient shall provide to NVTA-TA a Semi-Annual Update on Expenditures as show in Accounting, Reporting and Auditing Guidelines (Exhibit C).

SECTION 21. INDEMNIFICATION

To the fullest extent permitted by law, NVTA-TA and Recipient shall each defend, indemnify and hold harmless each other as well as their respective officers, agents, employees, volunteers or representatives from and against any and all liability, claims, actions, proceedings, losses, injuries, damages or expenses of every name, kind and description, including litigation costs and reasonable attorney's fees incurred in connection therewith, arising out of or connected with any acts or omissions of that party or its officers, agents, employees, volunteers, or contractors or their subcontractors, when performing any activities or obligations required of that party under this Agreement. Each party shall notify the other party immediately in writing of any claim or damage related to activities performed under this Agreement. The parties

shall cooperate with each other in the investigation and disposition of any claim arising out of the activities under this Agreement, providing that nothing shall require either party to disclose any documents, records or communications that are protected under peer review privilege, attorney-client privilege, or attorney work product privilege.

SECTION 22. INTEGRATION

This Agreement represents the entire agreement of the parties with respect to the subject matter thereof. No representations, warranties, inducements or oral agreements have been made by any of the parties except as expressly set forth herein, or in other contemporaneous written agreements.

SECTION 23. AMENDMENT

Except as otherwise provided herein, this Agreement may not be changed, modified or rescinded except in writing, signed by all parties hereto, and any attempt at oral modification of this Agreement shall be void and of no effect.

SECTION 24. INDEPENDENT AGENCY

Recipient performs the terms and conditions of this Agreement as an entity independent of NVT-A-TA. None of Recipient's agents or employees shall be agents or employees of NVT-A-TA. No third parties have any rights or remedies under this Agreement.

SECTION 25. ASSIGNMENT

The Agreement may not be assigned, transferred, hypothecated, or pledged by any party without the express written consent of the other party.

SECTION 26. BINDING ON SUCCESSORS, ASSIGNEES OR TRANSFEREES

This Agreement shall be binding upon the successor(s), assignee(s) or transferee(s) of NVT-A-TA or Recipient, as may be the case. This provision shall not be construed as an authorization to assign, transfer, hypothecate or pledge this Agreement other than as provided above.

SECTION 27. LEGAL EXPENSES

Each party shall be solely responsible for and shall bear all of its own respective legal expenses in connection with any dispute arising out of this Agreement and the

transactions hereby contemplated. Recipient may not use Measure T funds, or other NVTA-TA or NVTA programmed funds, for the aforementioned purpose.

SECTION 28. SEVERABILITY

Should any part of this Agreement be declared unconstitutional, invalid, or beyond the authority of either party to enter into or carry out, such decisions shall not affect the validity of the remainder of this Agreement, which shall continue in full force and effect; provided that the remainder of this Agreement can, absent the excised portion, be reasonably interpreted to give effect to the intentions of the parties.

SECTION 29. ACCEPTANCE OF ALLOCATION

Recipient does hereby declare that all written statements, representations, covenants, and materials submitted as a condition of this Agreement are true and correct and does hereby accept NVTA-TA's allocations and agrees to all of the terms and conditions of this Agreement. The parties have executed this Agreement as of the date first written above, and it shall remain in effect until such time as no Measure T revenues remain available for expenditure, or until this Agreement is rescinded in accordance with Section 23 of this Agreement.

SECTION 30. EXHIBITS

The following Exhibits are hereby made part of this AGREEMENT:

EXHIBIT A: Measure T Ordinance and Expenditure Plan

EXHIBIT B: Five-Year Project List Template

EXHIBIT C: Accounting, Reporting and Auditing Guidelines

EXHIBIT D: Project List Adoption Resolution Template

EXHIBIT E: Progress Report Template

EXHIBIT F: MOE Certification Resolution Template

Napa Valley Transportation Authority – Tax Agency

By: _____

Date: _____

Kate Miller

NVTA-TA Executive Director

"RECIPIENT"

By: _____
XXXX, City Manager
City of XXXXX

Date: _____

Attest:

Countersigned:

By: _____
XXXXX, City Clerk

By: _____
XXXXX, City Auditor

Approved as to form:

By: _____
Vicki Clayton, NVTA-TA Counsel

By: _____
XXXXX, City Attorney

**NAPA VALLEY TRANSPORTATION AUTHORITY (NVTa)
ORDINANCE NO. 2012-01**

**NAPA COUNTYWIDE ROAD MAINTENANCE ACT
IMPOSING A TRANSACTION AND USE TAX
TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION**

The Napa Valley Transportation Authority (the "Authority") ordains as follows:

SECTION 1. TITLE: This Ordinance shall be known and may be cited as the Napa Countywide Road Maintenance Act, hereinafter referred to as the Ordinance. This Ordinance establishes a retail transactions and use tax for a twenty-five year period commencing July 1, 2018, or upon early termination of the Measure A Flood Protection tax provided however that should the Flood Protection tax be extended by a vote of the electorate then this measure will not take effect until the expiration of such extension.

SECTION 2. EXPENDITURE PLAN PURPOSES: This Ordinance provides for the implementation of the Napa Valley Transportation Authority Transportation Improvement Expenditure Plan (the "Expenditure Plan") which will provide funding resulting in countywide local street and road improvements. This funding program will ensure improved maintenance of currently under-funded local community streets and supporting infrastructure (e.g., sidewalks, gutters, curbs) within the public right-of-way. These improvements shall be funded by a one-half of one percent transactions and use tax established for a twenty-five year period commencing July 1, 2018, or upon expiration of the Measure A Flood Protection tax as expressed in Section 1 above. The revenues shall be deposited in a special fund, used solely for the identified improvements as provided herein, and made available to the agencies responsible for the improvements for all purposes necessary for the approval and implementation of the tasks. Notwithstanding any other provision of this Ordinance, identified improvements (the "projects" or "programs") that are eligible to receive revenues from the tax are described in the Expenditure Plan, which Expenditure Plan is hereby incorporated by reference as if fully set forth herein.

SECTION 3. EXPENDITURE PLAN SUMMARY: The revenues received by the Authority from this Ordinance, after deduction of required Board of Equalization costs for performing the functions specified in Section 180204(b) of the Public Utilities Code, reimbursing the County of Napa for its cost in conducting the election if the measure is approved per Section 180203(a) of the Public Utilities Code, administration (Section 12 A), and the costs of the annual financial and biennial performance audits (Section 11), shall be used to fund the improvements set forth herein. In the event the measure does not pass, the costs for conducting the election shall be borne by the Authority. A summary of the projects and programs that are eligible to receive this funding is provided in the following sections. All funding and revenues are expressed in 2011 dollars. The annual revenues shall be allocated as follows:

A. Local Streets and Roads Maintenance Program: Subject to Paragraph B, of the annual revenues available, ninety-nine percent (99%) shall be allocated on a

fair and equitable basis (pursuant to the distribution formula set forth below) to each city, town, and the county (hereinafter referred to individually as Agency and collectively as Agencies) to provide revenue for such projects and to supplement, but not supplant, other revenues available for the Local Streets and Road Maintenance Program. The revenues allocated to each Agency under this Section 3(A) must be used for maintenance, reconstruction or rehabilitation of local streets, roads, and infrastructure within the public right-of-way. Total estimated funding = \$282.15 million (2011 dollars).

- 1) The revenue allocated to the Local Streets and Roads Maintenance Program shall be allocated to, and expended by, each Agency pursuant to the following distribution formula:
 - a. To the City of American Canyon 7.7% of the annual revenues available.
 - b. To the City of Calistoga 2.7% of the annual revenues available.
 - c. To the City of Napa 40.35% of the annual revenues available.
 - d. To the County of Napa 39.65% of the annual revenues available.
 - e. To the City of St. Helena 5.9% of the annual revenues available.
 - f. To the Town of Yountville 2.7% of the annual revenues available.

Net revenues, plus interest earned, shall be apportioned to the Agencies' transportation improvement account on a quarterly basis.

- B. Once this measure becomes operative, in order to receive annual allocations under this measure, the Agencies (collectively) must demonstrate that at least six and sixty-seven one-hundredths percent (6.67%) of the value of the allocations each year under Section 3(A) has been committed to Class I Bike lane project(s) identified in the adopted Countywide Bicycle Plan, as that Plan may be amended from time to time, through funding not derived from this Ordinance. This obligation may be fulfilled by the NCTPA and NVTa in programming Congestion Mitigation and Air Quality Improvement (CMAQ) funding (or its successor), plus other local or formula specific funds, in an amount that equals 6.67% over the term of this ordinance. Funding for Class I Bike lane projects that are funded by philanthropy, state discretionary funding or federal discretionary funding shall not count toward the six and sixty-seven one-hundredths percent (6.67%). As used in this Section, discretionary funding means any funding that is not tied to a specific state or federal program or formula.
- C. **Administration:** Actual costs, not to exceed one percent (1%) of the annual revenue, may be used for administration of this Ordinance by the Authority. Total estimated funding = \$2.82 million (2011 dollars).

SECTION 4. IMPOSITION OF RETAIL TRANSACTIONS AND USE TAX: In addition to any other taxes authorized by law, there is hereby imposed in the incorporated and unincorporated territory of the County of Napa, in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, and Sections 7261 and 7262 of the Revenue and Taxation Code except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code, and Division 19 of the Public Utilities Code commencing with Section 180000, which provisions are adopted by reference, a retail transactions and use tax at the rate of one-half of one percent (1/2%) for a twenty-five year period commencing July 1, 2018, or upon expiration of the Measure A Flood Protection tax, which tax shall be in addition to any existing or future authorized state or local transactions and use tax.

SECTION 5. CONTRACT WITH STATE: The Authority shall notify the State Board of Equalization at least 110 days prior to the operative date and shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax Ordinance, provided that if the Authority shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

SECTION 6. EXPENDITURE PLAN PROCEDURES:

- A. Each Agency shall biennially develop and submit to the Authority a five-year list of projects to be funded with revenues made available for the Local Streets and Roads Maintenance Program (Section 3(A)). Each Agency shall conduct a local public hearing and adopt a Resolution in support of the proposed list of projects prior to submitting the project list to the Authority pursuant to Section 7.
- B. In the allocation of all revenues made available under Section 3, the Authority shall make every effort to maximize state, federal, and local transportation funding to the Agencies. The Authority may amend the Expenditure Plan in accordance with Section 21 as needed to maximize the transportation funding available throughout the county. It is also the intent of the Authority to encourage the purchase of goods and services for the projects described in Section 3 from suppliers based in Napa County.
- C. The Agencies and the Authority shall fully consider the needs of non-motorized travelers, including pedestrians, bicyclists and persons with disabilities, in all planning, maintenance, construction, operations and project development activities and products. Projects funded in full or in part with Authority revenues shall not remove or reduce existing facilities for bicycling or pedestrians.

SECTION 7. PROJECT PROGRAMMING APPROVAL: Prior to the operative date of the tax, and biennially thereafter, the Authority shall approve a five-year list of projects eligible to be funded with the revenues made available under Section 3 herein, provided that the submittal meets all of the requirements of this Ordinance and funding is, or is

estimated to be, available. Prior to Authority approval, the Independent Taxpayer Oversight Committee shall consider each Agency's biennial five-year list of projects and make a finding that such projects are consistent with the intent of the measure, and make a recommendation on which of the items on those project lists should be approved to the Authority.

SECTION 8. COOPERATIVE FUNDING AGREEMENTS: To maximize the effectiveness of the retail transactions and use tax revenues, the Authority and/or Agency(ies) may loan revenues actually received, allocated or granted to any public agency within the area of jurisdiction of the Authority provided that the percentage of revenues allocated as provided in Section 3 is maintained over the duration of the Ordinance. Any exchange or loan agreement must include detailed repayment provisions, including appropriate interest earnings based upon the current treasury rate of interest. All loans and/or exchanges must be approved by the Authority's Auditor and by the Authority by a majority vote, and shall be consistent with any and all rules approved by the Authority relating thereto.

SECTION 9. MAINTENANCE OF EFFORT: It is the intent of the State Legislature and the Authority that revenues provided from this Ordinance be used to supplement, not supplant, existing local general fund revenues being used for the transportation improvements described in the Expenditure Plan (see Attachment 1). Each Agency receiving revenues pursuant to Section 3 shall annually maintain, as a minimum, the "maintenance of effort" as defined in this Section 9. The maintenance of effort shall be maintained at the same level that local general fund revenues were expended on average for fiscal years 2007/08, 2008/09 and 2009/10 for Local Streets and Roads Maintenance and supporting infrastructure within the public right-of-way for pavement sealing, overlays, reconstruction, associated infrastructure, as required, excluding any local revenues expended for the purpose of storm damage repair as verified by an independent auditor. One-time allocations that have been expended for Local Streets and Roads Maintenance, but which may not be available on an ongoing basis shall not be considered when calculating an Agency's annual maintenance of effort. Prior to the operative date, Agencies shall determine and certify to the Authority the Agency's average maintenance of effort for the 2007/08, 2008/09 and 2009/10 fiscal years. Prior to the beginning of each fiscal year thereafter, Agencies shall certify to the Authority that the maintenance of effort requirement required by this Section will be met that fiscal year, copies of which shall be provided to the Authority Auditor. Any Agency that does not meet its local maintenance of effort requirement for a three year average period shall have its funding under Section 3 the following year reduced by the amount the Agency did not meet its required average maintenance of effort level for the three prior years. Any funds not allocated due to failure to meet the maintenance of effort requirement shall be reserved for the Agency until any and all maintenance of effort expenditures are fulfilled.

SECTION 10. PRIVATE SECTOR FUNDING: Revenues provided from this measure shall not be used to replace private developer funding that has been or will be committed for any project to help alleviate the direct traffic impacts of any new or redeveloped residential, commercial or industrial development in Napa County or its cities.

SECTION 11. INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE:

- A. ITOC Goal and Functions:** Voter adoption of this transportation retail transactions and use tax Ordinance shall result in creation of the Independent Taxpayer Oversight Committee ("ITOC") upon the operative date of this tax. The ITOC shall remain in existence for so long as the tax herein exists. The ITOC shall review the fiscal and program performance of the retail transactions and use tax transportation program through a biennial performance audit to ensure that all transportation retail transactions and use tax revenues are spent by the Authority in accordance with all provisions of the voter-approved Expenditure Plan and Ordinance. The ITOC's secondary mission is to provide positive, constructive advice to the Authority on how to improve implementation over the twenty-five year course of the program; this role shall include consideration by the ITOC of the biennial project lists submitted by the Agencies under Section 6. Up to \$70,000 per year, with adjustments for inflation based on the Consumer Price Index, may be used for activities necessary to the ITOC as described in this Section 11, including financial and performance audits of the Authority and the Agencies receiving revenue from the Authority.
- B. Audit Requirement:** The ITOC shall oversee the independent financial audit of the Authority and the financial and performance audits of the Agencies, which shall be performed in accordance with generally accepted auditing standards and Government Auditing Standards issued by the Comptroller General of the United States and performance goals adopted by the Authority consistent with Public Utilities Code Section 180000 et seq. The audits shall include the basic financial statements of the Authority as defined by the Governmental Accounting Standard Board pronouncement No. 34 and the performance of all aspects of the program based on the specific performance goals adopted by the Authority. The ITOC audit shall not relieve the Authority from performing its auditing obligations as imposed by law.
- 1) Role of Fiscal and Performance Audit and the ITOC:
- a. The ITOC shall, under the procurement rules of the Authority, jointly recommend with the active involvement of the Executive Director and the Authority Auditor, an independent California Certified Public Accountant to conduct an annual financial audit of the Authority pursuant to the provisions of this Ordinance, report findings based on the audit to the Authority, and to recommend any additional considerations which the ITOC believes may improve the financial operation while meeting all voter mandates.
 - b. The ITOC shall, under the procurement rules of the Authority jointly recommend with the active involvement of the Executive Director and the Authority Auditor, retention of an independent California Certified Public Accountant to conduct a biennial performance audit of the Agencies, pursuant to the provisions of this Ordinance, report findings based on the

audits to the Authority, and recommend any additional considerations which the ITOC believes may improve the integrity of program implementation while meeting all voter mandates.

- c. The ITOC shall review each Agency's annual independent financial audit, report relevant findings based on the audits to the Authority, and recommend any changes which the ITOC believes may improve the financial operations while meeting all voter mandates.
- d. The Authority shall hold a publicly noticed meeting annually, which may be a regular or special Authority Board meeting, with the direct participation of the ITOC, to consider the findings and recommendations of the audits. A report of the findings and recommendations of each audit by the ITOC shall be made readily available to the public in print and on the Authority's electronic website.
- e. The Authority shall publish a biennial report to the community to be published at the expense of tax revenues in all local Napa County newspapers of general circulation.

C. Membership and Selection Process

- 1) The Authority shall develop an open selection process, actively recruit, and appoint seven (7) Committee members who shall be residents of the County of Napa possessing the following credentials:
 - a. One member who is a professional, retired or active, in the field of municipal audit, finance and/or budgeting with a minimum of five years in a relevant and senior decision-making position in the public or private sector.
 - b. One member who is a licensed civil engineer, retired or active, with at least five years of demonstrated experience in the fields of transportation in government and/or the private sector.
 - c. One member who is a Certified Public Accountant (CPA) and experienced in financial audits.
 - d. One member shall be a representative of a Napa region Chamber of Commerce.
 - e. One member from a bona fide taxpayers association.
 - f. Two members from the public at-large.
- 2) The Chair and the Executive Director of NCTPA, the Chair of the Napa County Transportation and Planning Agency Technical Advisory Committee,

and the County Auditor-Controller shall serve as non-voting ex-officio members of the ITOC.

D. Terms and Conditions for Committees

- 1) The voting Committee members shall serve a two, three, and four year term, determined by the drawing of lots. Thereafter, Committee members shall serve four-year terms.
- 2) The Authority shall develop by-laws for the operation of the ITOC. The ITOC members shall receive a stipend of \$250 per quarterly meeting and no other payment shall be made for any purpose. This stipend will increase by \$50 per quarterly meeting every five years. A position on the Committee shall become vacant as a result of a member failing to attend two consecutive meetings.
- 3) The voting Committee members cannot be current local elected officials in Napa County or a full time staff member of any city, town, or county government, a local transit operator, or state transportation agency.
- 4) Non-voting ex-officio Committee members shall serve only as long as they remain incumbents in their respective positions and shall be automatically replaced by their successors in those positions.
- 5) If and when vacancies on the ITOC occur on the part of voting Committee members, either due to expiration of term or a vacancy occurring during a term, the Authority shall appoint an appropriate replacement within 90 days of the vacancy to fill the remainder of the term pursuant to the provisions of Government Code Sections 54970, *et. seq* (the Maddy Act).

E. ITOC Operation Protocols

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

F. Conflict of Interest

- 1) ITOC voting members shall have no legal action pending against the Authority and are prohibited from participating in any commercial activity directly or indirectly involving the Authority or Napa County Transportation and Planning Agency (NCTPA), such as being a consultant or vendor to the Authority or NCTPA during their tenure on the ITOC.

- 2) ITOC voting members shall not have direct and/or indirect commercial interest or employment with any public or private entity which receives transportation retail transactions and use tax revenues authorized by this Ordinance.

SECTION 12. ADMINISTRATIVE FUNCTIONS AND EXPENSES:

- A. Revenues may be expended by the Authority for the actual expense of salaries, wages, benefits, and those services, including contractual services, necessary to administer the Ordinance; however, in no case shall such administrative expenditures exceed one percent (1%) of the annual revenues provided by the Ordinance.
- B. Administrative functions include providing overall program direction and management necessary to implement Authority policy, formulating organizational goals and objectives, coordinating activities with other agencies and organizations, performing finance, accounting, purchasing, personnel, government and community relations, and legal matters.

SECTION 13. RECEIPT AND ALLOCATION OF TAX REVENUES: The Authority Auditor shall receive the tax revenue and shall allocate funds to the Agencies on a calendar quarter basis, together with any accrued interest, by the 20th day of the month following the end of the quarter.

SECTION 14. ESTABLISHMENT OF SEPARATE ACCOUNTING: Each Agency receiving the revenues identified in Section 3 shall have its revenues deposited in a separate interest bearing Transportation Improvement Fund. Interest earned on revenues allocated pursuant to this Ordinance shall be expended only for those purposes permitted by this Ordinance.

SECTION 15. IMPLEMENTING ORDINANCES: Upon approval of this Ordinance by the voters the Authority shall, in addition to the rules required to be provided pursuant to this Ordinance, adopt implementing ordinances, rules, and policies that are not inconsistent with the purpose and intent of this Ordinance and take such other actions as may be necessary and appropriate to carry out its responsibilities.

SECTION 16. EFFECTIVE AND OPERATIVE DATES: This Ordinance shall be effective on November 6, 2012, if two-thirds of the electors voting on the ballot proposition approving the Ordinance vote to approve the ballot proposition on November 6, 2012. The imposition of the tax authorized by this Ordinance shall be operative on July 1, 2018, or upon termination of the Flood Protection tax, and after at least 110 days notice to the State Board of Equalization.

SECTION 17. PLACE OF SALE: For the purposes of this Ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from

such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the state or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

SECTION 18. LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES: In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

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

SECTION 19. PERMIT NOT REQUIRED: If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this Ordinance.

SECTION 20. EXEMPTIONS AND EXCLUSIONS:

- A. There shall be excluded from the computation of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.
- B. There are exempted from the computation of the amount of the transactions tax the gross receipts from:
 - 1) Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.
 - 2) Sales of property to be used outside the county which is shipped to a point outside the county, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the county shall be satisfied:
 - a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-county address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and
 - b. With respect to commercial vehicles, by registration to a place of business out-of-county and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.
 - 3) The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.
 - 4) A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this Ordinance.
 - 5) For the purposes of subparagraphs (3) and (4) of this Section, the sale or lease of tangible personal property shall be deemed not to be obligated

pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this Ordinance, the storage, use or other consumption in this county of tangible personal property:

- 1) The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.
- 2) Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.
- 3) If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.
- 4) If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this Ordinance.
- 5) For the purposes of subparagraphs (3) and (4) of this Section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
- 6) Except as provided in subparagraph (7), a retailer engaged in business in the county shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the county or participates within the county in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the county or through any representative, agent, canvasser, solicitor, subsidiary, or person in the county under the authority of the retailer.
- 7) "A retailer engaged in business in the County" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft

licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the county.

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

SECTION 21. AMENDMENTS: This Ordinance and Expenditure Plan may be amended to provide for the use of additional federal, state, and local revenues or to account for unexpected revenues by approval of a two-thirds vote of the members of the Authority; the two-thirds must include the City of Napa, the County of Napa, and at least three other jurisdictions. No amendment may, in the aggregate, reduce the percentage of tax revenue allocated to the Local Streets and Roads Maintenance Program as apportioned in Section 3. No amendment shall operate so as to affect the rate or duration of tax imposed by this Ordinance.

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

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

SECTION 22. TEN-YEAR PROGRAM REVIEW: After the tax has been in effect for ten years after the operative date, the Authority shall conduct a comprehensive review of all revenues, projects and programs under the Expenditure Plan to evaluate the performance of the overall program over the previous ten-year period and to make revisions to the Expenditure Plan to improve its performance and allow for changed demographic conditions, transportation needs, revenues, and technology over the subsequent ten years. Revisions to the Ordinance and Expenditure Plan required as a result of the ten-year review shall be subject to the amendment process in Section 21. However, the 99% local street and road allocation provided in Section 3 shall not be altered.

SECTION 23. DESIGNATION OF FACILITIES: Each project or program receiving in excess of \$250,000 funded in whole or in part by revenues from the Ordinance shall be clearly designated with project signage at the project site during its construction or implementation as being provided by revenues from the Ordinance.

SECTION 24. SEVERABILITY: If any section, part, clause, or phrase of this Ordinance is for any reason held invalid or unconstitutional, the remaining portions shall not be affected but shall remain in full force and effect.

SECTION 25. ANNUAL APPROPRIATIONS LIMIT: Article XIII (B) of the California Constitution requires the establishment of an annual appropriations limit for governmental entities. The maximum annual appropriations limit for the Authority is hereby established as \$40 million. The appropriations limit shall be subject to adjustment as provided by law. All expenditures of the retail transactions and use tax revenues imposed by Section 4 are subject to the appropriations limit of the Authority.

SECTION 26. ENJOINING COLLECTION FORBIDDEN: No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the state or the Authority, or against any officer of the state or the Authority, to prevent or enjoin the collection under this Ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.


SECTION 27. DEFINITIONS:

- A. *Agency* means those cities, town, and county that lie within the geographic boundaries of the County of Napa.
- B. *Authority* means the Napa Valley Transportation Authority created by the Napa County Board of Supervisors with the concurrence of a majority of cities having a majority of the incorporated population of the county.
- C. *Expenditure Plan* means the expenditure plan required by Section 180206 of the Public Utilities Code to be adopted prior to the call of an election on this Ordinance. The expenditure plan includes the allocation of revenues for each authorized purpose. To the extent the summarized provisions of the expenditures contemplated by this Ordinance cannot be reconciled with the Expenditure Plan set forth in Attachment 1, the provisions of Attachment 1 shall prevail.
- D. *Effective Date* means the date the measure was passed by the electorate.
- E. *Highways* means all purposes necessary and convenient to the design, right-of-way acquisition, and construction of highway facilities, including all state highway routes and any other facilities so designated in the Expenditure Plan.
- F. *Infrastructure* means all components within the right-of-way necessary to support the roadway which includes road pavement, sub-grade, curb, gutter, sidewalks, curb ramps, surface and subsurface drainage, replacement traffic control devices, replacement roadway lighting, striping, pavement marking, intelligent transportation systems, and signage.

- G. *Maintenance* means repair, reconstruction or rehabilitation, and/or replacement of streets, roadways, and other infrastructure within the public right-of-way.
- H. *Operative Date* means the date the tax begins to collect revenue for this measure.
- I. *Project* is a single effort with a beginning and an end that would cause the construction or maintenance or reconstruction of some tangible portion of a transportation asset owned or operated by public agency that has independent utility. A *project* is not repeated on an annual basis, it does not appear without a detailed description as to cost and location in a local agency budget, and it must appear in a capital budget.
- J. *Reconstruction or Rehabilitation* includes any overlay, including the placement or replacement of base materials and any sub-grade work or widening of the roadway, if the widening is necessary to bring the roadway width to the desirable minimum width consistent with the geometric design criteria of the state for 3R (reconstruction, resurfacing, and rehabilitation). This does not include widening for the purpose of increasing the traffic capacity of a street or highway. This does include additions, changes or reconstruction of Infrastructure directly associated with the function of a street or roadway. It also includes additions necessary to incorporate and/or maintain bicycle facilities called for in the Napa County Transportation and Planning Agency's Countywide Bicycle Plan or adopted bicycle plans of the Agencies and any improvements or alterations necessary to the roadway and or pedestrian or bicycle travel ways to improve overall circulation and to meet American's with Disabilities Act requirements.
- K. *Regional Transportation Improvement Program Submission* means any program of projects sent or otherwise caused to be delivered to the Regional Transportation Planning Agency for Napa County by the entity designated by the Regional Transportation Planning Agency with the submission of that program for the local agencies for consideration by the Regional Transportation Planning Agency for inclusion in the Regional Transportation Improvement Program or its related documents.
- L. *Local Streets and Roads* means the pavement facilities and supporting Infrastructure within the street, road, or highway right-of-way.
- M. *Storm damage repair* means repair or reconstruction of local streets and highways and related drainage improvements that have been damaged due to storms and flooding, in those jurisdictions that have been declared disaster areas by the President of the United States and/or by the Governor of California.

SECTION 28. PUBLICATION OF ORDINANCE: A summary of this Ordinance shall be published at least five days before its passage in the local newspapers of general circulation published in the County of Napa, and at least once before the expiration of 15 days after its passage together with the names of the Directors voting for and against the same.

The foregoing Ordinance was introduced and read at a regular meeting of the Napa Valley Transportation Authority, held on May 16, 2012, and passed at a regular meeting of the Napa Valley Transportation Authority held on June 20, 2012, by the following vote:



KEITH CALDWELL, NMTA Chair

Ayes: GARCIA, BENNETT, GINGLES, KRIDER,
TECHEL, DODD, LUCE, CHILTON, DUNBAR

Noes: NONE

Absent: DUNBAR, BRITTON, WHITE

ATTEST:



Karalyn E. Sanderlin, NMTA Board Secretary

APPROVED:



Janice D. Killion, NMTA Legal Counsel

Attachment (1) Napa Countywide Road Maintenance Act Expenditure Plan

NAPA COUNTWIDE ROAD MAINTENANCE ACT EXPENDITURE PLAN

The net revenues received by the Authority from the proposed transactions and use tax shall be used to fund the projects described below after paying for the costs of this election, the costs of the Independent Taxpayer Oversight Committee, and administering the program. Only one percent (1%) of the net revenues may be expended on the costs of administration. The revenues received by the Authority will be less than the gross revenues actually collected because the fees the State Board of Equalization charges to collect the sales tax will be deducted before the revenues are transferred to the Authority. All funding and revenues are expressed in 2011 dollars over the twenty-five year life of the program.

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

Local Streets and Roads Maintenance Program

Description:

Of the annual revenues available, ninety-nine percent (99%) shall be allocated to the Local Streets and Roads Maintenance Program. Under the Ordinance, the funds for the Local Streets and Roads Maintenance Program must be used for maintenance, reconstruction or rehabilitation of local streets, roads, and infrastructure within the public right-of-way as defined.

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

Project	Percentage Distribution	Transaction and Use Tax
American Canyon	7.7%	\$21.945
Calistoga	2.7%	\$7.695
City of Napa	40.35%	\$114.997
Napa County	39.65%	\$113.003
St. Helena	5.9%	\$16.815
Yountville	2.7%	\$7.695
Total	99%	282.15

Amendments

This Ordinance and Expenditure Plan may be amended to provide for the use of additional federal, state, and local revenues or to account for unexpected revenues by

approval of a two-thirds vote of the members of the Authority; the two-thirds must include the City of Napa, the County of Napa, and at least three other jurisdictions. No amendment shall operate so as to affect the rate of tax imposed by this Ordinance.

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

Measure T Napa Countywide Road Maintenance Act Five-Year List of Projects
Project Submittal Form

Jurisdiction Name:					
Primary Contract #1		Email:		Phone:	
Secondary Contract #2		Email:		Phone:	
Staff Member Completing LS&R State Controller		Email:		Phone:	

Maintenance of Effort (MOE)

Please provide the following information to establish MOE amounts and to validate information:

- 1. Attach copies of Local Streets and Roads State Controller Reports for three years - FY 2007-08, FY 2008-09, FY 2009-10
- 2. Attach independent auditors validation for *each* Local Streets and Roads State Controller Report
- 3. Enter MOE Amounts Claiming: FY 2007-08 FY 2008-09 FY 2009-10

Please note: Eligible expenses include local streets and roads maintenance and supporting infrastructure within the public right of way—including but limited to pavement, sealing, overlays, reconstruction, associated infrastructure, as required, excluding any local revenues expended for the pupose of storm damage repair as verified by an independent auditor. One time allocations that have been expended for local streets and road maintenance, but which may not be available on an ongoing basis shall not be considered when calculating an Agency's annual maintenance of effort.

Planned Measure T Expenditures

Please provide 5 year planned streets and road maintenance projects beginning in FY 2018-19 (add more lines as needed). Per the Measure T Expenditure Plan, a *Project* is a single effort with a beginning and an end that would cause the construction or maintenance or reconstruction of some tangible portion of a transportation asset owned or operated by public agency that has independent utility. A *project* is not repeated on an annual basis, it does not appear without a detailed description as to cost and location in a local agency budget, and it must appear in a capital budget. Project numbers will be assigned by NVTA-TA.

[illegible]

Program Definitions:

Surface Treatment includes: slurry seal, fog seal, chip seal, microseal, etc.

Overlay - asphalt resurfacing

Reconstruction - includes in or all components associated with complete reconstruction of the roadway including road bed, widening to meet -complete streets requirements, and paving

Concrete work - includes ramps, sidewalks, curbs, gutters, and pavement

Drainage - includes any work required to address water run off and drainage including culverts, etc. associated with a roadway

Safety includes lights, signage, striping, traffic signals and pavement markings

Intelligent Traffic Systems - includes traffic signal interconnects or other systems to improve traffic management/operations and safety on roadways

Note: Final project list to be determined, depending on available revenues and when revenues become available, but distributed proportionately unless otherwise agreed to as part of a funding exchange proportionately as outlined in the Measure T Expenditure Plan. Prior to any allocation, jurisdictions will also be required to submit all of the necessary documentation requested above as well as a Resolution of support of the proposed project list. Requirements associated with the Class 1 **Bike Facility** expenditures to be agreed upon between the jurisdictions and memorialized in resolutions of support by affected jurisdictions.

Note: The above Program Definitions and listed project types are not all-inclusive. Other project types and/or means and methods may be included in the work plan provided the type of work is consistent with the intent of the Measure.

1. Fund structure for Measure T Funds held by NVTA-TA (held in County Treasury)

Fund 8310 – Napa Valley Transportation Authority
Dept 830 – Napa Valley Transportation Authority
Division 83100 – Napa Valley Transportation Authority
Sub-Division 83100-00 – NVTA Administration
83100-01 – NVTA Unincorporated County
83100-04 – NVTA City of American Canyon
83100-02 – NVTA City of Napa
83100-05 – NVTA Town of Yountville
83100-06 – NVTA City of St. Helena
83100-07 – NVTA City of Calistoga

Each sub-division will maintain its own cash accounts and fund balance.

2. Receipt of Tax Allocations and Interest to the Authority

Each Sub-division will receive the direct allocation of sales tax proceeds at the time funds are received monthly by NVTA-TA. Sales tax revenues received will be recorded in account #41400 – *Sales and Use Tax*.

Allocation to agencies specified in Ordinance No 2012-01 is as follows:

City of American Canyon	7.70%
City of Calistoga	2.70%
City of Napa	40.35%
County of Napa	39.65%
City of St. Helena	5.90%
Town of Yountville	2.70%
Authority Administration	1.00%
Total	100.00%

The Board of Equalization administration fee (estimated 1 to 1.5%) is deducted from the gross receipts prior to calculating the Measure T allocations to the agencies.

Each sub-division will earn interest at the Treasurer's pooled interest rate and will be earned quarterly, based on average daily balance. Interest received will be recorded in account #45100 – *Interest*.

Revenues are to be recorded on an accrual basis.

Napa County
Measure T – Transportation Tax
Accounting, Reporting and Auditing Guidelines

3. Disbursements

a. Allocations of Taxes to the Agencies from the Authority

As stated in Section 13 of Ordinance No 2012-01 “The Authority Auditor shall allocate funds to the agencies on a calendar quarter basis, together with any accrued interest, by the 20th day of the month following the end of the quarter.” In order to comply with this section, once the agencies are deemed eligible for receiving funds by NVT-A-TA, on a quarterly basis as prescribed above, the Auditor-Controller shall run a detailed report on the activity in each sub-division’s cash account showing the monthly sales tax allocations and interest earnings. This will be attached to a payment claim form to transfer the funds to each agency. The expenditure line for the allocation will be recorded in account #52525 – *Maintenance-Infrastructure/Land*.

Expenditures are to be recorded on an accrual basis. Sales tax is generally three months in arrears, therefore at each year end, there will be an accrual set up as of 6/30 for the amount due to each agency once all sales taxes are received and interest is posted.

b. Administration Expenditures: Sub-Division 83100-00

All direct administrative expenses will be accounted for directly out of the Administration budget unit, capped to the 1% of revenues generated from the Tax in accordance with Section 12 of Ordinance No. 2012-01. Expenditures are limited to “administrative functions providing overall program direction and management necessary to implement Authority policy, formulating organizational goals and objectives, coordinating activities with other agencies and organizations, performing finance, accounting, purchasing, personnel, government and community relations, and legal matters.”

c. ITOC Stipends – Section 11.D.2

ITOC members are to receive a stipend of \$250 per quarterly meeting, with an increase of \$50 per meeting every five years, scheduled as follows:

Fiscal Year	Quarterly Stipend
2018-19 through 2022-23	\$250.00
2023-24 through 2027-28	\$300.00
2028-29 through 2032-33	\$350.00
2033-34 through 2037-38	\$400.00
2038-39 through 2042-43	\$450.00

- ITOC members must fill out a W-9 for IRS purposes to remain on file with the County Auditor-Controller, and will receive a 1099-misc form at the end of each calendar year for compensation received.
- Members must sign a stipend request form validating their attendance. No payment will be issued without a signed and dated form. **(Exhibit A – Stipend Certification)**
- Stipends are construed as Administrative Expenditures and will be paid directly from this budget unit.

Napa County
Measure T – Transportation Tax
Accounting, Reporting and Auditing Guidelines

d. Auditor-Controller Administrative Salaries and Expenditures

As the Authority Auditor, with the role of fiscal oversight and integrity of the Measure, the Napa County Auditor-Controller will be required to track all hours and expenses and provide a detailed accounting for all items requested to be reimbursed. As with all other Districts and JPA's the Auditor-Controller will provide an annual hourly rate schedule, which varies by staff position, to ensure fair and equitable charges for work performed related to Measure T.

(Exhibit B – Contract between Napa County Auditor-Controller and NVTa)

Quarterly charges will be assessed for general accounting work including processing checks, reimbursement requests, journal entries, reports, audits and other work completed on behalf of the Napa Valley Transportation Authority and ITOC. These costs are construed as Administrative Expenditures and will be paid directly from the Administration budget unit.

e. NVTa-TA Contracted Administrative Salaries and Expenditures

As the administrators of the Napa Countywide Road Maintenance Act, NVTa-TA shall be reimbursed for salaries and expenditures related to official business of the Act, including work completed on behalf of the Napa Valley Transportation Authority and ITOC. NVTa-TA will be required to track all hours and expenses and provide a detailed accounting for all items requested to be reimbursed. NVTa-TA will provide an annual hourly rate schedule, which varies by staff position, to ensure fair and equitable charges for work performed related to Measure T.

(Exhibit C – Contract between NVTa and NVTa-TA)

A quarterly claim, including a journal entry to transfer the funds from the Administration Sub-division to NVTa-TA, with all back up documentation, shall be signed by the Executive Director and submitted to the Auditor-Controller for approval. These costs are construed as Administrative Expenditures and will be paid directly from the Administration budget unit.

f. Authority Counsel Expenditures

The Authority will be provided legal counsel by [Napa Valley Transportation Authority Counsel – Renee Sloan Holtzman Sakai LLP \(RSHS\)](#). [NVTa Counsel](#) will be required to track all hours and expenses and provide a detailed accounting for all items requested to be reimbursed. [NVTa Counsel](#) will provide an annual hourly rate schedule, which varies by staff position, to ensure fair and equitable charges for work performed related to Measure T.

(Exhibit D – Contract [RSHS](#) and NVTa)

These costs are construed as Administrative Expenditures and will be paid directly from the Administration budget unit.

g. Auditor-Controller's Authority on Disbursements

The Auditor-Controller may dispute a claim from the Administration budget unit if the expenditure does not appear in accordance with the Ordinance or reasonable in amount. Disputed claims may be brought forth by the claimant to the Authority for approval in a public meeting.

Napa County
Measure T – Transportation Tax
Accounting, Reporting and Auditing Guidelines

4. Financial Reporting Requirements for Measure T Funds held by NVTA-TA

- a. As stated in 3.a above, after quarterly interest is posted by the County Treasurer the funds will be transferred to each agency.
- b. Quarterly review of all transactions within each sub-division will be completed to ensure all postings are accurate and timely.
- c. An annual review will occur prior to official close of the books to ensure all postings are accurate and timely and that all funds have been transferred to the appropriate agency as specified in the Master Agreement

5. Agency Record Keeping

- a. Each agency must keep the funds segregated in a special revenue fund specifically for ~~Local Streets and Roads (LS&R)~~ Measure T.

All revenue sources and expenditures using the revenues sources shall be fully accounted for. Measure T funds should be recorded as Other Governmental Revenue on the agency books. All project expenditures should be budgeted for and disbursed from these funds so that a full accounting is captured, within proper accounting categories.

Each agency accounts for and tracks its capital projects in a capital project fund and each project may include multiple funding sources. Each agency must provide a full accounting of all revenues and expenses attributed to each specific project. Therefore, expenditures within the LS&R- Measure T special revenue fund, shall include “transfers out” to other funds for the monies being used within a capital project that was approved by the Master Agreement. Agencies shall keep the records using accrual accounting, setting up both receivables and payables as of 6/30 each year.

Definition: A Special Revenue Fund is a governmental fund type used to account for the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects. The use of a special revenue fund ensures segregation of restricted funds, the ability to allocate proper interest earnings and ease of tracking the inflows and outflows of the revenues.

- b. To ensure compliance with the 6.67% class 1 path requirement, each agency will track all revenues and expenditures related to these projects and include the information on the progress reports discussed in #6 below.

6. Financial Reporting Requirements for Each Agency

Every expenditure will have supporting documentation, including invoices and proper authorizations, to ensure that all costs charged to the funds are eligible and in full compliance with the Master Agreement. This documentation shall be maintained by each agency and shall be made available for inspection and audits upon request by either the Auditor-Controller or NVTA-TA.

Napa County
Measure T – Transportation Tax
Accounting, Reporting and Auditing Guidelines

Semi-Annual Progress Reports are due March 1st (for the period of July – December) and September 1st (for the period of January – June). Each progress report shall provide a summary listing consisting of the Project Name, Approved Budget, Amount spent to date, Amount remaining, Percentage of Completion, and Date Completed if applicable. In addition, each agency will provide an accounting of the class 1 path requirement, both year-to-date and cumulative since inception of the tax.

(Exhibit E – Agency Progress Report)

Attached to each summary shall be a system generated trial balance report and detailed expenditure listing for the Special Revenue funds listed in Item 5 above. If, in the course of an expenditure review or audit, it is determined that an ineligible expense was made, the jurisdiction will be directed to return the funds to the LS&R Special Revenue fund for a future eligible expense.

Once the agency's books are closed for the fiscal year and a comprehensive audit is completed, as stated in Section 4 of the Master Funding Agreement, by January 1st of the following year, each Agency will provide a copy of the Comprehensive Annual Financial Report (CAFR) and the State Controller's Street Report. Due to the timing of these reports, where numbers vary, the Agency shall provide a reconciliation explaining the differences.

7. Annual Audits

All audits and record keeping will be performed in accordance with generally accepted accounting principles (GAAP) and Government Accounting Standards (GAS)

- The Auditor-Controller will oversee the annual accounting and fiscal process through review of quarterly and annual reports submitted by each agency.
- NVT-A-TA will oversee project performance through review of semi-annual reports submitted by each agency.
- Each Agency (County/Cities/Town) will procure an independent certified public accountant to conduct an annual financial audit that includes in its scope all transactions regarding Measure T. This will NOT be an additional audit on top of their Comprehensive Annual Financial Report, as these funds are included in their overall agency operations for specified projects. Any findings will be communicated to the Authority Auditor, who will then present to the ITOC and Authority.
- NVT-A-TA will have an independent annual financial audit, which will be overseen by the ITOC. The audit will contain supplementary schedules which summarize each agency financial status regarding Measure T funds. This audit will be presented by the Independent Auditor and the Authority Auditor to the ITOC and Authority.
- Each agency will undergo a performance audit every two years, which is non-financial in nature. This audit shall be focused on the projects and compliance with the Master Agreement. This audit will be presented by the Independent Auditor to NVT-A-TA and the ITOC. The audits will be completed on a rotating basis with the County, City of American Canyon and the Town of Yountville to be done in one year, while the Cities of Napa, St. Helena and Calistoga will be completed in the following year.
- The above audits satisfy all audit requirements in the Ordinance. Each agency is audited through their comprehensive annual audit process, the Authority will undergo a separate independent audit, and the independent performance audits on each agency will be completed biannually.

Napa County
Measure T – Transportation Tax
Accounting, Reporting and Auditing Guidelines

- Audits are construed as Administrative Expenditures and will be paid directly from the Administration budget unit. There is a maximum of \$70,000 per year (adjusted for inflation on the CPI) for annual financial and performance audits. NVT-A-[TA](#) and the Authority Auditor will track these expenditures annually to ensure the maximum is not exceeded.

8. Community Report

Section 11.B.e of Ordinance No. 2012-01 specifies that the Authority shall publish a biennial report to the community. For clarification, this report may be completed annually and will be compiled in collaborative manner between NVT-A-[TA](#), the Agencies, ITOC and the Auditor-Controller. The Community Report is construed as Administrative Expenditures and will be paid directly from the Administration budget unit.

9. Interagency Loans

In the event that one agency requests a loan from another for approved projects, an interagency loan agreement will be executed. Each agency shall record a due to/due from amount on their respective books with an approved pay back schedule. Total pay back must occur prior to the sunset of the tax.

RESERVE THIS SECTION FOR THE INTERAGENCY LOAN AGREEMENT.

RESOLUTION No. X-X

**A RESOLUTION OF THE CITY OF XXX
APPROVING PROJECTS UNDER MEASURE T PROGRAM**

WHEREAS, on November 6, 2012 the voters of Napa County passed the Napa Countywide Road Maintenance Act, also known as Measure T, which imposes a half cent transaction and use (sales) tax to provide supplemental funding for road maintenance as detailed in the Measure T Expenditure Plan; and

WHEREAS, the Napa Valley Transportation Authority is the designated agency that administers and oversees the Measure T revenues; and

WHEREAS, the [City/Town/County of XX] is an eligible recipient of Measure T funds; and

WHEREAS, the tax proceeds will be used to pay for the projects outlined in the Measure T Expenditure Plan allocated to the County of Napa and the cities and town within Napa County ("Local Agencies") as set forth in Measure T; and

WHEREAS, under the Measure T Expenditure Plan, Measure T funds are provided to the Local Agencies to be used for streets and roads projects as defined in the Measure; and

WHEREAS, the [City/Town/County of XX] has entered into a Master Agreement with NVTA that outlines procedures for Measure T expenditures, and

WHEREAS, the [City/Town/County of XX] provided a draft five-year project list to NVTA for the expenditure of Measure T funds as required by the Measure; and

WHEREAS, it has been determined by the NVTA Board that these expenditures meet the requirements of the Measure T Master Agreement;

WHEREAS, Measure T project(s) will comply with the requirements under the California Environmental Quality Act (California Code Sections 21000 *et seq.*; as implemented through California Regulations Title 14, Chapter 3, Sections 15000 *et seq.*);

NOW, THEREFORE, BE IT RESOLVED by the [City/Town Council of XX/County Board of Supervisors] as follows:

1. The [Council/Board of Supervisors] hereby adopts the five-year project list as set forth in Exhibit "A," and authorizes the Public Works Director to file the list with NVTA.

Passed and adopted this X day of XXX, 2014.

Chair

Ayes:

Nays:

Absent:

ATTEST:

Clerk

APPROVED:

Attorney

Measure T: Progress Report
Due March 31st and September 30th

Jurisdiction:
Qtr:
Amount of funds in Special Measure T Revenue Fund:

Measure T Project No.	Project Name	Location	Program	Approved Budget	Measure T Funds	Other Funds	Amount Spent To-Date	Amount Remaining	Project Status (% Complete)	Project Start Date	Estimated Completion Date
			surface treatment								
			surface treatment								
			surface treatment								
			surface treatment								
			surface treatment								
			surface treatment								
			surface treatment								
			surface treatment								
			surface treatment								
TOTALS				\$0	\$0	\$0					

Class I Facility Tracking						
Project Name	Project Description	Location	Total Cost	Funding Source	Start Date	Estimated Completion Date

"Recipients must demonstrate that 6.67% equivalent to Measure T funds received has been committed to Class 1 Bike facilities.

RESOLUTION No. X-X

**A RESOLUTION OF THE CITY OF XXX
APPROVING MAINTENANCE OF EFFORT AMOUNT UNDER
MEASURE T PROGRAM**

WHEREAS, on November 6, 2012 the voters of Napa County passed the Napa Countywide Road Maintenance Act, also known as Measure T, which imposes a half cent transaction and use (sales) tax to provide supplemental funding for road maintenance as detailed in the Measure T Expenditure Plan; and

WHEREAS, the Napa Valley Transportation Authority is the designated agency that administers and oversees the Measure T revenues; and

WHEREAS, the [City/Town/County of XX] is an eligible recipient of Measure T funds; and

WHEREAS, the tax proceeds will be used to pay for the projects outlined in the Measure T Expenditure Plan allocated to the County of Napa and the cities and town within Napa County ("Local Agencies") as set forth in Measure T; and

WHEREAS, under the Measure T Expenditure Plan, Measure T funds are provided to the Local Agencies to be used for streets and roads projects as defined in the Measure; and

WHEREAS, the [City/Town/County of XX] has entered into a Master Agreement with NVTA that outlines procedures for Measure T expenditures, and

WHEREAS, the [City/Town/County of XX] shall determine and certify to NVTA-TA the average maintenance of effort amount for Fiscal Years 2007-08, 2008-09 and 2009-10, consistent with the criteria set forth in Section 9 of Ordinance No. 2012-01, including a memorandum detailing the supporting financial documentation and the methodology utilized to calculate the average fiscal year street and roads costs.; and

WHEREAS, that amount set forth in Exhibit "A" will be deemed the "Maintenance of Effort" of the [City/Town/County of XX], which must be maintained annually throughout the term of the Measure from the General Fund of the [City/Town/County of XX]; and

WHEREAS, By January 1st each calendar year, the [City/Town/County of XX] must certify to and provide NVTA-TA a copy of its California State Controller's Annual Street Report as well as a Resolution approved by the [City/Town/County of XX] governing body, including backup documentation, showing that the Maintenance of Effort was met the prior fiscal year; and;

WHEREAS, Measure T project(s) will comply with the requirements under the California Environmental Quality Act (California Code Sections 21000 *et seq.*; as implemented through California Regulations Title 14, Chapter 3, Sections 15000 *et seq.*);

NOW, THEREFORE, BE IT RESOLVED by the [City/Town Council of XX/County Board of Supervisors] as follows:

1. The [Council/Board of Supervisors] hereby adopts the Maintenance of Effort amount as set forth in Exhibit "A," and authorizes the Public Works Director to file the amount with NVTA-TA.

Passed and adopted this X day of XXX, 2018.

Chair

Ayes:

Nays:

Absent:

ATTEST:

Clerk

APPROVED:

Attorney

Measure T Implementation Timeline	
December 31, 2017	Final MOE Deadline
February 2, 2018	Signed Master Agreement, Approved Expenditure Plans and Resolutions Deadline
February-March 2018	First ITOC Meeting
July 1, 2018	Measure T Revenue Begins Accruing
October 2018	First Distribution of Measure T Funds



NAPA VALLEY TRANSPORTATION AUTHORITY TAC Agenda Letter

TO: Active Transportation Advisory Committee (ATAC)
FROM: Kate Miller, Executive Director
REPORT BY: Diana Meehan, Associate Planner
(707) 259-8327 / Email: dmeehan@nvta.ca.gov
SUBJECT: Napa Countywide Bicycle Plan Update – Refined Vision, Goals and Objectives

RECOMMENDATION

That the TAC approve the updated Countywide Bicycle Plan vision, goals and objectives.

EXECUTIVE SUMMARY

The last Countywide Bicycle Plan was completed in 2012 and adopted prior to the introduction of the Active Transportation Program (ATP) and its various planning requirements. Last year, the first Countywide Pedestrian Plan was completed and will be combined with the updated Bicycle Plan to create an Active Transportation Plan. The Active Transportation Plan will provide guidance to jurisdictions for improving the active transportation network in Napa County and provide the framework for achieving the Countywide Transportation Plan, Vision 2040 goal of a 10% bicycle mode share by 2040.

The updated Vision, Goals and Policies document builds on the previous plan language and develops policies for each of the primary two goals: connectivity and safety.

FISCAL IMPACT

Is there a Fiscal Impact? None

CEQA REQUIREMENTS

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

BACKGROUND AND DISCUSSION

The 2012 Countywide Bicycle Plan Vision statement (Pg. 3, Attachment 2) establishes Napa County as a bicycle friendly community once the principal goals of the plan are achieved. The principal goals expound upon developing and building a safe, connected, user-friendly bicycle system that contributes to the health, economy and well-being of the entire community and its visitors. While the vision statement provides the long term view for bicycling in Napa County, the goals and policies represent the principles for achieving the vision.

The proposed vision statement (Attachment 1) for the 2017 plan update combines portions of the past vision and goals statement and references two primary plan goals:

1. Connectivity
2. Safety

These two goals are represented in a streamlined format, and include corresponding policies that were drawn from the previous plan providing a simplified framework for achieving Countywide plan goals. This updated version consolidates the 10 previously listed objectives and 64 policies into a more succinct and achievable matrix. The matrix will add agency/organization responsibilities for implementation once approved.

Many of the multiple policies listed under the previous plan's objectives are more project and program specific and can be embodied within jurisdictions' plans as needed. The addition of jurisdiction-specific policies in individual plan components will allow context sensitive solutions rather than a one-size-fits-all policy framework.

The draft Vision, Goals and Policies were sent to jurisdiction staff on September 22, 2017 with a request for comments by October 6, 2017. Comments were received by the City of Napa. (Attachment 3)

The ATAC recommended changes and approved the updated Vision, Goals and Policies at their November 27, 2017 meeting (Attachment 1). Staff is requesting that the TAC review, comment and approve the proposed Countywide Draft Vision Goals, and Policies for the 2017 update of the Napa Countywide Bicycle Plan.

Next Steps:

- Additional matrix components:
 - Jurisdiction specific policies for individual plans
 - Information identifying agency responsible for implementation (for inclusion in each individual jurisdiction plan)

SUPPORTING DOCUMENTS

Attachment(s): (1) Updated Vision, Goals and Objectives
(2) 2012 Countywide Vision, Goals and Objectives
(3) City of Napa Comments



1935 Addison Street, Suite A
Berkeley, CA 94705
510.298.0740 x174
301.927.2800 fax
www.tooledesign.com

Draft Vision, Goals, and Policies Napa Countywide Bicycle Plan

October 2, 2017

This memo outlines the draft vision, goals, and policies for the updated Napa Countywide Bicycle Plan. This policy framework will be revised as additional input is received throughout the planning process. As a next step, a matrix identifying which agencies/organizations are responsible for implementing each objective/policy will be drafted.

Proposed Vision Statement

Napa County's vision is to be a bicycle-friendly community with a world class bicycling system for all ages and abilities. The comprehensive, connected bicycle system will provide people with safe, convenient and enjoyable access to destinations throughout all Napa County jurisdictions and ~~to destinations~~ beyond. Residents and visitors will enjoy bicycling for everyday commuting, non-work trips and recreation. Bicycling contributes to a high quality of life, promotes health and will help achieve a 10% mode shift in Napa County by 2035.

Goals and Policies

The following are the proposed goals and policies for the updated Napa Countywide Bicycle Plan.

Goals		Policies
Connectivity	Connected low-stress bicycle network	<ul style="list-style-type: none"> • Build and maintain a local and countywide bicycle transportation and recreation network that connects Napa County's incorporated cities/town and unincorporated communities and provides access to public transportation and community destinations. • Develop and maintain continuous <u>Low-Stress bicycle facility networks</u>north-south and east-west Class I multi-use pathways to provide <u>seamless</u> intra-city connections that and serve as the backbone of the Countywide Bikeway System. • Prioritize completion <u>of network connections to</u> of regionally significant primary bikeways including the Napa Valley Vine Trail, the Bay Trail and the Ridge Trail, many segments of which also serve as local routes. • Provide secure bicycle parking at public and private destinations throughout Napa County. • Integrate the bicycle network into land use decisions and developments.
Equity	Improve bicycle access for disadvantaged communities	<ul style="list-style-type: none"> • Prioritize projects that improve access for underserved communities, particularly those reliant on walking, biking and transit for transportation.
Safety	Improved safety for all ages and abilities	<ul style="list-style-type: none"> • <u>Reduce the number and severity of bicycle collisions.</u> • <u>Reduce bicycle fatalities to Zero by 2035</u> • Target and improve areas that have high incidences of bicycle collisions. • <u>Implement Complete Streets policies that accommodate bicyclists, pedestrians, and transit riders and enable safe access for all <u>ages and abilities</u>.</u> • <u>Encourage education programs in all jurisdictions and school districts.</u> • Implement appropriate, well-designed bicycle facilities and intersection and other crossing improvements.

A Common Vision and Plan for Bicycling Throughout Napa

This Napa Countywide Bicycle Plan presents a cooperatively-developed 25-year vision for building a complete bicycling system for our community. It also presents a carefully chosen set of specific goals, objectives, and policies to guide the ongoing evolution of that system. Altogether, this Plan will function as a mutually agreed upon framework applicable to the entire system and to the set of interconnected local bicycle networks, made up of all types of bikeways. These include “Class I” multi-use paths, physically separated from roadways, “Class II” bike lanes, designated by striping on roads and “Class III” bike routes, which are roadways designated to be shared by bicycles and other vehicles.

Napa County, with its varied terrain, beautiful scenery, and mild weather is ideal for both practical and recreational cycling. Cities in the County are relatively flat and compact, characteristics that are optimal for intra-city commute and utilitarian trips. Currently, inter-city travel on the valley floor via bicycle can be challenging because of the distance between the cities, limited connections, and roads with high-speed traffic. Outside of the cities and valley floor, the County’s mountains, valleys, and scenery provide a “world class” experience that is a physically challenging and attractive for recreational cyclists.

This Plan has been developed at a time when there has been a strong surge of interest in bicycling (and non-motorized transportation in general) in Napa County, as well as in the Bay Area Region, the nation and the world. New programs, systems and technologies have been emerging month by month, spurred on by an intention to reduce greenhouse gas emissions, to promote more active, healthy transportation options, to reduce traffic congestion, and to provide connections between our communities. The Napa Vine Trail Coalition, dedicated to creating a Class I Multi-use Path the full length of Napa Valley, has emerged as a popular community organization, made up of over 25 of the county’s most influential non-profit and government groups. The Napa Bicycle Coalition, recently re-named “NapaBike,” has energized the cycling community to become an even more active participant in the development of cycling resources in the county. The local “Safe Routes to School” program has been expanding rapidly, now serving schools throughout Napa County. The Napa County Transportation and Planning Agency (NCTPA) has adopted a long range strategic goal of having 10 percent of all trips made by bicycle in Napa County. This plan is one way that NCTPA looks to accomplish this goal, in close partnership with the governments, non-profit organizations and citizens of our community.

This Plan is made up of two major elements:

1. A specific set of existing and proposed Class I, II and III bikeways, presented on a set of maps and a linked set of data tables that describe the routes, including their beginning and end points.
2. A set of supportive policies and programs designed to make maximum safe use of existing routes, and to promote turning “proposed” routes into reality.

This Plan is presented in two parts:

1. The Countywide Overview, which describes elements that are common to all six Napa jurisdictions
2. Six jurisdiction-specific planning documents, one each for the Cities of American Canyon, Napa, St. Helena and Calistoga, one for the Town of Yountville and one for Napa County.

This Plan is a complex living document and will be continuously revised in the years to come. Each of the six jurisdictions in our community has staff members (in the public works and/or planning departments) who work together with the NCTPA to bring the elements of the plan to life. Most communities also have local citizen committees dedicated to the implementation, upkeep and revision of this plan. Other community organizations, such as the Napa Valley Vine Trail Coalition and NapaBike also participate in cooperatively overseeing the implementation of this plan. Throughout the year, these

groups will review recommendations from the community for revisions to the plan. Based on this input, the NCTPA will revise the set of existing and proposed routes each year in January and we will revise the entire plan every five years. Special amendments may also be made at any time.

The Plan has been developed over the past year with active participation of several key groups: the staff of each City, Town and County; the local bicycle committees, made up of citizens appointed by the local governments; the general cycling community, which has been invited to all planning meetings; and the public at large, which was invited to two “bicycle summits” held at key points in the development of the Plan.

The Plan contains a set of policies, some of which are shared by all six jurisdictions in the county, and some of which are special for each City or Town or the unincorporated County. These policies, which will be adopted by each jurisdiction’s governing council, will be the official “rules of the road” related to the development of cycling resources in our community. They are designed to enhance bicycle mobility and to improve safety, access, traffic congestion, air quality, and the overall quality of life for our residents, workers and visitors.

The role of the NCTPA is to coordinate planning and funding efforts, advocate and promote safe cycling, and interface with regional, state and federal cycling agencies, groups and committees. Local agencies, such as cities, towns, and the County and the non-profit and private sectors, will be chiefly responsible for implementation of the objectives, policies and programs.

Key Concepts

These are some of the key concepts and terms used in this plan:

- *Bicycle “System”* – the whole of all of the components, including both physical and programmatic.
- *“Bikeway”* – a Class I multi-use path, Class II lane, or Class III route
- *Bicycle “Network”* – the interconnected set of physical bikeways (Class I, II and III).
- *“Primary Bikeway Network” (new in this plan)* – a continuous countywide network extending between and through communities that provide inter-city and inter-county routes and other key connections.
- *Goal* – where we want to be as a result of this planning exercise. The Goals in this plan are broad, optimistic and express our long-term vision.
- *Objective* – mileposts along the way to achieving the goals. They are specific, measurable steps to be achieved if the overall goals are to be met.
- *Policy* – a principle or rule to guide decisions by each local agency with regard to a particular issue or set of issues.
- *Program* – a specific action or set of actions designed to accomplish the policy or objective.

a more comprehensive glossary can be found beginning on page 72

A Bicycling Vision and Goals for Napa County

Vision

There will be a comprehensive, interconnected bicycle system throughout Napa County, including connections to the rest of the Bay Area region. There will also be development patterns and programs that will support access to this system and provide people with safe, convenient and enjoyable. Bicycling is common for everyday trips and recreation, contributing to the quality of life in Napa and the health, safety and welfare of its residents, workers and visitors. Napa is known as a bicycle friendly community, achieving the highest level of certification from the League of American Bicyclists, with a “world class” bicycling system.

Goals

Principal Goal – *To develop and maintain a safe and comprehensive countywide bicycle transportation and recreation system that provides access, opportunities for healthy physical activity, and reduced traffic congestion and energy use. Policies, programs and projects work together to provide safe, efficient and enjoyable opportunities for bicyclists of all types, ages, and abilities to access public transportation, school, work, recreation areas, shopping and other activity centers, and residential neighborhoods, and to connect Napa jurisdictions to each other and the region.*

From the NCTPA Strategic Plan, “Napa’s Transportation Future” – *Increase the percent of countywide trips made by bicycle to 10 percent*

What is in this Plan?

The NCTPA Bicycle Plan addresses bicycle facility needs over a 25-year planning horizon and consists of several parts. There are six stand-alone Bicycle Plans (for the Cities of American Canyon, Napa, Calistoga and St. Helena, the Town of Yountville, and the County of Napa) to be used by the individual agencies to document policy and guide implementation of local projects and programs; and there is this countywide overview section to discuss mutual issues and foster improved coordination in realizing the countywide bicycle system. The individual Plans have been developed to address the local context of each community, to coordinate bicycle access between jurisdictions, and to comply with the requirements of the State-mandated Bicycle Transportation Act. This Plan includes a vision statement, goals, policies, and objectives. It documents existing conditions and proposed projects in text, tables, and GIS Maps. It includes a collision analysis and future funding needs. It provides a description of proposed projects and priorities for implementation; details design standards for bikeways, and includes a series of programmatic recommendations intended to help mainstream bicycling help achieve larger community livability and transportation goals, and to improve safety conditions for bicyclists and motorists alike.

The first *Napa Countywide Bicycle Master Plan* was prepared and adopted by the NCTPA in 2003. This plan, the 2011 Plan, was developed in accordance with the State of California Bicycle Transportation Act.

Who will use this Plan?

The Napa Countywide Bicycle Plan will be used by agency staff, developers, transportation planners and engineers, elected officials, and the public as a tool used to evaluate current and long-term development plans for bicycle transportation. The Bicycle Plan is the “go to” tool for guiding staff and the development community in building a multi-modal transportation system that is bicycle “friendly,” and is a resource for available measures to encourage residents and visitors to make trips in the Napa area by bicycle.

Background and Partners

Purpose of the Plan

The Napa Countywide Bicycle Plan provides the framework – background, coordination, vision, direction, and tools – to improve the bicycle transportation system throughout Napa County and its communities. The Plan is intended to guide and influence the development of bikeways, policies, programs and facility design standards to make bicycling safer, more comfortable, convenient, and enjoyable for all bicyclists in the Plan Area. The goal of implementing the Bicycle Plan is to increase the number of persons who bicycle throughout Napa County for transportation to work, school, and for utilitarian purposes, as well as for recreation and tourism. This Plan takes a coordinated and comprehensive approach to addressing policies, standards, education, and access, and includes projects and programmatic recommendations to improve bicycle transportation and safety across city boundaries and to neighboring counties.

Because motorized vehicles dominate the transportation system, bicycling is often perceived to be a dangerous and/or an unimportant mode of travel. The truth is bicycling can bring great economic, environmental, social and health benefits to our region. And, on any given day, a motorist is many times more likely to be involved in a crash than a bicyclist. Raising public awareness about the importance and value of bicycling, and its legitimate place in the transportation system, must be an ongoing priority.

This Plan focuses on facilities that provide direct, convenient connections to desired destinations including employment centers, commercial areas, parks, schools, tourist destinations, and transit. This coordinated effort will help with the inter-jurisdictional planning of bikeways that cross boundaries and affect more than one city or one planning agency (primary routes). Finally, this Plan will serve as a tool to obtain regional, state, and federal funding for bicycle projects and programs. This Countywide Bicycle Plan and its project proposals will be incorporated into the Napa County Transportation Planning Agency (NCTPA) Strategic Transportation Plan, the Regional Bicycle Plan for the San Francisco Bay Area, and the Metropolitan Transportation Commission's (MTC) Regional Transportation Improvement Program (RTIP).

The Bicycle Transportation Act

The California Bicycle Transportation Act (BTA) requires that local agencies complete a Bicycle Transportation Plan in order to qualify for Bicycle Transportation Account grant funds issued by the California Department of Transportation. This Plan was crafted under the NCTPA's authority to conduct countywide transportation policy development and planning. The NCTPA and this coordinated planning effort fully recognize that the NCTPA does not have authority to construct the facilities recommended within the Plan, nor does it have the authority to require the adoption of the Plan by others. Therefore, the effort is meant to coordinate planning activities amongst the local agencies that do have the authority to construct the facilities and conduct the activities recommended.

Caltrans Compliance – Required Elements per BTA

The Napa Countywide Bicycle Plan was prepared in accordance with the California Bicycle Transportation Act. To be eligible for Bicycle Transportation Account Funds, the California Bicycle Transportation Act requires that cities and counties prepare and adopt a Bicycle Transportation Plan that addresses items a – k in Section 891.2 of the Streets and Highways Code. These items are outlined in Table 1. To maintain eligibility with the Caltrans BTA, Bicycle Transportation Plans must be updated every five years. Information on the Bicycle Transportation Act, Bicycle Transportation Plan (BTP) preparation and processing, and eligible Bicycle Transportation Account projects is available on Caltrans' BTA webpage; <http://www.dot.ca.gov/hq/LocalPrograms/bta/btawebPage.htm>

Note that Items a – k are addressed in the local agency plans.

Table I
Required Bicycle Master Plan Elements per California Bicycle Transportation Act (1994)

-
- | | |
|----|--|
| a. | Estimated number of existing and future bicycle commuters |
| b. | Map and description of land use settlement patterns |
| c. | Map and description of existing and proposed bikeways |
| d. | Map and description of bicycle parking facilities |
| e. | Map and description of multi-modal connections |
| f. | Map and description of facilities for changing and storing clothes and equipment |
| g. | Description of bicycle safety and education programs |
| h. | Description of citizen and community participation |
| i. | Description of consistency with transportation, air quality, and energy conservation plans |
| j. | Description of proposed projects and implementation priorities |
| k. | Description of past expenditures and future financial needs for bicycle facilities |
-

Relationship to Local Plans and Other Relevant Land Use, Transportation, Air Quality, and Energy Planning Efforts

Implementation of the NCTPA Countywide Bicycle Plan will require coordination, consistency, and cooperation amongst numerous jurisdictions and agencies with varied interests that implement policy and maintain regulatory authority over land-use and transportation decisions within and immediately adjacent to Napa County. Local bicycle plans in American Canyon, Calistoga, Napa, St. Helena, Yountville, and the County of Napa supplement this overview document and comprise the Napa Countywide Bicycle Plan. Additionally, there are a number of federal, state, regional, county, and local agencies that have developed plans, programs, directives, policies, and regulations related to funding, planning, designing, operating, maintaining, and using transportation systems and bicycle facilities. These agencies and their plans, policies, and supporting information have been evaluated for coordination, consistency, and conformance with this Plan as identified by Caltrans and stipulated in the Streets and Highways Code Section 891.2. Relevant documents, policies, and supporting information are summarized and provided in Appendix A.

Bicycle Plan Development and Public Participation

The Bicycle Plan was developed over an 18-month period in 2010/11. The Plan was prepared by a consulting team working closely with NCTPA staff, a Project Steering Committee, local agency staff, Bicycle Advisory Committees or other responsible groups from the County and Napa's cities, stakeholders, and the public and interested citizens. The 2011 Napa Countywide Bicycle Plan builds upon the efforts of the 2003 Plan and integrates new projects, partnerships, concepts, and programs.

Public participation was an important component in the development of the Countywide Bicycle Plan. The NCTPA and plan participants solicited public input on existing conditions for bicyclists, potential improvement projects and programs, and site-specific issues such as safety concerns, access, connectivity, bicycle parking, and other items needed to improve conditions for bicyclists. The public participation process utilized an "advocacy" approach, where the general public and citizen representatives serving on advisory committees were instrumental in the development of a vision for bicycling in the community. The public participation process is summarized below.

- *Project Steering Committee* – A project steering committee comprised of local agency staff, citizen representatives, representatives from the Napa County Bicycle Coalition, Vine Trail Coalition, Napa County Safe Routes to Schools Program, Bay Trail Project, Ridge Trail Council, and Napa County Parks and Open Space, bicycle advocates, and others was established to oversee the development and progress of the Plan.
- *Advisory Committee Meetings* – The project consultant and NCTPA staff attended bicycle or other responsible advisory committee meetings in each participating jurisdiction to kickoff the project, collect input on issues and opportunities, and develop a vision and goals for the project. A second round of advisory committee meetings was conducted to review draft plans, projects, and program proposals.
- *Public Workshop #1* – The initial public workshop for the Bicycle Plan was held on Saturday, October 23, 2010, from 10:30 a.m. to 12:30 p.m. at the Yountville Community Center. Approximately 65 people attended the workshop, including local agency staff, elected officials, NCTPA board members, local bicycle advocates, and members of public. The purpose of the workshop was to collect input on issues, opportunities, and constraints throughout the Plan Area. Attendees were led through a series of small and large group exercises designed to solicit their input using a slide presentation, mapping exercise, issues discussion, and a visioning exercise.
- *Staff Interviews* – Members of local agency staff responsible for bikeway implementation and maintenance were interviewed to solicit their input on existing conditions, issues, opportunities, and constraints regarding Napa's bikeway system and programs.
- *Public Workshop #2* – The second public workshop for the Bicycle Plan was a countywide "Bicycle Summit" held on September 24, 2011 at New Technology High School in Napa. Approximately 60 people attended. Attendees conducted a detailed review of maps showing the existing and proposed network and offered substantial comments and suggestions that were later incorporated into the final network.
- *City Council, Board of Supervisors, and NCTPA Hearings* – The full Plan is scheduled to be presented to the NCTPA Board of Directors at its December 2011 meeting for their adoption. Following this, presentations will be scheduled to each city and town council and the Napa County Board of Supervisors for them to adopt the specific plan for their jurisdiction. This will occur in January and February of 2012.

Implementing Partners



Implementation of the Countywide Bicycle System and encouragement of its use is a responsibility shared by all government agencies and jurisdictions in the Plan Area. It relies not only upon the development of good plans, but commitment at each level of government to support bicycle projects and programs. Whereas each agency has a different level of responsibility for building capital facilities, the implementation of education and encouragement programs is a responsibility shared fairly equally among all agencies. Following are descriptions of the partners that will share in the implementation of policies, projects, and programs contained in this Plan.

Cities and County

Because development of bicycle projects and programs occurs mainly at the city and county levels, local jurisdictions hold the greatest share of responsibility for implementing bicycle networks. Napa's cities

(American Canyon, Calistoga, Napa, St. Helena, and Yountville), Napa County and the NCTPA need to recognize and plan for bicycle travel in transportation elements of comprehensive plans, and to program projects into capital improvement programs. Law enforcement agencies have primary responsibility for the implementation of traffic safety and enforcement programs.

Napa County Transportation Planning Agency

NCTPA is a joint powers authority formed in 1998 with members including the Cities of American Canyon, Calistoga, Napa, St. Helena, the Town of Yountville and the County of Napa. NCTPA serves as the Congestion Management Agency for Napa County and is responsible for long-range intercity transportation planning, programming State and Federal funding for transportation projects within the County, and promoting and coordinating intercity transit and rideshare services. NCTPA will provide oversight, coordination, implementation of various programmatic improvements, and will program regional transportation funds for the planning, design, and maintenance of the bicycle system.

Metropolitan Transportation Commission

MTC is the federally designated Metropolitan Planning Organization for the nine-county San Francisco Bay Area. MTC is responsible for long-range transportation planning for the Metropolitan area. MTC does not design or construct capital projects, but is responsible for allocating regionally managed federal funds. MTC also oversees the San Francisco Bay Area Bicycle Program and 511.org, which promotes alternatives to driving alone. MTC develops and adopts the Regional Transportation Improvement Plan (RTIP) and the shorter-term Transportation Improvement Program (TIP).

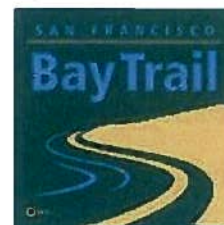


California Department of Transportation (Caltrans)

Caltrans is an important partner in addressing regional bicycle needs through road projects, policies and maintenance on State transportation facilities. Given the nature of Napa's roadway system, which provides limited alternatives for intercity roadway connections, it will be critical to work with Caltrans to provide bicycle access within existing highway corridors including north-south access along SR 29 and east west access along SR's 12, 121, and 128.

Regional Trail Agencies

Several regional trails are proposed within the Plan Area, including the San Francisco Bay Trail and the Bay Area Ridge Trail. It will be important to work closely with the non-profit and/or regional agencies that oversee the development of these trail networks to ensure that opportunities to integrate each of the trails into the local bikeway network are maximized. Each of the trails provides unique opportunities for recreational riding, and for commuters and tourists to access major destinations throughout the County. Further, as regional facilities these trails provide opportunities to connect to neighboring jurisdictions and points beyond Napa County within the greater San Francisco Bay Area. The respective trail agencies will play an important role in planning route alignments, garnering public support, and potentially funding route segments and trail amenities.



Transit Agencies

Transit agencies such as the Vine are responsible for ensuring access for bicyclists at and in the immediate vicinity of transit transfer stations, park-and-ride lots and transit stops. These improvements facilitate bicycle access to transit facilities and include bike parking and bike racks on buses.

Private Developers

Private developers will help implement the bicycle system by providing facilities for bicycle access in new developments. Their level of responsibility depends on each jurisdiction's codes and permitting requirements, which vary among municipalities. Developers are also responsible for providing supporting amenities at the workplace, such as bicycle parking, lockers, showers and changing rooms.

Local Advisory Committees

Bicycle, pedestrian, trail, and citizens advisory committees from Napa County and its cities have a strong role in project planning, oversight, and community education and encouragement. They should also work collaboratively with public agencies during the planning, design and development of land use and transportation projects to ensure the policies, projects, and programs contained in this plan are carried out, and the needs of bicyclists are at least considered, but ideally met.

Napa County Health and Human Services Agency

There is an increasing opportunity for Public Health Departments to support bicycling as a means to increase physical activity and improve public health. The Napa County Public Health Department will support bicycling and participate in implementation of the Plan through public policy actions and the delivery of education, encouragement, and awareness programs, and by addressing bicycle safety issues. To ensure the success of bicycling in the Plan Area, it will be important to partner with the Public Health Department to broaden the reach of safety, support, and encouragement activities. The Public Health Department should team with local law enforcement agencies to promote bicycle safety, with schools and districts to deliver programs for students that encourage bicycling as a healthy activity and teach bicycle safety, and with private employers to convey the health benefits of commuting by bicycle.

Napa County Office of Education, School Districts, and Schools

The Napa County Office of Education currently provides Safe Routes to School (SRTS) bicycle and pedestrian safety education to elementary students at a limited number of schools in the Plan Area on a "by request" basis through its School and Community Partnership Program. The SRTS program uses a variety of education strategies including in-class curriculum and hands-on bicycle training to improve student safety and help encourage more children to walk and bicycle to school. The County Office of Education is interested in expanding the program to provide safety education annually to all elementary and middle school students in the Plan Area. The Napa County Office of Education will play an important role in the delivery of bicycle education and safety information to students and should increase its partnerships with local agencies, NCTPA, law enforcement, and the Napa County Health and Human Services Agency to expand the delivery of Safe Routes to Schools programs and activities.

Benefits of Bicycling

Bicycling contributes to both local and regional goals established in General Plans and Transportation Plans throughout Napa County of being healthy vibrant communities that offer citizens a variety of transportation choices, to reduce vehicle miles traveled and greenhouse gasses, preserve community character, and offer an amazing quality of life.

Bicycling is a low-cost, quiet, non-polluting, sustainable and healthy form of transportation ideal for many local trips. The individual benefits of bicycling include:

- Improved health through increased physical activity
- Stress reduction
- Lower transportation costs

The social benefits of bicycling include:

- Improved air quality through reduced vehicular emissions
- Less vehicle traffic congestion
- Reduced use of non-renewable fuel resources
- Reduced health care costs via a healthier citizenry

The transportation benefits of bicycling include:

- Increased travel choices
- Reduced congestion
- Decreased pressure to build roads
- Enhanced traffic safety

Objectives and Policies

In addition to the countywide policies indicated below, each jurisdiction may choose to identify additional local policies. These additional policies are shown in the jurisdiction-specific plans that accompany this countywide overview.

Objective 1.0: The Countywide Bicycle Network

Establish a comprehensive, safe, connected countywide bicycle transportation and recreation system to support increases in bicycle trips made throughout the County to 10 percent of all trips by 2035.

Policies

- 1.1 Develop and maintain a local and countywide bicycle transportation and recreation network that connects Napa's neighborhoods and communities, and provides access to public transportation, school, work, recreation areas, shopping and other activity centers, and to regional routes according to the maps and recommendations in this plan. [NCTPA, cities, towns, County]
- 1.2 Develop and maintain contiguous north-south and east-west Class I pathways to provide inter-city connections and serve as primary bikeways in the Countywide Bikeway System. [NCTPA, cities, towns, County]
- 1.3 Consistent with federal, state and regional directives for "routine accommodation and complete streets"¹, ensure that all transportation projects on designated bicycle routes include, enhance or maintain bicycle transportation facilities. [NCTPA, cities, towns, County]
- 1.4 Seek opportunities to work cooperatively with all responsible departments and agencies (for example, transportation agencies, flood districts, utility agencies, parks and open space districts) to close existing gaps in facilities and ensure the network is funded, designed, constructed, and maintained. [NCTPA, cities, towns, County]
- 1.5 Consider the needs of all types of bicyclists (commuters, recreational riders, children, and families) in planning, developing, and maintaining a bikeway network that is safe and convenient. [NCTPA, cities, towns, County]
- 1.6 Establish and/or maintain local and countywide bicycle advisory committees to advise staff on bicycle network issues. [NCTPA, cities, towns, County]

Summaries of Federal, State, and Regional policies regarding the importance and consideration of non-motorized modes are provided in Appendix A.

Objective 2.0: Design

Utilize accepted design standards and "best practices" to facilitate completion of a connected bicycle system that is safe, convenient and enjoyable to use.

Policies

- 2.1 Utilize Chapter 1000, "Bikeways Planning and Design," of the *California Highway Design Manual*, the *California Manual of Uniform Traffic Control Devices*, and the American Association of State Highway

¹ US DOT Policy Statement: Integrating Bicycling and Walking into Transportation Infrastructure, 2000; Assembly Concurrent Resolution 211, 2002; Caltrans Deputy Directive 64, 2001; Caltrans Director's Policy 22 (Director's Policy on Context Sensitive Solutions), 2001; Metropolitan Transportation Commission Resolution No. 3765, (Routine Accommodations), 2006

Transportation Officials (AASHTO) *Guide for the Development of Bicycle Facilities*, as well as evolving “best practices” for the development of bicycle facilities. [NCTPA, cities, towns, County]

- 2.2 Consistent with Assembly Bill 1581 (Fuller) and Caltrans Policy Directive 09-06, assure that all approaches to signalized intersections include bicycle detection devices that are operational and properly marked. [NCTPA, cities, towns, County]
- 2.3 Provide consistent enhanced crossing features at uncontrolled intersections with Class I trails. [NCTPA, cities, towns, County]
- 2.4 Where standard Class II bike lanes are infeasible under current conditions, consider innovative approaches to safely accommodate bicycles. (Approaches may include but are not limited to: striped edge lines, signs, shared lane markings, “road diets,” eliminating parking, etc.) [NCTPA, Caltrans, cities, towns, County]
- 2.5 Install way-finding signage, markers, and stencils on off-street paths, on-street bikeways, local Class III routes, and State Routes to improve way finding for bicyclists, assist emergency personnel, and heighten motorists’ awareness. [NCTPA, Caltrans, cities, towns, County]
- 2.6 Improve safety and access for bicyclists at all at-grade railroad crossings by providing appropriate enhancements such as proper track structure, safe crossing angles, track fillers, lighting, and adequate warning and guidance information among other features. [NCTPA, Caltrans, cities, towns, County]
- 2.7 Bikeway design and siting outside of existing transportation corridors shall take into account the Napa County Right to Farm Ordinance (Appendix D) and take into consideration the “highest and best use” of the land, particularly in areas of active agricultural production such that new bikeways do not impede agricultural operations.
- 2.8 Signage should be developed in areas adjacent to active agricultural operations to inform cyclists of the need to respect the necessity of agricultural practices and to respect the privacy of private properties.

European Design

European cities employ a variety of bikeway designs generally known as “Cycle Tracks” that protect or separate bikeways from vehicle traffic where possible. These engineering efforts combined with a comprehensive approach to safety, encouragement, and awareness have helped to establish mode split rates with up to 40 percent of all trips made by bicycle. Where appropriate, similar practices should be tested or employed to determine if significant mode split shifts can be achieved within the Napa Valley.

Objective 3.0: Multimodal Integration

Develop and enhance opportunities for bicyclists to easily access public transit and other transportation resources.

Policies

- 3.1 Require transit providers to provide and maintain convenient and secure bike parking facilities and related amenities at major transit stops and transportation centers. [NCTPA, cities, towns, County]
- 3.2 Require local and regional transit agencies to accommodate bicycles on all transit vehicles that serve the general public. [NCTPA]
- 3.3 Plan for additional bicycle storage capacity on transit vehicles to ensure capacity keeps up with demand. [NCTPA]

- 3.4 Consider a “Safe Routes to Transit” program that prioritizes bicycle and pedestrian access to transit stops and centers. [NCTPA, cities, towns, County]
- 3.5 Encourage the development of “staging areas” as a component of trail development and other bikeway projects where appropriate to accommodate recreational bicycling needs. [NCTPA, cities, towns, County]
- 3.6 Develop strategies and work with private landowners/businesses to provide bicycle parking at strategic locations. [NCTPA, cities, towns, County, NCBC]

Objective 4.0: Comprehensive Support Facilities

Ensure development of comprehensive support facilities for bicycling such as short- and long-term bicycle parking, end of trip amenities, bicycle staging areas, repair stations, and other resources such as bicycle maps, guide information, and on-line tools.

Policies

- 4.8 Require adequate short-term (i.e. bike racks) and long-term (i.e. bike lockers) bicycle parking for non-residential uses as required in local standards. Nonresidential uses include private commercial and industrial uses, as well as hospitals, clinics, gyms, parks and other civic facilities. [Cities, towns, County]
- 4.9 Provide adequate short-term bicycle parking and long-term bicycle storage for transportation centers including transit transfer centers, park-and-ride lots, train stations, transit stops, etc. [NCTPA, Caltrans, cities, towns, County]
- 4.10 Work with businesses and private property owners to provide bicycle parking at existing employment, retail, and commercial sites. [NCTPA, cities, towns, County]
- 4.11 Encourage employers to provide secure indoor and/or covered bicycle parking for their employees. [Cities, towns, County]
- 4.12 Encourage major employers to provide shower and locker facilities for workers. [Cities, towns, County]
- 4.13 Encourage local school district to provide well located, secure bicycle parking at schools. [NCTPA, cities, towns, County]
- 4.14 Design Class I Trails to incorporate high-visibility crossing treatments, pedestrian scale lighting, street furniture, drinking fountains, interpretive elements, and other amenities where appropriate. [NCTPA, cities, towns, County]

Objective 5.0: Safety and Security

Create a countywide bicycle system that is perceived to be safe for bicyclists of all types and age groups, and work to reduce collisions involving bicyclists by 50 percent by the year 2035. (Use 2008 collision data as the baseline for analysis and perform periodic progress evaluations at 5-year intervals to benchmark progress.)

Policies

- 5.1 Coordinate the delivery of bicycle Safety Education Programs to schools utilizing assistance from law enforcement agencies, bicycle advocacy groups, local bicycle shops, Napa County Office of

Education, Napa County Health and Human Services, and other appropriate organizations. [NCTPA, cities, towns, County, NCBC]

- 5.2 Focus on improving safety at intersections by using or installing routine pedestrian signal cycles; pedestrian push buttons; high-visibility crosswalk markings; appropriate warning and directional signs; and reassurance or directional markings for bicyclists such as shared lane markings, skip lines, etc.; and through the use of focused education.
- 5.3 Focus on improving safety at railroad crossings by providing safe track crossing angles for bicyclists, using concrete panels and flangeway fillers to avoid surface irregularities, and through the use of quad crossing gates and warning signs. [Caltrans, cities, towns, County, Napa Wine Train]
- 5.4 Safety improvements in the vicinity of schools, major public transit hubs, civic buildings, shopping centers, and other community destinations shall be given a high priority for implementation. [NCTPA, Caltrans, cities, towns, County]
- 5.5 Improve ongoing collection and analysis of collision data to assist in the identification of problem areas which may require immediate attention. [Cities, towns, County]
- 5.6 Promote targeted enforcement of violations that focus on primary collision factors such as riding on the wrong side of the road, riding without proper safety equipment including lights at night, and right-of-way violations, etc.
- 5.7 When siting bikeways, the safety and security of adjacent land owners should be considered

Objective 6.0: Land Use

Support and strengthen local land use policies for compact, mixed use development in appropriate areas, and for designing and constructing bicycle facilities as part of new development projects.

Policies

- 6.1 Condition discretionary projects to provide needed bicycle improvements on Class I, II or III routes designated in this plan, assuming a nexus is established. Improvements include easements or land dedication and route construction, maintenance or enhancement, including support facilities. Construction may be deferred until a connection to an existing route can be made at the discretion of the jurisdiction. [Cities, towns, County]
- 6.2 In accordance with CEQA Guidelines, projects that could result in the loss of existing bicycle facilities or jeopardize future facilities included in this Plan must be mitigated.
- 6.3 Encourage school districts to participate in providing safe and continuous bicycle and pedestrian connections from surrounding neighborhoods when constructing new or improving existing school facilities. [NCTPA, cities, towns, County]
- 6.4 Site any new Class I multiuse paths that are not adjacent to existing transportation corridors in such a way that they are compatible with any adjacent active agricultural activities.
- 6.5 For any class I multiuse paths in lands zoned "Agricultural Preserve", path development must include transfer of title to Napa County or other public entity so as not to contravene Agricultural Preserve approved use provisions.
- 6.6 Class I multiuse paths that are part of the Napa Valley Vine Trail shall be sited according to the

Vine Trail policies (see Vine Trail description p XX). The same policies may also guide the siting of other Class I multiuse paths where appropriate.

Objective 7.0: Education and Promotion

Develop programs and public outreach materials to promote safety and the positive benefits of bicycling.

Policies

- 7.1 Develop and implement a multimedia countywide bicycle and pedestrian safety and education campaign to increase knowledge of riding rules, improve etiquette between motorized and non-motorized modes, promote bicycle tourism, and increase the awareness of the benefits of bicycling and walking as transportation modes. [NCTPA, cities, towns, County- potentially jointly]
- 7.2 Expand the delivery of Safe Routes to Schools curriculum to all elementary and middle schools annually. [NCTPA, cities, towns, County, School Districts, NCBC]
- 7.3 Educate law enforcement personnel, agency staff, elected officials, and school officials about the benefits of non-motorized transportation, and the safety needs of bicyclists and pedestrians. [NCTPA, cities, towns, County, School Districts, NCBC]
- 7.4 Develop and maintain a public bikeway map and user guide that provides bike route, education, safety, and promotional information. [NCTPA, cities, towns, County- potentially jointly]
- 7.5 Distribute bicycle and pedestrian safety, educational, and promotional materials at drivers training and citation diversion programs, school orientations and community and civic events. [NCTPA, cities, towns, County, law enforcement agencies, schools, advocacy organizations]
- 7.6 Encourage events that introduce the public to bicycling and walking such as bike-to-work, commuter challenges, bike/walk-to-school days, elected official bike rides, etc. [NCTPA, cities, towns, County, schools, advocacy organizations]
- 7.7 Encourage major employment centers and employers to facilitate commuting by bicycle, including the use of flex-time work schedules to support non-rush hour bicycle commuting. [NCTPA, cities, towns, County, advocacy organizations]
- 7.8 Maps of the Bike Network that made available to the public by public agencies shall only show existing bikeways. This does not include formal planning documents which will also include proposed routes and routes under study.

Objective 8.0: Planning

Continue to update and integrate bicycle-related transportation projects into land use and recreation plans and roadway improvement projects.

Policies

- 8.1. The countywide and/or local Bicycle Advisory Committee (BAC) shall be responsible for advising staff and decision makers on the ongoing planning and coordination of the countywide bicycle transportation system. [County, city and town BACs]
- 8.2. Update and adopt the Bicycle Plan in accordance with the California Bicycle Transportation Act, and to coordinate with Regional Transportation Plan updates. [NCTPA, County, participating cities and towns]

- 8.3. Participating jurisdictions shall update their general plans to incorporate the key contents of this Bicycle Plan. [County, participating cities and towns]
- 8.4. Consider local and the Countywide BAC as a resource to review roadway improvement projects, particularly on designated bicycle routes, for bicycle safety and compatibility and consistency with this plan. "Roadway improvements" include widening, resurfacing, rehabilitation, capacity improvements, traffic calming improvements, etc. Note that MTC's Regional Bicycle Plan for the San Francisco Bay Area recommends that local agencies form and maintain Advisory Committee's to advise staff on bicycle and pedestrian issues. [NCTPA, cities, towns, County]
- 8.5. Proactively seek new opportunities for acquisition of abandoned rights-of-way, natural waterways, flood control rights-of-way, utility rights-of-way, and other lands for the development of new Class I multi-use pathways that integrate with the planned system. [NCTPA, cities, towns, County]
- 8.6. Recognize the varied needs of bicyclists by striving to maintain on-street bikeways where off street pathways or alternative routes are proposed. Existing bikeways should not be altered or eliminated without consulting local bicycle advisory committees. [NCTPA, cities, towns, County]
- 8.7. NCTPA and local jurisdictions are encouraged to assign staff to assume bicycle coordination duties to oversee implementation of the Countywide Bicycle Plan and coordinate activities between affected departments and jurisdictions. [NCTPA, cities, towns, County]
- 8.8. For Class I multiuse paths not along existing transportation corridors, proactively notify landowners along proposed trail routes at the earliest phase of route planning.
- 8.9. For projects in the State right-of-way, project sponsors should work with Caltrans to ensure concerns are resolved prior to application for encroachment permits.

Objective 9.0: Maintenance

Maintain and/or improve the quality, operation, and integrity of bicycle infrastructure.

Policies

- 9.5. Maintain geometry, pavement surface condition, debris removal, markings, and signage on Class II and Class III bikeways to the same standards and condition as the adjacent motor vehicle lanes. [Cities, towns, County]
- 9.6. Develop or retain a maintenance reporting system with a central point of contact to report, track, and respond to routine bicycle maintenance issues in a timely manner. [NCTPA, NCBC, cities, towns, County]
- 9.7. Require that road construction projects minimize their impacts on bicyclists through the proper placement of construction signs and equipment, and by providing adequate detours. [Caltrans, cities, towns, County]
- 9.8. Consider bicycle safety in the routine maintenance of local roads and seek to, at a minimum, include the following activities [Caltrans, cities, towns, County]:
 - Trim vegetation to provide a minimum horizontal clearance of 4 feet from the edge of pavement and a minimum vertical clearance of 8 feet.
 - Clear debris from road shoulder areas to provide a clean surface for bicycling.

Objective 10.0: Funding

Work to maximize the amount of funding to implement bicycle projects and programs throughout the county.

Policies

- 10.1 Seek varied sources of funding, including but not limited to federal, state, and regional programs, partnerships with local non-profits and other local agencies, and local sources such as assessments to improve the bicycle system. [NCTPA, cities, towns, County]
- 10.2 Encourage multi-jurisdictional funding applications to implement the primary network and countywide bicycle system. [NCTPA, cities, towns, County]
- 10.3 Promote the availability of adequate regional, state and federal funding sources for bicycle transportation projects. [NCTPA, NCBC, cities, towns, County]



1935 Addison Street, Suite A
Berkeley, CA 94705
510.298.0740 x174
301.927.2800 fax
www.tooledesign.com

Draft Vision, Goals, and Policies Napa Countywide Bicycle Plan

November 2 ~~October 2~~, 2017

This memo outlines the draft vision, goals, and policies for the updated Napa Countywide Bicycle Plan. This policy framework will be revised as additional input is received throughout the planning process. As a next step, a matrix identifying which agencies/organizations are responsible for implementing each objective/policy will be drafted.

Proposed Vision Statement

Napa County is a bicycle-friendly community with a world class bicycling system. The comprehensive, connected bicycle system provides people with safe, convenient and enjoyable access throughout all Napa County jurisdictions and to destinations beyond. Residents and visitors enjoy bicycling for everyday trips and recreation, and bicycling contributes to a high quality of life in Napa County.

Goals and Policies

The following are the proposed goals and policies for the updated Napa Countywide Bicycle Plan.

Goals		Policies
Connectivity	To develop a well-connected low-stress bicycle network	<ul style="list-style-type: none"> Build and maintain a local and countywide bicycle transportation and recreation network that connects Napa County's incorporated cities/town and unincorporated communities and provides access to public transportation and community destinations. Develop and maintain continuous north-south and east-west Class I multi-use pathways <u>dedicated bicycle facilities of all types</u> to provide inter-city connections and serve as the backbone of the Countywide Bikeway System. Prioritize completion of <u>Focus on</u> regionally significant and primary bikeways including the Napa Valley Vine Trail, the Bay Trail and the Ridge Trail, many segments of which also serve as local routes. Provide secure bicycle parking at public and private destinations throughout Napa County. Integrate where feasible <u>the</u> bicycle networks <u>and bicycle facilities</u> into land use decisions and developments.
Safety	Improved <u>To improve</u> safety for all ages and abilities	<ul style="list-style-type: none"> Reduce the number and severity of bicycle collisions. Target <u>Identify</u> and improve areas that have high incidences of bicycle collisions. Implement Complete Streets policies that to <u>accommodate bicyclists, pedestrians, and transit riders and enable safe access for</u> all users. Implement appropriate, well-designed bicycle facilities and intersection and other crossing improvements.



December 7, 2017
TAC Agenda Item 7.5
Continued From: New

Action Requested: INFORMATION

NAPA VALLEY TRANSPORTATION AUTHORITY TAC Agenda Letter

TO: Technical Advisory Committee (TAC)
FROM Kate Miller, Executive Director
REPORT BY: Danielle Schmitz, Director – Programs, Projects & Planning
(707) 259-5968 | dschmitz@nvta.ca.gov
SUBJECT: Regional Transportation Improvement Program Compromise Approved
by Metropolitan Transportation Commission on October 25, 2017

RECOMMENDATION

Information Only

EXECUTIVE SUMMARY

The STIP is a multi-year capital improvement program comprised of transportation projects on and off the State Highway System, funded with revenues from the State Highway Account and other funding sources. The STIP is composed of two sub-elements: the Regional Transportation Improvement Program (RTIP) and the Interregional Transportation Improvement Program (ITIP). The Metropolitan Transportation Commission, as the Regional Transportation Planning Agency for the Bay Area, is responsible for conducting the RTIP Call for Projects. On October 25, 2017 MTC adopted the 2018 RTIP guidelines including a new compromise proposal to include housing requirements in the RTIP guidelines. None of NVRTA's 2018 RTIP projects are affected by this proposal, however, the new policy rewards the jurisdiction from each county with the most very low, low and moderate income housing production using \$76 million in STIP funds. How those funds will be distributed is still under discussion.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Discussion

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 (State California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The Metropolitan Transportation Commission is responsible for developing the RTIP guidelines to ensure consistency with the region's Regional Transportation Plan. A key component of the RTP/SCS is that the plan demonstrate how the region can house 100% of the region's projected growth at all income levels. In recent decades, the Bay Area has not produced sufficient housing to accommodate the region's population growth, particularly low and moderate income households.

During the drafting of the 2018 RTIP guidelines MTC received major pushback on including policies that aim to address the region's severe housing production shortfall in the program. MTC staff provided a number of different options to the Commission including what MTC staff refer to as the "carrot" and "stick" components of the proposal. The "carrot" rewards local jurisdictions that produce the most housing at very low, low and moderate income levels while the "stick" would condition project eligibility for jurisdictions not meeting a certain threshold of housing permits issued for very low to moderate income levels.

None of the options staff provided were selected at the October 25th meeting; instead a Compromise Proposal was approved. The Compromise Proposal is summarized below:

- Augments MTC's "Race to the Top" challenge by including an additional \$46 million in funding for a total of \$76 million dollars to reward the top 15 jurisdictions in producing the most housing between 2015 and 2020. At least one top housing producer will be selected from each of the nine counties. MTC staff will bring a recommendation on how this is achieved by July 1, 2018.
- MTC to report back on how to further develop the 80k by 2020 challenge work in concert with other funding criteria and incentivize housing production across the region.

-
- MTC/ABAG will be surveying local jurisdictions on compliance with four housing laws and will report back to the commission by July 1, 2018. The four housing laws are:
 1. The Surplus Land Act
 2. Density Bonus Law (AB 2135)
 3. Accessory Dwelling Unit Streamlining (SB 1069, AB 2299, AB 2406)
 4. State Housing Element Law: status of required rezoning of housing sites identified in local housing elements at appropriate minimum densities.
 - MTC/ABAG staff will develop supplemental housing condition criteria that would cover all fund sources that come through MTC. These conditions would be available for public and stakeholder review by July 2018.
 - MTC/ABAG staff will be working with the CMAs to evaluate the PDA Planning process to identify action steps and constraints for housing production by April 1, 2018.

NVTA will be keeping up-to-date on developments related to the RTIP Compromise and will report back to the TAC on a regular basis.

It should be underscored that this policy only applies to the 2018 STIP. The Commission has further tasked MTC staff to evaluate all its funding sources in context of incentivizing housing production. The 2020 STIP will be a part of those discussions.

SUPPORTING DOCUMENTS

Attachment(s): (1) RTIP Compromise Proposal

HANDOUT - Agenda Item 7a

Compromise Proposal for the RTIP

1. For the immediate impact on housing production augment the \$30M “race to the top” OBAG housing challenge with \$46M in regional OBAG 2 funds, for a total purse of \$76M that would be divided by the top 15 cities that produce the most housing between 2015 and 2020. Include at least one top city housing producer from each of the nine counties to be included in the top 15. By July 1, 2018, MTC staff will bring a recommendation to the MTC Programming & Allocations Committee defining how these funds are distributed among the 15 cities.
2. Direct MTC/ABAG staff to report back by July 1, 2018 on how to further develop the expanded “80k by 2020” OBAG 2 housing challenge to work in concert with the other funding criteria recommendations to incentivize housing outcomes across the region.
3. Direct MTC/ABAG staff to survey local jurisdictions for compliance with four different state housing laws, and report the results to the Commission by July 1, 2018.
4. Direct MTC/ABAG staff to develop supplemental housing condition criteria that would consider all funding sources by July 1, 2018 for public and stakeholder review. Following such review, staff would present revised criteria to a special Commission workshop, which would deliberate on the matter and recommend funding, legislative, or other actions as appropriate to the Commission for approval.
5. Request MTC Staff work with the nine CMAs to assess the PDA Planning process to identify action steps and constraints for housing production and affordable housing in the PDA’s by April 1, 2018.



NAPA VALLEY TRANSPORTATION AUTHORITY TAC Agenda Letter

TO: Technical Advisory Committee (TAC)
FROM: Kate Miller, Executive Director
REPORT BY: Kate Miller, Executive Director
(707) 259-8634 / Email: kmiller@nvta.ca.gov
SUBJECT: Road Rehabilitation and Accountability Act of 2017 (Senate Bill 1-Beall)

RECOMMENDATION

That the TAC receive an update on the Road Rehabilitation and Accountability Act of 2017 (SB 1).

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

Governor Brown signed SB 1, the Road Rehabilitation and Accountability Act into law on April 28, 2017. The Act will generate an estimated \$5.2 billion annually to improve and modernize transportation infrastructure throughout the state. The anticipated funding will play a critical role in improving Napa Valley's roads and highway infrastructure in addition to providing new funding for transit services. These funds represent the first sustained increase in transportation funding since the early 1990s.

Because of the Act's significance to the residents and jurisdictions in Napa Valley, NVTA staff will provide regular updates to the TAC to highlight proposed guidelines, anticipated new funding from competitive programs and provide information about Napa's priority projects that will be funded by revenues under the Act.

On September 14th a statewide referendum initiative was filed with the California Attorney General's Office. If the referendum qualifies for the ballot it would threaten the new funding programs under the Road Rehabilitation and Accountability Act. A coalition has formed to communicate the benefits of SB 1. Caltrans has developed a website about SB 1 (<http://rebuildingca.ca.gov/>) and the League of Cities has put together a

toolkit (<https://www.cacities.org/Top/News/News-Articles/2017/August/SB-1-Transportation-Funding-Toolkit-Available>) to help jurisdictions communicate the benefits of SB 1 to their constituents.

A second referendum was filed by a group of Republicans who have named John Cox, a gubernatorial candidate, the honorary chair for the campaign. This referendum would amend the Constitution and would prohibit the legislature from increasing any tax on vehicles or fuel retroactively to January 1, 2017, thereby repealing SB 1 in the process.

Subsequent to the referendum filing, a telephone poll completed by Probolsky Research indicated that the majority of California residents would oppose repealing the Road Rehabilitation and Accountability Act of 2017.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment

FISCAL IMPACT

None

BACKGROUND AND DISCUSSION

The Road Rehabilitation and Accountability Act includes a number of programs that will greatly improve transportation infrastructure throughout Napa Valley. Table 1 lists the programs and estimated annual amounts below. Table 1 also includes key priorities for Napa County.

Table 1: SB 1 Programs

<u>Program Title</u>	<u>New Estimated Annual Statewide Funding Amounts</u>	<u>Local Funding Target/Priority Projects</u>
Local Streets and Roads (LS&R)*	\$1.5 billion	\$ 5 million/local road rehabilitation
State Highway Operations and Protection Program (SHOPP)**	\$1.5 billion	Various Projects on the State Highway including SR 29 Improvements in South County
Trade Corridor and Solutions for Congested Corridor Programs*	\$550 million	SR 29 (Soscot Junction), SR 29/121 Carneros, SR 29 South County Multi-Modal Improvements
Local Partnership Formula Program (LPP)*	\$100 million	\$0.2 million for Road Rehabilitation
Local Partnership Formula Program (LPP)**	\$100 million	SR 29 Improvements in South County
Active Transportation Program (ATP)**	\$100 million	Napa Valley Vine Trail, Imola Corridor Bike/Ped Improvements

Local Planning Grants**	\$25 million	Imola Corridor Improvements
State Transit Assistance (STA)*	\$0.6 million	\$600,000 transit operations and capital improvements

* Funding received on formula for eligible projects

**Statewide competitive programs or programs administered by Caltrans

NVTA staff have attended at least one workshop for each of the SB 1 programs and have or are in the process of commenting on the proposed guidelines being developed by the California Transportation Commission (CTC). Copies of the letters sent to date are included as Attachment 2 and 3. Table 2 lists deadlines for these new SB 1 programs.

Table 2: Program Requirements and Due Dates for New Programs

<u>Program</u>	<u>Item</u>	<u>Due Date</u>
Local Partnership Formula and Competitive Program	Guidelines Adopted by CTC	October 18, 2017
Local Partnership Formula Program	Applications Due	December 15, 2017
Local Partnership Competitive Program	Applications Due	January 31, 2018
Solutions for Congested Corridors Program	Guidelines Adopted by CTC	December 6, 2017
Solutions for Congested Corridors Program	Applications Due	February 16, 2018
Trade Corridor Enhancement Program	Guidelines Adopted by CTC	October 18, 2017
Trade Corridor Enhancement Program	Applications Due	January 30, 2018

There are a number of programs that already exist for which new SB 1 funding will be added. These include the Local Planning Grants, the ATP, and the LS&R Program. The STA program will likely be similar to the existing STA program but SB 1 created a new capital only fund and discussions about the guidelines are still ongoing. Table 3 shows near term requirements/deadlines for existing programs.

Table 3: Program Requirements and Due Dates for Existing Programs

<u>Program</u>	<u>Item</u>	<u>Due Date</u>
LS&R	Submittal of Maintenance of Effort Amounts	October 1, 2017
LS&R	Project Lists	October 16, 2017
Active Transportation Program	MPO Project Programming Deadlines to CTC	October 19, 2017
Caltrans Planning Grants*	Grant Applications Due	October 20, 2017

*Second round of planning grant – guidelines to be distributed in January with applications due February 23, 2018

SUPPORTING DOCUMENTS

Attachments: (1) August 31, 2017 Comments on Local Partnership Proposed Guidelines
(2) October 5, 2017 Supplementary Comments on Local Partnership
Proposed Guidelines
(3) October 5, 2017 Comments on Congested Corridor Program



August 31, 2017

Susan Bransen
Executive Director
California Transportation Commission
1120 N Street, Room 2221 (MS-52)
Sacramento, CA 95814

Subject: Comments of the SB 1 LLP Draft Guidelines

Dear Ms. Bransen,

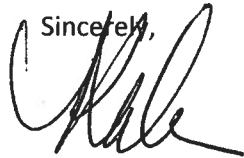
Thank you for the opportunity to comment on the Local Partnership Program Draft Guidelines. Napa Valley Transportation Authority (NVRTA) serves as the Congestion Management Agency for the Cities, Town and County of Napa. In that capacity, NVRTA is also the Measure T transportation sales tax authority. The agency also serves as the County's public transit provider.

In general, NVRTA is supportive of many of the proposed guidelines but has the following additional comments for your consideration:

- Page 5, paragraph D – NVRTA recommends that the guidelines do not specify a minimum useful life for bicycle and pedestrian projects. Measure T is primarily a local streets and roads rehabilitation program and LPP funds may very well be used to maintain bicycle and pedestrian facilities. A critical component of extending the useful life of asphalt-based bike/pedestrian facilities is the application of preventive maintenance treatments. The application of such treatments is generally more frequent than 15 years, particularly in flood areas or locations with extreme temperatures.
- Page 6, Paragraph I – NVRTA supports using the LPP funds for preconstruction for formula funding and the competitive program.
- Page 6, Paragraph I – NVRTA supports greater flexibility of eligible matching funds and therefore recommends removing the dollar-for-dollar match to the qualifying fund source requirement. This proposal would restrict NVRTA's use of its LPP funds to projects only funded in its measure which may be fully funded without LPP funds. The LPP project eligibility should be defined by the categories enumerated beginning on Page 5, Paragraph A through I regardless of local measure eligibility.
- Page 12, Paragraph 7 – NVRTA does not support using the CalEPA definition of disadvantaged communities. Napa has a number of low income populations living well below the 200% federal poverty line but does not meet the CalEPA standards. NVRTA supports using a regionally defined definition instead.
- Page 14, Paragraph 9 – the amount of revenues that NVRTA generates under the formula program is expected to be roughly \$200,000 annually. NVRTA recognizes the critical need to deliver capital projects quickly and therefore rather than extending the period of time to use the revenues, NVRTA recommends that the Commission develop an exchange program that would allow an agency to "bank" its funds by lending it to another project sponsor with payback at a

future date. This could be achieved through agreements between local agencies by resolution with little oversight by the Commission. It not only supports accelerating larger shovel ready projects, but eases annual capital project budgeting for agencies that generate nominal amounts of LPP funds annually.

Once again, NVTa appreciates this opportunity to comment on the draft guidelines. Please contact my staff member, Danielle Schmitz dschmitz@nvta.ca.gov (707) 259-5968 or me should you have any questions or require additional information.

Sincerely,


Kate Miller
Executive Director
Napa Valley Transportation Authority

Cc: Kenny Kao, Metropolitan Transportation Commission
Jose Oseguera, Assistant Deputy Director CTC
NVTa Technical Advisory Committee



October 5, 2017

Ms. Susan Bransen
Executive Director
California Transportation Commission
1120 N Street, MS-52
Sacramento, CA 95814

RE: Supplementary Comments on the SB 1 Local Partnership Program Draft Guidelines

Dear Ms. Bransen:

Thank you for this opportunity to comment on the Local Partnership Program (LPP) Draft Guidelines. Napa Valley Transportation Authority (NVRTA) serves as the Congestion Management Agency for the Cities, Town, and County of Napa. In that capacity, NVRTA is also the Measure T transportation sales tax authority. The agency also serves as the County's public transit provider.

This is NVRTA's second comment letter on the SB 1 LPP. We appreciate you and your staff's acknowledgement and actions associated with the comments that were made in NVRTA's first letter. One of those comments recommended not designating a specific matching fund source to ensure greater flexibility and to acknowledge that the proposed project categories already sufficiently constrain program eligibility. The current proposal in the draft guidelines, however, restricts the match to funds *not allocated by the California Transportation Commission (CTC)*. This proposal prohibits eligible applicants from using State Transportation Improvement Program (STIP) funds. This proposal is particularly problematic for small counties that do not generate sufficient revenue in their sales taxes or developer fees. This proposal greatly curtails NVRTA and Napa Valley jurisdictions to fund major projects because they are partially or mostly funded by County STIP shares. It further has the unintended effect of slowing down the delivery of SB 1-funded projects.

Once again, NVRTA appreciates this opportunity to comment on the draft guidelines. Please contact my staff member, Danielle Schmitz (dschmitz@nvtta.ca.gov or 707-259-5968) or me should you have any questions or require additional information.

Sincerely,


Kate Miller
Executive Director



October 5, 2017

Susan Bransen
Executive Director
California Transportation Commission
1120 N Street, MS-52
Sacramento, CA 95814

RE: Comment on SB 1 Solutions for Congested Corridor

Dear Ms. Bransen:

Thank you for this opportunity to comment on the Solutions for Congested Corridor Draft Guidelines. Napa Valley Transportation Authority (NVRTA) serves as the Congestion Management Agency for the Cities, Town, and County of Napa. In that capacity, NVRTA is also the Measure T transportation sales tax authority. The agency also serves as the County's public transit provider.

We urge you to reconsider the *Matching* Requirements in Paragraph 8, page 3 of the draft guidelines. MTC guidelines prohibit the use of Bay Area Federal Highway Administration funds for capacity increasing projects. NVRTA's Measure T sales tax is limited to road rehabilitation. These fund sources are the only non-competitive fund sources that NVRTA receives that are not allocated by the California Transportation Commission (CTC). We had hoped to match SB 1 funds with Napa's Regional Transportation Improvement Program (RTIP) funds, which as you know, are allocated by the CTC. We are further concerned that this requirement would hinder the delivery of critical highway projects which runs counter to the universal goal of rolling out SB 1 projects quickly.

Once again, NVRTA appreciates this opportunity to comment on the draft guidelines. Please contact my staff member, Danielle Schmitz (dschmitz@nvtta.ca.gov or 707-259-5968) or me should you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Kate Miller", is written over the word "Sincerely,".

Kate Miller
Executive Director